

TRANSPORTATION FUNDING REVISIONS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. Sandall

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Transportation Code by amending provisions relating to the Local Highway and Transportation Corridor Preservation Fund.

Highlighted Provisions:

This bill:

- ▶ authorizes money in the Local Highway and Transportation Corridor Preservation Fund to be used for construction, maintenance, and operation of class B and class C roads **H→ or survey monument restoration or repair ←H** with limitations **H→ in a county of the third, fourth, fifth, or sixth class ←H** ; and

- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-1222, as last amended by Laws of Utah 2015, Chapter 421

59-12-2217, as last amended by Laws of Utah 2015, Chapter 421

59-12-2218, as last amended by Laws of Utah 2016, Chapter 348

72-2-117.5, as last amended by Laws of Utah 2015, Chapters 395 and 410



- 493 (i) the county's planning focus area is outside the boundaries of a metropolitan
- 494 planning organization;
- 495 (ii) the transportation planning is part of the county's continuing, cooperative, and
- 496 comprehensive process for transportation planning, corridor preservation, right-of-way
- 497 acquisition, and project programming;
- 498 (iii) no more than four years allocation every 20 years to each county is used for
- 499 transportation planning under this Subsection (5)(d); and
- 500 (iv) the county otherwise qualifies to use the fund money as provided under this
- 501 section.

502 (e) (i) Subject to Subsection (11), fund money allocated and distributed under

503 Subsection (4) may be used by a county highway authority for transportation corridor planning

504 that is part of the corridor elements of an ongoing work program of transportation projects.

505 (ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the

506 direction of:

507 (A) the metropolitan planning organization if the county is within the boundaries of a

508 metropolitan planning organization; or

509 (B) the department if the county is not within the boundaries of a metropolitan

510 planning organization.

511 (f) (i) A county, city, or town that imposes a local option highway construction and

512 transportation corridor preservation fee under Section 41-1a-1222 may elect to administer the

513 funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving

514 loan fund.

515 (ii) If a county, city, or town elects to administer the funds allocated and distributed to

516 that county, city, or town under Subsection (4) as a revolving loan fund, a local highway

517 authority shall repay the fund money authorized for the project to the fund.

518 (iii) A county, city, or town that elects to administer the funds allocated and distributed

519 to that county, city, or town under Subsection (4) as a revolving loan fund shall establish

520 repayment conditions of the money to the fund from the specified project funds.

521 (g) (i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be

522 used ~~H~~→ by a county of the third, fourth, fifth, or sixth class or by a city or town within

522a a county of the third, fourth, fifth, or sixth class ←H for H→ :

522b (A) ←H the construction, operation, or maintenance of a H→ [;

523 ———(A) ←H class B road H→ [; ←H or

524 ~~H→~~ [(B)] ~~←H~~ class C road ~~H→~~ ; or
 524a (B) the restoration or repair of a survey monument associated with transportation
 524b infrastructure ~~←H~~ .

525 (ii) A county, city, or town may not use more than 50% of the current balance of fund
 526 money allocated to the county, city, or town for the purposes described in Subsection (5)(g)(i).

527 (iii) A county, city, or town may not use more than 50% of the fund revenue collections
 528 allocated to a county, city, or town in the current fiscal year for the purposes described in
 529 Subsection (5)(g)(i).

530 (6) (a) (i) The Local Highway and Transportation Corridor Preservation Fund shall be
 531 used to preserve highway corridors, promote long-term statewide transportation planning, save
 532 on acquisition costs, and promote the best interests of the state in a manner which minimizes
 533 impact on prime agricultural land.

534 (ii) The Local Highway and Transportation Corridor Preservation Fund shall only be
 535 used to preserve a highway corridor that is right-of-way:

536 (A) in a county of the first or second class for:

537 (I) a state highway;

538 (II) a principal arterial highway as defined in Section 72-4-102.5;

539 (III) a minor arterial highway as defined in Section 72-4-102.5; or

540 (IV) a collector highway in an urban area as defined in Section 72-4-102.5; or

541 (B) in a county of the third, fourth, fifth, or sixth class for:

542 (I) a state highway;

543 (II) a principal arterial highway as defined in Section 72-4-102.5;

544 (III) a minor arterial highway as defined in Section 72-4-102.5;

545 (IV) a major collector highway as defined in Section 72-4-102.5; or

546 (V) a minor collector road as defined in Section 72-4-102.5.

547 (iii) The Local Highway and Transportation Corridor Preservation Fund may not be
 548 used for a highway corridor that is primarily a recreational trail as defined under Section
 549 79-5-102.

550 (b) A highway authority shall authorize the expenditure of fund money after
 551 determining that the expenditure is being made in accordance with this section from
 552 applications that are:

553 (i) endorsed by the council of governments; and

554 (ii) for a right-of-way purchase for a highway authorized under Subsection (6)(a)(ii).