

HB0354S01 compared with HB0354

~~{deleted text}~~ shows text that was in HB0354 but was deleted in HB0354S01.

inserted text shows text that was not in HB0354 but was inserted into HB0354S01.

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Representative Bruce R. Cutler proposes the following substitute bill:

~~{EXEMPT}~~STATE VEHICLE AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bruce R. Cutler

Senate Sponsor: _____

LONG TITLE

General Description:

This bill ~~{amends}~~modifies provisions regarding ~~{certain government}~~state vehicles managed by the Division of Fleet Operations.

Highlighted Provisions:

This bill:

- ▶ ~~{requires state and local government to display on}~~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;
- ▶ ~~{specifies the size of identification marks and text on vehicles with an "EX" license plate};~~

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- ~~establishes the state auditor as the contact for compliment and complaint phone calls;~~
- ~~for each phone call, authorizes the state auditor to impose an administrative fee on the entity that owns, operates, or leases the vehicle for providing the service of driver feedback; and~~
- ~~requires the state auditor to report to the Government Operations Interim Committee}~~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.

Money Appropriated in this Bill:

~~{This bill appropriates in fiscal year 2016:~~

- ~~to the Office of the State Auditor - State Auditor, as an ongoing appropriation:~~
- ~~from Dedicated Credits Revenue, \$5,000.}~~ None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

~~{41-1a-407}~~63A-9-501, as last amended by Laws of Utah ~~{2008}~~2006, Chapter ~~{382}~~139

~~{67-3-1}~~63A-9-601, as ~~{last amended}~~enacted by Laws of Utah ~~{2014}~~1996, Chapter ~~{377}~~334

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

Section 1. Section ~~{41-1a-407}~~63A-9-501 is amended to read:

~~{41-1a-407. Plates issued to political subdivisions or state -- Use of "EX" letters --~~

Confidential information:

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~~— (1) Except as provided in Subsection (2), each municipality, board of education, school district, state institution of learning, county, other governmental division, subdivision, or district, and the state shall:~~

~~— (a) place a license plate displaying the letters, "EX" on every vehicle owned and operated by it or leased for its exclusive use; [and]~~

~~— (b) display in a size sufficient to be plainly readable from a distance of 100 feet during daylight an identification mark designating the vehicle as the property of the entity in a conspicuous place on both sides of the vehicle[.];~~

~~— (c) display in a size sufficient to be plainly readable from a distance of 100 feet during daylight the text "For Official Use Only" in a conspicuous place on both the passenger side and the driver side of the vehicle; and~~

~~— (d) display in a size sufficient to be plainly readable from a distance of 100 feet during daylight on the back side of the vehicle the following information, as determined by the state auditor under Subsection 67-3-1(17):~~

~~— (i) the text "How's My Driving?";~~

~~— (ii) text informing a caller that the caller will need to include the license plate number when calling; and~~

~~— (iii) a phone number to call;~~

~~— (2) The entity need not display the "EX" license plate or the identification mark required by Subsection (1) if:~~

~~— (a) the vehicle is in the direct service of the governor, lieutenant governor, attorney general, state auditor, or state treasurer of Utah;~~

~~— (b) the vehicle is used in official investigative work where secrecy is essential;~~

~~— (c) the vehicle is used in an organized Utah Highway Patrol operation that is:~~

~~— (i) conducted within a county of the first or second class as defined under Section 17-50-501, unless no more than one unmarked vehicle is used for the operation;~~

~~— (ii) approved by the commissioner of public safety;~~

~~— (iii) of a duration of 14 consecutive days or less; and~~

~~— (iv) targeted toward careless driving, aggressive driving, and accidents involving:~~

~~— (A) violations of Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving;~~

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~~—— (B) speeding violations for exceeding the posted speed limit by 21 or more miles per hour;~~

~~—— (C) speeding violations in a reduced speed school zone under Section 41-6a-604;~~

~~—— (D) violations of Section 41-6a-1002 related to pedestrian crosswalks; or~~

~~—— (E) violations of Section 41-6a-702 related to lane restrictions;~~

~~—— (d) the vehicle is provided to an official of the entity as part of a compensation package allowing unlimited personal use of that vehicle;~~

~~—— (e) the personal security of the occupants of the vehicle would be jeopardized if the "EX" license plate were in place; or~~

~~—— (f) the vehicle is used in routine enforcement on a state highway with four or more lanes involving:~~

~~—— (i) violations of Section 41-6a-701 related to operating a vehicle on the right side of a roadway;~~

