

**MINUTES OF THE SENATE
TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY
STANDING COMMITTEE
TUESDAY, FEBRUARY 9, 2010, 3:00 P.M.
ROOM 215, SENATE BUILDING, STATE CAPITOL COMPLEX**

Members Present: Sen. Steve Urquhart, Chair
 Sen. David Hinkins
 Sen. Jerry Stevenson
 Sen. Peter Knudson
 Sen. Kevin Van Tassell
 Sen. Brent Goodfellow

Members Excused: Sen. Karen Mayne

Staff Present: Leif Elder, Policy Analyst
 Karen C. Allred, Secretary

Public Speakers Present: Mitch Jensen, Attorney, Siegfried and Jensen
 Chris Purcell, State Farm Insurance
 Steve Sullivan, Robert J. DeBry and Associates
 Steve Traynor, State Farm Insurance
 Craig Swapp, Attorney, Gregory and Swapp
 Al Grey, Attorney, Bear River Mutual Insurance Company
 Colonel Scott Olsen, Military Legislative Liaison
 Eric Stucki, State Parks and Recreation
 David Strayer, University of Utah
 Eric Isom, Government Affairs Director, Qwest
 Linda Hull, Legislative Director, Utah Department of
 Transportation

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

Sen. Van Tassell assumed the chair.

Acting Chair Van Tassell called the meeting to order at 3:23 p.m.

1. S.B. 62 -- Motor Vehicle Insurance Coverage Amendments

Sen. Urquhart introduced and explained the bill.

Mitch Jensen, Siegfried and Jensen; Steve Sullivan, Robert J. DeBry and Associates; and Craig Swapp, Gregory and Swapp; spoke for the bill.

Chris Purcell, State Farm Insurance; Steven Traynor, State Farm Insurance; and Al Grey, Bear River Insurance Company; spoke against the bill.

MOTION: Sen. Urquhart moved to pass S.B. 62 out of committee with a favorable recommendation.

The motion passed with Sens. Urquhart, Stevenson, Knudson, Van Tassell and Goodfellow voting in favor and Sen. Hinkins voting in opposition.

2. **S.B. 142 -- Driver License Amendments**

Sen. Stephenson introduced and explained the bill.

Colonel Scott Olsen, Military Legislative Liaison, spoke in favor of the bill.

MOTION: Sen. Knudson moved to pass S.B. 142 out of committee with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Hinkins moved to place S.B. 142 on the Consent Calendar.

The motion passed unanimously.

3. **S.B. 70 -- Motor Vehicle Liability Amendments**

Sen. Urquhart introduced and explained the bill.

MOTION: Sen. Hinkins moved to adopt the following amendment:

Page 2, Lines 37 through 42:

- 37 (b) If owner's or operator's security covering the minor's operation of the motor
 vehicle
- 38 is in effect in amounts ~~{as required under Section 31A-22-304}~~ of at least
 \$100,000 because of liability for bodily injury or death of one person arising out of
 the use of a motor vehicle in any one accident and \$300,000 in any one accident
 whether arising from bodily injury to or the death of others , the owner of the motor
 vehicle
- 39 or the person who gave or furnished the motor vehicle to the minor under Subsection (1) is
 not
- 40 subject to the liability imposed under Subsection (1).
- 41 (2) Nothing under Subsection (1) prohibits a cause of action for any direct negligence

42 on the part of the person furnishing the motor vehicle to the minor.

The motion was withdrawn.

Chris Purcell, State Farm Insurance, and Al Grey, Bear River Insurance Company spoke in favor of the bill.

Steve Sullivan, Robert J. DeBry and Associates and Craig Swapp, Gregory and Swapp, spoke against the bill.

MOTION: Sen. Goodfellow moved to adopt the following amendment:

Page 2, Lines 37 through 42:

37 (b) If owner's or operator's security covering the minor's operation of the motor
vehicle
38 is in effect in amounts {~~as required under Section 31A-22-304~~ of at least
\$100,000 because of liability for bodily injury or death of one person arising out of
the use of a motor vehicle in any one accident and \$300,000 in any one accident
whether arising from bodily injury to or the death of others, the owner of the motor
vehicle
39 or the person who gave or furnished the motor vehicle to the minor under Subsection (1) is
not
40 subject to the liability imposed under Subsection (1).
41 (2) Nothing under Subsection (1) prohibits a cause of action for any direct negligence
42 on the part of the person furnishing the motor vehicle to the minor.

The motion failed with Sens. Hinkins, Stevenson, and Goodfellow voting in favor; and Sens. Urquhart, Knudson, and Van Tassell voting in opposition.

MOTION: Sen. Urquhart moved to pass S.B. 70 out of committee with a favorable recommendation.

The motion passed with Sens. Urquhart, Stevenson, Knudson and Van Tassell voting in favor, and Sens. Hinkins and Goodfellow voting in opposition.

Approval of Minutes

MOTION: Sen. Stevenson moved to approve the minutes of the February 3, 2010 meeting.

The motion passed unanimously.

4. S.B. 74 -- State Park Highway Access Amendments

Sen. Hinkins introduced and explained the bill.

Eric Stuki, State Parks and Recreation spoke in favor of the bill.

MOTION: Sen. Knudson moved to pass S.B. 74 out of committee with a favorable recommendation.

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

5. S.B. 113 - Wireless Telephone Use Restriction for Minors in Vehicles

Sen. Romero introduced and explained the bill.

David Strayer, Professor, University of Utah spoke in favor of the bill.

MOTION: Sen. Goodfellow moved to pass S.B. 113 out of committee with a favorable recommendation.

The motion passed with Sens. Stevenson, Knudson, Van Tassell, and Goodfellow voting in favor, Sen. Hinkins voting in opposition, and Sen. Urquhart absent for the vote.

6. S.B. 137 - Coordination in Removing, Relocating, or Altering Utilities

Sen. Liljenquist introduced and explained the bill.

MOTION: Sen. Hinkins moved to adopt the following amendment:

Page 4, Lines 90 through 92:

90 (b) If a public agency provides a utility company with ~~{an~~
 ~~opportunity }~~ reasonable opportunities to meet in
91 accordance with Subsection (5)(a), the utility company's failure to meet does not affect the
92 public agency's ability to proceed with the project.

Eric Isom, Government Affairs Director, Qwest, and Linda Hull, Utah Department of Transportation, spoke in favor of the bill.

MOTION: Sen. Knudson moved to pass S.B. 137 out of committee with a favorable recommendation.

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

MOTION: Sen. Stevenson moved to adjourn.

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

Acting Chair Van Tassell adjourned the meeting at 4:53 P.M.

Minutes reported by Karen C. Secretary.

Sen. Steve Urquhart, Committee Chair