

Kansas Administrative Regulations

Kansas Department of Transportation

Article 40.—Transportation Revolving Fund

36-40-3. Transportation project eligibility.

(a) For a transportation project to be eligible for financial assistance, the following requirements shall be met:

(1) The applicant shall provide the secretary with the applicant's written assurance of the following:

(A) The applicant will use a licensed professional engineer to design the transportation project, if approved, in accordance with the then-existing generally recognized and prevailing engineering standards and with the federal and state laws and regulations applicable at the time of design, which shall include any subsequent design revisions for the approved project.

(B) The transportation project, if approved, will be inspected by an inspector, who shall provide reasonable assurance that the approved project is constructed in substantial conformity with its plans, specifications, and any authorized revisions.

(C) The construction of the transportation project, if approved, will conform to its plans, specifications, and any authorized revisions.

(D) The plans and specifications for the transportation project, if approved, shall not be revised or deviated from without the approval of the approved project's designer.

(2) The transportation project shall be consistent with the existing or planned state highway system, or both, as defined by K.S.A. 68-406, and amendments thereto.

(b) No portion of a transportation project's cost shall be eligible for financial assistance under the act if a federal reimbursement has been received for the same portion of the cost.

(Authorized by and implementing K.S.A. 2002 Supp. 75-5065; effective Oct. 31, 2003.)