~~—— (ii) violations of Section 41-6a-702 related to left lane restrictions;~~

~~—— (iii) violations of Section 41-6a-704 related to overtaking and passing vehicles proceeding in the same direction;~~

~~—— (iv) violations of Section 41-6a-711 related to following a vehicle at a safe distance; and~~

~~—— (v) violations of Section 41-6a-804 related to turning and changing lanes.~~

~~—— (3) Plates issued to Utah Highway Patrol vehicles may bear the capital letters "UHP," a beehive logo, and the call number of the trooper to whom the vehicle is issued.~~

~~—— (4) (a) The commission shall issue "EX" and "UHP" plates.~~

~~—— (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission shall make rules establishing the procedure for application for and distribution of the plates.~~

~~—— (5) For a vehicle that qualifies for "EX" or "UHP" license plates, the entity is not required to display an annual registration decal.~~

~~—— (6) (a) Information shall be confidential for vehicles that are not required to display the "EX" license plate or the identification mark under Subsections (2)(a), (b), (d), and (e).~~

~~—— (b) (i) If a law enforcement officer's identity must be kept secret, the law~~

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~~enforcement officer's agency head may request in writing that the division remove the license plate information of the officer's personal vehicles from all public access files and place it in a confidential file until the assignment is completed.~~

~~———— (ii) The agency head shall notify the division when the assignment is completed.~~

~~———— (7) A peace officer engaged in an organized operation under Subsection (2)(c) shall be in a uniform clearly identifying the law enforcement agency the peace officer is representing during the operation.~~

~~———— }63A-9-501. Complaints about misuse or illegal operation of state vehicles --~~

Disposition.

~~{(1)}~~ (1) The division shall:

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

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

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

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

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

~~———— (2)}~~ [-]; and

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

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

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

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

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

63A-9-601. Marking of vehicles.

~~{(1)}~~ (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall adopt rules specifying the size and design of the state "EX" plated vehicle

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markings, except the license plate.

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

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

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

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

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

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

- (a) receives a request for an exemption; and
- (b) determines there is a substantial danger to the person to whom the vehicle is assigned if the vehicle is identified as a state vehicle.

Section ~~{2. Section 67-3-1 is amended to read:~~

~~67-3-1. Functions and duties.~~

~~(1) (a) The state auditor is the auditor of public accounts and is independent of any executive or administrative officers of the state.~~

~~(b) The state auditor is not limited in the selection of personnel or in the determination of the reasonable and necessary expenses of the state auditor's office.~~

~~(2) The state auditor shall examine and certify annually in respect to each fiscal year, financial statements showing:~~

- ~~(a) the condition of the state's finances;~~
- ~~(b) the revenues received or accrued;~~
- ~~(c) expenditures paid or accrued;~~
- ~~(d) the amount of unexpended or unencumbered balances of the appropriations to the agencies, departments, divisions, commissions, and institutions; and~~

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- ~~—— (e) the cash balances of the funds in the custody of the state treasurer.~~
- ~~—— (3) (a) The state auditor shall:~~
 - ~~—— (i) audit each permanent fund, each special fund, the General Fund, and the accounts of any department of state government or any independent agency or public corporation as the law requires, as the auditor determines is necessary, or upon request of the governor or the Legislature;~~
 - ~~—— (ii) perform the audits in accordance with generally accepted auditing standards and other auditing procedures as promulgated by recognized authoritative bodies;~~
 - ~~—— (iii) as the auditor determines is necessary, conduct the audits to determine:~~
 - ~~—— (A) honesty and integrity in fiscal affairs;~~
 - ~~—— (B) accuracy and reliability of financial statements;~~
 - ~~—— (C) effectiveness and adequacy of financial controls; and~~
 - ~~—— (D) compliance with the law.~~
 - ~~—— (b) If any state entity receives federal funding, the state auditor shall ensure that the audit is performed in accordance with federal audit requirements.~~
 - ~~—— (c) (i) The costs of the federal compliance portion of the audit may be paid from an appropriation to the state auditor from the General Fund.~~
 - ~~—— (ii) If an appropriation is not provided, or if the federal government does not specifically provide for payment of audit costs, the costs of the federal compliance portions of the audit shall be allocated on the basis of the percentage that each state entity's federal funding bears to the total federal funds received by the state.~~
 - ~~—— (iii) The allocation shall be adjusted to reflect any reduced audit time required to audit funds passed through the state to local governments and to reflect any reduction in audit time obtained through the use of internal auditors working under the direction of the state auditor.~~
- ~~—— (4) (a) Except as provided in Subsection (4)(b), the state auditor shall, in addition to financial audits, and as the auditor determines is necessary, conduct performance and special purpose audits, examinations, and reviews of any entity that receives public funds, including a determination of any or all of the following:~~
 - ~~—— (i) the honesty and integrity of all its fiscal affairs;~~
 - ~~—— (ii) whether or not its administrators have faithfully complied with legislative intent;~~
 - ~~—— (iii) whether or not its operations have been conducted in an efficient, effective, and~~

