

**CONSTITUTIONAL AMENDMENT TO HIGHWAY
USER AND MOTOR FUEL FUND**

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Scott Daniels

This joint resolution of the Legislature proposes to amend the Revenue and Taxation Article of the Utah Constitution to expand the allowable uses of highway user and motor fuel fees and taxes and to make technical changes. This joint resolution directs the lieutenant governor to submit the proposal to voters and provides an effective date.

This resolution proposes to change the Utah Constitution as follows:

AMENDS:

ARTICLE XIII, SECTION 13

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to amend Utah Constitution Article XIII, Section 13, to read:

Article XIII, Section 13. [Revenue from highway user and motor fuel taxes to be used for highway purposes.]

The proceeds from the imposition of any license tax, registration fee, driver education tax, or other charge related to the operation of any motor vehicle upon any public highway in this State, and the proceeds from the imposition of any excise tax on gasoline or other liquid motor fuels used for propelling such vehicle, except for statutory refunds and adjustments allowed thereunder and for costs of collection and administration, shall be used exclusively for highway or transportation purposes as follows:

(1) the construction, improvement, repair and maintenance of city streets, county roads, ~~[and]~~ State highways, and public transportation systems, including but not restricted to payment for property taken for or damaged by rights of way, and for administrative costs necessarily incurred for ~~[said]~~ those purposes;

- 28 (2) the administration of a driver education program;
- 29 (3) the enforcement of State motor vehicle and traffic laws; and
- 30 (4) the payment of the principal of and interest on any obligation of the State or any city
- 31 or county, issued for any of the highway or transportation purposes set forth in Subsection (1), and
- 32 to which any of the proceeds described in this section have been pledged, including any of such
- 33 proceeds paid to the State or any city or county, as provided by statute.

34 **Section 2. Submittal to voters.**

35 The lieutenant governor is directed to submit this proposed amendment to the voters of the
36 state at the next regular general election in the manner provided by law.

37 **Section 3. Effective date.**

38 If the amendment proposed by this joint resolution is approved by a majority of those
39 voting on it at the next regular general election, the amendment shall take effect on January 1,
40 2003.

Legislative Review Note
as of 1-11-01 1:11 PM

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

Office of Legislative Research and General Counsel