

**Representative Kay J. Christofferson** proposes the following substitute bill:

1                   **TRANSPORTATION GOVERNANCE AND FUNDING**

2                                   **AMENDMENTS**

3   2020 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Wayne A. Harper**

6                                   House Sponsor: Kay J. Christofferson

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8           **LONG TITLE**

9           **General Description:**

10                   This bill amends provisions related to transportation funding, motor vehicles,  
11 transportation network companies, and other transportation related items.

12           **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ requires counties and municipalities to provide certain notifications to a large public  
15 transit district related to development that could impact public transit corridors;
- 16                   ▶ amends provisions related to safety standards of transportation network company  
17 vehicles;
- 18                   ▶ amends provisions related to public transit districts, including:
- 19                           • removing a cap on the number of transit-oriented developments allowed;
  - 20                           • defining terms related to public transit infrastructure and planning; and
  - 21                           • provisions related to powers and responsibilities of the board of trustees and  
22 local advisory councils of a large public transit district;
- 23                   ▶ amends provisions related to odometer disclosures to comply with federal law;
- 24                   ▶ amends provisions related to registration fees for hybrid electric motor vehicles;
- 25                   ▶ amends provisions related to certain local option sales and use taxes regarding voter



- 26 approval of certain sales tax impositions and approved uses of certain revenues;
- 27       ▶ requires the Department of Transportation to provide reports to the Legislature
- 28 regarding the road usage charge program, implementation, and future inclusion of
- 29 all motor vehicles;
- 30       ▶ amends provisions related to the duties of and prioritization criteria considered by
- 31 the Transportation Commission;
- 32       ▶ amends provisions and defines terms related to the distribution of class B and class
- 33 C road funds;
- 34       ▶ allows certain funds related to class B and C roads to be used for administration of
- 35 the class B and C road fund;
- 36       ▶ requires the Department of Transportation to use \$25,000,000 of funds in the
- 37 Transportation Investment Fund of 2005 for frontage roads near I-215 in
- 38 Taylorsville;
- 39       ▶ amends provisions of the Transportation Investment Fund of 2005 related to
- 40 programming of funds;
- 41       ▶ amends provisions related to revenues generated by a tollway to allow revenues to
- 42 be used for any state transportation purpose;
- 43       ▶ amends provisions related to airport operators and the duties of peace officers and
- 44 other employees interacting with traffic and air passengers; and
- 45       ▶ makes technical changes.

46 **Money Appropriated in this Bill:**

47       None

48 **Other Special Clauses:**

49       This bill provides a special effective date.

50 **Utah Code Sections Affected:**

51 AMENDS:

- 52       **10-9a-206**, as last amended by Laws of Utah 2017, Chapter 428
- 53       **13-51-107**, as last amended by Laws of Utah 2017, Chapter 406
- 54       **17-27a-206**, as last amended by Laws of Utah 2017, Chapter 428
- 55       **17B-2a-802**, as last amended by Laws of Utah 2019, Chapter 479
- 56       **17B-2a-804**, as last amended by Laws of Utah 2018, Chapter 424

- 57            **17B-2a-808.1**, as last amended by Laws of Utah 2019, Chapter 479
- 58            **41-1a-902**, as last amended by Laws of Utah 1992, Chapter 234 and renumbered and
- 59 amended by Laws of Utah 1992, Chapter 1
- 60            **41-1a-1206**, as last amended by Laws of Utah 2019, Chapter 479
- 61            **59-12-2214**, as last amended by Laws of Utah 2019, Chapter 479
- 62            **59-12-2215**, as last amended by Laws of Utah 2019, Chapter 479
- 63            **59-12-2217**, as last amended by Laws of Utah 2019, Chapter 479
- 64            **72-1-102**, as last amended by Laws of Utah 2019, Chapters 431 and 479
- 65            **72-1-213.1**, as enacted by Laws of Utah 2019, Chapter 479
- 66            **72-1-303**, as last amended by Laws of Utah 2018, Chapter 424
- 67            **72-1-304**, as last amended by Laws of Utah 2019, Chapters 327 and 479
- 68            **72-2-107**, as last amended by Laws of Utah 2019, Chapter 479
- 69            **72-2-108**, as last amended by Laws of Utah 2018, Second Special Session, Chapter 8
- 70            **72-2-124**, as last amended by Laws of Utah 2019, Chapters 327 and 479
- 71            **72-3-104**, as last amended by Laws of Utah 2003, Chapters 131 and 292
- 72            **72-6-118**, as last amended by Laws of Utah 2018, Chapter 269
- 73            **72-10-207**, as last amended by Laws of Utah 1998, Chapters 282, 365 and renumbered
- 74 and amended by Laws of Utah 1998, Chapter 270



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

77            Section 1. Section **10-9a-206** is amended to read:

78            **10-9a-206. Third party notice -- High priority transportation corridor notice.**

79            (1) (a) If a municipality requires notice to adjacent property owners, the municipality  
80 shall:

81            (i) mail notice to the record owner of each parcel within parameters specified by  
82 municipal ordinance; or

83            (ii) post notice on the property with a sign of sufficient size, durability, print quality,  
84 and location that is reasonably calculated to give notice to passers-by.

85            (b) If a municipality mails notice to third party property owners under Subsection  
86 (1)(a), it shall mail equivalent notice to property owners within an adjacent jurisdiction.

87            (2) (a) As used in this Subsection (2), "high priority transportation corridor" means a

88 transportation corridor identified as a high priority transportation corridor under Section  
89 [72-5-403](#).

90 (b) The Department of Transportation may request, in writing, that a municipality  
91 provide the department with electronic notice of each land use application received by the  
92 municipality that may adversely impact the development of a high priority transportation  
93 corridor.

94 (c) If the municipality receives a written request as provided in Subsection (2)(b), the  
95 municipality shall provide the Department of Transportation with timely electronic notice of  
96 each land use application that the request specifies.

97 (3) (a) A large public transit district, as defined in Section [17B-2a-802](#), may request, in  
98 writing, that a municipality provide the large public transit district with electronic notice of  
99 each land use application received by the municipality that may impact the development of a  
100 major transit investment corridor.

101 (b) If the municipality receives a written request as provided in Subsection (3)(a), the  
102 municipality shall provide the large public transit district with timely electronic notice of each  
103 land use application that the request specifies.

104 Section 2. Section **13-51-107** is amended to read:

105 **13-51-107. Driver requirements.**

106 (1) Before a transportation network company allows an individual to use the  
107 transportation network company's software application as a transportation network driver, the  
108 transportation network company shall:

109 (a) require the individual to submit to the transportation network company:

110 (i) the individual's name, address, and age;

111 (ii) a copy of the individual's driver license, including the driver license number; and

112 (iii) proof that the vehicle that the individual will use to provide transportation network  
113 services is registered with the Division of Motor Vehicles;

114 (b) require the individual to consent to a criminal background check of the individual  
115 by the transportation network company or the transportation network company's designee; and

116 (c) obtain and review a report that lists the individual's driving history.

117 (2) A transportation company may not allow an individual to provide transportation  
118 network services as a transportation network driver if the individual:

119 (a) has committed more than three moving violations in the three years before the day  
120 on which the individual applies to become a transportation network driver;

121 (b) has been convicted, in the seven years before the day on which the individual  
122 applies to become a transportation network driver, of:

123 (i) driving under the influence of alcohol or drugs;

124 (ii) fraud;

125 (iii) a sexual offense;

126 (iv) a felony involving a motor vehicle;

127 (v) a crime involving property damage;

128 (vi) a crime involving theft;

129 (vii) a crime of violence; or

130 (viii) an act of terror;

131 (c) is required to register as a sex offender in accordance with Title 77, Chapter 41, Sex  
132 and Kidnap Offender Registry;

133 (d) does not have a valid Utah driver license; or

134 (e) is not at least 19 years of age.

135 (3) (a) A transportation network company shall prohibit a transportation network driver  
136 from accepting a request for a prearranged ride if the motor vehicle that the transportation  
137 network driver uses to provide transportation network services fails to comply with:

138 ~~[(a)]~~ (i) equipment standards described in Section [41-6a-1601](#); and

139 ~~[(b)]~~ (ii) emission requirements adopted by a county under Section [41-6a-1642](#).

140 (b) (i) If upon visual inspection, a defect relating to the equipment standards described  
141 in Section [41-6a-1601](#) can be reasonably identified, an airport operator may perform a safety  
142 inspection of a transportation network driver's vehicle operating within the airport to ensure  
143 compliance with equipment standards described in Section [41-6a-1601](#).

144 (ii) An airport operator shall conduct all inspections under this Subsection (3) in such a  
145 manner to minimize impact to the transportation network driver's and transportation network  
146 company vehicle's availability to provide prearranged rides.

147 (4) A transportation network driver, while providing transportation network services,  
148 shall carry proof, in physical or electronic form, that the transportation network driver is  
149 covered by insurance that satisfies the requirements of Section [13-51-108](#).

150 Section 3. Section 17-27a-206 is amended to read:

151 **17-27a-206. Third party notice -- High priority transportation corridor notice.**

152 (1) (a) If a county requires notice to adjacent property owners, the county shall:

153 (i) mail notice to the record owner of each parcel within parameters specified by county

154 ordinance; or

155 (ii) post notice on the property with a sign of sufficient size, durability, print quality,  
156 and location that is reasonably calculated to give notice to passers-by.

157 (b) If a county mails notice to third party property owners under Subsection (1), it shall  
158 mail equivalent notice to property owners within an adjacent jurisdiction.

159 (2) (a) As used in this Subsection (2), "high priority transportation corridor" means a  
160 transportation corridor identified as a high priority transportation corridor under Section  
161 [72-5-403](#).

162 (b) The Department of Transportation may request, in writing, that a county provide  
163 the department with electronic notice of each land use application received by the county that  
164 may adversely impact the development of a high priority transportation corridor.

165 (c) If the county receives a written request as provided in Subsection (2)(b), the county  
166 shall provide the Department of Transportation with timely electronic notice of each land use  
167 application that the request specifies.

168 (3) (a) A large public transit district, as defined in Section [17B-2a-802](#), may request, in  
169 writing, that a county provide the large public transit district with electronic notice of each land  
170 use application received by the county that may impact the development of a major transit  
171 investment corridor.

172 (b) If the county receives a written request as provided in Subsection (3)(a), the county  
173 shall provide the large public transit district with timely electronic notice of each land use  
174 application that the request specifies.

175 Section 4. Section 17B-2a-802 is amended to read:

176 **17B-2a-802. Definitions.**

177 As used in this part:

178 (1) "Affordable housing" means housing occupied or reserved for occupancy by  
179 households that meet certain gross household income requirements based on the area median  
180 income for households of the same size.

181 (a) "Affordable housing" may include housing occupied or reserved for occupancy by  
182 households that meet specific area median income targets or ranges of area median income  
183 targets.

184 (b) "Affordable housing" does not include housing occupied or reserved for occupancy  
185 by households with gross household incomes that are more than 60% of the area median  
186 income for households of the same size.

187 (2) "Appointing entity" means the person, county, unincorporated area of a county, or  
188 municipality appointing a member to a public transit district board of trustees.

189 (3) (a) "Chief executive officer" means a person appointed by the board of trustees of a  
190 small public transit district to serve as chief executive officer.

191 (b) "Chief executive officer" shall enjoy all the rights, duties, and responsibilities  
192 defined in Sections 17B-2a-810 and 17B-2a-811 and includes all rights, duties, and  
193 responsibilities assigned to the general manager but prescribed by the board of trustees to be  
194 fulfilled by the chief executive officer.

195 (4) "Council of governments" means a decision-making body in each county composed  
196 of membership including the county governing body and the mayors of each municipality in the  
197 county.

198 (5) "Department" means the Department of Transportation created in Section 72-1-201.

199 (6) "Executive director" means a person appointed by the board of trustees of a large  
200 public transit district to serve as executive director.

201 (7) (a) "General manager" means a person appointed by the board of trustees of a small  
202 public transit district to serve as general manager.

203 (b) "General manager" shall enjoy all the rights, duties, and responsibilities defined in  
204 Sections 17B-2a-810 and 17B-2a-811 prescribed by the board of trustees of a small public  
205 transit district.

