

**MINUTES OF THE  
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, October 18, 2000 – 9:00 a.m. – Room 405 State Capitol

**Members Present:**

Rep. Marda Dillree,  
House Chair  
Sen. Dan R. Eastman  
Sen. Karen Hale  
Sen. Ed Mayne  
Rep. Gerry A. Adair  
Rep. Don E. Bush  
Rep. Carl W. Duckworth  
Rep. Kory M. Holdaway  
Rep. Bryan D. Holladay  
Rep. Dennis H. Iverson  
Rep. Brad King  
Rep. Karen W. Morgan  
Rep. Joseph G. Murray  
Rep. Lowell A. Nelson  
Rep. Richard M. Siddoway

**Members Absent:**

Sen. R. Mont Evans

**Members Excused:**

Sen. Peter C. Knudson,  
Senate Chair

**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 9:00 a.m.**

**MOTION:** Rep. Adair moved to approve the minutes of the August 16, 2000 meeting. The motion passed unanimously, with Rep. Duckworth, Rep. Holdaway, Rep. Morgan, and Rep. Nelson absent for the vote.

**2. Driving Under the Influence Penalties – Update - Rep. Nora Stephens distributed a handout titled “Governor’s Council on Driving Under the Influence.” She reported on the activities of the DUI Council, which was created by an Executive Order of Governor Leavitt. She also discussed preliminary recommendations made by the council and its subcommittees.**

**3. Preservation of Mass Transit Corridors and Light Rail/Commuter Rail Update -**

Ms. Kathryn Pett, UTA, updated committee members on negotiations with Union Pacific Railroad for access to rail corridors throughout the Wasatch Front region. She said considerable progress has been made. She noted that the most important step in the commuter rail project is the preservation of the corridor. She discussed the demonstration of the light rail transit system that took place on October 17. She said delays were experienced and noted that Union Pacific has insisted that a third track, dedicated to transit, be installed in the corridor to avoid future delays. She also discussed the technical analyses and said that UTA is waiting for additional technical details before the cost can be determined to acquire the corridor.

Mr. John English, Utah Transit Authority (UTA), said that commuter rail is a very good means of transportation. He also expressed the importance of having an exclusive corridor. He said Union Pacific Railroad representatives have been cooperative with the efforts of UTA. He indicated that it is neither practical nor cost-effective to acquire Union Pacific tracks.

**4. Draft Legislation “Annual State Highway System Changes”** - Chair Dillree announced that this items will not be discussed at this meeting but will be heard at the November 15 meeting.

**5. Draft Legislation “Construction Bid Limits”** - Mr. Larsen discussed the bill that was prepared at the request of the committee and mailed to committee members prior to the meeting.

**MOTION:** Rep. Adair moved to approve draft legislation titled “Construction Bid Limits” as a committee bill. The motion passed unanimously, with Rep. King absent for the vote.

**6. Eminent Domain and Public Rights-of-Way** - Mr. Craig Call, State Private Property Ombudsman, Department of Natural Resources (DNR), distributed a pamphlet titled “Your Rights to Private Property: What to Do When the Government Wants to Acquire Your Land” and discussed its information. He said the information in the pamphlet provides disclosure that is easy to understand and would assist property owners in knowing their rights. He noted that the pamphlet is the latest draft of a joint effort with DNR, the League of Cities and Towns, and UDOT.

Mr. Call also distributed a handout titled “Announcing Another Outstanding Conference on Eminent Domain” and encouraged legislators to attend the conference to be held on March 15, 2000, at the Department of Natural Resources.

Mr. John Njord, UDOT, said that the department has been pleased to assist in the effort and is willing to work with the ombudsman and others on this project.

**7. Draft Legislation “Vehicle Impound and Release Issues”** - Mr. Christensen explained the bill that was mailed to committee members prior to the meeting. He also distributed a handout titled “Vehicle Towing and Reporting Requirements Summary” and discussed the summary.

Mr. Larsen also distributed amendments to the bill and discussed them with committee members.

**MOTION:** Rep. Siddoway moved to amend the draft legislation “Vehicle Impound and Release Issues” as follows:

1. Page 6, Lines 183-185: Delete lines 183 through 185 and insert:  
  

“(c) Until the tow truck operator or tow truck motor carrier reports the removal as required under Subsection (3), a tow truck motor carrier or impound yard may not:  
(i) collect any fee associated with the removal; and  
(ii) begin charging storage fees.”
2. Page 8, Line 232: After "storage fees are a" insert "possessory"

The motion passed unanimously.

Colonel Richard Greenwood, Department of Public Safety, Utah Highway Patrol, said this bill is a giant step toward solving problems that have existed for over 24 years and encouraged the passage of the bill.

**MOTION:** Rep. Siddoway moved to approve draft legislation “Vehicle Impound and Release Issues” as a committee bill, as amended. The motion passed unanimously.

## 8. Other Committee Business -

**Air Quality Conformity Update** - Mr. Wil Jefferies, Wasatch Front Regional Council, distributed a handout titled “Salt Lake County PM10 Conformity” and discussed the contents. He noted that if the conformity process is not successful, all transportation processes would halt, including public transportation.

Mr. Warne gave a brief update on the environmental process of the Legacy Highway.

**Department of Transportation Payroll Issues** - Mr. Kevin Passey, Utah Public Employees Association (UPEA), provided background information about UDOT’s temporary special pay adjustment for some Region 2 maintenance employees.

Mr. Dale Beebe, UDOT, Ogden Station, described some instances of danger for his coworkers and said if they meet the qualifications that Region 2 employees meet, they should also be entitled to the pay adjustment.

Mr. Passey asked that a motion from the committee be made to have UDOT prepare recommendations, including costs, and a plan for implementation of a special pay adjustment for those Highway Operations employees in Regions 1 and 3. He said these recommendations should be presented to the Transportation Appropriations Subcommittee in the 2001 General Session for its consideration.

Mr. Tom Warne, UDOT, discussed the differential implementation process in the Urban Region 2 area of the Wasatch Front. He said the initiative was begun because of the retention rate of the Wasatch Front employees. He characterized it as an internal management issue and objected to the process of discussing the issue in the Interim Committee. He asked the committee not to take any action on this issue at today's meeting. Mr. Warne expressed support for UDOT employees and noted that proposals that come from the districts will be considered.

**9. Adjourn -**

**MOTION:** Rep. Adair moved to adjourn the meeting. The motion passed unanimously at 11:25 a.m., with Sen. Mayne, Rep. Murray, and Rep. Nelson absent for the vote.