

**MINUTES OF THE  
HOUSE TRANSPORTATION STANDING COMMITTEE  
ROOM W135, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

February 20, 2006

MEMBERS PRESENT:                   Rep. Joseph G. Murray, Chair  
  Rep. J. Stuart Adams, Vice-Chair  
  Rep. David Clark  
  Rep. Tim M. Cosgrove  
  Rep. Bradley M. Daw  
  Rep. Brad Dee  
  Rep. John Dougall  
  Rep. Jim Dunnigan  
  Rep. Julie Fisher  
  Rep. Kerry W. Gibson  
  Rep. Brad King  
  Rep. Karen W. Morgan  
  Rep. Peggy Wallace  
  Rep. Larry B. Wiley

MEMBERS EXCUSED:                 Rep. Jeff Alexander

STAFF PRESENT:                    Mark Steinagel, Policy Analyst  
  Jennifer Eyring, House Secretary

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

Chair Murray called the meeting to order at 7:47 a.m.

**H.B. 404 Support Our Troops Special Group License Plate (*Rep. D. G. Buxton*)**

Rep. Buxton explained the bill.

MOTION:     Rep. Wiley moved to pass the bill out favorably.

**SUBSTITUTE**

MOTION:     Rep. Dougall moved to move to the next item on the agenda. The motion failed with Rep. Daw, Rep. Dougall, Rep. Dunnigan, Rep. Gibson and Rep. King voting for the motion. Rep. Clark, Rep. Cosgrove and Rep. Morgan were absent for the vote.

The vote was taken on the previous motion to pass H.B.404 out favorably. The motion passed with Rep. Daw, Rep. Dougall and Rep. Dunnigan voting against the motion. Rep. Clark, Rep. Cosgrove and Rep. Morgan were absent for the vote.

**H.B. 166 Special License Plate for Utah Shakespearean Festival (*Rep. D. Bowman*)**

Rep. Bowman explained the bill.

MOTION: Rep. Adams moved to send the bill to the Rules Committee for prioritization. The motion passed with Rep. Dee, Rep. King, Rep. Wiley and Rep. Murray voting against the motion. Rep. Cosgrove and Rep. Morgan were absent for the vote.

**H.B. 344 Native American Special Group License Plates (*Rep. S. Wyatt*)**

Rep. Wyatt explained the bill.

MOTION: Rep. Dunnigan moved to send the bill to the Rules Committee for prioritization.

**SUBSTITUTE**

MOTION: Rep. Dee moved to move on to the next item on the agenda. The motion passed with Rep. Fisher, Rep. King, Rep. Morgan, Rep. Wallace, Rep. Wiley and Rep. Murray voting against the motion. Rep. Cosgrove was absent for the vote.

**H.B. 372 Expenditure of Local Option Transportation Tax Revenue (*Rep. B. Ferry*)**

Rep. Ferry explained the bill assisted by James Evans, Salt Lake City Resident.

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

1. *Page 1, Lines 14 through 18:*

14           ▶ provides that beginning on July 1, 2006, and ending on June 30, 2007, a county  
                  of  
15 the first class may expend a certain amount of the 1/4% of the 1/4% public transit  
16 tax revenue dedicated for highway use to reconfigure railroad curves to decrease rail  
17 congestion;

                  ▶ provides that an expenditure of the revenues described above to  
reconfigure railroad curves to decrease rail congestion shall be called an Evans  
Allocation; and

18           ▶ makes technical changes.

2. *Page 3, Lines 66 through 69:*

66           (b) (i) Notwithstanding the designated use of revenues in Subsection (1),

- beginning on  
67 July 1, 2006, and ending on July 1, 2007, a county of the first class may expend an amount  
not  
68 to exceed \$3,500,000 of the revenues described in Subsection (5)(a)(ii) for expenses  
relating to  
69 reconfiguring railroad curves within that county to reduce rail congestion.

**(ii) An expenditure described in Subsection (5)(b)(i) shall be called an Evans Allocation.**

SUBSTITUTE

MOTION: Rep. Dougall made a motion to adopt the amendment and pass the bill out favorably.

Spoke for the bill: Michael Clara, Poplar Grove Community Council  
Edie Trimmer, Poplar Grove Resident

Rep. Daw requested that the motion be divided.

The motion to amend the bill passed with Rep. Dougall and Rep. King voting against the motion.

