

# 1st Sub. H.B. 104

## LOCAL HIGHWAY AUTHORITY REGULATORY POWERS

SENATE FLOOR AMENDMENTS

AMENDMENT 5

MARCH 6, 2012 4:33 PM

Senator **Benjamin M. McAdams** 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 state safety standards and reasonable annual appearance requirements;

2. *Page 2, Line 32a*

*House Floor Amendments*

2-24-2012:

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

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 state safety standards and reasonable annual 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   :

(A) public property; or

(B) 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 that has a drive-through service as a component of the private property  
owner's business operations and 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 ; or ←Ĥ  
(II) adopts an idle reduction education policy approved by the local highway authority.

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 }~~