

1st Sub. H.B. 104

LOCAL HIGHWAY AUTHORITY REGULATORY POWERS

SENATE FLOOR AMENDMENTS

AMENDMENT 6

MARCH 6, 2012 4:55 PM

Senator **Benjamin M. McAdams** proposes the following amendments:

1. *Page 1, Line 13*

House Floor Amendments

2-24-2012:

13 ▶ provides definitions;

▶ provides that a local highway authority may adopt an ordinance that requires a ground transportation vehicle to conform to state safety standards and reasonable annual appearance requirements, in consultation with a transportation advisory board of the local highway authority;

2. *Page 2, Line 32a*

House Floor Amendments

2-24-2012:

32a {~~ff~~ → 41-6a-214, as renumbered and amended by Laws of Utah 2005, Chapter 2 ← ~~ff~~}

3. *Page 3, Line 87 through Page 4, Line 88:*

87 (t) prohibiting drivers of ambulances from exceeding maximum speed limits; {~~or~~}

88 (u) adopting other traffic ordinances as specifically authorized by this chapter ;or

(v) adopting an ordinance that requires a ground transportation vehicle to conform to state safety standards and reasonable annual appearance requirements, in consultation with a transportation advisory board of the local highway authority .

4. *Page 4, Lines 97b through 97j*

House Floor Amendments

2-24-2012:

97b (ii) provides that a person must be issued at least three warning citations {~~within a~~

97c one-year period} before imposing a fine;

97d (iii) has the same fine structure as a parking violation;

97e (iv) provides for the safety of law enforcement personnel who enforce the

97f ordinance; and

97g (v) provides that the ordinance may {~~only~~} be enforced on :

(A) public property; or

(B) private property {~~or on a~~

97h quasi-public road or parking area as defined in Section 41-6a-214 if the owner of the private
 97i property requests, through written or electronic means, that the ordinance be enforced on the
 97j private property } that is open to the general public unless the private property owner:
(I) has a private business that has a drive-through service as a component of the private property
owner's business operations and posts a sign provided by or acceptable to the local highway authority
informing its customers and the public of the local highway authority's time limit for idling vehicle
engines ; or ←H
(II) adopts an idle reduction education policy approved by the local highway authority.

5. Page 4, Line 109a through Page 4a, Line 109r
 House Floor Amendments
 2-24-2012:

109a { ~~— H →~~ Section 2. Section 41-6A-214 is amended to read:
 109b ~~— 41-6a-214. Quasi-public roads and parking areas -- Local ordinance~~ ~~109c~~ ~~— (1) As used in this~~
 109d ~~section, "quasi-public road or parking area" means a privately owned and~~
 109e ~~maintained road or parking area that is generally held open for use of the public for purposes of~~
 109f ~~vehicular travel or parking;~~
 109g ~~— (2) (a) [Any] Except as provided in Section 41-6a-208, any municipality or county may by~~
 109h ~~ordinance provide that a quasi-public road or parking area within the municipality or county is~~
 109i ~~subject to this chapter.~~
 109j ~~— (b) An ordinance may not be enacted under this section without:~~
 109k ~~— (i) a public hearing; and~~
 109l ~~— (ii) the agreement of a majority of the owners of the quasi-public road or parking area~~
 109m ~~involved.~~
 109n ~~— (3) This section:~~
 109o ~~— (a) supercedes conflicting provisions under Section 41-6a-215;~~
 109p ~~— (b) does not require a peace officer to patrol or enforce any provisions of this chapter on any~~
 109q ~~quasi-public road or parking area; or~~
 109r ~~— (c) does not affect the duty of a peace officer to enforce those provisions of this chapter~~
 109s ~~applicable to private property other than under this section. ← H }~~