



# MINUTES

## SENATE TRANSPORTATION, PUBLIC UTILITIES, ENERGY, AND TECHNOLOGY STANDING COMMITTEE

LEGISLATURE

Monday, March 11, 2019 | 8:00 a.m. | 215 Senate Building

**Members Present:**

Sen. Wayne A. Harper, Chair  
Sen. Jacob L. Anderegg  
Sen. David G. Buxton  
Sen. Karen Mayne  
Sen. Kathleen Riebe  
Sen. Ronald Winterton

**Members Absent:**

President J. Stuart Adams  
Sen. Don L. Ipson

**Staff Present:**

Mr. Ryan M. Hunter, Policy Analyst  
Ms. Karen Allred, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Acting Chair Winterton called the meeting to order at 8:00 AM.

**MOTION:** Sen. Anderegg moved to approve the minutes of March 7, 2019. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-4

Sen. J. Adams  
Sen. W. Harper  
Sen. D. Ipson  
Sen. K. Mayne

**1 . 2nd Sub. H.B. 207 License Plate Placement Amendments (Watkins, C.)**

Rep. Christine F. Watkins presented the bill.

Chief Tom Ross, Utah Chiefs of Police Association, spoke in opposition to the bill.

Mr. Wayne Jones, Utah Used Car Dealers Association, spoke in favor of the bill.

Sen. Harper assumed the chair.

Mr. Jody Whitaker, citizen, spoke in opposition to the bill.

Mr. Connor Boyack, Libertas Institute, spoke in favor of the bill.

Mr. Mike Haddon, Executive Director, Utah Department of Corrections, spoke to the bill.

**MOTION:** Sen. Buxton moved to go to the next item on the agenda. The motion passed with a vote of 3 - 1 - 4.

Yeas-3

Sen. D. Buxton  
Sen. K. Riebe  
Sen. R. Winterton

Nays-1

Sen. W. Harper

Absent-4

Sen. J. Adams  
Sen. J. Anderegg  
Sen. D. Ipson  
Sen. K. Mayne

**2 . S.B. 268 Transportation Infrastructure Bond Amendments (Cullimore, K. A.)**

Sen. Kirk A. Cullimore presented the bill.

**MOTION:** Sen. Winterton moved to pass S.B. 268 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

**3 . H.B. 358 Right of Way Equity Amendments (Gibson, F.)**

Sen. Buxton presented the bill.

**MOTION:** Sen. Buxton moved to amend H.B. 358 with Amendment #1. The motion passed with a vote of 5 - 0 - 3.

**Amendment 1  
H.B. 358**

1. Page 1, Lines 13 through 15:

13     ▸ adds "crude oil" and "petroleum products" to the definition of "utility" in the  
14 Construction, Maintenance, and Operations Act within the Transportation Code~~{-}~~; and  
   ▸ establishes the cost a crude oil or petroleum products pipeline pays if relocated to accommodate construction of a state highway project.

15 Money Appropriated in this Bill:

2. Page 2, Lines 50 through 55:

50     (b) Except as provided in Subsection (3)(a) ~~{-or-}~~; (c) . or (d) or Section 54-21-603, the department  
51 shall pay 50% of the cost of relocation of a utility to accommodate construction of a state  
52 highway project, including the construction of a proposed state highway and the improvement,  
53 widening, or modification of an existing state highway, and the utility company shall pay the  
54 remainder of the cost of relocation.

(c) If the utility described in Subsection (3)(b) is a crude oil or petroleum products pipeline, unless the utility meets the conditions described in Subsection (3)(a):

(i) the utility company shall pay the lesser of:

(A) 50% of the cost of relocation of the pipeline to accommodate construction of a proposed state highway and the improvement, widening, and modification of an existing highway; or

(B) 50% of the cost of any structure or facility necessary to avoid impinging on the pipeline, and the department shall pay the remainder of the cost of the structure or facility; and

(ii) the department shall pay the remainder of the cost.

55     ~~{(-)}~~ (d) This Subsection (3) does not affect the provisions of Subsection 72-7-108(5).

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

Sen. Buxton explained the bill.

Ms. Rikki Hrenko-Browning, Utah Petroleum Association, spoke in favor of the bill.

Ms. Linda Hull, Policy and Legislative Services Director, Utah Department of Transportation, spoke in favor of the bill.

**MOTION:** Sen. Buxton moved to pass H.B. 358 as amended out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

**4 . H.B. 397 Railroad Workers Day Designation (Kwan, K.)**

Rep. Karen Kwan presented the bill. A handout was distributed.

[Railroad Workers Day](#)

**MOTION:** Sen. Riebe moved to pass H.B. 397 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

**5 . 1st Sub. H.C.R. 17 Concurrent Resolution Designating Railroad Workers Day (Kwan, K.)**

Rep. Kwan presented the bill.

