

**MINUTES OF THE HOUSE TRANSPORTATION  
STANDING COMMITTEE**  
Room C450, State Capitol, Utah State Capitol Complex  
February 20, 2008

MEMBERS PRESENT:           Rep. Todd E. Kiser, Chair  
                                  Rep. Bradley M. Daw, Vice-Chair  
                                  Rep. Tim M. Cosgrove  
                                  Rep. Ben C. Ferry  
                                  Rep. Julie Fisher  
                                  Rep. Christopher N. Herrod  
                                  Rep. Kory M. Holdaway  
                                  Rep. Brad King  
                                  Rep. Ronda R. Menlove  
                                  Rep. Paul Neuenschwander  
                                  Rep. Mark W. Walker

MEMBERS ABSENT:           Rep. Steven D. Clark  
                                  Rep. Lynn N. Hemingway  
                                  Rep. Gordon E. Snow

MEMBERS EXCUSED:         Rep. Karen W. Morgan

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 4:20 p.m.

MOTION:     Rep. Neuenschwander moved to approve the minutes of the February 18, 2008 meeting. The motion passed unanimously, with Rep. Fisher, Rep. King, and Rep. Menlove absent for the vote.

**H.B. 402     Vehicle to Pull off Highway (*Rep. F. Hunsaker*)**

Rep. Hunsaker introduced the bill to the committee.

Spoke to the bill:         Linda Hull, Utah Department of Transportation  
                                  Aleta Leigh, Harris Elementary, PTA

Spoke for the bill:        Dave Creer, Utah Trucking Association

MOTION:     Rep. Neuenschwander moved to pass the bill out favorably. The motion passed unanimously, with Rep. Herrod and Rep. Menlove absent for the vote.

MOTION: Rep. King moved to place H.B. 402 on the Consent Calendar with the approval of the sponsor. The motion passed unanimously, with Rep. Herrod and Rep. Menlove absent for the vote.

**H.B. 409 Powersport Vehicle Franchise Act Revisions (Rep. J. Gowans)**

Rep. Gowans introduced the bill to the committee with the assistance of Bruce Steadman, off-highway vehicle dealer.

Spoke for the bill: Wayne Jones, Utah Powersport Dealers Association

MOTION: Rep. Ferry moved to pass the bill out favorably. The motion passed unanimously.

**H.B. 147 Restrictions on Regulation of Automotive Collection Activities (Rep. N. Hendrickson)**

Rep. Hendrickson introduced the bill to the committee.

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

1. Page 2, Lines 31 through 32:

- 31 collector vehicles, whether as a hobby or profession, including the storing of ~~{one or~~  
more} up to two parts  
32 cars at one time .

2. Page 2, Line 35:

- (c) "Collector vehicle" means a motor vehicle that is:  
(i) 25 years old or older;  
(ii) a limited production vehicle; or  
(iii) a special interest vehicle.  
35 ~~{(c)}~~ (d) "Ordinary public view" means within the natural visual range of  
an individual on a

3. Page 2, Line 37:

- 37 ~~{(d)}~~ (e) "Parts car" means a motor vehicle that is not intended to be  
operated on a road but

4. Page 2, Line 43:

- 43 (c) trees or shrubbery that block the view year round ;or

5. Page 2, Lines 51 through 52:

- 51 collector vehicles, whether as a hobby or profession, including the storing of ~~{one or~~  
more} up to two parts

52 cars at one time .

6. *Page 2, Lines 54 through 55:*

54 as a hobby or profession.

(c) "Collector vehicle" means a motor vehicle that is:

(i) 25 years old or older;

(ii) a limited production vehicle; or

(iii) a special interest vehicle.

55 ~~{(c)}~~ (d) "Ordinary public view" means within the natural visual range of  
an individual on a

7. *Page 2, Line 57:*

57 ~~{(d)}~~ (e) "Parts car" means a motor vehicle that is not intended to be  
operated on a road but

The motion to amend passed unanimously.

Spoke for the bill: William Hayden, Mopars of Utah  
Rep. Eric Hutchings, Utah House of Representatives

Spoke against the bill: Lincoln Shurtz, Utah League of Cities and Towns

MOTION: Rep. King moved to pass the bill out favorably. The motion failed with Rep. Cosgrove, Rep. Herrod, Rep. King and Rep. Menlove voting in favor. Rep. Ferry was absent for the vote.

#### **H.B. 452 Handling of Minor Traffic Accidents (*Rep. E. Hutchings*)**

Rep. Hutchings introduced the bill to the committee.

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

1. *Page 1, Lines 13 through 17:*

13       ▶ requires an operator of a vehicle involved in an accident resulting only in  
damage to

14 another vehicle or property to move the vehicle as soon as it is safely possible off the  
roadway

15 or freeway main lines, shoulders, medians, or adjacent areas to a location on an exit

16 ramp shoulder, a frontage road, the nearest suitable cross street, or other suitable

17 location that does not obstruct traffic;

2. *Page 2, Lines 37 through 39:*

37       (i) move the vehicle as soon as it is safely possible off the roadway or freeway

- main lines,  
 38 shoulders, medians, or adjacent areas to a location on an exit ramp shoulder, a frontage  
road,  
 39 the nearest suitable cross street, or other suitable location that does not obstruct traffic; and

The motion to amend passed unanimously, with Rep. Ferry absent for the vote.

Spoke for the bill: Debbie Johnson, Department of Public Safety  
 Linda Hull, Utah Department of Transportation

MOTION: Rep. Fisher moved to pass the bill out favorably. The motion passed unanimously, with Rep. King absent for the vote.

MOTION: Rep. Daw moved to place H.B. 452 on the Consent Calendar with the approval of the sponsor. The motion passed unanimously, with Rep. King absent for the vote.

**H.B. 228 Amendments to Motor Vehicle Provisions (Rep. C. Herrod)**

MOTION: Rep. Herrod moved to delete in title and body 1st Substitute H.B. 228 and replace it with 2nd Substitute H.B. 228. The motion passed unanimously, with Rep. King absent for the vote.

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

1. *Page 1, Lines 17 through 20:*

- 17 a person {~~⋮~~  
 18 ~~—————•————— who has not been granted the privilege to operate a motor vehicle on a~~  
~~highway;~~  
 19 ~~or~~  
 20 ~~—————•—————} whose privilege to operate a motor vehicle on a highway has been~~  
 denied,

2. *Page 3, Lines 68 through 75:*

- 68 (v) authorizing a peace officer to seize and take possession of a vehicle, vessel, or  
 69 outboard motor in accordance with the requirements of Section 41-1a-1101 if the vehicle,  
 70 vessel, or outboard motor is being operated on a highway within the highway authority's  
 71 jurisdiction by a person {~~⋮~~  
 72 ~~—————(i) who has not been granted the privilege to operate a vehicle on a highway in~~  
 73 ~~accordance with Section 53-3-202; or~~  
 74 ~~—————(ii)—————} whose privilege to operate a vehicle on a highway has been denied,~~  
suspended,  
 75 revoked, or disqualified.

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The motion to amend passed, with Rep. Cosgrove, Rep. Herrod, Rep. Neuenschwander, and Rep. Walker voting in opposition.

MOTION: Rep. Herrod moved to adjourn. The motion passed unanimously.

Chair Kiser adjourned the meeting at 5:53 p.m.

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Rep. Todd E. Kiser