

Transportation Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: Wayne A. Harper

LONG TITLE**General Description:**

This bill repeals the clean vehicle program, amends distribution frequency for class B and class C road funding, and amends provisions related to local corridor preservation fund administration.

Highlighted Provisions:

This bill:

- repeals the clean vehicle program;
- provides flexibility in distribution frequency of class B and class C road funding;
- directs local corridor preservation funds to go directly to the relevant local government instead of passing through the Transportation Fund;
- modifies certain uses for local corridor preservation funds; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-702, as last amended by Laws of Utah 2020, Chapter 74

72-2-107, as last amended by Laws of Utah 2023, Chapter 22

72-2-117.5, as last amended by Laws of Utah 2025, Chapter 373

REPEALS:

72-6-121, as last amended by Laws of Utah 2024, Chapter 517

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

Section 1. Section **41-6a-702** is amended to read:

41-6a-702 . Left lane restrictions -- Exceptions -- Other lane restrictions --

Penalties.

- (1) As used in this section and Section 41-6a-704, "general purpose lane" means a highway lane open to vehicular traffic but does not include a designated:
- (a) high occupancy vehicle (HOV) lane; or
 - (b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway off-ramp.
- (2) On a freeway or section of a freeway which has three or more general purpose lanes in the same direction, a person may not operate a vehicle in the left most general purpose lane if the person's vehicle or combination of vehicles has a gross vehicle weight rating of 18,001 or more pounds.
- (3) Subsection (2) does not apply to a person operating a vehicle who is:
- (a) preparing to turn left or taking a different highway split or an exit on the left;
 - (b) responding to emergency conditions;
 - (c) avoiding actual or potential traffic moving onto the highway from an acceleration or merging lane; or
 - (d) following direction signs that direct use of a designated lane.
- (4)(a) A highway authority may designate a specific lane or lanes of travel for any type of vehicle on a highway or portion of a highway under its jurisdiction for the:
- (i) safety of the public;
 - (ii) efficient maintenance of a highway; or
 - (iii) use of high occupancy vehicles.
- (b) The lane designation under Subsection (4)(a) is effective when appropriate signs or roadway markings giving notice are erected on the highway or portion of the highway.
- ~~[(5)(a) Subject to Subsection (5)(b), the lane designation under Subsection (4)(a)(iii) shall allow a vehicle with a clean fuel vehicle decal issued in accordance with Section 72-6-121 to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants as permitted by federal law or federal regulation.]~~
- ~~[(b)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation may make rules to allow a vehicle with a clean fuel vehicle decal to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants as permitted by federal law or federal regulation.]~~

65 ~~[(ii) Except as provided in Subsection (5)(b)(iii), the Department of Transportation~~
66 ~~may not issue more than 6,000 clean fuel vehicle decals under Section 72-6-121.]~~

67 ~~[(iii) The Department of Transportation may, through rules made under Subsection~~
68 ~~(5)(b)(i), increase the number of clean fuel vehicle decals issued in accordance~~
69 ~~with Section 72-6-121 beyond the minimum described in Subsection (5)(b)(ii) if~~
70 ~~the increased issuance will allow the Department of Transportation to continue to~~
71 ~~meet its goals for operational management of the lane designated under~~
72 ~~Subsection (4)(a)(iii).]~~

73 ~~[(6)]~~ (5) A public transportation vehicle may operate in a lane designated under Subsection
74 (4)(a)(iii) regardless of the number of occupants as permitted by federal law and
75 regulation.

76 ~~[(7)]~~ (6) A person who operates a vehicle in violation of Subsection (2) or in violation of the
77 restrictions made under Subsection (4) is guilty of an infraction.

78 Section 2. Section **72-2-107** is amended to read:

79 **72-2-107 . Appropriation from Transportation Fund -- Apportionment for class**
80 **B and class C roads.**

81 (1) There is appropriated to the department from the Transportation Fund annually an
82 amount equal to 30% of an amount which the director of finance shall compute in the
83 following manner: The total revenue deposited into the Transportation Fund during the
84 fiscal year from state highway-user taxes and fees, minus those amounts appropriated or
85 transferred from the Transportation Fund during the same fiscal year to:

86 (a) the Department of Public Safety;

87 (b) the State Tax Commission;

88 (c) the Division of Finance;

89 (d) the Utah Travel Council;

90 (e) except as provided in Section 72-1-213.2, the road usage charge program created in
91 Section 72-1-213.1; and

92 (f) any other amounts appropriated or transferred for any other state agencies not a part
93 of the department.

