



UTAH STATE SENATE

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February 20, 2004

Mr. President:

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **2nd Sub. H.B. 128**, AMENDMENTS TO OPERATING UNDER THE INFLUENCE, by Representative D. Love, with the following amendments:

1. *Page 12, Line 351:*

351 or tests of [his] [~~that~~] the person's breath, blood, [or] urine, or oral fluids may
not select the test or

2. *Page 21, Lines 615 through 620:*

615 (4) (a) A person is guilty of a class B misdemeanor if:
616 (i) the person's conviction under Subsection (1) is based on the person driving a
motor
617 vehicle while the person's driving privilege is suspended, disqualified, or revoked for :
(A) any
618 violations listed in Subsections (3)(a)(i) through (3)(a) [~~(viii)~~] (vi); or
(B) a violation listed in Subsection (3)(a)(vii) if the original revocation or
suspension was based on any violations listed in Subsections (3)(a)(i) through
(3)(a)(vi) ; and
619 (ii) the person had any alcohol in the person's body at the time of the violation under
620 Subsection (1).

3. *Page 21, Lines 621 through 627:*

621 (b) A person is guilty of a class B misdemeanor if:

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622 (i) the person's conviction under Subsection (1) is based on the person driving a motor
623 vehicle while the person's driving privilege is suspended, disqualified, or revoked by any state,
624 the United States, or any district, possession, or territory of the United States for violations
625 corresponding to :

(A) the violations listed in [~~Subsection~~] Subsections (3)(a)(i) through
(3)(a) [~~(viii)~~] (vi); or

(B) a violation listed in Subsection (3)(a)(vii) if the original revocation or suspension was based
on any violation corresponding to the violations listed in Subsections (3)(a)(i) through (3)(a)(vi) :
and

626 (ii) the person had any alcohol in the person's body at the time of the violation under
627 Subsection (1).

1. Page 24, Lines 734 through 736:

734 The Commission on Criminal and Juvenile Justice shall study child endangerment
for
735 driving under the influence violations and report to the Transportation Interim
Committee and the Utah Substance Abuse and Anti-violence DUI Subcommittee
on or
736 before the November 2004 interim meeting.

Respectfully,

Sheldon L Killpack
Committee Chair

Voting: 5-0-3

3 HB0128.SCI.WPD ssmith/SES SCH/BNC 2/20/04 5:31 pm

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