206 (8) "Large public transit district" means a public transit district that provides public  
207 transit to an area that includes:

208 (a) more than 65% of the population of the state based on the most recent official  
209 census or census estimate of the United States Census Bureau; and

210 (b) two or more counties.

211 (9) (a) "Locally elected public official" means a person who holds an elected position

212 with a county or municipality.

213 (b) "Locally elected public official" does not include a person who holds an elected  
214 position if the elected position is not with a county or municipality.

215 (10) "Metropolitan planning organization" means the same as that term is defined in  
216 Section [72-1-208.5](#).

217 (11) "Multicounty district" means a public transit district located in more than one  
218 county.

219 (12) "Operator" means a public entity or other person engaged in the transportation of  
220 passengers for hire.

221 (13) (a) "Public transit" means regular, continuing, shared-ride, surface transportation  
222 services that are open to the general public or open to a segment of the general public defined  
223 by age, disability, or low income.

224 (b) "Public transit" does not include transportation services provided by:

225 (i) chartered bus;

226 (ii) sightseeing bus;

227 (iii) taxi;

228 (iv) school bus service;

229 (v) courtesy shuttle service for patrons of one or more specific establishments; or

230 (vi) intra-terminal or intra-facility shuttle services.

231 (14) "Public transit district" means a local district that provides public transit services.

232 (15) "Small public transit district" means any public transit district that is not a large  
233 public transit district.

234 (16) "Station area plan" means a plan adopted by the relevant municipality or county  
235 that establishes and preserves a vision for areas within one-half mile of a fixed guideway  
236 station of a large public transit district, the development of which includes:

237 (a) involvement of all relevant stakeholders who have an interest in the station area,  
238 including relevant metropolitan planning organizations;

239 (b) identification of major infrastructural and policy constraints and a course of action  
240 to address those constraints; and

241 (c) other criteria as determined by the board of trustees of the relevant public transit  
242 district.

243            [(16)] (17) "Transit facility" means a transit vehicle, transit station, depot, passenger  
244 loading or unloading zone, parking lot, or other facility:

- 245            (a) leased by or operated by or on behalf of a public transit district; and
- 246            (b) related to the public transit services provided by the district, including:
  - 247            (i) railway or other right-of-way;
  - 248            (ii) railway line; and
  - 249            (iii) a reasonable area immediately adjacent to a designated stop on a route traveled by  
250 a transit vehicle.

251            [(17)] (18) "Transit vehicle" means a passenger bus, coach, railcar, van, or other  
252 vehicle operated as public transportation by a public transit district.

253            [(18)] (19) "Transit-oriented development" means a mixed use residential or  
254 commercial area that is designed to maximize access to public transit and includes the  
255 development of land owned by a large public transit district [~~that serves a county of the first~~  
256 ~~class~~].

257            [(19)] (20) "Transit-supportive development" means a mixed use residential or  
258 commercial area that is designed to maximize access to public transit and does not include the  
259 development of land owned by a large public transit district.

260            Section 5. Section **17B-2a-804** is amended to read:

261            **17B-2a-804. Additional public transit district powers.**

262            (1) In addition to the powers conferred on a public transit district under Section  
263 **17B-1-103**, a public transit district may:

- 264            (a) provide a public transit system for the transportation of passengers and their  
265 incidental baggage;
- 266            (b) notwithstanding Subsection **17B-1-103(2)(g)** and subject to Section **17B-2a-817**,  
267 levy and collect property taxes only for the purpose of paying:
  - 268            (i) principal and interest of bonded indebtedness of the public transit district; or
  - 269            (ii) a final judgment against the public transit district if:
    - 270            (A) the amount of the judgment exceeds the amount of any collectable insurance or  
271 indemnity policy; and
    - 272            (B) the district is required by a final court order to levy a tax to pay the judgment;
  - 273            (c) insure against:

- 274 (i) loss of revenues from damage to or destruction of some or all of a public transit  
275 system from any cause;
- 276 (ii) public liability;
- 277 (iii) property damage; or
- 278 (iv) any other type of event, act, or omission;
- 279 (d) acquire, contract for, lease, construct, own, operate, control, or use:
  - 280 (i) a right-of-way, rail line, monorail, bus line, station, platform, switchyard, terminal,  
281 parking lot, or any other facility necessary or convenient for public transit service; or
  - 282 (ii) any structure necessary for access by persons and vehicles;
- 283 (e) (i) hire, lease, or contract for the supplying or management of a facility, operation,  
284 equipment, service, employee, or management staff of an operator; and
  - 285 (ii) provide for a sublease or subcontract by the operator upon terms that are in the  
286 public interest;
- 287 (f) operate feeder bus lines and other feeder or ridesharing services as necessary;
- 288 (g) accept a grant, contribution, or loan, directly through the sale of securities or  
289 equipment trust certificates or otherwise, from the United States, or from a department,  
290 instrumentality, or agency of the United States;
- 291 (h) study and plan transit facilities in accordance with any legislation passed by  
292 Congress;
- 293 (i) cooperate with and enter into an agreement with the state or an agency of the state  
294 or otherwise contract to finance to establish transit facilities and equipment or to study or plan  
295 transit facilities;
- 296 (j) subject to Subsection [17B-2a-808.1\(5\)](#), issue bonds as provided in and subject to  
297 Chapter 1, Part 11, Local District Bonds, to carry out the purposes of the district;
- 298 (k) from bond proceeds or any other available funds, reimburse the state or an agency  
299 of the state for an advance or contribution from the state or state agency;
- 300 (l) do anything necessary to avail itself of any aid, assistance, or cooperation available  
301 under federal law, including complying with labor standards and making arrangements for  
302 employees required by the United States or a department, instrumentality, or agency of the  
303 United States;
- 304 (m) sell or lease property;

305 (n) except as provided in Subsection (2)(b), assist in or operate transit-oriented or  
306 transit-supportive developments;

307 (o) establish, finance, participate as a limited partner or member in a development with  
308 limited liabilities in accordance with Subsection (1)(p), construct, improve, maintain, or  
309 operate transit facilities, equipment, and, in accordance with Subsection (3), transit-oriented  
310 developments or transit-supportive developments; and

311 (p) subject to the restrictions and requirements in Subsections (2) and (3), assist in a  
312 transit-oriented development or a transit-supportive development in connection with project  
313 area development as defined in Section 17C-1-102 by:

- 314 (i) investing in a project as a limited partner or a member, with limited liabilities; or
- 315 (ii) subordinating an ownership interest in real property owned by the public transit  
316 district.

317 (2) (a) A public transit district may only assist in the development of areas under  
318 Subsection (1)(p)[:] that have been approved by the board of trustees, and in the manners  
319 described in Subsection (1)(p).

320 ~~[(i) in the manner described in Subsection (1)(p)(i) or (ii); and]~~

321 ~~[(ii) on no more than eight transit-oriented developments or transit-supportive~~  
322 ~~developments selected by the board of trustees.]~~

323 (b) A public transit district may not invest in a transit-oriented development or  
324 transit-supportive development as a limited partner or other limited liability entity under the  
325 provisions of Subsection (1)(p)(i), unless the partners, developer, or other investor in the entity,  
326 makes an equity contribution equal to no less than 25% of the appraised value of the property  
327 to be contributed by the public transit district.

328 (c) (i) For transit-oriented development projects, a public transit district shall adopt  
329 transit-oriented development policies and guidelines that include provisions on affordable  
330 housing.

331 (ii) For transit-supportive development projects, a public transit district shall work with  
332 the metropolitan planning organization and city and county governments where the project is  
333 located to collaboratively seek to create joint plans for the areas within one-half mile of transit  
334 stations, including plans for affordable housing.

335 (d) A current board member of a public transit district to which the board member is

336 appointed may not have any interest in the transactions engaged in by the public transit district  
337 pursuant to Subsection (1)(p)(i) or (ii), except as may be required by the board member's  
338 fiduciary duty as a board member.

339 (3) For any transit-oriented development or transit-supportive development authorized  
340 in this section, the public transit district shall:

341 (a) perform a cost-benefit analysis of the monetary investment and expenditures of the  
342 development, including effect on:

- 343 (i) service and ridership;
- 344 (ii) regional plans made by the metropolitan planning agency;
- 345 (iii) the local economy;
- 346 (iv) the environment and air quality;
- 347 (v) affordable housing; and
- 348 (vi) integration with other modes of transportation; [~~and~~]

349 (b) provide evidence to the public of a quantifiable positive return on investment,  
350 including improvements to public transit service.

351 (4) A public transit district may not participate in a transit-oriented development if:

352 (a) the relevant municipality or county has not developed and adopted a station area  
353 plan; and

354 (b) (i) for a transit-oriented development involving a municipality, the municipality is  
355 not in compliance with Sections 10-9a-403 and 10-9a-408 regarding the inclusion of moderate  
356 income housing in the general plan and the required reporting requirements; or

357 (ii) for a transit-oriented development involving property in an unincorporated area of a  
358 county, the county is not in compliance with Sections 17-27a-403 and 17-27a-408 regarding  
359 inclusion of moderate income housing in the general plan and required reporting requirements.

360 [~~(4)~~] (5) A public transit district may be funded from any combination of federal, state,  
361 local, or private funds.

362 [~~(5)~~] (6) A public transit district may not acquire property by eminent domain.

363 Section 6. Section 17B-2a-808.1 is amended to read:

364 **17B-2a-808.1. Large public transit district board of trustees powers and duties --**  
365 **Adoption of ordinances, resolutions, or orders -- Effective date of ordinances.**

366 (1) The powers and duties of a board of trustees of a large public transit district stated

367 in this section are in addition to the powers and duties stated in Section 17B-1-301.

368 (2) The board of trustees of each large public transit district shall:

369 (a) hold public meetings and receive public comment;

370 (b) ensure that the policies, procedures, and management practices established by the  
371 public transit district meet state and federal regulatory requirements and federal grantee  
372 eligibility;

373 (c) subject to Subsection (8), create and approve an annual budget, including the  
374 issuance of bonds and other financial instruments, after consultation with the local advisory  
375 council;

376 (d) approve any interlocal agreement with a local jurisdiction;

377 (e) in consultation with the local advisory council, approve contracts and overall  
378 property acquisitions and dispositions for transit-oriented development;

379 (f) in consultation with constituent counties, municipalities, metropolitan planning  
380 organizations, and the local advisory council:

381 (i) develop and approve a strategic plan for development and operations on at least a  
382 four-year basis; and

383 (ii) create and pursue funding opportunities for transit capital and service initiatives to  
384 meet anticipated growth within the public transit district;

385 (g) annually report the public transit district's long-term financial plan to the State  
386 Bonding Commission;

387 (h) annually report the public transit district's progress and expenditures related to state  
388 resources to the Executive Appropriations Committee and the Infrastructure and General  
389 Government Appropriations Subcommittee;

390 (i) annually report to the Transportation Interim Committee the public transit district's  
391 efforts to engage in public-private partnerships for public transit services;

392 (j) (i) in partnership with the Department of Transportation, study and evaluate the  
393 feasibility of a strategic transition of a large public transit district into a state entity; and

394 (ii) in partnership with the Department of Transportation, before November 30, 2019,  
395 report on the progress of the study to the Transportation Interim Committee and the  
396 Infrastructure and General Government Appropriations Subcommittee;

397 (k) hire, set salaries, and develop performance targets and evaluations for:

- 398 (i) the executive director; and
- 399 (ii) all chief level officers;
- 400 (l) supervise and regulate each transit facility that the public transit district owns and
- 401 operates, including:
  - 402 (i) fix rates, fares, rentals, charges and any classifications of rates, fares, rentals, and
  - 403 charges; and
  - 404 (ii) make and enforce rules, regulations, contracts, practices, and schedules for or in
  - 405 connection with a transit facility that the district owns or controls;
  - 406 (m) subject to Subsection (4), control the investment of all funds assigned to the
  - 407 district for investment, including funds:
    - 408 (i) held as part of a district's retirement system; and
    - 409 (ii) invested in accordance with the participating employees' designation or direction
    - 410 pursuant to an employee deferred compensation plan established and operated in compliance
    - 411 with Section 457 of the Internal Revenue Code;
    - 412 (n) in consultation with the local advisory council created under Section [17B-2a-808.2](#),
    - 413 invest all funds according to the procedures and requirements of Title 51, Chapter 7, State
    - 414 Money Management Act;
    - 415 (o) if a custodian is appointed under Subsection (3)(d), and subject to Subsection (4),
    - 416 pay the fees for the custodian's services from the interest earnings of the investment fund for
    - 417 which the custodian is appointed;
    - 418 (p) (i) cause an annual audit of all public transit district books and accounts to be made
    - 419 by an independent certified public accountant;
    - 420 (ii) as soon as practicable after the close of each fiscal year, submit to each of the
    - 421 councils of governments within the public transit district a financial report showing:
      - 422 (A) the result of district operations during the preceding fiscal year;
      - 423 (B) an accounting of the expenditures of all local sales and use tax revenues generated
      - 424 under Title 59, Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act;
      - 425 (C) the district's financial status on the final day of the fiscal year; and
      - 426 (D) the district's progress and efforts to improve efficiency relative to the previous
      - 427 fiscal year; and
      - 428 (iii) supply copies of the report under Subsection (2)(p)(ii) to the general public upon

