

19-3-315 Transportation requirements.

- (1) A person may not transport wastes in the state, including on highways, roads, rail, by air, or otherwise, without:
 - (a) having received approval from the state Department of Transportation; and
 - (b) having demonstrated compliance with rules of the state Department of Transportation.
- (2) The Department of Transportation may:
 - (a) make rules requiring a transport and route approval permit, weight restrictions, tracking systems, and state escort; and
 - (b) assess appropriate fees as established under Section 63J-1-504 for each shipment of waste, consistent with the requirements and limitations of federal law.
- (3) The Department of Environmental Quality shall establish any other transportation rules as necessary to protect the public health, safety, and environment.
- (4) Unless expressly authorized by the governor, with the concurrence of the Legislature, an easement or other interest in property may not be granted upon any lands within the state for a right of way for any carrier transportation system that:
 - (a) is not a class I common or contract rail carrier organized and doing business prior to January 1, 1999; and
 - (b) transports high level nuclear waste or greater than class C radioactive waste to a storage facility within the state.

Amended by Chapter 183, 2009 General Session