

Scott H. Chew proposes the following substitute bill:

**Wildlife Crossing Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Scott H. Chew**

Senate Sponsor: Derrin R. Owens

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**LONG TITLE**

**General Description:**

This bill creates an account and provides funding for wildlife connectivity and livestock protection projects.

**Highlighted Provisions:**

This bill:

- creates the Wildlife Crossing Account in the Transportation Investment Fund of 2005 for projects that improve wildlife safety and connectivity and livestock safety;
- designates wildlife connectivity projects as an allowed use for funds in the Transportation Investment Fund of 2005;
- defines allowed uses of money in the Wildlife Crossing Account;
- directs the Department of Transportation, in consultation with the Division of Wildlife Resources and stakeholders, to recommend projects to the Transportation Commission for prioritization;
- creates the option for applicants for a vehicle registration or hunting and other licenses to make a voluntary contribution to support wildlife connectivity; and
- makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates (\$13,097,800) in operating and capital budgets for fiscal year 2027, all of which is from the General Fund.

This bill appropriates \$2,000,000 in restricted fund and account transfers for fiscal year 2027, all of which is from the various sources as detailed in this bill.

This bill appropriates \$13,097,800 in capital project funds for fiscal year 2027, all of which is from the General Fund.

**Other Special Clauses:**

This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **72-2-124**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15

32 ENACTS:

33 **23A-3-217**, Utah Code Annotated 195334 **41-1a-230.1**, Utah Code Annotated 1953

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36 *Be it enacted by the Legislature of the state of Utah:*37 Section 1. Section **23A-3-217** is enacted to read:38 **23A-3-217 . Voluntary contribution for wildlife crossings.**39 (1) An individual who applies for a license described in Chapter 4, Licenses, Permits,  
40 Certificates of Registration, and Tags, may designate a voluntary contribution of \$1 for  
41 wildlife crossing construction and related activities.42 (2) This contribution shall be:43 (a) collected by the division;44 (b) treated as a voluntary contribution to wildlife crossing construction and not a license  
45 fee; and46 (c) transferred to the Wildlife Crossing Account created in Subsection 72-2-124(14), less  
47 actual administrative costs associated with collecting and transferring the  
48 contributions.49 Section 2. Section **41-1a-230.1** is enacted to read:50 **41-1a-230.1 . Registration checkoff for wildlife crossings.**51 (1) A person who applies for a motor vehicle registration or registration renewal may  
52 designate a voluntary contribution of \$1 for wildlife crossing construction and related  
53 activities.54 (2) This contribution shall be:55 (a) collected by the division;56 (b) treated as a voluntary contribution to wildlife crossing construction and not as a  
57 motor vehicle registration fee; and58 (c) transferred to the Wildlife Crossing Account created in Subsection 72-2-124(14), less  
59 actual administrative costs associated with collecting and transferring the  
60 contributions.61 Section 3. Section **72-2-124** is amended to read:62 **72-2-124 . Transportation Investment Fund of 2005.**

- 63 (1) There is created a capital projects fund entitled the Transportation Investment Fund of  
64 2005.
- 65 (2) The fund consists of money generated from the following sources:
- 66 (a) any voluntary contributions received for the maintenance, construction,  
67 reconstruction, or renovation of state and federal highways;
- 68 (b) appropriations made to the fund by the Legislature;
- 69 (c) registration fees designated under Section 41-1a-1201;
- 70 (d) the sales and use tax revenues deposited into the fund in accordance with Section  
71 59-12-103;
- 72 (e) revenues transferred to the fund in accordance with Section 72-2-106;
- 73 (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and
- 74 (g) revenue from bond proceeds described in Section 63B-34-201.
- 75 (3)(a) The fund shall earn interest.
- 76 (b) All interest earned on fund money shall be deposited into the fund.
- 77 (4)(a) Except as provided in Subsection (4)(b), the executive director may only use fund  
78 money to pay:
- 79 (i) the costs of maintenance, construction, reconstruction, or renovation to state and  
80 federal highways prioritized by the Transportation Commission through the  
81 prioritization process for new transportation capacity projects adopted under  
82 Section 72-1-304;
- 83 (ii) the costs of maintenance, construction, reconstruction, or renovation to the  
84 highway projects described in Subsections 63B-18-401(2), (3), and (4);
- 85 (iii) subject to Subsection (9), costs of corridor preservation, as that term is defined in  
86 Section 72-5-401;
- 87 (iv) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401  
88 minus the costs paid from the County of the First Class Highway Projects Fund in  
89 accordance with Subsection 72-2-121(4)(e);
- 90 (v) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt  
91 Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the  
92 amount certified by Salt Lake County in accordance with Subsection  
93 72-2-121.3(4)(c) as necessary to pay the debt service on \$30,000,000 of the  
94 revenue bonds issued by Salt Lake County;
- 95 (vi) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101  
96 for projects prioritized in accordance with Section 72-2-125;

