

1 **TRANSPORTATION INFRASTRUCTURE BOND AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kirk A. Cullimore**

5 House Sponsor: Francis D. Gibson

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to transportation bond authorizations.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ amends provisions related to bond authority for certain bonds and specifies how
- 13 certain bond proceeds may be used to provide funding for certain projects;
- 14 ▶ amends provisions regarding the County of the First Class Highway Projects Fund
- 15 to provide certain funding for infrastructure development; and
- 16 ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **63B-18-401**, as last amended by Laws of Utah 2013, Chapter 389

24 **63B-27-101**, as last amended by Laws of Utah 2018, Chapter 280

25 **72-2-121**, as last amended by Laws of Utah 2018, Chapters 403 and 424

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

28 Section 1. Section **63B-18-401** is amended to read:

29 **63B-18-401. Highway bonds -- Maximum amount -- Use of proceeds for highway**

30 **projects.**

31 (1) (a) The total amount of bonds issued under this section may not exceed
32 \$2,077,000,000.

33 (b) When the Department of Transportation certifies to the commission that the
34 requirements of Subsection 72-2-124(5) have been met and certifies the amount of bond
35 proceeds that it needs to provide funding for the projects described in Subsection (2) for the
36 next fiscal year, the commission may issue and sell general obligation bonds in an amount
37 equal to the certified amount plus costs of issuance.

38 (2) Except as provided in Subsections (3) and (4), proceeds from the issuance of bonds
39 shall be provided to the Department of Transportation to pay all or part of the costs of the
40 following state highway construction or reconstruction projects:

- 41 (a) Interstate 15 reconstruction in Utah County;
- 42 (b) the Mountain View Corridor;
- 43 (c) the Southern Parkway; and
- 44 (d) state and federal highways prioritized by the Transportation Commission through:
 - 45 (i) the prioritization process for new transportation capacity projects adopted under
46 Section 72-1-304; or
 - 47 (ii) the state highway construction program.

48 (3) (a) Except as provided in Subsection (5), the bond proceeds issued under this
49 section shall be provided to the Department of Transportation.

50 (b) The Department of Transportation shall use bond proceeds and the funds provided
51 to it under Section 72-2-124 to pay for the costs of right-of-way acquisition, construction,
52 reconstruction, renovations, or improvements to the following highways:

- 53 (i) \$35 million to add highway capacity on I-15 south of the Spanish Fork Main Street
54 interchange to Payson;
- 55 (ii) \$28 million for improvements to Riverdale Road in Ogden;
- 56 (iii) \$1 million for intersection improvements on S.R. 36 at South Mountain Road;
- 57 (iv) \$2 million for capacity enhancements on S.R. 248 between Sidewinder Drive and

58 Richardson Flat Road;

59 (v) \$12 million for Vineyard Connector from 800 North Geneva Road to Lake Shore

60 Road;

61 (vi) \$7 million for 2600 South interchange modifications in Woods Cross;

62 (vii) \$9 million for reconfiguring the 1100 South interchange on I-15 in Box Elder

63 County;

64 (viii) \$18 million for the Provo west-side connector;

65 (ix) \$8 million for interchange modifications on I-15 in the Layton area;

66 (x) \$3,000,000 for an energy corridor study and environmental review for

67 improvements in the Uintah Basin;

68 (xi) \$2,000,000 for highway improvements to Harrison Boulevard in Ogden City;

69 (xii) \$2,500,000 to be provided to Tooele City for roads around the Utah State

70 University campus to create improved access to an institution of higher education;

71 (xiii) \$3,000,000 to be provided to the Utah Office of Tourism within the Governor's

72 Office of Economic Development for transportation infrastructure improvements associated

73 with annual tourism events that have:

74 (A) a significant economic development impact within the state; and

75 (B) significant needs for congestion mitigation;

76 (xiv) \$4,500,000 to be provided to the Governor's Office of Economic Development

77 for transportation infrastructure acquisitions and improvements that have a significant

78 economic development impact within the state;

79 (xv) \$125,000,000 to pay all or part of the costs of state and federal highway

