

S.B. 124

LEAVING A CHILD UNATTENDED IN A MOTOR VEHICLE

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

JANUARY 31, 2011 3:51 PM

Senator **Benjamin M. McAdams** proposes the following amendments:

1. *Page 1, Lines 9 through 10:*

9 This bill amends the Utah Criminal Code by making it an infraction to leave a child
10 unattended in an enclosed compartment of a motor vehicle.

2. *Page 1, Line 16:*

16 leave a child in an enclosed compartment of a motor vehicle if:

3. *Page 1, Lines 20 through 22:*

20 ▶ provides that this bill does not apply if the person's conduct that constitutes a
21 violation of this bill is ~~{punishable as a class B misdemeanor, a class A~~
22 ~~misdemeanor, or a felony.}~~ subject to a greater penalty under another provision of state law.

4. *Page 2, Lines 34 through 47:*

34 (1) As used in this section:

35 (a) "Child" means a person who is younger than nine years old.

(b) "Enclosed compartment" means any enclosed area of a motor vehicle, including the passenger compartment, regardless of whether a door, window, or hatch is left open.

36 ~~{(b)}~~ (c) "Motor vehicle" means an automobile, truck, truck tractor, bus, or any other
37 self-propelled vehicle.

38 (2) A person who is responsible for a child is guilty of a class C misdemeanor if:

39 (a) the person intentionally, recklessly, knowingly, or with criminal negligence leaves

40 the child in {a} an enclosed compartment of a motor vehicle;

41 (b) the child is not supervised by a person who is at least 12 years old; and

42 (c) (i) the conditions present a risk to the child's health or safety;

43 (ii) the engine of the motor vehicle is running; or

44 (iii) the keys to the motor vehicle are in the passenger compartment of the motor
45 vehicle.

46 (3) This section does not apply if the person's conduct that constitutes a violation of

47 this section is {punishable as a class B misdemeanor, a class A misdemeanor, or a felony} subject to
a greater penalty under another provision of state law .