

Wayne A. Harper proposes the following substitute bill:

1 **Transportation Commission Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Kay J. Christofferson

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2 **LONG TITLE**

3 **General Description:**

4 This bill adds study items for the Department of Transportation.

5 **Highlighted Provisions:**

6 This bill:

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- 8 ▶ requires the Department of Transportation to study the composition of the transportation
- 9 commission;
- 10 ▶ requires the Department of Transportation to study the necessary qualifications of the
- 11 executive director;
- 12 ▶ adds a repeal date for the studies; and
- 13 ▶ makes technical changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 **AMENDS:**

20 **63I-1-272 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 391

21 **72-1-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 373

22 **72-1-217 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws of

23 Utah 2025, Chapter 452

24 **72-1-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 219

25 **72-1-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 512

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

28 Section 1. Section **63I-1-272** is amended to read:

29           **63I-1-272 (Effective 05/06/26). Repeal dates: Title 72.**

30           (1) Subsection 72-1-217(4), regarding highway reduction strategies within Salt Lake City,  
31           is repealed July 1, 2029.

32           (2) Subsections 72-1-217(5), (6), and (7), regarding study items relating to the  
33           Transportation Commission and the executive director of the Department of  
34           Transportation, are repealed January 1, 2027.

35           [(2)] (3) Section 72-2-134, Transportation Infrastructure General Fund Support Subfund, is  
36           repealed July 1, 2028.

37           [(3)] (4) Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January  
38           2, 2030.

39           [(4)] (5) Title 72, Chapter 10, Part 13, Spaceport Exploration Committee, is repealed July 1,  
40           2027.

41           Section 2. Section **72-1-102** is amended to read:

42           **72-1-102 (Effective 05/06/26). Definitions.**

43           As used in this title:

44           (1) "Circulator alley" means a publicly owned passageway:  
45           (a) with a right-of-way width of 20 feet or greater;  
46           (b) located within a master planned community;  
47           (c) established by the city having jurisdictional authority as part of the street network for  
48            traffic circulation that may also be used for:  
49            (i) garbage collection;  
50            (ii) access to residential garages; or  
51            (iii) access rear entrances to a commercial establishment; and  
52           (d) constructed with a bituminous or concrete pavement surface.

53           (2) "Commission" means the Transportation Commission created under Section 72-1-301.

54           (3) "Construction" means the construction, reconstruction, replacement, and improvement  
55            of the highways, including the acquisition of rights-of-way and material sites.

56           (4) "Department" means the Department of Transportation created in Section 72-1-201.

57           (5) "Executive director" means the executive director of the department appointed under  
58            Section 72-1-202.

59           (6) "Farm tractor" [has the meaning set forth in] means the same as that term is defined in  
60            Section 41-1a-102.

61           (7) "Federal aid primary highway" means that portion of connected main highways located  
62            within this state officially designated by the department and approved by the United

63        States Secretary of Transportation under Title 23, Highways, U.S.C.

64        (8) "Fixed guideway" means the same as that term is defined in Section 59-12-102.

65        (9)(a) "Fixed guideway capital development" means a project to construct or reconstruct  
66        a public transit fixed guideway facility that will add capacity to a fixed guideway  
67        public transit facility.

68        (b) "Fixed guideway capital development" includes:

69                (i) a project to strategically double track commuter rail lines; and

70                (ii) a project to develop and construct public transit facilities and related

71                infrastructure pertaining to the Point of the Mountain State Land Authority created  
72                in Section 11-59-201.

73        (10) "Greenfield" means the same as that term is defined in Section 17C-1-102.

74        (11) "Highway" means any public road, street, alley, lane, court, place, viaduct, tunnel,  
75        culvert, bridge, or structure laid out or erected for public use, or dedicated or abandoned  
76        to the public, or made public in an action for the partition of real property, including the  
77        entire area within the right-of-way.

78        (12) "Highway authority" means the department or the legislative, executive, or governing  
79        body of a county or municipality.

