

Effective 5/13/2014

Superseded 5/10/2016

17B-2a-804 Additional public transit district powers.

- (1) In addition to the powers conferred on a public transit district under Section 17B-1-103, a public transit district may:
- (a) provide a public transit system for the transportation of passengers and their incidental baggage;
 - (b) notwithstanding Subsection 17B-1-103(2)(g) and subject to Section 17B-2a-817, levy and collect property taxes only for the purpose of paying:
 - (i) principal and interest of bonded indebtedness of the public transit district; or
 - (ii) a final judgment against the public transit district if:
 - (A) the amount of the judgment exceeds the amount of any collectable insurance or indemnity policy; and
 - (B) the district is required by a final court order to levy a tax to pay the judgment;
 - (c) insure against:
 - (i) loss of revenues from damage to or destruction of some or all of a public transit system from any cause;
 - (ii) public liability;
 - (iii) property damage; or
 - (iv) any other type of event, act, or omission;
 - (d) acquire, contract for, lease, construct, own, operate, control, or use:
 - (i) a right-of-way, rail line, monorail, bus line, station, platform, switchyard, terminal, parking lot, or any other facility necessary or convenient for public transit service; or
 - (ii) any structure necessary for access by persons and vehicles;
 - (e)
 - (i) hire, lease, or contract for the supplying or management of a facility, operation, equipment, service, employee, or management staff of an operator; and
 - (ii) provide for a sublease or subcontract by the operator upon terms that are in the public interest;
 - (f) operate feeder bus lines and other feeder or ridesharing services as necessary;
 - (g) accept a grant, contribution, or loan, directly through the sale of securities or equipment trust certificates or otherwise, from the United States, or from a department, instrumentality, or agency of the United States;
 - (h) study and plan transit facilities in accordance with any legislation passed by Congress;
 - (i) cooperate with and enter into an agreement with the state or an agency of the state or otherwise contract to finance to establish transit facilities and equipment or to study or plan transit facilities;
 - (j) issue bonds as provided in and subject to Chapter 1, Part 11, Local District Bonds, to carry out the purposes of the district;
 - (k) from bond proceeds or any other available funds, reimburse the state or an agency of the state for an advance or contribution from the state or state agency;
 - (l) do anything necessary to avail itself of any aid, assistance, or cooperation available under federal law, including complying with labor standards and making arrangements for employees required by the United States or a department, instrumentality, or agency of the United States;
 - (m) sell or lease property;
 - (n) assist in or operate transit-oriented or transit-supportive developments;

- (o) establish, finance, participate as a limited partner or member in a development with limited liabilities in accordance with Subsection (1)(p), construct, improve, maintain, or operate transit facilities, equipment, and transit-oriented developments or transit-supportive developments; and
 - (p) subject to the restriction in Subsection (2), assist in a transit-oriented development or a transit-supportive development in connection with economic development by:
 - (i) investing in a project as a limited partner or a member, with limited liabilities; or
 - (ii) subordinating an ownership interest in real property owned by the public transit district.
- (2)
- (a) A public transit district may only assist in the economic development of areas under Subsection (1)(p):
 - (i) in the manner described in Subsection (1)(p)(i) or (ii); and
 - (ii) on no more than eight transit-oriented developments or transit-supportive developments selected by the board of trustees.
 - (b) A public transit district may not invest in a transit-oriented development or transit-supportive development as a limited partner or other limited liability entity under the provisions of Subsection (1)(p)(i), unless the partners, developer, or other investor in the entity, makes an equity contribution equal to no less than 25% of the appraised value of the property to be contributed by the public transit district.
 - (c) A current board member of a public transit district to which the board member is appointed may not have any interest in the transactions engaged in by the public transit district pursuant to Subsection (1)(p)(i) or (ii), except as may be required by the board member's fiduciary duty as a board member.
- (3) A public transit district may be funded from any combination of federal, state, local, or private funds.
- (4) A public transit district may not acquire property by eminent domain.