

**MINUTES OF THE SENATE
TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY
STANDING COMMITTEE
TUESDAY, FEBRUARY 15, 2005, 9:30 P.M.
ROOM W020, WEST OFFICE BUILDING
STATE CAPITOL COMPLEX**

Members Present: Sen. Sheldon Killpack, Chair
 Sen. Curtis Bramble
 Sen. Scott Jenkins
 Sen. Carlene Walker
 Sen. Karen Hale
 Sen. Ed Mayne

Staff Present: Rich North, Policy Analyst
 Ben Christensen, Policy Analyst
 Karen Allred, Secretary

Public Speakers Present: Brad Mortensen, Assistant Vice President, Weber State
 University
 Lt. Greg F. Barber, Manager, Parking Traffic Services, BYU
 Jim Bassi, Student body President, Utah Valley State College
 Brent Gardner, Executive Director, Utah Association of Counties
 Justin Galvez, Eagle Forum

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

Committee Chair Killpack called the meeting to order at 9:35 a.m.

MOTION: Sen. Bramble moved to approve the minutes of February 11, 2005.

The motion passed unanimously with Sen. Jenkins and Sen. Mayne absent for the vote.

1. 1st Sub. H.B. 93 Emission Inspection Amendments (K. Gibson)

Rep. Gibson explained the bill.

The following amendments were distributed:

1. Page 1, Lines 12 through 15:

- 12 ▶ ~~{repeals the requirement that}~~ allows a county legislative body to
 require college students and employees who park on a college
13 or university campus a motor vehicle that is not registered in a county subject to

14 emissions inspections ~~{are required}~~ to provide proof of compliance with an
15 emissions inspection; and

2. *Page 2, Line 38*
House Floor Amendments
2-9-2005:

38 than required under Subsection ~~H~~→ ~~{+}~~ (6) ~~{+}~~ ~~{-5-}~~ ←~~H~~ ; and

3. *Page 4, Line 90 through Page 5, Line 123:*

90 ~~{+}~~ (5) (a) ~~{Each}~~ **The legislative body of each county required**
under federal law to utilize a motor vehicle emissions inspection and maintenance
program or in which an emissions inspection and maintenance program is necessary
to attain or maintain any national ambient air quality standard may require each
91 **college or university located in a county subject to this section** ~~{shall}~~ **to**
92 **require its students and employees who park a motor vehicle not registered in a**
93 **county subject**
94 **to this section to provide proof of compliance with an emissions inspection accepted**
95 **by the**
96 **county legislative body if the motor vehicle is parked on the college or university**
97 **campus or**
98 **property.** ~~{+}~~
99 ~~{+}~~ (b) College or university parking areas that are metered or for which
100 **payment is**
101 **required per use are not subject to the requirements of this Subsection**
102 (5). ~~{+}~~ =
103 ~~{+}~~ (6) ~~{+}~~ ~~{-5-}~~ (a) An emissions inspection station shall issue a
certificate of emissions
inspection for each motor vehicle that meets the inspection and maintenance program
requirements established in rules made under Subsection (2).
(b) The frequency of the emissions inspection shall be determined based on the age
of
the vehicle as determined by model year and shall be required annually subject to the
provisions of Subsection ~~{+}~~ (6) ~~{+}~~ ~~{-5-}~~ (c).
(c) (i) To the extent allowed under the current federally approved state
implementation

104 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the
legislative
105 body of a county identified in Subsection (1) shall only require the emissions inspection
every
106 two years for each vehicle.
107 (ii) The provisions of Subsection ~~{+}~~ (6) ~~{+}~~ ~~{+5}~~ (c)(i) apply only to
a vehicle that is less than
108 six years old on January 1.
109 (d) If an emissions inspection is only required every two years for a vehicle under
110 Subsection ~~{+}~~ (6) ~~{+}~~ ~~{+5}~~ (c), the inspection shall be required for the
vehicle in:
111 (i) odd-numbered years for vehicles with odd-numbered model years; or
112 (ii) in even-numbered years for vehicles with even-numbered model years.
113 ~~{+}~~ (7) ~~{+}~~ ~~{+6}~~ The emissions inspection shall be required within
the same time limit
114 applicable to a safety inspection under Section 41-1a-205.
115 ~~{+}~~ (8) ~~{+}~~ ~~{+7}~~ (a) A county identified in Subsection (1) shall collect
information about and
116 monitor the program.
117 (b) A county identified in Subsection (1) shall supply this information to an
appropriate
118 legislative committee, as designated by the Legislative Management Committee, at times
119 determined by the designated committee to identify program needs, including funding
needs.
120 ~~{+}~~ (9) ~~{+}~~ ~~{+8}~~ If approved by the county legislative body, a county
that had an established
121 emissions inspection fee as of January 1, 2002, may increase the established fee that an
122 emissions inspection station may charge by \$2.50 for each year that is exempted from
123 emissions inspections under Subsection ~~{+}~~ (6) ~~{+}~~ ~~{+5}~~ (c) up to a \$7.50
increase.

MOTION: Sen. Bramble moved to adopt the amendments.

The motion passed unanimously with Sen. Bramble and Sen. Jenkins absent for the vote.

Speaking in support of the bill were: Brad Mortensen, Assistant Vice President, Weber State University; Lt. Greg F. Barber, Manager, Parking Traffic Services, BYU; Jim Bassi, Student body President, Utah Valley State College; and Brent Gardner, Executive Director, Utah Association of Counties,

Speaking in opposition of the bill was Justin Galvez, Eagle Forum.

MOTION: Sen. Mayne moved to pass the bill out favorably as amended.

The motion passed unanimously.

MOTION: Sen. Walker moved to adjourn.

The motion passed unanimously at 10:00 a.m.

Sen. Sheldon L. Killpack, Committee Chair