80        (13) "Housing and transit reinvestment zone" means the same as that term is defined in  
81        Section 63N-3-602.

82        (14) "Implement of husbandry" [has the meaning set forth in] means the same as that term is  
83        defined in Section 41-1a-102.

84        (15) "Interstate system" means any highway officially designated by the department and  
85        included as part of the national interstate and defense highways, as provided in the  
86        Federal Aid Highway Act of 1956 and any supplemental acts or amendments.

87        (16) "Large public transit district" means the same as that term is defined in Section  
88        17B-2a-802.

89        (17) "Limited-access facility" means a highway especially designated for through traffic,  
90        and over, from, or to which neither owners nor occupants of abutting lands nor other  
91        persons have any right or easement, or have only a limited right or easement of access,  
92        light, air, or view.

93        (18) "Master planned community" means a land use development:

94                (a) designated by the city as a master planned community; and

95                (b) comprised of a single development agreement for a development larger than 500  
96                acres.

97 (19) "Motor vehicle" [has the same meaning set forth in] means the same as that term is  
98 defined in Section 41-1a-102.

99 (20) "Municipality" [has the same meaning set forth in] means the same as that term is  
100 defined in Section 10-1-104.

101 (21) "National highway systems highways" means that portion of connected main highways  
102 located within this state officially designated by the department and approved by the  
103 United States Secretary of Transportation under Title 23, Highways, U.S.C.

104 (22)(a) "Port-of-entry" means a fixed or temporary facility constructed, operated, and  
105 maintained by the department where drivers, vehicles, and vehicle loads are checked  
106 or inspected for compliance with state and federal laws as specified in Section  
107 72-9-501.

108 (b) "Port-of-entry" includes inspection and checking stations and weigh stations.

109 (23) "Port-of-entry agent" means a person employed at a port-of-entry to perform the duties  
110 specified in Section 72-9-501.

111 (24) "Public transit" means the same as that term is defined in Section 17B-2a-802.

112 (25) "Public transit district" means the same as that term is defined in Section 17B-2a-802.

113 [(25)] (26) "Public transit facility" means a fixed guideway, transit vehicle, transit station,  
114 depot, passenger loading or unloading zone, parking lot, or other facility:  
115 (a) leased by or operated by or on behalf of a public transit district; and  
116 (b) related to the public transit services provided by the district, including:  
117 (i) railway or other right-of-way;  
118 (ii) railway line; and  
119 (iii) a reasonable area immediately adjacent to a designated stop on a route traveled  
120 by a transit vehicle.

121 [(26)] (27) "Right-of-way" means real property or an interest in real property, usually in a  
122 strip, acquired for or devoted to state transportation purposes.

123 [(27)] (28) "Sealed" does not preclude acceptance of electronically sealed and submitted  
124 bids or proposals in addition to bids or proposals manually sealed and submitted.

125 [(28)] (29) "Semitrailer" has the meaning set forth in Section 41-1a-102.

126 [(29)] (30) "SR" means state route and has the same meaning as state highway as defined in  
127 this section.

128 [(30)] (31) "State highway" means those highways designated as state highways in Title 72,  
129 Chapter 4, Designation of State Highways Act.

130 [(31)] (32) "State transportation purposes" has the meaning set forth in Section 72-5-102.

131 [§32] (33) "State transportation systems" means all streets, alleys, roads, highways,  
132 pathways, and thoroughfares of any kind, including connected structures, airports, aerial  
133 corridor infrastructure, spaceports, public transit facilities, and all other modes and  
134 forms of conveyance used by the public.

135 [§33] (34) "Trailer" [has the meaning set forth in] means the same as that term is defined in  
136 Section 41-1a-102.

137 [§34] (35)(a) "Transportation corridor" means the path or proposed path of a  
138 transportation facility that exists or that may exist in the future.

139 (b) "Transportation corridor" may include:

- 140 (i) the land occupied or that may be occupied by a transportation facility; and
- 141 (ii) any other land that may be needed for expanding, operating, or controlling access  
142 to the transportation facility.

