

Kansas Administrative Regulations

Kansas Department of Transportation

Article 16.—Highway Relocation Assistance

36-16-16. Housing replacement by the department of transportation as a last resort.

(a) If the department cannot proceed to actual construction on a project because comparable replacement sale or rental housing is not available, and the department, or its authorized representative, determines that such housing cannot otherwise be made available, it may take action that is necessary or appropriate to provide housing. Funds authorized for the purpose of housing replacement shall be used.

(b) Unless the department or its authorized representative is satisfied that replacement housing in accordance with the provisions of K.A.R. 36-16-1 is available, no person shall be required to move from his or her dwelling because of any state highway project or any county, township or city highway, road or street project for which federal funds are made available under an agreement between an agency of the federal government and the department acting for and on behalf of any of the described governmental entities.

(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, E-71-31, Aug. 1, 1971; effective Jan. 1, 1972; amended, E-72-15, June 1, 1972; amended Jan. 1, 1973; amended May 1, 1983.)

***** Authenticated Kansas Administrative Regulation *****