



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
P.O. BOX 145030 • SALT LAKE CITY, UTAH 84114-5030 • (801) 538-1029

January 28, 2009

Mr. Speaker:

The Transportation Committee reports a favorable recommendation on **H.B. 24**, TRAFFIC ACCIDENT CLEARANCE AMENDMENTS, by Representative E. Hutchings, with the following amendments:

0. *Page 1, Lines 21 through 23:*

- 21 ▶ increases the property damage limit from \$1,000 to {~~\$2,000~~} \$1,500 for requiring an
operator
22 of a vehicle to give notice of an accident to the nearest office of a law enforcement
23 agency;

0. *Page 1, Line 26 through Page 2, Line 29:*

- 26 ▶ authorizes {~~the Department of Transportation or~~} a law enforcement agency with
jurisdiction to remove
27 a vehicle, cargo, or other personal property that has been damaged or spilled within
28 the right-of-way of a roadway on the state highway system, is blocking the roadway, or is
29 endangering public safety;

0. *Page 2, Lines 30 through 36:*

- 30 ▶ provides that the Department of Transportation or a law enforcement agency shall not be
held responsible for any
31 damages or claims that result from exercising the authority or the failure to exercise the authority to
remove a
32 vehicle, cargo, or personal property; and
33 {~~requires the owner and carrier, if any, of the vehicle, cargo, or personal property~~
34 ~~removed or disposed of to reimburse the Department of Transportation or other law~~
35 ~~enforcement agency for all costs incurred in removing and subsequently disposing~~
36 ~~of the property; and~~}

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0. Page 2, Lines 56 through 57:

56 (i) move the vehicle as soon as possible off the roadway or freeway main lines,
57 shoulders, medians, or adjacent areas to {~~a~~} the nearest safe location on an exit ramp shoulder, a
frontage road,

0. Page 3, Lines 76 through 79:

76 (3) The operator of a vehicle involved in an accident shall immediately and by the
77 quickest means of communication available give notice or cause to give notice of the accident
78 to the nearest office of a law enforcement agency if the accident resulted in property damage to
79 an apparent extent of [\$1,000] {~~\$2,000~~} \$1,500 or more.

0. Page 4, Lines 98 through 100:

98 (1) As a result of a motor vehicle accident, {~~the Department of Transportation or~~} a law
99 enforcement agency with jurisdiction may, without the consent of the owner or carrier, remove a vehicle,
100 cargo,
or other personal property that:

0. ~~Page 4, Lines 105 through 111:~~

(2) The Department of Transportation or a law
enforcement agency shall not be held
106 responsible for any damages or claims that result from
exercising any authority or the failure to exercise any authority
107 granted under this section provided they are acting in

good faith.

108

~~{(3) The owner and carrier, if any, of the vehicle, cargo, or personal property removed~~

~~109 or disposed of in accordance with this section shall~~
~~reimburse the Department of~~

~~110~~

~~Transportation or other law enforcement agency for~~

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all costs incurred in the removal and

111 subsequent disposition of the vehicle, cargo, or
personal property. }

Respectfully,

Bradley M. Daw
Committee Chair

Voting: 12-0-2

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