**MOTION:** Sen. Riebe moved to pass 1st Substitute H.C.R. 17 out favorably. The motion passed with a vote of 4 - 0 - 4.

Yeas-4

Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-4

Sen. J. Adams  
Sen. J. Anderegg  
Sen. D. Ipson  
Sen. K. Mayne

**6 . 3rd Sub. H.B. 228 Towing Revisions (Maloy, A.C.)**

Rep. A. Cory Maloy presented the bill.

**MOTION:** Sen. Anderegg moved to amend 3rd Substitute H.B. 228 with Amendment #3. The motion passed with a vote of 5 - 0 - 3.

Amendment 3  
3rd Sub. H.B. 228

1. Page 25, Lines 757 through 762:

757 (4)(b). A county or municipality that requires the additional annual safety inspection shall  
758 accept the same inspection performed by another county or municipality.

759 { ~~(6)~~ ~~→~~ [A] Beginning on January 1, 2021, a political subdivision or state agency may

759a not charge an applicant a fee or charge

760 related to dispatch costs in order to be part of the towing rotation. }

(6) (a) Beginning on July 1, 2021, a political subdivision or state agency may not charge an applicant a fee or charge related to dispatch costs in order to be part of the towing rotation of that political subdivision or state agency.

(b) In addition to the fees set by the department in rules made in accordance with Subsection 72-9-603(7), a tow truck motor carrier may charge a fee to cover the costs of a dispatch charge described in Subsection (6)(a).

(c) The amount of the fee described in Subsection (6)(b) may not exceed the amount charged to the tow truck motor carrier by the political subdivision or state agency for dispatch services.

(d) A political subdivision or state agency that does not charge a dispatch fee as of January 1, 2019, may not charge a dispatch fee described in Subsection (6)(a).

761 (7) A towing entity may not require a tow truck operator who has received an

762 authorized towing certificate from the department to submit additional criminal background

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

Rep. Maloy explained the bill.

Mr. Mike Allred, Hansen Motors, spoke in favor of the bill.

Ms. Tina Mathieu, Weber Area Dispatch 911, spoke to the bill.

Mr. Steve Russell, Utah State Towing Association, spoke in favor of the bill.

Mr. Derek Habel, Towing Advisory Board, spoke in favor of the bill.

Ms. Heather Anderson, Utah Association of Special Districts, spoke to the bill.

Mr. Mark Stratford, Utah League of Cities and Towns, spoke to the bill.

Mr. Neil Schultz, Ogden-Weber Towing Association, spoke in favor of the bill.

Mr. Brett Reeder, RC Towing, spoke in opposition to the bill.

**MOTION:** Sen. Riebe moved to pass 3rd Substitute H.B. 228 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

**7 . 1st Sub. H.B. 389 Incentive Program Amendments (Christofferson, K.)**

Rep. Kay J. Christofferson presented the bill.

**MOTION:** Sen. Riebe moved to pass 1st Substitute H.B. 389 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. K. Mayne

**8 . 1st Sub. H.B. 295 Vehicle Emissions Reduction Program (Stenquist, J.)**

Rep. Jeffrey D. Stenquist presented the bill. A handout was distributed.

[The Cleaner Car Bill](#)

Ms. Hrenko-Browning spoke in favor of the bill.

Mr. Todd Bingham, President, Utah Manufacturers Association, spoke in favor of the bill.

Mr. Jones spoke in favor of the bill.

Mr. Glade Sowards, Policy Analyst, Division of Air Quality, spoke in favor of the bill.

Ms. Andrea Himoff, Action Utah, spoke in favor of the bill.

**MOTION:** Sen. Riebe moved to pass 1st Substitute H.B. 295 out favorably. The motion passed with a vote of 4 - 1 - 3.

Yeas-4

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. K. Mayne  
Sen. K. Riebe

Nays-1

Sen. W. Harper

Absent-3

Sen. J. Adams  
Sen. D. Ipson  
Sen. R. Winterton

**9 . 2nd Sub. H.B. 354 Peer-to-peer Car Sharing Act (Coleman, K.)**

Rep. Kim F. Coleman presented the bill.

Mr. Mike Taylor, Utah Car Rental Association, spoke in opposition to the bill.

Mr. Derek Brown, representing Turo, spoke in favor of the bill.

Mr. Rob Jolley, representing Enterprise Rent-A-Car, spoke in favor of the bill.

Mr. David Litvack, Deputy Chief of Staff, Salt Lake City Mayors' Office, answered questions about the bill.

**MOTION:** Sen. Anderegg moved to pass 2nd Substitute H.B. 354 out favorably. The motion failed with a vote of 1 - 5 - 2.

Yeas-1

Sen. J. Anderegg

Nays-5

Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Mayne  
Sen. K. Riebe  
Sen. R. Winterton

Absent-2

Sen. J. Adams  
Sen. D. Ipson

**MOTION:** Sen. Riebe moved to adjourn. The motion passed with a vote of 6 - 0 - 2.



Yeas-6

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. K. Mayne  
Sen. K. Riebe  
Sen. R. Winterton

Nays-0

Absent-2

Sen. J. Adams  
Sen. D. Ipson

Chair Harper adjourned the meeting at 9:59 PM.