429 request;

430 (q) report at least annually to the Transportation Commission created in Section  
431 72-1-301, which report shall include:

432 (i) the district's short-term and long-range public transit plans, including the portions of  
433 applicable regional transportation plans adopted by a metropolitan planning organization  
434 established under 23 U.S.C. Sec. 134; and

435 (ii) any transit capital development projects that the board of trustees would like the  
436 Transportation Commission to consider;

437 (r) direct the internal auditor appointed under Section 17B-2a-810 to conduct audits  
438 that the board of trustees determines, in consultation with the local advisory council created in  
439 Section 17B-2a-808.2, to be the most critical to the success of the organization;

440 (s) together with the local advisory council created in Section 17B-2a-808.2, hear audit  
441 reports for audits conducted in accordance with Subsection (2)(p);

442 (t) review and approve all contracts pertaining to reduced fares, and evaluate existing  
443 contracts, including review of:

444 (i) how negotiations occurred;

445 (ii) the rationale for providing a reduced fare; and

446 (iii) identification and evaluation of cost shifts to offset operational costs incurred and  
447 impacted by each contract offering a reduced fare;

448 (u) in consultation with the local advisory council, develop and approve other board  
449 policies, ordinances, and bylaws; and

450 (v) review and approve any:

451 (i) contract or expense exceeding \$200,000; or

452 (ii) proposed change order to an existing contract if [~~the value of the change order~~  
453 ~~exceeds~~] the change order:

454 [~~(A) 15% of the total contract; or~~]

455 [~~(B) \$200,000;~~]

456 (A) increases the total contract value to \$200,000 or more;

457 (B) increases a contract of or expense of \$200,000 or more by 15% or more; or

458 (C) has a total change order value of \$200,000 or more.

459 (3) A board of trustees of a large public transit district may:

460 (a) subject to Subsection (5), make and pass ordinances, resolutions, and orders that  
461 are:

462 (i) not repugnant to the United States Constitution, the Utah Constitution, or the  
463 provisions of this part; and

464 (ii) necessary for:

465 (A) the governance and management of the affairs of the district;

466 (B) the execution of district powers; and

467 (C) carrying into effect the provisions of this part;

468 (b) provide by resolution, under terms and conditions the board considers fit, for the  
469 payment of demands against the district without prior specific approval by the board, if the  
470 payment is:

471 (i) for a purpose for which the expenditure has been previously approved by the board;

472 (ii) in an amount no greater than the amount authorized; and

473 (iii) approved by the executive director or other officer or deputy as the board  
474 prescribes;

475 (c) in consultation with the local advisory council created in Section [17B-2a-808.2](#):

476 (i) hold public hearings and subpoena witnesses; and

477 (ii) appoint district officers to conduct a hearing and require the officers to make  
478 findings and conclusions and report them to the board; and

479 (d) appoint a custodian for the funds and securities under its control, subject to  
480 Subsection (2)(o).

481 (4) For a large public transit district in existence as of May 8, 2018, on or before  
482 September 30, 2019, the board of trustees of a large public transit district shall present a report  
483 to the Transportation Interim Committee regarding retirement benefits of the district, including:

484 (a) the feasibility of becoming a participating employer and having retirement benefits  
485 of eligible employees and officials covered in applicable systems and plans administered under  
486 Title 49, Utah State Retirement and Insurance Benefit Act;

487 (b) any legal or contractual restrictions on any employees that are party to a collectively  
488 bargained retirement plan; and

489 (c) a comparison of retirement plans offered by the large public transit district and  
490 similarly situated public employees, including the costs of each plan and the value of the

491 benefit offered.

492 (5) The board of trustees may not issue a bond unless the board of trustees has  
493 consulted and received approval from the State Bonding Commission created in Section  
494 [63B-1-201](#).

495 (6) A member of the board of trustees of a large public transit district or a hearing  
496 officer designated by the board may administer oaths and affirmations in a district investigation  
497 or proceeding.

498 (7) (a) The vote of the board of trustees on each ordinance or resolution shall be by roll  
499 call vote with each affirmative and negative vote recorded.

500 (b) The board of trustees of a large public transit district may not adopt an ordinance  
501 unless it is introduced at least 24 hours before the board of trustees adopts it.

502 (c) Each ordinance adopted by a large public transit district's board of trustees shall  
503 take effect upon adoption, unless the ordinance provides otherwise.

504 (8) (a) For a large public transit district in existence on May 8, 2018, for the budget for  
505 calendar year 2019, the board in place on May 8, 2018, shall create the tentative annual budget.

506 (b) The budget described in Subsection (8)(a) shall include setting the salary of each of  
507 the members of the board of trustees that will assume control on or before November 1, 2018,  
508 which salary may not exceed \$150,000, plus additional retirement and other standard benefits,  
509 as set by the local advisory council as described in Section [17B-2a-808.2](#).

510 (c) For a large public transit district in existence on May 8, 2018, the board of trustees  
511 that assumes control of the large public transit district on or before November 2, 2018, shall  
512 approve the calendar year 2019 budget on or before December 31, 2018.

513 Section 7. Section **41-1a-902** is amended to read:

514 **41-1a-902. Odometer disclosure statement -- Contents -- Receipt -- Exceptions.**

515 (1) Each motor vehicle certificate of title, at the time it is issued to the transferee, shall  
516 contain:

517 (a) the mileage disclosed by the transferor when ownership of the motor vehicle was  
518 transferred; and

519 (b) a space for the information required to be disclosed under this section at the time of  
520 future transfer of ownership.

521 (2) At the time of any sale or transfer of a motor vehicle, the transferor shall furnish to

522 the transferee a written odometer disclosure statement in a form prescribed by the division.

523 This statement shall be signed and certified as to its truthfulness by the transferor, stating:

524 (a) the date of transfer;

525 (b) the transferor's name and address;

526 (c) the transferee's name and address;

527 (d) the identity of the motor vehicle, including its make, model, year, body type, and  
528 identification number;

529 (e) the odometer reading at the time of transfer, not including tenths of miles or tenths  
530 of kilometers;

531 (f) (i) that to the best of the transferor's knowledge, the odometer reading reflects the  
532 amount of miles or kilometers the motor vehicle has actually been driven;

533 (ii) that the odometer reading reflects the amount of miles or kilometers in excess of  
534 the designed mechanical odometer limit; or

535 (iii) that the odometer reading is not the actual amount of miles or kilometers; and

536 (g) a warning to alert the transferee if a discrepancy exists between the odometer  
537 reading and the actual mileage.

538 (3) (a) Each transferee of a motor vehicle shall acknowledge receipt of the odometer  
539 disclosure statement required by Subsection (2) by signing it, and the transferor shall deliver to  
540 the transferee the original odometer disclosure statement. Both the transferor and the transferee  
541 shall retain a legible copy of the odometer disclosure statement for not less than four years.

542 (b) A dealer who is required under Section 41-3-301 to title and register a motor  
543 vehicle sold to a customer shall surrender the original odometer disclosure statement to the  
544 division and deliver a copy to the transferee.

545 (4) Notwithstanding the requirements of this section, the odometer mileage need not be  
546 disclosed by a transferor of:

547 (a) a single motor vehicle having a manufacturer specified gross laden weight rating of  
548 more than 16,000 pounds, or a motor vehicle registered in this state for a gross laden weight of  
549 18,000 pounds or more;

550 (b) a motor vehicle that is [~~10~~] 20 years old or older;

551 (c) a motor vehicle sold directly by the manufacturer to any agency of the United States  
552 in conformity with contractual specifications; or

553 (d) a new motor vehicle prior to its first transfer for purposes other than resale.

554 (5) If the motor vehicle has not been titled or if the certificate of title does not contain a  
555 space for the information required, the written disclosure shall be executed as a separate  
556 document.

557 (6) A person may not sign an odometer disclosure statement as both the transferor and  
558 the transferee in the same transaction.

559 Section 8. Section **41-1a-1206** is amended to read:

560 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

561 (1) Except as provided in Subsections (2) and (3), at the time application is made for  
562 registration or renewal of registration of a vehicle or combination of vehicles under this  
563 chapter, a registration fee shall be paid to the division as follows:

564 (a) \$46.00 for each motorcycle;

565 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding  
566 motorcycles;

567 (c) unless the semitrailer or trailer is exempt from registration under Section [41-1a-202](#)  
568 or is registered under Section [41-1a-301](#):

569 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

570 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
571 gross unladen weight;

572 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
573 gross laden weight; plus

574 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

575 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm  
576 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

577 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

578 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not  
579 exceeding 14,000 pounds gross laden weight; plus

580 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

581 (g) \$45 for each vintage vehicle that is less than 40 years old; and

582 (h) in addition to the fee described in Subsection (1)(b):

583 (i) for each electric motor vehicle:

584 [~~(A)~~ \$60 during calendar year 2019;]  
585 [~~(B)~~] (A) \$90 during calendar year 2020; and  
586 [~~(C)~~] (B) \$120 beginning January 1, 2021, and thereafter;  
587 (ii) for each hybrid electric motor vehicle:  
588 [~~(A)~~ \$10 during calendar year 2019;]  
589 [~~(B)~~] (A) \$15 during calendar year 2020; and  
590 [~~(C)~~] (B) \$20 beginning January 1, 2021, and thereafter;  
591 (iii) for each plug-in hybrid electric motor vehicle:  
592 [~~(A)~~ \$26 during calendar year 2019;]  
593 [~~(B)~~] (A) \$39 during calendar year 2020; and  
594 [~~(C)~~] (B) \$52 beginning January 1, 2021, and thereafter; and  
595 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is  
596 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:  
597 [~~(A)~~ \$60 during calendar year 2019;]  
598 [~~(B)~~] (A) \$90 during calendar year 2020; and  
599 [~~(C)~~] (B) \$120 beginning January 1, 2021, and thereafter.

600 (2) (a) At the time application is made for registration or renewal of registration of a  
601 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a  
602 registration fee shall be paid to the division as follows:

603 (i) \$34.50 for each motorcycle; and  
604 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,  
605 excluding motorcycles.

606 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal  
607 of registration of a vehicle under this chapter for a six-month registration period under Section  
608 41-1a-215.5 a registration fee shall be paid to the division as follows:

609 (i) for each electric motor vehicle:  
610 [~~(A)~~ \$46.50 during calendar year 2019;]  
611 [~~(B)~~] (A) \$69.75 during calendar year 2020; and  
612 [~~(C)~~] (B) \$93 beginning January 1, 2021, and thereafter;  
613 (ii) for each hybrid electric motor vehicle:  
614 [~~(A)~~ \$7.50 during calendar year 2019;]

615           ~~[(B)]~~ (A) \$11.25 during calendar year 2020; and  
616           ~~[(C)]~~ (B) \$15 beginning January 1, 2021, and thereafter;  
617           (iii) for each plug-in hybrid electric motor vehicle:  
618           ~~[(A)] \$20 during calendar year 2019;~~  
619           ~~[(B)]~~ (A) \$30 during calendar year 2020; and  
620           ~~[(C)]~~ (B) \$40 beginning January 1, 2021, and thereafter; and  
621           (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is  
622 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:  
623           ~~[(A)] \$46.50 during calendar year 2019;~~  
624           ~~[(B)]~~ (A) \$69.75 during calendar year 2020; and  
625           ~~[(C)]~~ (B) \$93 beginning January 1, 2021, and thereafter.

