



UTAH STATE SENATE

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NOTICE OF BILL RETURNED TO THE RULES COMMITTEE

February 26, 2004

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 212**, TRAFFIC ACCIDENT RESPONSE, by Representative E. Hutchings, to the Rules Committee with the following amendments:

1. *Page 1, Lines 14 through 16:*

- 14 and will result in significant delays to the traveling public; ~~[[and]]~~
15 ▶ requires the Department of Public Safety to make rules to implement these
16 provisions ;
 ▶ requires the Department of Transportation to make an annual report to a
 committee or task force designated by the Legislative Management Committee on
 the implementation of these provisions and the rules made under these provisions;
 and
 ▶ makes technical changes .

2. *Page 2, Lines 42 through 48:*

- 42 (4) (a) If a peace officer determines that a vehicle must be removed either as a result
43 of
44 a crash or otherwise in accordance with this chapter, the peace officer shall remove or
45 cause the
46 vehicle to be removed by the quickest available safe means if:
47 (i) the incident is causing a safety hazard;
 (ii) the incident is causing traffic delays; and
 (iii) the traffic volume adjacent to the incident would result in significant delays to

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the
48 traveling public if the vehicle is not removed by the quickest available safe means.

3. *Page 2, Lines 55 through 56:*

55 conflict with this Subsection (4); ~~[[and]]~~

56 (iii) allow a qualified tow truck in the proximity of the incident to respond if
necessary :

(iv) require the peace officer to make a record of the reasons for the quickest
available removal under this Subsection (4) and the tow truck motor carrier used
for the removal; and

(v) provide that if a tow truck motor carrier is used:

(A) the peace officer shall make the request for the tow truck motor carrier
through a public safety dispatcher; and

(B) any rules for the rotation of tow truck motor carriers shall require that the
use of a tow truck motor carrier under this Subsection (4) is considered a turn for
purposes of any rotation of tow truck motor carriers .

(5) The Department of Transportation shall make an annual report prior to
the November meeting to a committee or task force designated by the Legislative
Management Committee on the implementation of these provisions and on the rules
made under Subsection (4) including statistical information on the use of a tow
truck motor carrier out of rotation and the number of removals ordered under the
provisions of Subsection (4).

Respectfully,

Gregory S. Bell
Committee Chair

Voting: 0-0-0

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