



UTAH STATE

LEGISLATURE

MINUTES

HOUSE TRANSPORTATION STANDING COMMITTEE

Friday, March 6, 2020 | 8:30 a.m. | 30 House Building

Members Present:

Rep. Kay J. Christofferson, Chair
Rep. Melissa G. Ballard
Rep. Dan N. Johnson
Rep. Marsha Judkins
Rep. Karen Kwan
Rep. Merrill F. Nelson
Rep. Adam Robertson
Rep. Raymond P. Ward

Members Absent:

Rep. Kyle R. Andersen, Vice Chair
Rep. Steve R. Christiansen
Rep. Suzanne Harrison
Rep. Lawanna Shurtliff

Staff Present:

Art L. Hunsaker, Policy Analyst
Steve Benard, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Christofferson called the meeting to order at 9:02 am, when the committee had a quorum.

MOTION: Rep. Ward moved to approve the minutes for Mar 4, 2020. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

1 . 2nd Sub. S.B. 120 Vehicle Repair and Notification Amendments (*Bramble, C.*)

Sen. Curtis S. Bramble explained the bill.

Rob Jolley, representing Safelight Autoglass, and LKQ Autoparts, spoke in favor of the bill.

MOTION: Rep. Ward moved to amend 2nd Substitute S.B. 120 with Amendment #2. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Amendment 2 2nd Sub. S.B. 120

1. Page 6, Lines 153 through 171:

153 ~~{(5) Governance of the use of glass, parts, tools, or equipment in the course of an~~
154 ~~insurer-funded repair is solely dictated by the policy holder's insurance policy.}~~
155 ~~{(6)}~~ (5) An automotive glass company or repair facility may only bill or charge for vehicle
156 glass repair, replacement, or recalibration services that are performed and necessary.
157 ~~{(7)}~~ (6) A violation described in Subsections (1) through ~~{(6)}~~ (5) is a civil penalty of \$500.
158 ~~{(8)}~~ (7) A person with actual knowledge that the advanced driver assistance system of a
159 motor vehicle is inoperable or has not been repaired or recalibrated after a vehicle glass repair
160 or replacement as described in this section may not knowingly sell, offer for sale, or display for
161 sale, the motor vehicle without providing written notice to the purchaser that:
162 (a) the advanced driver assistance system has not been repaired or recalibrated to the
163 manufacturer's specifications; or
164 (b) the advanced driver assistance system is inoperable.
165 ~~{(9)}~~ (8) A person who violates Subsection ~~{(8)}~~ (7) is guilty of a class B misdemeanor.
166 ~~{(10)}~~ (9) (a) In addition to any other penalties, a purchaser may bring a civil action to

167 recover damages resulting from a seller's failure to provide notice under Subsection ~~{(8)}~~ (7).
168 (b) The amount of damages that may be recovered in a civil action described in
169 Subsection ~~{(10)(a)}~~ (9)(a) is the greater of:
170 (i) the amount of the actual damages; or
171 (ii) \$1,500.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

MOTION: Rep. Judkins moved to amend 2nd Substitute S.B. 120 with Amendment #3. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Amendment 3
2nd Sub. S.B. 120

1. Page 5, Lines 136 through 139:

136 (c) An automotive glass company or repair facility may not represent to a customer that
137 the cost of a repair, replacement, or recalibration will be paid for entirely by the customer's
138 insurer and at no cost to the customer unless the cost of the repair, replacement, or recalibration
139 is fully covered and approved by the insurer.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

MOTION: Rep. Ward moved to pass 2nd Substitute S.B. 120, as amended, out favorably. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

2 . H.B. 414 Autonomous Vehicle Amendments (Kwan, K.)

Rep. Karen Kwan explained the bill.

Jennifer Miller-Smith, representing the Legislative Coalition of People With Disabilities, spoke in favor of the bill.

James Czerniawski, of Libertas Institute, spoke in favor of the bill.

Jason Davis, UDOT Deputy Director, spoke in favor of the bill.

MOTION: Rep. Ward moved to replace H.B. 414 with 2nd Substitute H.B. 414. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

MOTION: Rep. Robertson moved to amend 2nd Substitute H.B. 414 with Amendment #1. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Amendment 1
2nd Sub. H.B. 414

1. Page 7, Lines 186 through 188:

186 (d) is compliant with safety and equipment standards described in Chapter 6a, Part 16,
187 Vehicle Equipment, or has an exemption as described in Subsection 41-26-103(2); and
188 (e) is equipped with an emergency communication system, including assistive

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

MOTION: Rep. Robertson moved to pass 2nd Substitute H.B. 414, as amended, out favorably. The motion passed unanimously. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

MOTION: Rep. Robertson moved to adjourn. The motion passed with a vote of 7 - 0 - 5.

Yeas-7

Rep. M. Ballard
Rep. K. Christofferson
Rep. M. Judkins
Rep. K. Kwan
Rep. M. Nelson
Rep. A. Robertson
Rep. R. Ward

Nays-0

Absent-5

Rep. K. Andersen
Rep. S. Christiansen
Rep. S. Harrison
Rep. D. Johnson
Rep. L. Shurtliff

Chair Christofferson adjourned the meeting at 9:30 am .