

Kay J. Christofferson proposes the following substitute bill:

**Transportation Modifications**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kay J. Christofferson**

Senate Sponsor: Wayne A. Harper

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**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:

- ▶ amends provisions related to local jurisdiction over real property as pertaining to commuter rail property;
- ▶ repeals the clean vehicle program;
- ▶ amends certain duties of the Department of Transportation;
- ▶ enacts provisions related to privileged information pertaining to rail road safety responsibilities and coordination;
- ▶ 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:

**10-20-305**, as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

29 **17-79-306**, as renumbered and amended by Laws of Utah 2025, First Special Session,  
 30 Chapter 14  
 31 **41-6a-702**, as last amended by Laws of Utah 2020, Chapter 74  
 32 **72-1-201**, as last amended by Laws of Utah 2025, Chapters 393, 452  
 33 **72-2-107**, as last amended by Laws of Utah 2023, Chapter 22  
 34 **72-2-117.5**, as last amended by Laws of Utah 2025, Chapter 373

35 ENACTS:

36 **72-1-219**, Utah Code Annotated 1953

37 REPEALS:

38 **72-6-121**, as last amended by Laws of Utah 2024, Chapter 517

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

41 Section 1. Section **10-20-305** is amended to read:

42 **10-20-305 . State and federal property.**

- 43 (1) As used in this section, "commuter rail" means the same as that term is defined in
- 44 Section 63N-3-602.
- 45 (2) Unless otherwise provided by law, nothing contained in this chapter or Chapter 21,
- 46 Municipalities and Housing Supply, may be construed as giving a municipality
- 47 jurisdiction over:
  - 48 (a) real property or an interest in real property owned by the state or the United States[-] ;
  - 49 or
  - 50 (b) except as provided by Subsection (3), over other real property necessary for the
  - 51 construction of a commuter rail project for which the Department of Transportation
  - 52 has oversight and supervision.
- 53 (3) Upon completion of a commuter rail project described in Subsection (2), including any
- 54 performance of work related to warranties and latent defects, a municipality retains the
- 55 jurisdiction and land use authority provided by law over the completed commuter rail
- 56 facilities, including a station, parking facility, or maintenance facility.

57 Section 2. Section **17-79-306** is amended to read:

58 **17-79-306 . State and federal property.**

- 59 (1) As used in this section, "commuter rail" means the same as that term is defined in
- 60 Section 63N-3-602.
- 61 (2) Unless otherwise provided by law, nothing contained in this chapter or Chapter 80,
- 62 Counties and Housing Supply, may be construed as giving a county jurisdiction over:

- 63           (a) real property or an interest in real property owned by the state or the United States[-] ;  
 64           or  
 65           (b) except as provided by Subsection (3), over other real property necessary for the  
 66           construction of a commuter rail project for which the Department of Transportation  
 67           has oversight and supervision.  
 68           (3) Upon completion of a commuter rail project described in Subsection (2), including any  
 69           performance of work related to warranties and latent defects, a county retains the  
 70           jurisdiction and land use authority provided by law over the completed commuter rail  
 71           facilities, including a station, parking facility, or maintenance facility.

72           Section 3. Section **41-6a-702** is amended to read:

73           **41-6a-702 . Left lane restrictions -- Exceptions -- Other lane restrictions --**

74           **Penalties.**

- 75           (1) As used in this section and Section 41-6a-704, "general purpose lane" means a highway  
 76           lane open to vehicular traffic but does not include a designated:  
 77           (a) high occupancy vehicle (HOV) lane; or  
 78           (b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway  
 79           off-ramp.  
 80           (2) On a freeway or section of a freeway which has three or more general purpose lanes in  
 81           the same direction, a person may not operate a vehicle in the left most general purpose  
 82           lane if the person's vehicle or combination of vehicles has a gross vehicle weight rating  
 83           of 18,001 or more pounds.  
 84           (3) Subsection (2) does not apply to a person operating a vehicle who is:  
 85           (a) preparing to turn left or taking a different highway split or an exit on the left;  
 86           (b) responding to emergency conditions;  
 87           (c) avoiding actual or potential traffic moving onto the highway from an acceleration or  
 88           merging lane; or  
 89           (d) following direction signs that direct use of a designated lane.  
 90           (4)(a) A highway authority may designate a specific lane or lanes of travel for any type  
 91           of vehicle on a highway or portion of a highway under its jurisdiction for the:  
 92           (i) safety of the public;  
 93           (ii) efficient maintenance of a highway; or  
 94           (iii) use of high occupancy vehicles.  
 95           (b) The lane designation under Subsection (4)(a) is effective when appropriate signs or  
 96           roadway markings giving notice are erected on the highway or portion of the

97 highway.