The motion to pass H.B. 372 out favorably was passed unanimously.

**S.B. 80 Public-private Partnerships for Tollway Facilities (*Sen. S. Killpack*) (**Rep. J. Dougall**)**

Sen. Killpack explained the bill assisted by Carlos Braceras, Deputy Director, Utah Department of Transportation.

Spoke against the bill: David Creer, Executive Director, Utah Trucking Association

MOTION: Rep. Dougall moved to pass the bill out favorably. The motion passed with Rep. Dunnigan, Rep. King and Rep. Wallace voting against the motion.

MOTION: Rep. King moved to approve the minutes of the February 14, 2006 and February 16, 2006 meetings. The motion passed unanimously.

**H.B. 366 Traffic Code Amendments (*Rep. P. Ray*)**

Rep. Ray explained the bill assisted by Carlos Braceras, Deputy Director, Utah Department of Transportation.

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

1. *Page 1, Lines 9 through 10:*

9           This bill modifies the Motor Vehicles Code by amending provisions relating to  
          ~~{school~~  
10 ~~speed zones and }~~ speed limits on state highways.

2. *Page 1, Lines 13 through 15:*

13       ~~{→ provides that Utah Department of Transportation rules governing school~~  
          ~~speed~~  
14 ~~zones must provide for the extension of a reduced speed school zone if requested by~~  
15 ~~a local highway authority; }~~

3. *Page 1, Line 25:*

25           ~~{41-6a-303, as renumbered and amended by Chapter 2, Laws of Utah~~  
          ~~2005 }~~

4. *Page 2, Line 29 through Page 3, Line 75:*

29       ~~{Section 1. Section 41-6a-303 is amended to read:~~  
30 ~~—41-6a-303. Definition of reduced speed school zone -- Operation of warning~~  
          ~~lights~~  
31 ~~-- School crossing guard requirements -- Responsibility provisions -- Rulemaking~~  
32 ~~authority.~~  
33 ~~—(1) As used in this section "reduced speed school zone" means a designated~~  
          ~~length of a~~  
34 ~~highway extending from a school zone speed limit sign with warning lights operating~~  
          ~~to an end~~  
35 ~~school zone sign.~~  
36 ~~—(2) The Department of Transportation for state highways and local highway~~  
          ~~authorities~~  
37 ~~for highways under their jurisdiction:~~  
38 ~~—(a) shall establish reduced speed school zones at elementary schools after~~

written

39 ~~assurance by a local highway authority that the local highway authority complies~~  
40 ~~with~~  
41 ~~Subsections (3) and (4); and~~  
42 ~~—(b) may establish reduced speed school zones for secondary schools at the~~  
43 ~~request of~~  
44 ~~the local highway authority.~~  
45 ~~—(3) For all reduced speed school zones on highways, including state highways~~  
46 ~~within~~  
47 ~~the jurisdictional boundaries of a local highway authority, the local highway~~  
48 ~~authority shall:~~  
49 ~~—(a) (i) provide shuttle service across highways for school children; or~~  
50 ~~—(ii) provide, train, and supervise school crossing guards in accordance with this~~  
51 ~~section;~~  
52 ~~—(b) provide for the:~~  
53 ~~—(i) operation of reduced speed school zones, including providing power to~~  
54 ~~warning~~  
55 ~~lights and turning on and off the warning lights as required under Subsections (4)~~  
56 ~~and (5); and~~  
57 ~~—(ii) maintenance of reduced speed school zones except on state highways as~~  
58 ~~provided~~  
59 ~~in Section 41-6a-302; and~~  
60 ~~—(c) notify the Department of Transportation of reduced speed school zones on~~  
61 ~~state~~  
62 ~~highways that are in need of maintenance.~~  
63 ~~—(4) While children are going to or leaving school during opening and closing~~  
64 ~~hours all~~  
65 ~~reduced speed school zones shall have:~~  
66 ~~—(a) the warning lights operating on each school zone speed limit sign; and~~  
67 ~~—(b) a school crossing guard present if the reduced speed school zone is for an~~  
68 ~~elementary school.~~  
69 ~~—(5) The warning lights on a school zone speed limit sign may not be operating~~  
70 ~~except~~  
71 ~~as provided under Subsection (4).~~  
72 ~~—(6) (a) In accordance with Title 63, Chapter 46a, Utah Administrative~~