80 construction or reconstruction projects prioritized by the Transportation Commission through

81 the prioritization process for new transportation capacity projects adopted under Section

82 [72-1-304](#); [and]

83 (xvi) \$10,000,000 for the Transportation Fund to pay all or part of the costs of state

84 and federal highway construction or reconstruction projects as prioritized by the Transportation

85 Commission[-];

86 (xvii) \$13,000,000 for corridor preservation and land acquisition for a transit hub at the
87 mouth of Big Cottonwood Canyon;

88 (xviii) \$10,000,000 to be provided to the Governor's Office of Economic Development
89 for transportation infrastructure and right-of-way acquisitions in a project area created by the
90 military installation development authority created in Section [63H-1-201](#);

91 (xix) \$28,000,000 for right-of-way or land acquisition, design, engineering, and
92 construction of infrastructure related to the Inland Port Authority created in Section [11-58-201](#);

93 (xx) \$6,000,000 for right-of-way acquisition, design, engineering, and construction
94 related to Shepard Lane in Davis County; and

95 (xxi) \$4,000,000 for right-of-way acquisition, design, engineering, and construction
96 costs related to 1600 North in Orem City.

97 (4) (a) The Department of Transportation shall use bond proceeds and the funds under
98 Section [72-2-121](#) to pay for, or to provide funds to, a municipality, county, or political
99 subdivision to pay for the costs of right-of-way acquisition, construction, reconstruction,
100 renovations, or improvements to the following highway or transit projects in Salt Lake County:

101 (i) \$4,000,000 to Taylorsville City for bus rapid transit planning on 4700 South;

102 (ii) \$4,200,000 to Taylorsville City for highway improvements on or surrounding 6200
103 South and pedestrian crossings and system connections;

104 (iii) \$2,250,000 to Herriman City for highway improvements to the Salt Lake
105 Community College Road;

106 (iv) \$5,300,000 to West Jordan City for highway improvements on 5600 West from
107 6200 South to 8600 South;

108 (v) \$4,000,000 to West Jordan City for highway improvements to 7800 South from
109 1300 West to S.R. 111;

110 (vi) \$7,300,000 to Sandy City for highway improvements on Monroe Street;

111 (vii) \$3,000,000 to Draper City for highway improvements to 13490 South from 200
112 West to 700 West;

113 (viii) \$5,000,000 to Draper City for highway improvements to Suncrest Road;

- 114 (ix) \$1,200,000 to Murray City for highway improvements to 5900 South from State
- 115 Street to 900 East;
- 116 (x) \$1,800,000 to Murray City for highway improvements to 1300 East;
- 117 (xi) \$3,000,000 to South Salt Lake City for intersection improvements on West
- 118 Temple, Main Street, and State Street;
- 119 (xii) \$2,000,000 to Salt Lake County for highway improvements to 5400 South from
- 120 5600 West to Mountain View Corridor;
- 121 (xiii) \$3,000,000 to West Valley City for highway improvements to 6400 West from
- 122 Parkway Boulevard to SR-201 Frontage Road;
- 123 (xiv) \$4,300,000 to West Valley City for highway improvements to 2400 South from
- 124 4800 West to 7200 West and pedestrian crossings;
- 125 (xv) \$4,000,000 to Salt Lake City for highway improvements to 700 South from 2800
- 126 West to 5600 West;
- 127 (xvi) \$2,750,000 to Riverton City for highway improvements to 4570 West from
- 128 12600 South to Riverton Boulevard;
- 129 (xvii) \$1,950,000 to Cottonwood Heights for improvements to Union Park Avenue
- 130 from I-215 exit south to Creek Road and Wasatch Boulevard and Big Cottonwood Canyon;
- 131 (xviii) \$1,300,000 to Cottonwood Heights for highway improvements to Bengal
- 132 Boulevard;
- 133 (xix) \$1,500,000 to Midvale City for highway improvements to 7200 South from I-15
- 134 to 1000 West;
- 135 (xx) \$1,000,000 to Bluffdale City for an environmental impact study on Porter
- 136 Rockwell Boulevard;
- 137 (xxi) \$2,900,000 to the Utah Transit Authority for the following public transit studies:
- 138 (A) a circulator study; and
- 139 (B) a mountain transport study; and
- 140 (xxii) \$1,000,000 to South Jordan City for highway improvements to 2700 West.
- 141 (b) (i) Before providing funds to a municipality or county under this Subsection (4), the

