



MINUTES

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

LEGISLATURE

Tuesday, February 20, 2024 | 4:00 p.m. | 220 Senate Building

Members Present:

Sen. Wayne A. Harper, Chair
Sen. Heidi Balderree
Sen. Don L. Ipson
Sen. Karen Kwan
Sen. Kathleen A. Riebe

Members Absent:

President J. Stuart Adams
Sen. Ann Millner

Staff Present:

Rachel Brooks, Policy Analyst
Jackson Lewis, Committee Secretary

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

Chair Harper called the meeting to order.

MOTION: Sen. Riebe moved to accept the minutes from February 15, 2024. The motion passed with a vote of 3 - 0 - 4.

Yeas - 3

Sen. W. Harper
Sen. K. Kwan
Sen. K. Riebe

Nays - 0

Absent - 4

Sen. J. Adams
Sen. H. Balderree
Sen. D. Ipson
Sen. A. Millner

1. S.B. 236 Highway Designation Amendments (*Hinkins, D.*)

[SB0236handout](#)

Senator David Hinkins presented the bill with assistance from Scott Howell, Jake Garn Legacy Committee, with handout.

MOTION: Sen. Riebe moved to amend S.B. 236 with Amendment #1. The motion passed with a vote of 4 - 0 - 3.

Amendment 1
S.B. 236

1. Page 1, Lines 8 through 13:

8 General Description:

9 This bill creates a highway and a rest ~~{-stop}~~ area designation.

10 Highlighted Provisions:

11 This bill:

12 ▶ establishes the Jake Garn Legacy Highway; and

13 ▶ establishes the Matheson Garn Rest ~~{-Stop}~~ Area.

2. Page 2, Lines 30 through 33:

30 Section 2. Section 72-4-222 is enacted to read:

31 72-4-222. Matheson Garn Rest ~~{-Stop}~~ Area.

32 There is established the Matheson Garn Rest ~~{-Stop}~~ Area at milepoint 202.11 on Route 6 in

33 Utah County.

Yeas - 4

Sen. H. Balderree
Sen. W. Harper
Sen. K. Kwan
Sen. K. Riebe

Nays - 0

Absent - 3

Sen. J. Adams
Sen. D. Ipson
Sen. A. Millner

Jessa Lee Anderson, Jake Garn Legacy Committee, spoke in support of the bill.

MOTION: Sen. Kwan moved to pass S.B. 236 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. W. Harper
Sen. K. Kwan
Sen. K. Riebe

Nays - 0

Absent - 3

Sen. J. Adams
Sen. D. Ipson
Sen. A. Millner

2. H.B. 345 Driving Penalty Amendments (*Spendlove, R.*)

Representative Robert Spendlove presented the bill.

Cameron Carter, Bike Utah, spoke in support of the bill.

MOTION: Sen. Kwan moved to pass H.B. 345 out favorably. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. W. Harper
Sen. K. Kwan
Sen. K. Riebe

Nays - 0

Absent - 3

Sen. J. Adams
Sen. D. Ipson
Sen. A. Millner

Sen. Balderree assumed the chair.

3. S.B. 235 Railroad Amendments (*Harper, W.*)

MOTION: Sen. Harper moved to replace S.B. 235 with 1st Substitute S.B. 235. The motion passed with a vote of 4 - 0 - 3.

Yeas - 4

Sen. H. Balderree
Sen. W. Harper
Sen. K. Kwan
Sen. K. Riebe

Nays - 0

Absent - 3

Sen. J. Adams
Sen. D. Ipson
Sen. A. Millner

Sen. Harper presented the bill.

Daniel Brewer, SMART Union, spoke against the bill.

Jeremy Hansen, SMART Union, spoke to the bill.

Wade Garrett, Utah Farm Bureau, spoke in support of the bill.

Dan Hemmert, Union Pacific Railroad, spoke in favor of the bill.

Alejandro Puy, Salt Lake City Council Member, spoke to the bill.

Leif Elder, Utah Department of Transportation, spoke to the bill.

MOTION: Sen. Riebe moved to amend 1st Substitute S.B. 235 with Amendment #1.
Amendment 1
1st Sub. S.B. 235

1. Page 12, Lines 348 through 350:

348 Section 7. Section 72-17-101 (Effective 03/31/24) is amended to read:
349 72-17-101 (Effective 03/31/24). Office of Rail Safety – Creation – Applicability.
350 (1) The provisions in this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

2. Page 13, Lines 375 through 378:

375 (6) The provisions in this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.
376 Section 9. Section 72-17-103 (Effective 03/31/24) is amended to read:
377 72-17-103 (Effective 03/31/24). Duties of the Office of Rail Safety.
378 (1) The provisions in this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

3. Page 16, Lines 460 through 462:

460 Section 10. Section 72-17-104 (Effective 03/31/24) is amended to read:
461 72-17-104 (Effective 03/31/24). Federal Railroad Administration grant program.
462 (1) The provisions in this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

4. Page 16, Lines 467 through 470:

467 Section 11. Section 72-17-105 (Effective 03/31/24) is amended to read:
468 72-17-105 (Effective 03/31/24). Establishment of administrative fees – Payment –
469 Expenditures.
470 (1) [(a)] The provisions in this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

5. Page 17, Line 521 through Page 18, Line 523:

521 Section 12. Section 72-17-106 (Effective 03/31/24) is amended to read:
522 72-17-106 (Effective 03/31/24). Office of Rail Safety Account.
523 (1) The provisions in this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

6. Page 18, Lines 543 through 546:

543 Section 13. Section 72-17-107 (Effective 03/31/24) is amended to read:
544 72-17-107 (Effective 03/31/24). Rulemaking regarding railroad clearances and
545 walkways.
546 (1) The provisions of this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

7. Page 19, Lines 556 through 558:

556 Section 14. Section 72-17-108 (Effective 03/31/24) is amended to read:
557 72-17-108 (Effective 03/31/24). Agreements to indemnify in a railroad contract.
558 (1) The provisions of this section apply beginning on {~~May 7, 2025.~~} December 1, 2024.

SUBSTITUTE MOTION: Sen. Ipson made a substitute motion to pass 1st Substitute S.B. 235 out favorably. The substitute motion passed with a vote of 4 - 1 - 2.

Yeas - 4
Sen. H. Balderree
Sen. W. Harper
Sen. D. Ipson
Sen. K. Riebe

Nays - 1
Sen. K. Kwan

Absent - 2
Sen. J. Adams
Sen. A. Millner

MOTION: Sen. Riebe moved to adjourn. The motion passed with a vote of 4 - 0 - 3.



Yeas - 4

Sen. H. Balderree
Sen. W. Harper
Sen. D. Ipson
Sen. K. Riebe

Nays - 0

Absent - 3

Sen. J. Adams
Sen. K. Kwan
Sen. A. Millner

Acting Chair Balderree adjourned the meeting.