143 [§35] (36) "Transportation facility" means:

- 144 (a) a highway; or
- 145 (b) a fixed guideway.

146 [§36] (37) "Transportation reinvestment zone" means a transportation reinvestment zone  
147 created pursuant to Section 11-13-227.

148 [§37] (38) "Truck tractor" [has the meaning set forth in] means the same as that term is  
149 defined in Section 41-1a-102.

150 [§38] (39) "UDOT" means the Utah Department of Transportation.

151 [§39] (40) "Vehicle" [has the same meaning set forth in] means the same as that term is  
152 defined in Section 41-1a-102.

153 Section 3. Section **72-1-217** is amended to read:

**72-1-217 (Effective 05/06/26) (Partially Repealed 07/01/29). Department of  
Transportation study items.**

156 (1) The department shall carry out transportation studies described in this section as  
157 resources allow.

158 (2)(a) The department shall study items related to advanced air mobility as described in  
159 this Subsection (2).

160 (b) The department shall study vertiport locations and infrastructure, including:

- 161 (i) identification of suitable locations for vertiport infrastructure and parking  
162 infrastructure for vertiports in metropolitan areas;
- 163 (ii) identification of commuter rail stations that may be suitable for vertiport  
164 placement; and

- (iii) identification of underutilized parking lots and parking structures for vertiport infrastructure placement.
- (c) The department shall study best practices and implementation of advanced air mobility technologies, including:
  - (i) seeking input through community engagement;
  - (ii) state and local regulations;
  - (iii) unmanned aircraft system traffic management; and
  - (iv) weather reporting and monitoring for advanced air mobility safety.
- (d) The department shall study unmanned aircraft traffic management infrastructure, including:
  - (i) unmanned aircraft system traffic management development, implementation, procedures, policies, and infrastructure; and
  - (ii) obtaining a full understanding of unmanned aircraft system traffic management, including:
    - (A) designation of airspace for advanced air mobility;
    - (B) creation of geographic categorical areas;
    - (C) identifying the appropriate number and location of advanced air mobility sensors; and
    - (D) other state specific details regarding unmanned aircraft system traffic management.
- (e) The department shall study the creation of an advanced air mobility sandbox, including:
  - (i) potential locations for the sandbox testing area and desirable attributes of a suitable sandbox location;
  - (ii) requirements to create a geographical advanced air mobility testing area and the parameters for the types of technology that may be utilized in the testing area; and
  - (iii) testing and studying different types of advanced air mobility transportation of manned and unmanned aerial vehicles, including:
    - (A) aerial vehicle size;
    - (B) aerial vehicles that carry cargo, including medical cargo;
    - (C) commercial aerial vehicles; and
    - (D) public transportation aerial vehicles.
- (f) On or before September 30, 2023, the department shall provide a report to the Transportation Interim Committee of the department's findings from the study items

199 described in Subsections (2)(b) through (2)(e).

200 (g) The department may only use existing funds to cover the expenses incurred from the  
201 study of items described in Subsections (2)(b) through (2)(e).

202 (3)(a) The department and a large public transit district shall jointly study programs  
203 offered by government entities related to human services transportation, including:

204 (i) coordinated mobility services;

205 (ii) paratransit services;

206 (iii) nonemergency medical transportation;

207 (iv) youth transportation programs, excluding school bus transportation; and

208 (v) other similar fare-based or fee-based programs provided or coordinated within the  
209 boundary of the large public transit district, including those involving the  
210 department, a large public transit district, local governments, or other government  
211 agencies and nonprofit entities that provide similar services.

212 (b) The study shall evaluate strategies to consolidate the transportation services  
213 described in Subsection (3)(a) to improve efficiency and service.

214 (c) The department and large public transit district shall:

215 (i) provide a preliminary report on the study to the Transportation Interim Committee  
216 on or before November 1, 2025; and

217 (ii) prepare and present recommendations to the Transportation Interim Committee  
218 on or before November 1, 2026, for the consolidation of the services described in  
219 Subsection (3)(a).

