

Part 1
Utah Highway Patrol Division Administration

53-8-101 Short title.

This chapter is known as the "Utah Highway Patrol Act."

Enacted by Chapter 234, 1993 General Session

53-8-102 Definitions.

As used in this chapter:

- (1) "Division" means the Utah Highway Patrol Division created in Section 53-8-103.
- (2) "Highway Patrol" means the Highway Patrol troopers employed under Section 53-8-104.
- (3) "Superintendent" means the director of the division, appointed under Section 53-8-103.

Enacted by Chapter 234, 1993 General Session

53-8-103 Utah Highway Patrol Division -- Creation -- Appointment of superintendent -- Powers -- Qualifications -- Term -- Compensation.

- (1) There is created the Utah Highway Patrol Division.
- (2) The director of the division shall be the superintendent appointed by the commissioner with the approval of the governor.
- (3) The superintendent is the executive and administrative head of the division and shall be experienced in administration and possess additional qualifications as determined by the commissioner.
- (4) The superintendent acts under the supervision and control of the commissioner and may be removed from his position at the will of the commissioner.
- (5) The superintendent shall receive compensation as provided by Title 67, Chapter 19, Utah State Personnel Management Act.

Renumbered and Amended by Chapter 234, 1993 General Session

53-8-104 Superintendent's duties.

The superintendent shall:

- (1) divide the state highways into sections for the purpose of patrolling and policing;
- (2) employ peace officers known as highway patrol troopers to patrol or police the highways within this state and to enforce the state statutes as required;
- (3) establish ranks, grades, and positions in the Highway Patrol and designate the authority and responsibility in each rank, grade, and position;
- (4) establish for the Highway Patrol standards and qualifications and fix prerequisites of training, education, and experience for each rank, grade, and position;
- (5) appoint personnel to each rank, grade, and position necessary for the efficient operation and administration of the Highway Patrol;
- (6) devise and administer examinations designed to test applicants for positions with the Highway Patrol;
- (7) make rules governing the Highway Patrol as appear to the superintendent advisable;
- (8) discharge, demote, or temporarily suspend any employee in the Highway Patrol for cause;

- (9) prescribe the uniforms to be worn and the equipment to be used by employees of the Highway Patrol;
- (10) charge against each employee of the Highway Patrol the value of any property of the state lost or destroyed through the carelessness of the employee;
- (11) establish, with the approval of the Division of Finance, the terms and conditions under which expense allowance should be paid to any employee of the Highway Patrol while away from his station;
- (12) station the Highway Patrol in localities as he finds advisable for the enforcement of the laws of this state;
- (13) conduct in conjunction with the State Board of Education in and through all state schools an educational campaign in highway safety and work in conjunction with civic organizations, churches, local units of government, and other organizations that may function in accomplishing the purposes of reducing highway accidents;
- (14) provide the initial mandatory uniform items for each new trooper hired after July 1, 1998;
- (15) determine by rule a basic uniform allowance system which includes the manner in which troopers may receive maintenance services and vouchers for basic uniforms and administer any funds appropriated by the Legislature to the division for that purpose; and
- (16) on or before January 1, 2003, adopt a written policy that prohibits the stopping, detention, or search of any person when the action is solely motivated by considerations of race, color, ethnicity, age, or gender.

Amended by Chapter 219, 2002 General Session

53-8-105 Duties of Highway Patrol.

In addition to the duties in this chapter, the Highway Patrol shall:

- (1) enforce the state laws and rules governing use of the state highways;
- (2) regulate traffic on all highways and roads of the state;
- (3) assist the governor in an emergency or at other times at his discretion;
- (4) in cooperation with federal, state, and local agencies, enforce and assist in the enforcement of all state and federal laws related to the operation of a motor carrier on a highway, including all state and federal rules and regulations;
- (5) inspect certain vehicles to determine road worthiness and safe condition as provided in Section 41-6a-1630;
- (6) upon request, assist with any condition of unrest existing or developing on a campus or related facility of an institution of higher education;
- (7) assist the Alcoholic Beverage Control Commission in an emergency to enforce the state liquor laws;
- (8) provide security and protection for both houses of the Legislature while in session as the speaker of the House of Representatives and the president of the Senate find necessary;
- (9) enforce the state laws and rules governing use of the capitol hill complex as defined in Section 63C-9-102; and
- (10) carry out the following for the Supreme Court and the Court of Appeals:
 - (a) provide security and protection to those courts when in session in the capital city of the state;
 - (b) execute orders issued by the courts; and
 - (c) carry out duties as directed by the courts.

Amended by Chapter 245, 2016 General Session

53-8-106 Vested with powers of peace officers.

- (1) The commissioner, superintendent, and each member of the Highway Patrol have the powers of peace officers in each county of the state with the exception of the power to serve civil process.
- (2) They may serve criminal process, arrest and prosecute violators of any law of this state, and have the same right as other peace officers to require aid in executing their duties.
- (3) The powers and duties conferred upon the superintendent and members of the Highway Patrol are supplementary to and not a limitation on the powers and duties of other peace officers in the state.

Renumbered and Amended by Chapter 234, 1993 General Session

53-8-107 Cooperation with other officers.

To secure information in order to achieve greater success in prevention and detection of crime and apprehension of criminals, the Highway Patrol shall cooperate and exchange information with:

- (1) any other departments of the state;
- (2) other law enforcement agencies, both within and outside this state; and
- (3) federal law enforcement agencies.

Renumbered and Amended by Chapter 234, 1993 General Session