

Purpose

Document the roles and actions between the Utah Transportation Commission (UTC) and Utah Department of Transportation (UDOT) in regards to programming decisions.

Policy

Utah Statute §72-1-303 defines the duties of the Commission, which include; determining the priorities and funding levels of projects, additions and deletions to state highways, and to provide hearings and opportunities for public input. It also includes development of policies and rules necessary to perform duties, approval of certain settlement agreements, membership on the public transit district board, to review transit plans and administrative rules, as well as approve highway facilities over sovereign lakebed lands, and to also advise the Department in state transportation systems policy.

The Commission also is designated by the following Utah Statutes; §72-2-117 and §59-12-602, which includes administering the fund to preserve corridors; designate high priority corridor preservation projects and the rules for such, and review and approval of State Infrastructure Loan requests §72-2-202.

Background

Roles of the UTC and the UDOT have evolved over time. Major changes to the duties of the UTC include in 1991, the Road Commission was changed to the UTC, and codified to reflect current practice, where the UDOT performed the day-to-day functions (S.B. 15).

In 1994, House Bill 261 further assigned the day-to-day operations to the UDOT, while retaining only those duties for the UTC specified in code

Definitions

AADT – Annual Average Daily Traffic.

ACIP - A 5-year Statewide Airport Capital Improvement Plan showing future projects and cost estimates. 72-1-303 specifies the UTC has authority to determine priorities and funding levels for projects in the state transportation systems. As defined in 72-1-102(23), “state transportation systems” includes airports.

Bridge Preservation Program – This program uses state and federal funding to preserve structures to delay deterioration and extend life. Bridges are selected

based on the age of the structure, the current preservation treatments, and the amount of time since the last treatment. Bridges are grouped with other bridges in the same geographic area, with the same treatment requirements. This program includes a portion of the of TF funding allocated from H.B. 362 during the 2015 General Session.

Bridge Rehabilitation Program – This program uses state and federal funding to replace, rehabilitate, and inspect bridges. This program funds the systematic replacement or rehabilitation of existing bridges to address deficiencies due to aging and deterioration. The load rating and inspection programs, which are also funded through this program, ensure that bridges are in adequate condition to accommodate anticipated traffic needs. Bridges are ranked based on deficiencies observed during biannual bridge inspections. Projects are ranked based on bridge condition, load rating, AADT, significance, and delay factors. Region requests, Region projects and local government requests are also considered when selecting projects. This program funds the replacement and rehabilitation of all state owned bridges as well as local bridges on the federal aid system. This program includes a portion of the of TF funding allocated from H.B.362 during the 2015 General Session.

Chokepoint Project Program – Projects that relieve localized reoccurring traffic congestion.

Highway Safety Improvement Program (HSIP) – Federal Aid Program that supports infrastructure, planning and operational activities.

Level II Pavement – State routes with an AADT of less than 1000, or less then 100 trucks. This designation is going away, but is listed here and in this policy to clarify the commitment for the new gas tax funding to maintain the current condition of these roads as shown in the UDOT Strategic Plan.

Maintenance Spot Improvement – Projects that correct localized problems that could become a safety concern, but currently do not meet the Safety Spot Improvement Program guidelines.

Pavement Preservation (Orange Book) – This program is a prescriptive and cost effective resurfacing and restoration strategy that prolongs the service life and enhances the safety of existing roadways. The goal of the pavement preservation program is to repair damage in order to extend overall pavement life. Projects are limited to minor pavement surface treatments only, and do not typically include drainage, roadway realignment, curb, gutter and sidewalk or signal work, with the exception of replacing signal detection removed as a result of resurfacing.

Pavement Rehabilitation (Purple Book) – This program is a prescriptive and cost effective resurfacing and restoration strategy that prolongs the service life

and enhances the safety of existing roadways. The goal of the pavement rehabilitation program is to repair damage in order to extend overall pavement life. Projects are limited to pavement surface treatments only, and do not typically include drainage, roadway realignment, curb, gutter and sidewalk or signal work, with the exception of replacing signal detection removed as a result of resurfacing.

