

**MINUTES OF THE SENATE  
TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY  
STANDING COMMITTEE  
TUESDAY, JANUARY 30, 2007, 3:00 P.M.  
ROOM W020, WEST OFFICE BUILDING  
STATE CAPITOL COMPLEX**

Members Present: Sen. Carlene Walker, Chair  
Sen. Sheldon Killpack  
Sen. Scott Jenkins  
Sen. Kevin VanTassel  
Sen. Mike Dmitrich  
Sen. Ed Mayne

Staff Present: Mark Steinagel, Policy Analyst  
Karen Allred, Secretary

Public Speakers Present: Craig Johnson, License Plate "Afficianado"  
John Clark, Graphic Artist  
Scott R. Christensen, Historian/Archivist  
Craig Bickmore, Executive Director, Utah Auto Dealers

Association

A list of visitors and a copy of handouts are filed with the committee minutes.

Committee Chair Walker called the meeting to order at 3:05 p.m.

**Approval of Minutes**

**MOTION:** Sen. VanTassell moved to approve the minutes of January 26, 2007.

The motion passed unanimously with Sens. Jenkins, Dmitrich and Mayne absent for the vote.

**1. S.B. 69 Local Transportation Corridor Preservation Fund Amendments (S. Killpack)**

Sen. Killpack explained the bill.

**MOTION:** Sen. VanTassell moved to pass the bill out favorably.

The motion passed unanimously with Sens. Dmitrich and Mayne absent for the vote.

**2. S.B. 73 New Utah License Plate Design (D. Eastman)**

Sen. Eastman presented the bill.

Craig Johnson, License Plate "Afficionado"; John Clark, Graphic Artist; and Scott Christensen, Historian/Archivist, spoke in support of the bill.

**MOTION:** Sen. Jenkins moved to pass the bill out favorably.

The motion passed unanimously with Sen. VanTassell absent for the vote.

**3. S.B. 181 Fees to Cover Cost of Electronic Payments (W. Niederhauser)**

Sen. Neiderhauser distributed the following amendments:

1. *Page 1, Line 13:*

13 This bill:

**► provides definitions;**

2. *Page 1, Line 22:*

22 • shall be used as nonlapsing dedicated credits **to cover the costs of electronic payments** ;

3. *Page 2, Lines 43 through 44:*

43 41-1a-1221. Fees to cover the cost of electronic payments.

44 (1) **As used in this section:**

**(a) "Electronic payment" means use of any form of payment processed through electronic means, including credit cards, debit cards, and automatic clearinghouse transactions.**

**(b) "Electronic payment fee" means the fee assessed to defray:**

**(i) the charge, discount fee, or processing fee charged by credit card companies or processing agents to process an electronic payment; or**

**(ii) costs associated with the purchase of equipment necessary for processing electronic payments.**

**(2) (a) [In accordance with Section 63-38a-105, the Division of Motor Vehicles]**

The

4. Page 2, Line 47:

47 (b) The fee described in Subsection ~~{(1)}~~ (2) (a):

5. Page 2, Line 52:

52 ~~{(2)}~~ (3) The division shall establish the fee according to the procedures  
and requirements of

6. Page 2, Lines 54 through 55:

54 ~~{(3)}~~ (4) A fee imposed under this section:  
55 (a) shall be used by the division as a dedicated credit to cover the costs of  
electronic payments :

7. Page 3, Lines 64 through 65:

64 41-3-604. Fee to cover the cost of electronic payments.

65 (1) As used in this section:

(a) "Electronic payment" has the same meaning as defined in Section 41-1a-  
1221.

(b) "Electronic payment fee" has the same meaning as defined in Section 41-1a-  
1221.

(2) (a) [~~In accordance with Section 63-38a-105, the~~] The division may collect a fee  
to

8. Page 3, Line 75:

75 (b) The fee described in Subsection ~~{(1)}~~ (2) (a):

9. Page 3, Lines 78 through 80:

78 (ii) need not be separately identified from the fees and penalty described in  
Subsections

79 ~~{(1)}~~ (2) (a)(i) through (vii).