142 Department of Transportation shall obtain from the municipality or county:

143 (A) a written certification signed by the county or city mayor or the mayor's designee
144 certifying that the municipality or county will use the funds provided under this Subsection (4)
145 solely for the projects described in Subsection (4)(a); and

146 (B) other documents necessary to protect the state and the bondholders and to ensure
147 that all legal requirements are met.

148 (ii) Except as provided in Subsection (4)(c), by January 1 of each year, the municipality
149 or county receiving funds described in this Subsection (4) shall submit to the Department of
150 Transportation a statement of cash flow for the next fiscal year detailing the funds necessary to
151 pay project costs for the projects described in Subsection (4)(a).

152 (iii) After receiving the statement required under Subsection (4)(b)(ii) and after July 1,
153 the Department of Transportation shall provide funds to the municipality or county necessary to
154 pay project costs for the next fiscal year based upon the statement of cash flow submitted by
155 the municipality or county.

156 (iv) Upon the financial close of each project described in Subsection (4)(a), the
157 municipality or county receiving funds under this Subsection (4) shall submit a statement to the
158 Department of Transportation detailing the expenditure of funds received for each project.

159 (c) For calendar year 2012 only:

160 (i) the municipality or county shall submit to the Department of Transportation a
161 statement of cash flow as provided in Subsection (4)(b)(ii) as soon as possible; and

162 (ii) the Department of Transportation shall provide funds to the municipality or county
163 necessary to pay project costs based upon the statement of cash flow.

164 (5) Twenty million dollars of the bond proceeds issued under this section and funds
165 available under Section 72-2-124 shall be provided to the Transportation Infrastructure Loan
166 Fund created by Section 72-2-202 to make funds available for transportation infrastructure
167 loans and transportation infrastructure assistance under Title 72, Chapter 2, Part 2,
168 Transportation Infrastructure Loan Fund.

169 (6) The costs under Subsections (2), (3), and (4) may include the costs of studies

170 necessary to make transportation infrastructure improvements, the cost of acquiring land,
171 interests in land, easements and rights-of-way, improving sites, and making all improvements
172 necessary, incidental, or convenient to the facilities, interest estimated to accrue on these bonds
173 during the period to be covered by construction of the projects plus a period of six months after
174 the end of the construction period, interest estimated to accrue on any bond anticipation notes
175 issued under the authority of this title, and all related engineering, architectural, and legal fees.

176 (7) The commission or the state treasurer may make any statement of intent relating to
177 a reimbursement that is necessary or desirable to comply with federal tax law.

178 (8) The Department of Transportation may enter into agreements related to the projects
179 described in Subsections (2), (3), and (4) before the receipt of proceeds of bonds issued under
180 this section.

181 (9) The Department of Transportation may enter into a new or amend an existing
182 interlocal agreement related to the projects described in Subsections (3) and (4) to establish any
183 necessary covenants or requirements not otherwise provided for by law.

184 Section 2. Section **63B-27-101** is amended to read:

185 **63B-27-101. Highway bonds -- Maximum amount -- Use of proceeds for highway**
186 **projects.**

187 (1) (a) Subject to the restriction in Subsection (1)(c), the total amount of bonds issued
188 under this section may not exceed \$1,000,000,000 for acquisition and construction proceeds,
189 plus additional amounts necessary to pay costs of issuance, to pay capitalized interest, and to
190 fund any existing debt service reserve requirements, with the total amount of the bonds not to
191 exceed \$1,010,000,000.

