

**MINUTES OF THE
TRANSPORTATION INTERIM COMMITTEE**

Wednesday, October 21, 2015 – 1:15 p.m. – Room 210 Senate Building

Members Present:

Sen. Alvin B. Jackson, Senate Chair
Sen. J. Stuart Adams
Sen. David P. Hinkins
Sen. Karen Mayne
Rep. Jacob L. Anderegg
Rep. Stewart Barlow
Rep. Kay J. Christofferson
Rep. Rep. Michael S. Kennedy
Rep. Brad King
Rep. David E. Lifferth
Rep. Carol Spackman Moss
Rep. Derrin Owens

Rep. Dean Sanpei

Members Absent:

Rep. Johnny Anderson, House Chair
Rep. Brad L. Dee
Rep. Justin L. Fawson

Staff Present:

Mr. Arthur Hunsaker, Policy Analyst
Ms. Shannon Halverson, 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.le.utah.gov.

1. Committee Business

Chair Jackson called the meeting to order at 1:39 p.m.

MOTION: Sen. Hinkins moved to approve the minutes of the August 19, 2015, meeting. The motion passed unanimously. Rep. Sanpei was absent for the vote.

2. Annual Report: DUI-related Data

Ms. Mary Lou Emerson, Director, Utah Substance Abuse Advisory Council; Ms. Kim Gibb, Legislative Liaison, Department of Public Safety; Colonel Daniel Fuhr, Superintendent, Utah Highway Patrol; and Mr. Ron Gordon, Executive Director, Commission on Criminal and Juvenile Justice, presented "Thirteenth Annual DUI Report to the Utah Legislature."

Rep. Lifferth asked what methods are employed in determining the level of toxicity in blood when people get pulled over by law enforcement officers. Ms. Emerson responded that it is determined through blood draws. Rep. Lifferth asked whether these draws take place on the side of the road or at a police station. Mr. Gordon and Col. Fuhr clarified that the blood draws can take place at the station in a confined area.

Rep. Kennedy asked what the effects of cannabis are on a driver's capacity to drive. Ms. Emerson responded that it is known to make drivers drowsy, but the amount given in medical dosages would not likely be sufficient to have that effect due to the limited amount of the psychoactive agent, THC, contained in cannabis. Rep. Kennedy asked Ms. Emerson to clarify if the tests to which she referred were for the purpose of determining the presence of cannabis, whether it was THC or cannabidiol, rather than to determine whether it is psychoactive or not. Ms. Emerson clarified that the test was to determine the presence of cannabis and that it is a difficult issue. She said she would forward an article from the Pew Charitable Trust regarding what states are doing in response to drivers under the influence of cannabis.

Rep. Moss asked Ms. Emerson what she thinks would be an effective policy in addressing these issues. Ms. Emerson said a comprehensive approach needs to be taken. Ms. Emerson and Mr. Gordon provided several ideas as to how these issues could be addressed.

3. Annual Report: State Highway System

Ms. Elizabeth Weight, Legislative and Communications Analyst, Utah Department of Transportation, presented "Proposed Additions and Deletions to State Highway System – October 2015 Report." Rep. Christofferson remarked that he had a constituent with questions for her and said he would like to discuss those questions after the meeting.

MOTION: Rep. Christofferson moved to accept Utah Department of Transportation's report and open a committee bill file to implement the changes recommend in the report. The motion passed unanimously. Rep. King was absent for the vote.

4. Draft Bill, Transportation Interim Committee Reports Amendments

Mr. Hunsaker discussed the two versions of the draft legislation " Transportation Interim Committee Reports Amendments " (2016FL-0287/005 and 2016FL-0287/006). He mentioned the differences between them.

Ms. Linda Hull, Policy and Legislative Services Director, Utah Department of Transportation, discussed another potential amendment for the draft bill that the Transportation Commission had suggested. She recommended expanding the report to include safety and mobility issues and make it a more comprehensive report.

MOTION: Rep. Kennedy moved that the committee consider version 5 of draft legislation "Unconventional Vehicle Amendments." The motion passed unanimously.

MOTION: Rep. Christofferson moved to adopt the following amendments to version 5 of the bill:

Line 264: After "operation" delete "and" and insert " ," and after "maintenance" insert " , condition, and safety".

Line 268: After "system" insert "jointly with the Transportation Commission".

The motion passed unanimously. Sen. Adams and Rep. Moss were absent for the vote.

MOTION: Rep. Barlow moved to adopt version 5 of draft legislation "Transportation Interim Committee Reports Amendments" as amended as a committee bill. The motion passed unanimously. Sen. Adams and Rep. Moss were absent for the vote.

5. Draft Bill, Unconventional Vehicle Amendments

Sen. Mayne; Rep. Barlow; Mr. Christopher Caras, Interim Director, Driver License Division, and Ms. MyKeAnne Hurst, Driver Services Bureau Chief, Driver License Division, gave a brief overview of the draft legislation "Unconventional Vehicle Amendments" (2016FL-0463/003).

The committee received public comment.

Mr. Wayne Jones, Utah Power Sports Association, mentioned that his industry approves of the definitions set forth, particularly in regards to motorcycles, in the draft legislation and thanked the committee for their time.

No action was taken on the bill.

6. Electronic Driver Licenses

Rep. Craig Hall and Mr. Caras discussed the possibility of electronic driver licenses. Rep. Hall and Mr. Caras mentioned the challenges facing persons who are pulled over without having their license in their possession and the benefits of having an electronic license. Rep. Hall and Mr. Caras also discussed the difficulties in developing the licenses.

Sen. Mayne asked if a database could be created to assist in cases where the electronic license is not available. Mr. Caras responded that he didn't know whether such a concept was being discussed on a state or national level, but the issue certainly could be addressed by the committee.

7. Draft bill, Cancellation of Auto Insurance Coverage

Sen. Harper gave an update on draft legislation "Cancellation of Auto Insurance Coverage" (2016FL-0062/006). He provided further clarification on some of the language in the bill.

Rep. Lifferth asked what happens if a person is billed by an insurance company for insurance they no longer have. Sen. Harper explained the process and what he hopes the bill will achieve.

No action was taken on the bill.

8. Other Committee Business/Adjourn

MOTION: Sen. Hinkins moved to adjourn the meeting. The motion passed unanimously. Rep. King was absent for the vote.

Chair Jackson adjourned the meeting at 3:23 p.m.