

- (ii) a form that a member of the public, including a railroad company employee, may use to submit a report or complaint;
- (d) provide education and training regarding rail laws and regulations; and
- (e) arrange and facilitate meetings between a rail company and one or more of the following, to resolve a rail dispute described in Subsection (2):
  - (i) a local government entity;
  - (ii) a large public transit district; or
  - (iii) a private property or livestock owner.
- (2) The rail ombudsman shall facilitate meetings described in Subsection (1)(e) to resolve issues relating to:
  - (a) safety;
  - (b) at-grade and grade-separated rail crossings;
  - (c) fencing;
  - (d) injury to or loss of livestock;
  - (e) railroad maintenance, including maintenance agreements and road closures;
  - (f) improvements to railroad right-of-way infrastructure;
  - (g) track realignment;
  - (h) track consolidation; or
  - (i) any other issue that has caused a dispute between a rail company and a party described in Subsection (1)(e).
- (3) If the rail ombudsman invites a rail company or another party described in Subsection (1)(e) to a meeting to resolve a rail dispute, the rail company or other person shall:
  - (a) attend the meeting; and
  - (b) attempt to resolve the dispute through the rail ombudsman before filing an action in court or seeking another remedy.
- (4) A rail company and a party described in Subsections (1)(e)(i) through (iii) shall provide notice to the rail ombudsman before:
  - (a) closing a highway for railroad maintenance; or
  - (b) starting a construction project involving:
    - (i) an at-grade rail crossing; or
    - (ii) the realignment or consolidation of railroad tracks.
- (5) The rail ombudsman may not address nor participate in:
  - (a) organized labor issues or disputes; or
  - (b) rail company employee safety issues.
- (6) If a report or complaint described in Subsection (1)(c)(ii) is made in regard to a rail company, the rail ombudsman shall forward the report or complaint to the relevant rail company or other appropriate agency or entity.

Amended by Chapter 462, 2025 General Session

## **Chapter 19** **Utah Broadband Center**

### **Part 1** **General Provisions**

### **72-19-101 Definitions.**

As used in this chapter:

- (1) "Broadband center" means the Utah Broadband Center created in Section 72-19-201.
- (2) "Broadband commission" means the Utah Broadband Center Advisory Commission created in Section 36-29-109.
- (3) "Final proposal" means the submission provided by the state to the Assistant Secretary of Commerce for Communications and Information as part of the state's BEAD Application, as set forth in 47 U.S.C. Sec. 1702(e)(4).
- (4) "Initial proposal" means the submission provided by the state to the Assistant Secretary of Commerce for Communications and Information as part of the state's BEAD Application, as set forth in 47 U.S.C. Sec. 1702(e)(3).
- (5) "Letter of intent" means the submission provided by the state to the Assistant Secretary of Commerce for Communications and Information as part of the state's BEAD Application, as set forth in 47 U.S.C. Sec. 1702(e)(1)(B).
- (6) "Public-private partnership" means an arrangement or agreement between a government entity and one or more private persons to fund and provide for a public need through the development or operation of a public project in which the private person or persons share with the government entity the responsibility or risk of developing, owning, maintaining, financing, or operating the project.
- (7) "Subgrantee" means an entity that receives funds from the state under:
  - (a) the Broadband Access Grant Program created in Section 72-19-301; or
  - (b) the Broadband Equity Access and Deployment Grant Program created in Section 72-19-401.
- (8) "State BEAD application" means a submission by the state for a grant under the federal Broadband Equity Access and Deployment Program established under 47 U.S.C. Sec. 1702(b), consisting of a letter of intent, initial proposal, and final proposal.

