

Representative Ben C. Ferry proposes the following substitute bill:

MOTOR VEHICLE STOPS AT

PORT-OF-ENTRY

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill modifies the Transportation Code by amending provisions related to motor vehicles stopping at ports-of-entry.

Highlighted Provisions:

This bill:

- ▶ allows the Department of Transportation to issue a temporary port-of-entry by-pass permit if the permit would accommodate highway transportation needs in the proximity of a port-of-entry permit; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:

AMENDS:

72-9-502, as renumbered and amended by Chapter 270, Laws of Utah 1998

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



26 Section 1. Section **72-9-502** is amended to read:

27 **72-9-502. Motor vehicles to stop at ports-of-entry -- Signs -- Exceptions --**

28 **Rulemaking -- Bypass permits.**

29 (1) Except under Subsection (3), a motor carrier operating a motor vehicle with a gross
30 vehicle weight of 10,001 pounds or more or any motor vehicle carrying livestock as defined in
31 Section 4-24-2, shall stop at a port-of-entry as required under this section.

32 (2) The department may erect and maintain signs directing motor vehicles to a
33 port-of-entry as provided in this section.

34 (3) A motor ~~[carrier]~~ vehicle required to stop at a port-of-entry under Subsection (1) is
35 exempt from this section if:

36 (a) the total one-way trip distance for the motor vehicle would be increased by more
37 than 5% or three miles, whichever is greater if diverted to a port-of-entry[-]; or

38 (b) the motor vehicle is operating under a temporary port-of-entry by-pass permit
39 issued under Subsection (4).

40 (4) (a) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
41 the department shall make rules for the issuance of a temporary port-of-entry by-pass permit
42 exempting a motor vehicle from the provisions of Subsection (1) if the department determines
43 that the permit is needed to accommodate highway transportation needs due to multiple daily or
44 weekly trips in the proximity of a port-of-entry.

45 (b) The rules under Subsection (4)(a) shall provide that one permit may be issued to a
46 motor carrier for multiple motor vehicles.

47 Section 2. **Effective date.**

48 If approved by two-thirds of all the members elected to each house, this bill takes effect
49 upon approval by the governor, or the day following the constitutional time limit of Utah
50 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
51 the date of veto override.