



# IGG STATUTORILY REQUIRED FEES AND REPORTS

INFRASTRUCTURE AND GENERAL GOVERNMENT APPROPRIATIONS SUBCOMMITTEE  
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ISSUE BRIEF

Legislative leadership directed appropriations subcommittees to review statutorily required fees and reports during the 2015 interim, and to recommend whether each fee and report should be removed from statute. Two goals of the review are to allow subcommittees the flexibility to prioritize their assignments and to ensure appropriate legislative oversight of agencies' activities. Removing fees from statute allows subcommittees to review and approve them each year in an appropriations act. Removing reports from statute allows subcommittees to focus attention on matters of greater importance or urgency.

The statutorily required fees for agencies that fall under the purview of the Infrastructure and General Government Appropriations Subcommittee (IGG) are summarized in Table 1 on page 2 of this brief. The applicable agencies recommend that the authorization to assess fees as described in Table 1 be retained in statute.

Statutorily required reports are shown in Table 2 on pages 3 – 5 of this brief. Note that only the first three reports (highlighted) are submitted to IGG; other reports are shown for informational purposes only. The Department of Administrative Services (DAS) recommends the following:

- eliminate the requirement that the Office of State Debt Collection report annually to IGG regarding its fund balance, revenues, expenses, and administrative offsets; and
- eliminate Utah Code 63A-5-104.1 as the reporting required by that section has already occurred.

**Table 1: Statutorily Required Fees**

| Fee Description   | Statute Reference  | Fee Amount   | Recommendation   |
|---|--------------------|--|--|
| <b>DAS:</b> fees for services rendered by the department  | 63A-1-114(2)       | DAS is required to charge fees for certain services rendered; however, specific fees and amounts are not in statute  | <b>Retain:</b> allows certain divisions of DAS to operate as internal service funds and to collect funds for services provided |
| <b>Department of Technology Services (DTS):</b> fees for services rendered by the department  | 63F-1-301(2)       | DTS is required to charge fees for certain services rendered; however, specific fees and amounts are not in statute  | <b>Retain:</b> allows DTS to operate as an internal service fund and to collect funds for services provided                    |
| <b>Department of Transportation (DOT):</b> oversize permit issued for a vehicle or combination of vehicles that exceeds one or more of the maximum width, height, or length provision                     | 72-7-406(5)(b)-(d) | \$30 for a single trip permit; \$75 for a semiannual permit; \$90 for an annual permit   | <b>Retain:</b> generates revenue to offset additional costs to the state that are associated with oversize loads               |
| <b>DOT:</b> oversize permit issued for a vehicle or combination of vehicles carrying a nondivisible load that exceeds one or more of the maximum weight provisions up to a gross weight of 125,000 pounds | 72-7-406(6)(b)     | \$60 for a single trip permit  | <b>Retain:</b> generates revenue to offset additional costs to the state that are associated with oversize loads               |
| <b>DOT:</b> semiannual oversize and overweight permit based on the gross vehicular weight (GVW) of a vehicle or combination of vehicles   | 72-7-406(6)(c)     | \$180 for GVW > 80k pounds and <= 84k pounds; \$320 for GVW > 84k pounds and <= 112k pounds; \$420 for GVW > 112k pounds and <= 125k pounds  | <b>Retain:</b> generates revenue to offset additional costs to the state that are associated with oversize loads               |
| <b>DOT:</b> annual oversize and overweight permit based on GVW of a vehicle or combination of vehicles  | 72-7-406(6)(d)     | \$240 for GVW > 80k pounds and <= 84k pounds; \$480 for GVW > 84k pounds and <= 112k pounds; \$540 for GVW > 112k pounds and <= 125k pounds  | <b>Retain:</b> generates revenue to offset additional costs to the state that are associated with oversize loads               |
| <b>DOT:</b> single trip oversize and overweight permit for a vehicle or combination of vehicles carrying a nondivisible load based on GVW   | 72-7-406(7)(b)     | \$0.012 per mile for every 1,000 pounds above 80,000 pounds with a minimum fee of \$80 and a maximum fee of \$540  | <b>Retain:</b> generates revenue to offset additional costs to the state that are associated with oversize loads               |
| <b>DOT:</b> oversize and overweight permit for a vehicle or combination of vehicles carrying a divisible load based on GVW  | 72-7-406(8)(b)-(d) | \$60 for a single trip permit; <i>semiannual</i> – \$180 for GVW > 80k pounds and <= 84k pounds, \$320 for GVW > 84k pounds and <= 112k pounds, \$420 for GVW > 112k pounds and <= 125k pounds; <i>annual</i> – \$240 for GVW > 80k pounds and <= 84k pounds, \$480 for GVW > 84k pounds and <= 112k pounds, \$540 for GVW > 112k pounds and <= 125k pounds; | <b>Retain:</b> generates revenue to offset additional costs to the state that are associated with oversize loads               |