220 (4)(a) As used in this Subsection (4):

221 (i) "City" means Salt Lake City.

222 (ii) "Highway reduction strategy" means any strategy that has the potential to  
223 permanently decrease the number of vehicles that can travel on an arterial or a  
224 collector highway per hour, including:

225 (A) reducing the number of motorized vehicle travel lanes on an arterial or  
226 collector highway;

227 (B) narrowing existing motorized vehicle travel lanes on an arterial or collector  
228 highway; or

229 (C) any other strategy that when implemented may increase congestion or impede  
230 traffic flow for motor vehicles driving on an arterial or collector highway.

231 (iii) "Mobility and environmental impact analysis" means a study that assesses the  
232 impacts within the study area of implementing a highway reduction strategy on

arterial or collector highways, including the impacts to other state and local highways, mobility, traffic flow, pedestrian and nonmotorized vehicle flow, the economy, public health, quality of life, air quality, maintenance, and operations.

(iv) "Study area" means the area within Salt Lake City that is west of Foothill Drive, north of 2100 South, east of I-15, and south of 600 North.

(b)(i) Except as described in Subsection (4)(c), a city may not implement or begin a project as part of a highway reduction strategy on an arterial or a collector highway within the study area unless the project is part of a mobility plan approved by the department as described in this Subsection (4)(b).

(ii) For a mobility plan described under Subsection (4)(b)(i), the city shall:

(A) assess the alternate routes for traffic and impacts on surrounding highways due to any lane reduction;

(B) evaluate impacts to vehicle trip time;

(C) evaluate impacts to air quality;

(D) evaluate the cumulative multimodal and safety impact of the proposed highway reduction strategies, including the cumulative impact from previous highway reduction strategies implemented over the previous five years;

(E) provide options to mitigate negative impacts to vehicle traffic, vehicle trip time, air quality, or adjacent travel routes;

(F) in collaboration with the department, assess impacts to state highways;

(G) proactively seek out and consult with relevant stakeholders, including business owners, commuters, and residents impacted by the mobility plan and each proposed project within the mobility plan;

(H) present the plan in an open and public meeting, including public comment;

(I) provide an open house or other event to allow public interaction and feedback regarding the impacts of the mobility plan;

(J) present the plan to the membership of the city's chamber of commerce and other business groups; and

(K) provide the plan to the department for the department's review.

(iii)(A) After the department receives a complete mobility plan as described in Subsection (4)(b)(ii), the department shall determine if the mobility plan and each project included in the mobility plan meet the requirements of this section and shall approve or reject the plan within two months of receiving the mobility plan.

267 (B) As part of the mobility plan, the city shall demonstrate to the department the  
268 manners in which the city involved and received input from the business  
269 community, the public, and other stakeholders as required in Subsection  
270 (4)(b)(ii).

271 (c)(i) The city may begin or continue construction on an arterial or collector highway  
272 project related to any reduction strategy within the study area if the project has  
273 been advertised on or before February 25, 2025.

274 (ii)(A) For a project related to any highway reduction strategy that was  
275 programmed by the department on or before July 1, 2024, but has not been  
276 advertised on or before February 25, 2025, the department may conduct an  
277 expedited review of the project.

278 (B) If the department approves a project after an expedited review as described in  
279 Subsection (4)(c)(ii)(A), the city may begin or continue construction on the  
280 project.

281 (d) The department shall, in partnership with the city, conduct a mobility and  
282 environmental impact analysis to determine the impacts of highway reduction  
283 strategies within the study area that the city has implemented on or after July 1, 2015,  
284 or has plans to implement on or before July 1, 2035.

285 (e) As part of the mobility and environmental impact analysis, the department shall:  
286 (i) assess the cumulative impact of each highway reduction strategy within the study  
287 area that the city has implemented or has plans to implement between July 1,  
288 2015, and July 1, 2035; and  
289 (ii) consult with relevant stakeholders, including business owners, commuters, and  
290 residents impacted by the highway reduction strategy.

