

1                                   **HIGHWAY AUTHORITY WINTER ROAD**  
 2                                   **CLOSURE AUTHORITY**  
 3                                   2001 GENERAL SESSION  
 4                                   STATE OF UTAH

5                                   **Sponsor: Parley Hellewell**

6   **This act modifies the Transportation Code by amending a highway authority's ability to**  
 7   **impose restrictions on the use of highways.**

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

9   AMENDS:

10           **72-7-408**, as renumbered and amended by Chapter 270, Laws of Utah 1998

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

12           Section 1. Section **72-7-408** is amended to read:

13           **72-7-408. Highway authority -- Restrictions on highway use -- Erection and**  
 14   **maintenance of signs designating restrictions -- Penalty.**

15           (1) (a) Subject to Subsection (1)(b), a highway authority may by rule or ordinance  
 16   prescribe procedures and criteria which prohibit the operation of any vehicle or impose restrictions  
 17   on the weight of a vehicle upon any highway under its jurisdiction.

18           (b) A highway authority may impose restrictions for a highway under Subsection (1)(a)  
 19   if an engineering inspection concludes that, due to deterioration caused by climatic conditions, a  
 20   highway will be seriously damaged or destroyed unless certain vehicles are prohibited or vehicle  
 21   weights are restricted.

22           ~~[(2) A highway authority may not prohibit the operation of any vehicle or restrict the~~  
 23   ~~weight of a vehicle under Subsection (1) for more than 90 days in any one calendar year.]~~

24           ~~[(3)]~~ (2) The highway authority imposing restrictions under this section shall erect signs  
 25   citing the provisions of the rule or ordinance at each end of that portion of any highway affected.  
 26   The restriction is effective only when the signs are erected and maintained.

27           ~~[(4)]~~ (3) Any person who violates any restriction imposed under the authority of this

28 section is guilty of a class B misdemeanor.

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**Legislative Review Note**  
**as of 12-5-00 2:33 PM**

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

**Office of Legislative Research and General Counsel**