Programmatic Commission Approvals - Funding levels approved by the UTC for a specific use; i.e. pavement preservation, pavement rehabilitation, etc. The UDOT is responsible to utilize data driven business systems, and Region technical personnel validation, to identify specific prioritized projects for the available funding level. The UTC recommends that the UDOT provide to them a report of outcomes for the performance measures of these programs.

Safety Spot Improvement (TF) – Program that funds infrastructure and non-infrastructure projects that are expected to achieve a significant reduction in traffic fatalities and serious injuries

Signal Maintenance and Operation (TF) – Projects that optimizes mobility, improves safety and strengthens the economy by improving traffic flow, reducing stops, increasing the visibility of traffic signals, and optimizing traffic signal timing for special events and businesses.

State Transportation Fund (TF) – Funding from motor and special fuel, as well as motor vehicle registrations, permits and fees, and a small portion of sales tax.

State Transportation Investment Fund (TIF) - Created in 2005, the TIF is comprised primarily of state sales tax attributed to the sale of vehicles and vehicle-related products and services. The TIF provides funding to address major highway capacity needs with a value of more than \$5 million. It also allows for use of funds, as appropriated by the legislature, to pay for on-going costs of projects built with TIF funds, such as preservation and maintenance activities.

Statewide Transportation Improvement Program (STIP) - A four year funded plan of highway and transit projects for the State of Utah. The STIP is maintained daily and includes transportation projects on the state, city and county highway systems as well as projects in the national parks, national forests and Indian reservations. These projects use various federal and state funding programs. Projects and programs required to be in the STIP to be eligible for funding under Title 23 of the U.S. Code and 49 U.S.C. Chapter 53

Traffic Management (ATMS) – A Program that uses state and federal funding to improve UDOT's ability to collect and disseminate traffic information focused on optimizing mobility.

Procedures

Selection and Programming of Projects and Programs

UTC 01-01.1

Conflict of Interest

Responsibility: Utah Transportation Commission

It is the policy of the commission to comply with Utah Code Title 67 Chapter 16, the Utah Public Officers and Employees' Ethics Act, to prevent potential conflict of interest when fulfilling commission duties enumerated in state code. When a member of the commission determines that outside activities may influence, or have the potential to influence, the performance of commission duties, the commissioner will declare a conflict of interest at a public meeting of the UTC. The remaining members shall decide if a conflict of interest exists. If the remaining members find that a conflict of interest exists, the commissioner with the conflict of interest shall take appropriate action to avoid a conflict, including recusal from votes on any matter in which there may be a conflict.

Programming Actions

State Transportation Fund (TF) and Federal Highway Fund (FHF) – UTC Programming Approval

Responsibility: Utah Transportation Commission

1. After consultation with UDOT, considering public input and review of UDOT recommendations based on Strategic Initiatives, develop program for TF and FHF revenues appropriated by the Utah State Legislature to the UDOT Construction line item.

The following functional areas may be included as programmatic approvals. (Additional programmatic approvals may be considered by the UTC, and changes reflected within this policy):

- **Operations and Safety Programs;** Signal Maintenance and Operation, Traffic Management (ATMS), Barrier Treatments, Small Area Lighting, Sign Modification and Replacement, Safety Spot Improvements, New Traffic Signals, and Maintenance Spot Improvement.
- **System Preservation Programs;** Pavement Preservation, Pavement Rehabilitation, Bridge Preservation, Bridge Rehabilitation, Level II Pavement Preservation and Level II Pavement Rehabilitation.
- Highway Safety Improvement Program (HSIP)
- Region Contingencies

- Region Concept Development and Operational Safety Reports
 - Public Communication Efforts
 - Jurisdictional Transfers
 - Programming Contingency
2. The Pavement Rehabilitation Program recommendations include a list of projects derived from the UDOT Asset Management pavement management system. UTC reviews this list annually, considers public input and modifies as necessary. The UTC approves any projects added to, or removed from, the approved Rehabilitation Program list throughout the year.
 3. After consultation with UDOT, considering public input and review of UDOT recommendations based on Strategic Initiatives, develop program of projects for Chokepoint Program. Review any recommended changes to this program throughout the year and approve when appropriate.
 4. Review, consider public input and approve where appropriate, any project within the Pavement Preservation Program exceeding \$3 Million dollars.

