

AGGRESSIVE DRIVING AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Don E. Bush

AN ACT RELATING TO MOTOR VEHICLES; AMENDING VEHICLE IDENTIFICATION PROVISIONS FOR CERTAIN LAW ENFORCEMENT OPERATIONS; AND AMENDING RECKLESS DRIVING PROVISIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-1a-407, as last amended by Chapter 238, Laws of Utah 1999

41-6-45, as last amended by Chapters 138 and 204, Laws of Utah 1987

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-1a-407** is amended to read:

41-1a-407. Plates issued to political subdivisions or state -- Use of "EX" letters --

Confidential information.

(1) Except as provided in Subsection (2), each municipality, board of education, school district, state institution of learning, county, other governmental division, subdivision, or district, and the state shall:

(a) place a license plate displaying the letters, "EX" on every vehicle owned and operated by it or leased for its exclusive use; and

(b) display an identification mark designating the vehicle as the property of the entity in a conspicuous place on both sides of the vehicle.

(2) The entity need not display the "EX" license plate or the identification mark required by Subsection (1) if:

(a) the vehicle is in the direct service of the governor, lieutenant governor, attorney general, state auditor, or state treasurer of Utah;

(b) the vehicle is used in official investigative work where secrecy is essential;

(c) the vehicle is used in an organized Utah Highway Patrol operation that is:

(i) approved by the Commissioner of Public Safety;

(ii) utilizing no more than one unmarked vehicle for each operation; and

(iii) targeted toward:

(A) violations of Title 41, Chapter 6, Article 5, Driving While Intoxicated and Reckless

Driving:

(B) speeding violations for exceeding the posted speed limit by 21 or more miles per hour;

(C) speeding violations in a reduced speed school zone under Section 41-6-48.5;

(D) violations of Section 41-6-78 related to pedestrian crosswalks; or

(E) violations of Section 41-6-53.5 related to lane restrictions;

~~[(c)]~~ (d) the vehicle is provided to an official of the entity as part of a compensation package allowing unlimited personal use of that vehicle; or

~~[(d)]~~ (e) the personal security of the occupants of the vehicle would be jeopardized if the "EX" license plate were in place.

(3) Plates issued to Utah Highway Patrol vehicles may bear the capital letters "UHP," a beehive logo, and the call number of the vehicle for which the plate is issued.

(4) The commission shall issue "EX" and "UHP" plates and shall make rules establishing the procedure for application for and distribution of the plates.

(5) For a vehicle that qualifies for "EX" or "UHP" license plates, the entity is not required to display an annual registration decal or a county designation under Section 41-1a-402.

(6) (a) Information shall be confidential for vehicles that are not required to display the "EX" license plate or the identification mark under Subsections (2)(a), (b), and (d).

(b) (i) If a law enforcement officer's identity must be kept secret, his agency head may request in writing that the division remove the license plate information of the officer's personal vehicles from all public access files and place it in a confidential file until the assignment is completed.

(ii) The agency head shall notify the division when the assignment is completed.

Section 2. Section **41-6-45** is amended to read:

41-6-45. Reckless driving -- Penalty.

(1) A person is guilty of reckless driving who operates ~~[any]~~ a vehicle;

(a) in willful or wanton disregard for the safety of persons or property ~~[is guilty of reckless~~

~~driving-]; or~~

(b) while committing three or more moving traffic violations under Title 41, Chapter 6, Traffic Rules and Regulations, in a series of acts within a single continuous period of driving.

(2) A person [~~convicted of reckless driving~~] who violates Subsection (1) is guilty of a class B misdemeanor. [~~Upon a first conviction, the penalty is a minimum term of imprisonment of not fewer than five days, or a minimum fine of not less than \$25. On a second or subsequent conviction, the penalty is a minimum term of imprisonment of not fewer than ten days, or a minimum fine of not less than \$50.~~]