626           (3) (a) (i) Beginning on January 1, 2019, the commission shall, on January 1, annually  
627 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),  
628 (1)(e)(i), (1)(f)(i), (1)(g), (2)(a), (4)(a), and (7), by taking the registration fee rate for the  
629 previous year and adding an amount equal to the greater of:

630           (A) an amount calculated by multiplying the registration fee of the previous year by the  
631 actual percentage change during the previous fiscal year in the Consumer Price Index; and  
632           (B) 0.

633           (ii) Beginning on January 1, 2022, the commission shall, on January 1, annually adjust  
634 the registration fees described in Subsections (1)(h)(i)~~[(C)]~~(B), (1)(h)(ii)~~[(C)]~~(B),  
635 (1)(h)(iii)~~[(C)]~~(B), (1)(h)(iv)~~[(C)]~~(B), (2)(b)(i)~~[(C)]~~(B), (2)(b)(ii)~~[(C)]~~(B), (2)(b)(iii)~~[(C)]~~(B),  
636 and (2)(b)(iv)~~[(C)]~~(B) by taking the registration fee rate for the previous year and adding an  
637 amount equal to the greater of:

638           (A) an amount calculated by multiplying the registration fee of the previous year by the  
639 actual percentage change during the previous fiscal year in the Consumer Price Index; and  
640           (B) 0.

641           (b) The amounts calculated as described in Subsection (3)(a) shall be rounded up to the  
642 nearest 25 cents.

643           (4) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is  
644 \$40.

645           (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of

646 registration fees under Subsection (1).

647 (c) A vehicle with a Purple Heart special group license plate issued in accordance with  
648 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

649 (d) A camper is exempt from the registration fees under Subsection (1).

650 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
651 motor vehicle shall register for the total gross laden weight of all units of the combination if the  
652 total gross laden weight of the combination exceeds 12,000 pounds.

653 (6) (a) Registration fee categories under this section are based on the gross laden  
654 weight declared in the licensee's application for registration.

655 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part  
656 of 2,000 pounds is a full unit.

657 (7) The owner of a commercial trailer or commercial semitrailer may, as an alternative  
658 to registering under Subsection (1)(c), apply for and obtain a special registration and license  
659 plate for a fee of \$130.

660 (8) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm  
661 truck unless:

662 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and

663 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

664 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner  
665 submits to the division a certificate of emissions inspection or a waiver in compliance with  
666 Section 41-6a-1642.

667 (9) A violation of Subsection (8) is an infraction that shall be punished by a fine of not  
668 less than \$200.

669 (10) Trucks used exclusively to pump cement, bore wells, or perform crane services  
670 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees  
671 required for those vehicles under this section.

672 Section 9. Section 59-12-2214 is amended to read:

673 **59-12-2214. County, city, or town option sales and use tax to fund a system for**  
674 **public transit, an airport facility, a water conservation project, or to be deposited into the**  
675 **County of the First Class Highway Projects Fund -- Base -- Rate.**

676 (1) Subject to the other provisions of this part, a county, city, or town may impose a

677 sales and use tax of .25% on the transactions described in Subsection 59-12-103(1) located  
678 within the county, city, or town.

679 (2) Notwithstanding Section 59-12-2212.2, and subject to [~~Subsection (3)~~] Subsections  
680 (3) and (4), a county, city, or town that imposes a sales and use tax under this section shall  
681 expend the revenues collected from the sales and use tax:

682 (a) to fund a system for public transit;

683 (b) to fund a project or service related to an airport facility for the portion of the project  
684 or service that is performed within the county, city, or town within which the sales and use tax  
685 is imposed:

686 (i) for a county that imposes the sales and use tax, if the airport facility is part of the  
687 regional transportation plan of the area metropolitan planning organization if a metropolitan  
688 planning organization exists for the area; or

689 (ii) for a city or town that imposes the sales and use tax, if:

690 (A) that city or town is located within a county of the second class;

691 (B) that city or town owns or operates the airport facility; and

692 (C) an airline is headquartered in that city or town; or

693 (c) for a combination of Subsections (2)(a) and (b).

694 (3) A county of the first class that imposes a sales and use tax under this section shall  
695 expend the revenues collected from the sales and use tax as follows:

696 (a) 80% of the revenues collected from the sales and use tax shall be expended to fund  
697 a system for public transit; and

698 (b) 20% of the revenues collected from the sales and use tax shall be deposited into the  
699 County of the First Class Highway Projects Fund created by Section 72-2-121.

700 (4) (a) A county of the third class that has a portion of the county annexed into a large  
701 public transit district and that has imposed a sales and use tax under this section as of January  
702 1, 2020, may change the list of purposes for which the sales and use tax revenue may be  
703 expended if:

704 (i) the proposed uses of the sales and use tax revenue are allowed uses described in this  
705 section; and

706 (ii) in coordination with a relevant large public transit district, the county legislative  
707 body passes an ordinance describing the allowed uses of the sales and use tax revenue.

708 (b) Notwithstanding Section 59-12-2208, and regardless of whether the imposition of  
709 the sales and use tax imposed under this section was submitted to the voters as described in  
710 Section 59-12-2208, the county legislative body is not required to submit an opinion question  
711 to the county's registered voters to change the allowed uses as described in Subsection (4)(a).

712 Section 10. Section 59-12-2215 is amended to read:

713 **59-12-2215. City or town option sales and use tax for highways or to fund a**  
714 **system for public transit -- Base -- Rate.**

715 (1) Subject to the other provisions of this part, a city or town may impose a sales and  
716 use tax of up to .30% on the transactions described in Subsection 59-12-103(1) located within  
717 the city or town.

718 (2) A city or town imposing a sales and use tax under this section shall expend the  
719 revenues collected from the sales and use tax as described in Section 59-12-2212.2.

720 (3) Notwithstanding Section 59-12-2208, a city, or town legislative body may, but is  
721 not required to, submit an opinion question to the city's, or town's registered voters in  
722 accordance with Section 59-12-2208 to impose a sales and use tax under this section.

723 Section 11. Section 59-12-2217 is amended to read:

724 **59-12-2217. County option sales and use tax for transportation -- Base -- Rate --**  
725 **Written prioritization process -- Approval by county legislative body.**

726 (1) Subject to the other provisions of this part, and subject to Subsection (8), a county  
727 legislative body may impose a sales and use tax of up to .25% on the transactions described in  
728 Subsection 59-12-103(1) within the county, including the cities and towns within the county.

729 (2) (a) Except as provided in Subsection (2)(b), and subject to Subsections (3) through  
730 (6) and Section 59-12-2207, the revenue collected from a sales and use tax under this section  
731 may only be expended as described in Section 59-12-2212.2.

732 (b) Subject to Subsections (3) through (6), in a county of the first or second class, or if  
733 a county is part of an area metropolitan planning organization, that portion of the county within  
734 the metropolitan planning organization, the revenue collected from a sales and use tax under  
735 this section may only be expended as described in Section 59-12-2212.2, and only if the  
736 expenditure is for:

737 (i) a project or service:

738 (A) relating to a regionally significant transportation facility or collector road for the

739 portion of the project or service that is performed within the county;

740 (B) for new capacity or congestion mitigation, and not for operation or maintenance, if  
741 the project or service is performed within the county; and

742 (C) on a priority list created by the county's council of governments in accordance with  
743 Subsection (5) and approved by the county legislative body in accordance with Subsection (5);

744 (ii) corridor preservation for a project or service described in Subsection (2)(b)(i)(A) or  
745 (B); or

746 (iii) debt service or bond issuance costs related to a project or service described in  
747 Subsection (2)(b)(i)(A) or (B).

748 (c) The restriction in Subsection (2)(b)(i)(B) from using revenue for operation or  
749 maintenance does not apply to any revenue subject to rights or obligations under a contract  
750 entered into before January 1, 2019, between a county and a public transit district.

751 (3) For revenue expended under this section for a project or service described in  
752 Subsection (2) that is on or part of a regionally significant transportation facility and that  
753 constructs or adds a new through lane or interchange, or provides new fixed guideway public  
754 transit service, the project shall be part of:

755 (a) the statewide long-range plan; or

756 (b) a regional transportation plan of the area metropolitan planning organization if a  
757 metropolitan planning organization area exists for the area.

758 (4) (a) As provided in this Subsection (4), a council of governments shall:

759 (i) develop a written prioritization process for the prioritization of projects to be funded  
760 by revenues collected from a sales and use tax under this section;

761 (ii) create a priority list of transportation projects or services described in Section  
762 [59-12-2212.2](#) in accordance with Subsection (5); and

763 (iii) present the priority list to the county legislative body for approval in accordance  
764 with Subsection (5).

765 (b) The written prioritization process described in Subsection (4)(a)(i) shall include:

766 (i) a definition of the type of projects to which the written prioritization process  
767 applies;

768 (ii) subject to Subsection (4)(c), the specification of a weighted criteria system that the  
769 council of governments will use to rank proposed projects and how that weighted criteria

770 system will be used to determine which proposed projects will be prioritized;

771 (iii) the specification of data that is necessary to apply the weighted criteria system;

772 (iv) application procedures for a project to be considered for prioritization by the

773 council of governments; and

774 (v) any other provision the council of governments considers appropriate.

775 (c) The weighted criteria system described in Subsection (4)(b)(ii) shall include the

776 following:

777 (i) the cost effectiveness of a project;

778 (ii) the degree to which a project will mitigate regional congestion;

779 (iii) the compliance requirements of applicable federal laws or regulations;

780 (iv) the economic impact of a project;

781 (v) the degree to which a project will require tax revenues to fund maintenance and

782 operation expenses; and

783 (vi) any other provision the council of governments considers appropriate.

784 (d) A council of governments of a county of the first or second class shall submit the

785 written prioritization process described in Subsection (4)(a)(i) to the Executive Appropriations

786 Committee for approval prior to taking final action on:

787 (i) the written prioritization process; or

788 (ii) any proposed amendment to the written prioritization process.

789 (5) (a) A council of governments shall use the weighted criteria system adopted in the

790 written prioritization process developed in accordance with Subsection (4) to create a priority

791 list of transportation projects or services for which revenues collected from a sales and use tax

792 under this section may be expended.

793 (b) Before a council of governments may finalize a priority list or the funding level of a

794 project, the council of governments shall conduct a public meeting on:

795 (i) the written prioritization process; and

796 (ii) the merits of the projects that are prioritized as part of the written prioritization

797 process.

798 (c) A council of governments shall make the weighted criteria system ranking for each

799 project prioritized as part of the written prioritization process publicly available before the

800 public meeting required by Subsection (5)(b) is held.

801 (d) If a council of governments prioritizes a project over another project with a higher  
802 rank under the weighted criteria system, the council of governments shall:

803 (i) identify the reasons for prioritizing the project over another project with a higher  
804 rank under the weighted criteria system at the public meeting required by Subsection (5)(b);  
805 and

806 (ii) make the reasons described in Subsection (5)(d)(i) publicly available.

807 (e) Subject to Subsections (5)(f) and (g), after a council of governments finalizes a  
808 priority list in accordance with this Subsection (5), the council of governments shall:

809 (i) submit the priority list to the county legislative body for approval; and

810 (ii) obtain approval of the priority list from a majority of the members of the county  
811 legislative body.

812 (f) A council of governments may only submit one priority list per calendar year to the  
813 county legislative body.

814 (g) A county legislative body may only consider and approve one priority list submitted  
815 under Subsection (5)(e) per calendar year.

816 (6) In a county of the first class, revenues collected from a sales and use tax under this  
817 section that a county allocates for a purpose described in Subsection 59-12-2212.2 shall be:

818 (a) deposited in or transferred to the County of the First Class Highway Projects Fund  
819 created by Section 72-2-121; and

820 (b) expended as provided in Section 72-2-121.

821 (7) Notwithstanding Section 59-12-2208, a county legislative body may, but is not  
822 required to, submit an opinion question to the county's registered voters in accordance with  
823 Section 59-12-2208 to impose a sales and use tax under this section.

824 (8) (a) (i) Notwithstanding any other provision in this section, if the entire boundary of  
825 a county is annexed into a large public transit district, if the county legislative body wishes to  
826 impose a sales and use tax under this section, the county legislative body shall pass the  
827 ordinance to impose a sales and use tax under this section on or before June 30, 2022.

