

**ELECTRONIC FILING OF TRAFFIC CITATIONS AND
ACCIDENT REPORTS**

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lyle W. Hillyard

House Sponsor: Edward H. Redd

LONG TITLE

General Description:

This bill requires that traffic citations and accident reports be filed electronically.

Highlighted Provisions:

This bill:

- ▶ requires that traffic citations be filed electronically with the courts using the courts' electronic filing interface; and
- ▶ requires that motor vehicle accident reports be filed electronically with the Department of Public Safety.

Money Appropriated in this Bill:

None

Other Special Clauses:

⚡→ [None] This bill takes effect on July 1, 2013. ←⚡

Utah Code Sections Affected:

AMENDS:

41-6a-402, as renumbered and amended by Laws of Utah 2005, Chapter 2

77-7-20, as last amended by Laws of Utah 2009, Chapter 292

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

Section 1. Section **41-6a-402** is amended to read:



90 name of the arresting person if an arrest was made by a private party and the citation was
 91 issued in lieu of taking the arrested person before a magistrate;

92 (g) the time and date on or before and after which the person is to appear or a statement
 93 that the court will notify the person of the time to appear;

94 (h) the address of the court in which the person is to appear; and

95 ~~[(i) a certification above the signature of the officer issuing the citation in substantially~~
 96 ~~the following language: "I certify that a copy of this citation or information (Summons and~~
 97 ~~Complaint) was duly served upon the defendant according to law on the above date and I know~~
 98 ~~or believe and so allege that the above-named defendant did commit the offense herein set forth~~
 99 ~~contrary to law. I further certify that the court to which the defendant has been directed to~~
 100 ~~appear is the proper court pursuant to Section 77-7-21."; and]~~

101 ~~[(j)]~~ (i) a notice containing substantially the following language:

102 READ CAREFULLY

103 This citation is not an information and will not be used as an information without your
 104 consent. If an information is filed you will be provided a copy by the court. You MUST
 105 appear in court on or before the time set in this citation or as directed by the court. IF YOU
 106 FAIL TO APPEAR, THE COURT MAY ISSUE A WARRANT FOR YOUR ARREST.

107 (3) By electronically filing the data with the court, the peace officer or public official
 108 certifies to the court that:

109 (a) the citation or information, including the summons and complaint, was served upon
 110 the defendant in accordance with the law;

111 (b) the defendant committed the offense set forth in the served documents; and

112 (c) the court to which the defendant was directed to appear is the proper court pursuant
 113 to Section 77-7-21.

113a **Ĥ→ Section 3. Effective date.**

113b **This bill takes effect on July 1, 2013. ←Ĥ**

Legislative Review Note
as of 1-3-13 3:04 PM

Office of Legislative Research and General Counsel