- 97 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First  
98 Class Highway Projects Fund created in Section 72-2-121 to be used for the  
99 purposes described in Section 72-2-121;
- 100 (viii) if a political subdivision provides a contribution equal to or greater than 40% of  
101 the costs needed for construction, reconstruction, or renovation of paved  
102 pedestrian or paved nonmotorized transportation for projects that:  
103 (A) mitigate traffic congestion on the state highway system;  
104 (B) are part of an active transportation plan approved by the department; and  
105 (C) are prioritized by the commission through the prioritization process for new  
106 transportation capacity projects adopted under Section 72-1-304;
- 107 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction,  
108 reconstruction, or renovation of or improvement to the following projects:  
109 (A) the connector road between Main Street and 1600 North in the city of  
110 Vineyard;  
111 (B) Geneva Road from University Parkway to 1800 South;  
112 (C) the SR-97 interchange at 5600 South on I-15;  
113 (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to  
114 South Jordan Parkway;  
115 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;  
116 (F) improvements to 1600 North in Orem from 1200 West to State Street;  
117 (G) widening I-15 between mileposts 6 and 8;  
118 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;  
119 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197  
120 in Spanish Fork Canyon;  
121 (J) I-15 northbound between mileposts 43 and 56;  
122 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts  
123 43 and 45.1;  
124 (L) east Zion SR-9 improvements;  
125 (M) Toquerville Parkway;  
126 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;  
127 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds,  
128 for construction of an interchange on Bangerter Highway at 13400 South; and  
129 (P) an environmental impact study for Kimball Junction in Summit County;
- 130 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project

- 131 costs based upon a statement of cash flow that the local jurisdiction where the  
132 project is located provides to the department demonstrating the need for money  
133 for the project, for the following projects in the following amounts:
- 134 (A) \$5,000,000 for Payson Main Street repair and replacement;
  - 135 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;
  - 136 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and
  - 137 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S.  
138 40 between mile markers 7 and 10;
- 139 (xi) \$13,000,000 as pass-through funds to Spanish Fork for the costs of right-of-way  
140 acquisition, construction, reconstruction, or renovation to connect Fingerhut Road  
141 over the railroad and to U.S. Highway 6;
- 142 (xii) for a fiscal year beginning on July 1, 2025, only, as pass-through funds from  
143 revenue deposited into the fund in accordance with Section 59-12-103, for the  
144 following projects:
- 145 (A) \$3,000,000 for the department to perform an environmental study for the I-15  
146 Salem and Benjamin project; and
  - 147 (B) \$2,000,000, as pass-through funds, to Kane County for the Coral Pink Sand  
148 Dunes Road project; ~~and~~
- 149 (xiii) for a fiscal year beginning on July 1, 2025, up to \$300,000,000 for the costs of  
150 right-of-way acquisition and construction for improvements on SR-89 in a county  
151 of the first class[-] ; and
- 152 (xiv) for wildlife crossing and connectivity projects.
- 153 (b) The executive director may use fund money to exchange for an equal or greater  
154 amount of federal transportation funds to be used as provided in Subsection (4)(a).
- 155 (c)(i) Construction related to the project described in Subsection (4)(a)(ix)(D) may  
156 not commence until a right-of-way not owned by a federal agency that is required  
157 for the realignment and extension of U-111, as described in the department's 2023  
158 environmental study related to the project, is dedicated to the department.
- 159 (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not dedicated for the  
160 project as described in Subsection (4)(c)(i) on or before October 1, 2024, the  
161 department may proceed with the project, except that the project will be limited to  
162 two lanes on U-111 from Herriman Parkway to 11800 South.
- 163 (5)(a) Except as provided in Subsection (5)(b), if the department receives a notice of  
164 ineligibility for a municipality as described in Subsection 10-21-202(8), the executive

165 director may not program fund money to a project prioritized by the commission  
166 under Section 72-1-304, including fund money from the Transit Transportation  
167 Investment Fund, within the boundaries of the municipality until the department  
168 receives notification from the Housing and Community Development Division within  
169 the Department of Workforce Services that ineligibility under this Subsection (5) no  
170 longer applies to the municipality.