192 (b) When the Department of Transportation certifies to the commission that the
193 requirements of Subsection [72-2-124\(5\)](#) have been met and certifies the amount of bond
194 proceeds that the commission needs to provide funding for the projects described in Subsection
195 (2) for the current or next fiscal year, the commission may issue and sell general obligation
196 bonds in an amount equal to the certified amount, plus additional amounts necessary to pay
197 costs of issuance, to pay capitalized interest, and to fund any existing debt service reserve

198 requirements, not to exceed one percent of the certified amount.

199 (c) The commission may not issue general obligation bonds authorized under this
200 section if the issuance of the general obligation bonds would result in the total current
201 outstanding general obligation debt of the state exceeding 50% of the limitation described in
202 the Utah Constitution, Article XIV, Section 1.

203 (2) Except as provided in Subsections (3) and (4), proceeds from the issuance of bonds
204 shall be provided to the Department of Transportation to pay all or part of the costs of the
205 following state highway construction or reconstruction projects:

206 (a) state and federal highways prioritized by the Transportation Commission through
207 the prioritization process for new transportation capacity projects adopted under Section
208 [72-1-304](#), giving priority consideration for projects with a regional significance or that support
209 economic development within the state, including:

210 (i) projects that are prioritized but exceed available cash flow beyond the normal
211 programming horizon; or

212 (ii) projects prioritized in the state highway construction program; and

213 (b) \$100,000,000 to be used by the Department of Transportation for transportation
214 improvements as prioritized by the Transportation Commission for projects that:

215 (i) have a significant economic development impact associated with recreation and
216 tourism within the state; and

217 (ii) address significant needs for congestion mitigation.

218 (3) [~~Thirty-nine~~] Fifty-six million dollars of the bond proceeds issued under this
219 section shall be provided to the Transportation Infrastructure Loan Fund created by Section
220 [72-2-202](#) to make funds available for a transportation infrastructure loan or transportation
221 infrastructure assistance under Title 72, Chapter 2, Part 2, Transportation Infrastructure Loan
222 Fund, including the amounts as follows:

223 (a) [~~\$14,000,000~~] \$24,000,000 to the military installation development authority
224 created in Section [63H-1-201](#); [~~and~~]

225 [~~(b) \$5,000,000 for right-of-way acquisition and highway construction in Salt Lake~~]

226 County for roads in the northwest quadrant of Salt Lake City.]

227 (b) \$5,000,000 to the Inland Port Authority created in Section 11-58-201, for highway,
228 infrastructure, and rail right-of-way acquisition, design, engineering, and construction, to be
229 repaid through tax differential; and

230 (c) \$7,000,000 to Midvale City for a parking structure in proximity to an intermodal
231 transportation facility that enhances economic development within the city.

232 (4) (a) Four million dollars of the bond proceeds issued under this section shall be used
233 for a public transit fixed guideway rail station associated with or adjacent to an institution of
234 higher education.

235 (b) ~~Ten~~ Nineteen million dollars of the bond proceeds issued under this section shall
236 be used by the Department of Transportation for the design, engineering, construction, or
237 reconstruction of underpasses under a state highway connecting a state park and a project area
238 created by a military installation development authority created in Section 63H-1-201.

239 (c) Nine million dollars of the bond proceeds issued under this section shall be used by
240 the Department of Transportation for infrastructure improvements related to the Provo Airport.

241 (d) If project savings are identified by the Department of Transportation from the funds
242 provided to the Department of Transportation as described in this section, the Department of
243 Transportation may use available funding to study, design, engineer, and construct rail access
244 through I-80 in western Salt Lake County.

245 (5) The bond proceeds issued under this section shall be provided to the Department of
246 Transportation.

247 (6) The costs under Subsection (2) may include the costs of studies necessary to make
248 transportation infrastructure improvements, the costs of acquiring land, interests in land, and
249 easements and rights-of-way, the costs of improving sites, and making all improvements
250 necessary, incidental, or convenient to the facilities, and the costs of interest estimated to
251 accrue on these bonds during the period to be covered by construction of the projects plus a
252 period of six months after the end of the construction period, interest estimated to accrue on
253 any bond anticipation notes issued under the authority of this title, and all related engineering,

254 architectural, and legal fees.