80 ~~{(2)}~~ (3) The division shall establish the fee under Subsection  
~~{(1)}~~ (2) (a) according to the

10. Page 3, Lines 82 through 83:

82 ~~{(3)}~~ (4) A fee imposed under this section:

83 (a) shall be used by the division as a dedicated credit to cover the costs of  
electronic payments ;

11. Page 3, Lines 87 through 88:

87 41-22-36. Fees to cover the costs of electronic payments.

88 (1) As used in this section:

(a) "Electronic payment" has the same meaning as defined in Section 41-1a-1221.

(b) "Electronic payment fee" has the same meaning as defined in Section 41-1a-1221.

(2) (a) [~~In accordance with Section 63-38a-105, the Division of Motor Vehicles]~~  
The

12. Page 4, Line 91:

91 (b) The fee described in Subsection ~~{(1)}~~ (2) (a) shall be imposed regardless  
of the method of

13. Page 4, Line 93:

93 ~~{(2)}~~ (3) The division shall establish the fee according to the procedures  
and requirements of

14. Page 4, Lines 95 through 96:

95 ~~{(3)}~~ (4) A fee imposed under this section:

96 (a) shall be used by the Motor Vehicle Division as a dedicated credit to cover the  
costs of electronic payments ;

15. Page 4, Lines 102 through 103:

102 59-1-305. Convenience fee to cover the costs of electronic payments.

103 (1) As used in this section:

(a) "Electronic payment" has the same meaning as defined in Section 41-1a-1221.

(b) "Electronic payment fee" has the same meaning as defined in Section 41-1a-1221.

(2) The commission may collect a convenience electronic payment fee

established in accordance with the

16. *Page 4, Lines 106 through 107:*

106            ~~{(2)}~~    (3) Notwithstanding any other provisions of this title, the commission  
                  shall use a fee  
107    imposed under this section as a dedicated credit to cover the costs of electronic  
                  payments .

17. *Page 4, Lines 109 through 110:*

109            73-18-25. Fees to cover the costs of electronic payments.  
110            (1) As used in this section:  
                  (a) "Electronic payment" has the same meaning as defined in Section 41-1a-  
                  1221.  
                  (b) "Electronic payment fee" has the same meaning as defined in Section 41-1a-  
                  1221.  
                  (2) (a) ~~[In accordance with Section 63-38a-105, the Division of Motor Vehicles]~~  
                  The

18. *Page 4, Line 113:*

113            (b) The fee described under Subsection ~~{(1)}~~ (2) (a) shall be imposed  
                  regardless of the

19. *Page 4, Line 115:*

115            ~~{(2)}~~    (3)    The ~~[division]~~ Motor Vehicle Division shall establish the fee  
                  according to the

20. *Page 4, Lines 117 through 118:*

117            ~~{(3)}~~    (4)    A fee imposed under this section:  
118            (a) shall be used by the Motor Vehicle Division as a dedicated credit to cover the  
                  costs of electronic payments ;

**MOTION:** Sen. Killpack moved to adopt the amendments.

The motion passed unanimously with Sen. VanTassell absent for the vote.

**MOTION:** Sen. Killpack moved to pass the bill out favorably as amended.

The motion passed unanimously with Sen. VanTassell absent for the vote.

**4. S.B. 186 Motor Vehicle Amendments (D. Eastman)**

Sen. Eastman explained the bill.

Craig Bickmore, Utah Auto Dealers Association, spoke in support of the bill.

**MOTION:** Sen. Killpack moved to pass the bill out favorably.

The motion passed unanimously with Sen. VanTassell absent for the vote.

**MOTION:** Sen. Jenkins moved to adjourn.

The motion passed unanimously at 3:40 p.m. with Sen. VanTassell absent for the vote.

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Sen. Carlene Walker, Committee Chair