171 (b) Within the boundaries of a municipality described in Subsection (5)(a), the executive  
172 director:

- 173 (i) may program fund money in accordance with Subsection (4)(a) for a  
174 limited-access facility or interchange connecting limited-access facilities;
- 175 (ii) may not program fund money for the construction, reconstruction, or renovation  
176 of an interchange on a limited-access facility;
- 177 (iii) may program Transit Transportation Investment Fund money for a  
178 multi-community fixed guideway public transportation project; and
- 179 (iv) may not program Transit Transportation Investment Fund money for the  
180 construction, reconstruction, or renovation of a station that is part of a fixed  
181 guideway public transportation project.

182 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive  
183 director before July 1, 2022, for projects prioritized by the commission under Section  
184 72-1-304.

185 (6)(a) Except as provided in Subsection (6)(b), if the department receives a notice of  
186 ineligibility for a county as described in Subsection 17-80-202(8), the executive  
187 director may not program fund money to a project prioritized by the commission  
188 under Section 72-1-304, including fund money from the Transit Transportation  
189 Investment Fund, within the boundaries of the unincorporated area of the county until  
190 the department receives notification from the Housing and Community Development  
191 Division within the Department of Workforce Services that ineligibility under this  
192 Subsection (6) no longer applies to the county.

193 (b) Within the boundaries of the unincorporated area of a county described in Subsection  
194 (6)(a), the executive director:

- 195 (i) may program fund money in accordance with Subsection (4)(a) for a  
196 limited-access facility to a project prioritized by the commission under Section  
197 72-1-304;
- 198 (ii) may not program fund money for the construction, reconstruction, or renovation

- 199 of an interchange on a limited-access facility;
- 200 (iii) may program Transit Transportation Investment Fund money for a
- 201 multi-community fixed guideway public transportation project; and
- 202 (iv) may not program Transit Transportation Investment Fund money for the
- 203 construction, reconstruction, or renovation of a station that is part of a fixed
- 204 guideway public transportation project.
- 205 (c) Subsections (6)(a) and (b) do not apply to a project programmed by the executive
- 206 director before July 1, 2022, for projects prioritized by the commission under Section
- 207 72-1-304.
- 208 (7)(a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued in
- 209 any fiscal year, the department and the commission shall appear before the Executive
- 210 Appropriations Committee of the Legislature and present the amount of bond
- 211 proceeds that the department needs to provide funding for the projects identified in
- 212 Subsections 63B-18-401(2), (3), and (4) or Subsection 63B-27-101(2) for the current
- 213 or next fiscal year.
- 214 (b) The Executive Appropriations Committee of the Legislature shall review and
- 215 comment on the amount of bond proceeds needed to fund the projects.
- 216 (8) The Division of Finance shall, from money deposited into the fund, transfer the amount
- 217 of funds necessary to pay principal, interest, and issuance costs of bonds authorized by
- 218 Section 63B-18-401 or 63B-27-101 in the current fiscal year to the appropriate debt
- 219 service or sinking fund.
- 220 (9) The executive director may only use money in the fund for corridor preservation as
- 221 described in Subsection (4)(a)(iii):
- 222 (a) if the project has been prioritized by the commission, including the use of fund
- 223 money for corridor preservation; or
- 224 (b) for a project that has not been prioritized by the commission, if the commission:
- 225 (i) approves the use of fund money for the corridor preservation; and
- 226 (ii) finds that the use of fund money for corridor preservation will not result in any
- 227 delay to a project that has been prioritized by the commission.
- 228 (10)(a) There is created in the Transportation Investment Fund of 2005 the Transit
- 229 Transportation Investment Fund.
- 230 (b) The fund shall be funded by:
- 231 (i) contributions deposited into the fund in accordance with Section 59-12-103;
- 232 (ii) appropriations into the account by the Legislature;

