

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-first Legislature – First Regular Session

COMMITTEE ON TRANSPORTATION

Minutes of Meeting
Thursday, January 31, 2013
House Hearing Room 3 -- 9:00 a.m.

Chairman Fann called the meeting to order at 9:04 a.m. and attendance was noted by the secretary.

Members Present

Mrs. Barton
Mr. Escamilla

Mr. Gray
Ms. Steele

Mr. Borrelli, Vice-Chairman
Ms. Fann, Chairman

Members Absent

None

Committee Action

HB2167 – DISCUSSED AND HELD
HB2170 – DPA (6-0-0-0)
HB2171 – HELD

HB2180 – DP (6-0-0-0)
HB2182 – DP (5-1-0-0)
HB2217 – DPA (6-0-0-0)

PRESENTATION

John Halikowski, Director, Arizona Department of Transportation (ADOT), addressed the Committee to talk about the business of transportation which has a big impact on the quality of life of every person in this state (Attachment 1). ADOT operates on business principles, collects nearly \$1 billion in taxes and fees every year, and strives to meet the bottom line for its shareholders, the taxpayers of Arizona.

Mr. Halikowski then spoke of the business of ADOT as it relates to:

- Opportunity
- Planning
- Execution of the opportunity and plan
- Delivery

Mr. Halikowski discussed Arizona's new "C" which is for competition. Competition in this new global economy requires Arizona to build and preserve a strong transportation infrastructure system that appeals to business and residents. Efficient transportation systems provide economic and social opportunities and benefits which have a positive effect on the economy and ADOT has made significant investments throughout the state. Arizona is positioned to be a major

transportation hub with its proximity to Mexico, Texas, and California. The new Trade and Transportation Corridor Alliance will use the business community to identify infrastructure needs for improved movement of goods and services.

Mr. Halikowski explained that today's ADOT highway system is worth \$18.5 billion, requiring preservation and modernization. Arizona is at a pivotal point with expansion needs and limited resources to meet them. ADOT's funding sources are primarily gas tax revenue and vehicle license fees and taxes; ADOT receives no general fund monies. Current funding remains at 2004 levels because people are purchasing less expensive cars and driving their current cars longer. The average vehicle license tax of Arizona's approximately 6.8 million vehicles dropped from \$133 per car to \$108 per car in 2012.

Mr. Halikowski discussed policy actions that may increase revenue in 2013, which include refinancing debt at current low interest rates, an investment in I-11 to create east-west interstate routes, and investments in "commerce corridors" to enhance mobility and trade infrastructure.

CONSIDERATION OF BILLS

HB2171 - driver licenses; driver training schools – HELD

Chairman Fann announced that HB2171 will be held.

HB2167 - autonomous motor vehicles – DISCUSSED AND HELD

Chairman Fann announced that HB2167 will be heard for information only.

Justin Riches, Majority Research Analyst, explained that HB2167 establishes rules and regulations for the operation of autonomous vehicles (Attachment 2).

Representative Jeff Dial, sponsor, stated that HB2167 is modeled after Florida legislation; fully autonomous, self-driving vehicles should be available in five years. He explained some of the features of these vehicles and stressed the importance of having standards that are common across all the states.

Members stated their enthusiasm for the concept and the importance of making certain that legislation will support this product.

HB2170 - stopped school buses; lights – DO PASS AMENDED

Justin Riches, Majority Research Analyst, explained that HB2170 requires a school bus to display a stop signal and alternately flashing lights on private roads, driveways, or property when passengers are being received or discharged (Attachment 3).

Mr. Riches explained that the Fann four-line amendment dated 1/29/13 (Attachment 4) specifies that this bill will not apply to a stopped bus in a parking lot.

Vice-Chairman Borrelli moved that HB2170 do pass.

Vice-Chairman Borrelli moved that the Fann four-line amendment dated 1/29/13 (Attachment 4) be adopted.

Yvonne Hunter, Fennemore Craig, explained her support for HB2170 which clarifies current law that is vague in terms of identifying circumstances in which a school bus, when loading and unloading students, is supposed to engage stop lights and a stop arm or stop sign. The confusion in current law is about when a school bus is on a private road or a public road, and that the type of road is not clearly identified for the bus driver. Other areas of confusion are homeowners' association roads. HB2170 will add clarity so that bus drivers can be trained to engage the stop lights and the stop arm. HB2170 will not increase the liability of surrounding drivers who may be passing a stopped school bus.

Chairman Fann asked if there have been incidents of child injury. Ms. Hunter replied in the affirmative, adding that several dozen children die each year in school bus accidents.

Mr. Escamilla asked if this will affect Yuma County where school buses are used to transport farm workers. Ms. Hunter replied that if a bus is not being used for school activities, the signage is to be covered.

Mr. Escamilla observed that law enforcement cannot cite on private roads.

