

Kansas Administrative Regulations

Kansas Department of Transportation

Article 41.—Public Safety Communication System and Revolving Fund

36-41-3. Access lease agreement and equipment lease agreement: restrictions and requirements.

(a) No access lease agreement shall permit interference with or impair the existing use of the department's communication system equipment by any governmental entity, any nongovernmental entity, or any public safety agency.

(b) The initial term of each access lease agreement shall not exceed five years. An access lease agreement may be renewed by the secretary after its initial term for a maximum of four five-year periods.

(c) The rate charged to an authorized governmental entity or an authorized public safety agency for communication system equipment access and the rate charged to an authorized public safety agency for the lease of communication system equipment shall be the actual incremental costs of the administration, equipment, installation, and maintenance attributable to the specific lease activity, as determined by the secretary. The lease agreement shall specifically detail the actual incremental costs upon which the rate is based.

(d) The term of each equipment lease agreement shall not exceed the service life of the equipment or 10 years, whichever is less.

(Authorized by K.S.A. 2004 Supp. 75-5076; implementing K.S.A. 2004 Supp. 75-5074; effective, T-36-2-18-05, Feb. 18, 2005; effective July 22, 2005.)

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