

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, October 21, 2009 – 2:00 p.m. – Room 20 House Building

Members Present:

Sen. Kevin V. Van Tassell, Senate Chair
Rep. Julie Fisher, House Chair
Sen. Brent H. Goodfellow
Sen. David P. Hinkins
Sen. Karen Mayne
Sen. Stephen H. Urquhart
Rep. Stephen D. Clark
Rep. Rebecca P. Edwards
Rep. Janice M. Fisher
Rep. Craig A. Frank
Rep. Lynn N. Hemingway
Rep. Michael T. Morley

Rep. Marie H. Poulson
Rep. Kraig Powell
Rep. F. Jay Seegmiller
Rep. C. Brent Wallis

Members Absent:

Sen. Scott K. Jenkins
Rep. Kory M. Holdaway

Staff Present:

Mr. Leif G. Elder, Policy Analyst
Ms. 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 Fisher called the meeting to order at 2:21 p.m.

MOTION: Rep. Frank moved to approve the minutes of the August 19, 2009 and September 16, 2009 meetings. The motion passed unanimously. Sen. Mayne, Rep. Clark, Rep. Julie Fisher, Rep. Morley, and Rep. Wallis were absent for the vote.

2. Motor Carrier Safety Improvement Act

Ms. Kim Gibb, Bureau Chief, Driver License Division, reviewed provisions of 2010 General Session draft legislation, "Uniform Commercial Driver License Act Amendments," as distributed in the mailing packet.

MOTION: Sen. Van Tassell moved to recommend 2010 General Session draft legislation, "Uniform Commercial Driver license Act Amendments" as a committee bill. The motion passed unanimously. Sen. Hinkins, Sen. Urquhart, Rep. Clark, and Rep. Hemingway were absent for the vote.

3. Annual Report of DUI-Related Data

Ms. Mary Lou Emerson, Director, Utah Substance Abuse and Anti-Violence Coordinating Council, Utah Commission on Criminal and Juvenile Justice, distributed and reviewed "2009 - Seventh Annual DUI Report to the Utah Legislature." Ms. Emerson and Ms. Gibb responded to questions from committee members.

4. Evaluation of Established Speed Limit that Exceeds 75 Miles Per Hour

Mr. Carlos Braceras, Deputy Director, Utah Department of Transportation (UDOT), briefed committee members on the background of 2008 General Session H.B. 406, "Traffic Code Amendments," which requires UDOT to report its evaluation of the results and impacts of establishing speed limits greater than

75 miles per hour. He reported that an 80 mile per hour speed limit was established on two sections of I-15 in January of 2009. He said that, thus far, the study of the sections where the 80 mile per hour speed limit has been established shows that accidents have not increased and that average vehicle speeds are similar to speeds traveled before the speed limit was increased to 80 miles per hour.

Representative James Dunnigan commented on the report given by Mr. Braceras.

5. Procurement of Design-build Transportation Project Contracts

Mr. John Njord, Executive Director, UDOT, explained that generally a project is designed prior to being bid upon by contractors. He said that, in some cases, design-build contracts are more cost efficient because the contractor designs and builds the project at a fixed rate.

Mr. Bruce Jones, Attorney, Utah Transit Authority (UTA), spoke in support of keeping current design-build provisions, and added that design-build contracts have led to cost savings for various UTA projects and helped UTA be more competitive when seeking federal grants.

MOTION: Sen. Hinkins moved that the Committee direct staff to draft legislation to extend the sunset of the Design-build Transportation Project Contracts for five years until July 1, 2015. The motion passed unanimously. Sen. Mayne, Sen. Urquhart, and Rep. Wallis were absent for the vote.

6. Annual State Highway System Changes

Ms. Linda Hull, Director, Legislative and Government Affairs, UDOT, distributed and reviewed "Additions To or Deletions From the State Highway System Annual Report to the Transportation Interim Committee."

MOTION: Rep. Morley moved to recommend 2010 General Session draft legislation, "State Highway System Modifications" as committee bill. The motion passed unanimously. Sen. Mayne, Sen. Urquhart, and Rep. Wallis were absent for the vote.

MOTION: Rep. Morley moved to make the five-year sunset extension of the Design-build Transportation Project Contracts a part of the Sunset Reauthorization Act that will be considered by the Legislature in the 2010 General Session. The motion passed unanimously. Sen. Mayne, Sen. Urquhart, and Rep. Wallis were absent for the vote.

7. Scenic Byways

Sen. Stowell distributed "Scenic Byways" and "Your Corridor Management Plan," and commented on 2010 General Session draft legislation, "Utah Scenic Byway Amendments," as distributed in the mailing packet. He discussed changes to the current draft which was previously considered by the Committee.

Rep. Julie Fisher turned the chair over to Sen. Van Tassell.

Ms. Leigh von der Esch, Director, Utah Office of Tourism, discussed the process of developing corridor management plans and responded to committee members' questions.

Ms. Nancy Dalton, Volunteer, Utah's Patchwork Parkway Byway 143, spoke in favor of the bill.

Mr. Jared Johnson, Director, Real Estate, Yesco Outdoor Media, said that his company hopes that large lengths of highway do not become federal scenic highways so that their business can maintain their existing signs along those routes.

Mr. Dewey Reagan, General Manager, Reagan Outdoor Advertising, said the industry is not opposed to the scenic byway program for places that are truly scenic. He is opposed, however, when commercial and industrial areas are included as part of scenic areas. Mr. Reagan expressed concern that the outdoor advertising industry is not being notified when changes are being considered.

Mr. Lincoln Shurtz, Director, Legislative Affairs, League of Cities and Towns, said that notices are being sent to those affected by specific corridor management plans as required by current local notice provisions.

Mr. Morgan Philpot, Attorney, representing Reagan Outdoor Advertising, said they have never received notice regarding any alteration to the rights that surround their existing signs.

MOTION: Sen. Hinkins moved to recommend 2010 General Session draft legislation, Utah Scenic Byway Amendments" as a committee bill. The motion passed with Rep. Janice Fisher, Rep. Frank, and Rep. Seegmiller voting in opposition. Sen. Mayne, Rep. Clark, Rep. Julie Fisher, Rep. Morley, and Rep. Wallis were absent for the vote.

8. Other Items / Adjourn

MOTION: Sen. Hinkins moved to adjourn the meeting. The motion passed unanimously. Sen. Mayne, Rep. Clark, Rep. Morley, and Rep. Wallis were absent for the vote.

Chair Van Tassell adjourned the meeting at 4:49 p.m.