Renumbered and Amended by Chapter 512, 2025 General Session

## **Part 2 Utah Broadband Center**

### **72-19-201 Utah Broadband Center -- Creation -- Director -- Duties.**

- (1) There is created within the department the Utah Broadband Center.
- (2) The executive director shall appoint a director of the broadband center to oversee the operations of the broadband center.
- (3) The broadband center shall:
  - (a) ensure that publicly funded broadband projects continue to be publicly accessible and provide a public benefit;
  - (b) develop the statewide digital connectivity plan described in Section 72-19-203;
  - (c) carry out the duties described in Section 72-19-202;
  - (d) administer the Broadband Access Grant Program created in Section 72-19-301; and
  - (e) administer the Broadband Equity Access and Deployment Grant Program created in Section 72-19-401.
- (4) The broadband center shall ensure efficiency with respect to:
  - (a) expenditure of funds; and

- (b) avoiding duplication of efforts.
- (5) The broadband center shall consider administering broadband infrastructure funds in a manner that:
  - (a) efficiently maximizes the leverage of federal funding;
  - (b) avoids the use of public funds for broadband facilities that duplicate existing broadband facilities that already meet or exceed federal standards; and
  - (c) accounts for the benefits and costs to the state of existing facilities, equipment, and services of public and private broadband providers.

Renumbered and Amended by Chapter 512, 2025 General Session

**72-19-202 Infrastructure and broadband coordination.**

- (1) The broadband center shall partner with the Utah Geospatial Resource Center created in Section 63A-16-505 to collect and maintain a database and interactive map that displays economic development data statewide, including:
  - (a) voluntarily submitted broadband availability, speeds, and other broadband data;
  - (b) voluntarily submitted public utility data;
  - (c) workforce data, including information regarding:
    - (i) enterprise zones designated under Section 63N-2-206;
    - (ii) public institutions of higher education; and
    - (iii) APEX accelerators;
  - (d) transportation data, which may include information regarding railway routes, commuter rail routes, airport locations, and major highways;
  - (e) lifestyle data, which may include information regarding state parks, national parks and monuments, United States Forest Service boundaries, ski areas, golf courses, and hospitals; and
  - (f) other relevant economic development data as determined by the office, including data provided by partner organizations.
- (2) The broadband center may:
  - (a) make recommendations to state and federal agencies, local governments, the governor, and the Legislature regarding policies and initiatives that promote the development of broadband-related infrastructure in the state and help implement those policies and initiatives;
  - (b) facilitate coordination between broadband providers and public and private entities;
  - (c) collect and analyze data on broadband availability and usage in the state, including Internet speed, capacity, the number of unique visitors, and the availability of broadband infrastructure throughout the state;
  - (d) create a voluntary broadband alliance, which shall include broadband providers and other public and private stakeholders, to solicit input on broadband-related policy guidance, best practices, and adoption strategies;
  - (e) work with broadband providers, state and local governments, and other public and private stakeholders to facilitate and encourage the expansion and maintenance of broadband infrastructure throughout the state; and
  - (f) in accordance with the requirements of Title 63J, Chapter 5, Federal Funds Procedures Act, and in accordance with federal requirements:
    - (i) apply for federal grants;
    - (ii) participate in federal programs; and
    - (iii) administer federally funded broadband-related programs.

Renumbered and Amended by Chapter 512, 2025 General Session

**72-19-203 Statewide digital connectivity plan.**

As used in this section:

- (1) "Broadband commission" means the Utah Broadband Center Advisory Commission created in Section 36-29-109.
- (2) "Strategic plan" means the statewide digital connectivity plan created in accordance with Subsections (3) and (4).
- (3) The broadband center shall develop the strategic plan.
- (4) The strategic plan shall include strategies to:
  - (a) implement broadband connectivity statewide;
  - (b) promote digital access throughout the state;
  - (c) apply for federal infrastructure funds; and
  - (d) apply for additional funds.
- (5) In developing the strategic plan, the broadband center shall work with the broadband commission.
- (6) The broadband center shall submit the strategic plan to the broadband commission for the broadband commission's recommendation before finalizing the strategic plan.
- (7) On or before October 1 of each year, the broadband center shall report to the broadband commission and the Public Utilities, Energy, and Technology Interim Committee regarding status updates.

