

## SB0175S04 compared with SB0175S03

~~{deleted text}~~ shows text that was in SB0175S03 but was deleted in SB0175S04.

inserted text shows text that was not in SB0175S03 but was inserted into SB0175S04.

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

~~{Senator Derrin}~~Representative Carl R. {Owens} Albrecht proposes the following substitute bill:

### RURAL TRANSPORTATION INFRASTRUCTURE FUND

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Derrin R. Owens**

House Sponsor: Carl R. Albrecht

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#### LONG TITLE

##### General Description:

This bill creates the Rural Transportation Infrastructure Fund for highway projects in certain cities, towns, and counties.

##### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires certain revenue from vehicle registration fees to be transferred to the Rural Transportation Infrastructure Fund;
- ▶ creates ~~{a restricted account}~~an expendable special revenue fund called the Rural Transportation Infrastructure Fund;
- ▶ provides for administration for and distribution from the fund; and

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- ▶ makes technical changes.

### Money Appropriated in this Bill:

This bill appropriates in fiscal year 2024:

- ▶ to Department of Transportation -- Rural Transportation Infrastructure Fund -- as a one-time appropriation:
  - from the General Fund One-time, \$40,000,000.

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

AMENDS:

**41-1a-1201**, as last amended by Laws of Utah 2022, Chapter 259

ENACTS:

**72-2-133**, Utah Code Annotated 1953

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

Section 1. Section **41-1a-1201** is amended to read:

**41-1a-1201. Disposition of fees.**

(1) All fees received and collected under this part shall be transmitted daily to the state treasurer.

(2) Except as provided in Subsections (3), (6), (7), (8), ~~[and] (9)~~, and (10) and Sections 41-1a-422, 41-1a-1220, 41-1a-1221, and 41-1a-1223, all fees collected under this part shall be deposited into the Transportation Fund.

(3) Funds generated under Subsections 41-1a-1211(1)(b)(ii), (6)(b)(ii), and (7) and Section 41-1a-1212 may be used by the commission to cover the costs incurred in issuing license plates under Part 4, License Plates and Registration Indicia.

(4) In accordance with Section 63J-1-602.2, all funds available to the commission for the purchase and distribution of license plates and decals are nonlapsing.

(5) (a) Except as provided in Subsections (3) and (5)(b) and Section 41-1a-1205, the expenses of the commission in enforcing and administering this part shall be provided for by legislative appropriation from the revenues of the Transportation Fund.

(b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)

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and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and administering this part.

(c) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i) for each vintage vehicle that has a model year of 1981 or newer may be used by the commission to cover the costs incurred in enforcing and administering this part.

(6) (a) The following portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited into the Transportation Investment Fund of 2005 created under Section 72-2-124:

(i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (1)(f), (4), and (7);

(ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and (1)(c)(ii);

(iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

(iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

(v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

(vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

(b) The following portions of the registration fees collected for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Transportation Investment Fund of 2005 created by Section 72-2-124:

(i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and

(ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

(7) (a) Ninety-four cents of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

(b) Seventy-one cents of each registration fee imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

(8) (a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted

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Account created in Section 53-8-214.

(b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.

(9) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for each motorcycle shall be deposited into the Spinal Cord and Brain Injury Rehabilitation Fund created in Section 26-54-102.

(10) (a) Beginning on January 1, 2024, subject to Subsection (10)(b), \$2 of each registration fee imposed under Section 41-1a-1206 shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.

(b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described in Subsection (10)(a) shall be annually adjusted by taking the amount deposited the previous year and adding an amount equal to the greater of:

(i) an amount calculated by multiplying the amount deposited the previous year by the actual percentage change during the previous fiscal year in the Consumer Price Index; and

(ii) 0.

(c) The amounts calculated as described in Subsection (10)(b) shall be rounded up to the nearest 1 cent.