94 (2)(a) Except as provided in Subsections (2)(b) and (c), all of the money appropriated in
95 Subsection (1) shall be apportioned among counties and municipalities for class B
96 and class C roads as provided in this title.

97 (b) The department shall annually transfer \$500,000 of the amount calculated under
98 Subsection (1) to the State Park Access Highways Improvement Program created in

Section 72-3-207.

(c) Administrative costs of the department to administer class B and class C roads shall be paid from funds calculated under Subsection (1).

(3) ~~[Each quarter of every year]~~ At least quarterly the department shall make the necessary accounting entries to transfer the money appropriated under this section for class B and class C roads.

(4) The funds appropriated for class B and class C roads shall be expended under the direction of the department as the Legislature shall provide.

Section 3. Section **72-2-117.5** is amended to read:

72-2-117.5 . Definitions -- Local Highway and Transportation Corridor

Preservation Fund -- Disposition of fund money.

(1) As used in this section:

(a) "Council of governments" means a decision-making body in each county composed of membership including the county governing body and the mayors of each municipality in the county.

(b) "Metropolitan planning organization" has the same meaning as defined in Section 72-1-208.5.

(2) There is created the Local Highway and Transportation Corridor Preservation Fund ~~within the Transportation Fund~~.

(3) The fund shall be funded from the following sources:

(a) a local option highway construction and transportation corridor preservation fee imposed under Section 41-1a-1222;

(b) appropriations made to the fund by the Legislature;

(c) contributions from other public and private sources for deposit into the fund;

(d) all money collected from rents and sales of real property acquired with fund money;

(e) proceeds from general obligation bonds, revenue bonds, or other obligations issued as authorized by Title 63B, Bonds; and

(f) sales and use tax revenues deposited into the fund in accordance with Title 59, Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act.

~~(4)(a) The fund shall earn interest.]~~

~~[(b) All interest earned on fund money shall be deposited into the fund.]~~

~~[(c)]~~ (a) The State Tax Commission shall allocate and distribute the revenues:

(i) provided under Subsection (3)(a) to each county imposing a local option highway construction and transportation corridor preservation fee under Section 41-1a-1222;

- 133 (ii) provided under Subsection 59-12-2217(2) to each county imposing a county
134 option sales and use tax for transportation; and
- 135 (iii) provided under Subsection (3)(f) to each county of the second class or city or
136 town within a county of the second class that imposes the sales and use tax
137 authorized by Section 59-12-2218.
- 138 ~~[(d) The department shall distribute the funds allocated to each county, city, or town~~
139 ~~under Subsection (4)(c) to each county, city, or town.]~~
- 140 ~~[(e)]~~ (b) The money allocated and distributed under this Subsection (4):
- 141 (i) shall be used for the purposes provided in this section for each county, city, or
142 town;
- 143 (ii) is allocated to each county, city, or town as provided in this section with the
144 condition that the state will not be charged for any asset purchased with the money
145 allocated and distributed under this Subsection (4), unless there is a written
146 agreement in place with the department prior to the purchase of the asset
147 stipulating a reimbursement by the state to the county, city, or town of no more
148 than the original purchase price paid by the county, city, or town; and
- 149 (iii) is considered a local matching contribution for the purposes described under
150 Section 72-2-123 if used on a state highway.
- 151 ~~[(f) Administrative costs of the department to implement this section shall be paid from~~
152 ~~the fund.]~~
- 153 (5)(a) A highway authority may acquire real property or any interests in real property for
154 state, county, and municipal transportation corridors subject to:
- 155 (i) money available in the fund to each county under Subsection (4); and
156 (ii) the provisions of this section.
- 157 (b) Fund money may be used to pay interest on debts incurred in accordance with this
158 section.
- 159 (c)(i)(A) Fund money may be used to pay maintenance costs of properties
160 acquired under this section but limited to a total of 5% of the purchase price of
161 the property.
- 162 (B) Any additional maintenance cost shall be paid from funds other than under
163 this section.
- 164 (C) Revenue generated by any property acquired under this section is excluded
165 from the limitations under this Subsection (5)(c)(i).
- 166 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired

under this section.

