

Kansas Administrative Regulations

Kansas Department of Transportation

Article 41.—Public Safety Communication System and Revolving Fund

36-41-1. Definitions.

For the purposes of this article, the following words and phrases shall be defined as specified in this regulation: (a) "Access lease agreement" means a contract between the secretary and any one of the following that permits and confirms the purpose and terms of access to the department's communication system equipment and any other agreed-upon conditions:

- (1) An authorized governmental entity;
- (2) an authorized nongovernmental entity; or
- (3) an authorized public safety agency.

(b) "Act" means K.S.A. 75-5073 through 75-5077, and amendments thereto.

(c) "Applicant" means any of the following:

(1) A governmental entity filing an application under the act with the secretary for an access lease agreement;

(2) a nongovernmental entity filing an application under the act with the secretary for an access lease agreement; or

(3) a public safety agency filing an application under the act with the secretary for an access lease agreement or an equipment lease agreement.

(d) "Authorized governmental entity" means a governmental entity whose application for an access lease agreement has been approved by the secretary. This term shall not include public safety agencies.

(e) "Authorized nongovernmental entity" means a nongovernmental entity whose application for an access lease agreement has been approved by the secretary.

(f) "Authorized public safety agency" means a public safety agency whose application for an access lease agreement or equipment lease agreement has been approved by the secretary.

(g) "Communication system equipment access" means the acquisition, construction, enhancement, installation, improvement, maintenance, repair, rehabilitation, relocation, security, or extension of any equipment necessary to use, implement, support, and maintain the department's communication system.

(h) "Equipment lease agreement" means a contract between an authorized public safety agency and the secretary that confirms the purpose and terms of the lease of communication system equipment from the department and any other agreed-upon conditions.

(i) "Prevailing rate" means the amount of money that the secretary determines shall be charged for the communication system equipment access sought by an authorized nongovernmental entity, as specified in an access lease agreement.

(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 *****