

**MINUTES OF THE
SENATE TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY
STANDING COMMITTEE**

215 Senate Building, Utah State Capitol Complex
February 12, 2015

Members Present: Sen .Alvin B. Jackson, Chair
Sen. J. Stuart Adams
Sen. Wayne A. Harper
Sen. David P. Hinkins
Sen. Karen Mayne
Sen. Kevin T. Van Tassell

Staff Present: Mr. Art Hunsaker, Policy Analyst
Ms. Karen Allred, Committee Secretary

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

Chair Jackson called the meeting to order at 3:40 p.m.

MOTION: Sen. Mayne moved to approve the minutes of the February 5, 2014 meeting. The motion passed unanimously with Sen. Adams absent for the vote.

S.B. 146 *Driving Privilege Amendments (A. Millner)*

Sen. Millner explained the bill to the committee.

MOTION: Sen. Harper moved to pass the bill out favorably. The motion passed unanimously with Sen. Adams absent for the vote.

MOTION: Sen. Harper moved to place the bill on the Consent Calendar. The motion passed unanimously with Sen. Adams absent for the vote.

S.B. 148 *Children with Cancer Special License Plate (A. Osmond)*

Sen. Osmond explained the bill to the committee.

MOTION: Sen. Harper moved to go to the next item on the agenda. The motion passed unanimously with Sen. Adams absent for the vote.

S.B. 160 *Transportation Funding Amendments (K. Van Tassell)*

Sen. Van Tassell explained the bill to the committee.

MOTION: Sen. Van Tassell moved to adopt the following amendments:

1. *Page 11, Lines 309 through 311:*

- 309 (2) For a fiscal year beginning on or after July 1, 2015, \$40,000,000 is ~~annually~~
appropriated
- 310 from the Transportation Fund to the department to be used for maintenance on roads
classified
- 311 by the department as level two roads for maintenance purposes.

The motion passed unanimously.

Spoke for the bill: Abby Albrecht, Utah Transportation Coalition
George Chapman, Citizen
Lee Peacock, president, Utah Petroleum Association
Dave Davis, President, Utah Food Industry
Lincoln Shurtz, Utah Association of Counties
Rick Clasby, Executive Director, Utah Trucking Association
Cameron Diehl, Utah League of Cities and Towns
Shane Marshall, Department Director, Utah Department of Transportation
Rich Thorn, President, Associated General Contractors
Andrew Gruper, WFRC
Carlos Braceros, Utah Department of Transportation
Craig Peterson, Engineering Companies
Paul O'Brien, Citizen

Spoke to the bill: Kelsey White, Utah Taxpayers Association
Dave Davis, President, Utah Retail Merchants Association

MOTION: Sen. Harper moved to adopt the following amendment:

1. *Page 11, Lines 312 through 314:*

- 312 (3) For a fiscal year beginning on or after July 1, ~~{2015}~~ 2017, \$25,000,000 is
annually
- 313 appropriated from the Transportation Fund to the department to be used for bridge
- 314 rehabilitation projects.

The motion passed unanimously.

MOTION: Sen Adams moved to send the bill out favorably. The motion passed unanimously.

S.B. 156 Energy Efficient Vehicle Tax Credit for Motorcycles (*M. Dayton*)

Sen. Dayton explained the bill to the committee.

Spoke for the bill: Phillip K. Anderson, Energy Efficient Vehicle owner
Ted Wilson, Utah Clean Air Partnership
Eric K. Hutchings, Representative

MOTION: Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously with Sen. Adams and Sen. Harper absent for the vote.

MOTION: Sen. Hinkins moved to place the bill on the Consent Calendar. The motion passed unanimously with Sen. Adams and Sen. Harper absent for the vote.

H.B. 26 Amendments to Driver License Records (*E. Hutchings*)

Rep. Hutchings explained the bill to the committee.

MOTION: Sen. Van Tassell moved to adopt the following amendments:

1. *Page 2, Line 32:*

32 This bill provides a special effective date.
This bill provides a coordination clause.

2. *Page 2, Line 42:*

42 72-9-107, as last amended by Laws of Utah 2009, Chapters 155 and 356
Utah Code Sections Affected by Coordination Clause:
53-3-102, as last amended by Laws of Utah 2014, Chapter 252

3. *Page 3, Lines 61 through 71:*

61 (5) ~~(a)~~ (a) "Commercial driver license motor vehicle record" or "CDL MVR" means a
62 driving
63 record that:
64 ~~(a)~~ (i) applies to a person who holds or is required to hold a commercial driver
65 instruction
66 permit or a CDL license; and
67 ~~(b)~~ (ii) contains the following:
68 ~~(i)~~ (A) information contained in the driver history, including convictions, pleas
69 held in
70 abeyance, disqualifications, and other licensing actions for violations of any state or local
law
relating to motor vehicle traffic control, committed in any type of vehicle;
~~(ii)~~ (B) driver self-certification status information under Section 53-3-410.1; and
~~(iii)~~ (C) information from medical certification record keeping in accordance with
49

71 C.F.R. Sec. 383.73(o).
(b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a motor vehicle record described in Subsection 53-3-102(28).

4. *Page 22, Lines 649 through 653:*

649 (1) another state {via the commercial driver license information system} ;
650 (2) [~~any employer or prospective employer of a person to drive a commercial motor~~
651 ~~vehicle]~~ a motor carrier {or} , prospective motor carrier {with a release from the
subject of the
652 record granting disclosure of the record upon request} , or authorized agent of a
motor carrier or prospective motor carrier after notification to the driver and payment of
a fee under Section
653 53-3-105;

5. *Page 23, Line 682:*

682 This bill takes effect on July 1, 2015.
Section 10. Coordinating H.B. 26 with S.B. 20 -- Substantive and technical
amendments.
If this H.B. 26 and S.B. 20, Uniform Driver License Act Amendments, both pass
and become law, it is the intent of the Legislature that the Office of Legislative
Research and General Counsel shall prepare the Utah Code database for publication by
amending Subsection 53-3-102(3) to read:
"(3) "Commercial driver instruction permit" or "CDIP" means a commercial
learner permit:
(a) issued under Section 53-3-408; or
(b) issued by a state or other jurisdiction of domicile in compliance with the standards
contained in 49 C.F.R. Part 383."

The motion passed unanimously with Sen. Harper absent for the vote.

MOTION: Sen. Van Tassell moved to send the bill out with a favorably as amended. The motion passed unanimously with Sen. Harper absent for the vote.

MOTION: Sen. Van Tassell moved to adjourn. The motion passed unanimously with Sen. Harper absent for the vote.

Chair Jackson adjourned the meeting at 4:45 p.m.