

**REPEAL OF VEHICLE EQUIPMENT SAFETY**

**COMMISSION**

2005 GENERAL SESSION

STATE OF UTAH

**Sponsor: Neal B. Hendrickson**

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**LONG TITLE**

**General Description:**

This bill repeals the Vehicle Equipment Safety Commission.

**Highlighted Provisions:**

This bill:

- ▶ repeals the Vehicle Equipment Safety Commission; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

**AMENDS:**

**41-6-142**, as enacted by Chapter 242, Laws of Utah 1979

**REPEALS:**

**41-15-1**, as enacted by Chapter 71, Laws of Utah 1963

**41-15-2**, as enacted by Chapter 71, Laws of Utah 1963

**41-15-3**, as last amended by Chapter 9, Laws of Utah 1975, First Special Session

**41-15-4**, as last amended by Chapter 120, Laws of Utah 1994

**41-15-5**, as enacted by Chapter 71, Laws of Utah 1963

**41-15-6**, as enacted by Chapter 71, Laws of Utah 1963

**41-15-7**, as enacted by Chapter 71, Laws of Utah 1963

**41-15-8**, as enacted by Chapter 71, Laws of Utah 1963

**41-15-9**, as last amended by Chapter 120, Laws of Utah 1994

**41-15-10**, as last amended by Chapter 120, Laws of Utah 1994

**41-15-11**, as last amended by Chapter 120, Laws of Utah 1994

**41-15-12**, as enacted by Chapter 71, Laws of Utah 1963

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

Section 1. Section **41-6-142** is amended to read:

**41-6-142. Department to adopt standards for lights and other equipment --**

**Compliance with federal standards -- Trademark or brand name.**

[(a)] (1) The department shall adopt standards for lamps, reflectors, hydraulic brake fluids, seat belts, safety glass, emergency disablement warning devices, studded tires, motorcyclist helmets, eye protection devices and red rear bicycle reflectors.

[(b)] (2) The department may adopt standards for safety equipment that must comply with standards of the United States Department of Transportation.

[(c)] (3) All standards adopted under Subsections [(a)] (1) and [(b)] (2) shall conform, insofar as possible, with standards issued by the United States Department of Transportation and other federal agencies. If no federal standard is applicable, standards adopted by the department may conform with standards issued or endorsed by any recognized organization or agency such as, but not limited to, the [Vehicle Equipment Safety Commission,] American National Standards Institute and Society of Automotive Engineers; provided, however, that where any such standards adopted by the department either prohibit or require the sale or use of any equipment, device, or system, not prohibited or required under any federal standard, such standards shall only be adopted to abate a proven safety hazard caused by the use or lack of such equipment, device, or system, on vehicles operated within the state [of Utah], and shall, insofar as possible, be consistent with requirements adopted by other states.

[(d)] (4) The department may adopt standards by reference provided the department makes copies of the standards available to any person requesting them.

[(e)] (5) Any equipment described in Section 41-6-141.5 or any package containing the

equipment shall bear the manufacturer's trademark or brand name unless it complies with identification requirements of the United States Department of Transportation or other federal agencies.

**Section 2. Repealer.**

This bill repeals:

**Section 41-15-1, Ratification.**

**Section 41-15-2, Text of compact.**

**Section 41-15-3, Department of Transportation to promote public safety.**

**Section 41-15-4, Existing laws on equipment requirements -- When superseded.**

**Section 41-15-5, Legislative approval of rules of Vehicle Equipment Safety**

**Commission required.**

**Section 41-15-6, Appointment of commissioner on Vehicle Equipment Safety**

**Commission -- Designation and authority of alternate.**

**Section 41-15-7, Coverage of employees of Vehicle Equipment Safety Commission under Public Employees Retirement System.**

**Section 41-15-8, Cooperation of departments, agencies and officers of state.**

**Section 41-15-9, Filing of documents with Department of Transportation.**

**Section 41-15-10, Submission of budgets to Department of Transportation.**

**Section 41-15-11, Inspection of accounts of Vehicle Equipment Safety Commission.**

**Section 41-15-12, "Executive head" defined.**