

1st Sub. H.B. 104

LOCAL HIGHWAY AUTHORITY REGULATORY POWERS

SENATE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 6, 2012 11:38 AM

Senator **J. Stuart Adams** proposes the following amendments:

1. *Page 1, Line 13*

House Floor Amendments

2-24-2012:

13 ▶ provides definitions;

 ▶ provides that a local highway authority may adopt an ordinance that requires a ground transportation vehicle to conform to safety and appearance requirements;

2. *Page 2, Line 32a*

House Floor Amendments

2-24-2012:

32a { ~~ft~~ → 41-6a-214, as renumbered and amended by Laws of Utah 2005, Chapter 2 ← ~~ft~~ }

3. *Page 3, Line 87 through Page 4, Line 88:*

87 (t) prohibiting drivers of ambulances from exceeding maximum speed limits; { ~~or~~ }

88 (u) adopting other traffic ordinances as specifically authorized by this chapter ; or

(v) adopting an ordinance that requires a ground transportation vehicle to conform to safety and appearance requirements .

4. *Page 4, Lines 97b through 97j*

House Floor Amendments

2-24-2012:

97b (ii) provides that a person must be issued at least three warning citations { ~~within a~~

97c one-year period } before imposing a fine;

97d (iii) has the same fine structure as a parking violation;

97e (iv) provides for the safety of law enforcement personnel who enforce the

97f ordinance; and

97g (v) provides that the ordinance may { ~~only~~ } be enforced on public property or private property

 { ~~or on a~~

97h quasi-public road or parking area as defined in Section 41-6a-214 if the owner of the private

97i property requests, through written or electronic means, that the ordinance be enforced on the

97j private property } that is open to the general public unless the private property owner;

- (i) has a private business;
- (ii) has a drive-through service as a component of the private property owner's business operations;
- and
- (iii) posts a sign acceptable to the local highway authority informing its customers and the public of the local highway authority's time limit for idling vehicle engines on private property ; or ←Ĥ

5. Page 4, Line 109a through Page 4a, Line 109r
 House Floor Amendments
 2-24-2012:

109a { ~~Ĥ~~ → Section 2. Section 41-6A-214 is amended to read:

- 109b ~~41-6a-214. Quasi-public roads and parking areas -- Local ordinance~~ 109c (1) As used in this
- 109d section, "quasi-public road or parking area" means a privately owned and
- 109e maintained road or parking area that is generally held open for use of the public for purposes of
- 109f vehicular travel or parking.
- 109g (2) (a) [Any] Except as provided in Section 41-6a-208, any municipality or county may by
- 109h ordinance provide that a quasi-public road or parking area within the municipality or county is
- 109i subject to this chapter:
- 109j (b) An ordinance may not be enacted under this section without:
- 109k (i) a public hearing; and
- 109l (ii) the agreement of a majority of the owners of the quasi-public road or parking area
- 109m involved.
- 109n (3) This section:
- 109o (a) supercedes conflicting provisions under Section 41-6a-215;
- 109p (b) does not require a peace officer to patrol or enforce any provisions of this chapter on any
- 109q quasi-public road or parking area; or
- 109r (c) does not affect the duty of a peace officer to enforce those provisions of this chapter
- 109s applicable to private property other than under this section. ←Ĥ }