

**MINUTES OF THE HOUSE TRANSPORTATION  
STANDING COMMITTEE**  
Room C450, State Capitol, Utah State Capitol Complex  
January 28, 2009

MEMBERS PRESENT:           Rep. Bradley M. Daw, Chair  
                                  Rep. Julie Fisher, Vice Chair  
                                  Rep. Steven D. Clark  
                                  Rep. Tim M. Cosgrove  
                                  Rep. Janice M. Fisher  
                                  Rep. Wayne A. Harper  
                                  Rep. Lynn N. Hemingway  
                                  Rep. Kory M. Holdaway  
                                  Rep. Steven R. Mascaro  
                                  Rep. Ronda R. Menlove  
                                  Rep. Michael T. Morley  
                                  Rep. F. Jay Seegmiller  
                                  Rep. C. Brent Wallis

MEMBERS EXCUSED:         Rep. Bradley G. Last

STAFF PRESENT:            Leif Elder, Policy Analyst  
                                  Karen Mitchell, Committee Secretary

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

Chair Daw called the meeting to order at 8:11 a.m.

**H.C.R. 1       Concurrent Resolution on Certification of Compressed Natural Gas Vehicles**  
***(Rep. J. Draxler)***

Rep. Draxler introduced the bill to the committee.

Spoke for the bill:       Cheryl Heying, Director, Department of Air Quality  
                                  Mat Carlile, Department of Air Quality  
                                  Howard H. Johnson, Mayor Lehi City  
                                  Brian Bremner, Garfield County  
                                  David Lifferth, Eagle Mountain  
                                  Rep. Eric Hutchings  
                                  Robin Riggs, Salt Lake Chamber of Commerce

MOTION:       Rep. Mascaro moved to pass the resolution out favorably. The motion passed unanimously, with Rep. Harper, Rep. Holdaway, and Rep. Morley absent for the vote.

**H.B. 24      Traffic Accident Clearance Amendments (*Rep. E. Hutchings*)**

Rep. Hutchings introduced the bill to the committee.

Spoke for the bill:    Linda Hull, UDOT  
                                 Chris Purcell, State Farm Insurance  
                                 Heather Jackson, Mayor Eagle Mountain  
                                 Debbie Johnson, DPS

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

1. *Page 1, Lines 21 through 23:*

21            ▶    increases the property damage limit from \$1,000 to    ~~{ \$2,000 }~~    \$1,500  
                                 for requiring an operator  
22    of a vehicle to give notice of an accident to the nearest office of a law enforcement  
23    agency;

2. *Page 1, Line 26 through Page 2, Line 29:*

26            ▶    authorizes    ~~{ the Department of Transportation or }~~    a law enforcement  
                                 agency    with jurisdiction    to remove  
27    a vehicle, cargo, or other personal property that has been damaged or spilled within  
28    the right-of-way of a roadway on the state highway system, is blocking the roadway, or is  
29    endangering public safety;

3. *Page 2, Lines 30 through 36:*

30            ▶    provides that the Department of Transportation    or a law enforcement  
                                 agency    shall not be held responsible for any  
31    damages or claims that result from    exercising the authority or    the failure to exercise  
                                 the authority to remove a  
32    vehicle, cargo, or personal property;    and  
33            { ~~→ requires the owner and carrier, if any, of the vehicle, cargo, or personal~~  
                                 property  
34    ~~removed or disposed of to reimburse the Department of Transportation or other law~~  
35    ~~enforcement agency for all costs incurred in removing and subsequently disposing~~  
36    ~~of the property; and }~~

4. *Page 2, Lines 56 through 57:*

56            (i)    move the vehicle as soon as possible off the roadway or freeway main lines,  
57    shoulders, medians, or adjacent areas to    ~~{ a }~~    the nearest safe    location on an exit

ramp shoulder, a frontage road,

5. *Page 3, Lines 76 through 79:*

76 (3) The operator of a vehicle involved in an accident shall immediately and by the  
77 quickest means of communication available give notice or cause to give notice of the  
accident  
78 to the nearest office of a law enforcement agency if the accident resulted in property  
damage to  
79 an apparent extent of [\$1,000]  ~~{\$2,000}~~  \$1,500 or more.

6. *Page 4, Lines 98 through 100:*

98 (1) As a result of a motor vehicle accident, { ~~the Department of Transportation~~  
or} a law  
99 enforcement agency with jurisdiction may, without the consent of the owner or  
carrier, remove a vehicle, cargo,  
100 or other personal property that:

7. *Page 4, Lines 105 through 111:*

105 (2) The Department of Transportation or a law enforcement agency shall not be held  
106 responsible for any damages or claims that result from exercising any authority  
or the failure to exercise any authority  
107 granted under this section provided they are acting in good faith.  
108 { ~~(3) The owner and carrier, if any, of the vehicle, cargo, or personal property~~  
removed  
109 or disposed of in accordance with this section shall reimburse the Department of  
110 Transportation or other law enforcement agency for all costs incurred in the removal  
and  
111 subsequent disposition of the vehicle, cargo, or personal property. }

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

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

Chair Daw relinquished the Chair to Vice Chair Julie Fisher.

**H.B. 73 Vehicle Operator Turn off Requirements (Rep. F. Hunsaker)**

Rep. Hunsaker introduced the bill to the committee.

Spoke to the bill: Linda Hull, UDOT

MOTION: Rep. Menlove moved to delete in title and body H.B. 73 and replace it with 1st Substitute H.B. 73. The motion passed unanimously, with Rep. Hemingway, Rep. Holdaway, and Rep. Daw absent for the vote.

MOTION: Rep. Morley moved to amend 1st Sub. H.B. 73 as follows:

8. *Page 3, Lines 57 through 61:*

57 (b) An operator of a motor vehicle is exempt from the requirement under Subsection  
58 (3)(a) to turn off the roadway and permit the vehicles following behind the operator's  
vehicle to  
59 pass if the operator is operating:  
60 (i) a commercial vehicle as defined in Section 72-9-102; {~~or~~}  
61 (ii) any vehicle used in the routine maintenance and operations of a roadway ; or  
(iii) a public transit vehicle used for public transportation purposes .

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

MOTION: Rep. Holdaway moved to pass the bill out favorably. The vote failed with Rep. Clark, Rep. Holdaway, Rep. Mascaro, Rep. Morley, and Rep. Julie Fisher voting in favor. Rep. Daw and Rep. Menlove were absent for the vote.

**H.B. 104 Driver License Hearing Amendments (Rep. R. Greenwood)**

This bill was not considered.

**H.B. 225 Driver License Amendments (Rep. C. Wimmer)**

This bill was not considered.

MOTION: Rep. Wallis moved to adjourn the meeting. The motion passed unanimously, with Rep. Daw and Rep. Menlove absent for the vote.

Vice Chair Fisher adjourned the meeting at 9:51 a.m.

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Rep. Bradley M. Daw, Chair