Renumbered and Amended by Chapter 512, 2025 General Session

**Part 3**  
**Broadband Access Grant Program**

**72-19-301 Creation of Broadband Access Grant Program.**

- (1) As used in this part:
  - (a) "Eligible applicant" means:
    - (i) a telecommunications provider or an Internet service provider;
    - (ii) a local government entity and one or more private entities, collectively, who are parties to a public-private partnership established for the purpose of expanding affordable broadband access in the state; or
    - (iii) a tribal government.
  - (b) "Underserved area" means an area of the state that is underserved in terms of the area's access to broadband service, as further defined by rule made by the department in coordination with the broadband center.
  - (c) "Unserved area" means an area of the state that is unserved in terms of the area's access to broadband service, as further defined by rule made by the department in coordination with the broadband center.
- (2) There is established a grant program known as the Broadband Access Grant Program that is administered by the broadband center in accordance with this part.
- (3)
  - (a) The broadband center may award a grant under this part to an eligible applicant that submits to the broadband center an application that includes a proposed project to extend broadband

service to individuals and businesses in an unserved area or an underserved area by providing last-mile connections to end users.

- (b) Subsection (3)(a) does not prohibit the broadband center from awarding a grant for a proposed project that also includes middle-mile elements that are necessary for the last-mile connections.
- (4) In awarding grants under this part, the broadband center shall:
  - (a) based on the following criteria and in the order provided, prioritize proposed projects:
    - (i) located in unserved areas;
    - (ii) located in underserved areas;
    - (iii)
      - (A) that the eligible applicant developed after meaningful engagement with the impacted community to identify the community's needs and innovative means of providing a public benefit that addresses the community's needs; and
      - (B) that include, as a component of the proposed project, a long-term public benefit to the impacted community developed in response to the eligible applicant's engagement with the community;
    - (iv) located in an economically distressed area of the state, as measured by indices of unemployment, poverty, or population loss;
    - (v) that make the greatest investment in last-mile connections;
    - (vi) that provide higher speed broadband access to end users; and
    - (vii) for which the eligible applicant provides at least 25% of the money needed for the proposed project, with higher priority to proposed projects for which the eligible applicant provides a greater percentage of the money needed for the proposed project; and
  - (b) consider the impact of available funding for the proposed project from other sources, including money from matching federal grant programs.
- (5) For a project that the eligible applicant cannot complete in a single fiscal year, the broadband center may distribute grant proceeds for the project over the course of the project's construction.
- (6)
  - (a) Before awarding a grant under this part, the broadband center shall present the application described in Subsection (3) to the Transportation Commission for approval.
  - (b) In awarding a grant under this part, the broadband center shall ensure that grant funds are not used by a subgrantee in a manner that causes competition among projects that are substantially supported by state funds or federal funds subgranted by the state.
- (7) As provided in and subject to the requirements of Title 63G, Chapter 2, Government Records Access and Management Act, a record submitted to the broadband center that contains a trade secret or confidential commercial information described in Subsection 63G-2-305(2) is a protected record.

Renumbered and Amended by Chapter 512, 2025 General Session

**72-19-302 Duties of the broadband center.**

- (1) The broadband center shall:
  - (a) establish an application process by which an eligible applicant may apply for a grant under this part, which application shall include:
    - (i) a declaration, signed under penalty of perjury, that the application is complete, true, and correct; and
    - (ii) an acknowledgment that the eligible applicant is subject to audit;

- (b) establish a method for the broadband center to determine which eligible applicants qualify to receive a grant;
  - (c) establish a formula to award grant funds; and
  - (d) report the information described in Subsections (1)(a) through (c) to the director of the Division of Finance.
- (2) Subject to appropriation, the broadband center shall:
- (a) collect applications for grant funds from eligible applicants;
  - (b) determine which applicants qualify for receiving a grant; and
  - (c) award the grant funds in accordance with the process established under Subsection (1) and in accordance with Section 72-19-301.
- (3) The department, in coordination with the broadband center, may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the grant program.

