

**MINUTES OF THE SENATE TRANSPORTATION & PUBLIC UTILITIES &
TECHNOLOGY STANDING COMMITTEE
WEDNESDAY, FEBRUARY 9, 2011
ROOM 215, SENATE BUILDING**

Members Present: Sen. Kevin Van Tassell, Chair
Sen. Stuart Adams
Sen. Scott Jenkins
Sen. Peter Knudson
Sen. Karen Mayne

Staff Present: Leif Elder, Policy Analyst
Karen C. Allred, Secretary

Public Speakers Present: Nanette Rolfe, Director, Driver License Division, Utah
Department of Public Safety
Ronald Mortensen, Utah Coalition on Illegal Immigration
Greg Summerhays, Public Relations Director, Workers
Compensation Fund
Robert Wren, Chairman, UFIRE, Utah Forensic and Incident
Response Environment
Tony Yapias, Director, Protecto Latino de Utah
Fred Downy, Citizen
Richard Kasteller, Executive Director, Insure-Rite
Frank Wheeler, Husband of Nurse Virginia Wheeler
Linda Hull, Legislative Director, Utah Department of
Transportation

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

Committee Chair Van Tassell called the meeting to order at 2:17 p.m.

Approval of Minutes.

MOTION: Sen. Mayne moved to approve the minutes of the February 7, 2011 meeting.

The motion passed unanimously with Sens. Jenkins and Knudson absent for the vote.

1. **S.B. 138 Driver License Qualification Amendments** (*S. Urquhart*)

Sen. Urquhart explained the bill.

Nanette Rolfe, Director, Driver License Division answered questions about Driving Privilege

Cards.

Speaking in support of the bill were Ronald Mortensen, Utah Coalition on Illegal Immigration; Greg Summerhays, Public Relations Director, Workers Compensation Fund and Fred Downy, Citizen.

Speaking in opposition to the bill were Sen. Curtis Bramble; Robert Wren, Utah Forensic and Incident Response Environment and Tony Yapias, Director, Protecto Latino de Utah.

MOTION: Sen. Adams moved to transmit S.B.138 with a favorable recommendation.

The motion passed with Sens. Van Tassell, Adams, Jenkins and Knudson voting in favor of the bill and Sen. Mayne voting in opposition.

2. **S.J.R. 14 Communications Device Usage Joint Resolution** (C. Bramble)

Sen. Bramble explained the bill.

MOTION: Sen. Mayne moved to transmit S.J.R. 14 with a favorable recommendation.

The motion passed unanimously with Sen. Jenkins absent for the vote.

MOTION: Sen. Adams moved that the bill be placed on the Consent Calendar.

The motion passed unanimously.

3. **H.B. 28 Penalties for Unauthorized Use of Records** (R. Greenwood)

Rep. Greenwood explained the bill.

The following amendments were proposed:

1. *Page 1, Lines 15 through 17:*

15 ▶ provides that the knowing or intentional unauthorized access, use ,
disclosure, or dissemination of records created or maintained by the Motor
16 Vehicle Division, the Driver License Division, or the Criminal Investigations and
17 Technical Services Division is a class B misdemeanor;

2. *Page 3, Lines 88 through 89:*

88 { ~~(10)(a) Unauthorized use of records created or maintained by the division is~~
~~a class B~~
89 ~~misdemeanor.~~ } (10)(a) It is a class B misdemeanor for a person to knowingly or

intentionally access, use, disclose, or disseminate a record created or maintained by the division or any information contained in a record created or maintained by the division for a purpose not permitted or prohibited by statute, rule, regulation, or policy of a governmental entity.

3. Page 6, Lines 168 through 169:

168 (8) (a) {~~Unauthorized use of records created or maintained by the division is a~~
~~class B~~
169 ~~misdemeanor.~~} It is a class B misdemeanor for a person to knowingly or
intentionally access, use, disclose, or disseminate a record created or maintained by
the division or any information contained in a record created or maintained by the
division for a purpose not permitted or prohibited by statute, rule, regulation, or
policy of a governmental entity.

4. Page 9, Lines 268 through 270:

268 (11) (a) [~~Misuse of access to criminal history record information~~] {~~Unauthorized~~
~~use of~~
269 ~~records created or maintained, or to which access is granted by the division is a class~~
~~B~~
270 ~~misdemeanor.~~} It is a class B misdemeanor for a person to knowingly or
intentionally access, use, disclose, or disseminate a record created, maintained, or to
which access is granted by the division or any information contained in a record
created, maintained, or to which access is granted by the division for a purpose not
permitted or prohibited by statute, rule, regulation, or policy of a governmental
entity.

MOTION: Sen. Adams moved to adopt the amendments.

The motion passed unanimously.

MOTION: Sen. Knudson moved to transmit H.B. 28 with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Adams moved that the bill be placed on the Consent Calendar.

The motion passed unanimously.

4. **H.B. 193 Public Highway Designation** (C. Watkins)

Rep. Watkins explained the bill.

Frank Wheeler, husband of Nurse Virginia Wheeler (whose motto was to forget herself and serve others) spoke in support of the bill.

Linda Hull, Legislative Director, Utah Department of Transportation answered questions from the committee.

MOTION: Sen. Mayne moved to transmit H.B. 193 with a favorable recommendation.

The motion passed with Sens. Van Tassell, Adams, Knudson and Mayne voting in favor of the motion and Sen. Jenkins voting in opposition.

MOTION: Sen Mayne moved to adjourn.

The motion passed unanimously.

Chair Van Tassell adjourned the meeting at 3:42 p.m.

Minutes reported by Karen Allred, Secretary.

Sen. Kevin Van Tassell, Committee Chair