

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

February 19, 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. Brad King
 Rep. Ty McCartney
 Rep. Karen W. Morgan

MEMBERS ABSENT: Rep. Jeff Alexander
 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.

Vice-Chair Kiser called the meeting to order at 4:36 p.m.

MOTION: Rep. Dunnigan moved to approve the minutes of February 13, 2004 and February 17, 2004. The motion passed unanimously with Reps McCartney, Morgan, Murray, and Clark absent for the vote.

HB0347 State Highway Designation Changes (Rep. M. Styler)

Rep. Styler explained the bill to the committee.

MOTION: Rep. King moved to pass the bill out favorably. The motion passed unanimously with Reps. McCartney, Murray, Morgan, and Clark absent for the vote.

MOTION: Rep. Dougall moved to put the bill on the consent calendar. The motion passed unanimously with Reps. McCartney, Murray, Morgan and Clark absent for the vote

HB0308 Vehicle Restraint System Amendments (Rep. C. Frank)

Rep. Frank explained the bill to the committee with the assistance of Craig Bickmore, Utah Automotive Dealers Association.

MOTION: Rep. Bush moved to pass the bill out favorably. The motion passed unanimously with Reps. McCartney, Morgan, Murray, and Clark absent for the vote.

MOTION: Rep. Dunnigan moved to put the bill on the consent calendar. The motion failed with Reps. Bird, Bush, Frank and Dunnigan voting in favor, Reps. Dougall, Kiser, and King voting in opposition and Reps. McCartney, Morgan, Murray, and Clark absent for the vote.

HB0343 Practice Permit Requirement Amendments (Rep. R. Barrus)

MOTION: Rep. Dougall moved to approve Amendment 1 as follows:

1. *Page 1, Lines 13 through 16:*

13 ▶ changes the age limit for a student to obtain a practice permit from 15 years and
14 nine months to 15 years and six months of age ~~[[and increases the length of the~~
15 ~~validity of practice permits from six to nine months]]~~ ;
16 [[→ increases the application period for a class D driver license from six to
 nine months;]]

2. *Page 2, Lines 49 through 50:*

49 (a) not more than three attempts to pass both the knowledge and skills tests for a
 class
50 D license within ~~[[+]]~~ six ~~[[+]]~~ ~~[[nine]]~~ months of the date of the application;

3. *Page 6, Lines 169 through 176:*

169 (2) (a) The division, upon receiving an application, may issue an instruction permit
170 effective for one year to an applicant who is at least 15 years and six months of age
 and who is enrolled in a driver education program that
171 includes practice driving, if the program is approved by the State Board of Education or
 the
172 division, even though the applicant has not reached the legal age to be eligible for a
 license.
173 (b) The instruction permit entitles the applicant, while having the permit in his
174 immediate possession, to drive a motor vehicle, only if an approved instructor is
 occupying a
175 seat beside the applicant ~~[[or in accordance with the requirements of Subsections~~

~~(4) and~~
176 ~~53A-13-208(4)~~] .

4. Page 7, Line 199:

199 (c) The practice permit is valid for up to ~~[[+]] six [[+]]~~ ~~[[nine]]~~ months
from the date of issuance.

5. Page 7, Lines 203 through 205:

203 (d) If an applicant has been issued a practice permit by the division, the applicant
may
204 obtain an original or provisional class D license from the division upon passing the
~~[[written and]]~~
205 skills ~~[[+]] test [[+]]~~ ~~[[tests]]~~ administered by the division and reaching 16
years of age.

6. Page 11, Line 313:

313 ~~[(e)]~~ (d) The practice permit is valid for up to ~~[[+]] six [[+]]~~ ~~[[nine]]~~
months from the date of

The motion passed unanimously with Reps. Clark, Morgan and Murray absent for the vote.

Rep. Barrus explained the bill to the committee. Candice Daily, private citizen spoke for the bill.
Nolene Fairclock, Triple A and Robert Diago, Brass Pack spoke against the bill.

MOTION: Rep. Dougall moved to amend the bill as follows:

1. Page 1, Lines 13 through 14:

13 ▶ changes the age limit for a student to obtain a practice permit from 15 years and
14 nine months to 15 years ~~[[and six months]]~~ of age and increases the length of the

2. Page 1, Lines 21 through 23:

21 practice permit when the pupil is 15 years ~~[[and six months]]~~ of age;
22 ▶ allows a certified driver education teacher to issue a practice permit when the
pupil
23 is 15 years ~~[[and six months]]~~ of age; and

3. Page 6, Line 170:

170 effective for one year to an applicant who is at least 15 years ~~[[and six months]]~~
of age and who is enrolled in a driver education program that

4. Page 6, Lines 179 through 180:

179 (4) (a) The division shall issue a practice permit to an applicant who:
180 (i) is at least 15 years ~~[[and]]~~ [nine] ~~[[six months]]~~ of age;

5. Page 9, Lines 263 through 264:

263 that school or school district to be issued a practice permit when the pupil is 15 years
[[and six
264 months]] of age.

