

1 **LOCAL OPTION TRANSPORTATION**
2 **CORRIDOR PRESERVATION FEE**
3 **AMENDMENTS**

4 2008 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Wayne A. Harper**

7 Senate Sponsor: _____
8

9 **LONG TITLE**

10 **General Description:**

11 This bill modifies the Motor Vehicles Code and the Transportation Code by amending
12 provisions relating to the local option transportation corridor preservation fee.

13 **Highlighted Provisions:**

14 This bill:

15 ▶ provides that all of the revenue, rather than 70% of the revenue, from the fee
16 imposed in a county of the first class shall be deposited in the County of the First
17 Class State Highway Projects Fund; and

18 ▶ makes technical changes.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 This bill takes effect on July 1, 2008.

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **41-1a-1222**, as last amended by Laws of Utah 2007, Chapters 201, and 274

26 **72-2-121**, as last amended by Laws of Utah 2007, Chapter 201
27



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

29 Section 1. Section **41-1a-1222** is amended to read:

30 **41-1a-1222. Local option transportation corridor preservation fee -- Exemptions**
31 **-- Deposit -- County ordinance -- Notice.**

32 (1) (a) (i) A county legislative body may impose a local option transportation corridor
33 preservation fee of up to \$10 on each motor vehicle registration within the county.

34 (ii) A fee imposed under Subsection (1)(a)(i) shall be set in whole dollar increments.

35 (b) If imposed under Subsection (1)(a), at the time application is made for registration
36 or renewal of registration of a motor vehicle under this chapter, the applicant shall pay the local
37 option transportation corridor preservation fee established by the county legislative body.

38 (c) The following are exempt from the fee required under Subsection (1)(a):

39 (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209 or
40 Subsection 41-1a-419(3);

41 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;
42 and

43 (iii) a motor vehicle with a Purple Heart special group license plate issued in
44 accordance with Section 41-1a-421.

45 (2) (a) Except as provided in Subsection (2)(b), the revenue generated under this
46 section shall be:

47 (i) deposited in the Local Transportation Corridor Preservation Fund created in Section
48 72-2-117.5;

49 (ii) credited to the county from which it is generated; and

50 (iii) used and distributed in accordance with Section 72-2-117.5.

51 (b) ~~[Seventy percent of the]~~ The revenue generated by a fee imposed under this section
52 in a county of the first class shall be:

53 (i) deposited in the County of the First Class State Highway Projects Fund created in
54 Section 72-2-121; and

55 (ii) used in accordance with Section 72-2-121.

56 (3) To impose or change the amount of a fee under this section, the county legislative
57 body shall pass an ordinance:

58 (a) approving the fee;

59 (b) setting the amount of the fee; and

60 (c) providing an effective date for the fee as provided in Subsection (4).

61 (4) (a) If a county legislative body enacts, changes, or repeals a fee under this section,
62 the enactment, change, or repeal shall take effect on July 1 if the commission receives notice
63 meeting the requirements of Subsection (4)(b) from the county prior to April 1.

64 (b) The notice described in Subsection (4)(a) shall:

65 (i) state that the county will enact, change, or repeal a fee under this part;

66 (ii) include a copy of the ordinance imposing the fee; and

67 (iii) if the county enacts or changes the fee under this section, state the amount of the
68 fee.

69 Section 2. Section **72-2-121** is amended to read:

70 **72-2-121. County of the First Class State Highway Projects Fund.**

71 (1) There is created a special revenue fund entitled the County of the First Class State
72 Highway Projects Fund.

73 (2) The fund consists of monies generated from the following revenue sources:

74 (a) any voluntary contributions received for new construction, major renovations, and
75 improvements to state highways within a county of the first class;

76 (b) the portion of the sales and use tax described in Subsection 59-12-502(5)(a)[~~(ii)~~]
77 deposited in or transferred to the fund;

78 (c) the portion of the sales and use tax described in Subsection 59-12-1703(4)(a)(ii)
79 and required by Subsection 59-12-1703(7)(b)(ii) to be deposited in or transferred to the fund;
80 and

81 (d) [~~a portion of~~] the local option transportation corridor preservation fee imposed in a
82 county of the first class under Section 41-1a-1222 deposited in or transferred to the fund.

83 (3) (a) The fund shall earn interest.

84 (b) All interest earned on fund monies shall be deposited into the fund.

85 (4) The executive director may use fund monies only:

86 (a) to pay debt service and bond issuance costs for bonds issued under Section
87 63B-16-102; and

88 (b) for right-of-way acquisition, new construction, major renovations, and
89 improvements to state highways within a county of the first class and to pay any debt service

90 and bond issuance costs related to those projects.

91 (5) The revenues described in Subsections (2)(b), (c), and (d) that are deposited in the
92 fund and bond proceeds from bonds issued under Section 63B-16-102 are considered a local
93 matching contribution for the purposes described under Section 72-2-123.

94 (6) The additional administrative costs of the department to administer this fund shall
95 be paid from the monies in the fund.

96 Section 3. **Effective date.**

97 This bill takes effect on July 1, 2008.

Legislative Review Note
as of 10-30-07 10:02 AM

Office of Legislative Research and General Counsel

Fiscal Note**H.B. 242 - Local Option Transportation Corridor Preservation Fee
Amendments**

2008 General Session

State of Utah

State Impact

Provisions of this bill transfers 100% of the Local Option Transportation Corridor Preservation Fees imposed in a county of the first class as the local contribution to the Mountain View Corridor Project. The 30% increase local amount not currently committed to the Project is estimated to be \$2,389,200 in FY 2009.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
Restricted Funds	\$0	\$2,389,200	\$2,476,700	\$0	\$0	\$0
Local Revenue	\$0	(\$2,389,200)	(\$2,476,700)	\$0	\$0	\$0
Total	\$0	\$0	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

Local government revenue will decrease by an estimated \$2,389,200 in FY 2009.