



# MINUTES

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

Tuesday, February 25, 2020 | 4:00 p.m. | 215 Senate Building

**Members Present:**

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

**Members Absent:**

President J. Stuart Adams  
Sen. Karen Mayne

**Staff Present:**

Karin M. Rueff, Policy Analyst  
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).

Chair Harper called the meeting to order at 4:12 p.m.

**MOTION:** Sen. Riebe moved to approve the minutes of February 24, 2020.  
The motion passed with a vote of 6 - 0 - 2.

Yeas-6

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. K. Mayne

**1 . S.B. 168 Vehicle Rental Amendments (Stevenson, J.)**

**MOTION:** Sen. Anderegg moved to amend S.B. 168 with Amendment #1. The motion passed with a vote of 6 - 0 - 2.

Amendment 1  
S.B. 168

1. Page 1, Lines 18 through 20:  
18 Other Special Clauses:  
19 {None} This bill provides a special effective date.  
20 Utah Code Sections Affected:
2. Page 2, Lines 46 through 48:  
46 (3) A person may not employ a person to drive a motor vehicle who is not licensed as  
47 required under this chapter.  
48 (4) A person who violates this section is guilty of an infraction.

Section 2. Effective date.  
This bill takes effect on January 1, 2021.

Yeas-6

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. K. Mayne

Sen. Stevenson presented the bill.

**MOTION:** Sen. Ipson moved to pass S.B. 168 out favorably as amended. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. K. Mayne

Sen. Anderegg assumed the chair.

**2 . S.B. 150 Transportation Governance and Funding Amendments (*Harper, W.*)**

**MOTION:** Sen. Harper moved to replace S.B. 150 with 1st Substitute S.B. 150. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. K. Mayne

Sen. Harper explained the bill.

[SB 150 Transportation Governance](#)

**MOTION:** Sen. Buxton moved to amend 1st Substitute S.B. 150 with Amendment #1. The motion passed with a vote of 6 - 0 - 2.

Amendment 1  
1st Sub. S.B. 150

1. Page 1, Lines 18 through 19:  
18    ▶ amends provisions related to {~~insurance levels and~~} safety standards of transportation  
19 network company vehicles;
2. Page 3, Lines 57 through 59:  
57    13-51-107, as last amended by Laws of Utah 2017, Chapter 406  
58    {~~13-51-108, as last amended by Laws of Utah 2016, Chapters 138 and 359~~}  
59    17-27a-206, as last amended by Laws of Utah 2017, Chapter 428
3. Page 7, Line 191 through Page 9, Line 268:  
191 shall carry proof, in physical or electronic form, that the transportation network driver is  
192 covered by insurance that satisfies the requirements of Section 13-51-108.  
193    {~~Section 4. Section 13-51-108 is amended to read:~~  
194    ~~13-51-108. Insurance.~~  
195    ~~(1) A transportation network company or a transportation network driver shall maintain~~  
196    ~~insurance that covers, on a primary basis, a transportation network driver's use of a vehicle~~  
197    ~~during a prearranged ride and that includes:~~  
198    ~~(a) an acknowledgment that the transportation network driver is using the vehicle in~~  
199    ~~connection with a transportation network company during a prearranged ride or that the~~  
200    ~~transportation network driver is otherwise using the vehicle for a commercial purpose;~~  
201    ~~(b) liability coverage for a minimum amount of [\$1,000,000] \$1,500,000 per~~  
202    ~~occurrence;~~