**Table 2: Statutorily Required Reports**

| Report Description  | Statute Reference     | Committee Reported to   | Recommendation  |
|---|-----------------------|---|---|
| <b>DAS:</b> Office of State Debt Collection fund balances, revenues, expenses, and administrative offsets               | 63A-3-505(6)          | IGG   | <b>Eliminate:</b> the information can be provided upon request  |
| <b>DAS:</b> proposal for tracking operations and maintenance costs (O&M) and for alternative funding mechanisms for O&M | 63A-5-104.1           | IGG   | <b>Eliminate:</b> the State Building Board delivered this one-time report as required   |
| <b>DAS:</b> annual report on strategies, goals, and programs undertaken regarding energy efficiency                     | 63A-5-702(2)(e)       | IGG   | <b>Retain:</b> provides an update of the state agencies' efforts to improve energy efficiency   |
| <b>DAS:</b> annual report on best practices and stewardship efforts to improve air quality                              | 63A-1-116(3)(b)       | Business and Labor Interim Committee; Natural Resources, Agriculture, and Environment Interim Committee | <b>Retain:</b> provides an update of state agencies' efforts to improve air quality   |
| <b>DAS:</b> annual report of the Government Record Ombudsman  | 63A-12-111(2)(d)      | Government Operations Interim Committee   | <b>Retain:</b> provides an update of the ombudsman's work during the previous year  |
| <b>DAS:</b> financial statements (CAFR) and other reports (single audit SEFA)   | 63A-3-103(3)          | not applicable (NA)   | <b>Retain:</b> reports are for the state auditor's examination and certification  |
| <b>DAS:</b> contribution dependent accounts report  | 63A-3-109(2)-(3)      | Executive Appropriations Committee (EAC)  | <b>Retain:</b> lists contribution dependent accounts that did not receive at least \$30,000 in contributions during at least one of the last three fiscal years |
| <b>DAS:</b> financial reports   | 63A-3-204(2)          | Legislature   | <b>Retain:</b> the Division of Finance submits reports upon request from the governor and Legislature   |
| <b>DAS:</b> annual revolving loan funds report  | 63A-3-205(2)(b)       | Legislature   | <b>Eliminate:</b> the information can be provided upon request  |
| <b>DAS:</b> annual summary receivables report   | 63A-3-502(8)-(10)     | Legislature   | <b>Eliminate:</b> the information can be provided upon request  |
| <b>DAS:</b> list of anticipated capital improvement requirements (5 year book)  | 63A-5-104(4)          | Legislature   | <b>Amend:</b> require that the list be submitted to IGG; the list is a useful tool for budgeting and prioritization   |
| <b>DAS:</b> report any property acquired  | 63A-5-204(2)(a)(viii) | NA  | <b>Retain:</b> the report is submitted to the Division of Finance for inclusion in the state's financial records  |
| <b>DAS:</b> report funds transfers from project contingency funds to project reserves funds                             | 63A-5-209(3)(e)       | NA  | <b>Retain:</b> the Division of Facilities and Construction Management reports to the Legislative Fiscal Analyst; this helps in tracking state finances          |