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~~cost-efficient manner;~~

~~—— (iv) whether or not its programs have been effective in accomplishing the intended objectives; and~~

~~—— (v) whether or not its management, control, and information systems are adequate, effective, and secure.~~

~~—— (b) The auditor may not conduct performance and special purpose audits, examinations, and reviews of any entity that receives public funds if the entity:~~

~~—— (i) has an elected auditor; and~~

~~—— (ii) has, within the entity's last budget year, had its financial statements or performance formally reviewed by another outside auditor.~~

~~—— (5) The state auditor shall administer any oath or affirmation necessary to the performance of the duties of the auditor's office, and may subpoena witnesses and documents, whether electronic or otherwise, and examine into any matter that the auditor considers necessary.~~

~~—— (6) The state auditor may require all persons who have had the disposition or management of any property of this state or its political subdivisions to submit statements regarding it at the time and in the form that the auditor requires.~~

~~—— (7) The state auditor shall:~~

~~—— (a) except where otherwise provided by law, institute suits in Salt Lake County in relation to the assessment, collection, and payment of its revenues against:~~

~~—— (i) persons who by any means have become entrusted with public money or property and have failed to pay over or deliver the money or property; and~~

~~—— (ii) all debtors of the state;~~

~~—— (b) collect and pay into the state treasury all fees received by the state auditor;~~

~~—— (c) perform the duties of a member of all boards of which the state auditor is a member by the constitution or laws of the state, and any other duties that are prescribed by the constitution and by law;~~

~~—— (d) stop the payment of the salary of any state official or state employee who:~~

~~—— (i) refuses to settle accounts or provide required statements about the custody and disposition of public funds or other state property;~~

~~—— (ii) refuses, neglects, or ignores the instruction of the state auditor or any controlling~~

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~~board or department head with respect to the manner of keeping prescribed accounts or funds;
or~~

~~—— (iii) fails to correct any delinquencies, improper procedures, and errors brought to the official's or employee's attention;~~

~~—— (c) establish accounting systems, methods, and forms for public accounts in all taxing or fee-assessing units of the state in the interest of uniformity, efficiency, and economy;~~

~~—— (f) superintend the contractual auditing of all state accounts;~~

~~—— (g) subject to Subsection (8)(a), withhold state allocated funds or the disbursement of property taxes from a state or local taxing or fee-assessing unit, if necessary, to ensure that officials and employees in those taxing units comply with state laws and procedures in the budgeting, expenditures, and financial reporting of public funds; and~~

~~—— (h) subject to Subsection (9), withhold the disbursement of tax money from any county, if necessary, to ensure that officials and employees in the county comply with Section 59-2-303.1.~~

~~—— (8) (a) Except as otherwise provided by law, the state auditor may not withhold funds under Subsection (7)(g) until a state or local taxing or fee-assessing unit has received formal written notice of noncompliance from the auditor and has been given 60 days to make the specified corrections:~~

~~—— (b) If, after receiving notice under Subsection (8)(a), a state or independent local fee-assessing unit that exclusively assesses fees has not made corrections to comply with state laws and procedures in the budgeting, expenditures, and financial reporting of public funds, the state auditor:~~

~~—— (i) shall provide a recommended timeline for corrective actions; and~~

~~—— (ii) may prohibit the state or local fee-assessing unit from accessing money held by the state; and~~

~~—— (iii) may prohibit a state or local fee-assessing unit from accessing money held in an account of a financial institution by filing an action in district court requesting an order of the court to prohibit a financial institution from providing the fee-assessing unit access to an account.~~

~~—— (c) The state auditor shall remove a limitation on accessing funds under Subsection (8)(b) upon compliance with state laws and procedures in the budgeting, expenditures, and~~

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~~financial reporting of public funds:~~

~~—— (d) If a local taxing or fee-assessing unit has not adopted a budget in compliance with state law, the state auditor:~~

