

EMERGENCY RESPONDER FEES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: Gregory H. Hughes

LONG TITLE

General Description:

This bill modifies Title 10, Utah Municipal Code, and Title 11, Cities, Counties, and Local Taxing Units, by prohibiting a municipality or political subdivision from charging a first responder fee.

Highlighted Provisions:

This bill:

- ▶ defines the term "political subdivision"; and
- ▶ prohibits a municipality or political subdivision from charging an individual a flat fee for responding to a traffic incident.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

- 10-8-55.5**, Utah Code Annotated 1953
- 11-46-101**, Utah Code Annotated 1953
- 11-46-102**, Utah Code Annotated 1953

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



28 Section 1. Section **10-8-55.5** is enacted to read:

29 **10-8-55.5. Prohibition of flat response fee.**

30 (1) A municipality, or a person who contracts with a municipality to provide
31 emergency services:

32 (a) may not impose a flat fee, or collect a flat fee, from an individual involved in a
33 traffic incident; and

34 (b) may only charge the individual for the actual cost of services provided in
35 responding to the traffic incident ~~§~~, limited to:

35a (i) medical costs for:

35b (A) transporting an individual from the scene of a traffic accident; or

35c (B) treatment of a person injured in a traffic accident;

35d (ii) repair to damaged public property ~~§~~, if the individual is legally liable for
35d1 the damage ~~§~~ ;

35e (iii) ~~§~~ the ~~§~~ cost of materials used in cleaning up the traffic accident
35e1 ~~§~~, if the individual is legally liable for the traffic accident ~~§~~ ; and

35f (iv) towing costs ~~§~~ .

36 (2) If a municipality, or a person who contracts with a municipality to provide
37 emergency services, imposes a charge on more than one individual for the actual cost of
38 responding to a traffic incident, the municipality or person contracting with the municipality
39 shall apportion the charges so that it does not receive more for responding to the traffic incident
40 than the actual response cost.

41 Section 2. Section **11-46-101** is enacted to read:

42 **CHAPTER 46. EMERGENCY RESPONSE**

43 **11-46-101. Title.**

44 This chapter is known as "Emergency Response."

45 Section 3. Section **11-46-102** is enacted to read:

46 **11-46-102. Prohibition of response fees.**

47 (1) As used in this section, "political subdivision" means a county, city, town, local
48 district, or special district.

49 (2) A political subdivision, or a person who contracts with a political subdivision to
50 provide emergency services:

51 (a) may not impose a flat fee, or collect a flat fee, from an individual involved in a
52 traffic incident; and

53 (b) may only charge the individual for the actual cost of services provided in
54 responding to the traffic incident ~~§~~, limited to:

54a (i) medical costs for:

54b (A) transporting an individual from the scene of a traffic accident; or

54c (B) treatment of a person injured in a traffic accident;

54d (ii) repair to damaged public property ~~to~~, if the individual is legally liable for

54d1 the damage ~~to~~;

54e (iii) ~~to~~ the ~~to~~ cost of materials used in cleaning up the traffic accident

54e1 ~~to~~, if the individual is legally liable for the traffic accident [clean-up costs] ~~to~~; and

54f (iv) towing costs ~~to~~.

55 (3) If a political subdivision, or a person who contracts with a political subdivision to

56 provide emergency services, imposes a charge on more than one individual for the actual cost

57 of responding to a traffic incident, the political subdivision or person contracting with the

58 political subdivision shall apportion the charges so that it does not receive more for responding

59 to the traffic incident than the actual response cost.

Legislative Review Note
as of 2-22-11 6:19 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

S.B. 273

SHORT TITLE: **Emergency Responder Fees**

SPONSOR: **Adams, J. S.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.