

LIMITED ACCESS HIGHWAY AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: R. Curt Webb

Senate Sponsor: Daniel Hemmert

LONG TITLE

General Description:

This bill amends provisions related to access to public highways.

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

Section 1. Section 72-7-103 is amended to read:

72-7-103. Limitation on access authority.

(1) As used in this section:

(a) "Highway facility" means:

- 29 (i) SR-7 as described in Section 72-4-106;
- 30 (ii) SR-67 as described in Section 72-4-112;
- 31 (iii) SR-85 as described in Section 72-4-114;
- 32 (iv) SR-154 as described in Section 72-4-121; or
- 33 (v) SR-201 as described in Section 72-4-126.

34 (b) "Legal point of access" means an access established in accordance with applicable
35 law:

- 36 (i) before July 1, 2003;
- 37 (ii) by permit issued by the highway authority; or
- 38 (iii) by a deed or court order.

39 (2) A highway authority may not deny reasonable ingress and egress to property
40 adjoining a public highway except where:

41 [~~(1)~~] (a) the highway authority acquires right of ingress and egress by gift, agreement,
42 purchase, eminent domain, or otherwise; or

43 [~~(2)~~] (b) no right of ingress or egress exists between the right-of-way and the adjoining
44 property.

45 (3) For a property adjoining a public highway that is not an interstate system or a
46 highway facility, a highway authority may not close a legal point of access to the public
47 highway, unless:

48 (a) the property has reasonably equivalent access to the public highway after the legal
49 access is closed; or

50 (b) the highway authority acquires the legal point of access by gift, agreement,
51 purchase, or eminent domain.