**Rulemaking Act;**  
63 ~~the Department of Transportation shall make rules establishing criteria and~~  
~~specifications for~~  
64 ~~the:~~  
65 ~~—[(a)] (i) establishment, location, and operation of school crosswalks, school~~  
~~zones, and~~  
66 ~~reduced speed school zones;~~  
67 ~~—[(b)] (ii) training, use, and supervision of school crossing guards at elementary~~  
~~schools~~  
68 ~~and secondary schools; and~~  
69 ~~—[(c)] (iii) content and implementation of child access routing plans under Section~~  
70 ~~53A-3-402.~~  
71 ~~—(b) Rules established under Subsection (6)(a) shall provide for the extension of~~  
~~an~~  
72 ~~existing reduced speed school zone if requested by a local highway authority.~~  
73 ~~—(7) Each local highway authority shall pay for providing, training, and~~  
~~supervising~~  
74 ~~school crossing guards in accordance with this section. }~~  
75 Section {~~2~~} 1 . Section **41-6a-602** is amended to read:

SUBSTITUTE

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

MOTION: Rep. Dunnigan moved to place the bill on the Consent Calendar. The motion passed unanimously with Rep. King absent for the vote.

**H.B. 384 Construction of Limited Access Highway Amendments (Rep. D. Hogue)**

Rep. Hogue explained the bill.

MOTION: Rep. Dunnigan moved to amend the bill by deleting the word "southern" on line 37 and inserting in its place the word "northern", and by deleting the word "northern" on line 38 and inserting in its place the word "southern".

SUBSTITUTE

MOTION: Rep. Wallace moved to move to the next item on the agenda. The motion passed

with Rep. Clark and Rep. Morgan voting against the motion. Rep. King was absent for the vote.

**H.B. 457 Amendments to Transportation Provisions (Rep. J. Dougall)**

Rep. Dougall explained the bill assisted by Linda Hull, Director, Legislative Affairs, Utah Department of Transportation.

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

1. *Page 1, Line 15:*

15       ▶ provides that the amount of a toll violation surcharge is ~~{100% of the toll imposed}~~ \$100 ;

2. *Page 1, Line 23:*

23       This bill takes effect July 1, 2006.

**This bill coordinates with S.B. 80 by changing terminology.**

3. *Page 2, Lines 39 through 40:*

39       (2) The toll violation surcharge is ~~{100% of the amount of the toll imposed on a tollway~~

40       under Section 72-6-118} \$100 upon conviction of a violation of Section 41-6a-716.

4. *Page 3, Line 60:*

60       This bill takes effect July 1, 2006.

**Section 4. Coordinating H.B. 457 with S.B. 80 -- Changing terminology.**  
**If this H.B. 457 and S.B. 80, Public-Private Partnerships for Tollway Facilities, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, change the language in Subsection 63-63d-102(7) from "Tollway Restricted Account" to "Tollway Restricted Special Revenue Fund".**

SUBSTITUTE

MOTION: Rep. Adams moved to adopt the amendment and pass the bill out favorably. The motion failed with Rep. Clark, Rep. Dee, Rep. Dougall, Rep. Gibson and Rep.

Adams voting in favor of the motion. Rep. King was absent for the vote.

SUBSTITUTE

MOTION: Rep. Dunnigan moved to amend the bill as follows and to pass the bill out favorably:

1. *Page 1, Line 15:*

15       ▶ provides that the amount of a toll violation surcharge is ~~{-100% of the toll imposed}~~ \$25 ;

2. *Page 1, Line 23:*

23       This bill takes effect July 1, 2006.

**This bill coordinates with S.B. 80 by changing terminology.**

3. *Page 2, Lines 39 through 40:*

39       (2) The toll violation surcharge is ~~{-100% of the amount of the toll imposed on a tollway~~

40 under Section 72-6-118} \$25 upon conviction of a violation of Section 41-6a-716.

4. *Page 3, Line 60:*

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MOTION: Rep. Daw moved to call the question. The motion passed unanimously with Rep. King absent for the vote.



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Rep. Dunnigan's motion to amend the bill and pass it out favorably was voted on. The motion passed unanimously with Rep. King absent for the vote.

MOTION: Rep. Dee moved to adjourn the meeting. The motion passed unanimously with Rep. King absent for the vote.

Chair Murray adjourned the meeting at 9:31 a.m.

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Representative Joseph G. Murray  
Committee Chair