Renumbered and Amended by Chapter 512, 2025 General Session

## **Part 4**

### **Broadband Equity Access and Deployment Grant Program**

#### **72-19-401 Creation of Broadband Equity Access and Deployment Grant Program.**

- (1) There is established a grant program known as the Broadband Equity Access and Deployment Grant Program that is administered by the broadband center in accordance with:
- (a) this part; and
  - (b) the requirements of the National Telecommunications and Information Administration's Broadband Equity Access and Deployment Program, 47 U.S.C. Sec. 1702 et seq.
- (2) The broadband center shall:
- (a) prepare and submit the state's Broadband Equity Access and Deployment application, including the letter of intent, initial proposal, and final proposal to the National Telecommunications and Information Administration;
  - (b) administer the Broadband Equity Access and Deployment Grant Program in accordance with this section and as approved by the National Telecommunications and Information Administration;
  - (c) accept and process an application for subgranted funds; and
  - (d) ensure that a subgrantee complies with the state's final proposal to the National Telecommunications and Information Administration.
- (3) The department, in coordination with the broadband center, may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the grant program.
- (4) The broadband center may approve an application for subgranted funds if:
- (a) the application meets the requirements of this section;
  - (b) the application meets any rule made in accordance with this section;
  - (c) the application meets the requirements of the National Telecommunications and Information Administration's Broadband Equity Access and Deployment Program, 47 U.S.C. Sec. 1702 et seq.; and
  - (d) the broadband center has informed the Transportation Commission about the application described in Subsection (2)(c).
- (5) After the broadband center completes a competitive application process for subgranted funds, the broadband center shall present to the Transportation Commission on the subgrant award.

Amended by Chapter 432, 2026 General Session

## **Chapter 20**

### **Local Highway Mobility Plans**

#### **72-20-101 Definitions.**

As used in this chapter:

- (1) "City" means Salt Lake City.
- (2) "Critical capacity routes map" means the map adopted by the city designating roadways within the study area by tiers to preserve motor vehicle capacity as described in the city's transportation plans.
- (3) "Highway reduction strategy" means a strategy that:
  - (a) has the potential to permanently decrease the number of vehicles that can travel on an arterial or a collector highway per hour, including:
    - (i) reducing the number of motorized vehicle travel lanes on an arterial or collector highway;
    - (ii) narrowing existing motorized vehicle travel lanes on an arterial or collector highway; or
    - (iii) any other strategy that when implemented may reasonably be expected to increase congestion or impede traffic flow for motor vehicles driving on an arterial or collector highway; or
  - (b) has the potential to permanently reduce the availability of on-street parking.
- (4) "Study area" means the area within Salt Lake City that is west of Foothill Drive, east of Redwood Road, south of 600 North, and extends to the southern boundary of the city.
- (5) "Tier four road" means a low-volume, residential or similar road.
- (6) "Tier one road" means a regionally significant transportation facility.
- (7) "Tier three road" means a low-priority, low-volume street with minimal regional significance within the transportation network.
- (8) "Tier two road" means a corridor important to the transportation network but not designed or anticipated to carry as much motor vehicle volume as a tier one road.
- (9) "Traffic calming measures" means permanent physical or regulatory measures intended to reduce vehicle speeds or volumes on roadways.

Enacted by Chapter 432, 2026 General Session

#### **72-20-102 Adoption and codification of critical capacity routes map -- Agreement.**

- (1) On or before January 1, 2027, the city shall:
  - (a) enter into an agreement with the department that:
    - (i) identifies and designates each road within the study area as a tier one, tier two, tier three, or tier four road;
    - (ii) designates regionally significant highways within the study area as tier one roads for which, except as provided in Subsection (2)(a), the city may not implement a project that includes a highway reduction strategy;
    - (iii) designates highways within the study area as tier two roads for which the city may implement a project that includes a highway reduction strategy only after the city:
      - (A) completes a thorough data collection and impact analysis;