

**MINUTES OF THE SENATE  
TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY  
STANDING COMMITTEE  
TUESDAY, FEBRUARY 3, 2009, 8:00 A.M.  
ROOM 215, SENATE BUILDING, STATE CAPITOL COMPLEX**

Members Present:            Sen. David Hinkins  
                                      Sen. Kevin VanTassell  
                                      Sen. Brent Goodfellow  
                                      Sen. Karen Mayne

Members Excused:         Sen. Steve Urquhart, Chair  
                                      Sen. Peter Knudson  
                                      Sen. Sheldon Killpack

Staff Present:              Leif Elder, Policy Analyst  
                                      Cami Deavila, Secretary

Public Speakers Present:    Kelvyn Cullimore Jr., Mayor, Cottonwood Heights  
                                      Barry Topham, Holladay City Council  
                                      Ken Johnson, Utah Bicycle Coalition  
                                      Bob Springmeyer, Utah Bicycle Coalition  
                                      Nannette Rolfe, Director, Drivers License Division

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

Sen. Van Tassell assumed the chair.

Sen. Van Tassell called the meeting to order at 8:06 a.m.

1. SB0102, Share the Road Special Group License Plate (*W. Niederhauser*)

Sen. Niederhauser introduced the bill.

Mr. Cullimore, Mr. Topham, Mr. Johnson, and Mr. Springmeyer spoke for the bill.

**MOTION:** Sen. Hinkins moved to pass S.B. 102, Share the Road Special Group License Plate, out of committee with a favorable recommendation.

The motion passed unanimously.

2. SB0050, Restricting the Movement of a Motor Vehicle (*B. Goodfellow*)

Sen. Goodfellow introduced the bill.

**MOTION:** Sen. Hinkins moved to pass S.B. 102, Restricting the Movement of a Motor Vehicle, out of committee with a favorable recommendation.

The motion passed unanimously.

3. HB0040, Motorcycle Rider Education Program Amendments (B. Daw)

Rep. Daw introduced the bill.

**MOTION:** Sen. Mayne moved to pass H.B. 40, Motorcycle Rider Education Program Amendments out of committee with a favorable recommendation.

The motion passed unanimously.

4. HB0030, Commercial Motor Vehicle Amendments (T. Kiser)

Rep. Kiser introduced the bill.

**MOTION:** Sen. Hinkins moved to amend H.B. 30, Commercial Motor Vehicle Amendments as follows:

1. *Page 1, Lines 10 through 11:*

10 General Description:

11 This bill modifies the Public Safety Code and Transportation Code by amending provisions relating to

2. *Page 1, Lines 15 through 16:*

15 ▶ provides definitions;

= ▶ provides that a commercial motor vehicle with a gross vehicle weight rating over 26,000 pounds is exempt from a safety inspection if the vehicle has an apportioned registration and a valid annual federal inspection;

▶ provides that a trailer, semitrailer, or trailering equipment attached to a certain commercial motor vehicle is exempt from a safety inspection if the vehicle has a valid annual federal inspection;

▶ provides that a commercial motor vehicle with a gross vehicle weight rating of 10,001 pounds or more is required to pass an annual safety inspection;

16 ▶ requires a motor carrier to have lettered on both sides of a vehicle the location of

3. *Page 2, Line 39:*

39 AMENDS:

= 53-8-205, as last amended by Laws of Utah 2008, Chapters 36 and 210

4. Page , Lines 46 through 47:

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

= Section 1. Section 53-8-205 is amended to read:

**53-8-205. Safety inspection required -- Frequency of safety inspection --  
Safety inspection certificate required -- Out-of-state permits.**

(1) (a) Except as provided in Subsection (1)(b), a person may not operate on a highway a motor vehicle required to be registered in this state unless the motor vehicle has passed a safety inspection.

(b) Subsection (1)(a) does not apply to:

(i) a vehicle that is exempt from registration under Section 41-1a-205;

(ii) an off-highway vehicle, unless the off-highway vehicle is being registered as a street-legal all-terrain vehicle in accordance with Section 41-6a-1509; ~~{and}~~

(iii) a vintage vehicle as defined in Section 41-21-1 ~~{·}~~ ;

(iv) a commercial vehicle with a gross vehicle weight rating over 26,000 pounds that:

(A) is operating with an apportioned registration under Section 41-1a-301;

and

(B) has a valid annual federal inspection that complies with the requirements of 49 C.F.R. 396.17; and

(v) a trailer, semitrailer, or trailering equipment attached to a commercial motor vehicle described in Subsection (1)(a)(iv) that has a valid annual federal inspection that complies with the requirements of 49 C.F.R. 396.17.

(2) Except as provided in Subsection (3), the frequency of the safety inspection shall be determined based on the age of the vehicle determined by model year and shall:

(a) be required each year for a vehicle that is eight or more years old on January 1;

or

(b) every two years for each vehicle that is less than eight years old on January 1 as follows:

(i) in odd-numbered years for a vehicle with an odd-numbered model year; and

(ii) in even-numbered years for a vehicle with an even-numbered model year;

(c) be made by a safety inspector certified by the division at a safety inspection station authorized by the division;

(d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to ensure proper adjustment and condition as required by department rules; and

(e) include an inspection for the display of license plates in accordance with Section 41-1a-404.

(3) (a) (i) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety inspection when an application is made for initial registration as a salvage vehicle.

~~{(b)}~~ (ii) After initial registration as a salvage vehicle, the frequency of the safety inspection shall correspond with the model year, as provided in Subsection (2).

**(b) A commercial motor vehicle with a gross vehicle weight rating of 10,001 pounds or more is required to pass a safety inspection annually.**

(4) A safety inspection station shall issue a safety inspection certificate to the owner of:

(a) each motor vehicle that passes a safety inspection under this section; and

(b) a street-legal all-terrain vehicle that meets all the equipment requirements in Section 41-6a-1509.

(5) The division may:

(a) authorize the acceptance in this state of a safety inspection certificate issued in another state having a safety inspection law similar to this state; and

(b) extend the time within which a safety inspection certificate must be obtained by the resident owner of a vehicle that was not in this state during the time a safety inspection was required.

**Renumber remaining sections accordingly.**

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

**MOTION:** Sen. Goodfellow moved to pass H.B. 30, Commercial Motor Vehicle Amendments, as amended, out of committee with a favorable recommendation.

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

5. HB0046, Designation of State Highways Amendments (T. Kiser)

Rep. Kiser introduced the bill.

**MOTION:** Sen. Hinkins moved to pass H.B. 46, Designation of State Highways Amendments, out of committee with a favorable recommendation.

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

6. HB0053, Driver License Amendments - Motor Driven Cycles (T. Kiser)

Rep. Kiser introduced the bill.

Ms. Rolfe spoke for the bill.

**MOTION:** Sen. Hinkins moved to pass H.B. 53, Driver License Amendments - Motor Driven Cycles, out of committee with a favorable recommendation.

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

**MOTION:** Sen. Hinkins moved to adjourn.

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

Sen. Van Tassell adjourned the meeting at 9:00 a.m.

Minutes were reported by Cami Deavila, Secretary.

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Sen. Steve Urquhart, Committee Chair