828 (ii) If the entire boundary of a county is annexed into a large public transit district, the  
829 county legislative body may not pass an ordinance to impose a sales and use tax under this  
830 section on or after July 1, 2022.

831 (b) Notwithstanding the deadline described in Subsection (8)(a), any sales and use tax

832 imposed under this section on or before June 30, 2022, may remain in effect.

833 Section 12. Section **72-1-102** is amended to read:

834 **72-1-102. Definitions.**

835 As used in this title:

836 (1) "Circulator alley" means a publicly owned passageway:

837 (a) with a right-of-way width of 20 feet or greater;

838 (b) located within a master planned community;

839 (c) established by the city having jurisdictional authority as part of the street network

840 for traffic circulation that may also be used for:

841 (i) garbage collection;

842 (ii) access to residential garages; or

843 (iii) access rear entrances to a commercial establishment; and

844 (d) constructed with a bituminous or concrete pavement surface.

845 ~~[(1)]~~ (2) "Commission" means the Transportation Commission created under Section

846 [72-1-301](#).

847 ~~[(2)]~~ (3) "Construction" means the construction, reconstruction, replacement, and  
848 improvement of the highways, including the acquisition of rights-of-way and material sites.

849 ~~[(3)]~~ (4) "Department" means the Department of Transportation created in Section

850 [72-1-201](#).

851 ~~[(4)]~~ (5) "Executive director" means the executive director of the department appointed  
852 under Section [72-1-202](#).

853 ~~[(5)]~~ (6) "Farm tractor" has the meaning set forth in Section [41-1a-102](#).

854 ~~[(6)]~~ (7) "Federal aid primary highway" means that portion of connected main  
855 highways located within this state officially designated by the department and approved by the  
856 United States Secretary of Transportation under Title 23, Highways, U.S.C.

857 ~~[(7)]~~ (8) "Highway" means any public road, street, alley, lane, court, place, viaduct,  
858 tunnel, culvert, bridge, or structure laid out or erected for public use, or dedicated or abandoned  
859 to the public, or made public in an action for the partition of real property, including the entire  
860 area within the right-of-way.

861 ~~[(8)]~~ (9) "Highway authority" means the department or the legislative, executive, or  
862 governing body of a county or municipality.

863 ~~[(9)]~~ (10) "Implement of husbandry" has the meaning set forth in Section 41-1a-102.

864 ~~[(10)]~~ (11) "Interstate system" means any highway officially designated by the  
865 department and included as part of the national interstate and defense highways, as provided in  
866 the Federal Aid Highway Act of 1956 and any supplemental acts or amendments.

867 ~~[(11)]~~ (12) "Limited-access facility" means a highway especially designated for  
868 through traffic, and over, from, or to which neither owners nor occupants of abutting lands nor  
869 other persons have any right or easement, or have only a limited right or easement of access,  
870 light, air, or view.

871 (13) "Master planned community" means a land use development:

872 (a) designated by the city as a master planned community; and

873 (b) comprised of a single development agreement for a development larger than 500  
874 acres.

875 ~~[(12)]~~ (14) "Motor vehicle" has the same meaning set forth in Section 41-1a-102.

876 ~~[(13)]~~ (15) "Municipality" has the same meaning set forth in Section 10-1-104.

877 ~~[(14)]~~ (16) "National highway systems highways" means that portion of connected  
878 main highways located within this state officially designated by the department and approved  
879 by the United States Secretary of Transportation under Title 23, Highways, U.S.C.

880 ~~[(15)]~~ (17) (a) "Port-of-entry" means a fixed or temporary facility constructed,  
881 operated, and maintained by the department where drivers, vehicles, and vehicle loads are  
882 checked or inspected for compliance with state and federal laws as specified in Section  
883 72-9-501.

884 (b) "Port-of-entry" includes inspection and checking stations and weigh stations.

885 ~~[(16)]~~ (18) "Port-of-entry agent" means a person employed at a port-of-entry to perform  
886 the duties specified in Section 72-9-501.

887 ~~[(17)]~~ (19) "Public transit" means the same as that term is defined in Section  
888 17B-2a-802.

889 ~~[(18)]~~ (20) "Public transit facility" means a transit vehicle, transit station, depot,  
890 passenger loading or unloading zone, parking lot, or other facility:

891 (a) leased by or operated by or on behalf of a public transit district; and

892 (b) related to the public transit services provided by the district, including:

893 (i) railway or other right-of-way;

894 (ii) railway line; and  
895 (iii) a reasonable area immediately adjacent to a designated stop on a route traveled by  
896 a transit vehicle.

897 [~~(19)~~] (21) "Right-of-way" means real property or an interest in real property, usually  
898 in a strip, acquired for or devoted to a highway.

899 [~~(20)~~] (22) "Sealed" does not preclude acceptance of electronically sealed and  
900 submitted bids or proposals in addition to bids or proposals manually sealed and submitted.

901 [~~(21)~~] (23) "Semitrailer" has the meaning set forth in Section 41-1a-102.

902 [~~(22)~~] (24) "SR" means state route and has the same meaning as state highway as  
903 defined in this section.

904 [~~(23)~~] (25) "State highway" means those highways designated as state highways in  
905 Title 72, Chapter 4, Designation of State Highways Act.

906 [~~(24)~~] (26) "State transportation purposes" has the meaning set forth in Section  
907 72-5-102.

908 [~~(25)~~] (27) "State transportation systems" means all streets, alleys, roads, highways,  
909 pathways, and thoroughfares of any kind, including connected structures, airports, spaceports,  
910 public transit facilities, and all other modes and forms of conveyance used by the public.

911 [~~(26)~~] (28) "Trailer" has the meaning set forth in Section 41-1a-102.

912 [~~(27)~~] (29) "Truck tractor" has the meaning set forth in Section 41-1a-102.

913 [~~(28)~~] (30) "UDOT" means the Utah Department of Transportation.

914 [~~(29)~~] (31) "Vehicle" has the same meaning set forth in Section 41-1a-102.

915 Section 13. Section 72-1-213.1 is amended to read:

916 **72-1-213.1. Road usage charge program.**

917 (1) As used in this section:

918 (a) "Account manager" means an entity under contract with the department to  
919 administer and manage the road usage charge program.

920 (b) "Alternative fuel vehicle" means the same as that term is defined in Section  
921 41-1a-102.

922 (c) "Payment period" means the interval during which an owner is required to report  
923 mileage and pay the appropriate road usage charge according to the terms of the program.

924 (d) "Program" means the road usage charge program established and described in this

925 section.

926 (2) There is established a road usage charge program as described in this section.

927 (3) (a) The department shall implement and oversee the administration of the program,  
928 which shall begin on January 1, 2020.

929 (b) To implement and administer the program, the department may contract with an  
930 account manager.

931 (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of  
932 the alternative fuel vehicle in the program.

933 (b) If an application for enrollment into the program is approved by the department, the  
934 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying  
935 the fee described in Subsection [41-1a-1206\(1\)\(h\)](#) or (2)(b).

936 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
937 and consistent with this section, the department:

938 (i) shall make rules to establish:

939 (A) processes and terms for enrollment into and withdrawal or removal from the  
940 program;

941 (B) payment periods and other payment methods and procedures for the program;

942 (C) standards for mileage reporting mechanisms for an owner or lessee of an  
943 alternative fuel vehicle to report mileage as part of participation in the program;

944 (D) standards for program functions for mileage recording, payment processing,  
945 account management, and other similar aspects of the program;

946 (E) contractual terms between an owner or lessee of an alternative fuel vehicle owner  
947 and an account manager for participation in the program;

948 (F) contractual terms between the department and an account manager, including  
949 authority for an account manager to enforce the terms of the program;

950 (G) procedures to provide security and protection of personal information and data  
951 connected to the program, and penalties for account managers for violating privacy protection  
952 rules;

953 (H) penalty procedures for a program participant's failure to pay a road usage charge or  
954 tampering with a device necessary for the program; and

955 (I) department oversight of an account manager, including privacy protection of

956 personal information and access and auditing capability of financial and other records related to  
957 administration of the program; and

958 (ii) may make rules to establish:

959 (A) an enrollment cap for certain alternative fuel vehicle types to participate in the  
960 program;

961 (B) a process for collection of an unpaid road usage charge or penalty; or

962 (C) integration of the program with other similar programs, such as tolling.

963 (b) The department shall make recommendations to and consult with the commission  
964 regarding road usage mileage rates for each type of alternative fuel vehicle.

965 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and  
966 consistent with this section, the commission shall, after consultation with the department, make  
967 rules to establish the road usage charge mileage rate for each type of alternative fuel vehicle.

968 (7) (a) Revenue generated by the road usage charge program and relevant penalties  
969 shall be deposited into the Transportation Fund.

970 (b) The department may use revenue generated by the program to cover the costs of  
971 administering the program.

972 (8) (a) The department may:

973 (i) (A) impose a penalty for failure to timely pay a road usage charge according to the  
974 terms of the program or tampering with a device necessary for the program; and

975 (B) request that the Division of Motor Vehicles place a hold on the registration of the  
976 owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge according to  
977 the terms of the program;

978 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner  
979 or lessee of:

980 (A) the road usage charge program, implementation, and procedures;

981 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to  
982 the department;

983 (C) the penalty for failure to pay a road usage charge within the time period described  
984 in Subsection (8)(a)(iii); and

985 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel  
986 vehicle, if the road usage charge and penalty are not paid within the time period described in

987 Subsection (8)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's  
988 registration; and

989 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage  
990 charge to the department within 30 days of the date when the department sends written notice  
991 of the road usage charge to the owner or lessee.

992 (b) The department shall send the correspondence and notice described in Subsection  
993 (8)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

994 (9) (a) The Division of Motor Vehicles and the department shall share and provide  
995 access to information pertaining to an alternative fuel vehicle and participation in the program  
996 including:

997 (i) registration and ownership information pertaining to an alternative fuel vehicle;

998 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to  
999 pay a road usage charge or penalty imposed under this section within the time period described  
1000 in Subsection (8)(a)(iii); and

1001 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

1002 (b) If the department requests a hold on the registration in accordance with this section,  
1003 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title  
1004 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

1005 (10) The owner of an alternative fuel vehicle may apply for enrollment in the program  
1006 or withdraw from the program according to the terms established by the department pursuant to  
1007 rules made under Subsection (5).

1008 (11) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

1009 (a) report mileage driven as required by the department pursuant to Subsection (5);

1010 (b) pay the road usage fee for each payment period as set by the department and the  
1011 commission pursuant to Subsections (5) and (6); and

1012 (c) comply with all other provisions of this section and other requirements of the  
1013 program.

1014 (12) (a) On or before June 1, 2021, and except for the vehicles excluded in Subsection  
1015 (12)(b), the department shall submit to a legislative committee designated by the Legislative  
1016 Management Committee a written plan to enroll all vehicles registered in the state in the  
1017 program by December 31, 2031.

1018 (b) The plan described in Subsection (12)(a) may exclude authorized carriers described  
1019 in Subsection 59-12-102(17)(a).

1020 (c) Beginning in 2021, on or before October 1 of each year, the department shall  
1021 submit annually an electronic report recommending strategies to expand enrollment in the  
1022 program to meet the deadline provided in Subsection (12)(a).

1023 (13) Beginning in 2021, the department shall submit annually, on or before October 1,  
1024 to the legislative committee that receives the report described in Subsection (12), an electronic  
1025 report that:

1026 (a) states for the preceding fiscal year:

1027 (i) the amount of revenue collected from the program;

1028 (ii) the participation rate in the program; and

1029 (iii) the department's costs to administer the program; and

1030 (b) provides for the current fiscal year, an estimate of:

1031 (i) the revenue that will be collected from the program;

1032 (ii) the participation rate in the program; and

1033 (iii) the department's costs to administer the program.

