

**COMMUNITY RESPONSIVENESS
REQUIREMENTS OF UTAH DEPARTMENT OF
TRANSPORTATION**

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Ralph Becker

AN ACT RELATING TO HIGHWAYS; AMENDING DUTIES OF THE DEPARTMENT OF
TRANSPORTATION; PROVIDING FOR COOPERATION WITH COUNTY AND
MUNICIPAL OFFICIALS ON CERTAIN TRAFFIC AND SAFETY IMPACTS ^h [f] ; **REQUIRING
WRITTEN RESPONSES, RECORDKEEPING, AND REPORTING** [-] ^h .

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63-49-4, as last amended by Chapter 120, Laws of Utah 1994

63-49-9, as last amended by Chapter 120, Laws of Utah 1994

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

Section 1. Section **63-49-4** is amended to read:

**63-49-4. Creation of Department of Transportation -- Functions, powers, duties,
rights, and responsibilities.**

There is created the Department of Transportation which shall:

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

(2) provide administration for state transportation systems and programs;

(3) implement the transportation policies of the state;

(4) plan, develop, construct, and maintain state transportation systems that are safe,
reliable, environmentally sensitive, and serve the needs of the traveling public, commerce, and
industry;

(5) establish standards and procedures regarding the technical details of administration of

1 the state transportation systems as established by statute and administrative rule;

2 (6) advise the governor and the Legislature about state transportation systems needs; [and]

3 (7) cooperate with counties and municipalities to ~~h~~ **HELP** ~~h~~ mitigate adverse traffic and safety
4 impacts on state highways and where county roads and municipal streets connect to a state
5 highway; and

6 [(7)] (8) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
7 make policy and rules for the administration of the department, state transportation systems, and
8 programs.

9 Section 2. Section **63-49-9** is amended to read:

10 **63-49-9. Region offices -- Region directors -- Qualifications -- Responsibilities.**

11 (1) The department shall maintain region offices throughout the state as the executive
12 director finds reasonable and necessary for the efficient carrying out of the duties of the
13 department.

14 (2) The executive director shall appoint a region director for each region. Each region
15 director shall be a qualified executive with technical and administrative experience and training.

16 (3) The region director is responsible for:

17 (a) executing department policy within the region;

18 (b) supervising project development and operations of the state transportation systems
19 within the region; [and]

20 (c) promoting the department's public involvement and information programs[-]; and

21 (d) cooperating with counties and municipalities to ~~h~~ **HELP** ~~h~~ mitigate adverse traffic and
21a safety

22 impacts on state highways and where county roads and municipal streets connect to a state
23 highway.

24 ~~h~~ [(f)] **(4) The region director shall:**

25 (a) keep a record of written requests from county and municipal officials related to issues
26 under Subsection (3)(d);

27 (b) provide a written response to the written request of county or municipal officials
28 addressing the issues and potential solutions raised in the request, including reasoning that
29 supports the response, and offering other potential solutions, if any; and

30 (c) work with county and municipal officials to implement feasible solutions within the
31 collective resources available to the entities involved. [-] ~~h~~

1 ~~h [f] (5) The department shall make an annual report of the requests and the actions taken on~~
2 ~~the requests. The report shall be submitted to the commission at a commission meeting. Copies~~
3 ~~of the report shall be made available to the public upon request. [f] h~~

4 ~~h [f] [f] (4) [f] [f] [f] (6) [f] h~~ The executive director may also establish district offices
4a within a region to
5 implement maintenance, encroachment, safety, community involvement, and loss management
6 functions of the region.

Legislative Review Note
as of 12-2-97 1:26 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel