

1 **LIMITED ACCESS HIGHWAY AMENDMENTS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: R. Curt Webb**

5 Senate Sponsor: Daniel Hemmert

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to access to public highways.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ defines terms;
- 13 ▶ provides circumstances under which a highway authority may not close a legal point
- 14 of access to a public highway; and
- 15 ▶ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **72-7-103**, as renumbered and amended by Laws of Utah 1998, Chapter 270

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

25 Section 1. Section **72-7-103** is amended to read:

26 **72-7-103. Limitation on access authority.**

27 (1) As used in this section:

28 (a) "Highway facility" means:

- 29 (i) SR-7 as described in Section 72-4-106;
- 30 (ii) SR-67 as described in Section 72-4-112;
- 31 (iii) SR-85 as described in Section 72-4-114;
- 32 (iv) SR-154 as described in Section 72-4-121; or
- 33 (v) SR-201 as described in Section 72-4-126.

34 (b) "Legal point of access" means an access established in accordance with applicable
35 law:

- 36 (i) before July 1, 2003;
- 37 (ii) by permit issued by the highway authority; or
- 38 (iii) by a deed or court order.

39 (2) A highway authority may not deny reasonable ingress and egress to property
40 adjoining a public highway except where:

41 [~~(1)~~] (a) the highway authority acquires right of ingress and egress by gift, agreement,
42 purchase, eminent domain, or otherwise; or

43 [~~(2)~~] (b) no right of ingress or egress exists between the right-of-way and the adjoining
44 property.

45 (3) For a property adjoining a public highway that is not an interstate system or a
46 highway facility, a highway authority may not close a legal point of access to the public
47 highway, unless:

48 (a) the property has reasonably equivalent access to the public highway after the legal
49 access is closed; or

50 (b) the highway authority acquires the legal point of access by gift, agreement,
51 purchase, or eminent domain.