

**41-6a-409 Prohibition of flat response fee for motor vehicle accident.**

- (1) The Department of Transportation or the Utah Highway Patrol Division, or a person who contracts with the Department of Transportation or the Utah Highway Patrol Division to provide emergency services:
  - (a) may not impose a flat fee, or collect a flat fee, from an individual involved in a motor vehicle accident; and
  - (b) may only charge the individual for the actual cost of services provided in responding to the motor vehicle accident, limited to:
    - (i) medical costs for:
      - (A) transporting an individual from the scene of a motor vehicle accident; or
      - (B) treatment of a person injured in a motor vehicle accident;
    - (ii) repair to damaged public property, if the individual is legally liable for the damage;
    - (iii) the cost of materials used in cleaning up the motor vehicle accident, if the individual is legally liable for the motor vehicle accident; and
    - (iv) towing costs.
- (2) If the Department of Transportation or the Utah Highway Patrol Division, or a person who contracts with the Department of Transportation or the Utah Highway Patrol Division to provide emergency services, imposes a charge on more than one individual for the actual cost of responding to a motor vehicle accident, the Department of Transportation or the Utah Highway Patrol Division or the person contracting with the Department of Transportation or the Utah Highway Patrol Division shall apportion the charges so that it does not receive more for responding to the motor vehicle accident than the actual response cost.

Enacted by Chapter 364, 2012 General Session

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