

**MINUTES OF THE  
HOUSE POLITICAL SUBDIVISIONS  
STANDING COMMITTEE  
Room 450 State Capitol  
January 30, 2015**

**Members Present:** Rep. R. Curt Webb, Chair  
Rep. Kraig Powell, Vice Chair  
Rep. Johnny Anderson  
Rep. Kim Coleman  
Rep. Michael S. Kennedy  
Rep. Justin J. Miller  
Rep. Dixon M. Pitcher  
Rep. Marie H. Poulson  
Rep. Norman K. Thurston  
Rep. Raymond P. Ward

**Members Absent:** Rep. James A. Dunnigan  
Rep. Don L. Ipson

**Staff Present:** Mr. Joseph T. Wade, Policy Analyst  
Ms. Karen Mitchell, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Webb called the meeting to order at 2:07 p.m.

**MOTION:** Rep. Ward moved to approve the minutes of the January 27, 2015 meeting. The motion passed unanimously with Rep. Anderson, Rep. Coleman, Rep. Dunnigan, Rep. Ipson, and Rep. Poulson absent for the vote.

**H.B. 61      Municipal Business Licensing Amendments (*Rep. J. Anderegg*)**

**MOTION:** Rep. Pitcher moved to table H.B. 61. The motion passed unanimously with Rep. Anderson, Rep. Coleman, Rep. Dunnigan, Rep. Ipson, and Rep. Poulson absent for the vote.

**H.B. 45      Local Governing Body Amendments (*Rep. R. Cunningham*)**

Rep. Cunningham explained the bill to the committee.

**MOTION:** Rep. Thurston moved to replace H.B. 45 with 1st Substitute H.B. 45. The motion passed unanimously with Rep. Anderson, Rep. Coleman, Rep. Dunnigan, Rep. Ipson, and Rep. Poulson absent for the vote.

**MOTION:** Rep. Ward moved to pass 1st Substitute H.B. 45 out favorably. The motion passed unanimously with Rep. Coleman, Rep. Dunnigan, Rep. Ipson, and Rep. Poulson

absent for the vote.

**MOTION:** Rep. Miller moved to place 1st Substitute H.B. 45 on the Consent Calendar. The motion passed unanimously with Rep. Coleman, Rep. Dunnigan, Rep. Ipson, and Rep. Poulson absent for the vote.

**H.B. 142      Municipal Government Revisions (Rep. J. Anderegg)**

Rep. Anderegg explained the bill to the committee.

Spoke for the bill:      George Chapman, Citizen

Spoke against the bill:      Gary Crane, Utah League of Cities and Towns  
   Brian Chapman, BCR Political

**MOTION:** Rep. Anderson moved to hold H.B. 142. The motion passed unanimously with Rep. Dunnigan and Rep. Ipson absent for the vote.

**H.B. 160      Drive-through Service Usage Amendments (Rep. Johnny Anderson)**

Rep. Anderson explained the bill to the committee and showed a video clip.

Spoke for the bill:      Melva Sine, Utah Restaurant Association (handouts)  
   Kate Bradshaw, Utah Retail/Food Association  
   Gary Moore, Quick Service Restaurant  
   George Chapman, Citizen

Spoke against the bill:      Philip Sarnoff, Bike Utah  
   Luke Garrett, Salt Lake City Council  
   Dan Fazzini, Citizen

Spoke to the bill:      Derrick Smith, Insurance for Quick Service Restaurants

**MOTION:** Rep. Ward moved to pass H.B. 160 out favorably.

**SUBSTITUTE**

**MOTION:** Rep. Powell moved to amend the bill as follows:

1. Page 1, Lines 16 through 17:

16                      •      to accommodate in the drive-through service a {~~person who is not in a~~  
   ~~motorized~~  
17 ~~vehicle~~} pedestrian ; and

2. Page 2, Lines 40 through 51:

40           ~~{(d) "Motorcycle" means a motor vehicle having a saddle for the use of the~~  
              ~~operator and~~  
41           ~~designed to travel on not more than two tires.~~  
42           ~~—(e) (i) "Motor vehicle" means a self-propelled vehicle, including a motorcycle,~~  
43           ~~intended primarily for use and operation on the highways.~~  
44           ~~—(ii) "Motor vehicle" does not include an off-highway vehicle.~~  
45           ~~—(f) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, or~~  
46           ~~all-terrain type II vehicle.}~~  
47           (2) A municipality may not withhold a business license, deny a land use application,  
              or  
48           otherwise require a business that has a drive-through service as a component of its  
              business  
49           operations to:  
50           (a) allow a ~~{person other than a person in a motorized~~  
              ~~vehicle}~~ pedestrian to use the drive-through  
51           service; or

3. Page 3, Lines 66 through 77:

66           ~~{(d) "Motorcycle" means a motor vehicle having a saddle for the use of the~~  
              ~~operator and~~  
67           ~~designed to travel on not more than two tires.~~  
68           ~~—(e) (i) "Motor vehicle" means a self-propelled vehicle, including a motorcycle,~~  
69           ~~intended primarily for use and operation on the highways.~~  
70           ~~—(ii) "Motor vehicle" does not include an off-highway vehicle.~~  
71           ~~—(f) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, or~~  
72           ~~all-terrain type II vehicle.}~~  
73           (2) A county may not withhold a business license, deny a land use application, or  
74           otherwise require a business that has a drive-through service as a component of its  
              business  
75           operations to:  
76           (a) allow a ~~{person other than a person in a motorized~~  
              ~~vehicle}~~ pedestrian to use the drive-through  
77           service; or

The substitute motion failed with Rep. Powell voting in favor of the amendment. Rep. Dunnigan and Rep. Ipson were absent for the vote.

The original motion passed with Rep. Miller, Rep. Poulson, and Rep. Thurston voting in opposition. Rep. Dunnigan and Rep. Ipson were absent for the vote.

**H.B. 127      Local Land Use Amendments (*Rep. J. Peterson*)**

This bill was not considered.

**MOTION:**    Rep. Anderson moved to adjourn. The motion passed unanimously with Rep. Dunnigan and Rep. Ipson absent for the vote.

Chair Webb adjourned the meeting at 4:26 p.m.

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Rep. R. Curt Webb, Chair