Section 2. Section **72-2-133** is enacted to read:

**72-2-133. Rural Transportation Infrastructure Fund -- Creation -- Uses.**

(1) As used in this section:

(a) "Graveled road" means the same as that term is defined in Section 72-2-108.

(b) "Paved road" means the same as that term is defined in Section 72-2-108.

(c) "Qualifying county" means a county that:

(i) is a county of the third through sixth class;

(ii) has imposed a local option sales and use tax pursuant to:

(A) Section 59-12-2217;

(B) Section 59-12-2218; or

(C) Section 59-12-2219; and

(iii) has not imposed a local option sales and use tax pursuant to Section 59-12-2220

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on or before January 1, 2023.

(d) "Qualifying municipality" means a municipality located within a qualifying county.

(e) "Qualifying recipient" means qualifying county or a qualifying municipality.

(f) "Road mile" means the same as that term is defined in Section 72-2-108.

(g) "Weighted mileage" means the same as that term is defined in Section 72-2-108.

(2) There is created ~~fa restricted account~~ in the Transportation Fund an expendable special revenue fund called the Rural Transportation Infrastructure Fund.

(3) The Rural Transportation Infrastructure Fund shall be funded by:

(a) deposits into the ~~fa account~~ fund as described in Subsection 41-1a-1201(10);

(b) appropriations by the Legislature; and

(c) other deposits into the ~~fa account~~ fund.

(4) The department shall administer the fund.

(5) Beginning on January 1, 2024, ~~fa and subject to appropriation,~~ the department shall annually distribute revenue in the fund among qualifying recipients in the following manner:

(a) 50% in the ratio that the class B roads weighted mileage within each county and class C roads weighted mileage within each municipality bear to the total class B and class C roads weighted mileage within the state; and

(b) 50% in the ratio that the population of a county or municipality bears to the total population of the state as of the last official federal census or the United States Census Bureau estimate, whichever is most recent, except that if population estimates are not available from the United States Census Bureau, population figures shall be derived from the estimate from the Utah Population Committee.

(6) A qualifying recipient may only use funds distributed as described in this section in the same manner as class B and class C road funds distributed in accordance with Section 72-2-108.

(7) (a) Before November 1 of each year, the State Tax Commission shall notify the department and indicate which counties are qualifying counties.

(b) After receiving the notification described in Subsection (7)(a), the department shall distribute funds for the following year to the municipalities and counties that were identified as qualifying recipients in the notification described in Subsection (7)(a).

Section 3. **Appropriation.**

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### ~~{ITEM 1~~

~~‡ The following sums of money are appropriated for the fiscal year beginning July 1, 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for fiscal year 2024. The Legislature authorizes the State Division of Finance to transfer the following amounts between the following funds or accounts as indicated. Expenditures and outlays from the funds to which the money is transferred must be authorized by an appropriation.~~

### ITEM 1

To Department of Transportation -- Rural Transportation Infrastructure Fund

From General Fund, One-time 40,000,000

Schedule of Programs:

Rural Transportation Infrastructure Fund 40,000,000

### ~~{ITEM 2~~

~~—— The following sums of money are appropriated for the fiscal year beginning July 1, 2023, and ending June 30, 2024. These are additions to amounts previously appropriated for fiscal year 2024. The Legislature authorizes the State Division of Finance to transfer the following amounts between the following funds or accounts as indicated. Expenditures and outlays from the funds to which the money is transferred must be authorized by an appropriation.~~

~~To Department of Transportation -- Rural Transportation Infrastructure Program~~

~~From Rural Transportation Infrastructure Fund, One-time 40,000,000~~

~~—— Schedule of Programs:~~

~~—— Rural Transportation Infrastructure Program 40,000,000~~

~~‡ Section 4. **Effective date.**~~

~~(1) Except as provided in Subsection (2), this bill takes effect on ~~{May 3}~~ July 1, 2023.~~

~~(2) The amendments to Section ~~{41-1a-1201}~~ 41-1a-1201 in this bill take effect on January 1, 2024.~~