1034 Section 14. Section **72-1-303** is amended to read:

1035 **72-1-303. Duties of commission.**

1036 (1) The commission has the following duties:

1037 (a) determining priorities and funding levels of projects in the state transportation  
1038 systems and capital development of new public transit facilities for each fiscal year based on  
1039 project lists compiled by the department and taking into consideration the strategic initiatives  
1040 described in Section [72-1-211](#);

1041 (b) determining additions and deletions to state highways under Chapter 4, Designation  
1042 of State Highways Act;

1043 (c) holding public hearings and otherwise providing for public input in transportation  
1044 matters;

1045 (d) making policies and rules in accordance with Title 63G, Chapter 3, Utah  
1046 Administrative Rulemaking Act, necessary to perform the commission's duties described under  
1047 this section;

1048 (e) in accordance with Section [63G-4-301](#), reviewing orders issued by the executive

1049 director in adjudicative proceedings held in accordance with Title 63G, Chapter 4,  
1050 Administrative Procedures Act;

1051 (f) advising the department in state transportation systems policy;

1052 (g) approving settlement agreements of condemnation cases subject to Section  
1053 63G-10-401;

1054 (h) in accordance with Section 17B-2a-807, appointing a commissioner to serve as a  
1055 nonvoting, ex officio member or a voting member on the board of trustees of a public transit  
1056 district;

1057 (i) in accordance with Section 17B-2a-808, reviewing, at least annually, the short-term  
1058 and long-range public transit plans; and

1059 (j) reviewing administrative rules made, substantively amended, or repealed by the  
1060 department.

1061 (2) (a) For projects prioritized with funding provided under Sections 72-2-124 and  
1062 72-2-125, the commission shall annually report to a committee designated by the Legislative  
1063 Management Committee:

1064 (i) a prioritized list of the new transportation capacity projects in the state  
1065 transportation system and the funding levels available for those projects; and

1066 (ii) the unfunded highway construction and maintenance needs within the state.

1067 (b) The committee designated by the Legislative Management Committee under  
1068 Subsection (2)(a) shall:

1069 (i) review the list reported by the Transportation Commission; and

1070 (ii) make a recommendation to the Legislature on:

1071 (A) the amount of additional funding to allocate to transportation; and

1072 (B) the source of revenue for the additional funding allocation under Subsection  
1073 (2)(b)(ii)(A).

1074 (3) The commission shall review and may approve plans for the construction of a  
1075 highway facility over sovereign lakebed lands in accordance with Chapter 6, Part 3, Approval  
1076 of Highway Facilities on Sovereign Lands Act.

1077 Section 15. Section 72-1-304 is amended to read:

1078 **72-1-304. Written project prioritization process for new transportation capacity**  
1079 **projects -- Rulemaking.**

1080 (1) (a) The Transportation Commission, in consultation with the department and the  
1081 metropolitan planning organizations as defined in Section 72-1-208.5, shall develop a written  
1082 prioritization process for the prioritization of:

1083 (i) new transportation capacity projects that are or will be part of the state highway  
1084 system under Chapter 4, Part 1, State Highways;

1085 (ii) paved pedestrian or paved nonmotorized transportation projects that:

1086 (A) mitigate traffic congestion on the state highway system; and

1087 (B) are part of an active transportation plan approved by the department;

1088 (iii) public transit projects that add capacity to the public transit systems within the  
1089 state; and

1090 (iv) pedestrian or nonmotorized transportation projects that provide connection to a  
1091 public transit system.

1092 (b) (i) A local government or district may nominate a project for prioritization in  
1093 accordance with the process established by the commission in rule.

1094 (ii) If a local government or district nominates a project for prioritization by the  
1095 commission, the local government or district shall provide data and evidence to show that:

1096 (A) the project will advance the purposes and goals described in Section 72-1-211;

1097 (B) for a public transit project, the local government or district has an ongoing funding  
1098 source for operations and maintenance of the proposed development; and

1099 (C) the local government or district will provide 40% of the costs for the project as  
1100 required by Subsection 72-2-124(4)(a)~~(viii)~~(x) or 72-2-124(9)(e).

1101 (2) The following shall be included in the written prioritization process under  
1102 Subsection (1):

1103 (a) a description of how the strategic initiatives of the department adopted under  
1104 Section 72-1-211 are advanced by the written prioritization process;

1105 (b) a definition of the type of projects to which the written prioritization process  
1106 applies;

1107 (c) specification of a weighted criteria system that is used to rank proposed projects  
1108 and how it will be used to determine which projects will be prioritized;

1109 (d) specification of the data that is necessary to apply the weighted ranking criteria; and

1110 (e) any other provisions the commission considers appropriate, which may include

1111 consideration of:

1112 (i) regional and statewide economic development impacts, including improved local  
1113 access to:

1114 (A) employment;

1115 (B) educational facilities;

1116 (C) recreation;

1117 (D) commerce; and

1118 (E) residential areas, including moderate income housing as demonstrated in the local  
1119 government's or district's general plan pursuant to Section [10-9a-403](#) or [17-27a-403](#);

1120 (ii) the extent to which local land use plans relevant to a project support and  
1121 accomplish the strategic initiatives adopted under Section [72-1-211](#); and

1122 (iii) any matching funds provided by a political subdivision or public transit district in  
1123 addition to the 40% required by Subsections [72-2-124\(4\)\(a\)\(viii\)](#) and [72-2-124\(9\)\(e\)](#).

1124 (3) (a) When prioritizing a public transit project that increases capacity, the  
1125 commission may give priority consideration to projects that are part of a transit-oriented  
1126 development or transit-supportive development as defined in Section [17B-2a-802](#).

1127 (b) When prioritizing a public transit or transportation project that increases capacity,  
1128 the commission may give priority consideration to projects that are part of a transportation  
1129 reinvestment zone created under Section [11-13-227](#) if:

1130 (i) the state is a participant in the transportation reinvestment zone; or

1131 (ii) the commission finds that the transportation reinvestment zone provides a benefit  
1132 to the state transportation system.

1133 [~~3~~] (4) In developing the written prioritization process, the commission:

1134 (a) shall seek and consider public comment by holding public meetings at locations  
1135 throughout the state; and

1136 (b) may not consider local matching dollars as provided under Section [72-2-123](#) unless  
1137 the state provides an equal opportunity to raise local matching dollars for state highway  
1138 improvements within each county.

1139 [~~4~~] (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
1140 Act, the Transportation Commission, in consultation with the department, shall make rules  
1141 establishing the written prioritization process under Subsection (1).

1142            [~~(5)~~] (6) The commission shall submit the proposed rules under this section to a  
1143 committee or task force designated by the Legislative Management Committee for review prior  
1144 to taking final action on the proposed rules or any proposed amendment to the rules described  
1145 in Subsection [~~(4)~~] (5).

1146            Section 16. Section **72-2-107** is amended to read:

1147            **72-2-107. Appropriation from Transportation Fund -- Apportionment for class B**  
1148 **and class C roads.**

1149            (1) There is appropriated to the department from the Transportation Fund annually an  
1150 amount equal to 30% of an amount which the director of finance shall compute in the  
1151 following manner: The total revenue deposited into the Transportation Fund during the fiscal  
1152 year from state highway-user taxes and fees, minus those amounts appropriated or transferred  
1153 from the Transportation Fund during the same fiscal year to:

1154            (a) the Department of Public Safety;

1155            (b) the State Tax Commission;

1156            (c) the Division of Finance;

1157            (d) the Utah Travel Council;

1158            (e) the road usage charge program created in Section [72-1-213.1](#); and

1159            (f) any other amounts appropriated or transferred for any other state agencies not a part  
1160 of the department.

1161            (2) (a) Except as provided in [~~Subsection~~] Subsections (2)(b) and (c), all of the money  
1162 appropriated in Subsection (1) shall be apportioned among counties and municipalities for class  
1163 B and class C roads as provided in this title.

1164            (b) The department shall annually transfer \$500,000 of the amount calculated under  
1165 Subsection (1) to the State Park Access Highways Improvement Program created in Section  
1166 [72-3-207](#).

1167            (c) Administrative costs of the department to administer class B and class C roads shall  
1168 be paid from funds calculated under Subsection (1).

1169            (3) Each quarter of every year the department shall make the necessary accounting  
1170 entries to transfer the money appropriated under this section for class B and class C roads.

1171            (4) The funds appropriated for class B and class C roads shall be expended under the  
1172 direction of the department as the Legislature shall provide.

1173 Section 17. Section **72-2-108** is amended to read:

1174 **72-2-108. Apportionment of funds available for use on class B and class C roads**

1175 **-- Bonds.**

1176 (1) For purposes of this section:

1177 (a) "Eligible county" means a county of the fifth class, as described in Section  
1178 **17-50-501**, that received a distribution for fiscal year 2015 that was reapportioned to include  
1179 money in addition to the amount calculated under Subsection (2), and the portion of the  
1180 distribution derived from the calculation under Subsection (2) was less than 60% of the total  
1181 distribution.

1182 (b) "Graveled road" means a road:

1183 (i) that is:

1184 (A) graded; and

1185 (B) drained by transverse drainage systems to prevent serious impairment of the road  
1186 by surface water;

1187 (ii) that has an improved surface; and

1188 (iii) that has a wearing surface made of:

1189 (A) gravel;

1190 (B) broken stone;

1191 (C) slag;

1192 (D) iron ore;

1193 (E) shale; or

1194 (F) other material that is:

1195 (I) similar to a material described in Subsection (1)(b)(iii)(A) through (E); and

1196 (II) coarser than sand.

1197 (c) "Paved road" includes:

1198 (i) a graveled road with a chip seal surface[-]; and

1199 (ii) a circulator alley.

1200 (d) "Road mile" means a one-mile length of road, regardless of:

1201 (i) the width of the road; or

1202 (ii) the number of lanes into which the road is divided.

1203 (e) "Weighted mileage" means the sum of the following:

1204 (i) paved road miles multiplied by five; and

1205 (ii) all other road type road miles multiplied by two.

1206 (2) Subject to the provisions of Subsections (3) through (7), funds appropriated for

1207 class B and class C roads shall be apportioned among counties and municipalities in the

1208 following manner:

1209 (a) 50% in the ratio that the class B roads weighted mileage within each county and

1210 class C roads weighted mileage within each municipality bear to the total class B and class C

1211 roads weighted mileage within the state; and

1212 (b) 50% in the ratio that the population of a county or municipality bears to the total

1213 population of the state as of the last official federal census or the United States Bureau of

1214 Census estimate, whichever is most recent, except that if population estimates are not available

1215 from the United States Bureau of Census, population figures shall be derived from the estimate

1216 from the Utah Population Committee.

1217 (3) For purposes of Subsection (2)(b), "the population of a county" means:

1218 (a) for a county of the first class with a metro township, as defined in Section

1219 10-2a-403, within the boundaries of the county as of January 1, 2020:

1220 (i) the population of a county outside the corporate limits of municipalities in that

1221 county, if the population of the county outside the corporate limits of municipalities in that

1222 county is not less than 7% of the total population of that county, including municipalities; and

1223 (ii) if the population of a county outside the corporate limits of municipalities in the

1224 county is less than 7% of the total population:

1225 (A) the aggregate percentage of the population apportioned to municipalities in that

1226 county shall be reduced by an amount equal to the difference between:

1227 (I) 7%; and

1228 (II) the actual percentage of population outside the corporate limits of municipalities in

1229 that county; and

1230 (B) the population apportioned to the county shall be 7% of the total population of that

1231 county, including incorporated municipalities; or

1232 (b) for any county not described in Subsection (3)(a):

1233 [~~a~~] (i) the population of a county outside the corporate limits of municipalities in that

1234 county, if the population of the county outside the corporate limits of municipalities in that

1235 county is not less than 14% of the total population of that county, including municipalities; and  
1236 ~~[(b)]~~ (ii) if the population of a county outside the corporate limits of municipalities in  
1237 the county is less than 14% of the total population:

1238 ~~[(i)]~~ (A) the aggregate percentage of the population apportioned to municipalities in  
1239 that county shall be reduced by an amount equal to the difference between:

1240 ~~[(A)]~~ (I) 14%; and

1241 ~~[(B)]~~ (II) the actual percentage of population outside the corporate limits of  
1242 municipalities in that county; and

1243 ~~[(ii)]~~ (B) the population apportioned to the county shall be 14% of the total population  
1244 of that county, including incorporated municipalities.

1245 (4) For an eligible county, the department shall reapportion the funds under Subsection  
1246 (2) to ensure that the county or municipality receives, for a fiscal year beginning on or after  
1247 July 1, 2018, an amount equal to the greater of:

1248 (a) the amount apportioned to the county or municipality for class B and class C roads  
1249 in the current fiscal year under Subsection (2); or

1250 (b) (i) the amount apportioned to the county or municipality for class B and class C  
1251 roads through the apportionment formula under Subsection (2) or this Subsection (4) in the  
1252 prior fiscal year; plus

1253 (ii) the amount calculated as described in Subsection (6).

