

**MINUTES OF THE HOUSE TRANSPORTATION  
STANDING COMMITTEE**

Room C450, State Capitol, Utah State Capitol Complex

March 1, 2010

MEMBERS PRESENT:                   Rep. Bradley M. Daw, Chair  
  Rep. Julie Fisher, Vice Chair  
  Rep. Johnny Anderson  
  Rep. Steven D. Clark  
  Rep. Tim M. Cosgrove  
  Rep. Janice M. Fisher  
  Rep. Wayne A. Harper  
  Rep. Lynn N. Hemingway  
  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 8:08 a.m.

MOTION:     Rep. Wallis moved to approve the minutes of February 25, 2010. The motion passed unanimously, with Rep. Cosgrove, Rep. Janice Fisher, Rep. Julie Fisher, Rep. Harper, and Rep. Last absent for the vote.

**S.B. 38       Restrictions on High Occupancy Vehicle Lane (*Sen. K. Morgan*) (Rep. B. Daw)**

Sen. Morgan introduced the bill to the committee.

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

The motion passed unanimously with Rep. Cosgrove, Rep. Harper, and Rep. Last absent for the vote.

MOTION:     Rep. Menlove moved to place S.B. 38 on the Consent Calendar.

The motion passed unanimously with Rep. Cosgrove, Rep. Harper, and Rep. Last absent for the vote.



4. *Page 6, Lines 172 through 174:*

172            ~~{(c) A person engaged in a title lender, check cashing, or similar business that~~  
                 ~~comes~~  
173            ~~into possession of motor vehicles incident to the person's business shall be licensed as~~  
                 ~~a used~~  
174            ~~motor vehicle dealer.}~~

5. *Page 12, Lines 353 through 356:*

353            (1) (a) A person may not, for a fee, commission, or other form of compensation,  
354            arrange, offer to arrange, or broker a transaction involving the sale or lease of more than  
                 two ~~:~~  
355            = ~~(i)~~ new or used motor vehicles in any 12 consecutive month period, unless the  
                 person is licensed  
356            under Subsection 41-3-202(1) ~~;~~ or  
                 (ii) used motor vehicles in any 12 consecutive month period, unless the person is  
                 licensed under Subsection 41-3-202(2) .

The motion to amend passed unanimously, with Rep. Cosgrove and Rep. Harper absent for the vote.

Rep. Daw introduced the bill to the committee with the assistance of Wayne Jones, Independent Auto Dealers Association of Utah.

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

SUBSTITUTE

MOTION:     Rep. Anderson moved to amend the bill.

Rep. Menlove requested the motion be divided.

1. *Page 8, Lines 218 through 219:*

218            addresses of the individuals who will act as salespersons under authority of the license[-];  
219            (vi) at least five years of ~~{personal and }~~ business history;

This part of the motion to amend passed unanimously with Rep. Cosgrove and Rep. Harper absent for the vote.

1. *Page 8, Lines 220 through 224:*

- 220 (vii) the federal tax identification number issued to the dealer; and
- 221 (viii) the sales and use tax license number issued to the dealer under Title 59,  
Chapter
- 222 12, Sales and Use Tax Act {~~;~~and
- 223 ~~—(ix) verification of at least two years experience in automotive sales or related~~
- 24 ~~automotive industry experience~~ } .

This part of the motion to amend failed with Rep. Anderson, Rep. Janice Fisher, Rep. Morley, and Rep. Julie Fisher voting in favor. Rep. Cosgrove was absent for the vote.

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

The motion passed with Rep. Morley voting in opposition. Rep. Cosgrove was absent for the vote.

Chair Daw resumed the chair.

**H.B. 130 Cancer Research Special Group License Plate (*Rep. B. Dee*)**

Rep. Dee introduced the bill to the committee.

Spoke for the bill: Michael Siler, American Cancer Society  
Janet Bingham, President Huntsman Cancer Foundation

Spoke to the bill: Rod Marrelli, State Tax Commission (Handout)

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

The motion passed with Rep. Anderson, Rep. Julie Fisher, Rep. Harper, and Rep. Morley voting in opposition.

**S.B. 74 State Park Highway Access Amendments (*Sen. D. Hinkins*) (**Rep. C. Watkins**)**

Sen. Hinkins introduced the bill to the committee.

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

The motion passed unanimously.

MOTION: Rep. Menlove moved to place S.B. 74 on the Consent Calendar.

The motion passed unanimously.

House Transportation Standing Committee  
March 1, 2010  
Page 6

**1st Sub. S.B. 105      Motor Vehicle Accident Arbitration Amendments (*Sen. S. Urquhart*)  
(**Rep. J. Dunnigan**)**

Sen. Urquhart introduced the bill to the committee.

Spoke for the bill:      Christian Burridge, Siegfried and Jensen

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

The motion passed unanimously.

MOTION:      Rep. Julie Fisher moved to adjourn.

The motion passed unanimously.

Chair Daw adjourned the meeting at 9:25 a.m.

---

Rep. Bradley M. Daw, Chair