Dean Humphrey, representing self, explained that his opposition to HB2170 is that there will still remain some confusion. He suggested wording to allow drivers to stop in strip malls.

Tom Thorpe, representing self, stated that he is neutral on the bill, but echoes Mr. Humphrey's comments. Loading and unloading are the most unsafe times and he supports the additional language to use stop arms.

Ms. Hunter stated that this bill is part of educating the public and that she would look at Mr. Humphrey's language. She stressed that this bill will not change any language regarding school buses on public roadways.

Question was called on the motion that the Fann four-line amendment dated 1/29/13 (Attachment 4) be adopted. The motion carried.

Vice-Chairman Borrelli moved that HB2170 as amended do pass. The motion carried by a roll call vote of 6-0-0-0 (Attachment 5).

HB2217 - extraordinary educators special plates – DO PASS AMENDED

Vice-Chairman Borrelli moved that HB2217 do pass.

Vice-Chairman Borrelli moved that the Borrelli two-line amendment dated 1/25/13 (Attachment 6) be adopted.

Justin Riches, Majority Research Analyst, explained that HB2217 establishes the Extraordinary Educators Special Plates and Trust Fund (Attachment 7).

Mr. Riches explained that the Borrelli two-line amendment (Attachment 6) excludes motorcycles from receiving this special plate.

Ms. Steele asked the reason for the amendment. Mr. Riches replied that stakeholders were not in favor of allowing this plate for motorcycles.

Representative Jeff Dial, sponsor, explained that HB2217 will create a license plate for extraordinary K-8 educators who propose activities, projects or lessons funded by a statewide grant process (Attachment 8). The design of the plate will be determined by Arizona Department of Transportation standards.

Vice-Chairman Borrelli asked why K-8 and not K-12. Representative Dial replied that the K-8 will have the most impact.

Sasha Glassman, representing self, testified in support of HB2217 and stated that she has seen similar plates in other states.

Tim Ham, Superintendent, Madison School District, explained his support for HB2217 which will provide revenue to extend opportunities for educators. He added that the funding formula is different for 9-12, hence the K-8 stipulation in this bill.

Question was called on the motion that the Borrelli two-line amendment dated 1/25/13 (Attachment 6) be adopted. The motion carried.

Vice-Chairman Borrelli moved that HB2217 as amended do pass. The motion carried by a roll call vote of 6-0-0-0 (Attachment 9).

HB2180 - vehicle liens; certificates of title – DO PASS

Vice-Chairman Borrelli moved that HB2180 do pass.

Jacob Meshke, Majority Intern, explained that HB2180 specifies the time and date stamp on liens, encumbrances, or other security instruments administered by the registering officer or authorized third party provider to be conclusive as to the time and date of delivery of the documents, and changes the time frame of delivery from thirty *business days* to thirty days (Attachment 10).

Bobbi Sparrow, Government Relations Director, Arizona Automobile Dealers Association, stated her support for HB2180 which will put language in statute to match that of United States bankruptcy code.

Vice-Chairman Borrelli announced the names of those who signed up in favor of HB2180 but did not speak:

Knox Kimberly, Alliance of Automobile Manufacturers

Question was called on the motion that HB2180 do pass. The motion carried by a roll call vote of 6-0-0-0 (Attachment 11).

HB2182 - DUI; ignition interlock devices – DO PASS

Vice-Chairman Borrelli moved that HB2182 do pass.

Jacob Meshke, Majority Intern, explained that HB2182 removes the ability of a person to be placed in a continuous alcohol monitoring program in lieu of getting an ignition interlock device and updates Arizona law to conform with federal regulations (Attachment 12).

Kevin Biesty, Legislative Liaison, Arizona Department of Transportation, spoke in support of HB2182 and explained that Arizona's driving under the influence (DUI) laws are inconsistent with federal DUI laws which require a one-year hard suspension of a driver who has been convicted of a repeat DUI, or the requirement for an ignition interlock for that one year (Attachment 13).

Mrs. Barton asked how DUI first offenders are handled.

Alberto Gutierrez, Governor's Office of Highway Safety, stated that the hard suspension is for repeat offenders. He assured the Members that Arizona has the toughest DUI laws in the country.

Vice-Chairman Borrelli announced the names of those who signed up in favor of HB2182 but did not speak:

Steve Trussell, representing self

Vice-Chairman Borrelli announced the names of those who signed up in opposition to HB2182 but did not speak:

Craig McDermott, representing self

Ryan Denke, representing self

Question was called on the motion that HB2182 do pass. The motion carried by a roll call vote of 5-1-0-0 (Attachment 14).

Without objection, the meeting adjourned at 10:40 a.m.

Jane Dooley, Committee Secretary
February 7, 2013

(Original minutes, attachments and audio on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)