1254 (5) (a) The department shall decrease proportionately as provided in Subsection (5)(b)  
1255 the apportionments to counties and municipalities for which the reapportionment under  
1256 Subsection (4) does not apply.

1257 (b) The aggregate amount of the funds that the department shall decrease  
1258 proportionately from the apportionments under Subsection (5)(a) is an amount equal to the  
1259 aggregate amount reapportioned to counties and municipalities under Subsection (4).

1260 (6) (a) In addition to the apportionment adjustments made under Subsection (4), a  
1261 county or municipality that qualifies for reapportioned money under Subsection (4) shall  
1262 receive an amount equal to the amount apportioned to the eligible county or municipality under  
1263 Subsection (4) for class B and class C roads in the prior fiscal year multiplied by the percentage  
1264 increase or decrease in the total funds available for class B and class C roads between the prior  
1265 fiscal year and the fiscal year that immediately preceded the prior fiscal year.

1266 (b) The adjustment under Subsection (6)(a) shall be made in the same way as provided  
1267 in Subsections (5)(a) and (b).

1268 (7) (a) If a county or municipality does not qualify for a reapportionment under  
1269 Subsection (4) in the current fiscal year but previously qualified for a reapportionment under  
1270 Subsection (4) on or after July 1, 2017, the county or municipality shall receive an amount  
1271 equal to the greater of:

1272 (i) the amount apportioned to the county or municipality for class B and class C roads  
1273 in the current fiscal year under Subsection (2); or

1274 (ii) the amount apportioned to the county or municipality for class B and class C roads  
1275 in the prior fiscal year.

1276 (b) The adjustment under Subsection (7)(a) shall be made in the same way as provided  
1277 in Subsections (5)(a) and (b).

1278 (8) The governing body of any municipality or county may issue bonds redeemable up  
1279 to a period of 10 years under Title 11, Chapter 14, Local Government Bonding Act, to pay the  
1280 costs of constructing, repairing, and maintaining class B or class C roads and may pledge class  
1281 B or class C road funds received pursuant to this section to pay principal, interest, premiums,  
1282 and reserves for the bonds.

1283 Section 18. Section **72-2-124** is amended to read:

1284 **72-2-124. Transportation Investment Fund of 2005.**

1285 (1) There is created a capital projects fund entitled the Transportation Investment Fund  
1286 of 2005.

1287 (2) The fund consists of money generated from the following sources:

1288 (a) any voluntary contributions received for the maintenance, construction,  
1289 reconstruction, or renovation of state and federal highways;

1290 (b) appropriations made to the fund by the Legislature;

1291 (c) registration fees designated under Section [41-1a-1201](#);

1292 (d) the sales and use tax revenues deposited into the fund in accordance with Section  
1293 [59-12-103](#); and

1294 (e) revenues transferred to the fund in accordance with Section [72-2-106](#).

1295 (3) (a) The fund shall earn interest.

1296 (b) All interest earned on fund money shall be deposited into the fund.

- 1297 (4) (a) Except as provided in Subsection (4)(b), the executive director may only use  
1298 fund money to pay:
- 1299 (i) the costs of maintenance, construction, reconstruction, or renovation to state and  
1300 federal highways prioritized by the Transportation Commission through the prioritization  
1301 process for new transportation capacity projects adopted under Section 72-1-304;
- 1302 (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway  
1303 projects described in Subsections 63B-18-401(2), (3), and (4);
- 1304 (iii) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401  
1305 minus the costs paid from the County of the First Class Highway Projects Fund in accordance  
1306 with Subsection 72-2-121(4)(f);
- 1307 (iv) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt  
1308 Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the amount certified  
1309 by Salt Lake County in accordance with Subsection 72-2-121.3(4)(c) as necessary to pay the  
1310 debt service on \$30,000,000 of the revenue bonds issued by Salt Lake County;
- 1311 (v) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101  
1312 for projects prioritized in accordance with Section 72-2-125;
- 1313 (vi) all highway general obligation bonds that are intended to be paid from revenues in  
1314 the Centennial Highway Fund created by Section 72-2-118;
- 1315 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First  
1316 Class Highway Projects Fund created in Section 72-2-121 to be used for the purposes described  
1317 in Section 72-2-121; ~~and~~
- 1318 (viii) up to \$25,000,000 to provide funds necessary to construct frontage roads adjacent  
1319 to I-215 in Taylorsville and other associated road improvements to mitigate impacts due to  
1320 traffic associated with expansion of the State of Utah Taylorsville Office Building campus;
- 1321 (ix) as resources allow, to study the potential alignment for a possible extension of S.R.  
1322 111 south of Route 48, east of Copperton; and
- 1323 [~~viii~~] (x) if a political subdivision provides a contribution equal to or greater than  
1324 40% of the costs needed for construction, reconstruction, or renovation of paved pedestrian or  
1325 paved nonmotorized transportation for projects that:
- 1326 (A) mitigate traffic congestion on the state highway system;
- 1327 (B) are part of an active transportation plan approved by the department; and

1328 (C) are prioritized by the commission through the prioritization process for new  
1329 transportation capacity projects adopted under Section [72-1-304](#).

1330 (b) The executive director may use fund money to exchange for an equal or greater  
1331 amount of federal transportation funds to be used as provided in Subsection (4)(a).

1332 (5) (a) Except as provided in Subsection (5)(b), the executive director may not [~~use~~]  
1333 program fund money to a project prioritized by the commission under Section [72-1-304](#),  
1334 including fund money from the Transit Transportation Investment Fund, within the boundaries  
1335 of a municipality that is required to adopt a moderate income housing plan element as part of  
1336 the municipality's general plan as described in Subsection [10-9a-401\(3\)](#), if the municipality has  
1337 failed to adopt a moderate income housing plan element as part of the municipality's general  
1338 plan or has failed to implement the requirements of the moderate income housing plan as  
1339 determined by the results of the Department of Workforce Service's review of the annual  
1340 moderate income housing report described in Subsection [35A-8-803\(1\)\(a\)\(vii\)](#).

1341 (b) Within the boundaries of a municipality that is required under Subsection  
1342 [10-9a-401\(3\)](#) to plan for moderate income housing growth but has failed to adopt a moderate  
1343 income housing plan element as part of the municipality's general plan or has failed to  
1344 implement the requirements of the moderate income housing plan as determined by the results  
1345 of the Department of Workforce Service's review of the annual moderate income housing  
1346 report described in Subsection [35A-8-803\(1\)\(a\)\(vii\)](#), the executive director:

1347 (i) may [~~use~~] program fund money in accordance with Subsection (4)(a) for a  
1348 limited-access facility or interchange connecting limited-access facilities;

1349 (ii) may not [~~use~~] program fund money for the construction, reconstruction, or  
1350 renovation of an interchange on a limited-access facility;

1351 (iii) may [~~use~~] program Transit Transportation Investment Fund money for a  
1352 multi-community fixed guideway public transportation project; and

1353 (iv) may not [~~use~~] program Transit Transportation Investment Fund money for the  
1354 construction, reconstruction, or renovation of a station that is part of a fixed guideway public  
1355 transportation project.

1356 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive  
1357 director before May 1, 2020, for projects prioritized by the commission under Section  
1358 [72-1-304](#).

1359 (6) (a) Except as provided in Subsection (6)(b), the executive director may not [~~use~~]  
1360 program fund money to a project prioritized by the commission under Section 72-1-304,  
1361 including fund money from the Transit Transportation Investment Fund, within the boundaries  
1362 of the unincorporated area of a county, if the county is required to adopt a moderate income  
1363 housing plan element as part of the county's general plan as described in Subsection  
1364 17-27a-401(3) and if the county has failed to adopt a moderate income housing plan element as  
1365 part of the county's general plan or has failed to implement the requirements of the moderate  
1366 income housing plan as determined by the results of the Department of Workforce Service's  
1367 review of the annual moderate income housing report described in Subsection  
1368 35A-8-803(1)(a)(vii).

1369 (b) Within the boundaries of the unincorporated area of a county where the county is  
1370 required under Subsection 17-27a-401(3) to plan for moderate income housing growth but has  
1371 failed to adopt a moderate income housing plan element as part of the county's general plan or  
1372 has failed to implement the requirements of the moderate income housing plan as determined  
1373 by the results of the Department of Workforce Service's review of the annual moderate income  
1374 housing report described in Subsection 35A-8-803(1)(a)(vii), the executive director:

1375 (i) may [~~use~~] program fund money in accordance with Subsection (4)(a) for a  
1376 limited-access facility to a project prioritized by the commission under Section 72-1-304;

1377 (ii) may not [~~use~~] program fund money for the construction, reconstruction, or  
1378 renovation of an interchange on a limited-access facility;

1379 (iii) may [~~use~~] program Transit Transportation Investment Fund money for a  
1380 multi-community fixed guideway public transportation project; and

1381 (iv) may not [~~use~~] program Transit Transportation Investment Fund money for the  
1382 construction, reconstruction, or renovation of a station that is part of a fixed guideway public  
1383 transportation project.

1384 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive  
1385 director before July 1, 2020, for projects prioritized by the commission under Section  
1386 72-1-304.

1387 (7) (a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued  
1388 in any fiscal year, the department and the commission shall appear before the Executive  
1389 Appropriations Committee of the Legislature and present the amount of bond proceeds that the

1390 department needs to provide funding for the projects identified in Subsections 63B-18-401(2),  
1391 (3), and (4) or Subsection 63B-27-101(2) for the current or next fiscal year.

1392 (b) The Executive Appropriations Committee of the Legislature shall review and  
1393 comment on the amount of bond proceeds needed to fund the projects.

1394 (8) The Division of Finance shall, from money deposited into the fund, transfer the  
1395 amount of funds necessary to pay principal, interest, and issuance costs of bonds authorized by  
1396 Section 63B-18-401 or 63B-27-101 in the current fiscal year to the appropriate debt service or  
1397 sinking fund.

1398 (9) (a) There is created in the Transportation Investment Fund of 2005 the Transit  
1399 Transportation Investment Fund.

1400 (b) The fund shall be funded by:

1401 (i) contributions deposited into the fund in accordance with Section 59-12-103;

1402 (ii) appropriations into the account by the Legislature;

1403 (iii) private contributions; and

1404 (iv) donations or grants from public or private entities.

1405 (c) (i) The fund shall earn interest.

1406 (ii) All interest earned on fund money shall be deposited into the fund.

1407 (d) Subject to Subsection (9)(e), the Legislature may appropriate money from the fund  
1408 for public transit capital development of new capacity projects to be used as prioritized by the  
1409 commission.

1410 (e) (i) The Legislature may only appropriate money from the fund for a public transit  
1411 capital development project or pedestrian or nonmotorized transportation project that provides  
1412 connection to the public transit system if the public transit district or political subdivision  
1413 provides funds of equal to or greater than 40% of the costs needed for the project.

1414 (ii) A public transit district or political subdivision may use money derived from a loan  
1415 granted pursuant to Title 72, Chapter 2, Part 2, State Infrastructure Bank Fund, to provide all or  
1416 part of the 40% requirement described in Subsection (9)(e)(i) if:

1417 (A) the loan is approved by the commission as required in Title 72, Chapter 2, Part 2,  
1418 State Infrastructure Bank Fund; and

1419 (B) the proposed capital project has been prioritized by the commission pursuant to  
1420 Section 72-1-303.

1421 Section 19. Section **72-3-104** is amended to read:

1422 **72-3-104. City streets -- Class C roads -- Construction and maintenance.**

1423 (1) City streets comprise:

1424 (a) highways, roads, circulator alleys, and streets within the corporate limits of the  
1425 municipalities that are not designated as class A state roads or as class B roads; and

1426 (b) those highways, roads, and streets located within a national forest and constructed  
1427 or maintained by the municipality under agreement with the appropriate federal agency.

1428 (2) City streets are class C roads.

1429 (3) Except for city streets within counties of the first and second class as defined in  
1430 Section **17-50-501**, the state and city have joint undivided interest in the title to all  
1431 rights-of-way for all city streets.

1432 (4) The municipal governing body exercises sole jurisdiction and control of the city  
1433 streets within the municipality.

1434 (5) The department shall cooperate with the municipal legislative body in the  
1435 construction and maintenance of the class C roads within each municipality.

