

**MINUTES OF THE SENATE TRANSPORTATION & PUBLIC UTILITIES &
TECHNOLOGY STANDING COMMITTEE
WEDNESDAY, FEBRUARY 23, 2011
ROOM 215, SENATE BUILDING**

Members Present: Sen. Kevin Van Tassell, Chair
Sen. Stuart Adams
Sen. Karen Mayne

Member Excused: Sen. Scott Jenkins
Sen. Peter Knudson

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

Public Speakers Present: Art Brown, Mothers Against Drunk Driving
George Chapman, Citizen
Kim Gibb, Bureau Chief, Department of Public Safety, Driver License
Division
Kermit Heid, Secretary/Treasurer, Utah Cruisin For a Cure
David Koehler, Prostate Cancer Survivor, All Prostate Cancer Men
Rob Jolley, Lobbyist, Utah Trucking Association
Mike Bailey, Attorney, Parsons Behle & Latimer
Mark Droubay, President, Double D Distribution Trucking Company

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

Committee Chair Van Tassell called the meeting to order at 4:17 p.m.

MOTION: Sen. Mayne moved to adopt the minutes of the February 16, 2011 meeting.

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

1. **S.B. 77 Ignition Interlock System Amendments** (*J. Valentine*)

Sen. Valentine presented the bill and proposed the following amendments:

1. *Page 9, Lines 268 through 269:*

268 (b) notify the person of the suspension period in place and the requirements for
269 reinstatement ~~{of}~~ of the driving privilege with respect to the ignition
interlock restriction suspension; and

2. *Page 9, Lines 270 through 275:*

- 270 (c) ~~{reinstated}~~ clear the suspension upon:
271 (i) receipt of payment of the fee or fees specified in Section 53-3-105; and
272 (ii) (A) receipt of electronic notification from an ignition interlock system provider
273 showing proof of the installation of an ignition interlock system on the person's vehicle; or
274 (B) electronically verifying that the person does not have a vehicle registered in the
275 person's name.

3. *Page 10, Line 299:*

- 299 A violation of ~~{this part}~~ the requirement under this part to be licensed as
an ignition interlock system provider or installer is a class C misdemeanor.

MOTION: Sen. Mayne moved to adopt the amendments.

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

Art Brown, Mothers Against Drunk Driving and George Chapman, citizen

Kim Gibb, Bureau Chief, Department of Public Safety, Driver License Division spoke to the bill.

MOTION: Sen. Mayne moved to transmit S.B. 77 with a favorable recommendation.

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

MOTION: Sen. Mayne moved that the bill be placed on the Consent Calendar.

The motion passed unanimously.

2. **S.B. 313 Prostate Cancer Special Group License Plate** (*B. McAdams*)

Sen. McAdams presented the bill.

The following amendments were proposed:

1. *Page 2, Lines 46 through 48:*

- 46 ~~{(4) Funds in the account are nonlapsing.~~
47 ~~—(5) The~~ (4) Subject to appropriation, the department shall distribute funds
in the account to one or more charitable
48 organizations that:

2. *Page 2, Lines 53 through 54:*

53 ~~{(6)}~~ (5) (a) An organization described in Subsection ~~{(5)}~~ (4)
 may apply to the department to
54 receive a distribution in accordance with Subsection ~~{(5)}~~ (4) .

3. *Page 2, Line 56:*

56 Subsection ~~{(5)}~~ (4) shall expend the distribution only for programs within the
 state that:

4. *Page 3, Line 62:*

62 department to receive a distribution under Subsection ~~{(5)}~~ (4) .

MOTION: Sen. Mayne moved to adopt the amendments.

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

Kermit Heid, Secretary/Treasurer, Utah Cruisin for a Cure, Cancer Survivor and David Koehler, Prostate Cancer Survivor spoke in support of the bill.

MOTION: Sen. Mayne moved to transmit S.B. 313 with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Mayne moved that the bill be placed on the Consent Calendar.

The motion passed unanimously.

3. **H.B. 73 Motor Carrier Transportation Contract Indemnity Agreements** (*D. Ipson*)

Rep. Ipson explained the bill assisted by Rob Jolley, Lobbyist, Utah Trucking Association and both answered questions from the committee.

Mike Bailey, Attorney, Parsons Behle & Latimer spoke in opposition to the bill.

Mark Droubay, President, Double D Distribution Trucking Co. spoke in support of the bill.

MOTION: Sen. Mayne moved to transmit H.B. 73 with a favorable recommendation.

The motion passed unanimously.

4. **H.B. 68 Off-highway Vehicle Operator Responsibilities** (*M. Noel*)

Rep. Noel explained the bill.

MOTION: Sen. Adams moved to transmit H.B. 68 with a favorable recommendation.

The motion passed unanimously.

5. **1st Sub. H.B. 81 Tow Truck Amendments** (*L. Perry*)

Rep. Perry explained the bill.

MOTION: Sen. Adams moved to transmit 1st Sub. H.B. 81 with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Mayne moved to adjourn.

The motion passed unanimously.

Chair Van Tassell adjourned the meeting at 5:03 p.m.

Minutes reported by Karen Allred, Secretary.

Sen. Kevin Van Tassell, Committee Chair