

41-6a-527 Seizure and impoundment of vehicles by peace officers -- Impound requirements -- Removal of vehicle by owner.

- (1) If a peace officer arrests, cites, or refers for administrative action the operator of a vehicle for violating Section 41-6a-502, 41-6a-517, 41-6a-518.2, 41-6a-520, 41-6a-530, 41-6a-606, 53-3-231, 53-3-232, Subsections 53-3-227(3)(a)(i) through (vi), Subsection 53-3-227(3)(a)(ix), or a local ordinance similar to Section 41-6a-502 which complies with Subsection 41-6a-510(1), the peace officer shall seize and impound the vehicle in accordance with Section 41-6a-1406, except as provided under Subsection (2).
- (2) If a registered owner of the vehicle, other than the operator, is present at the time of arrest, the peace officer may release the vehicle to that registered owner, but only if:
 - (a) the registered owner:
 - (i) requests to remove the vehicle from the scene; and
 - (ii) presents to the peace officer sufficient identification to prove ownership of the vehicle or motorboat;
 - (b) the registered owner identifies a driver with a valid operator's license who:
 - (i) complies with all restrictions of his operator's license; and
 - (ii) would not, in the judgment of the officer, be in violation of Section 41-6a-502, 41-6a-517, 41-6a-518.2, 41-6a-520, 41-6a-530, 53-3-231, 53-3-232, or a local ordinance similar to Section 41-6a-502 which complies with Subsection 41-6a-510(1) if permitted to operate the vehicle; and
 - (c) the vehicle itself is legally operable.
- (3) If necessary for transportation of a motorboat for impoundment under this section, the motorboat's trailer may be used to transport the motorboat.

Amended by Chapter 394, 2013 General Session