

(Draft - Awaiting Formal Approval)

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, October 19, 2011 – 2:00 p.m. – Room 25 House Building

Members Present:

Sen. Kevin T. Van Tassell, Senate Chair
Rep. Bradley M. Daw, House Chair
Sen. Scott K. Jenkins
Sen. Karen Mayne
Sen. Daniel W. Thatcher
Rep. Stewart Barlow
Rep. Rebecca P. Edwards
Rep. Janice M. Fisher
Rep. Stephen G. Handy
Rep. Lynn N. Hemingway
Rep. Todd E. Kiser
Rep. Bradley G. Last

Rep. Carol Spackman Moss
Rep. Val L. Peterson
Rep. Kraig Powell
Rep. Holly J. Richardson

Members Absent:

Sen. Peter C. Knudson
Rep. Kenneth W. Sumsion

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

MOTION: Sen. Jenkins moved to approve the minutes of the September 21, 2011 meeting. The motion passed unanimously.

Sen. Van Tassell gave a short follow up to the UTA discussion from the previous meeting.

2. Annual Report of DUI-Related Data

Ms. Anna Kay Waddoups, Chair, Utah Substance Abuse Advisory Council, and Ms. Mary Lou Emerson, Director, Utah Substance Abuse Advisory Council, distributed and reviewed "Utah Commission on Criminal and Juvenile Justice Ninth Annual DUI Report to the Utah Legislature," and responded to committee members' questions.

3. Ignition Interlock Program Update and Review

Ms. Kim Gibb, Records Bureau Chief, Driver License Division, briefed committee members on Utah Code Section 41-6a-518.2 "Interlock restricted driver - Penalties for operation without ignition interlock system," created in 2006, which made it mandatory for a person with a particular type of DUI offense to have an ignition interlock device installed in the person's vehicle. She explained that this section was an addition to a program already in place. Ms. Gibb also commented on the electronic restrictions placed on the driving record of DUI offenders and the new ignition interlock program created by 2011 General Session S.B. 77, "Ignition Interlock System Amendments," which the Driver License Division will regulate when it goes into effect July 1, 2012.

Mr. Chris Muerbrook, Owner, Guardian Interlock of Utah, discussed how interlock devices work. He commented on the success of the ignition interlock program in other states, particularly New Mexico, and stated that a good ignition interlock program can reduce recidivism of DUIs significantly.

Mr. Tom Kissler, Director, Program Development, and Regional Director, Smart Start Inc., discussed and responded to committee members' questions regarding the periodic rolling re-test of the driver, the importance of provider certifications, electronic records of installation, usage, removal, and cost.

Mr. Sean Hullinger, Utah Association of Criminal Defense Lawyers, said that the interlock devices are not as effective as they had hoped for. Mr. Hullinger noted that the Committee should focus on enforcing the laws we already have in place rather than coming up with new solutions to the DUI problem.

Mr. Jeremy Roberts, citizen, spoke to the issue.

4. State Highway System Changes

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

MOTION: Sen. Van Tassell moved that the Committee direct staff to open a bill file to prepare for making additions and deletions from the state highway system. The motion passed unanimously with Sen. Jenkins, Sen. Thatcher, and Rep. Moss absent for the vote.

5. Aircraft Registration Report

Ms. Hull stated that UDOT is updating the database which keeps records of the planes based in Utah.

Mr. Elder distributed "Utah State Tax Commission Report on Aircraft Registration Compliance Pursuant to 2011 House Bill 261."

Mr. Patrick Morley, Director, Division of Aeronautics, UDOT, distributed "Utah Based Aircraft Database," and discussed the background, purpose, and status of the database.

Mr. Barry Conover, Executive Director, Utah State Tax Commission, responded to committee members' questions about the problem of tax evasion in the state.

Mr. Dave Haymond, President, Utah General Aviation Association, stated that the Association would like to have all aircraft registered and authority given to the Division of Aeronautics to place a federal lien on an aircraft that is flown without valid registration.

Mr. Leonard Wojcik, Vice President, Utah General Aviation Association, spoke in support of finding out how many planes are not registered.

Sen. Van Tassell turned the gavel over to Sen. Jenkins.

Rep. Wayne Harper spoke to the issue and reported that 2008 General Session H.B. 365, "Aviation Amendments," which he sponsored, has succeeded in doing what was hoped for.

6. 2012 General Session Draft Legislation, "Driver License and Identification Card Amendments"

Sen. Van Tassell reviewed provisions of 2012 General Session draft legislation, "Driver License and Identification Card Amendments" (2012FL-0336/010), which was distributed by staff.

Ms. Nanette Rolfe, Director, Division of Driver License, responded to committee members' questions.

MOTION: Rep. Kiser moved to recommend 2012 General Session draft legislation, "Driver License and Identification Card Amendments" (2012FL-0336/010), as a committee bill. The motion passed with Rep. Daw, Rep. Fisher and Rep. Richardson voting in opposition. Sen. Jenkins, Sen. Thatcher, Rep. Hemingway, and Rep. Last were absent for the vote.

7. 2012 General Session Draft Legislation, "Driver License Revisions"

Rep. Barlow reviewed provisions of 2012 General Session draft legislation, "Driver License Revisions" (2012FL-0108/004), which was distributed in the mailing packet.

Ms. Rolfe commented on the legislation.

MOTION: Sen. Van Tassell moved to recommend 2012 General Session draft legislation, "Driver License Revisions" (2012FL-0108/004), as a committee bill. The motion passed unanimously with Sen. Jenkins, Rep. Hemingway, and Rep. Last absent for the vote.

8. Other Items / Adjourn

MOTION: Rep. Peterson moved to adjourn the meeting. The motion passed unanimously with Sen. Jenkins, Rep. Hemingway, and Rep. Last absent for the vote.

Chair Daw adjourned the meeting at 4:12 p.m.