

57 (b) If a county, city, or town does not give approval as required under Subsection  
 58 (2)(a), then the portion of the highway located within the boundaries of the county, city, or  
 59 town may not be included as part of any state scenic byway designation or nomination as a  
 60 National Scenic Byway or All-American Road.

61 (3) (a) ~~[A]~~ Except as provided in Subsection (3)(b) or (d), a state scenic byway,  
 62 National Scenic Byway, or All-American Road [may] shall be segmented:

63 (i) by the legislative body of the county, city, or town where the segmentation is to  
 64 occur if:

65 ~~[(†)]~~ (A) a person or another entity, with the consent of any landowners affected by the  
 66 segmentation, has requested the segmentation of a portion of a road or highway; and

67 ~~[(†)]~~ (B) the legislative body of the county, city, or town reviews the segmentation  
 68 proposed under this Subsection (3)(a)(i)~~[-]; or~~

69 (ii) by the committee at the written request of the owner of real property that is a  
 70 non-scenic area adjacent to a state scenic byway, National Scenic Byway, or All-American  
 71 Road.

72 (b) The legislative body of a county, city, or town shall render a decision on a  
 73 segmentation request under Subsection (3)(a)(i) within 60 days and may grant segmentation to  
 74 the person or entity if the property is a non-scenic area.

75 (c) (i) If the legislative body of a county, city, or town denies the request to segment the  
 76 state scenic byway, National Scenic Byway, or All-American Road under Subsection (3)(a)(i)  
 77 upon the request of a person or another entity, with the consent of any landowners affected by  
 78 the segmentation, that person or entity may appeal the denial of the request to the committee.

79 (ii) The committee shall hear and answer an appeal of the denial of a segmentation  
 80 request within 60 days of a request submitted in accordance with Subsection (3)(c)(i).

81 (iii) If the committee does not render a decision on an appeal in accordance with  
 82 Subsection (3)(c)(ii), the segmentation request shall be granted if the property is a non-scenic  
 83 area.

84 (d) A state scenic byway, National Scenic Byway, or All-American Road is not  
 85 required to be segmented under Subsection (3)(a)(ii) if the committee demonstrates, within ~~§~~ → [30]

85a ~~45~~ ← ~~§~~

86 days of receiving the request, to an administrative law judge selected by agreement of the  
 87 owner of real property and the committee where the non-scenic area is located, that the