- 233 (iii) deposits of sales and use tax increment related to a housing and transit  
234 reinvestment zone as described in Section 63N-3-610;
- 235 (iv) transfers of local option sales and use tax revenue as described in Subsection  
236 59-12-2220(11)(b) or (c);
- 237 (v) private contributions; and
- 238 (vi) donations or grants from public or private entities.
- 239 (c)(i) The fund shall earn interest.
- 240 (ii) All interest earned on fund money shall be deposited into the fund.
- 241 (d) Subject to Subsection (10)(e), the commission may prioritize money from the fund:
- 242 (i) for public transit capital development of new capacity projects and fixed guideway  
243 capital development projects to be used as prioritized by the commission through  
244 the prioritization process adopted under Section 72-1-304;
- 245 (ii) to the department for oversight of a fixed guideway capital development project  
246 for which the department has responsibility; or
- 247 (iii) up to \$500,000 per year, to be used for a public transit study.
- 248 (e)(i) Subject to Subsections (10)(g), (h), and (i), the commission may only prioritize  
249 money from the fund for a public transit capital development project or pedestrian  
250 or nonmotorized transportation project that provides connection to the public  
251 transit system if the public transit district or political subdivision provides funds of  
252 equal to or greater than 30% of the costs needed for the project.
- 253 (ii) A public transit district or political subdivision may use money derived from a  
254 loan granted in accordance with Part 2, State Infrastructure Bank Fund, to provide  
255 all or part of the 30% requirement described in Subsection (10)(e)(i) if:
- 256 (A) the loan is approved by the commission as required in Part 2, State  
257 Infrastructure Bank Fund; and
- 258 (B) the proposed capital project has been prioritized by the commission pursuant  
259 to Section 72-1-303.
- 260 (f) Before July 1, 2022, the department and a large public transit district shall enter into  
261 an agreement for a large public transit district to pay the department \$5,000,000 per  
262 year for 15 years to be used to facilitate the purchase of zero emissions or low  
263 emissions rail engines and trainsets for regional public transit rail systems.
- 264 (g) For any revenue transferred into the fund in accordance with Subsection  
265 59-12-2220(11)(b):
- 266 (i) the commission may prioritize money from the fund for public transit projects,

- 267 operations, or maintenance within the county of the first class; and
- 268 (ii) Subsection (10)(e) does not apply.
- 269 (h) For any revenue transferred into the fund in accordance with Subsection
- 270 59-12-2220(11)(c):
- 271 (i) the commission may prioritize public transit projects, operations, or maintenance
- 272 in the county from which the revenue was generated; and
- 273 (ii) Subsection (10)(e) does not apply.
- 274 (i) The requirement to provide funds equal to or greater than 30% of the costs needed for
- 275 the project described in Subsection (10)(e) does not apply to a public transit capital
- 276 development project or pedestrian or nonmotorized transportation project that the
- 277 department proposes.
- 278 (j) In accordance with Part 4, Public Transit Innovation Grants, the commission may
- 279 prioritize money from the fund for public transit innovation grants, as defined in
- 280 Section 72-2-401, for public transit capital development projects requested by a
- 281 political subdivision within a public transit district.
- 282 (11)(a) There is created in the Transportation Investment Fund of 2005 the Cottonwood
- 283 Canyons Transportation Investment Fund.
- 284 (b) The fund shall be funded by:
- 285 (i) money deposited into the fund in accordance with Section 59-12-103;
- 286 (ii) appropriations into the account by the Legislature;
- 287 (iii) private contributions; and
- 288 (iv) donations or grants from public or private entities.
- 289 (c)(i) The fund shall earn interest.
- 290 (ii) All interest earned on fund money shall be deposited into the fund.
- 291 (d) The Legislature may appropriate money from the fund for public transit or
- 292 transportation projects in the Cottonwood Canyons of Salt Lake County.
- 293 (e) The department may use up to 2% of the revenue deposited into the account under
- 294 Subsection 59-12-103(4)(f) to contract with local governments as necessary for
- 295 public safety enforcement related to the Cottonwood Canyons of Salt Lake County.
- 296 (f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any
- 297 sales and use tax growth over sales and use tax collections during the 2025 fiscal year
- 298 to fund projects to provide ingress and egress for a public transit hub, including
- 299 construction of the public transit hub, in the Big Cottonwood Canyon area.
- 300 (12)(a) There is created in the Transportation Investment Fund of 2005 the Active

