

1                                   **STATE TRANSPORTATION EMPOWERMENT**

2                                                           **RESOLUTION**

3                                                                                   2006 GENERAL SESSION

4                                                                                   STATE OF UTAH

5                                                                                   **Chief Sponsor: Aaron Tilton**

6                                                                                   Senate Sponsor: Sheldon L. Killpack

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8                   **LONG TITLE**

9                   **General Description:**

10                   This joint resolution of the Legislature urges Congress to return to the states the  
11 responsibility for determining their surface transportation priorities.

12                   **Highlighted Provisions:**

13                   This resolution:

14                   ▶ urges the United States Congress to enact legislation that would return to the states  
15 full responsibility for formulating and implementing their own surface  
16 transportation priorities; and

17                   ▶ urges Congress to allow states to retain the revenues resulting from the repeal of the  
18 federal fuel tax collected within their borders to implement their surface  
19 transportation needs as determined by the states.

20                   **Special Clauses:**

21                   None

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23                   *Be it resolved by the Legislature of the state of Utah:*

24                   WHEREAS, Utah pays a federal fuel tax of 18.4 cents per gallon;

25                   WHEREAS, for nearly half a century the federal fuel tax has supported the Federal  
26 Highway Administration, which was formed in 1956 to build the interstate highway system and  
27 which successfully completed that mission by the mid-1980s;



28 WHEREAS, most of the transportation problems that confront travelers today are local  
29 or regional, and state and local governments can respond to them more effectively than distant  
30 bureaucracies;

31 WHEREAS, a growing share of the federal fuel tax is diverted to purposes other than  
32 highways and roads, including urban mass transit, ferry boats, commuter rails, historic  
33 renovation, hiking trails, landscaping, covered bridges, scenic byways, and Appalachian  
34 redevelopment, which benefit narrow yet influential constituencies at the expense of the  
35 general public;

36 WHEREAS, earmarks in federal transportation reauthorization legislation often  
37 represent projects that are not included in a state's long-term or short-term transportation plans;

38 WHEREAS, earmarks also require matching funds, are often underfunded, and  
39 ultimately cost the state treasury more than anticipated;

40 WHEREAS, earmarks also require state and local officials to lobby federal officials  
41 rather than being able to manage and fund their own transportation needs;

42 WHEREAS, earmarking reduces the total amount of funds available for distribution to  
43 states through the core highway programs;

44 WHEREAS, earmarks in federal transportation reauthorization legislation often count  
45 against an individual state's formula funds;

46 WHEREAS, the federal government often threatens to withhold a state's share of  
47 federal highway money in order to force the state to comply with a variety of federal mandates,  
48 including clean air and safety standards, law enforcement, and union contracts;

49 WHEREAS, the federal management of highway funding results in a subsidy to  
50 wealthier states and slow growth states at the expense of less affluent states and fast growth  
51 states with greater transportation needs; and

52 WHEREAS, legislation that would give each state full control of the federal fuel tax  
53 revenues collected by that state has been proposed in several past sessions of Congress and has  
54 again been introduced as H.R. 2284, the Transportation Empowerment Act:

55 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
56 urges the United States Congress to enact legislation that would return to the states full  
57 responsibility to formulate and implement their own surface transportation priorities by  
58 allowing each state to retain the revenues resulting from the repeal of the federal fuel tax

59 collected within its borders, allowing states to determine how to fund their surface  
60 transportation needs.

61 BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of  
62 the United States, the Majority Leader of the United States Senate, the Speaker of the United  
63 States House of Representatives, the President of the Senate and the Speaker of the House of  
64 Representatives of each state's legislature, and to the members of Utah's congressional  
65 delegation.

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**Legislative Review Note**  
**as of 1-26-06 8:07 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HJR025**

**State Transportation Empowerment Resolution**

*03-Feb-06*

*3:07 PM*

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**State Impact**

Mailing requirements of this resolution can be handled within existing budgets.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**