

**Representative Bruce R. Cutler** proposes the following substitute bill:

**STATE VEHICLE AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bruce R. Cutler**

Senate Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill modifies provisions regarding state vehicles managed by the Division of Fleet Operations.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ requires the Division of Fleet Operations to display on state vehicles with an "EX"

license plate:

- the text "For Official Use Only"; and
- the text "How's My Driving?" and the phone number to call;
- ▶ requires the division to:
  - maintain a phone number for the public to call to compliment or complain about

the operation of a state vehicle; and

- refer complaints and compliments to the agency that owns, leases, or operates a state vehicle;
  - ▶ clarifies who is responsible for repairs and for ensuring state vehicle markings meet visibility requirements; and
  - ▶ makes technical changes.

**1st Sub. H.B. 354**



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63A-9-501**, as last amended by Laws of Utah 2006, Chapter 139

33 **63A-9-601**, as enacted by Laws of Utah 1996, Chapter 334



35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **63A-9-501** is amended to read:

37 **63A-9-501. Complaints about misuse or illegal operation of state vehicles --**

38 **Disposition.**

39 (1) The division shall:

40 (a) designate and maintain a phone number for the public to call to compliment or  
41 complain about the operation of a state vehicle;

42 (b) for the phone number designated under Subsection (1)(a), establish a way for a  
43 caller to leave a message if a staff member is unavailable to answer the phone call; and

44 (c) for calls with a compliment or complaint about the operation of a state vehicle,  
45 monitor messages received under Subsection (1)(b) and log calls made to the phone number  
46 designated under Subsection (1)(a).

47 ~~[(1)]~~ (2) The division shall refer ~~[complaints]~~ to the agency that owns, leases, or  
48 operates a state vehicle:

49 (a) a complaint from the public about misuse or illegal operation of the state ~~[vehicles~~  
50 to the agency that is the owner or lessor of the] vehicle[-]; and

51 (b) a compliment from the public regarding the operation of the state vehicle.

52 ~~[(2)]~~ (3) Each agency head or ~~[his]~~ the agency head's designee shall investigate all  
53 complaints about misuse or illegal operation of state vehicles and shall discipline each  
54 employee that is found to have misused or illegally operated a vehicle by following the  
55 procedures set forth in the rules adopted by the Department of Human Resource Management  
56 as authorized by Section **67-19-18**.

57 ~~[(3)]~~ (4) (a) Each agency shall report the findings of each investigation conducted as  
 58 well as any action taken as a result of the investigation to the directors of the Divisions of Fleet  
 59 Operations and Risk Management.

60 (b) Misuse or illegal operation of state vehicles may result in suspension or revocation  
 61 of state vehicle driving privileges as governed in rule.

62 Section 2. Section **63A-9-601** is amended to read:

63 **63A-9-601. Marking of vehicles.**

64 (1) As used in this section:

65 (a) "State 'EX' plated vehicle" means a motor vehicle that is:

66 (i) owned, leased for use, or operated by the state; and

67 (ii) required under Section [41-1a-407](#) to display an "EX" license plate.

68 (b) "State 'EX' plated vehicle markings" means the license plate, identification marks,  
 69 text, and other information required under Subsection (2) to be displayed on a state "EX" plated  
 70 vehicle.

71 ~~[(+)]~~ (2) (a) Except as provided in Subsection ~~[(5)]~~ (6), ~~[all motor vehicles owned,~~  
 72 leased for use, or operated by the state shall display an identification mark and "EX" plates  
 73 where required by Section [41-1a-407](#); the division shall ensure that every state "EX" plated  
 74 vehicle displays:

75 ~~[(b) The division is responsible for ensuring that vehicles owned or leased by the state~~  
 76 ~~are marked.]~~

77 ~~[(c) The division shall enact rules relating to the size and design of the identification~~  
 78 ~~mark.]~~

79 ~~[(2) The identification mark shall be]~~

80 (i) an "EX" license plate as required under Subsection [41-1a-407](#)(1)(a);

81 (ii) an identification mark as required under Subsection [41-1a-407](#)(1)(b);

82 (iii) the text "For Official Use Only" in a conspicuous place on both the passenger side  
 83 and the driver side of the vehicle; and

84 (iv) on the back side of the vehicle the following information:

85 (A) the text "How's My Driving?";

86 (B) the phone number designated by the division under Section [63A-9-501](#); and

87 (C) text informing a caller that the caller will need to include the license plate number

88 when calling.

89 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
90 division shall adopt rules specifying the size and design of the state "EX" plated vehicle  
91 markings, except the license plate.

92 (3) (a) An operator of a state "EX" plated vehicle shall ensure that the state "EX" plated  
93 vehicle markings are clear, distinct, and kept free from defacement, mutilation, grease, and  
94 other obscuring matter so that [it is] the markings are plainly visible at all times.

95 (b) If the state "EX" plated vehicle markings are in need of repair, the vehicle operator  
96 shall request that the agency that owns, leases, or operates the state vehicle make the repairs.

97 (c) The agency that owns, leases, or operates a state vehicle shall make necessary  
98 repairs to the state "EX" plated vehicle markings.

99 ~~[(3)]~~ (4) Each person operating a state "EX" plated vehicle without the proper  
100 ~~[designation]~~ state "EX" plated vehicle markings is guilty of an infraction.

101 ~~[(4) Vehicles]~~ (5) A motor vehicle used in official investigative work where secrecy is  
102 essential ~~[are]~~ is exempt from the requirements of this section.

103 ~~[(5)]~~ (6) Notwithstanding Subsection ~~[(1)]~~ (2), the division may grant a security  
104 ~~[exemptions to the identification mark and "EX" plate requirement when]~~ exemption to the  
105 requirements of this section if the division:

106 (a) receives a request for an exemption; and

107 (b) determines there is a substantial danger to the person to whom the vehicle is  
108 assigned if the vehicle is identified as a state vehicle.

109 Section 3. **Effective date.**

110 This bill takes effect on January 1, 2016.