

**Representative R. Curt Webb** proposes the following substitute bill:

**LIMITED ACCESS HIGHWAY AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: R. Curt Webb**

Senate Sponsor: Daniel Hemmert

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**LONG TITLE**

**General Description:**

This bill amends provisions related to access to public highways.

**Highlighted Provisions:**

This bill:

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

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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.