~~—— (i) shall provide notice to the taxing or fee-assessing unit of the unit's failure to comply;~~

~~—— (ii) may prohibit the taxing or fee-assessing unit from accessing money held by the state; and~~

~~—— (iii) may prohibit a taxing or fee-assessing unit from accessing money held in an account of a financial institution by:~~

~~—— (A) contacting the taxing or fee-assessing unit's financial institution and requesting that the institution prohibit access to the account; or~~

~~—— (B) filing an action in district court requesting an order of the court to prohibit a financial institution from providing the taxing or fee-assessing unit access to an account.~~

~~—— (e) If the local taxing or fee-assessing unit adopts a budget in compliance with state law, the state auditor shall eliminate a limitation on accessing funds described in Subsection (8)(d).~~

~~—— (9) The state auditor may not withhold funds under Subsection (7)(h) until a county has received formal written notice of noncompliance from the auditor and has been given 60 days to make the specified corrections:~~

~~—— (10) Notwithstanding Subsection (7)(g), (7)(h), (8)(b), or (8)(d) the state auditor:~~

~~—— (a) shall authorize a disbursement by a state or local taxing or fee-assessing unit if the disbursement is necessary to:~~

~~—— (i) avoid a major disruption in the operations of the state or local taxing or fee-assessing unit; or~~

~~—— (ii) meet debt service obligations; and~~

~~—— (b) may authorize a disbursement by a state or local taxing or fee-assessing unit as the state auditor determines is appropriate.~~

~~—— (11) The state auditor shall:~~

~~—— (a) establish audit guidelines and procedures for audits of local mental health and substance abuse authorities and their contract providers, conducted pursuant to Title 17, Chapter 43, Parts 2, Local Substance Abuse Authorities and 3, Local Mental Health~~

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~~Authorities, Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act, and Title 62A, Chapter 15, Substance Abuse and Mental Health Act; and~~

~~—— (b) ensure that those guidelines and procedures provide assurances to the state that:~~

~~—— (i) state and federal funds appropriated to local mental health authorities are used for mental health purposes;~~

~~—— (ii) a private provider under an annual or otherwise ongoing contract to provide comprehensive mental health programs or services for a local mental health authority is in compliance with state and local contract requirements, and state and federal law;~~

~~—— (iii) state and federal funds appropriated to local substance abuse authorities are used for substance abuse programs and services; and~~

~~—— (iv) a private provider under an annual or otherwise ongoing contract to provide comprehensive substance abuse programs or services for a local substance abuse authority is in compliance with state and local contract requirements, and state and federal law.~~

~~—— (12) The state auditor may, in accordance with the auditor's responsibilities for political subdivisions of the state as provided in Title 51, Chapter 2a, Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local Entities Act, initiate audits or investigations of any political subdivision that are necessary to determine honesty and integrity in fiscal affairs, accuracy and reliability of financial statements, effectiveness, and adequacy of financial controls and compliance with the law.~~

~~—— (13) (a) The state auditor may not audit work that the state auditor performed before becoming state auditor.~~

~~—— (b) If the state auditor has previously been a responsible official in state government whose work has not yet been audited, the Legislature shall:~~

~~—— (i) designate how that work shall be audited; and~~

~~—— (ii) provide additional funding for those audits, if necessary.~~

~~—— (14) The state auditor shall:~~

~~—— (a) with the assistance, advice, and recommendations of an advisory committee appointed by the state auditor from among local district boards of trustees, officers, and employees and special service district boards, officers, and employees:~~

~~—— (i) prepare a Uniform Accounting Manual for Local Districts that:~~

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~~—— (A) prescribes a uniform system of accounting and uniform budgeting and reporting procedures for local districts under Title 17B, Limited Purpose Local Government Entities = Local Districts, and special service districts under Title 17D, Chapter 1, Special Service District Act;~~

~~—— (B) conforms with generally accepted accounting principles; and~~

~~—— (C) prescribes reasonable exceptions and modifications for smaller districts to the uniform system of accounting, budgeting, and reporting;~~

~~—— (ii) maintain the manual under Subsection (14)(a) so that it continues to reflect generally accepted accounting principles;~~

~~—— (iii) conduct a continuing review and modification of procedures in order to improve them;~~

~~—— (iv) prepare and supply each district with suitable budget and reporting forms; and~~

~~—— (v) prepare instructional materials, conduct training programs, and render other services considered necessary to assist local districts and special service districts in implementing the uniform accounting, budgeting, and reporting procedures; and~~