(d) Fund money allocated and distributed under Subsection (4) may be used by a county highway authority for countywide transportation or public transit planning if:

(i) the county's planning focus area is outside the boundaries of a metropolitan planning organization;

(ii) the transportation planning is part of the county's continuing, cooperative, and comprehensive process for transportation or public transit planning, transportation corridor preservation, right-of-way acquisition, and project programming;

(iii) no more than four years allocation every 20 years to each county is used for transportation planning under this Subsection (5)(d); and

(iv) the county otherwise qualifies to use the fund money as provided under this section.

(e)(i) Subject to Subsection (11), fund money allocated and distributed under Subsection (4) may be used by a county highway authority for transportation corridor planning that is part of the transportation corridor elements of an ongoing work program of transportation or public transit projects.

(ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the direction of:

(A) the metropolitan planning organization if the county is within the boundaries of a metropolitan planning organization; or

(B) the department if the county is not within the boundaries of a metropolitan planning organization.

(f)(i) A county, city, or town that imposes a local option highway construction and transportation corridor preservation fee under Section 41-1a-1222 may elect to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund.

(ii) If a county, city, or town elects to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund, a local highway authority shall repay the fund money authorized for the project to the fund.

(iii) A county, city, or town that elects to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund shall establish repayment conditions of the money to the fund from the specified project funds.

(g)(i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be used by a county of the third, fourth, fifth, or sixth class or by a city or town within a county of the third, fourth, fifth, or sixth class for:

(A) the construction, operation, or maintenance of a class B road or class C road; or

(B) the restoration or repair of survey monuments associated with transportation infrastructure.

(ii) A county, city, or town may not use more than 50% of the current balance of fund money allocated to the county, city, or town for the purposes described in Subsection (5)(g)(i).

(iii) A county, city, or town may not use more than 50% of the fund revenue collections allocated to a county, city, or town in the current fiscal year for the purposes described in Subsection (5)(g)(i).

(6)(a)(i) The Local Highway and Transportation Corridor Preservation Fund shall be used to preserve transportation corridors, promote long-term statewide transportation planning, save on acquisition costs, and promote the best interests of the state in a manner which minimizes impact on prime agricultural land.

~~[(ii) The Local Highway and Transportation Corridor Preservation Fund shall only be used to preserve a transportation corridor that is right-of-way:]~~

~~[(A) in a county of the first or second class for:]~~

~~[(I) a state highway;]~~

~~[(H) a principal arterial highway as defined in Section 72-4-102.5;]~~

~~[(HH) a minor arterial highway as defined in Section 72-4-102.5;]~~

~~[(IV) a collector highway in an urban area as defined in Section 72-4-102.5; or]~~

~~[(V) a transit facility as defined in Section 17B-2a-802; or]~~

~~[(B) in a county of the third, fourth, fifth, or sixth class for:]~~

~~[(I) a state highway;]~~

~~[(H) a principal arterial highway as defined in Section 72-4-102.5;]~~

~~[(HH) a minor arterial highway as defined in Section 72-4-102.5;]~~

~~[(IV) a major collector highway as defined in Section 72-4-102.5;]~~

~~[(V) a minor collector road as defined in Section 72-4-102.5; or]~~

~~[(VI) a transit facility as defined in Section 17B-2a-802.]~~

(ii) In a county of the first or second class, the Local Highway and Transportation

Corridor Preservation Fund shall only be used to preserve a transportation corridor

- 235 that is right-of-way for:
- 236 (A) a state highway;
- 237 (B) a principal arterial highway as defined in Section 72-4-102.5;
- 238 (C) a minor arterial highway as defined in Section 72-4-102.5;
- 239 (D) a collector highway in an urban area as defined in Section 72-4-102.5; or
- 240 (E) a transit facility as defined in Section 17B-2a-802.
- 241 (iii) In a county of the third, fourth, fifth, or sixth class, the Local Highway and
- 242 Transportation Corridor Preservation Fund shall only be used to preserve a
- 243 transportation corridor that is right-of-way for:
- 244 (A) a state highway;
- 245 (B) a principal arterial highway as defined in Section 72-4-102.5;
- 246 (C) a minor arterial highway as defined in Section 72-4-102.5;
- 247 (D) a major collector highway as defined in Section 72-4-102.5;
- 248 (E) a minor collector road as defined in Section 72-4-102.5; or
- 249 (F) a transit facility as defined in Section 17B-2a-802.
- 250 ~~[(iii)]~~ (iv) The Local Highway and Transportation Corridor Preservation Fund may
- 251 not be used for a transportation corridor that is primarily a recreational trail as
- 252 defined under Section 79-5-102.
- 253 (b) A highway authority shall authorize the expenditure of fund money after determining
- 254 that the expenditure is being made in accordance with this section from applications
- 255 that are:
- 256 (i) endorsed by the council of governments; and
- 257 (ii) for a right-of-way purchase for a transportation corridor authorized under
- 258 Subsection (6)(a)(ii) or (iii).
- 259 (7)(a)(i) A council of governments shall establish a council of governments
- 260 endorsement process which includes prioritization and application procedures for
- 261 use of the money allocated to each county under this section.
- 262 (ii) The endorsement process under Subsection (7)(a)(i) may include review or
- 263 endorsement of the preservation project by:
- 264 (A) the metropolitan planning organization if the county is within the boundaries
- 265 of a metropolitan planning organization; or
- 266 (B) the department if the county is not within the boundaries of a metropolitan
- 267 planning organization.
- 268 (b) All fund money shall be prioritized by each highway authority and council of