291 (f) A city subject to a mobility and environmental impact analysis under this Subsection  
292 (4) shall provide to the department any information the department determines  
293 necessary for conducting the mobility and environmental impact analysis, including  
294 any plans that city has adopted or discussed with regards to a highway reduction  
295 strategy.

296 (g)(i) The department shall provide the mobility and environmental impact analysis  
297 to the Transportation Interim Committee on or before October 15, 2025.  
298 (ii) The city shall provide a response to the mobility and environmental impact  
299 analysis to the Transportation Interim Committee on or before November 1, 2025.

300 (h)(i) As provided in Section 63I-1-272, this Subsection (4) is subject to a sunset

301 review by the Transportation Interim Committee during the 2028 interim.

302 (ii) The Transportation Interim Committee may also evaluate the mobility plan  
303 process described in this Subsection (4) during the 2027 interim.

304 (5)(a) In conjunction with applicable stakeholders, the department shall study items  
305 related to the commission's ability to meet the future needs of the state including  
306 representation of high growth areas as described in this Subsection (5).

307 (b) In conjunction with applicable stakeholders, the department shall study the  
308 composition of members of the commission, including:

309 (i) the distribution of members;  
310 (ii) representation of areas experiencing high population growth relative to other  
311 areas within the state;  
312 (iii) the number of members; and  
313 (iv) the efficiency of the commission in light of the factors described in Subsections  
314 (5)(b)(i) through (iii).

315 (c) The department shall report the findings of the studies described in Subsections (5)(a)  
316 and (b) to the Transportation Interim Committee on or before November 1, 2026.

317 (6)(a) In conjunction with applicable stakeholders, the department shall study the  
318 geographic regions created by the department, including:

319 (i) the geographic composition of each region;  
320 (ii) the number of regions;  
321 (iii) the efficiency of the regions; and  
322 (iv) the use of resources of each region.

323 (b) The department shall report the findings of the study described in Subsection (6)(a)  
324 to the Transportation Interim Committee on or before November 1, 2026.

325 (7)(a) In conjunction with applicable stakeholders, the department shall study the office  
326 of executive director of the department and the required qualifications of the  
327 executive director position.

328 (b) The department shall report the findings of the study described in Subsection (7)(a)  
329 to the Transportation Interim Committee on or before November 1, 2026.

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

331 **72-1-301 (Effective 05/06/26). Transportation Commission created -- Members,**  
332 **appointment, terms -- Qualifications -- Pay and expenses -- Chair -- Quorum.**

333 (1)(a) There is created the Transportation Commission which shall consist of seven  
334 members.

335 (b) The members of the commission shall be residents of Utah.  
336 (c) The members of the commission shall be selected on a nonpartisan basis.  
337 (d) [The] Except as provided in Subsection (1)(e), the commissioners shall, in  
338 accordance with Title 63G, Chapter 24, Part 2, Vacancies, be appointed by the  
339 governor, with the advice and consent of the Senate, for a term of six years,  
340 beginning on April 1 of odd-numbered years.

341 (e) A commissioner appointed after May 6, 2026, shall serve for a term of four years.

342 [e] (f) The commissioners serve on a part-time basis.

343 [f] (g) Each commissioner shall remain in office until a successor is appointed and  
344 qualified.

345 (2)(a) Subject to the restriction in Subsection (2)(c), the selection of commissioners shall  
346 be as follows:

347 (i) four commissioners with one commissioner selected from each of the four regions  
348 established by the department; and  
349 (ii) subject to the restriction in Subsection (2)(b), three commissioners selected from  
350 the state at large.

351 (b)(i) At least one of the three commissioners appointed under Subsection (2)(a)(ii)  
352 shall be selected from a rural county.

353 (ii) For purposes of this Subsection (2)(b), a rural county is a county of the third,  
354 fourth, fifth, or sixth class.

355 (c) No more than two commissioners appointed under Subsection (2)(a) may be selected  
356 from any one of the four regions established by the department.

