

1                                   **TRANSPORTATION FUNDING AMENDMENTS**

2   2009 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Stephen H. Urquhart**

5   House Sponsor: John Dougall

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7 **LONG TITLE**

8 **General Description:**

9                This bill enacts provisions relating to state and local spending on certain transportation  
10 projects.

11 **Highlighted Provisions:**

12                This bill:

- 13                   ▶ prohibits the state, counties, and municipalities from spending project-specific  
14 funds allocated through a congressional authorization act for a transportation  
15 project that is eligible for funds apportioned to the state in support of the statewide  
16 transportation improvement program unless the specified project is included on the  
17 statewide transportation improvement program.

18 **Monies Appropriated in this Bill:**

19                None

20 **Other Special Clauses:**

21                None

22 **Utah Code Sections Affected:**

23 AMENDS:

24                **72-2-112**, as renumbered and amended by Laws of Utah 1998, Chapter 270

25 ENACTS:

26                **10-8-2.5**, Utah Code Annotated 1953

27                **17-50-327**, Utah Code Annotated 1953

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

30 Section 1. Section **10-8-2.5** is enacted to read:

31 **10-8-2.5. Prohibition against spending certain transportation funds.**

32 (1) As used in this section:

33 (a) "Apportioned" means divided or assigned among the states based on a prescribed  
34 formula established in 23 U.S.C.

35 (b) "Authorization act" means an act of Congress enacted after July 1, 2009 that  
36 authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C.  
37 Sec. 9503.

38 (2) A municipality may not spend project-specific funds that are allocated through an  
39 authorization act for a transportation-related project that is eligible for funds apportioned to  
40 the state in support of the statewide transportation improvement program unless the specified  
41 project is included on the statewide transportation improvement program.

42 Section 2. Section **17-50-327** is enacted to read:

43 **17-50-327. Prohibition against spending certain transportation funds.**

44 (1) As used in this section:

45 (a) "Apportioned" means divided or assigned among the states based on a prescribed  
46 formula established in 23 U.S.C.

47 (b) "Authorization act" means an act of Congress enacted after July 1, 2009 that  
48 authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C.  
49 Sec. 9503.

50 (2) A county may not spend project-specific funds that are allocated through an  
51 authorization act for a transportation-related project that is eligible for funds apportioned to  
52 the state in support of the statewide transportation improvement program unless the specified  
53 project is included on the statewide transportation improvement program.

54 Section 3. Section **72-2-112** is amended to read:

55 **72-2-112. Transportation department authorized to participate in federal**  
56 **program -- Prohibition against spending certain transportation funds.**

57 (1) Notwithstanding any law to the contrary, the department is empowered to

58 participate in the deferred payment program authorized by Congress in Public Law 94-30.

59 (2) Any indebtedness incurred by the department under this section shall be paid from  
60 state transportation funds as appropriated.

61 (3) (a) As used in this Subsection (3):

62 (i) "Apportioned" means divided or assigned among the states based on a prescribed  
63 formula established in 23 U.S.C.

64 (ii) "Authorization act" means an act of Congress enacted after July 1, 2009 that  
65 authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C.  
66 Sec. 9503.

67 (b) The state, including any agency, department, or division of the state, may not  
68 spend project-specific funds that are allocated through an authorization act for a  
69 transportation-related project that is eligible for funds apportioned to the state in support of the  
70 statewide transportation improvement program unless the specified project is included on the  
71 statewide transportation improvement program.