

Kansas Administrative Regulations

Kansas Department of Transportation

Article 40.—Transportation Revolving Fund

36-40-1. Definitions.

For the purposes of the regulations in this article, the following words and phrases shall be defined as follows: (a) "Act" means K.S.A. 75-5063 *et seq.*, and amendments thereto.

(b) "Applicant" means any governmental unit filing an application with the secretary for financial assistance under the act.

(c) "Approved project" means the scope of work for a transportation project for which financial assistance is provided.

(d) "Debt service" means the principal, interest, and any premium required to be paid pursuant to a financial assistance agreement.

(e) "Financial assistance" means any credit enhancement, loan, or refunding or acquisition of bonds previously issued by the applicant as approved by the secretary pursuant to the act.

(f) "Financial assistance agreement" means a contract between an applicant and the secretary confirming the purpose of the financial assistance, the amount and terms of the financial assistance, the schedule of financial assistance payments and repayments, if any, and any other agreed-upon conditions applicable to that approved project.

(g) "Final acceptance" means the point at which the contractor has completed all work on an approved project and the licensed professional engineer responsible for the inspection informs the department in writing that all work specified in the construction contract has been completed in substantial conformity with the plans, specifications, and any authorized revisions.

(h) "KDFA" means the Kansas development finance authority, which is a public body, politic and corporate, and an independent instrumentality of the state established at K.S.A. 74-8903 and amendments thereto.

(i) "Inspector" means an individual who meets the following requirements:

(1) (A) Is a licensed professional engineer or is supervised by a licensed professional engineer; and

(B) is provided by the applicant to observe the work performed and test the materials used in an approved project according to its plans and contract documents; and

(2) has successfully completed the department's certified inspector training appropriate for the work being inspected.

(j) "Licensed professional engineer" means a person licensed as a professional engineer by the state board of technical professions pursuant to K.S.A. 74-7001 *et seq.* and amendments thereto.

(k) "Maintenance" means a type of transportation project that extends the design life of a bridge, culvert, highway, road, or street, or combination of these, but does not, as the major purpose, enhance the structural integrity.

(l) "Opened to unrestricted travel" means that all travel lanes are open to vehicle traffic and no construction speed restrictions remain in place.

(m) "Transportation project" means the acquisition, construction, improvement, repair, rehabilitation, maintenance, or extension of any bridge, culvert, highway, road, or street, or combination of these, for which an application has been filed for financial assistance from the fund.

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

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