98 [~~(5)(a) Subject to Subsection (5)(b), the lane designation under Subsection (4)(a)(iii)~~  
 99 ~~shall allow a vehicle with a clean fuel vehicle decal issued in accordance with~~  
 100 ~~Section 72-6-121 to travel in lanes designated for the use of high occupancy vehicles~~  
 101 ~~regardless of the number of occupants as permitted by federal law or federal~~  
 102 ~~regulation.]~~

103 [~~(b)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking~~  
 104 ~~Act, the Department of Transportation may make rules to allow a vehicle with a~~  
 105 ~~clean fuel vehicle decal to travel in lanes designated for the use of high occupancy~~  
 106 ~~vehicles regardless of the number of occupants as permitted by federal law or~~  
 107 ~~federal regulation.]~~

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

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

116 [~~(6)~~ (5) A public transportation vehicle may operate in a lane designated under Subsection  
 117 (4)(a)(iii) regardless of the number of occupants as permitted by federal law and  
 118 regulation.

119 [~~(7)~~ (6) A person who operates a vehicle in violation of Subsection (2) or in violation of the  
 120 restrictions made under Subsection (4) is guilty of an infraction.

121 Section 4. Section **72-1-201** is amended to read:

122 **72-1-201 . Creation of Department of Transportation -- Functions, powers,**  
 123 **duties, rights, and responsibilities.**

124 (1) There is created the Department of Transportation which shall:

125 (a) have the general responsibility for planning, research, design, construction,  
 126 maintenance, security, and safety of state transportation systems;

127 (b) provide administration for state transportation systems and programs;

128 (c) implement the transportation policies of the state;

129 (d) plan, develop, construct, and maintain state transportation systems that are safe,  
 130 reliable, environmentally sensitive, and serve the needs of the traveling public,

- 131 commerce, and industry;
- 132 (e) establish standards and procedures regarding the technical details of administration  
133 of the state transportation systems as established by statute and administrative rule;
- 134 (f) advise the governor and the Legislature about state transportation systems needs;
- 135 (g) coordinate with utility companies for the reasonable, efficient, and cost-effective  
136 installation, maintenance, operation, relocation, and upgrade of utilities within state  
137 highway rights-of-way;
- 138 (h) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
139 make rules for the administration of the department, state transportation systems, and  
140 programs;
- 141 (i) jointly with the commission annually report to the Transportation Interim Committee,  
142 by November 30 of each year, as to the operation, maintenance, condition, mobility,  
143 safety needs, and wildlife and livestock mitigation for state transportation systems;
- 144 (j) ensure that any training or certification required of a public official or public  
145 employee, as those terms are defined in Section 63G-22-102, complies with Title  
146 63G, Chapter 22, State Training and Certification Requirements, if the training or  
147 certification is required:
- 148 (i) under this title;
- 149 (ii) by the department; or
- 150 (iii) by an agency or division within the department;
- 151 (k) study and make recommendations to the Legislature on potential managed lane use  
152 and implementation on selected transportation systems within the state;
- 153 (l) before July 1 of each year, coordinate with the Utah Highway Patrol Division created  
154 in Section 53-8-103 regarding:
- 155 (i) future highway projects that will add additional capacity to the state transportation  
156 system;
- 157 (ii) potential changes in law enforcement responsibilities due to future highway  
158 projects; and
- 159 (iii) incident management services on state highways;
- 160 (m) provide public transit services, in consultation with any relevant public transit  
161 provider; ~~and~~
- 162 (n) implement a public service campaign as described in Section 72-2-135, in  
163 coordination with relevant stakeholders including permitted landfills and transfer  
164 stations, to generate public awareness regarding the importance of proper

165 transportation and disposal of waste and maintaining clean roads and highways[-] ; and  
 166 (o) provide for leasing and other services that generate revenue in connection with  
 167 public transit facilities and services that serve the Cottonwood Canyons area of Salt  
 168 Lake County.

