

17B-2a-805 Limitations on authority of a public transit district.

- (1) A public transit district may not exercise control over a transit facility or public transit service or system owned or operated inside or outside the district by a governmental entity unless, upon mutually agreeable terms, the governmental entity consents.
- (2)
 - (a) A public transit district may not establish, directly or indirectly, a public transit service or system, or acquire a facility necessary or incidental to a public transit service or system, in a manner or form that diverts, lessens, or competes for the patronage or revenue of a preexisting system of a publicly or privately owned public carrier furnishing like service, unless the district obtains the consent of the publicly or privately owned carrier.
 - (b) A public transit district's maintenance and operation of an existing system that the district acquires from a publicly or privately owned public carrier may not be considered to be the establishment of a public transit service or system under this Subsection (2).
 - (c) A public transit district's introduction, maintenance, or operation of a system may not be considered to be the establishment of a public transit service or system under this Subsection (2) if the service or system is introduced, maintained, or operated by the public transit district:
 - (i) as part of a program of projects approved by the Federal Transit Administration;
 - (ii) in cooperation with the state or a political subdivision of the state, pursuant to an interlocal agreement; or
 - (iii) in accordance with Title 72, Chapter 12, Travel Reduction Act.

Amended by Chapter 146, 2011 General Session