255 (7) The commission or the state treasurer may make any statement of intent relating to
256 a reimbursement that is necessary or desirable to comply with federal tax law.

257 (8) The Department of Transportation may enter into agreements related to the projects
258 described in Subsection (2) before the receipt of proceeds of bonds issued under this section.

259 Section 3. Section **72-2-121** is amended to read:

260 **72-2-121. County of the First Class Highway Projects Fund.**

261 (1) There is created a special revenue fund within the Transportation Fund known as
262 the "County of the First Class Highway Projects Fund."

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

264 (a) any voluntary contributions received for new construction, major renovations, and
265 improvements to highways within a county of the first class;

266 (b) the portion of the sales and use tax described in Subsection [59-12-2214\(3\)\(b\)](#)
267 deposited in or transferred to the fund;

268 (c) the portion of the sales and use tax described in Section [59-12-2217](#) deposited in or
269 transferred to the fund; and

270 (d) a portion of the local option highway construction and transportation corridor
271 preservation fee imposed in a county of the first class under Section [41-1a-1222](#) deposited in or
272 transferred to the fund.

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

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

275 (4) The executive director shall use the fund money only:

276 (a) to pay debt service and bond issuance costs for bonds issued under Sections
277 [63B-16-102](#), [63B-18-402](#), and [63B-27-102](#);

278 (b) for right-of-way acquisition, new construction, major renovations, and
279 improvements to highways within a county of the first class and to pay any debt service and
280 bond issuance costs related to those projects, including improvements to a highway located
281 within a municipality in a county of the first class where the municipality is located within the

282 boundaries of more than a single county;

283 (c) for the construction, acquisition, use, maintenance, or operation of:

284 (i) an active transportation facility for nonmotorized vehicles;

285 (ii) multimodal transportation that connects an origin with a destination; or

286 (iii) a facility that may include a:

287 (A) pedestrian or nonmotorized vehicle trail;

288 (B) nonmotorized vehicle storage facility;

289 (C) pedestrian or vehicle bridge; or

290 (D) vehicle parking lot or parking structure;

291 (d) for fiscal year 2012-13 only, to pay for or to provide funds to a municipality or

292 county to pay for a portion of right-of-way acquisition, construction, reconstruction,

293 renovations, and improvements to highways described in Subsections 72-2-121.4(7), (8), and

294 (9);

295 (e) to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by

296 Section 72-2-121.3 the amount required in Subsection 72-2-121.3(4)(c) minus the amounts

297 transferred in accordance with Subsection 72-2-124(4)(a)(iv);

298 (f) for a fiscal year beginning on or after July 1, 2013, to pay debt service and bond

299 issuance costs for \$30,000,000 of the bonds issued under Section 63B-18-401 for the projects

300 described in Subsection 63B-18-401(4)(a);

301 (g) for a fiscal year beginning on or after July 1, 2013, and after the department has

302 verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund, to

303 transfer an amount equal to 50% of the revenue generated by the local option highway

304 construction and transportation corridor preservation fee imposed under Section 41-1a-1222 in

305 a county of the first class:

306 (i) to the legislative body of a county of the first class; and

307 (ii) to be used by a county of the first class for:

308 (A) highway construction, reconstruction, or maintenance projects; or

309 (B) the enforcement of state motor vehicle and traffic laws;

310 (h) for fiscal year 2015 only, and after the department has verified that the amount
311 required under Subsection 72-2-121.3(4)(c) is available in the fund and the transfer under
312 Subsection (4)(f) has been made, to transfer an amount equal to the remainder of the revenue
313 available in the fund for the 2015 fiscal year:

314 (i) to the legislative body of a county of the first class; and

315 (ii) to be used by a county of the first class for:

316 (A) highway construction, reconstruction, or maintenance projects; or

317 (B) the enforcement of state motor vehicle and traffic laws;