169 (2) For a proposed transportation project that includes a gondola in the Cottonwood  
 170 Canyons area of Salt Lake County for which the department has completed an  
 171 environmental impact statement, the department may only construct the project in the  
 172 phasing sequence as provided in the record of decision associated with the  
 173 environmental impact statement.

174 (3)(a) The department shall exercise reasonable care in designing, constructing, and  
 175 maintaining a state highway in a reasonably safe condition for travel.

176 (b) Nothing in this section shall be construed as:

177 (i) creating a private right of action; or

178 (ii) expanding or changing the department's common law duty as described in  
 179 Subsection (3)(a) for liability purposes.

180 Section 5. Section **72-1-219** is enacted to read:

181 **72-1-219 . Discovery and admission as evidence of certain reports and surveys.**

182 (1) Subject to Subsection (2), and notwithstanding any other provision of law, the following  
 183 materials are privileged, are not subject to discovery or admissible in evidence in a  
 184 proceeding before a federal or state court, and may not be considered for any other  
 185 purpose in an action for damages arising from an occurrence at a location described in  
 186 the materials:

187 (a) a report;

188 (b) a survey;

189 (c) a schedule;

190 (d) a list; or

191 (e) data compiled or collected.

192 (2) The privilege described in Subsection (1) applies only if the materials were created or  
 193 collected:

194 (a) pursuant to 23 U.S.C. Sec. 409;

195 (b) under federal or state law for the purpose of identifying, evaluating, or planning the  
 196 safety enhancement of:

197 (i) a potential crash site;

198 (ii) a hazardous highway condition; or

- 199            (iii) a railway-highway crossing; or  
 200            (c) for the purpose of developing a highway or railway safety construction improvement  
 201            project, regardless of the funding source.

202            Section 6. Section **72-2-107** is amended to read:

203            **72-2-107 . Appropriation from Transportation Fund -- Apportionment for class**  
 204 **B and class C roads.**

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

210            (a) the Department of Public Safety;

211            (b) the State Tax Commission;

212            (c) the Division of Finance;

213            (d) the Utah Travel Council;

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

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

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

221            (b) The department shall annually transfer \$500,000 of the amount calculated under  
 222            Subsection (1) to the State Park Access Highways Improvement Program created in  
 223            Section 72-3-207.

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

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

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

231            Section 7. Section **72-2-117.5** is amended to read:

232            **72-2-117.5 . Definitions -- Local Highway and Transportation Corridor**

233 **Preservation Fund -- Disposition of fund money.**

234 (1) As used in this section:

235 (a) "Council of governments" means a decision-making body in each county composed  
236 of membership including the county governing body and the mayors of each  
237 municipality in the county.238 (b) "Metropolitan planning organization" has the same meaning as defined in Section  
239 72-1-208.5.240 (2) There is created the Local Highway and Transportation Corridor Preservation Fund[  
241 ~~within the Transportation Fund~~].

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

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

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

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

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

248 (e) proceeds from general obligation bonds, revenue bonds, or other obligations issued  
249 as authorized by Title 63B, Bonds; and250 (f) sales and use tax revenues deposited into the fund in accordance with Title 59,  
251 Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act.252 ~~(4)(a) The fund shall earn interest.]~~253 ~~[(b) All interest earned on fund money shall be deposited into the fund.]~~254 ~~[(e)]~~ (a) The State Tax Commission shall allocate and distribute the revenues:255 (i) provided under Subsection (3)(a) to each county imposing a local option highway  
256 construction and transportation corridor preservation fee under Section 41-1a-1222;257 (ii) provided under Subsection 59-12-2217(2) to each county imposing a county  
258 option sales and use tax for transportation; and259 (iii) provided under Subsection (3)(f) to each county of the second class or city or  
260 town within a county of the second class that imposes the sales and use tax  
261 authorized by Section 59-12-2218.262 ~~[(d) The department shall distribute the funds allocated to each county, city, or town  
263 under Subsection (4)(c) to each county, city, or town.]~~264 ~~[(e)]~~ (b) The money allocated and distributed under this Subsection (4):265 (i) shall be used for the purposes provided in this section for each county, city, or  
266 town;

