

1                                   **REPEAL OF VEHICLE EQUIPMENT SAFETY**

2   **COMMISSION**

3   2005 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Neal B. Hendrickson**

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7   **LONG TITLE**

8   **General Description:**

9                   This bill repeals the Vehicle Equipment Safety Commission.

10 **Highlighted Provisions:**

11                   This bill:

- 12                   ▶ repeals the Vehicle Equipment Safety Commission; and
- 13                   ▶ makes technical changes.

14 **Monies Appropriated in this Bill:**

15                   None

16 **Other Special Clauses:**

17                   None

18 **Utah Code Sections Affected:**

19 **AMENDS:**

20                   **41-6-142**, as enacted by Chapter 242, Laws of Utah 1979

21 **REPEALS:**

22                   **41-15-1**, as enacted by Chapter 71, Laws of Utah 1963

23                   **41-15-2**, as enacted by Chapter 71, Laws of Utah 1963

24                   **41-15-3**, as last amended by Chapter 9, Laws of Utah 1975, First Special Session

25                   **41-15-4**, as last amended by Chapter 120, Laws of Utah 1994

26                   **41-15-5**, as enacted by Chapter 71, Laws of Utah 1963

27                   **41-15-6**, as enacted by Chapter 71, Laws of Utah 1963



- 28           **41-15-7**, as enacted by Chapter 71, Laws of Utah 1963
- 29           **41-15-8**, as enacted by Chapter 71, Laws of Utah 1963
- 30           **41-15-9**, as last amended by Chapter 120, Laws of Utah 1994
- 31           **41-15-10**, as last amended by Chapter 120, Laws of Utah 1994
- 32           **41-15-11**, as last amended by Chapter 120, Laws of Utah 1994
- 33           **41-15-12**, as enacted by Chapter 71, Laws of Utah 1963

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35 *Be it enacted by the Legislature of the state of Utah:*

36           Section 1. Section **41-6-142** is amended to read:

37           **41-6-142. Department to adopt standards for lights and other equipment --**  
38 **Compliance with federal standards -- Trademark or brand name.**

39           ~~[(a)]~~ (1) The department shall adopt standards for lamps, reflectors, hydraulic brake  
40 fluids, seat belts, safety glass, emergency disablement warning devices, studded tires,  
41 motorcyclist helmets, eye protection devices and red rear bicycle reflectors.

42           ~~[(b)]~~ (2) The department may adopt standards for safety equipment that must comply  
43 with standards of the United States Department of Transportation.

44           ~~[(c)]~~ (3) All standards adopted under Subsections ~~[(a)]~~ (1) and ~~[(b)]~~ (2) shall conform,  
45 insofar as possible, with standards issued by the United States Department of Transportation  
46 and other federal agencies. If no federal standard is applicable, standards adopted by the  
47 department may conform with standards issued or endorsed by any recognized organization or  
48 agency such as, but not limited to, the ~~[Vehicle Equipment Safety Commission,]~~ American  
49 National Standards Institute and Society of Automotive Engineers; provided, however, that  
50 where any such standards adopted by the department either prohibit or require the sale or use of  
51 any equipment, device, or system, not prohibited or required under any federal standard, such  
52 standards shall only be adopted to abate a proven safety hazard caused by the use or lack of  
53 such equipment, device, or system, on vehicles operated within the state ~~[of Utah]~~, and shall,  
54 insofar as possible, be consistent with requirements adopted by other states.

55           ~~[(d)]~~ (4) The department may adopt standards by reference provided the department  
56 makes copies of the standards available to any person requesting them.

57           ~~[(e)]~~ (5) Any equipment described in Section 41-6-141.5 or any package containing the  
58 equipment shall bear the manufacturer's trademark or brand name unless it complies with

59 identification requirements of the United States Department of Transportation or other federal  
60 agencies.

61 Section 2. **Repealer.**

62 This bill repeals:

63 Section **41-15-1, Ratification.**

64 Section **41-15-2, Text of compact.**

65 Section **41-15-3, Department of Transportation to promote public safety.**

66 Section **41-15-4, Existing laws on equipment requirements -- When superseded.**

67 Section **41-15-5, Legislative approval of rules of Vehicle Equipment Safety**

68 **Commission required.**

69 Section **41-15-6, Appointment of commissioner on Vehicle Equipment Safety**

70 **Commission -- Designation and authority of alternate.**

71 Section **41-15-7, Coverage of employees of Vehicle Equipment Safety Commission**

72 **under Public Employees Retirement System.**

73 Section **41-15-8, Cooperation of departments, agencies and officers of state.**

74 Section **41-15-9, Filing of documents with Department of Transportation.**

75 Section **41-15-10, Submission of budgets to Department of Transportation.**

76 Section **41-15-11, Inspection of accounts of Vehicle Equipment Safety Commission.**

77 Section **41-15-12, "Executive head" defined.**

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**Legislative Review Note**  
as of 12-7-04 8:43 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

**Interim Committee Note**  
as of 12-07-04 2:10 PM

The Government Operations Interim Committee recommended this bill.

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**Fiscal Note**  
**Bill Number HB0016**

**Repeal of Vehicle Equipment Safety Commission**

*12-Jan-05*

*6:13 PM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**