

**MINUTES OF THE HOUSE TRANSPORTATION  
STANDING COMMITTEE**  
Room C450, State Capitol, Utah State Capitol Complex  
February 12, 2010

MEMBERS PRESENT:                   Rep. Bradley M. Daw, Chair  
  Rep. Julie Fisher, Vice Chair  
  Rep. Johnny Anderson  
  Rep. Steven D. Clark  
  Rep. Tim M. Cosgrove  
  Rep. Janice M. Fisher  
  Rep. Lynn N. Hemingway  
  Rep. Bradley G. Last  
  Rep. Steven R. Mascaro  
  Rep. Ronda R. Menlove  
  Rep. Michael T. Morley  
  Rep. F. Jay Seegmiller  
  Rep. C. Brent Wallis

MEMBERS EXCUSED:                 Rep. Wayne A. Harper

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.

Rep. Daw called the meeting to order at 2:04 p.m.

MOTION:     Rep Hemingway moved to approve the minutes of February 8, 2010. The motion passed unanimously, with Rep. Clark, Rep. Cosgrove, Rep. Last, Rep. Morley, and Rep. Wallis absent for the vote.

**H.B. 91         Traffic Control Signs for Bicycles (Rep. C. Moss)**

Rep. Moss introduced the bill to the committee.

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

*1. Page 1, Lines 19 through 23:*

19     {→ provides that once a person operating a bicycle approaching a steady red  
20     traffic-control signal has stopped and yielded to all other traffic, the person may  
21     cautiously:  
22     ————•———— proceed straight through the steady red signal; or

23 ~~turn left onto a highway that is a highway with one lane in each direction; and }~~ =

▶ A person operating a bicycle approaching a steady red may cautiously proceed through the intersection if:

- the operator has come to a complete stop;
- the traffic-control signal is programmed or engineered to change to a green signal only after detecting the approach of a motor vehicle and has failed to detect the arrival of the bicycle; and

• no motor vehicle or pedestrian is approaching on the roadway to be crossed or entered or is at a distance from the intersection that constitutes an immediate hazard; and

▶ provides that the belief that a traffic control signal was programmed or engineered to change to a green light only after detecting the approach of a vehicle when the signal was not programmed or engineered to change to a green light only after detecting the approach of a vehicle is not a defense to a violation of certain traffic laws.

2. Page 3, Lines 74 through 83:

74 ~~{(6)(a)(i) Except as provided in Subsection (6)(b), a person operating a bicycle~~  
75 ~~approaching a steady red traffic-control signal shall stop before entering the~~  
76 ~~intersection and~~  
77 ~~shall yield to all other traffic.~~

77 ~~(ii) Once the person has stopped and yielded to all other traffic as required by~~  
78 ~~Subsection (6)(a)(i), the person may cautiously:~~

79 ~~(A) proceed straight through the steady red signal; or~~

80 ~~(B) turn left onto a highway that is a highway with one lane in each~~  
~~direction. }~~ =

(6) (a) A person operating a bicycle approaching a steady red may cautiously proceed through the intersection if:

- (i) the operator has come to a complete stop;
- (ii) the traffic-control signal:
  - (A) is programmed or engineered to change to a green signal only after detecting the approach of a motor vehicle; and
  - (B) has failed to detect the arrival of the bicycle; and
- (iii) no motor vehicle or pedestrian is:

(A) approaching on the roadway to be crossed or entered; or

(B) at a distance from the intersection that constitutes an immediate hazard.

(b) The belief that a traffic control signal was programmed or engineered to change to a green light only after detecting the approach of a vehicle when the signal was not programmed or engineered to change to a green light only after detecting the approach of a vehicle is not a defense to a violation of Section 41-6a-305.

81            ~~(b)~~ (c) After slowing to a reasonable speed and yielding the right-of-way  
if required, a  
82    person operating a bicycle approaching a steady red traffic-control signal may cautiously  
make  
83    a right-hand turn without stopping.

The motion to amend passed unanimously, with Rep. Cosgrove, Rep. Last, Rep. Morley, and Rep. Wallis absent for the vote.