- 267 (ii) is allocated to each county, city, or town as provided in this section with the  
268 condition that the state will not be charged for any asset purchased with the money  
269 allocated and distributed under this Subsection (4), unless there is a written  
270 agreement in place with the department prior to the purchase of the asset  
271 stipulating a reimbursement by the state to the county, city, or town of no more  
272 than the original purchase price paid by the county, city, or town; and
- 273 (iii) is considered a local matching contribution for the purposes described under  
274 Section 72-2-123 if used on a state highway.
- 275 ~~[(f) Administrative costs of the department to implement this section shall be paid from~~  
276 ~~the fund.]~~
- 277 (5)(a) A highway authority may acquire real property or any interests in real property for  
278 state, county, and municipal transportation corridors subject to:
- 279 (i) money available in the fund to each county under Subsection (4); and  
280 (ii) the provisions of this section.
- 281 (b) Fund money may be used to pay interest on debts incurred in accordance with this  
282 section.
- 283 (c)(i)(A) Fund money may be used to pay maintenance costs of properties  
284 acquired under this section but limited to a total of 5% of the purchase price of  
285 the property.
- 286 (B) Any additional maintenance cost shall be paid from funds other than under  
287 this section.
- 288 (C) Revenue generated by any property acquired under this section is excluded  
289 from the limitations under this Subsection (5)(c)(i).
- 290 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired  
291 under this section.
- 292 (d) Fund money allocated and distributed under Subsection (4) may be used by a county  
293 highway authority for countywide transportation or public transit planning if:
- 294 (i) the county's planning focus area is outside the boundaries of a metropolitan  
295 planning organization;
- 296 (ii) the transportation planning is part of the county's continuing, cooperative, and  
297 comprehensive process for transportation or public transit planning, transportation  
298 corridor preservation, right-of-way acquisition, and project programming;
- 299 (iii) no more than four years allocation every 20 years to each county is used for  
300 transportation planning under this Subsection (5)(d); and

- 301 (iv) the county otherwise qualifies to use the fund money as provided under this  
302 section.
- 303 (e)(i) Subject to Subsection (11), fund money allocated and distributed under  
304 Subsection (4) may be used by a county highway authority for transportation  
305 corridor planning that is part of the transportation corridor elements of an ongoing  
306 work program of transportation or public transit projects.
- 307 (ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the  
308 direction of:
- 309 (A) the metropolitan planning organization if the county is within the boundaries  
310 of a metropolitan planning organization; or
- 311 (B) the department if the county is not within the boundaries of a metropolitan  
312 planning organization.
- 313 (f)(i) A county, city, or town that imposes a local option highway construction and  
314 transportation corridor preservation fee under Section 41-1a-1222 may elect to  
315 administer the funds allocated and distributed to that county, city, or town under  
316 Subsection (4) as a revolving loan fund.
- 317 (ii) If a county, city, or town elects to administer the funds allocated and distributed  
318 to that county, city, or town under Subsection (4) as a revolving loan fund, a local  
319 highway authority shall repay the fund money authorized for the project to the  
320 fund.
- 321 (iii) A county, city, or town that elects to administer the funds allocated and  
322 distributed to that county, city, or town under Subsection (4) as a revolving loan  
323 fund shall establish repayment conditions of the money to the fund from the  
324 specified project funds.
- 325 (g)(i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be  
326 used by a county of the third, fourth, fifth, or sixth class or by a city or town  
327 within a county of the third, fourth, fifth, or sixth class for:
- 328 (A) the construction, operation, or maintenance of a class B road or class C road;  
329 or
- 330 (B) the restoration or repair of survey monuments associated with transportation  
331 infrastructure.
- 332 (ii) A county, city, or town may not use more than 50% of the current balance of fund  
333 money allocated to the county, city, or town for the purposes described in  
334 Subsection (5)(g)(i).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

357 (ii) In a county of the first or second class, the Local Highway and Transportation  
 358 Corridor Preservation Fund shall only be used to preserve a transportation corridor  
 359 that is right-of-way for:

360 (A) a state highway;

361 (B) a principal arterial highway as defined in Section 72-4-102.5;

362 (C) a minor arterial highway as defined in Section 72-4-102.5;

363 (D) a collector highway in an urban area as defined in Section 72-4-102.5; or

364 (E) a transit facility as defined in Section 17B-2a-802.

365 (iii) In a county of the third, fourth, fifth, or sixth class, the Local Highway and  
 366 Transportation Corridor Preservation Fund shall only be used to preserve a  
 367 transportation corridor that is right-of-way for:

368 (A) a state highway;

369 (B) a principal arterial highway as defined in Section 72-4-102.5;

370 (C) a minor arterial highway as defined in Section 72-4-102.5;

371 (D) a major collector highway as defined in Section 72-4-102.5;

372 (E) a minor collector road as defined in Section 72-4-102.5; or

373 (F) a transit facility as defined in Section 17B-2a-802.

374 [~~(iii)~~] (iv) The Local Highway and Transportation Corridor Preservation Fund may  
 375 not be used for a transportation corridor that is primarily a recreational trail as  
 376 defined under Section 79-5-102.

377 (b) A highway authority shall authorize the expenditure of fund money after determining  
 378 that the expenditure is being made in accordance with this section from applications  
 379 that are:

380 (i) endorsed by the council of governments; and

381 (ii) for a right-of-way purchase for a transportation corridor authorized under  
 382 Subsection (6)(a)(ii) or (iii).

383 (7)(a)(i) A council of governments shall establish a council of governments

384 endorsement process which includes prioritization and application procedures for  
 385 use of the money allocated to each county under this section.

386 (ii) The endorsement process under Subsection (7)(a)(i) may include review or  
 387 endorsement of the preservation project by:

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

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

392 (b) All fund money shall be prioritized by each highway authority and council of  
 393 governments based on considerations, including:

394 (i) areas with rapidly expanding population;

395 (ii) the willingness of local governments to complete studies and impact statements  
 396 that meet department standards;

397 (iii) the preservation of transportation corridors by the use of local planning and  
 398 zoning processes;

399 (iv) the availability of other public and private matching funds for a project;

400 (v) the cost-effectiveness of the preservation projects;

401 (vi) long and short-term maintenance costs for property acquired; and

402 (vii) whether the transportation corridor is included as part of:

- 403 (A) the county and municipal master plan; and  
404 (B)(I) the statewide long range plan; or  
405 (II) the regional transportation plan of the area metropolitan planning  
406 organization if one exists for the area.
- 407 (c) The council of governments shall:
- 408 (i) establish a priority list of transportation corridor preservation projects within the  
409 county;
- 410 (ii) submit the list described in Subsection (7)(c)(i) to the county's legislative body  
411 for approval; and
- 412 (iii) obtain approval of the list described in Subsection (7)(c)(i) from a majority of the  
413 members of the county legislative body.
- 414 (d) A county's council of governments may only submit one priority list described in  
415 Subsection (7)(c)(i) per calendar year.
- 416 (e) A county legislative body may only consider and approve one priority list described  
417 in Subsection (7)(c)(i) per calendar year.
- 418 (8)(a) Unless otherwise provided by written agreement with another highway authority  
419 or public transit district, the highway authority that holds the deed to the property is  
420 responsible for maintenance of the property.
- 421 (b) The transfer of ownership for property acquired under this section from one highway  
422 authority to another shall include a recorded deed for the property and a written  
423 agreement between the highway authorities or public transit district.
- 424 (9)(a) The proceeds from any bonds or other obligations secured by revenues of the  
425 Local Highway and Transportation Corridor Preservation Fund shall be used for the  
426 purposes authorized for funds under this section.
- 427 (b) The highway authority shall pledge the necessary part of the revenues of the Local  
428 Highway and Transportation Corridor Preservation Fund to the payment of principal  
429 and interest on the bonds or other obligations.
- 430 (10)(a) A highway authority may not expend money under this section to purchase a  
431 right-of-way for a state highway unless the highway authority has:
- 432 (i) a transportation corridor property acquisition policy or ordinance in effect that  
433 meets department requirements for the acquisition of real property or any interests  
434 in real property under this section; and
- 435 (ii) an access management policy or ordinance in effect that meets the requirements  
436 under Subsection 72-2-117(8).

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

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

- 443 (a) to fund a project or service as allowed by this section within the city or town to  
444 which the fund money is allocated;
- 445 (b) to pay debt service, principal, or interest on a bond or other obligation as allowed by  
446 this section if that bond or other obligation is:
  - 447 (i) secured by money allocated to the city or town; and
  - 448 (ii) issued to finance a project or service as allowed by this section within the city or  
449 town to which the fund money is allocated;
- 450 (c) to fund transportation planning as allowed by this section within the city or town to  
451 which the fund money is allocated; or
- 452 (d) for another purpose allowed by this section within the city or town to which the fund  
453 money is allocated.

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

459 **Section 8. Repealer.**

460 This bill repeals:

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

462 **Section 9. Effective Date.**

463 This bill takes effect on May 6, 2026.