

**MINUTES OF THE HOUSE TRANSPORTATION
STANDING COMMITTEE**
Room C450, State Capitol, Utah State Capitol Complex
February 11, 2008

MEMBERS PRESENT: Rep. Todd E. Kiser, Chair
 Rep. Bradley M. Daw, Vice-Chair
 Rep. Steven D. Clark
 Rep. Tim M. Cosgrove
 Rep. Ben C. Ferry
 Rep. Julie Fisher
 Rep. Lynn N. Hemingway
 Rep. Christopher N. Herrod
 Rep. Kory M. Holdaway
 Rep. Brad King
 Rep. Ronda R. Menlove
 Rep. Karen W. Morgan
 Rep. Paul Neuenschwander
 Rep. Gordon E. Snow

MEMBERS ABSENT: Rep. Mark W. Walker

STAFF PRESENT: Leif Elder, Policy Analyst
 Linda Error, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.
Chair Kiser called the meeting to order at 8:12 a.m.

MOTION: Rep. Herrod moved to approve the minutes of the February 6, 2008 meeting. The motion passed unanimously, with Rep. S. Clark, Rep. Daw, Rep. Hemingway, Rep. King, Rep. Menlove, and Rep. Neuenschwander absent for the vote.

H.B. 348 Zion National Park Special Group License Plate (*Rep. B. Last*)

Rep. Last introduced the bill to the committee with the assistance of Jock Whitworth, Zion's National Park. (handout)

Spoke to the bill: Rod Marelli, Utah State Tax Commission
 Mark Forbes, Department of Natural Resources, Parks and Recreation

MOTION: Rep. Daw moved to pass the bill out favorably. The motion passed unanimously, with Rep. S. Clark, Rep. Cosgrove, Rep. Herrod, and Rep. King absent for the vote.

H.B. 347 Motor Vehicle Business Regulation Amendments (*Rep. S. Andersen*)

Rep. Andersen introduced the bill to the committee with the assistance of Wayne Jones, Utah Powersport Dealers Association and Independent Auto Dealers.

Spoke for the bill: Rod Marelli, Utah State Tax Commission

Spoke against the bill: Sonja Jorgensen, citizen, former car dealer

MOTION: Rep. Ferry moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Holdaway moved to proceed to the next item on the agenda. The motion passed, with Rep. Daw, Rep. Ferry, Rep. Morgan, Rep. Neuenschwander, and Rep. Snow voting in opposition. Rep. S. Clark, Rep. Cosgrove, and Rep. Herrod were absent for the vote.

S.B. 44 Penalties for Failing to Secure a Load or Littering on a Highway (*Sen. P. Jones*)

MOTION: Rep. Kiser moved to delete in title and body S.B. 44 and replace it with 1st Substitute S.B. 44. The motion passed unanimously, with Rep. S. Clark, Rep. Cosgrove and Rep. Herrod absent for the vote.

MOTION: Rep. Kiser moved to amend the bill as follows:

1. Page 5, Line 133 through Page 6, Line 153:

133 (2) A vehicle may not be operated or moved on any highway unless the vehicle is
134 constructed or loaded to prevent its contents from dropping, sifting, leaking, or otherwise
135 escaping.

136 (3) (a) In addition to the requirements under Subsection (2), a vehicle carrying dirt,
137 sand, gravel, rock fragments, pebbles, crushed base, aggregate, { ~~trash or garbage.~~ }
any other

138 similar material, or scrap metal shall have a covering over the entire load unless:

139 (i) the highest point of the load does not extend above the top of any exterior wall or
140 sideboard of the cargo compartment of the vehicle; and

141 (ii) the outer edges of the load are at least six inches below the top inside edges of the
142 exterior walls or sideboards of the cargo compartment of the vehicle.

143 (b) **In addition to the requirements under Subsection (2), a vehicle carrying**

trash or garbage shall have a covering over the entire load.

- (c)** The following material is exempt from the provisions of Subsection (3)(a):
- 144 (i) hot mix asphalt;
- 145 (ii) [~~construction debris or~~] scrap metal if the [~~debris or~~] scrap metal is a size and in a
146 form not susceptible to being blown out of the vehicle;
- 147 (iii) material being transported across a highway between two parcels of property that
148 would be contiguous but for the highway that is being crossed; and
- 149 (iv) material listed under Subsection (3)(a) that is enclosed on all sides by containers,
150 bags, or packaging.
- 151 {~~(c)~~} **(d)** A chemical substance capable of coating or bonding a load so that
the load is
152 confined on a vehicle, may be considered a covering for purposes of Subsection (3)(a) so
long
153 as the chemical substance remains effective at confining the load.

The motion to amend passed unanimously, with Rep. S. Clark, Rep. Cosgrove, and Rep. Herrod absent for the vote.

Sen Jones introduced the bill to the committee with the assistance of Linda Hull, Utah Department of Transportation.

Spoke for the bill: Rich Thorn, Associated General Contractors

MOTION: Rep. Morgan moved to pass the bill out favorably as amended. The motion passed, with Rep. Kiser and Rep. Snow voting in opposition. Rep. Cosgrove and Rep. Herrod were absent for the vote.

MOTION: Rep. Neuenschwander moved to adjourn the meeting. The motion passed unanimously, with Rep. Cosgrove and Rep. Herrod absent for the vote.

Chair Kiser adjourned the meeting at 9:53 a.m.

Rep. Todd E. Kiser