

HB0303S01 compared with HB0303

~~text~~ shows text that was in HB0303 but was deleted in HB0303S01.

text shows text that was not in HB0303 but was inserted into HB0303S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Lee B. Perry proposes the following substitute bill:

DRIVING UNDER THE INFLUENCE AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lee B. Perry

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending driving under the influence provisions.

Highlighted Provisions:

This bill:

- ▶ changes one of the standards for a driving under the influence violation from "being under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle," to "being impaired to the slightest degree by alcohol, any drug, any substance, or any combination thereof~~;~~:" and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-502, as last amended by Laws of Utah 2010, Chapter 109

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

Section 1. Section **41-6a-502** is amended to read:

41-6a-502. Driving under the influence of alcohol, drugs, or a combination of both or with specified or unsafe blood alcohol concentration -- Reporting of convictions.

(1) A person may not operate or be in actual physical control of a vehicle within this state if the person:

(a) has sufficient alcohol in the person's body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .08 grams or greater at the time of the test;

(b) is [~~under the influence of~~] impaired to the slightest degree by alcohol, any drug, [or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle] any substance, or any combination thereof; or

(c) has a blood or breath alcohol concentration of .08 grams or greater at the time of operation or actual physical control.

(2) As used in Subsection (1)(b), "substance" means any substance, preparation, or a combination of substances and preparations, other than alcohol or a drug, that is taken into a person's body, including vapors or fumes, that may result in a condition of impairment or intoxication.

(3) Subsection (1)(b) does not prohibit a person from operating or being in actual physical control of a vehicle in this state with any measurable or detectable amount of alcohol in the person's body.

~~[(2)]~~ (4) Alcohol concentration in the blood shall be based upon grams of alcohol per 100 milliliters of blood, and alcohol concentration in the breath shall be based upon grams of alcohol per 210 liters of breath.

~~[(3)]~~ (5) A violation of this section includes a violation under a local ordinance similar

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to this section adopted in compliance with Section 41-6a-510.

~~(4)~~ (6) Beginning on July 1, 2012, a court shall, monthly, send to the Division of Occupational and Professional Licensing, created in Section 58-1-103, a report containing the name, case number, and, if known, the date of birth of each person convicted during the preceding month of a violation of this section for whom there is evidence that the person was driving under the influence, in whole or in part, of a prescribed controlled substance.

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Legislative Review Note

~~as of 1-27-14 4:00 PM~~

~~Office of Legislative Research and General Counsel~~