**R940. Transportation Commission, Administration.**

**R940-6. Prioritization of New Transportation Capacity Projects.**

**R940-6-1. Authority and Purpose.**

(1) The commission makes this administrative rule pursuant to authority delegated by Subsection 72-1-304(4).

(2) This administrative rule is to provide a procedure the commission will follow to satisfy the requirements of Section 72-1-304.

**R940-6-2. Definitions.**

(1) "Active transportation investment fund" or "ATIF" means the capital projects fund created within the Transportation Investment Fund of 2005 created by Subsection 72-2-124(11).

(2) "Commission" means the Utah Transportation Commission created by Subsection 72-1-301(1).

(3) "Department" means the Utah Department of Transportation created by Subsection 72-1-201(1).

(4) "Department approved active transportation plan" means an active transportation plan approved by the department.

(5) "District" means a public transit district established in accordance with Title 17B Limited Purpose Local Government Entities - Special Districts.

(6) "Fixed guideway public transit" means a public transit facility that uses or occupies rail for the use of public transit or a separate right-of-way for the use of public transit such as bus rapid transit systems.

(7) "Fund allocation percentage" means the fund request amount as a percentage of the total funding amount for a TIF active transportation project, TTIF first and last mile project, or TTIF transit project.

(8) "Fund request amount" means the funding amount requested by a local government or district from either TIF or TTIF for a TIF active transportation project, TTIF first and last mile project, or TTIF transit project.

(9) "In-kind match" means a non-cash match including a service, right-of-way, construction materials, or labor or equipment time valued at fair market value.

(10) "Input list" means the list of projects that will be used in the prioritization process.

(11) "Match" means the matching funds used to meet the matching requirement described in Section 72-2-124.

(12) "Long-range transportation plan" or "LRP" means any one of the five plans developed by the department or the state's four MPOs that forecast the state's transportation needs for the next 20-plus years, also known as a regional transportation plan or RTP.

(13) "Metropolitan planning organization" or "MPO" means the same as it is defined by Subsection 72-1-208.5(1).

(14) "Required match percentage" means the match percentage required for TIF active transportation projects, TTIF first and last mile projects, and TTIF transit projects described in Section 72-2-124.

(15) "Statewide strategic initiative" or "SSI" means initiatives the department is required by Section 72-1-211 to develop and adopt.

(16) "Strategic goals" means the department's strategic goals.

(17) "TIF active transportation projects" means paved pedestrian or paved nonmotorized transportation projects described in Section 72-2-124 that are funded by the TIF.

(18) "TIF highway projects" means projects on state and federal highways described in Section 72-2-124 that are funded by the TIF.

(19) "Total funding amount" means the summation of the fund request amount and the match, including the value of any in-kind match.

(20) "Transportation investment fund" or "TIF" means the capital projects fund created in 2005 by Subsection 72-2-124(1).

(21) "Transit transportation investment fund" or "TTIF" means the fund within the Transportation Investment Fund of 2005 created by Subsection 72-2-124(9).

(22) "TTIF first and last mile projects" means pedestrian or nonmotorized transportation projects that provide connection to a public transit system as described in Section 72-2-124 that are funded by the TTIF.

(23) "TTIF transit projects" means public transit capital development projects as described in Section 72-2-124.

(24) "UDOT planning" or "planning" means the Planning Division of the Program Development Group of the department.

(25) "Utah Trail Network project" or "UTN project" means paved pedestrian or paved nonmotorized trail projects described in Section 72-2-124 that are funded by the ATIF.

**R940-6-3. Prioritization Requirements.**

The commission, in consultation with the department and the MPOs, will develop a written prioritization process to determine priorities and funding levels of TIF active transportation, TTIF first and last mile, TIF highway, TTIF transit, and UTN projects, taking into consideration the department's statewide strategic initiatives and the department's strategic goals.

**R940-6-4. Prioritization Process.**

(1)(a) The document "Prioritization Process Documentation," which was developed pursuant to the requirements of Section 72-1-304 (May 3, 2023) and was approved by the commission at its August 18, 2023 meeting, is incorporated by reference and may be accessed at https://projectprioritization.udot.utah.gov/models. These models are used to prioritize TIF active, TIF highway, TTIF transit and TTIF first and last mile projects.

(b) The document "Utah Trail Network - Active Transportation Investment Fund (ATIF) Project Evaluation Process," which details the use of the TIF active transportation project model for prioritizing UTN projects and was approved by the commission at its November 17, 2023 meeting, is incorporated by reference and may be accessed at https://utahtrailnetwork.udot.utah.gov/the-process.

(2) The commission will provide notice of proposed amendments to the prioritization process in a public meeting, and provide an opportunity for public comments before amending the prioritization process. Amendments to the prioritization process will not affect projects that have already been funded.

(3)(a) If a state highway capacity project is identified in phase 1 of an LRP and the total project cost estimate is more than $5,000,000 it will be included in the input list for TIF highway projects.