203 —(c) personal injury protection to the extent required under Sections 31A-22-306  
204 through 31A-22-309;  
205 —(d) uninsured motorist coverage where required by Section 31A-22-305; and  
206 —(e) underinsured motorist coverage where required by Section 31A-22-305.3.  
207 —(2) A transportation network company or a transportation network driver shall maintain  
208 insurance that covers, on a primary basis, a transportation network driver's use of a vehicle  
209 during a waiting period and that includes:  
210 —(a) an acknowledgment that the transportation network driver is using the vehicle in  
211 connection with a transportation network company during a waiting period or that the  
212 transportation network driver is otherwise using the vehicle for a commercial purpose;  
213 —(b) liability coverage in a minimum amount, per occurrence, of:  
214 —(i) \$50,000 to any one individual;  
215 —(ii) \$100,000 to all individuals; and  
216 —(iii) \$30,000 for property damage;  
217 —(c) personal injury protection to the extent required under Sections 31A-22-306  
218 through 31A-22-309;  
219 —(d) uninsured motorist coverage where required by Section 31A-22-305; and  
220 —(e) underinsured motorist coverage where required by Section 31A-22-305.3.  
221 —(3) A transportation network company and a transportation network driver may satisfy  
222 the requirements of Subsections (1) and (2) by:  
223 —(a) the transportation network driver purchasing coverage that complies with  
224 Subsections (1) and (2);  
225 —(b) the transportation network company purchasing, on the transportation network  
226 driver's behalf, coverage that complies with Subsections (1) and (2); or  
227 —(c) a combination of Subsections (3)(a) and (b).  
228 —(4) An insurer may offer to a transportation network driver a personal automobile  
229 liability insurance policy, or an amendment or endorsement to a personal automobile liability  
230 policy, that:  
231 —(a) covers a private passenger motor vehicle while used to provide transportation  
232 network services; and  
233 —(b) satisfies the coverage requirements described in Subsection (1) or (2).  
234 —(5) Nothing in this section requires a personal automobile insurance policy to provide  
235 coverage while a driver is providing transportation network services.  
236 —(6) If a transportation network company does not purchase a policy that complies with  
237 Subsections (1) and (2) on behalf of a transportation network driver, the transportation network  
238 company shall verify that the driver has purchased a policy that complies with Subsections (1)  
239 and (2).  
240 —(7) An insurance policy that a transportation network company or a transportation  
241 network driver maintains under Subsection (1) or (2):  
242 —(a) satisfies the security requirements of Section 41-12a-301; and  
243 —(b) may be placed with:  
244 —(i) an insurer that is certified under Section 31A-4-103; or  
245 —(ii) a surplus lines insurer eligible under Section 31A-15-103.  
246 —(8) An insurer that provides coverage for a transportation network driver explicitly for  
247 the transportation network driver's transportation network services under Subsection (1) or (2)  
248 shall have the duty to defend a liability claim arising from an occurrence while the  
249 transportation network driver is providing transportation network services.  
250 —(9) If insurance a transportation network driver maintains under Subsection (1) or (2)  
251 lapses or ceases to exist, a transportation network company shall provide coverage complying  
252 with Subsection (1) or (2) beginning with the first dollar of a claim.  
253 —(10) (a) An insurance policy that a transportation network company or transportation  
254 network driver maintains under Subsection (1) or (2) may not provide that coverage is  
255 dependent on a transportation network driver's personal automobile insurance policy first  
256 denying a claim.  
257 —(b) Subsection (10)(a) does not apply to coverage a transportation network company  
258 provides under Subsection (9) in the event a transportation network driver's coverage under  
259 Subsection (1) or (2) lapses or ceases to exist.  
260 —(11) A personal automobile insurer:  
261 —(a) notwithstanding Section 31A-22-302, may offer a personal automobile liability  
262 policy that excludes coverage for a loss that arises from the use of the insured vehicle to  
263 provide transportation network services; and

264 ~~—(b) does not have the duty to defend or indemnify a loss if an exclusion described in~~  
265 ~~Subsection (11)(a) excludes coverage according to the policy's terms.}~~

Renumber remaining sections accordingly.

266 Section 5. Section 17-27a-206 is amended to read:

267 17-27a-206. Third party notice – High priority transportation corridor notice.

268 (1) (a) If a county requires notice to adjacent property owners, the county shall:

Yeas-6

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. K. Mayne

Jeff Silverstrini, Mayor of Millcreek, also representing Wasatch Regional Front Council, and League of Cities and Towns, spoke in favor of the bill.

George Chapman, citizen, spoke in opposition to the bill.

Ed Fowler, Enterprise Rental Cars, spoke in opposition to the bill.

A handout was distributed.

Robert Dandoy, Mayor of Roy City, spoke in favor of the bill.

Dirk Burton, Mayor of West Jordan City, spoke in favor of the bill.

Spencer Nitz, Utah Taxpayers Association, spoke to the bill.

**MOTION:** Sen. Riebe moved to pass 1st Substitute S.B. 150 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

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

Nays-0

Absent-2

Sen. J. Adams  
Sen. K. Mayne

Sen. Harper resumed the chair.

**3 . 1st Sub. H.B. 128 License Plate Reading Technology Amendments (Brooks, W.)**

Rep. Walt Brooks presented the bill.

**MOTION:** Sen. Anderegg moved to pass 1st Substitute H.B. 128 out favorably. The motion passed with a vote of 5 - 0 - 3.



Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. D. Ipson  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. K. Mayne  
Sen. K. Riebe

**MOTION:** Sen. Anderegg moved to adjourn. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. J. Anderegg  
Sen. D. Buxton  
Sen. W. Harper  
Sen. D. Ipson  
Sen. R. Winterton

Nays-0

Absent-3

Sen. J. Adams  
Sen. K. Mayne  
Sen. K. Riebe

Chair Harper adjourned the meeting at 4:54 p.m.