318 (i) for fiscal year 2015-16 only, and after the department has verified that the amount
319 required under Subsection 72-2-121.3(4)(c) is available in the fund and the transfer under
320 Subsection (4)(f) has been made, to transfer an amount equal to \$25,000,000:

321 (i) to the legislative body of a county of the first class; and

322 (ii) to be used by the county for the purposes described in this section;

323 (j) for a fiscal year beginning on or after July 1, 2015, after the department has verified
324 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and the
325 transfer under Subsection (4)(f) has been made, to annually transfer an amount equal to up to
326 42.5% of the sales and use tax revenue imposed in a county of the first class and deposited into
327 the fund in accordance with Subsection 59-12-2214(3)(b) to:

328 (i) the appropriate debt service or sinking fund for the repayment of bonds issued under
329 Section 63B-27-102; and

330 (ii) the Transportation Fund created in Section 72-2-102 until \$28,079,000 has been
331 deposited into the Transportation Fund;

332 (k) for a fiscal year beginning on or after July 1, 2018, after the department has verified
333 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after
334 the transfer under Subsection (4)(e), the payment under Subsection (4)(f), and the transfers
335 under Subsections (4)(j)(i) and (ii) have been made, to annually transfer 20% of the amount
336 deposited into the fund under Subsection (2)(b) to a public transit district in a county of the
337 first class to fund a system for public transit;

338 (l) for a fiscal year beginning on or after July 1, 2018, after the department has verified
339 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after
340 the transfer under Subsection (4)(e), the payment under Subsection (4)(f), and the transfers
341 under Subsections (4)(j)(i) and (ii) have been made, to annually transfer 20% of the amount
342 deposited into the fund under Subsection (2)(b):

343 (i) to the legislative body of a county of the first class; and

344 (ii) to fund parking facilities in a county of the first class that facilitate significant
345 economic development and recreation and tourism within the state; ~~and~~

346 (m) for the 2018-19 fiscal year only, after the department has verified that the amount
347 required under Subsection 72-2-121.3(4)(c) is available in the fund and after the transfer under
348 Subsection (4)(e), the payment under Subsection (4)(f), and the transfers under Subsections
349 (4)(j) through (l) have been made, to transfer \$12,000,000 to the Department of Transportation
350 to distribute for the following projects:

351 (i) \$2,000,000 to West Valley City for highway improvement to 4100 South;

352 (ii) \$1,000,000 to Herriman for highway improvements to Herriman Boulevard from
353 6800 West to 7300 West;

354 (iii) \$1,100,000 to South Jordan for highway improvements to Grandville Avenue;

355 (iv) \$1,800,000 to Riverton for highway improvements to Old Liberty Way from 13400
356 South to 13200 South;

357 (v) \$1,000,000 to Murray City for highway improvements to 5600 South from State
358 Street to Van Winkle;

359 (vi) \$1,000,000 to Draper for highway improvements to Lone Peak Parkway from
360 11400 South to 12300 South;

361 (vii) \$1,000,000 to Sandy City for right-of-way acquisition for Monroe Street;

362 (viii) \$900,000 to South Jordan City for right-of-way acquisition and improvements to
363 10200 South from 2700 West to 3200 West;

364 (ix) \$1,000,000 to West Jordan for highway improvements to 8600 South near
365 Mountain View Corridor;

