



KANSAS
ASSOCIATION OF
COUNTIES

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House Transportation Committee
February 9, 2022
House Bill 2531

Kansas Association of Counties
Neutral Testimony

Chairman Rahjes and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer testimony on HB 2531, which would allow private individuals to construct, maintain, and operate pipelines within public county road rights-of-way if that individual is engaged in an agricultural activity.

There are two important notification standards that should be added to this bill prior to advancing from this committee. Participation in the Kansas One Call service should be required to avoid damage to unmarked lines by the county or the private landowner. This would allow for marking buried lines within the right of way prior to any work being done by the landowner, the county or another entity.

Likewise, prior to maintenance of the line that would close the road, the owner of the line needs to notify the county to avoid road closures that could delay emergency responders that are not expecting or aware of these closures. An agreement to this effect should be required prior to approval of the line by the commission.

KAC recognizes the importance of agriculture in our communities, and the need to balance property rights of individual landowners with the needs of other landowners. The public right of way is a property right that belongs to the county.

HB 2531 allows the county commission to grant access to private property for other entities without the permission of the landowner. This bill appears to bypass the private landowner, allowing the commission to allow individuals to enter private land even over the objection of the landowner. This could subject the county to litigation. Allowing landowners to participate in this process is an important consideration in this bill.

KAC would ask the committee to carefully weigh these issues prior to making any recommendation on the bill.

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