

**TRANSPORTATION CORRIDOR  
PRESERVATION AMENDMENTS**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: John W. Hickman**

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**LONG TITLE**

**General Description:**

This bill modifies the Transportation Corridor Preservation Act by amending certain definitions.

**Highlighted Provisions:**

This bill:

▶ defines "transportation facility" to mean a highway, airport, or park and ride lot to limit allowable uses of transportation corridor preservation funds.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**72-5-401**, as enacted by Chapter 34, Laws of Utah 2000

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

Section 1. Section **72-5-401** is amended to read:

**72-5-401. Definitions.**

As used in this part:

(1) "Corridor" means the path or proposed path of a transportation facility that exists or



28 that may exist in the future. A corridor may include the land occupied or to be occupied by a  
29 transportation facility, and any other land that may be needed for expanding a transportation  
30 facility or for controlling access to [it] the transportation facility.

31 (2) "Corridor preservation" means planning or acquisition processes intended to:

32 (a) protect or enhance the capacity of existing corridors; and

33 (b) protect the availability of proposed corridors in advance of the need for and the  
34 actual commencement of the transportation facility construction.

35 (3) "Development" means:

36 (a) the subdividing of land;

37 (b) the construction of improvements, expansions, or additions; or

38 (c) any other action that will appreciably increase the value of and the future  
39 acquisition cost of land.

40 (4) "Official map" means a map, drawn by government authorities and recorded in  
41 county recording offices that:

42 (a) shows actual and proposed rights-of-way, centerline alignments, and setbacks for  
43 highways and other transportation facilities;

44 (b) provides a basis for restricting development in designated rights-of-way or between  
45 designated setbacks to allow the government authorities time to purchase or otherwise reserve  
46 the land; and

47 (c) for counties and municipalities may be adopted as an element of the general plan,  
48 pursuant to Title 17, Chapter 27, Part 3, General Plan, or Title 10, Chapter 9, Part 3, General  
49 Plan.

50 (5) "Taking" means an act or regulation, either by exercise of eminent domain or other  
51 police power, whereby government puts private property to public use or restrains use of  
52 private property for public purposes, and that requires compensation to be paid to private  
53 property owners.

54 (6) "Transportation facility" means a publicly owned:

55 (a) highway;

56 (b) airport; or

57 (c) park and ride lot.

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**Legislative Review Note**

as of 1-28-04 11:09 AM

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number SB0148**

**Transportation Corridor Preservation Amendments**

*04-Feb-04*

*2:07 PM*

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**State Impact**

Provisions of this bill can be handled within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**