

# 1st Sub. H.B. 104

## LOCAL HIGHWAY AUTHORITY REGULATORY POWERS

HOUSE FLOOR AMENDMENTS

AMENDMENT 1

FEBRUARY 21, 2012 4:04 PM

Representative **James A. Dunnigan** proposes the following amendments:

1. *Page 1, Lines 13 through 17:*

13           ▶ provides definitions;

14           { ~~→ prohibits a local highway authority from enacting an ordinance that prohibits or~~  
15 ~~restricts an owner or operator of a vehicle from causing or permitting the vehicle's~~  
16 ~~engine to idle;~~ }

                  ▶ authorizes a local highway authority to establish a vehicle idling education and outreach program, which may include enacting an ordinance that prohibits or restricts an owner or operator of a vehicle from causing or permitting the vehicle's engine to idle;

                  ▶ provides that an idling ordinance may not be enforced on a quasi-public road or parking area or any other private property;

17           ▶ prohibits a local highway authority from enacting an ordinance that prohibits a

2. *Page 2, Line 56 through Page 4, Line 88:*

56           [(+) (2) (a) The provisions of this chapter do not prevent a local highway authority for a  
57 highway under its jurisdiction and within the reasonable exercise of police power, from:

58           {~~(a)~~} (i) regulating or prohibiting stopping, standing, or parking;

59           {~~(b)~~} (ii) regulating traffic by means of a peace officer or a traffic-control device;

60           {~~(c)~~} (iii) regulating or prohibiting processions or assemblages on a highway;

61           {~~(d)~~} (iv) designating particular highways or roadways for use by traffic moving in one  
62 direction under Section 41-6a-709;

63           {~~(e)~~} (v) establishing speed limits for vehicles in public parks, which supersede Section  
64 41-6a-603 regarding speed limits;

65           {~~(f)~~} (vi) designating any highway as a through highway or designating any intersection or  
66 junction of roadways as a stop or yield intersection or junction;

67           {~~(g)~~} (vii) restricting the use of a highway under Section 72-7-408;

68           {~~(h)~~} (viii) regulating the operation of a bicycle and requiring the registration and inspection of  
69 bicycles, including requiring a registration fee;

70           {~~(i)~~} (ix) regulating or prohibiting:

71           {~~(i)~~} (A) certain turn movements of a vehicle; or

72           {~~(ii)~~} (B) specified types of vehicles;

73           {~~(j)~~} (x) altering or establishing speed limits under Section 41-6a-603;

74           {~~(k)~~} (xi) requiring written accident reports under Section 41-6a-403;

75            ~~{(t)}~~    (xii)    designating no-passing zones under Section 41-6a-708;  
76            ~~{(m)}~~    (xiii)    prohibiting or regulating the use of controlled-access highways by any class or  
77 kind of traffic under Section 41-6a-715;  
78            ~~{(n)}~~    (xiv)    prohibiting or regulating the use of heavily traveled streets by any class or kind of  
79 traffic found to be incompatible with the normal and safe movement of traffic;  
80            ~~{(o)}~~    (xv)    establishing minimum speed limits under Subsection 41-6a-605(3);  
81            ~~{(p)}~~    (xvi)    prohibiting pedestrians from crossing a highway in a business district or any  
82 designated highway except in a crosswalk under Section 41-6a-1001;  
83            ~~{(q)}~~    (xvii)    restricting pedestrian crossings at unmarked crosswalks under Section 41-6a-1010;  
84            ~~{(r)}~~    (xviii)    regulating persons upon skates, coasters, sleds, skateboards, and other toy vehicles;  
85            ~~{(s)}~~    (xix)    adopting and enforcing temporary or experimental ordinances as necessary to cover  
86 emergencies or special conditions;  
87            ~~{(t)}~~    (xx)    prohibiting drivers of ambulances from exceeding maximum speed limits; or  
88            ~~{(u)}~~    (xxi)    adopting other traffic ordinances as specifically authorized by this chapter. =

(b) (i) A local highway authority may establish a vehicle idling education and outreach program, including enacting an ordinance that prohibits or restricts an owner or operator of a vehicle from causing or permitting the vehicle's engine to idle.

(ii) An ordinance enacting under this Subsection (2)(b) may not be enforced on a quasi-public road or parking area as defined in Section 41-6a-214 or any other private property.