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| Report Description  | Statute Reference | Committee Reported to  | Recommendation   |
|---|-------------------|--|--|
| <b>DAS:</b> reports regarding the prison construction project   | 63A-5-225(3)(iii) | NA   | <b>Retain:</b> reports are made to the Prison Development Commission as requested  |
| <b>DAS:</b> report evaluating high cost leases  | 63A-5-302(1)(c)   | NA   | <b>Retain:</b> the report can be helpful in evaluating options for meeting state government's building needs   |
| <b>DAS:</b> vehicle fleet cost efficiency plan  | 63A-9-401.5       | NA   | <b>Retain:</b> each agency submits a vehicle cost efficiency plan for their agency to the Division of Fleet Operations   |
| <b>DAS:</b> state owned vehicle report  | 63A-9-402         | NA   | <b>Retain:</b> the report is submitted annually to the governor and legislative fiscal analyst; the analyst submits the information for an agency to the appropriations subcommittee with jurisdiction over the agency   |
| <b>DAS:</b> Procurement Policy Board annual report on establishment, implementation, and enforcement of rules | 63G-6a-204        | Legislative interim committee designated by the Legislative Management Committee | <b>Retain:</b> the report informs policymakers of the Procurement Policy Boards' decisions   |
| <b>DAS:</b> federal receipts report   | 63J-1-219(5)-(6)  | EAC  | <b>Retain:</b> the report informs the Legislature of federal funds receipts for each agency as compared to appropriated amounts  |
| <b>DTS:</b> security assessment through an independent third party  | 63F-1-104(5)      | President and Speaker  | <b>Retain:</b> allows DTS and agencies to regularly assess security standards  |
| <b>DTS:</b> status of information technology projects   | 63F-1-104(12)     | Public Utilities and Technology Interim Committee (PUTIC)                        | <b>Retain:</b> provides a formal mechanism for status updates on metrics and projects to the Legislature   |
| <b>DTS:</b> annual report   | 63F-1-201(3)      | PUTIC  | <b>Retain:</b> provides an annual update on DTS services, status, projects, strategy, metrics, etc.  |
| <b>DTS:</b> executive branch IT strategic plan  | 63F-1-203         | PUTIC  | <b>Retain:</b> DTS updates the four year Strategic Plan annually; it provides direction for the future of DTS  |
| <b>DTS:</b> Data Security Management Council Annual Report  | 63F-2-103         | PUTIC  | <b>Retain:</b> provides an annual update on the council's actions  |
| <b>DOT:</b> evaluation of the impacts of establishing a posted speed limit that exceeds 75 miles per hour     | 41-6a-602(3)(b)   | Transportation Interim Committee (TIC)   | <b>Eliminate:</b> the report creates a formal mechanism to report the results of posting speed limits above 75 miles per hour; DOT will provide results upon request   |
| <b>DOT:</b> issues related to an HOV lane established by a highway authority                                  | 41-6a-702(4)(c)   | TIC  | <b>Eliminate:</b> HOV lanes have been in operation in Utah for 14 years and an electronic fee system for single occupant vehicles has been in use for over five years  |
| <b>DOT:</b> results of a connected vehicle technology testing program   | 41-6a-711(3)      | TIC  | <b>Retain:</b> DOT is in discussions with a private firm to test connected vehicle technology  |
| <b>DOT:</b> operations and maintenance needs for highways   | 72-1-201(1)(i)(i) | TIC  | <b>Amend:</b> modify to report on the condition, safety, and mobility of the state transportation system in order to identify any current or emerging issues that may require legislative action; require that the report be a joint effort of DOT and the Transportation Commission |

| Report Description   | Statute Reference  | Committee Reported to  | Recommendation  |
|--|--------------------|--|---|
| <b>DOT:</b> transfer of funds between transportation-related funds   | 72-1-201(1)(i)(ii) | Committee designated by the Legislative Management Committee (LMC) | <b>Eliminate:</b> due to enacted of S.B. 225, 2012 General Session, the transfer provision under the subsection is no longer needed   |
| <b>Transportation Commission (TC):</b> prioritized list of capacity projects and unfunded highway construction and   | 72-1-303(2)(a)     | LMC  | <b>Eliminate:</b> this report relates specifically to the Critical Highway Needs Fund (CHNF) and Transportation Investment Fund; the CHNF program is completed so reporting relating to that program is no longer relevant                    |
| <b>TC:</b> Funding plan and highway construction program beyond the normal four year programming horizon   | 72-2-124(7)        | TIC  | <b>Eliminate:</b> TC has fulfilled the requirements for a highway construction plan and program and made a report to the Transportation Interim Committee as required under H.B. 420, 2015 General Session                                    |
| <b>DOT:</b> proposed addition to or deletion from the state highway system   | 72-4-102(4)(a)     | TIC  | <b>Eliminate:</b> the highway jurisdictional transfer process has matured and the need for reporting is probably no longer needed   |
| <b>TC:</b> highways recommended for addition to or deletion from the state highway system; jurisdictional transfers under discussion; transfers proposed but not agreed to by affected highway authorities | 72-4-102(4)(b)     | TIC  | <b>Amend:</b> modify requirement so that the report may be made by either DOT or TC; historically, this report has been made by DOT on behalf of TC   |
| <b>DOT:</b> status and progress of a tollway subject to a tollway development agreement  | 72-6-206(3)        | EAC; TIC; or a committee designated by LMC                         | <b>Retain:</b> tollway development agreements were authorized under S.B. 80, 2006 General Session; although the state has not entered into a tollway development agreement, a requirement for reporting to the legislature should be retained |