

**MINUTES OF THE HOUSE TRANSPORTATION
STANDING COMMITTEE**
Room C450, State Capitol, Utah State Capitol Complex
February 13, 2009

MEMBERS PRESENT: Rep. Bradley M. Daw, Chair
 Rep. Julie Fisher, Vice Chair
 Rep. Steven D. Clark
 Rep. Tim M. Cosgrove
 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

MEMBERS EXCUSED: Rep. Janice M. Fisher
 Rep. Bradley G. Last
 Rep. C. Brent Wallis

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 2:11 p.m.

MOTION: Rep. Hemingway moved to approve the minutes of the February 11, 2009 meeting. The motion passed unanimously, with Rep. Julie Fisher, Rep. Menlove, Rep. Morley, and Rep. Seegmiller absent for the vote.

H.B. 292 Traffic Violation and Citation Amendments (*Rep. D. Ipson*)

Rep. Ipson introduced the bill to the committee.

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

1. Page 1, Lines 15 through 18:

- 15 ▶ provides that an operator of a vehicle operating on a roadway divided into two or
16 more clearly marked lanes for traffic may not move the vehicle from the lane until
17 { ~~the movement can be made safely rather than when~~ } the operator
 reasonably determines that the

18 movement can be made safely;

2. *Page 3, Lines 59 through 62:*

59 (1) (a) A person operating a vehicle:

60 ~~{(a)}~~ (i) shall keep the vehicle as nearly as practical entirely within a single
lane; and

61 ~~{(b)}~~ (ii) may not move the vehicle from the lane until ~~{+}~~ **the**
operator has reasonably determined ~~{+}~~ **the**

62 movement can be made safely.

(b) A determination under Subsection (1)(a)(ii) is reasonable if a reasonable person acting under the same conditions and having regard for actual and potential hazards then existing would determine that the movement could be made safely.

3. *Page 3, Lines 80 through 83:*

80 (1) A person operating a motor vehicle is guilty of careless driving if the person:

81 (a) commits two ~~{+}~~ **or more** ~~{+}~~ moving traffic violations under this
chapter in a series of

82 acts within a single continuous period of driving covering three miles or less in total
distance;

83 or

The motion to amend passed unanimously, with Rep. Julie Fisher, Rep. Menlove, Rep. Morley, and Rep. Seegmiller absent for the vote.

MOTION: Rep. Mascaro moved to pass the bill out favorably as amended. The motion passed, with Rep. Julie Fisher, Rep. Menlove, Rep. Morley, and Rep. Seegmiller absent for the vote.

H.B. 237 Criminal Penalties Amendments - Leaving the Scene of an Accident (*Rep. C. Herrod*)

Rep. Herrod introduced the bill to the committee.

MOTION: Rep. Mascaro moved to delete in title and body H.B. 237 and replace it with 1st Substitute H.B. 237. The motion passed unanimously, with Rep. Julie Fisher, Rep. Menlove, Rep. Morley, and Rep. Seegmiller absent for the vote.

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

H.B. 202 School District Traffic Violation Complaint Procedures (*Rep. W. Harper*)

Rep. Harper introduced the bill to the committee.

MOTION: Rep. Mascaro moved to pass the bill out favorably. The motion passed with Rep. Holdaway and Rep. Morley voting in opposition.

H.B. 324 Motor Vehicle Business Regulation Act Amendments (*Rep. F. Gibson*)

Rep. F. Gibson introduced the bill to the committee.

Spoke for the bill: Wayne Jones, Independent Auto Dealers Association

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

MOTION: Rep. Menlove to place H.B. 324 on the Consent Calendar. The motion passed unanimously.

S.B. 136 Diesel-powered Motor Vehicle Emissions Inspection Program Amendments (*Sen. G. Bell*) (*Rep. Julie Fisher*)

Sen. Bell introduced the bill to the committee.

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

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

Chair Daw adjourned the meeting at 2:57 p.m.

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