Spoke for the bill:     Dan Fazzini, Utah Bicycle Coalition Board Member

Spoke to the bill:     Rolayne Fairclough, AAA Utah

MOTION:     Rep. Janice Fisher moved to pass the bill out favorably as amended.

The motion passed with Rep. Mascaro voting in opposition. Rep. Cosgrove and Rep. Last were absent for the vote.

Chair Daw relinquished the chair to Vice Chair Julie Fisher.

#### **H.B. 174     License Plates Amendments *(Rep. P. Ray)***

Rep. Ray introduced the bill to the committee.

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

1.    Page 1, Line 16:

16    in the vehicle;

▶     provides that the requirement to attach a license plate to the front of a vehicle shall only be enforced as a moving traffic violation;

2.    Page 2, Line 58 through Page 3, Line 65:

58 license plate to the front of the vehicle, or for another offense.]

**(4) The requirement under Subsection (1) to attach a license plate to the front of a vehicle shall only be enforced as a moving traffic violation.**

59 ~~{(4)}~~ **(5)** (a) Either a tail light or a separate light shall be constructed and placed to illuminate

60 with a white light the rear license plate and render it legible from a distance of 50 feet to the

61 rear.

62 (b) A light described in Subsection ~~{(4)}~~ **(5)** (a) illuminating a rear license plate shall be

63 wired to be lighted whenever the headlights or auxiliary driving lights are lighted.

64 ~~{(5)}~~ **(6)** (a) Except as provided in Subsections ~~{(5)}~~ **(6)** (b) and (c), a violation of this section is a

65 class C misdemeanor.

3. *Page 3, Lines 74 through 81:*

74 (c) (i) A violation of the requirement under Subsection ~~{(4)}~~ **(5)** to illuminate the rear license

75 plate on a vehicle is an infraction.

76 (ii) A court shall waive the fine for a violation of the requirement under Subsection ~~{(4)}~~ **(5)**

77 to illuminate the rear license plate on a vehicle if:

78 (A) the person demonstrates that the person has complied with the requirements of Subsection ~~{(4)}~~ **(5)** subsequent to the violation but before sentencing; and

80 (B) the person has not previously been cited for a violation of the requirement under Subsection ~~{(4)}~~ **(5)** to illuminate the rear license plate on a vehicle.

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

Spoke for the bill: Mike Kuehn, Utah Highway Patrol  
Frank Budd, Executive Director Utah Chiefs of Police Assn.

MOTION: Rep. Mascaro moved to pass the bill out favorably as amended.

The motion passed with Rep. Morley and Rep. Wallis voting in opposition. Rep. Cosgrove and

Rep. Menlove were absent for the vote.

Chair Daw resumed the chair.

**1st Sub. S.B. 114     Motor Vehicle Accident Reports (Sen. D. Stowell) (Rep. R. Lockhart)**

Sen. Stowell introduced the bill to the committee.

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

The motion passed unanimously, with Rep. Cosgrove and Rep. Menlove absent for the vote.

**S.B. 117     Pete Suazo Memorial Highway (Sen. L. Robles) (Rep. J. Seelig)**

Sen. Robles introduced the bill to the committee. (handout)

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

The motion passed unanimously, with Rep. Janice Fisher absent for the vote.

**H.B. 132     Pioneer Trail Memorial Highway (Rep. R. Menlove)**

Rep. Menlove introduced the bill to the committee. (handouts)

Spoke for the bill:     Gerald Haycock, Sons of the Utah Pioneers

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

The motion passed unanimously with Rep. Seegmiller absent for the vote.

MOTION:     Rep. Cosgrove moved to place H.B. 132 on the Consent Calendar.

The motion passed unanimously with Rep. Seegmiller absent for the vote.

**H.B. 175     Amendments to Light Requirements on Motor Vehicles (Rep. K. Powell)**

This bill was not considered.

MOTION:     Rep. Morley moved to adjourn the meeting. The motion passed unanimously with Rep. Seegmiller absent for the vote.

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Chair Daw adjourned the meeting at 3:02 p.m.

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Rep. Bradley M. Daw, Chair