

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, November 17, 1999 - 2:00 p.m. - 405 State Capitol

Members Present:

Sen. Peter C. Knudson,
Senate Chair
Rep. Marda Dillree,
House Chair
Sen. R. Mont Evans
Sen. Karen Hale
Sen. Eddie "Ed" P. Mayne
Rep. Gerry A. Adair
Rep. Don E. Bush
Rep. Kory M. Holdaway
Rep. Dennis H. Iverson
Rep. Brad King
Rep. Karen W. Morgan
Rep. Joseph G. Murray
Rep. Richard M. Siddoway

Members Absent:

Sen R. Lane Beattie
Rep. Bryan D. Holladay
Rep. Carl W. Duckworth
Rep. Lowell A. Nelson

Staff Present:

Mr. Benjamin N. Christensen,
Research Analyst
Mr. Dee S Larsen,
Associate General Counsel
Ms. Junie G. Anderson,
Legislative Secretary

Note: A list of others present and a copy of materials distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Committee Business - Chair Dillree called the meeting to order at 2:13 p.m.

MOTION: Rep. Bush moved to approve the minutes of the October 20, 1999 meeting. The motion passed unanimously with Sen. Evans and Rep. King absent for the vote.

2. I-15 Reconstruction, Statewide Transportation Improvement Plan (STIP), and Highway Finance Update - Mr. Thomas R. Warne, Utah Department of Transportation (UDOT), distributed a handout titled "I-15 Reconstruction Project Update - November 17, 1999," and discussed the information in the handout. He said that UDOT is currently on time and within budget.

Ms. Linda Hull, UDOT, distributed a handout titled "Planned Projects vs Advertised Projects," and discussed the contents. She indicated that UDOT is on track with its advertised projects. She discussed federal funding issues and commitments of those funds.

Mr. Warne reported on the state tax revenues. He asked committee members to be aware of attempts to divert monies away from needed transportation projects, including Centennial Highway Fund projects.

3. Highway Corridor Preservation (Draft Legislation) - Mr. Larsen distributed draft legislation titled "Transportation Corridor Preservation Act," and discussed the bill. He said that a working group meeting was held on November 3, and that the draft reflects the input received to date.

MOTION: Sen. Knudson moved to approve draft legislation titled "Transportation Corridor Preservation Act" as a committee bill. The motion passed unanimously with Sen. Evans and Rep. King absent for the vote.

4. Special Mobile Equipment – Vehicle Registration and Taxation (Draft Legislation) - Mr. Christensen addressed draft legislation titled "Regulation of Special Mobile Equipment," that was mailed to committee members prior to the meeting. He noted that this was the bill approved by the committee at the last meeting. He said that based on input received after the meeting, another bill titled "Special Mobile Equipment Amendments" was prepared and also mailed out prior to the meeting. He clarified the differences in the two bills, then distributed and explained potential amendments to the newest bill. He also distributed a handout titled "Vehicle Registration Fees (41-1a-1206)."

Mr. Steve Young, Holme Roberts & Owen LLP, explained the current fees paid by some special mobile equipment companies, expressed a preference for the newest bill, and commented on the potential amendments.

Mr. Richard Clasby, UDOT, spoke in favor of the newest bill with the potential amendments included.

MOTION: Rep. Siddoway moved to approve, as a committee bill, the draft legislation titled "Regulation of Special Mobile Equipment," in lieu of the bill that was approved last month. The motion passed unanimously with Sen. Evans absent for the vote.

MOTION: Sen. Knudson moved to adopt the amendment to draft legislation titled "Special Mobile Equipment Amendments," as follows:

1. Page 10, Line 286: After "crane services" insert "with a crane lift capacity of five or more tons,"
2. Page 10, Lines 287-288: After "exempt from" delete the remainder of line 287 and all of line 288 and insert "50% of the amount of the fees required for those vehicles under this section."

Rep. Iverson asked that the motion be divided.

The committee voted on the first amendment. The motion passed unanimously with Sen. Evans absent for the vote.

The committee voted on the second amendment. The motion passed with Rep. Adair, Rep. Bush, Rep. Iverson, and Rep. Murray voting in opposition to the motion. Sen. Evans was absent for the vote.

MOTION: Sen. Hale moved to approve, as a committee bill, the draft legislation titled "Special Mobile Equipment Amendments," as amended. The motion passed with Rep. Iverson and Rep. Murray voting in opposition to the motion. Sen. Evans was absent for the vote.

5. Utilities in Highway Rights-of-Way Task Force Report - Sen. Leonard M. Blackham, Senate Chair, and Rep. Thomas Hatch, House Chair for the task force, distributed a handout titled "Utilities in Highway Rights-of-Way Task Force Report," and reported on the efforts of the task force during the interim study period. The handout included draft legislation titled "Utilities in Highway Right-Of-Way." Sen. Blackham addressed the fiscal impact of the bill and discussed recommendations of the task force as outlined in the report.

Mr. Jerry Oldroyd, member of the task force, representing telecommunication facility providers, discussed the compromises reached by the task force, including allowing providers to share the access cost based upon capacity placed in the trench. He said the firewall language in the bill was critical to the agreement.

Mr. Ruland Gill, member of the task force, representing energy utility providers, explained the impact the bill would have on utility companies. He spoke in support of the bill.

Mr. Thomas Warne, member of the task force, representing UDOT, reported on the bill's impact on UDOT. He explained that he was the only member to vote in opposition to the bill.

Mr. Larry Bunkall, Utah Manufacturers Association, spoke in opposition to the bill and expressed concerns over hidden fees and taxes.

Sen. Blackham addressed the concerns of taxes and fees and also spoke of the recommendation by Governor Leavitt for Utah to become a digital state.

MOTION: Rep. Bush moved to accept the task force report, but not adopt the legislation, as presented and to thank the Chairs for their hard work on this effort. The motion passed unanimously with Sen. Mayne absent for the vote.

Mr. Ahmad Jabar, UDOT, discussed the study of relocation of utilities in highway rights-of-way by the Technical Coordination Group. The report was included in the handout distributed by Sen. Blackham and Rep. Hatch.

Rep. King suggested that the Technical Coordination Group report during next year's interim period.

6. Aggressive and Reckless Driving (Draft Legislation) - Rep. Bush discussed draft legislation titled "Aggressive and Reckless Driving" that was mailed to committee members prior to the meeting.

Colonel Richard Greenwood, Utah Highway Patrol (UHP), spoke on the issue of road rage and the unmarked vehicle program. He spoke in support of the bill.

Ms. Judy Hamaker, UHP, provided comments and spoke in favor of the unmarked vehicle program.

No motion was made on this issue due to a lack of a quorum in the Senate.

7. Other Committee Business - Chair Dillree informed the committee that a meeting of the Transportation Appropriations Subcommittee is set for November 30.

8. Adjourn -

MOTION: Rep. Holdaway moved to adjourn the meeting. The motion passed unanimously at 4:09 p.m. with Sen. Evans and Sen. Mayne absent for the vote.