

1 **Use of Motorized Vehicles by Minors Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses the use of bicycles, electric assisted bicycles, mini-motorcycles, motor
6 assisted scooters, and mopeds.

7 **Highlighted Provisions:**

8 This bill:

9 ▶ clarifies that safety provisions in Title 41, Chapter 6a, Part 11, Bicycles and Other
10 Vehicles, Regulation of Operation, apply to bicycles, electric assisted bicycles,
11 mini-motorcycles, motor assisted scooters, and mopeds;

12 ▶ addresses violations of the chapter; and

13 ▶ defines terms.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **41-6a-102**, as last amended by Laws of Utah 2024, Chapter 236

21 **41-6a-210**, as last amended by Laws of Utah 2024, Chapter 134

22 **41-6a-1101**, as renumbered and amended by Laws of Utah 2005, Chapter 2

23 **41-6a-1103**, as renumbered and amended by Laws of Utah 2005, Chapter 2

24 **41-6a-1104**, as renumbered and amended by Laws of Utah 2005, Chapter 2

25 **41-6a-1406**, as last amended by Laws of Utah 2024, Chapters 134, 319 and 380

26 **53-3-220**, as last amended by Laws of Utah 2024, Chapter 319

27 ENACTS:

28 **41-6a-1121**, Utah Code Annotated 1953

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

31 Section 1. Section **41-6a-102** is amended to read:

32 **41-6a-102 . Definitions.**

33 As used in this chapter:

34 (1) "Adult" means an individual 18 years old or older;

35 (2) "Alley" means a street or highway intended to provide access to the rear or side of lots
36 or buildings in urban districts and not intended for through vehicular traffic.

37 [~~2~~] (3) "All-terrain type I vehicle" means the same as that term is defined in Section
38 41-22-2.

39 [~~3~~] (4) "All-terrain type II vehicle" means the same as that term is defined in Section
40 41-22-2.

41 [~~4~~] (5) "All-terrain type III vehicle" means the same as that term is defined in Section
42 41-22-2.

43 [~~5~~] (6) "Authorized emergency vehicle" includes:

44 (a) a fire department vehicle;

45 (b) a police vehicle;

46 (c) an ambulance; and

47 (d) other publicly or privately owned vehicles as designated by the commissioner of the
48 Department of Public Safety.

49 [~~6~~] (7) "Autocycle" means the same as that term is defined in Section 53-3-102.

50 [~~7~~] (8)(a) "Bicycle" means a wheeled vehicle:

51 (i) propelled by human power by feet or hands acting upon pedals or cranks;

52 (ii) with a seat or saddle designed for the use of the operator;

53 (iii) designed to be operated on the ground; and

54 (iv) whose wheels are not less than 14 inches in diameter.

55 (b) "Bicycle" includes an electric assisted bicycle.

56 (c) "Bicycle" does not include scooters and similar devices.

57 [~~8~~] (9)(a) "Bus" means a motor vehicle:

58 (i) designed for carrying more than 15 passengers and used for the transportation of
59 persons; or

60 (ii) designed and used for the transportation of persons for compensation.

61 (b) "Bus" does not include a taxicab.

62 (10) "Child" means an individual younger than 18 years old;

63 [~~9~~] (11)(a) "Circular intersection" means an intersection that has an island, generally
64 circular in design, located in the center of the intersection where traffic passes to the

65 right of the island.

66 (b) "Circular intersection" includes:

67 (i) roundabouts;

68 (ii) rotaries; and

69 (iii) traffic circles.

70 ~~[(10)]~~ (12) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped

71 with a motor or electronics that:

72 (a) provides assistance only when the rider is pedaling; and

73 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

74 ~~[(11)]~~ (13) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped

75 with a motor or electronics that:

76 (a) may be used exclusively to propel the bicycle; and

77 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
78 per hour.

79 ~~[(12)]~~ (14) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped

80 with a motor or electronics that:

81 (a) provides assistance only when the rider is pedaling;

82 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;

83 and

84 (c) is equipped with a speedometer.

85 ~~[(13)]~~ (15) "Commissioner" means the commissioner of the Department of Public Safety.

