

1                   **COMMUNITY COOPERATION REQUIREMENTS**  
2                                   **OF UTAH DEPARTMENT OF**  
3   **TRANSPORTATION**

4   1999 GENERAL SESSION

5   STATE OF UTAH

6   **Sponsor: Ralph Becker**

7 AN ACT RELATING TO TRANSPORTATION; AMENDING DUTIES OF THE  
8 DEPARTMENT OF TRANSPORTATION; AND PROVIDING FOR COOPERATION WITH  
9 COUNTY AND MUNICIPAL OFFICIALS ON THE ADMINISTRATION OF  
10 TRANSPORTATION SYSTEMS.

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 AMENDS:

13           **72-1-201**, as renumbered and amended by Chapter 270, Laws of Utah 1998

14           **72-1-205**, as renumbered and amended by Chapter 270, Laws of Utah 1998

15           **72-1-208**, as renumbered and amended by Chapter 270, Laws of Utah 1998

16 *Be it enacted by the Legislature of the state of Utah:*

17           Section 1. Section **72-1-201** is amended to read:

18           **72-1-201. Creation of Department of Transportation -- Functions, powers, duties,**  
19 **rights, and responsibilities.**

20           There is created the Department of Transportation which shall:

21           (1) have the general responsibility for planning, research, design, construction,  
22 maintenance, security, and safety of state transportation systems;

23           (2) provide administration for state transportation systems and programs;

24           (3) implement the transportation policies of the state;

25           (4) plan, develop, construct, and maintain state transportation systems that are safe,  
26 reliable, environmentally sensitive, and serve the needs of the traveling public, commerce, and  
27 industry;

28 (5) establish standards and procedures regarding the technical details of administration of  
29 the state transportation systems as established by statute and administrative rule;

30 (6) advise the governor and the Legislature about state transportation systems needs; [and]

31 (7) cooperate with counties and municipalities to help mitigate adverse traffic and safety  
32 impacts between state and local transportation systems; and

33 [~~(7)~~] (8) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,  
34 make policy and rules for the administration of the department, state transportation systems, and  
35 programs.

36 Section 2. Section **72-1-205** is amended to read:

37 **72-1-205. Region offices -- Region directors -- Qualifications -- Responsibilities.**

38 (1) The department shall maintain region offices throughout the state as the executive  
39 director finds reasonable and necessary for the efficient carrying out of the duties of the  
40 department.

41 (2) The executive director shall appoint a region director for each region. Each region  
42 director shall be a qualified executive with technical and administrative experience and training.

43 (3) The region director is responsible for:

44 (a) executing department policy within the region;

45 (b) supervising project development and operations of the state transportation systems  
46 within the region; [and]

47 (c) promoting the department's public involvement and information programs[-]; and

48 (d) cooperating with counties and municipalities in the administration of state and local  
49 transportation systems within the region.

50 (4) The executive director may also establish district offices within a region to implement  
51 maintenance, encroachment, safety, community involvement, and loss management functions of  
52 the region.

53 Section 3. Section **72-1-208** is amended to read:

54 **72-1-208. Cooperation with counties, municipalities, the federal government, and all**  
55 **state departments.**

56 (1) The department shall cooperate with the counties[-cities,] and [towns] municipalities  
57 in the administration, construction, maintenance, and use of [~~the highways~~] state transportation  
58 systems and in all related matters, and may provide services to the counties[-cities,] and [towns]

59 municipalities on terms mutually agreed upon.

60 (2) The department, with the approval of the governor, shall cooperate with the federal  
61 government in all federal-aid projects and with all state departments in all matters in connection  
62 with the use of [~~the highways~~] state transportation systems.

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**Legislative Review Note**  
**as of 1-14-99 11:06 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**