

Kansas Administrative Regulations

Kansas Department of Transportation

Article 16.—Highway Relocation Assistance

36-16-21. Applicable to counties, townships, and cities.

(a) The provisions of K.A.R. 36-16-1 et seq. apply to all acquisitions of real property, and displacements of persons for:

(1) any county, township or city highway, road or street, for which federal assistance is made available to that government entity because of any contract between the department on behalf of that governmental entity with a federal agency, under the provisions of K.S.A. 1981 Supp. 68-402b; or

(2) for which department funds are made available though no federal funds are available or used in the acquisition of that real property. The amount of relocation assistance and other payments made to that displaced person shall not exceed the amount that would have been paid that displaced person had federal assistance been made available or used for the acquisition of that real property for that county, township or city highway, road or street project. The department may deduct the amount of any relocation assistance payments owed by that governmental entity described in (1) above from any monies due that entity from the state or the department for highway road or street purposes.

(b) The department shall administer K.S.A. 68-402b and K.A.R. 36-16-1 as to relocation assistance, and real property acquisition by a governmental entity for highway, road or street purposes, under the provisions of K.A.R. 36-16-21(a), except as otherwise agreed between the department and the governmental entity involved.

(Authorized by K.S.A. 58-3505, 58-3506, 68-402, 68-402b, K.S.A. 1982 Supp. 68-404; implementing K.S.A. 58-3501 to 58-3506; effective Jan. 1, 1972; amended, E-72-15, June 1, 1972; amended Jan. 1, 1973; amended May 1, 1983.)