

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, October 17, 2007 – 2:00 p.m. – Room W015 House Building

Members Present:

Rep. Todd E. Kiser, House Chair
Sen. Carlene M. Walker, Senate Chair
Sen. Scott K. Jenkins
Sen. Sheldon L. Killpack
Sen. Kevin T. VanTassell
Rep. Stephen D. Clark
Rep. Bradley M. Daw
Rep. Ben C. Ferry
Rep. Richard A. Greenwood
Rep. Lynn N. Hemingway
Rep. Kory M. Holdaway
Rep. Fred R. Hunsaker
Rep. Brad King
Rep. Ronda Rudd Menlove
Rep. Paul A. Neuenschwander
Rep. LaWanna Lou Shurtliff
Rep. Mark W. Walker

Members Excused:

Sen. Ed Mayne

Staff Present:

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

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

1. Committee Business

Chair Walker called the meeting to order at 2:19 p.m.

MOTION: Sen. Jenkins moved to approve the minutes of the September 19, 2007 meeting. The motion passed unanimously. Sen. VanTassell, Rep. Ferry, and Rep. Holdaway were absent for the vote.

2. Clean Fuel Vehicles and HOV (High-Occupancy Vehicle) Lane Access

Ms. Linda Hull, Director, Legislative Government Affairs, UDOT (Utah Department of Transportation), distributed and reviewed "Clean Fuel Vehicles and HOV Lane Access." Ms. Hull explained that the state is currently not in compliance with federal laws and regulations pertaining to the use of HOV lanes on interstate highways. To bring the state into compliance, Ms. Hull recommended that the Utah Code be modified to exclude the clean special fuel tax certificate as the sole requirement for obtaining HOV lane access.

Following committee discussion, Chair Walker asked staff to draft legislation for review at the next meeting.

3. Prioritization Process for the Quarter Cent Sales Tax

Mr. Rick Coleman, Deputy Director, and Mr. Wayne Kidd, Audit Supervisor, Office of the Legislative Auditor General, distributed and discussed "A Review of the Transportation Prioritization Process."

Mayor Dennis Nordfelt, West Valley City, and chair of Salt Lake County Council of Governments, and Mr. Chuck Chappell, Executive Director, Wasatch Front Regional Council, responded to questions from the Committee regarding the use of the quarter cent sales tax.

Mr. William Bowen, citizen, commented on the use of fares by Utah Transit Authority on operations and maintenance costs and on the difficulty of decision making in regards to transit issues around the country.

Rep. Kiser said that the chairs would like to schedule a combined meeting of the Transportation Interim Committee and the Revenue and Taxation Interim Committee to address this issue further at a future time.

4. (DUI) Driving Under the Influence

A. Repeat DUI Offenders Data Report

Ms. Mary Lou Emerson, Director, Utah Substance Abuse and Anti-Violence Coordinating Council, distributed and reviewed "Utah Commission on Criminal and Juvenile Justice: Fifth Annual Preliminary DUI Report to the Utah Legislature."

Ms. Anna Kay Waddoups, Chair, Substance Abuse and Anti-Violence Subcommittee, discussed the Council's recommendations to create the plea of "impaired driving." Ms. Waddoups also presented other legislative options for amending the DUI statutes.

Mr. Art Brown, Mothers Against Drunk Driving, responded to committee questions regarding the recommended changes.

B. Driving Under the Influence Amendments

Chair Walker introduced and discussed provisions of 2008 General Session draft legislation, "Driving Under the Influence Amendments."

Ms. Jacey Skinner, Attorney, Statewide Association of Prosecutors, distributed and reviewed "Driving Under the Influence Amendments Summary."

Ms. Kim Gibb, Bureau Chief, Driver License Division, responded to questions from the Committee.

MOTION: Rep. Kiser moved to recommend 2008 General Session draft legislation, "Driving Under the Influence Amendments" as a committee bill. The motion passed unanimously. Sen. Killpack, Rep. Clark, Rep. Hemingway, and Rep. Walker were absent for the vote.

5. Motorcycle License and Endorsement Amendments

Rep. Neuenschwander distributed "2005 Utah Crash Facts: Motorcycles" and presented a KSL editorial on motorcycle safety. He discussed provisions contained in 2008 General Session draft legislation, "Motorcycle License and Endorsement Amendments."

Mr. Bill Evans, ABATE (American Bikers Aimed Toward Education of Utah), spoke in support of the legislation but expressed that he would like to see the issue of rider education throughout the state discussed further.

Mr. Eric Stine, ABATE, distributed "Share the Road Program Schedule" and "Sharing the Roadway: Motorists and Motorcyclists in Traffic," and commented on the need for improved rider education.

Mr. Brent Henry, citizen, commented against the legislation.

Mr. Dan Waters, ABATE, commented on their mentoring program.

Mr. David Timm, CEO, ABATE, spoke about the purpose of ABATE.

MOTION: Rep. Holdaway moved to move to the next agenda item. The motion passed unanimously. Sen. Killpack, Rep. Clark, Rep. Hemingway, Rep. Hunsaker, and Rep. Walker were absent for the vote.

6. Penalties for Failing to Secure a Load or Littering on Highways

Sen. Patricia Jones introduced 2008 General Session draft legislation, "Penalties for Failing to Secure a Load or Littering on a Highway."

Ms. Hull reviewed the provisions in the legislation.

Lt. Shawn Judd, Section Commander, Utah Highway Patrol, reported on the increasing number of debris crashes in the state and what it takes to clear them.

Sen. VanTassell said he would like to discuss this issue at the next meeting.

7. Other Items / Adjourn

MOTION: Sen. VanTassell moved to adjourn the meeting. The motion passed unanimously. Sen. Killpack, Rep. Clark, Rep. Hemingway, Rep. Hunsaker, and Rep. Walker were absent for the vote.

Chair Walker adjourned the meeting at 5:17 p.m.