

**MINUTES OF THE  
HOUSE TRANSPORTATION STANDING COMMITTEE  
ROOM 405, STATE CAPITOL BUILDING**

February 5,2004

MEMBERS PRESENT:           Rep. Joseph G. Murray, Chair  
                                  Rep. Todd E. Kiser, Vice-Chair  
                                  Rep. Calvin G. Bird  
                                  Rep. Don E. Bush  
                                  Rep. David Clark  
                                  Rep. John Dougall  
                                  Rep. Jim Dunnigan  
                                  Rep. Craig Frank  
                                  Rep. Ty McCartney  
                                  Rep. Karen W. Morgan

MEMBERS ABSENT:           Rep. Jeff Alexander  
                                  Rep. Brad King  
                                  Rep. Rebecca Lockhart

STAFF PRESENT:             Benjamin N. Christensen, Policy Analyst  
                                  Michelle Teerlink, House Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Murray called the meeting to order at 9:05 a.m.

**MOTION:** Rep. Clark moved to approve the minutes of January 30, 2004. The motion passed unanimously.

**SB0072     Disposition of Fines for Registration Violations (Sen. J. Hickman) (Rep. S. Urquhart)**

Sen. Hickman explained the bill to the committee.

**MOTION:** Rep. Bush moved to pass the bill out favorably. The motion passed unanimously.

**HR0007     Driving Under the Influence Resolution (Rep. D. Love)**

Rep. Love explained the bill to the committee. Paul Boyden, Executive Director Statewide Association of Prosecutors assisted with the bill.

**MOTION:** Rep. Clark moved to adopt substitute HR 7. The motion passed unanimously.

**MOTION:** Rep. Dougall moved to amend Sub. HR 7 as follows:

1. *Page 2, Lines 28 through 36:*

- 28           WHEREAS, according to the 2003 DUI Best Sentencing Practices  
          Guidebook,  
29   published by the Utah Sentencing Commission, judges should be aware of the  
          Blood Alcohol  
30   Content (BAC) before imposing sentence; and  
31           WHEREAS, The First Annual DUI Report to the Utah Legislature indicates  
          that in  
32   Utah in 2003, 1,850 individuals suspected of driving under the influence refused  
          to submit to a  
33   blood alcohol content level test ~~[[; and]]~~ :  
34           ~~[[WHEREAS, Court precedent in California and the United States  
          Supreme Court  
35   affirms the rights of law enforcement officers to require an individual  
          suspected of driving  
36   under the influence to submit to a blood alcohol content level test:]]~~

The motion passed unanimously with Reps. Clark and Dunnigan absent for the vote.

Ron Ostler, Utah Highway Patrol and Ken Wallentine, Utah Peace Officer Association spoke in favor of the bill.

**MOTION:**           Rep. Dougall moved to pass the bill out favorably. The motion passed unanimously.

**MOTION:**           Rep. Clark moved to adjourn the meeting. The meeting adjourned at 9:50 a.m.

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Representative Joseph G. Murray  
Committee Chair

