

28 Procedures Act; and

29 (6) advising the department in state transportation systems policy.

30 Section 2. Section **72-4-102** is amended to read:

31 **72-4-102. Additions to or deletions from state highway system -- Designation of**
32 **highways as state highways between sessions.**

33 (1) (a) [~~At each general session of the Legislature, the~~] The Legislature may add to or
34 delete highways or sections of highways from the state highway system.

35 (b) The department shall annually submit to the Legislature a list of highways or sections
36 of highways the commission recommends for addition to or deletion from the state highway
37 system.

38 (c) [(i)] All recommendations shall be based on [~~minimum qualifying standards~~
39 ~~established by the commission~~] the criteria for state highways under Section 72-4-102.5.

40 [(ii) ~~In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the~~
41 ~~commission shall make rules to establish the minimum qualifying standards for highways to be~~
42 ~~included on the state highway system.~~]

43 (2) Between general sessions of the Legislature, highways may be designated as state
44 highways or deleted from the state highway system if:

45 (a) approved by the commission in accordance with the [~~standards made~~] criteria for state
46 highways under [Subsection (1); and] Section 72-4-102.5;

47 (b) a deletion is agreed upon by all highway authorities involved in the transfer; and

48 [(b)] (c) the highways are included in the list of recommendations submitted to the
49 Legislature in the next year for legislative approval or disapproval.

50 Section 3. Section **72-4-102.5** is enacted to read:

51 **72-4-102.5. Rulemaking -- Criteria for state highways.**

52 (1) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
53 department shall make rules establishing and defining a functional classification of roadways for
54 the purpose of implementing this section. The definitions shall provide for a separate functional
55 classification system for urban and rural highways recognizing the unique differences in the
56 character of services provided by urban and rural highways.

57 (2) A state highway shall:

58 (a) serve a statewide purpose by accommodating interstate movement of traffic or

59 inter-region movement within the state;

60 (b) primarily move higher traffic volumes over longer distances than highways under local
61 jurisdiction;

62 (c) connect major population centers;

63 (d) be spaced so that all developed areas in the state are within a reasonable distance of
64 a state highway and be spaced so that duplicative state routes are avoided;

65 (e) provide state highway system continuity and efficiency of state highway system
66 operation and maintenance activities;

67 (f) provide access to property as a secondary function; and

68 (g) exclude parking lots, driving ranges, and campus roads.

69 (3) A rural state highway shall:

70 (a) include all interstate routes, all highways on the National Highway System as
71 designated by the Federal Highway Administration, all U.S. designated routes, and all minor
72 arterial highways;

73 (b) include a major collector highway that:

74 (i) serves a county seat;

75 (ii) serves a municipality with a population of 1,000 or more;

76 (iii) serves a major industrial, commercial, or recreation areas that generate traffic volumes
77 equivalent to a population of 1,000 or more;

78 (iv) provides continuity for the state highway system by providing major connections
79 between other state highways;

80 (v) provides service between two or more counties; or

81 (vi) serves a compelling statewide public safety interest.

82 (4) An urban state highway shall:

83 (a) include all interstate routes, all expressways, all highways on the National Highway
84 System as designated by the Federal Highway Administration, and all principal arterial highways;
85 and

86 (b) include a minor arterial highway that:

87 (i) provides continuity for the state highway system by providing major connections
88 between other state highways; or

89 (ii) is a route that is expected to be a principal arterial highway within ten years.

- 90 (5) For tourist areas, a state highway:
- 91 (a) shall serve a national park or a national recreational area;
- 92 (b) shall serve a national monument with visitation greater than 100,000 per year;
- 93 (c) may serve a state park with visitation greater than 100,000 per year; or
- 94 (d) may serve a recreation site with visitation greater than 100,000 per year.

Legislative Review Note
as of 11-18-98 3:40 PM

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

Office of Legislative Research and General Counsel

Committee Note

The Transportation Interim Committee recommended this bill.