

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **72-4-301**, as last amended by Laws of Utah 2009, Chapter 393

33 **72-4-301.5**, as enacted by Laws of Utah 2009, Chapter 393



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

36 Section 1. Section **72-4-301** is amended to read:

37 **72-4-301. Definitions.**

38 As used in this part:

39 (1) "Committee" means the Utah State Scenic Byway Committee created in Section
40 72-4-302.

41 (2) "Corridor management plan" means a written document:

42 (a) required to be submitted for a highway to be nominated as a National Scenic
43 Byway or All-American Road that specifies the actions, procedures, controls, operational
44 practices, and administrative strategies to maintain the scenic, historic, recreational, cultural,
45 archeological, and natural qualities of a scenic byway; and

46 (b) adopted by each municipality or county affected by the corridor management plan.

47 [~~2~~] (3) "Non-scenic area" means:

48 (a) any property that is unzoned or zoned for commercial or industrial use adjoining a
49 highway that does not contain at least one of the intrinsic qualities described in Subsection
50 72-4-303(1)(b) immediately upon the property; or

51 (b) any property that is unzoned or zoned for commercial or industrial use that
52 contains an intrinsic quality described in Subsection 72-4-303(1)(b) immediately upon the
53 property but the intrinsic quality does not represent the primary use of the property.

54 [~~3~~] (4) "Segmentation" means:

55 (a) removing the scenic byway designation from a portion of an existing scenic byway
56 that adjoins a non-scenic area; or

57 (b) excluding a portion of a highway from a scenic byway designation where the

58 highway adjoins a non-scenic area.

59 Section 2. Section **72-4-301.5** is amended to read:

60 **72-4-301.5. Designation of highways as a National Scenic Byway or**

61 **All-American Road -- Legislative approval.**

62 (1) Except as provided in Section 72-4-304, a highway or state scenic byway may not
63 be nominated for designation as a National Scenic Byway or All-American Road unless the
64 [nomination] corridor management plan that will be submitted with the application for the
65 highway or state scenic byway to be nominated for designation as a National Scenic Byway or
66 All-American Road is approved by the Legislature.

67 (2) (a) In accordance with Subsection (1), the Legislature may:

68 (i) approve the corridor management plan;

69 (ii) approve the corridor management plan with conditions specified by the
70 Legislature; or

71 (iii) deny the corridor management plan.

72 (b) Upon a decision by the Legislature under Subsection (2)(a), the nominating entity
73 is not required to move forward with the nomination for the National Scenic Byway or
74 All-American Road designation.