

**MINUTES OF THE
SENATE TRANSPORTATION AND PUBLIC SAFETY STANDING COMMITTEE
WEDNESDAY, FEBRUARY 27, 2002, 4:00 P.M.
ROOM 403, STATE CAPITOL**

Members Present: Sen. David Steele, Chair
 Sen. Dan Eastman
 Sen. Michael Waddoups
 Sen. Ed Mayne
 Sen. Karen Hale

Members Excused: Sen. Bill Hickman

Staff Present: Benjamin N. Christensen, Research Analyst
 Karen Allred, Secretary

Visitor List on File

Committee Chair Steele called the meeting to order at 4:25 p.m. and announced that **H.B. 109 Special 2002 Highway General Obligation Bonds** (*D. Eastman*) will not be heard.

MOTION: Sen. Eastman moved to approve the minutes of February 25, 2002.

The motion passed unanimously with Sen. Waddoups absent for the vote.

1. H.B. 256 Constitutional Defense Council Amendments (*S. Urquhart*)

Rep. Urquhart explained the bill.

Mark Walsh, Utah Association of Counties, spoke in support of the bill.

MOTION: Sen. Mayne moved to pass the bill out favorably.

The motion passed unanimously with Sen. Hale absent for the vote.

2. H.B. 128 Controlled Substances Act Amendments (*E. Anderson*)

Rep. Anderson explained the bill.

Val Bateman, State Medical Examiner, spoke in support of the bill.

MOTION: Sen. Mayne moved to pass the bill out favorably.

The motion passed unanimously with Sen. Hale absent for the vote.

3. 1st Sub. H.B. 4 Motorboating and Boating Under the Influence Provisions (L. Pace)

Rep. Pace explained the bill.

MOTION: Sen. Waddoups moved to adopt the following amendments:

1. Page 3, Line 80: After line 80 insert "and"
2. Page 23, Line 690: After "under the" insert "on-board and"

The motion passed unanimously with Sen. Hale absent for the vote.

Ted Wooley, Boating Coordinator, Utah Parks and Recreation, spoke in support of the bill.

Sen. Eastman assumed the Chair.

4. 1st Sub. 110 Motor Vehicle Insurance and Credit Information (P. Wallace)

Rep. Wallace explained the bill.

Sen. Steele resumed the Chair.

The following amendments were distributed:

1. Page 2, Line 50 House Floor Amendments 2-5-02:After line 50 insert "or"
2. Page 2, Lines 50a-50b House Floor Amendments 2-5-02:Delete lines 50a-50b
3. Page 2, Line 50 House Floor Amendments 2-5-02:Delete "(vi)" and insert "(iv)"
4. Page 2, Line 51 House Floor Amendments 2-5-02:After "(2)(a)" insert "and subject to Subsection (3)"
5. Page 2, Line 52 House Floor Amendments 2-5-02:After "policy:]" insert ":(i) if risk related factors other than credit information are considered, determining initial eligibility; or (ii)"

6. Page 2, Line 52a House Floor Amendments 2-5-02:Delete "**(i)**" and insert "(A)"
7. Page 2a, Line 52c House Floor Amendments 2-5-02:Delete "**(ii)**" and insert "(B)"
8. Page 2a, Line 52d House Floor Amendments 2-5-02:Delete "**(2)(b)(i)**" and insert "(2)(b)(ii)(A)"
9. Page 3, Line 64 House Floor Amendments 2-5-02:After line 64 insert:
"(3) Notwithstanding Subsection (2), an insurer may not use the fact that a person does not have sufficient credit to establish a credit score as a factor in determining for a motor vehicle related insurance policy, initial eligibility."
10. Page 3, Line 65 House Floor Amendments 2-5-02:Delete "**(3)**" and insert "(4)"

Gary Thorup, National Association of Independent Insurers, spoke in support of the amendments.

Sen. Eastman assumed the Chair.

Chris Purcell, State Farm Insurance, spoke in support of the amendments.

Sen. Steele resumed the Chair.

Brad Tibbitts, Dir., Property Casualty Division, Dept. of Insurance, spoke in opposition to the amendments.

MOTION: Sen. Eastman moved to adopt the amendments.

The motion failed with Sen. Eastman voting in favor of the amendments and Sen. Steele, Sen. Waddoups and Sen Mayne voting against and Sen. Hale absent for the vote.

MOTION: Sen. Waddoups moved to pass the bill out favorably.

The motion passed with Sen. Steele, Sen. Waddoups and Sen. Mayne voting in favor of the bill and Sen. Eastman voting against and Sen. Hale absent for the vote.

5. **S.B. 191 Law Enforcement Revolving Account** (*P. Knudson*)

Sen. Knudson explained the bill.

MOTION: Sen. Mayne moved to adopt **1st Sub. S.B. 191.**

The motion passed unanimously with Sen. Hale absent for the vote.

MOTION: Sen. Eastman moved to pass the bill out favorably.

The motion passed unanimously with Sen. Waddoups absent for the vote.

6. **H.B. 257 Proof of Age Under the Alcoholic Beverage Code** (*D. Bourdeaux*)

Sen. Mayne presented the bill.

MOTION: Sen. Hale moved to amend the bill as follows:

1. Page 11, Line 333: Bracket "the legality of"

The motion passed unanimously with Sen. Waddoups absent for the vote.

MOTION: Sen. Mayne moved to pas the bill out favorably as amended.

The motion passed unanimously with Sen. Waddoups absent for the vote.

MOTION: Sen. Eastman moved to return to **1st Sub. H.B. 4** and pass the bill out favorably as amended.

SUBSTITUTE MOTION: Sen. Mayne moved to adjourn.

The motion failed with Sen. Mayne voting in favor of the motion and Sen. Steele, Sen. Eastman, and Sen. Hale voting against and Sen. Waddoups absent for the vote.

The committee voted on Sen. Eastman's original motion to pass **1st Sub. H.B. 4** out favorably.

The motion passed with Sen. Steele, Sen. Eastman and Sen. Hale voting in favor of the motion, Sen. Mayne voting in opposition and Sen. Waddoups absent for the vote.

MOTION: Sen. Mayne moved to adjourn.

The motion passed unanimously at 6:00 p.m. with Sen. Waddoups absent for the vote.

Sen. David Steele, Committee Chair