

**MINUTES OF THE HOUSE TRANSPORTATION
STANDING COMMITTEE**
Room C450, State Capitol, Utah State Capitol Complex
March 3, 2009

MEMBERS PRESENT: Rep. Bradley M. Daw, Chair
 Rep. Julie Fisher, Vice Chair
 Rep. Steven D. Clark
 Rep. Tim M. Cosgrove
 Rep. Janice M. Fisher
 Rep. Wayne A. Harper
 Rep. Lynn N. Hemingway
 Rep. Kory M. Holdaway
 Rep. Bradley G. Last
 Rep. Steven R. Mascaro
 Rep. Ronda R. Menlove
 Rep. Michael T. Morley
 Rep. F. Jay Seegmiller
 Rep. C. Brent Wallis

STAFF PRESENT: Leif Elder, Policy Analyst
 Karen Mitchell, Committee Secretary

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

Chair Daw called the meeting to order at 4:22 p.m.

MOTION: Rep. Mascaro moved to approve the minutes of March 2, 2009. The motion passed unanimously, with Rep. Harper, Rep. Last, and Rep. Menlove absent for the vote.

H.B. 359 Information for Temporary License Plates (*Rep. E. Hutchings*)

Rep. Hutchings introduced the bill to the committee.

Spoke to the bill: Wayne Jones, Independent Auto Dealers Association

MOTION: Rep. Cosgrove moved to return the bill to Rules Committee for interim study. The motion passed unanimously, with Rep. Harper, Rep. Last, and Rep. Menlove absent for the vote.

H.B. 344 Automobile Registration Amendment (*Rep. S. Sandstrom*)

Rep. Sandstrom introduced the bill to the committee.

MOTION: Rep. Morley moved to delete in title and body H.B. 344 and replace it with 1st Substitute H.B. 344. The motion passed unanimously, with Rep. Harper, Rep. Last, and Rep. Menlove absent for the vote.

Spoke to the bill: Wayne Jones, Independent Auto Dealers Association

Spoke for the bill: Ronald Mortensen, Utah Coalition on Illegal Immigration

MOTION: Rep. Mascaro moved to proceed to the next item on the agenda.

SUBSTITUTE

MOTION: Rep. Morley moved to pass 1st Substitute H.B. 344 out favorably. The motion failed with Rep. Daw, Rep. Harper, Rep. Morley, and Rep. Wallis voting in favor. Rep. Last and Rep. Menlove were absent for the vote.

The original motion to proceed to the next item on the agenda passed, with Rep. Daw, Rep. Harper, Rep. Morley, and Rep. Wallis voting in opposition. Rep. Last and Rep. Menlove were absent for the vote.

1st Sub. S.B. 147 Driver License Revisions (Sen. L. Hillyard) (Rep. K. McIff)

Sen. Hillyard introduced the bill to the committee.

MOTION: Rep. Julie Fisher moved to amend the bill as follows:

- Page 5, Lines 142a through 142b
Senate 2nd Reading Amendments
2-24-2009:*

142a ~~§~~→ (II) the physician is not aware of any physical, emotional, or mental impairment that
142b would affect the person's ability to operate a motor vehicle safely {~~-~~} **: and** ~~-~~ ←§

The motion to amend passed unanimously, with Rep. Last and Rep. Menlove absent for the vote.

Spoke for the bill: Art Brown, Mothers Against Drunk Driving

MOTION: Rep. Harper moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Last and Rep. Menlove absent for the vote.

**1st Sub. S.B. 149 Prohibition of Text Messaging or Electronic Mail Communication
While Driving (Sen. L. Hillyard) (Rep. K. McIff)**

Sen. Hillyard introduced the bill to the committee.

Spoke to the bill: Jacey Skinner, Utah Sentencing Commission

Spoke for the bill: Rolayne Fairclough, AAA

MOTION: Rep. Holdaway moved to pass the bill out favorably. The motion passed with Rep. Daw, Rep. Julie Fisher, Rep. Harper, Rep. Morley, and Rep. Wallis voting in opposition. Rep. Last was absent for the vote.

S.B. 172 Underinsured Motorist Coverage Amendments (Sen. S. Urquhart) (Rep. L. Fowlke)

Sen. Hillyard introduced the bill to the committee.

Spoke for the bill: Steve Sullivan, Robert J. DeBry

Spoke against the bill: Mike Sonntag, American Insurance Association
 Rolayne Fairclough, AAA
 Mike Morris, Farmers Insurance

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

SUBSTITUTE

MOTION: Rep. Mascaro moved to hold the bill. The substitute motion failed with Rep. Janice Fisher, Rep. Hemingway, Rep. Mascaro, and Rep. Menlove voting in favor. Rep. Last and Rep. Wallis were absent for the vote.

The original motion passed with Rep. Janice Fisher voting in opposition. Rep. Last and Rep. Wallis were absent for the vote.

H.B. 161 Motor Vehicle Insurance Fee (Rep. L. Wiley)

Rep. Wiley introduced the bill to the committee.

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

1. Page 1, Lines 21 through 22:

- 21 ▶ provides that a portion of the revenues from the fee shall be deposited into
the Automated
22 License Plate Recognition System Restricted Account; ~~{and}~~
▶ provides that a portion of the revenues from the fee shall be deposited into
the Transportation Fund; and

2. Page 2, Lines 37 through 39:

- 37 (1) As used in this section, "automated license plate recognition system" means a
38 computerized camera system mounted on a vehicle ~~{or permanently mounted over a
highway}~~
39 that recognizes license plates to alert law enforcement of violations, including:

3. Page 3, Lines 70 through 74:

- 70 (2) ~~{All monies}~~ (a) An amount not to exceed \$800,000 of the revenues
received by the state under this section shall be deposited into the
71 Automated License Plate Recognition System Restricted Account created by Section
72 41-1a-1223 for the purpose of providing funds to pay for any costs and expenses incurred
by
73 the Motor Vehicle Enforcement Division to administer an automated license plate
recognition
74 system program in accordance with Section 41-1a-1223.
(b) Revenues received by the state under this section in excess of the amount
described in Subsection (2)(a) shall be deposited into the Transportation Fund.

Spoke against the bill: Rolayne Fairclough, AAA
Chris Purcell, State Farm Insurance

MOTION: Rep. Mascaro moved to pass the bill out favorably as amended.

SUBSTITUTE

MOTION; Rep. Harper moved to adjourn. The motion failed with Rep. Clark, Rep. Daw,
Rep. Julie Fisher, Rep. Harper, and Rep. Morley voting in favor. Rep. Last and
Rep. Wallis were absent for the vote.

The original motion failed with Rep. Cosgrove, Rep. Janice Fisher, Rep. Hemingway, Rep. Mascaro, and Rep. Seegmiller voting in favor. Rep. Wallis was absent for the vote.

H.B. 284 Smoking Ban in Motor Vehicle (*Rep. F.J. Seegmiller*)

Rep. Seegmiller introduced the bill to the committee.

Spoke for the bill: Liz Zentner, Utah PTA Health Commissioner

Spoke against the bill: Michelle Seegmiller, Eagle Forum

MOTION: Rep. Cosgrove moved to pass the bill out favorably as amended. The motion passed with Rep. Clark, Rep. Daw, Rep. Julie Fisher, Rep. Harper, Rep. Last, and Rep. Morley voting in opposition. Rep. Wallis was absent for the vote.

MOTION: Rep. Seegmiller moved to adjourn. The motion passed unanimously with Rep. Wallis absent for the vote.

Chair Daw adjourned the meeting at 6:32 p.m.

Rep. Bradley M. Daw, Chair