

**MINUTES OF THE HOUSE TRANSPORTATION
STANDING COMMITTEE**

Room C450, State Capitol, Utah State Capitol Complex
February 17, 2011

MEMBERS PRESENT: Rep. Bradley M. Daw, Chair
Rep. Johnny Anderson, Vice Chair
Rep. Janice M. Fisher
Rep. Julie Fisher
Rep. Steve Handy
Rep. Todd Kiser
Rep. Bradley Last
Rep. Carol Spackman Moss
Rep. Jim Nielson
Rep. Jeremy Peterson
Rep. Val Peterson
Rep. Ken Sumsion

MEMBERS EXCUSED: Rep. Wayne A. Harper
Rep. Lynn N. Hemingway

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.

Rep. Daw called the meeting to order at 9:04 a.m.

MOTION: Rep. Handy moved to approve the minutes of the February 15, 2011 meeting. The motion passed unanimously with Rep. Julie Fisher, Rep. Harper, and Rep. Anderson, absent for the vote.

1st Sub. S.B. 136 Boating Amendments (Sen. C. Bramble) (Rep. R. Menlove)

This bill was not considered.

H.B. 227 Test Driving Vehicles (Rep. F. Cox)

Rep. Cox introduced the bill to the committee.

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

1. Page 1, Lines 14 through 21:

14 ▶ provides that before a motor vehicle dealer allows a permissive user other than

an
15 officer, agent, or employee of a motor vehicle business to operate a motor vehicle
16 owned by the dealer:
17 • the dealer shall provide written notification to the permissive user that the
18 liability insurance coverage of the permissive user shall be the primary
19 coverage ~~{-;}~~ and
20 ~~{-•-}~~ the permissive user shall sign the written notification; or
 • the dealer shall prominently display a sign on the premises of the motor
vehicle business that notifies the permissive user that the liability insurance coverage
of the permissive user shall be the primary coverage;
21 ▶ provides that if a motor vehicle business fails to provide the ~~{-written}~~
notification:

2. *Page 1, Line 27 through Page 2, Line 28:*

27 ▶ provides that under certain circumstances, a motor vehicle dealer is
required to have on file a signed, written
28 notification at any time a permissive user is operating a motor vehicle owned by the dealer;
and

3. *Page 7, Lines 190 through 201:*

190 41-3-901. Motor vehicle liability coverage for permissive user of motor vehicle.
191 (1) Before a motor vehicle dealer allows a permissive user other than an officer,
agent,
192 or employee of a motor vehicle business to operate a motor vehicle owned by the
dealer ~~{-;}~~ , the dealer shall provide notification to the permissive user that the
liability insurance coverage of the permissive user shall be the primary coverage as
required by Subsection 31A-22-303(2)(b).
(2) Notification under Subsection (1) shall be provided as follows:
193 (a) (i) the dealer shall provide written notification to the permissive user that the
liability
194 insurance coverage of the permissive user shall be the primary coverage as required by
195 Subsection 31A-22-303(2)(b); and
196 ~~{-(b)}~~ (ii) the permissive user shall sign the written notification provided by
the dealer under
197 Subsection ~~{-(1)(a)}~~ (2)(a)(i) ~~{-;}~~ ; or

(b) the dealer shall prominently display a sign on the premises of the motor vehicle business that notifies the permissive user that the liability insurance coverage of the permissive user shall be the primary coverage as required by Subsection 31A-22-303(2)(b).

- 198 ~~{(2) The motor vehicle}~~ (3) If the dealer provides notification in the
manner described under Subsection (2)(a), the dealer shall have on file a signed,
written notification under
199 Subsection ~~{(1)}~~ (2)(a) at any time a permissive user is operating a motor vehicle
owned by the dealer.
200 (3) A person who violates this section is not subject to the criminal penalties
described
201 in Section 41-3-701 or any other criminal penalties .

The motion passed unanimously with Rep. Sumsion absent for the vote.

Spoke to the bill: Rolayne Fairclough, AAA Utah

MOTION: Rep. Last moved to proceed to the next item on the agenda. The motion passed unanimously.

MOTION: Rep. Anderson moved to adjourn. The motion passed unanimously.

Rep. Daw adjourned the meeting at 9:36 a.m.