

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, October 19, 2005 – 2:00 p.m. – Room W015 House Building

Members Present:

Sen. Sheldon L. Killpack, Senate Chair
Rep. Joseph G. Murray, House Chair
Sen. Scott K. Jenkins
Sen. Ed Mayne
Sen. Carlene M. Walker
Rep. David Clark
Rep. Bradley M. Daw
Rep. Brad L. Dee
Rep. John Dougall
Rep. James A. Dunnigan
Rep. Julie Fisher
Rep. Kerry W. Gibson
Rep. Neil A. Hansen

Rep. Brad King
Rep. Aaron Tilton
Rep. Larry B. Wiley

Members Absent:

Rep. J. Stuart Adams
Rep. Jeff Alexander

Staff Present:

Mr. Mark B. Steinagel, Policy Analyst
Ms. Shannon C. Halverson, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Murray called the meeting to order at 2:30 p.m.

MOTION: Rep. Daw moved to approve the minutes of the September 21, 2005 meeting. The motion passed unanimously. Rep. Dee, Rep. King, and Rep. Tilton were absent for the vote.

2. Pleas in Abeyance Involving DUI Violations Study

Mr. Mike Haddon, Director, Research and Data, Commission on Criminal and Juvenile Justice, distributed and reviewed "DUI Plea in Abeyance Study."

Mr. Paul Boyden, Executive Director, Statewide Association of Prosecutors, spoke in favor of reauthorizing the restrictions on Pleas in Abeyance to DUI violations for another two years.

Representative Murray turned the chair to Senator Killpack.

Ms. Halverson referred the Committee to pages 27 and 28 of the mailing packet containing the existing law regarding the restrictions on pleas in abeyance for DUI violations and the new section that will be effective July 1, 2006, which states that pleas in abeyance for DUI violations would be prohibited.

3. Repeat DUI Offenders Data Report

Ms. Mary Lou Emerson, Director, Council (Utah Substance Abuse and Anti-Violence Coordinating Council), distributed and reviewed "2005 Utah Commission on Criminal and Juvenile Justice Third Annual DUI Report to the Utah Legislature." She reported the Council's recommendations include the enactment of two pieces of legislation, the first would extend the sunset date on the use of pleas in abeyance in DUI cases, and the second would increase the use of ignition interlock devices.

Ms. Anna Kay Waddoups, chair, Council, spoke in favor of extending the use of pleas in abeyance in DUI cases for another two years.

MOTION: Rep. Dougall moved to direct staff to prepare draft legislation based on the recommendations in the "2005 Utah Commission on Criminal and Juvenile Justice Third Annual DUI Report to the Utah Legislature," to be reviewed for recommendation as committee bills in the November 9, 2005 Transportation Interim Committee Meeting. The motion passed unanimously. Rep. Dee was absent for the vote.

4. Written Prioritization Process Rules Review

Mr. Carlos Braceras, Deputy Director, UDOT (Utah Department of Transportation), distributed and reviewed "R937 Prioritization of New Transportation Capacity Projects," "Project Selection Process," and "UDOT Project Prioritization Decision Support System."

5. Masking of Convictions for Commercial Driver Licensees

Mr. Steinagel reviewed "Masking of Convictions for Commercial Driver Licensees" and "Prohibition on Masking of Traffic Convictions for Commercial Drivers, Applicable Federal Regulations," contained in the mailing packet.

Ms. Halverson distributed and reviewed provisions in the draft legislation "Commercial Driver License Amendments."

Ms. Kim Gibb, Public Safety Bureau Chief, Driver License Division, clarified some of the provisions in the draft legislation.

MOTION: Rep. Dougall moved to recommend draft legislation "Commercial Driver License Amendments." The motion passed unanimously. Rep. Clark, Rep. Tilton, and Sen. Mayne were absent for the vote.

6. Draft Legislation "Identification Card Expiration Amendments"

Mr. Steinagel introduced draft legislation "Identification Card Expiration Amendments" as contained in the mailing packet and commented on the provisions of the bill.

Ms. Jill Laws, Public Safety Bureau Chief, Driver License Division, said that lifetime ID Cards already issued to individuals will not expire but will be grandfathered in.

MOTION: Sen. Walker moved to recommend draft legislation "Identification Card Expiration Amendments." The motion passed unanimously. Rep. Clark, Rep. Dee, Rep. King, Rep. Tilton, and Sen. Jenkins were absent for the vote.

7. Draft Legislation "Commercial Driver Training School Act Amendments"

Ms. Halverson distributed and reviewed provisions in draft legislation "Commercial Driver Training School Act Amendments."

MOTION: Sen. Mayne moved to recommend draft legislation "Commercial Driver Training School Act Amendments." The motion passed unanimously. Rep. Clark, Rep. Dee, Rep. King, Rep. Tilton and Sen. Jenkins were absent for the vote.

8. Other Items / Adjourn

MOTION: Rep. Dougall moved to adjourn the meeting. The motion passed unanimously with Rep. Clark, Rep. Dee, Rep. King, Rep. Tilton, and Sen. Jenkins were absent for the vote.

Chair Killpack adjourned the meeting at 3:50 p.m.