~~—— (b) continually analyze and evaluate the accounting, budgeting, and reporting practices and experiences of specific local districts and special service districts selected by the state auditor and make the information available to all districts.~~

~~—— (15) (a) The following records in the custody or control of the state auditor are protected records under Title 63G, Chapter 2, Government Records Access and Management Act:~~

~~—— (i) records that would disclose information relating to allegations of personal misconduct, gross mismanagement, or illegal activity of a past or present governmental employee if the information or allegation cannot be corroborated by the state auditor through other documents or evidence, and the records relating to the allegation are not relied upon by the state auditor in preparing a final audit report;~~

~~—— (ii) records and audit workpapers to the extent they would disclose the identity of a person who during the course of an audit, communicated the existence of any waste of public funds, property, or manpower, or a violation or suspected violation of a law, rule, or regulation adopted under the laws of this state, a political subdivision of the state, or any recognized entity of the United States, if the information was disclosed on the condition that the identity of the~~

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~~person be protected;~~

~~—— (iii) before an audit is completed and the final audit report is released, records or drafts circulated to a person who is not an employee or head of a governmental entity for their response or information;~~

~~—— (iv) records that would disclose an outline or part of any audit survey plans or audit program; and~~

~~—— (v) requests for audits, if disclosure would risk circumvention of an audit.~~

~~—— (b) The provisions of Subsections (15)(a)(i), (ii), and (iii) do not prohibit the disclosure of records or information that relate to a violation of the law by a governmental entity or employee to a government prosecutor or peace officer.~~

~~—— (c) The provisions of this Subsection (15) do not limit the authority otherwise given to the state auditor to classify a document as public, private, controlled, or protected under Title 63G, Chapter 2, Government Records Access and Management Act.~~

~~—— (16) If the state auditor conducts an audit of an entity that the state auditor has previously audited and finds that the entity has not implemented a recommendation made by the state auditor in a previous audit, the state auditor shall notify the Legislative Management Committee through its audit subcommittee that the entity has not implemented that recommendation.~~

~~—— (17) (a) As used in this Subsection (17):~~

~~—— (i) "Entity" means an entity required to comply with the provisions of Subsection 41-1a-407(1):~~

~~—— (ii) "Phone number" means the phone number displayed on a vehicle under Subsection 41-1a-407(1)(d)(iii):~~

~~—— (iii) "Vehicle" means a vehicle required under Subsection 41-1a-407(1)(d) to have certain information displayed on the vehicle.~~

~~—— (b) The state auditor shall:~~

~~—— (i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules specifying the requirements for displaying information on vehicles pursuant to Subsection 41-1a-407(1)(d):~~

~~—— (ii) establish and maintain the phone number and a way for a caller to leave a message;~~

~~—— (iii) monitor and log calls made to the phone number;~~

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~~—— (iv) using the vehicle license plate number, establish a way to identify the entity that owns, operates, or leases the vehicle that was referenced in the caller's message;~~

~~—— (v) forward both compliments and complaints to the entity that owns, operates, or leases the vehicle that was referenced in the caller's message; and~~

~~—— (vi) report to the Government Operations Interim Committee no later than November 30 of each year the following information for each entity:~~

~~—— (A) the number of compliments received in the last year;~~

~~—— (B) the number of complaints received in the last year;~~

~~—— (C) the total amount of fees imposed by the state auditor under Subsection (17)(c) in the last year; and~~

~~—— (D) the total amount of fees collected by the state auditor under Subsection (17)(c) in the last year.~~

~~—— (c) For each phone call, the state auditor may charge the entity that owns, operates, or leases the vehicle that was referenced in the caller's message, an administrative fee, determined pursuant to Section 63J-1-504, not to exceed \$50 per call for providing the service of driver feedback.~~

~~—— (d) Fees collected under Subsection (17)(c):~~

~~—— (i) shall be deposited into the General Fund as a dedicated credit to be used by the state auditor; and~~

~~—— (ii) may only be used by the state auditor to implement the provisions of this Subsection (17):~~

~~—— Section 3. **Appropriation:**~~

~~—— Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2016.~~

~~—— To Office of the State Auditor - State Auditor~~

~~From Dedicated Credits Revenue \$5,000~~

~~—— Schedule of Programs:~~

~~State Auditor \$5,000~~

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~~Section 4~~ 3. **Effective date.**

This bill takes effect on January 1, 2016.

†

Legislative Review Note

~~as of 2-18-15 9:29 AM~~

~~Office of Legislative Research and General Counsel~~