1436 (6) The municipal legislative body shall expend or cause to be expended upon the class  
1437 C roads the funds allocated to each municipality from the Transportation Fund under rules  
1438 made by the department.

1439 (7) Any town or city in the third, fourth, or fifth class may:

1440 (a) contract with the county or the department for the construction and maintenance of  
1441 class C roads within its corporate limits; or

1442 (b) transfer, with the consent of the county, its:

1443 (i) class C roads to the class B road system; and

1444 (ii) funds allocated from the Transportation Fund to the municipality to the county  
1445 legislative body for use upon the transferred class C roads.

1446 (8) A municipal legislative body of any city of the third, fourth, or fifth class may use  
1447 any portion of the class C road funds allocated to the municipality for the construction of  
1448 sidewalks, curbs, and gutters on class A state roads within the municipal limits by cooperative  
1449 agreement with the department.

1450 Section 20. Section **72-6-118** is amended to read:

1451 **72-6-118. Definitions -- Establishment and operation of tollways -- Imposition**

1452 **and collection of tolls -- Amount of tolls -- Rulemaking.**

1453 (1) As used in this section:

1454 (a) "High occupancy toll lane" means a high occupancy vehicle lane designated under  
1455 Section 41-6a-702 that may be used by an operator of a vehicle carrying less than the number  
1456 of persons specified for the high occupancy vehicle lane if the operator of the vehicle pays a  
1457 toll or fee.

1458 (b) "Toll" means any tax, fee, or charge assessed for the specific use of a tollway.

1459 (c) "Toll lane" means a designated new highway or additional lane capacity that is  
1460 constructed, operated, or maintained for which a toll is charged for its use.

1461 (d) (i) "Tollway" means a highway, highway lane, bridge, path, tunnel, or right-of-way  
1462 designed and used as a transportation route that is constructed, operated, or maintained through  
1463 the use of toll revenues.

1464 (ii) "Tollway" includes a high occupancy toll lane and a toll lane.

1465 (e) "Tollway development agreement" has the same meaning as defined in Section  
1466 72-6-202.

1467 (2) Subject to the provisions of Subsection (3), the department may:

1468 (a) establish, expand, and operate tollways and related facilities for the purpose of  
1469 funding in whole or in part the acquisition of right-of-way and the design, construction,  
1470 reconstruction, operation, enforcement, and maintenance of or impacts from a transportation  
1471 route for use by the public;

1472 (b) enter into contracts, agreements, licenses, franchises, tollway development  
1473 agreements, or other arrangements to implement this section;

1474 (c) impose and collect tolls on any tollway established under this section, including  
1475 collection of past due payment of a toll or penalty;

1476 (d) grant exclusive or nonexclusive rights to a private entity to impose and collect tolls  
1477 pursuant to the terms and conditions of a tollway development agreement;

1478 (e) use technology to automatically monitor a tollway and collect payment of a toll,  
1479 including:

1480 (i) license plate reading technology; and

1481 (ii) photographic or video recording technology; and

1482 (f) in accordance with Subsection (5), request that the Division of Motor Vehicles deny

1483 a request for registration of a motor vehicle if the motor vehicle owner has failed to pay a toll  
1484 or penalty imposed for usage of a tollway involving the motor vehicle for which registration  
1485 renewal has been requested.

1486 (3) (a) The department may establish or operate a tollway on an existing highway if  
1487 approved by the commission in accordance with the terms of this section.

1488 (b) To establish a tollway on an existing highway, the department shall submit a  
1489 proposal to the commission including:

- 1490 (i) a description of the tollway project;
- 1491 (ii) projected traffic on the tollway;
- 1492 (iii) the anticipated amount of the toll to be charged; and
- 1493 (iv) projected toll revenue.

1494 (4) (a) For a tollway established under this section, the department may:

1495 (i) according to the terms of each tollway, impose the toll upon the owner of a motor  
1496 vehicle using the tollway according to the terms of the tollway;

1497 (ii) send correspondence to the owner of the motor vehicle to inform the owner of:

1498 (A) an unpaid toll and the amount of the toll to be paid to the department;

1499 (B) the penalty for failure to pay the toll timely; and

1500 (C) a hold being placed on the owner's registration for the motor vehicle if the toll and  
1501 penalty are not paid timely, which would prevent the renewal of the motor vehicle's  
1502 registration;

1503 (iii) require that the owner of the motor vehicle pay the toll to the department within 30  
1504 days of the date when the department sends written notice of the toll to the owner; and

1505 (iv) impose a penalty for failure to pay a toll timely.

1506 (b) The department shall mail the correspondence and notice described in Subsection  
1507 (4)(a) to the owner of the motor vehicle according to the terms of a tollway.

1508 (5) (a) The Division of Motor Vehicles and the department shall share and provide  
1509 access to information pertaining to a motor vehicle and tollway enforcement including:

1510 (i) registration and ownership information pertaining to a motor vehicle;

1511 (ii) information regarding the failure of a motor vehicle owner to timely pay a toll or  
1512 penalty imposed under this section; and

1513 (iii) the status of a request for a hold on the registration of a motor vehicle.

1514 (b) If the department requests a hold on the registration in accordance with this section,  
1515 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title  
1516 41, Chapter 1a, Part 2, Registration, if the owner of the motor vehicle has failed to pay a toll or  
1517 penalty imposed under this section for usage of a tollway involving the motor vehicle for which  
1518 registration renewal has been requested until the department withdraws the hold request.

1519 (6) (a) Except as provided in Subsection (6)(b), in accordance with Title 63G, Chapter  
1520 3, Utah Administrative Rulemaking Act, the commission shall:

1521 (i) set the amount of any toll imposed or collected on a tollway on a state highway; and

1522 (ii) for tolls established under Subsection (6)(b), set:

1523 (A) an increase in a toll rate or user fee above an increase specified in a tollway  
1524 development agreement; or

1525 (B) an increase in a toll rate or user fee above a maximum toll rate specified in a  
1526 tollway development agreement.

1527 (b) A toll or user fee and an increase to a toll or user fee imposed or collected on a  
1528 tollway on a state highway that is the subject of a tollway development agreement shall be set  
1529 in the tollway development agreement.

1530 (7) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1531 the department shall make rules:

1532 (i) necessary to establish and operate tollways on state highways;

1533 (ii) that establish standards and specifications for automatic tolling systems and  
1534 automatic tollway monitoring technology; and

1535 (iii) to set the amount of a penalty for failure to pay a toll under this section.

1536 (b) The rules shall:

1537 (i) include minimum criteria for having a tollway; and

1538 (ii) conform to regional and national standards for automatic tolling.

1539 (8) (a) The commission may provide funds for public or private tollway pilot projects  
1540 or high occupancy toll lanes from General Fund money appropriated by the Legislature to the  
1541 commission for that purpose.

1542 (b) The commission may determine priorities and funding levels for tollways  
1543 designated under this section.

1544 (9) (a) Except as provided in Subsection (9)(b), all revenue generated from a tollway

1545 on a state highway shall be deposited into the Tollway Special Revenue Fund created in  
1546 Section 72-2-120 and used for [~~acquisition of right-of-way and the design, construction,~~  
1547 ~~reconstruction, operation, maintenance, enforcement of state transportation systems and~~  
1548 ~~facilities, including operating improvements to the tollway, and other facilities used exclusively~~  
1549 ~~for the operation of a tollway facility within the corridor served by the tollway]~~ any state  
1550 transportation purpose.

1551 (b) Revenue generated from a tollway that is the subject of a tollway development  
1552 agreement shall be deposited into the Tollway Special Revenue Fund and used in accordance  
1553 with Subsection (9)(a) unless:

1554 (i) the revenue is to a private entity through the tollway development agreement; or  
1555 (ii) the revenue is identified for a different purpose under the tollway development  
1556 agreement.

1557 (10) Data described in Subsection (2)(e) obtained for the purposes of this section:

1558 (a) in accordance with Section 63G-2-305, is a protected record under Title 63G,  
1559 Chapter 2, Government Records Access and Management Act, if the photographic or video  
1560 data is maintained by a governmental entity;

1561 (b) may not be used or shared for any purpose other than the purposes described in this  
1562 section;

1563 (c) may only be preserved:

1564 (i) so long as necessary to collect the payment of a toll or penalty imposed in  
1565 accordance with this section; or

1566 (ii) pursuant to a warrant issued under the Utah Rules of Criminal Procedure or an  
1567 equivalent federal warrant; and

1568 (d) may only be disclosed:

1569 (i) in accordance with the disclosure requirements for a protected record under Section  
1570 63G-2-202; or

1571 (ii) pursuant to a warrant issued under the Utah Rules of Criminal Procedure or an  
1572 equivalent federal warrant.

1573 (11) (a) The department may not sell for any purpose photographic or video data  
1574 captured under Subsection (2)(e)(ii).

1575 (b) The department may not share captured photographic or video data for a purpose

1576 not authorized under this section.

1577 (12) Before November 1, 2018, the Driver License Division, the Division of Motor  
1578 Vehicles, and the department shall jointly study and report findings and recommendations to  
1579 the Transportation Interim Committee regarding the use of Title 53, Chapter 3, Part 6, Drivers'  
1580 License Compact, and other methods to collect a toll or penalty under this section from:

- 1581 (a) an owner of a motor vehicle registered outside this state; or
- 1582 (b) a driver or lessee of a motor vehicle leased or rented for 30 days or less.

1583 Section 21. Section **72-10-207** is amended to read:

1584 **72-10-207. Powers of department and political subdivisions over airports --**  
1585 **Security unit.**

1586 (1) The department, and counties, municipalities, or other political subdivisions of this  
1587 state that have established or may establish airports or that acquire, lease, or set apart real  
1588 property for those purposes, may:

- 1589 (a) construct, equip, improve, maintain, and operate the airports or may vest the  
1590 authority for their construction, equipment, improvement, maintenance, and operation in an  
1591 officer of the department or in an officer, board, or body of the political subdivision;
- 1592 (b) adopt rules, establish charges, fees, and tolls for the use of airports and landing  
1593 fields, fix penalties for the violation of the rules, and establish liens to enforce payment of the  
1594 charges, fees, and tolls, subject to approval by the commission;
- 1595 (c) lease the airports to private parties for operation for a term not exceeding 50 years,  
1596 as long as the public is not deprived of its rightful, equal, and uniform use of the facility;
- 1597 (d) lease or assign space, area, improvements, equipment, buildings, and facilities on  
1598 the airports to private parties for operation for a term not exceeding 50 years;
- 1599 (e) lease or assign real property comprising all or any part of the airports to private  
1600 parties for the construction and operation of hangars, shop buildings, or office buildings for a  
1601 term not exceeding 50 years, if the projected construction cost of the hangar, shop building, or  
1602 office building is \$100,000 or more; and
- 1603 (f) establish, maintain, operate, and staff a security unit for the purpose of enforcing  
1604 state and local laws at any airport that is subject to federal airport security regulations.

1605 (2) The department or political subdivision shall pay the construction, equipment,  
1606 improvement, maintenance, and operations expenses of any airport established by them under

1607 Subsection (1).

1608 (3) (a) If the department or political subdivision establishes a security unit under  
1609 Subsection (1)(f), the department head or the governing body of the political subdivision shall  
1610 appoint persons qualified as peace officers under Title 53, Chapter 13, Peace Officer  
1611 Classifications to staff the security unit.

1612 (b) A security unit appointed by the department or political subdivision is exempt from  
1613 civil service regulations.

1614 (c) If the department or political subdivision establishes a security unit under  
1615 Subsection (1)(f), the department head or the governing body of the political subdivision:

1616 (i) may allow peace officers or other workers to assist with airport operations and  
1617 vehicle and traffic flow; and

1618 (ii) may not allow peace officers or other workers to:

1619 (A) unreasonably impede or obstruct traffic;

1620 (B) create unsafe traffic situations; or

1621 (C) intimidate vehicle drivers or airport passengers.

1622 Section 22. **Effective date.**

1623 This bill takes effect on May 12, 2020, with the exceptions of:

1624 (1) Section [41-1a-902](#), which takes effect on October 1, 2020;

1625 (2) Section [41-1a-1206](#), which takes effect on January 1, 2021; and

1626 (3) Section [72-2-108](#), which takes effect on July 1, 2021.