
S.B. 221 - Dedication and Abandonment of a Highway

Fiscal Note

2009 General Session

State of Utah

State Impact

Provisions of this bill allows property owners to file suit against the state against prescriptive rights to public roadways. It is unknown at this time the extent of prescriptive rights statewide. Cost to the state to purchase what were previously prescriptive rights would include fair market value of the right of way, court costs and the property owners attorney fees. It is unknown at this time how many suits will be filed and what fair market values would have to be paid but could represent significant cost to the Department of Transportation.

Individual, Business and/or Local Impact

Enactment of this bill likely could result in direct, measurable costs for local governments. Individuals and business could benefit if they owned property where state and local governments claim prescriptive rights to roadways.
