

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, August 19, 2015 – 10:30 a.m. – Senate Building Room 210

Members Present:

Sen. Alvin B. Jackson, Senate Chair
Rep. Johnny Anderson, House Chair
Sen. J. Stuart Adams
Sen. David P. Hinkins
Sen. Karen Mayne
Sen. Kevin T. Van Tassell
Rep. Jacob L. Anderegg
Rep. Stewart Barlow
Rep. Kay J. Christofferson
Rep. Brad L. Dee
Rep. Justin L. Fawson

Rep. Michael S. Kennedy
Rep. Brad King
Rep. David E. Lifferth
Rep. Carol Spackman Moss
Rep. Derrin Owens
Rep. Dean Sanpei

Staff Present:

Mr. Arthur Hunsaker, Policy Analyst
Ms. Christine Gilbert, Associate General Counsel
Mr. Kurt P. Gasser, Associate General Counsel
Mr. Joshua M. Weber, Legislative Assistant

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

1. Committee Business

MOTION: Sen. Jackson moved to approve the minutes of the July 15, 2015, meeting. The motion passed unanimously.

2. Vehicle Towing

Mr. Leo Lines, Commercial Property Owner, presented "Private Parking Lot – Parking Enforcement Signs." He discussed some of the common issues raised as a result of lawsuits regarding towing and recommended uniformity of all signage indicating under what circumstances a vehicle may be towed.

Sen. Mayne asked Mr. Lines who would pay for the towing signs. Mr. Lines responded that either the property owner or the tow company should pay.

Mr. Chad Sheppick, Director, Motor Carrier Division, Department of Transportation, briefly discussed the division's responsibilities related to the towing industry.

Major Mike Rapich and Captain Steve Winward, Utah Highway Patrol, discussed the Utah Highway Patrol's regulation of the towing industry in Utah Administrative Code R714-600, Performance Standards for Tow Truck Motor Carriers.

Mr. Cameron Diehl, Director of Government Relations, Utah League of Cities and Towns, and Mr. John Curtis, Mayor, Provo City, presented "City of Provo – Towing." Mayor Curtis explained how Provo City developed its towing and illegal parking ordinances.

Rep. Anderegg commented that Provo City could not have envisioned the magnitude of the parking issues it currently faces. He recommended sharing the presentation with representatives of Provo and Orem's Bus Rapid Transit System.

Mr. Neil Schultz, Ogden-Weber Towing Association, and Mr. Steve Russell, President, Professional

Towing Association, addressed the committee. Mr. Russell said the biggest issue the towing industry currently faces is businesses that do not provide enough parking for their patrons. Mr. Russell also indicated that some cities demand towing charges that are lower than the state permits. Mr. Russell stated that towing fees are not unreasonable, given the costs of running a towing business.

Rep. Anderegg pointed out the difficulty in deciding whether a state towing standard should be instituted or whether towing standards should be determined by individual cities. Rep. Fawson concurred with Rep. Anderegg's concerns.

MOTION: Chair Jackson moved to open a committee bill file to address towing issues. The motion passed unanimously.

3. Report: Unconventional Vehicles

Rep. Barlow discussed the difficulty of testing and classifying unconventional vehicles. He recommended that the Utah Code's definition of "motorcycle" be amended to include unconventional vehicles, such as an autocycle. Rep. Barlow also recommended eliminating the ambiguity regarding the need for a helmet when using these vehicles. He recommended that a bill file be opened to address issues related to unconventional vehicles and that the draft bill be placed on the committee's October agenda.

Sen. Mayne reiterated that a bill file should be opened in order to clarify the issues mentioned by Rep. Barlow. Sen. Mayne also indicated that unmanned vehicles are not mentioned in the code and should also be addressed.

MOTION: Rep. Barlow moved to open a committee bill file regarding unconventional vehicles. The motion passed unanimously. Rep. Anderegg and Rep. Kennedy were absent for the vote.

4. Report: HOV Lanes Created by a Highway Authority

Mr. Shane Marshall, President, Utah Professional Towing Association, presented "2015 Annual Report for Transportation Interim Committee." Mr. Marshall recommended the report be eliminated in the future, as recommended by the Department of Transportation in the June 17, 2015, interim meeting.

Rep. Christofferson asked Mr. Marshall if the cost of implementing and operating the express lanes is covered by current revenues. Mr. Marshall replied that, while operational improvements will eventually have to be made, current revenues cover the costs on a yearly basis. Rep. Christofferson also asked Mr. Marshall if traffic could be better facilitated with the elimination of the High Occupancy Vehicle lanes. Mr. Marshall replied that more vehicles could get through, but not more people.

Sen. Adams remarked that if the South Davis County High Occupancy Vehicle lanes were opened up, increased participation in the lanes would occur. He encouraged the system to be updated so faster and more free traffic could occur.

Rep. Sanpei emphasized the importance of the annual High Occupancy Vehicle report.

5. Committee Business/Adjourn

Chair Anderson adjourned the meeting at 12:19 p.m.