6. Page 10, Lines 299 through 300:

299 (b) Notwithstanding the provisions of Subsection (4)(a)(i), a certified driver
education
300 teacher may issue a practice permit to a student who is at least 15 years ~~[[and six~~
~~months]]~~ of age

MOTION: Rep. McCartney moved to pass the bill out favorably. The motion passed with Reps. Dougall and King voting in opposition and Reps. Bush and Morgan absent for the vote.

HB0270 Residence Requirements for Driver License (Rep. M. Noel)

SUBSTITUTE MOTION: Rep. Dougall moved to approve the amendments as follows:

1. Page 5, Lines 122 through 128:

122 (b) "Resident" does not include any of the following:
123 (i) a member of the military, temporarily stationed in this state;
124 (ii) an out-of-state student, as classified by an institution of higher education,
125 regardless of whether the student engages in any type of employment in this state;
[[or]]
126 (iii) a person domiciled in another state or country, who is temporarily assigned in
this
127 state, assigned by or representing an employer, religious or private organization, or a
128 governmental entity ; or
(iv) an immediate family member who resides with or a household member of a
person listed in Subsections (22)(b)(i) through (22)(b)(iii) .

The motion passed unanimously with Rep. Bush absent for the vote.

Rep. Noel explained the bill to the committee. Robert Cannon, private citizen spoke to the bill. Bart Blackstock, Department of Motor Vehicles answered questions on the bill.

MOTION: Rep. Dougall moved to pass the bill out favorably. The motion passed unanimously with Rep. Clark and Morgan absent for the vote.

SB0166S01 Off-highway Vehicle Registration Provisions (Sen. T. Hatch) (Rep. B. Goodfellow)

Sen. Hatch explained the bill to the committee. Wayne Jones, Utah Power Sport Association spoke in opposition to the bill. Doug West, Utah Back Country Horseman spoke for the bill.

MOTION: Rep. Dunnigan moved to pass the bill out favorably. The motion passed unanimously with Rep. Morgan absent for the vote.

HB0322 Golf Carts Allowed on Certain Highways (Rep. C. Moss)

MOTION: Rep. McCartney moved to approve the 1st amendment as follows:

1. Page 9, Line 272:

272 (v) ~~[[braking for each wheel]]~~ a braking system in compliance with the provisions of Section 41-6-145 ; and

The motion passed unanimously with Rep. Morgan absent for the vote.

MOTION: Rep. McCartney moved to approve the 2nd amendment as follows:

1. Page 1, Lines 13 through 14:

13 ▶ allows a municipality or county to allow golf carts on specified highways under its

14 jurisdiction ~~[[during daylight hours]]~~ ;

2. Page 1, Line 20:

20 ▶ requires a golf cart used on the highway to be equipped with head lamps, stop lamps . and brakes;

3. Page 8, Lines 236 through 238:

236 (1) (a) In accordance with this section, a municipality or county may, by ordinance,
237 allow a golf cart to be operated on specified highways under its jurisdiction. [~~during~~
daylight
238 hours.] .

4. *Page 9, Lines 266 through 267:*

266 equipped with:
267 (i) head lamps, tail lamps . and stop lamps;

The motion passed unanimously with Rep. Morgan absent for the vote.

Rep. Moss explained the bill to the committee with the assistance of Glenna Grim, private citizen. Pete Grim, private citizen spoke for the bill.

MOTION: Rep. Bush moved to move to the next item on the agenda.

SUBSTITUTE MOTION: Rep. McCartney moved to pass the bill out favorably. The motion passed with Reps. Murray, Bush, and Dunnigan voting in opposition and with Rep. Morgan absent for the vote.

HB0132 Driver License Amendments (*Rep. D. Ure*)

Rep. Ure explained the bill to the committee. Marco Diaz, Utah Republic Hispanic Community and David Cres, Utah Trucking Association spoke in favor of the bill and Robert Cannon, Brass Pack spoke in opposition.

MOTION: Rep. Bird moved to pass the bill out favorably. The motion passed with Rep. King voting in opposition and Reps. Dougall and Clark absent for the vote.

MOTION: Rep. Dunnigan moved to adjourn the meeting. The motion passed unanimously. The meeting adjourned at 6:20 p.m.

Representative Joseph G. Murray
Committee Chair