

**MINUTES OF THE HOUSE TRANSPORTATION
STANDING COMMITTEE**

Room C450, State Capitol, Utah State Capitol Complex

February 4, 2011

MEMBERS PRESENT: Rep. Bradley M. Daw, Chair
 Rep. Johnny Anderson, Vice Chair
 Rep. Janice M. Fisher
 Rep. Julie Fisher
 Rep. Steve Handy
 Rep. Wayne A. Harper
 Rep. Lynn N. Hemingway
 Rep. Todd Kiser
 Rep. Bradley Last
 Rep. Carol Spackman Moss
 Rep. Jim Nielson
 Rep. Jeremy Peterson
 Rep. Val Peterson

MEMBERS ABSENT: Rep. Ken Sumsion

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. Anderson called the meeting to order at 2:03 p.m.

MOTION: Rep. Handy moved to approve the minutes of the February 2, 2011 meeting. The motion passed unanimously with Rep. Julie Fisher, Rep. Harper, Rep. Last, Rep. Jeremy Peterson, and Rep. Daw absent for the vote.

S.B. 118 Multistate Highway Transportation Agreement Amendments (*Sen. K. Van Tassel*) (Rep. Julie Fisher)

Sen. VanTassel introduced the bill to the committee.

MOTION: Rep. Kiser moved to pass S.B. 118 with a favorable recommendation. The motion passed unanimously with Rep. Julie Fisher, Rep. Harper, Rep. Last, Rep. Jeremy Peterson, and Rep. Daw absent for the vote.

H.B. 81 Tow Truck Amendments (*Rep. L. Perry*)

Rep. Perry introduced the bill to the committee.

Spoke in favor of the bill: Brett Reeder, R.C. Towing

Spoke to the bill: Rick Clasby, Motor Carrier Division Director, UDOT

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

1. Page 6, Lines 172 through 176:

- 172 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
the
173 Department of Transportation shall:
174 (a) set maximum rates that:
175 (i) tow truck motor carriers may charge for { any reasonable accident cleanup
fees and }
176 the tow truck service of a vehicle, vessel, or outboard motor that are transported in
response to:

The motion passed with Rep. Nielson voting in opposition and Rep. Daw absent for the vote.

MOTION: Rep. Harper proposed to remove section 4 from the bill and make any technical changes as necessary.

SUBSTITUTE

MOTION: Rep. Janice Fisher moved to proceed to the next item on the agenda. The motion passed unanimously with Rep. Daw absent for the vote.

H.B. 252 Railroad and Railroad Crossing Amendments (Rep. R. Greenwood)

Rep. Greenwood introduced the bill to the committee.

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

1. Page 6, Lines 158 through 162:

- 158 (4) It is a defense to prosecution under this section that the person:
159 (a) was present on the restricted property in the person's capacity as an employee,
160 passenger, contractor, or invitee of the railroad: { ~~or~~ }
161 (b) had permission to be on the restricted railroad property from a person with
apparent
162 authority to act for the railroad ; or

(c)(i) was investigating an accident;
(ii) had announced the person's presence to a railroad employee, if any, present
in the direct proximity of the accident site; and
(iii) agreed to wear safety gear of the same type being required of railroad
employees at the site .

The motion failed with Rep. Janice Fisher, Rep. Hemingway, and Rep. Moss voting in favor of the amendment. Rep. Harper and Rep. Daw were absent for the vote.

Spoke in favor of the bill: Jeff Worthington, BLET
 Jay Seegmiller, Citizen
 Jeff Devashrayee, Union Pacific Railroad

Spoke to the bill: Paul Boyden, Statewide Association of Prosecutors

MOTION: Rep. Handy moved to pass H.B. 252 with a favorable recommendation. The motion passed unanimously with Rep. Last absent for the vote.

1st Sub. H.B. 221 Classic Car Inspections (Rep. F. Cox)

Rep. Cox introduced the bill to the committee.

Spoke in favor of the bill: Kerry Burton, Citizen

MOTION: Rep. Julie Fisher moved to pass 1st Sub. H.B. 221 with a favorable recommendation. The motion passed unanimously with Rep. Last absent for the vote.

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

Rep. Anderson adjourned the meeting at 3:39 p.m.

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