

1                                   **SCHOOL DISTRICT TRAFFIC VIOLATION**  
2                                   **COMPLAINT PROCEDURES**

3                                   2009 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Wayne A. Harper**

6                                   Senate Sponsor: Kevin T. Van Tassell

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8                                   **LONG TITLE**

9                                   **General Description:**

10                                  This bill modifies the Motor Vehicles Code by amending school district traffic violation  
11 complaint procedures for certain traffic violations.

12                                  **Highlighted Provisions:**

13                                  This bill:

- 14                                  ▶ authorizes a school crossing guard who observes a person speeding in a reduced  
15 speed school zone to report the incident to a law enforcement agency;
- 16                                  ▶ authorizes the law enforcement agency to send a notification letter to the last-known  
17 registered owner of the offending vehicle that the vehicle was observed violating the  
18 speed limit in a reduced speed school zone; and
- 19                                  ▶ provides that a law enforcement agency that receives a report may initiate an  
20 investigation of the alleged violation.

21                                  **Monies Appropriated in this Bill:**

22                                  None

23                                  **Other Special Clauses:**

24                                  None

25                                  **Utah Code Sections Affected:**

26                                  ENACTS:

27                                  **41-6a-604.5**, Utah Code Annotated 1953



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

Section 1. Section **41-6a-604.5** is enacted to read:

**41-6a-604.5. Speeding in a school zone complaint procedure.**

(1) (a) A school crossing guard who observes an operator of a vehicle violating Section 41-6a-604 may prepare a report of the alleged violation, in a manner specified by the law enforcement agency with jurisdiction, for the law enforcement agency no more than two working days after the alleged violation occurred.

(b) The report under Subsection (1)(a) shall contain:

(i) the date, time, and location of the violation;

(ii) the license plate number and state;

(iii) a description of the offending vehicle;

(iv) as much as practical, a description of the operator of the offending vehicle;

(v) a description of the incident involving the violation;

(vi) information on how to contact the school crossing guard who witnessed the offense; and

(vii) the signature of the school crossing guard who witnessed the offense attesting to the accuracy of the report.

(2) (a) Upon receiving a report in accordance with Subsection (1), the law enforcement agency shall promptly send a notification letter to the last-known registered owner of the vehicle.

(b) The notification letter shall include:

(i) the applicable information on the school crossing guard's report stating that the vehicle was observed speeding in a reduced speed school zone in violation of state law;

(ii) a complete explanation of the applicable provisions of Section 41-6a-604; and

(iii) an explanation that the notification letter is not a peace officer citation but is an effort to call attention to the seriousness of the incident.

(c) A law enforcement agency shall make reporting forms for a report under Subsection (1) available:

(i) to a school crossing guard; and

(ii) in school administrative offices.

59           (3) A law enforcement agency that receives a report under Subsection (1) may have a  
60 peace officer initiate an investigation of the reported violation.

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**Legislative Review Note**  
as of 2-4-09 3:39 PM

**Office of Legislative Research and General Counsel**

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**H.B. 202 - School District Traffic Violation Complaint Procedures**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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