- 301 Transportation Investment Fund.
- 302 (b) The fund shall be funded by:
- 303 (i) money deposited into the fund in accordance with Section 59-12-103;
- 304 (ii) appropriations into the account by the Legislature; and
- 305 (iii) donations or grants from public or private entities.
- 306 (c)(i) The fund shall earn interest.
- 307 (ii) All interest earned on fund money shall be deposited into the fund.
- 308 (d) The executive director may only use fund money to pay the costs needed for:
- 309 (i) the planning, design, construction, maintenance, reconstruction, or renovation of
- 310 paved pedestrian or paved nonmotorized trail projects that:
- 311 (A) are prioritized by the commission through the prioritization process for new
- 312 transportation capacity projects adopted under Section 72-1-304;
- 313 (B) serve a regional purpose; and
- 314 (C) are part of an active transportation plan approved by the department or the
- 315 plan described in Subsection (12)(d)(ii);
- 316 (ii) the development of a plan for a statewide network of paved pedestrian or paved
- 317 nonmotorized trails that serve a regional purpose; and
- 318 (iii) the administration of the fund, including staff and overhead costs.
- 319 (13)(a) As used in this Subsection (13), "commuter rail" means the same as that term is
- 320 defined in Section 63N-3-602.
- 321 (b) There is created in the Transit Transportation Investment Fund the Commuter Rail
- 322 Subaccount.
- 323 (c) The subaccount shall be funded by:
- 324 (i) contributions deposited into the subaccount in accordance with Section 59-12-103;
- 325 (ii) appropriations into the subaccount by the Legislature;
- 326 (iii) private contributions; and
- 327 (iv) donations or grants from public or private entities.
- 328 (d)(i) The subaccount shall earn interest.
- 329 (ii) All interest earned on money in the subaccount shall be deposited into the
- 330 subaccount.
- 331 (e) As prioritized by the commission through the prioritization process adopted under
- 332 Section 72-1-304 or as directed by the Legislature, the department may only use
- 333 money from the subaccount for projects that improve the state's commuter rail
- 334 infrastructure, including the building or improvement of grade-separated crossings

335 between commuter rail lines and public highways.

336 (f) Appropriations made in accordance with this section are nonlapsing in accordance  
337 with Section 63J-1-602.1.

338 (14)(a) There is created in the Transportation Investment Fund of 2005 the Wildlife  
339 Crossing Account.

340 (b)(i) The account shall be funded by:

341 (A) appropriations by the Legislature;

342 (B) donations described in Sections 41-1a-230.1 and 23A-3-217; and

343 (C) private contributions.

344 (ii) The account shall earn interest.

345 (iii) All interest earned on money in the account shall be deposited into the account.

346 (c)(i) The department may use money in the account for wildlife crossing and  
347 connectivity projects including:

348 (A) wildlife overpasses;

349 (B) wildlife underpasses;

350 (C) directional fencing and escape ramps;

351 (D) associated habitat-connectivity mitigation structures and technology,  
352 including wildlife-friendly fencing, cattle guards, and fence modifications that  
353 improve wildlife movement and habitat connectivity and reduce  
354 wildlife-vehicle collisions;

355 (E) fencing, cattle guards, and other infrastructure to promote traffic and livestock  
356 safety;

357 (F) culvert replacement, retrofit, or modification projects designed to improve  
358 aquatic organism passage, fish passage, and stream connectivity, including  
359 projects that restore natural hydrology and reduce barriers created by  
360 transportation infrastructure;

361 (G) wildlife-movement and habitat-connectivity planning, including mapping,  
362 research, monitoring, and statewide connectivity analyses; and

363 (H) protection projects related to livestock and traffic interactions.

364 (ii) The department shall use 10% of the money in the account for livestock-related  
365 safety projects.

366 (iii) The department may use money in the account for matching funds for federal  
367 discretionary grant funds awarded to the department to construct wildlife crossing  
368 and connectivity projects.



403     ITEM 3     To Transportation - Wildlife Crossing Account  
404                     From General Fund, One-time   13,097,800  
405                     Schedule of Programs:  
406                     Wildlife Crossing Account   13,097,800  
407                     The Legislature intends that the Department of  
408                     Transportation use the money appropriated in this Item 3  
409                     to match federal discretionary grant funds awarded to the  
410                     department to construct wildlife mitigation and crossing  
411                     projects.  
412                     Section 5. **Effective Date.**  
413                     This bill takes effect on July 1, 2026.