## SB0113S02 compared with SB0113

{Omitted text} shows text that was in SB0113 but was omitted in SB0113S02 inserted text shows text that was not in SB0113 but was inserted into SB0113S02

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

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Traffic Code Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Scott D. Sandall
House Sponsor: Scott H. Chew
LONG TITLE
General Description:
This bill addresses open range livestock collisions on a highway.
Highlighted Provisions:
This bill:
• creates a rebuttable presumption in a highway collision between a driver and {livestock.} open
range livestock; and
defines terms.
Money Appropriated in this Bill:
None
None
AMENDS:
41-6a-407, as last amended by Laws of Utah 2015, Chapter 412, as last amended by Laws of Utah
2015, Chapter 412

## SB0113 compared with SB0113S02

- Section 1. Section **41-6a-407** is amended to read:
- 21 41-6a-407. Livestock on highway -- Restrictions -- Collision, action for damages.
- 22 (1) As used in this section, "open range" means the same as that term is defined in Section 4-24-102.
- 20 [(1)] (2)
  - . (a) A person who owns or is in possession or control of any livestock may not willfully or negligently permit any of the livestock to stray or remain unaccompanied on a highway, if both sides of the highway are separated from adjoining property by a fence, wall, hedge, sidewalk, curb, lawn, or building.
- 24 (b) Subsection [(1)(a)] (2)(a) does not apply to open range [stock] livestock drifting onto any highway moving to or from their accustomed ranges.
- 26 <u>[(2)] (3)</u>
  - . (a) A person may not drive any livestock upon, over, or across any highway during the period from half an hour after sunset to half an hour before sunrise.
- 28 (b) Subsection [(2)(a)] (3)(a) does not apply if the person has a sufficient number of herders with warning lights on continual duty to open the road to permit the passage of vehicles.
- 30 [(3)] (4) A violation of Subsection [(1) or (3) is an infraction.
- 31 [(4)] (5) In any civil action brought for damages caused by collision with any domestic animal or livestock on a highway, there is no presumption that the collision was due to negligence on behalf of the owner or the person in possession of the domestic animal or livestock.
- 34 {(5)} (6) In any civil action brought for damages caused by a collision with {any} open range {stock}
  } livestock on a highway, {as described in Subsection (1)(b)} where open range livestock drift
  onto any highway to or from the open range livestock's accustomed range, there is a rebuttable
  presumption that the collision was due to the negligence of the driver.
- 44 (7) In an action described in Subsection (6), damages for livestock are limited to the replacement cost of the livestock.
- 46 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

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