governments based on considerations, including:

- (i) areas with rapidly expanding population;
- (ii) the willingness of local governments to complete studies and impact statements that meet department standards;
- (iii) the preservation of transportation corridors by the use of local planning and zoning processes;
- (iv) the availability of other public and private matching funds for a project;
- (v) the cost-effectiveness of the preservation projects;
- (vi) long and short-term maintenance costs for property acquired; and
- (vii) whether the transportation corridor is included as part of:

(A) the county and municipal master plan; and

(B)(I) the statewide long range plan; or

(II) the regional transportation plan of the area metropolitan planning organization if one exists for the area.

(c) The council of governments shall:

- (i) establish a priority list of transportation corridor preservation projects within the county;
- (ii) submit the list described in Subsection (7)(c)(i) to the county's legislative body for approval; and
- (iii) obtain approval of the list described in Subsection (7)(c)(i) from a majority of the members of the county legislative body.

(d) A county's council of governments may only submit one priority list described in Subsection (7)(c)(i) per calendar year.

(e) A county legislative body may only consider and approve one priority list described in Subsection (7)(c)(i) per calendar year.

(8)(a) Unless otherwise provided by written agreement with another highway authority or public transit district, the highway authority that holds the deed to the property is responsible for maintenance of the property.

(b) The transfer of ownership for property acquired under this section from one highway authority to another shall include a recorded deed for the property and a written agreement between the highway authorities or public transit district.

(9)(a) The proceeds from any bonds or other obligations secured by revenues of the Local Highway and Transportation Corridor Preservation Fund shall be used for the purposes authorized for funds under this section.

(b) The highway authority shall pledge the necessary part of the revenues of the Local Highway and Transportation Corridor Preservation Fund to the payment of principal and interest on the bonds or other obligations.

(10)(a) A highway authority may not expend money under this section to purchase a right-of-way for a state highway unless the highway authority has:

(i) a transportation corridor property acquisition policy or ordinance in effect that meets department requirements for the acquisition of real property or any interests in real property under this section; and

(ii) an access management policy or ordinance in effect that meets the requirements under Subsection 72-2-117(8).

(b) The provisions of Subsection (10)(a)(i) do not apply if the highway authority has a written agreement with the department for the department to acquire real property or any interests in real property on behalf of the local highway authority under this section.

(11) The county shall ensure, to the extent possible, that the fund money allocated and distributed to a city or town in accordance with Subsection (4) is expended:

(a) to fund a project or service as allowed by this section within the city or town to which the fund money is allocated;

(b) to pay debt service, principal, or interest on a bond or other obligation as allowed by this section if that bond or other obligation is:

(i) secured by money allocated to the city or town; and

(ii) issued to finance a project or service as allowed by this section within the city or town to which the fund money is allocated;

(c) to fund transportation planning as allowed by this section within the city or town to which the fund money is allocated; or

(d) for another purpose allowed by this section within the city or town to which the fund money is allocated.

(12) Notwithstanding any other provision in this section, any amounts within the fund allocated to a public transit district or for a public transit corridor may only be derived from the portion of the fund that does not include constitutionally restricted sources related to the operation of a motor vehicle on a public highway or proceeds from an excise tax on liquid motor fuel to propel a motor vehicle.

Section 4. **Repealer.**

This bill repeals:

337 Section **72-6-121, Clean fuel vehicle decal.**

338 Section 5. **Effective Date.**

339 This bill takes effect on May 6, 2026.