366 (x) \$700,000 to South Jordan right-of-way improvements to 10550 South; and
367 (xi) \$500,000 to Salt Lake County for highway improvements to 2650 South from
368 7200 West to 8000 West; and
369 ~~[(m)]~~ (n) for a fiscal year beginning after the amount described in Subsection (4)(j) has
370 been repaid to the Transportation Fund until fiscal year 2030, or sooner if the amount described
371 in Subsection (4)(j)(ii) has been repaid, after the department has verified that the amount
372 required under Subsection 72-2-121.3(4)(c) is available in the fund and the transfer under
373 Subsection (4)(f) has been made, and after the bonds under Section 63B-27-102 have been
374 repaid, to annually transfer an amount equal to up to 42.5% of the sales and use tax revenue
375 imposed in a county of the first class and deposited into the fund in accordance with Subsection
376 59-12-2214(3)(b):
377 (i) to the legislative body of a county of the first class; and
378 (ii) to be used by the county for the purposes described in this section.
379 (5) The revenues described in Subsections (2)(b), (c), and (d) that are deposited in the
380 fund and bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402, and
381 63B-27-102 are considered a local matching contribution for the purposes described under
382 Section 72-2-123.
383 (6) The additional administrative costs of the department to administer this fund shall
384 be paid from money in the fund.
385 (7) Notwithstanding any statutory or other restrictions on the use or expenditure of the
386 revenue sources deposited into this fund, the Department of Transportation may use the money
387 in this fund for any of the purposes detailed in Subsection (4).
388 (8) (a) For a fiscal year beginning on or after July 1, 2018, at the end of each fiscal
389 year, after all programmed payments and transfers authorized or required under this section
390 have been made, on July 30 the department shall transfer the remainder of the money in the
391 fund to the Transportation Fund to reduce the amount owed to the Transportation Fund under
392 Subsection (4)(j)(ii).
393 (b) The department shall provide notice to a county of the first class of the amount

394 transferred in accordance with this Subsection (8).

395 (9) (a) Any revenue in the fund that is not specifically allocated and obligated under this
396 section is subject to the review process described in this Subsection (9).

397 (b) A county of the first class shall create a county transportation advisory committee
398 as described in Subsection (9)(c) to review proposed transportation and, as applicable, public
399 transit projects and rank projects for allocation of funds.

400 (c) The county transportation advisory committee described in Subsection (9)(b) shall
401 be composed of the following 13 members:

402 (i) six members who are residents of the county, nominated by the county executive
403 and confirmed by the county legislative body who are:

404 (A) members of a local advisory board of a large public transit district as defined in
405 Section [17B-2a-802](#);

406 (B) county council members; or

407 (C) other residents with expertise in transportation planning and funding; and

408 (ii) seven members nominated by the county executive, and confirmed by the county
409 legislative body, chosen from mayors or managers of cities or towns within the county.

410 (d) (i) A majority of the members of the county transportation advisory committee
411 constitutes a quorum.

412 (ii) The action by a quorum of the county transportation advisory committee constitutes
413 an action by the county transportation advisory committee.

414 (e) The county body shall determine:

415 (i) the length of a term of a member of the county transportation advisory committee;

416 (ii) procedures and requirements for removing a member of the county transportation
417 advisory committee;

418 (iii) voting requirements of the county transportation advisory committee;

419 (iv) chairs or other officers of the county transportation advisory committee;

420 (v) how meetings are to be called and the frequency of meetings, but not less than once
421 annually; and

422 (vi) the compensation, if any, of members of the county transportation advisory
423 committee.

424 (f) The county shall establish by ordinance criteria for prioritization and ranking of
425 projects, which may include consideration of regional and countywide economic development
426 impacts, including improved local access to:

- 427 (i) employment;
- 428 (ii) recreation;
- 429 (iii) commerce; and
- 430 (iv) residential areas.

431 (g) The county transportation advisory committee shall evaluate and rank each
432 proposed public transit project and regionally significant transportation facility according to
433 criteria developed pursuant to Subsection (9)(f).

434 (h) (i) After the review and ranking of each project as described in this section, the
435 county transportation advisory committee shall provide a report and recommend the ranked list
436 of projects to the county legislative body and county executive.

437 (ii) After review of the recommended list of projects, as part of the county budgetary
438 process, the county executive shall review the list of projects and may include in the proposed
439 budget the proposed projects for allocation, as funds are available.

440 (i) The county executive of the county of the first class, with information provided by
441 the county and relevant state entities, shall provide a report annually to the county
442 transportation advisory committee, and to the mayor or manager of each city, town, or metro
443 township in the county, including the following:

- 444 (i) the amount of revenue received into the fund during the past year;
- 445 (ii) any funds available for allocation;
- 446 (iii) funds obligated for debt service; and
- 447 (iv) the outstanding balance of transportation-related debt.