357 (3) A member may not receive compensation or benefits for the member's service, but may  
358 receive per diem and travel expenses in accordance with:

359 (a) Section 63A-3-106;  
360 (b) Section 63A-3-107; and

361 (c) rules made by the Division of Finance [pursuant to] in accordance with Sections  
362 63A-3-106 and 63A-3-107.

363 (4)(a) One member of the commission shall be designated by the governor as chair.

364 (b) The commission may select one member as vice chair to act in the chair's absence.

365 (5) Any four commissioners constitute a quorum.

366 (6) Each member of the commission shall qualify by taking the constitutional oath of office.

367 (7) Each member of the commission is subject to the conflict of interest provisions  
368 described in Title 63G, Chapter 24, Part 3, Conflicts of Interest.

369 (8) For the purposes of Section 63J-1-504, the commission is not considered an agency.

370 Section 5. Section **72-1-303** is amended to read:

371 **72-1-303 (Effective 05/06/26). Duties of commission.**

372 (1) The commission has the following duties:

373 (a) determining priorities and funding levels of projects and programs in the state  
374 transportation systems and the capital development of new public transit facilities for  
375 each fiscal year based on project lists compiled by the department and taking into  
376 consideration the strategic initiatives described in Section 72-1-211;

377 (b) determining additions and deletions to state highways under Chapter 4, Designation  
378 of State Highways Act;

379 (c) holding public meetings and otherwise providing for public input in transportation  
380 matters;

381 (d) making policies and rules in accordance with Title 63G, Chapter 3, Utah  
382 Administrative Rulemaking Act, necessary to perform the commission's duties  
383 described under this section;

384 (e) in accordance with Section 63G-4-301, reviewing orders issued by the executive  
385 director in adjudicative proceedings held in accordance with Title 63G, Chapter 4,  
386 Administrative Procedures Act;

387 (f) advising the department on state transportation systems policy;

388 (g) approving settlement agreements of condemnation cases subject to Section  
389 63G-10-401;

390 (h) in accordance with Section 17B-2a-807, appointing a commissioner to serve as a  
391 nonvoting member or a voting member on the board of trustees of a small public  
392 transit district;

393 (i) in accordance with [Section] Sections 17B-2a-808 and 17B-2a-808.1, reviewing, at  
394 least annually, the [short-term and long-range public transit plans] plans submitted by  
395 public transit districts;

396 (j) determining the priorities and funding levels of public transit innovation grants, as  
397 defined in Section 72-2-401;

398 (k) approving grant awards administered by the Utah Broadband Center in accordance  
399 with Section [17-19-301] 72-19-301; and

400 (l) reviewing administrative rules made, substantively amended, or repealed by the  
401 department.

402 (2)(a) [For projects prioritized with funding provided under Sections 72-2-124 and

403      72-2-125, the] The commission shall annually report to the Transportation and  
404      Infrastructure Appropriations Subcommittee:

405      (i) a [prioritized]list of the new transportation capacity projects in the state  
406      transportation system and the funding levels [available] or shortages for those  
407      projects; and

408      (ii) the unfunded highway construction and maintenance needs within the state.

409      (b) The Transportation and Infrastructure Appropriations Subcommittee shall:

410      (i) review the [list] information reported by the Transportation Commission; and

411      (ii) make a recommendation to the Legislature on:

412      (A) the amount of additional funding to allocate to transportation; and

413      (B) the source of revenue for the additional funding allocation under Subsection

414      (2)(b)(ii)(A).

415      (3) The commission shall review and may approve plans for the construction of a highway  
416      facility over sovereign lakebed lands in accordance with Chapter 6, Part 3, Approval of  
417      Highway Facilities on Sovereign Lands Act.

418      (4) One or more associations representing airport operators or pilots in the state shall  
419      annually report to the commission recommended airport improvement projects and any  
420      other information related to the associations' expertise and relevant to the commission's  
421      duties.

422      **Section 6. Effective Date.**

423      This bill takes effect on May 6, 2026.