

1638 expenditure of any funding described in Subsection ~~[(4)(k)]~~ (4)(j).

1639 (c) A local government may not use revenue described in Subsection ~~[(4)(k)]~~ (4)(j) to
1640 supplant existing class B or class C road funds that a local government has budgeted for
1641 transportation projects.

1642 ~~[(d)(i) A municipality or county that received a transfer of funds described in
1643 Subsection (4)(j) shall submit to the department a statement of cash flow and progress
1644 pertaining to the municipality's or county's respective project described in Subsection (4)(j).]~~

1645 ~~[(ii) After the department is satisfied that the municipality or county described in
1646 Subsection (4)(j) has made substantial progress and the expenditure of funds is programmed
1647 and imminent, the department may transfer to the same municipality or county the respective
1648 amounts described in Subsection (4)(k).]~~

1649 (6) The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the
1650 fund and bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402, and
1651 63B-27-102 are considered a local matching contribution for the purposes described under
1652 Section 72-2-123.

1653 (7) The additional administrative costs of the department to administer this fund shall
1654 be paid from money in the fund.

1655 (8) Subject to Subsection (9), and notwithstanding any statutory or other restrictions on
1656 the use or expenditure of the revenue sources deposited into this fund, the Department of
1657 Transportation may use the money in this fund for any of the purposes detailed in Subsection
1658 (4).

1659 ~~§~~ → [F] ← ~~§~~ (9) ~~§~~ → [Any] **Subject to Subsection (10), any** ← ~~§~~ revenue deposited into the
1659a fund as described in Subsection (2)(e) shall be

1660 used to provide funding or loans for public transit projects, operations, and supporting
1661 infrastructure in the county of the first class. ~~§~~ → [F]

1662 ~~§~~ → [F] ← ~~§~~ (10) ← ~~§~~ For the first three years after a county of the first class imposes a sales and use
1662a tax

1663 authorized in Section 59-12-2220, revenue deposited into the fund as described in Subsection
1664 (2)(e) shall be allocated as follows:

1665 (a) 10% to the department to construct an express bus facility on 5600 West; and

1666 (b) 90% into the County of the First Class Infrastructure Bank Fund created in Section
1667 72-2-302.

1668 Section 8. Section **72-2-124** is amended to read:

1731 (P) an environmental impact study for Kimball Junction in Summit County; and
 1732 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project
 1733 costs based upon a statement of cash flow that the local jurisdiction where the project is located
 1734 provides to the department demonstrating the need for money for the project, for the following
 1735 projects in the following amounts:

1736 (A) \$5,000,000 for Payson Main Street repair and replacement;

1737 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;

1738 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and

1739 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S. 40
 1740 between mile markers 7 and 10.

1741 (b) The executive director may use fund money to exchange for an equal or greater
 1742 amount of federal transportation funds to be used as provided in Subsection (4)(a).

1743 (c) (i) Construction related to the project described in Subsection (4)(a)(ix)(D) may not
 1744 commence until a right-of-way not owned by a federal agency that is required for the
 1745 realignment and extension of U-111, as described in the department's 2023 environmental
 1746 study related to the project, is ~~to be~~ **dedicated** to the department.

1747 (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not ~~to be~~ **dedicated**
 1747a ~~to be~~ **dedicated** for the
 1748 project as described in Subsection (4)(c)(i) on or before ~~July 1, 2024~~ **October 1, 2024**, the
 1748a department may
 1749 proceed with the project, except that the project will be limited to two lanes on U-111 from
 1750 Herriman Parkway to 11800 South.

1751 (5) (a) Except as provided in Subsection (5)(b), if the department receives a notice of
 1752 ineligibility for a municipality as described in Subsection 10-9a-408(7), the executive director
 1753 may not program fund money to a project prioritized by the commission under Section
 1754 72-1-304, including fund money from the Transit Transportation Investment Fund, within the
 1755 boundaries of the municipality until the department receives notification from the Housing and
 1756 Community Development Division within the Department of Workforce Services that
 1757 ineligibility under this Subsection (5) no longer applies to the municipality.

1758 (b) Within the boundaries of a municipality described in Subsection (5)(a), the
 1759 executive director:

1760 (i) may program fund money in accordance with Subsection (4)(a) for a limited-access
 1761 facility or interchange connecting limited-access facilities;