

SB0092S01 compared with SB0092

~~deleted text~~ shows text that was in SB0092 but was deleted in SB0092S01.

inserted text shows text that was not in SB0092 but was inserted into SB0092S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Kathleen Riebe proposes the following substitute bill:

STATEWIDE COMPREHENSIVE RAIL PLAN

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jacob L. Anderegg

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Department of Transportation to lead in the development of a statewide comprehensive rail plan.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Transportation to develop a statewide comprehensive plan for public transit, freight, and any other use of fixed rail to fully and efficiently integrate all uses of rail within the state;
- ▶ requires the department to provide information and opportunity for public comment;
- ▶ allows the department to contract with a consultant to assist in the development of the plan; and
- ▶ requires an annual report to the Transportation Interim Committee and the

SB0092S01 compared with SB0092

Economic Development and Workforce Services Interim Committee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

72-1-201, as last amended by Laws of Utah 2019, Chapter 431

ENACTS:

72-1-215, Utah Code Annotated 1953

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

Section 1. Section **72-1-201** is amended to read:

72-1-201. Creation of Department of Transportation -- Functions, powers, duties, rights, and responsibilities.

(1) There is created the Department of Transportation which shall:

(a) have the general responsibility for planning, research, design, construction, maintenance, security, and safety of state transportation systems;

(b) provide administration for state transportation systems and programs;

(c) implement the transportation policies of the state;

(d) plan, develop, construct, and maintain state transportation systems that are safe, reliable, environmentally sensitive, and serve the needs of the traveling public, commerce, and industry;

(e) establish standards and procedures regarding the technical details of administration of the state transportation systems as established by statute and administrative rule;

(f) advise the governor and the Legislature about state transportation systems needs;

(g) coordinate with utility companies for the reasonable, efficient, and cost-effective installation, maintenance, operation, relocation, and upgrade of utilities within state highway rights-of-way;

(h) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for the administration of the department, state transportation systems, and

SB0092S01 compared with SB0092

programs;

(i) jointly with the commission annually report to the Transportation Interim Committee, by November 30 of each year, as to the operation, maintenance, condition, mobility, and safety needs for state transportation systems;

(j) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:

(i) under this title;

(ii) by the department; or

(iii) by an agency or division within the department; ~~and~~

(k) study and make recommendations to the Legislature on potential managed lane use and implementation on selected transportation systems within the state~~[-]; and~~

(l) develop a statewide comprehensive rail plan as described in Section 72-1-215.

(2) (a) The department shall exercise reasonable care in designing, constructing, and maintaining a state highway in a reasonably safe condition for travel.

(b) Nothing in this section shall be construed as:

(i) creating a private right of action; or

(ii) expanding or changing the department's common law duty as described in Subsection (2)(a) for liability purposes.

Section 2. Section **72-1-215** is enacted to read:

72-1-215. Comprehensive statewide rail plan -- Report.

(1) The department shall develop a statewide comprehensive rail plan to create a strategic vision for utilization, expansion, and interoperability of fixed rail lines in the state that efficiently increase the share of travel on passenger rail and movement of freight by rail by improving access, reliability, dependability, frequency, and efficiency.

(2) (a) The department shall develop a rail plan to integrate all uses of fixed rail within the state to implement best practices, including evaluation of:

(i) integration with the:

(A) Utah State Rail Plan developed by the department;

(B) long-range transportation plan developed by the department; and

(C) long-range regional transportation plans developed by the state's metropolitan

SB0092S01 compared with SB0092

planning organizations:

- (ii) integration and interoperability of public transit and freight rail lines;
- (iii) parallel tracking of multiple lines along various corridors;
- (iv) innovative technologies to improve efficiency;
- (v) electricity and other alternative fuel options;
- (vi) integration with development of inland port facilities;
- (vii) maximization of transit-oriented development opportunities;
- (viii) optimization of methodology to capture value added through infrastructure

development:

- (ix) innovative funding sources and mechanisms; and
- (x) economic development opportunity through integration and coordination.
- (b) (i) The department shall create the rail plan in two phases as described in

Subsections (2)(b)(ii) and (iii).

(ii) (A) For phase one of the rail plan development, the department shall, without consideration of cost, determine the optimal rail plan to achieve the operational and service goals as described in this section.

(B) While developing an optimal rail plan as described in Subsection (2)(b)(ii)(A), the department shall consult with any large public transit district, as described in Section 17B-2a-802, to consider the large public transit district's strategic business plan for commuter rail.

(iii) For phase two of the rail plan development, the department shall determine the most efficient, cost-effective, and strategic approach to implementation of the rail plan, accounting for all aspects of implementation, including:

- (A) cost and funding challenges;
- (B) legal issues related to interoperability and compliance with federal law; and
- (C) any other challenges to implementation of the rail plan.

(3) (a) To develop the rail plan, the department shall consult with relevant entities,

including:

- (~~f~~a) i) public transit providers;
- (~~f~~b) ii) state and local governments;
- (~~f~~c) iii) relevant federal agencies;

SB0092S01 compared with SB0092

~~(d)~~(iv) metropolitan planning organizations; and

~~(e)~~(v) private rail companies.

(b) (i) The department shall provide a link on the department website to provide:

(A) information regarding the consultant chosen by the department as described in

Subsection (4);

(B) information to the public regarding the rail planning process and progress, including a description of the geographical areas being studied; and

(C) a dedicated email address to allow the public to provide comments regarding the rail development plan.

(ii) The department shall have no less than two public meetings each year to:

(A) provide information regarding the rail planning process and progress; and

(B) an opportunity for the public to provide comments regarding the rail development plan.

(iii) In the final public meeting each year, the department shall provide and describe any findings or actions taken by the department related to the rail plan.

(4) The department may contract with a consultant to assist in developing the rail plan.

(5) Beginning in 2021, the department shall annually provide a report of the rail plan to the Transportation Interim Committee and the Economic Development and Workforce Services Interim Committee of the Legislature.