

**MINUTES OF THE HOUSE TRANSPORTATION
STANDING COMMITTEE
Room 450 State Capitol
February 20, 2013**

MEMBERS PRESENT: Rep. Johnny Anderson, Chair
 Rep. Val Peterson, Vice Chair
 Rep. Stewart E. Barlow
 Rep. Janice M. Fisher
 Rep. John Knotwell
 Rep. David Lifferth
 Rep. Dan McCay
 Rep. Carol Spackman Moss
 Rep. Dixon Pitcher
 Rep. Dean Sanpei
 Rep. Earl Tanner

STAFF PRESENT: Mr. Leif Elder, Policy Analyst
 Ms. Karen Mitchell, Committee Secretary

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

Rep. Anderson called the meeting to order at 2:07 p.m.

MOTION: Rep. Peterson moved to approve the minutes of the February 12, 2013 meeting. The motion passed unanimously with Rep. Barlow, Rep. McCay, Rep. Moss, Rep. Pitcher, and Rep. Sanpei absent for the vote.

H.B. 126 Off-highway Vehicle User Fee Amendments (Rep. S. Cox)

Rep. Cox introduced the bill to the committee.

Spoke in favor of the bill: Chris Haller, Utah State Parks and Recreation

MOTION: Rep. Peterson moved to Pass H.B. 126 out favorably. The motion passed unanimously with Rep. Pitcher and Rep. Sanpei absent for the vote.

H.B. 210 Motor Vehicle Emission Amendments (Rep. E. Redd)

Rep. Redd introduced the bill to the committee.

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

1. Page 8, Lines 215 through 216:

215 (C) if the county establishes or changes the frequency under this section, state how
216 frequent the emissions testing will be required.

The motion passed unanimously with Rep. Pitcher and Rep. Peterson absent for the vote.

Spoke to the bill: Bryce Bird, Division of Air Quality Director

MOTION: Rep. McCay moved to pass H.B. 210 out favorably as amended. The motion passed unanimously with Rep. Pitcher and Rep. Peterson absent for the vote.

H.B. 128 Driver License Suspension Modifications (Rep. D. Sagers)

Rep. Sagers introduced the bill to the committee.

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

1. Page 12, Lines 347 through 348:

347 (ii) if the person is [~~19 years of age or older but~~] under 21 years of age at the time of
348 arrest and the arrest was made on or after {~~July 1, [2009] 2013~~} May 14, 2013 :

2. Page 13, Line 383:

383 (iii) prior to {~~July 1, 2013~~} May 14, 2013 , for an offense that was
committed prior to {~~July 1, 2013~~} May 14, 2013 .

3. Page 16, Lines 490 through 492:

490 [(†)] (a) deny the person's license until the person complies with Subsection (11)(b)(i)
491 but for a period of not less than six months beginning on the 30th day after the date of
arrest for
492 a first offense under Subsection (2)(a) committed on or after {~~July 1, [2009]~~
2013} May 14, 2013 ;

4. Page 18, Lines 540 through 541:

540 (iii) prior to {~~July 1, 2013~~} May 14, 2013 , for a violation under Subsection

(2)(a) that was committed
541 prior to ~~{July 1, 2013.}~~ May 14, 2013.

The motion passed unanimously with Rep. Pitcher and Rep. Peterson absent for the vote.

Spoke in favor of the bill: Mike Sibbett, Retired State Board of Pardons

MOTION: Rep. Knotwell moved to pass H.B. 128 out favorably as amended. The motion passed unanimously with Rep. Pitcher and Rep. Peterson absent for the vote.

H.B. 127 Motor Vehicle Event Data Recorders (Rep. D. Lifferth)

Rep. Lifferth introduced the bill to the committee.

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

1. Page 1, Lines 9 through 10:

9 This bill modifies the ~~{Traffic Code}~~ Motor Vehicle Act by enacting
provisions relating to event data
10 recorders in motor vehicles.

2. Page 2, Lines 28 through 37:

28 the data may be stored and transmitted ~~{;}~~ .
29 ~~{→ provides that event data on a motor vehicle event data recorder does
not become the
30 property of the lienholder or insurer solely because the lienholder or insurer
31 succeeds in ownership of a motor vehicle as a result of an accident;
32 → provides that an insurer may not condition the payment or settlement of an
owner's
33 claim on the owner's consent to the retrieval or use of the event data on a motor
34 vehicle event data recorder; and
35 → provides that an insurer or lessor of a motor vehicle may not require an
owner to
36 consent to the retrieval or use of the data on a motor vehicle event data recorder as a
37 condition of providing the policy or lease.}~~

3. Page 2, Line 47:

47 { ~~41-1a-1504, Utah Code Annotated 1953~~ }

4. Page 3, Lines 84 through 85:

84 (b) If a motor vehicle is owned by more than one person, { ~~all owners~~
~~must~~ } only one owner is required to consent to
85 the retrieval or use of the data from a motor vehicle event data recorder.

5. Page 5, Lines 122 through 131:

122 { ~~Section 4. Section 41-1a-1504 is enacted to read:~~
123 ~~41-1a-1504. Effect of ownership transfer on ownership of data.~~
124 ~~(1) Event data on a motor vehicle event data recorder does not become the~~
~~property of~~
125 ~~the lienholder or insurer solely because the lienholder or insurer succeeds in~~
~~ownership of a~~
126 ~~motor vehicle as a result of an accident.~~
127 ~~(2) An insurer may not condition the payment or settlement of an owner's claim~~
~~on the~~
128 ~~owner's consent to the retrieval or use of the event data on a motor vehicle event data~~
~~recorder.~~
129 ~~(3) An insurer or lessor of a motor vehicle may not require an owner to consent~~
~~to the~~
130 ~~retrieval or use of the data on a motor vehicle event data recorder as a condition of~~
~~providing~~
131 ~~the policy or lease. }~~

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

Spoke in favor of the bill: Chris Purcell, State Farm Insurance

MOTION: Rep. Fisher moved to pass H.B. 127 out favorably as amended. The motion passed unanimously.

MOTION: Rep. Lifferth moved to place the bill on the Consent Calendar. The motion failed.

H.B. 283 **Safety Belt Enforcement Amendments** (Rep. L. Perry)

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This bill was not considered.

MOTION: Rep. Tanner moved to adjourn the meeting. The motion passed unanimously.

Rep. Anderson adjourned the meeting at 2:49 p.m.

Rep. Johnny Anderson, Chair