

**MINUTES OF THE
HOUSE GOVERNMENT OPERATIONS STANDING COMMITTEE
ROOM W010, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX
February 9, 2006**

MEMBERS PRESENT: Rep. Douglas C. Aagard, Chair
 Rep. Gregory H. Hughes, Vice Chair
 Rep. DeMar "Bud" Bowman
 Rep. Craig W. Buttars
 Rep. Stephen D. Clark
 Rep. Neil B. Hansen
 Rep. Neal B. Hendrickson
 Rep. Eric K. Hutchings
 Rep. John G. Mathis
 Rep. Aaron Tilton
 Rep. Mark Wheatley

STAFF PRESENT: Benjamin N. Christensen, Policy Analyst
 Carrie Griffith, Committee Secretary

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

Rep. Aagard called the meeting to order at 4:25 p.m.

MOTION: Rep. Hansen moved to approve the minutes of the February 8, 2006 meeting. The motion passed unanimously, with Rep. Clark, Rep. Hutchings and Rep. Hughes absent for the vote.

H.B. 331 Ambulance Services - Free Market Competition (Rep. G. Hughes)

H.B. 331 was not heard.

Rep. Aagard relinquished the chair to Rep. Buttars.

H.B. 169 Driver License Records Access Amendments (Rep. D. Aagard)

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

1. Page 1, Lines 14 through 17:

- 14 ▶ authorizes the Driver License Division to disclose personal identifying
 information
- 15 to :
- certain insurance or insurance support organizations that issue motor vehicle
- 16 insurance for claims investigation, antifraud activities, rating, or underwriting for
- 17 minors or other drivers; and
- depository institutions for use in accordance with federal law;

2. *Page 1, Line 20:*

20 unfair claim settlement practice;

▶ authorizes the Driver License Division to charge reasonable fees for the disclosure of certain personal identifying information;

3. *Page 2, Lines 43 through 50:*

43 (c) The division may disclose personal identifying information;

44 (i) to a licensed private investigator holding a valid agency or registrant license, with
a

45 legitimate business need[-]; ~~{or}~~

46 (ii) to an insurer, insurance support organization, or a self-insured entity, or its
agents,

47 employees, or contractors that issues any motor vehicle insurance under Title 31A,
Chapter 22,

48 Part 3, Motor Vehicle Insurance, for use in connection with claims investigation activities,
49 antifraud activities, rating, or underwriting for any person issued a license certificate under
this

50 chapter ; **or**

(iii) to a depository institution as defined in Section 7-1-103 for use in accordance with the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. Chapter 123 .

4. *Page 3, Lines 62 through 67:*

62 (3) The division may:

63 (a) collect fees in accordance with Section 53-3-105 for searching and compiling its
64 files or furnishing a report on the driving record of a person; ~~{and}~~

65 (b) prepare under the seal of the division and deliver upon request, a certified copy of
66 any record of the division, and charge a fee under Section 63-38-3.2 for each document
67 authenticated ; **and**

(c) charge reasonable fees established in accordance with the procedures and requirements of Section 63-38-3.2 for disclosing personal identifying information under Subsection (1)(c) .

5. *Page 3, Lines 84 through 85:*

84 (f) the procedures, requirements, and format for disclosing personal identifying

85 information under Subsection (1)(c) ~~{(ii)}~~ .

6. *Page 4, Lines 92 through 94:*

92 "(d) Notwithstanding the provisions of Subsection 63-2-302(2)(f), the division may
93 disclose personal identifying information under {~~Subsection~~} ~~Subsections~~
 (1)(c)(ii) ~~and (iii)~~ for a person under 18
94 years of age if the person has been issued a provisional license certificate under this
 chapter."

The motion passed unanimously, with Rep. Clark, Rep. Hutchings and Rep. Hughes absent for the vote.

Rep. Aagard explained the bill to the committee.

Spoke for the bill: Christopher Purcell, State Farm Insurance
 Gary Thorup, Attorney, Property and Casualty Insurance
 Brian Allen, American Family Insurance

Spoke against the bill: Nanette Rolfe, Director of Driver's License Division

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

Rep. Buttars relinquished the chair to Rep. Aagard.

H.B. 367 Audit of State Budgets (*Rep. L. Christensen*)

Rep. Christensen explained the bill to the committee.

Spoke to the bill: Tim Osterstock, Manager, Legislative Auditors

MOTION: Rep. Hutchings moved to pass the bill out favorably. The motion passed, with Rep. Hansen, Rep. Hendrickson, and Rep. Wheatley voting in opposition. Rep. Hughes was absent for the vote.

H.B. 188 Government Records Access and Management Act Revisions (*Rep. C. Frank*)

Rep. Frank explained the bill to the committee and distributed a handout titled "Report on the Utah Freedom of Information Audit 2005."

MOTION: Rep. Hansen moved to pass the bill out favorably. The bill passed unanimously,

with Rep. Hughes absent for the vote.

MOTION: Rep. Hutchings moved to place the bill on the consent calendar. The motion passed unanimously, with Rep. Hughes absent for the vote.

**S.B. 158 Administrative Rulemaking Authority Amendments (*Sen. H. Stephenson*)
(**Rep. D. Ure**)**

SB 158 was not heard.

S.J.R. 2 Resolution Enlarging Revenues and Assets in State Trust Fund (*Sen. L. Hillyard*) (Rep. W. Harper)

Sen. Hillyard explained the bill to the committee.

Spoke for the bill: David Litvin, Utah Mining Association

MOTION: Rep. Tilton moved to pass the bill out favorably. The motion passed unanimously, with Rep. Hughes absent for the vote.

MOTION: Rep. Hendrickson moved to adjourn the meeting. The motion passed unanimously, with Rep. Hughes absent for the vote.

Rep. Aagard adjourned the meeting at 5:40 p.m.

Rep. Douglas C. Aagard, Chair