(b) The commission may consider additional TIF highway projects for prioritization beyond those identified in phase 1 of an LRP if during the development of the LRP the projects were determined to be a phase 1 need.

(4)(a) If a public transit capital development project of new capacity is identified in phase 1 of an LRP it will be included in the input list for TTIF transit projects.

(b) The commission may consider additional TTIF transit projects for prioritization beyond those identified in phase 1 of an LRP if during the development of the LRP the projects were determined to be a phase 1 need.

**R940-6-5. Requirements and Process for Project Nomination by Local Government or District.**

(1) Local governments or districts may nominate projects for prioritization, with the exception of UTN projects, which are not eligible for project nominations.

(2) The nomination requirements are as follows:

(a) TIF Highway Projects.

(i) A local government or district may nominate a project to the commission at this internet address: https://projectprioritization.udot.utah.gov/nominations. Nominations must identify the project sponsor's name, address, phone number, and email address and include a detailed description of the nominated project including why the project is important to the local government or district. The local government or district must also demonstrate that the nominated project:

(A) is on a state highway; or

(B) will likely result in a road that meets the criteria of a state highway as described in Section 72-4-102.5 and that the local government wants designated as a state highway.

(b) TIF Active Transportation Projects.

(i) A local government or district may nominate a project to the commission at this internet address: https://projectprioritization.udot.utah.gov/nominations. Nominations must identify the project sponsor's name, address, phone number, and email address and include a detailed description of the nominated project. The local government or district must also demonstrate that the nominated project meets the following requirements:

(A) the project is part of a department approved active transportation plan;

(B) the project will mitigate traffic congestion on the state highway system;

(C) there is an ongoing funding plan for maintenance and operations; and

(D) the match requirement will be met.

(c) TTIF Transit Projects.

(i) A local government or district may nominate a project to the Transportation Commission at this internet address: https://projectprioritization.udot.utah.gov/nominations. Nominations must identify the project sponsor's name, address, phone number, and email address and include a detailed description of the nominated project. The local government or district must also demonstrate that the nominated project meets the following requirements:

(A) There is an ongoing funding plan for maintenance and operations. If the project sponsor is a local government, this will require documentation from the transit operator that the project will be accommodated within the transit operator's maintenance and operations plans.

(B) The local government or district will meet the match requirement.

(C) If the nominated project would provide new fixed guideway public transit service within an MPO boundary, the project is identified in phase 1 of an LRP or, during the development of an LRP, the project was determined to be a phase 1 need.

(D) The majority of project costs are for components that directly add capacity to a public transit system such as additional or more frequent bus, fixed guideway public transit, shuttle, street car, or vanpool service.

(d) TTIF First and Last Mile Projects.

(i) A local government or district may nominate a project to the commission at this internet address: https://projectprioritization.udot.utah.gov/nominations. Nominations must identify the project sponsor's name, address, phone number, and email address and include a detailed description of the nominated project. The local government or district must also demonstrate that the nominated project meets the following requirements:

(A) there is an ongoing funding plan for maintenance and operations;

(B) the match requirement will be met; and

(C) the project will connect and improve access to transit.

(3) For each project nomination, a local government or district shall include:

(i) a reasonable cost estimate for the project and sufficient information to explain the reasoning behind the estimate; and

(ii) a plan to address any costs that exceed the local government's or district's cost estimate.

(4)(a) With the exception of a nominated TIF highway project, the commission will include each nominated project that meets the requirements of Subsection (2) in the applicable input list.

(b) The commission will determine if a nominated TIF highway project will be included in the input list. The factors used in this determination may include the following:

(i) if, during the development of an LRP, a project was determined to be a phase I1 need; and

(ii) if there are any proposed additional funding sources.

(5) The commission may request additional information for a nominated project from the project sponsor.

(6)(a) A match requirement for a nominated project may include an in-kind match.

(b) To determine whether the match for a nominated project meets the required match percentage, the department will divide the match amount, including the value of any in-kind match, by the total funding amount.

(c) If the amount calculated under Subsection (6)(b) is equal to or greater than the required match percentage, the department will determine the match requirement to be met.

(d) For example, for a project with a required match percentage of 30%, a fund request amount of $700,000, and a match of $300,000, the amount calculated under Subsection (6)(b) would be .30 ($300,000 divided by $1,000,000). Because .30 equals 30%, the local government or district would meet the match requirement.

**R940-6-6. Commission Discretion.**

The commission, in consultation with the department, may establish additional criteria or use other considerations in establishing funding levels for TIF active transportation, TTIF first and last mile, TIF highway, TTIF transit, and UTN projects. As provided in Section 72-1-305, if the commission approves funding for a project over another project that has a higher prioritization rank under the criteria set forth in Section R940-6-4, the commission will identify the change, explain the reasons for the change, and accept public comment at a public meeting.

**KEY: transportation commission, roads, transit capacity**

**Date of Last Change: September 10, 2025**

**Notice of Continuation: July 10, 2025**

**Authorizing, and Implemented or Interpreted Law: 72-1-201; 72-1-304**