Transportation Investment Funds (TIF) – UTC Programming Approval

Responsibility: UDOT

5. Utilizing the established prioritization process described in Administrative Rule R940-6, and UDOT Policy 07-10, UDOT will develop recommendations for projects to be programmed utilizing available TIF revenues.

Responsibility: Utah Transportation Commission

6. After consultation with UDOT, considering public input and review of UDOT recommendations based on Strategic Initiatives, and consistent with Utah Code Title 72 Chapter 1 Part 3, and Administrative Rule R940-6, develop programming for projects utilizing revenues available from the TIF. Review any recommended changes to this program throughout the year and approve when appropriate.

Action Levels Requiring Additional Commission Approval

Responsibility: Utah Transportation Commission

7. The UTC by this policy authorizes the UDOT to approve any change from approved programs or projects resulting in a cumulative difference of +/-

\$500,000 dollars or 25%, whichever is less. Any changes beyond these limits must be approved by the UTC.

8. Except for programmatic actions or authority otherwise allowed by this policy, review and approve, when appropriate, new projects not previously included in previously established and approved programs.

UTC – UDOT Deputy Director

9. By this policy the UTC approves new projects with a value of up to \$250,000 identified by the Deputy Director. Any projects approved by the UDOT Deputy Director under this provision will be presented to the UTC during the next scheduled monthly Commission meeting.

State Infrastructure Bank (SIB) – UTC Programming Approval

Responsibility: Utah Transportation Commission

10. The commission may approve or reject qualified SIB requests submitted by the UDOT during a public commission meeting.
 - Approve the terms of assistance or loans, including interest rates and repayment.
 - Prioritize requests for assistance or loans based on: The availability of monies in the fund; the merits of each qualified request as determined by the UTC including, but not limited to, the ability to repay the loan, management of the project; and the need for the transportation project and the public benefit.
 - Repayment of loans must be completed no more than 10 years from the time the loan is executed.
 - Continuation approval for all approved loans not executed within 6 months.

Selecting and Programming Airport Projects

Responsibility: Utah Transportation Commission

11. The Utah Transportation Commission annually approves a 5-year Statewide ACIP for public use airports in Utah (§72-1-303, §72-1-102). The ACIP is a statewide planning document of future airport projects with corresponding cost estimates. The ACIP is considered an anticipated plan, which is realized only as funding is made available for each project.

- By this policy the UTC approves new ACIP projects with a value of up to \$250,000 identified by the UDOT.
- Scope changes and funding modifications to existing Commission approved projects of over \$250,000 are reviewed and approved by the UTC.
- Define airports of regional significance. Refer to Administrative Rule 940-4.

Transit Program Approval

Responsibility: Utah Transportation Commission

12. The UTC annually approves a Public Transit five year Program for inclusion into the Statewide Transportation Program (STIP).

Statewide Transportation Improvement Program (STIP) Approval

Responsibility: Utah Transportation Commission

13. Approval of Draft STIP: Compile UTC programming for TF, FHF, TIF and Transit projects and programs, and provide for official public comment period of not less than 30 days.
 - Approval to submit for 30 day Public Comment.
 - Approval to submit to Federal Transit Administration (FTA) and Federal Highways Administration (FHWA) for final approval.

Electronic Meetings

As provided in Utah Code 52-4-207 and UTC December 8, 2008 Resolution, the UTC may convene and conduct electronic meetings necessary to carry out the duties of the UTC as provided in state code and this policy.