86 ~~[(14)]~~ (16) "Controlled-access highway" means a highway, street, or roadway:

87 (a) designed primarily for through traffic; and

88 (b) to or from which owners or occupants of abutting lands and other persons have no
89 legal right of access, except at points as determined by the highway authority having
90 jurisdiction over the highway, street, or roadway.

91 ~~[(15)]~~ (17) "Crosswalk" means:

92 (a) that part of a roadway at an intersection included within the connections of the lateral
93 lines of the sidewalks on opposite sides of the highway measured from:

94 (i)(A) the curbs; or

95 (B) in the absence of curbs, from the edges of the traversable roadway; and

96 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
97 included within the extension of the lateral lines of the existing sidewalk at right
98 angles to the centerline; or

- 99 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
100 pedestrian crossing by lines or other markings on the surface.
- 101 ~~[(16)]~~ (18) "Department" means the Department of Public Safety.
- 102 ~~[(17)]~~ (19) "Direct supervision" means oversight at a distance within which:
- 103 (a) visual contact is maintained; and
- 104 (b) advice and assistance can be given and received.
- 105 ~~[(18)]~~ (20) "Divided highway" means a highway divided into two or more roadways by:
- 106 (a) an unpaved intervening space;
- 107 (b) a physical barrier; or
- 108 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 109 ~~[(19)]~~ (21) "Echelon formation" means the operation of two or more snowplows arranged
110 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
111 clear snow from two or more lanes at once.
- 112 ~~[(20)]~~ (22)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 113 (i) has a power output of not more than 750 watts;
- 114 (ii) has fully operable pedals;
- 115 (iii) has permanently affixed cranks that were installed at the time of the original
116 manufacture;
- 117 (iv) is fully operable as a bicycle without the use of the electric motor; and
- 118 (v) is one of the following:
- 119 (A) a class 1 electric assisted bicycle;
- 120 (B) a class 2 electric assisted bicycle;
- 121 (C) a class 3 electric assisted bicycle; or
- 122 (D) a programmable electric assisted bicycle.
- 123 (b) "Electric assisted bicycle" does not include:
- 124 (i) a moped;
- 125 (ii) a motor assisted scooter;
- 126 (iii) a motorcycle;
- 127 (iv) a motor-driven cycle; or
- 128 (v) any other vehicle with less than four wheels that is designed, manufactured,
129 intended, or advertised by the seller to have any of the following capabilities or
130 features, or that is modifiable or is modified to have any of the following
131 capabilities or features:
- 132 (A) has the ability to attain the speed of 20 miles per hour or greater on motor

- 133 power alone;
- 134 (B) is equipped with a continuous rated motor power of 750 watts or greater;
- 135 (C) is equipped with foot pegs for the operator at the time of manufacture, or
- 136 requires installation of a pedal kit to have operable pedals; or
- 137 (D) if equipped with multiple operating modes and a throttle, has one or more
- 138 modes that exceed 20 miles per hour on motor power alone.
- 139 ~~[(21)]~~ (23)(a) "Electric personal assistive mobility device" means a self-balancing device
- 140 with:
- 141 (i) two nontandem wheels in contact with the ground;
- 142 (ii) a system capable of steering and stopping the unit under typical operating
- 143 conditions;
- 144 (iii) an electric propulsion system with average power of one horsepower or 750
- 145 watts;
- 146 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 147 (v) a deck design for a person to stand while operating the device.
- 148 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 149 ~~[(22)]~~ (24) "Explosives" means a chemical compound or mechanical mixture commonly
- 150 used or intended for the purpose of producing an explosion and that contains any
- 151 oxidizing and combustive units or other ingredients in proportions, quantities, or
- 152 packing so that an ignition by fire, friction, concussion, percussion, or detonator of any
- 153 part of the compound or mixture may cause a sudden generation of highly heated gases,
- 154 and the resultant gaseous pressures are capable of producing destructive effects on
- 155 contiguous objects or of causing death or serious bodily injury.
- 156 ~~[(23)]~~ (25) "Farm tractor" means a motor vehicle designed and used primarily as a farm
- 157 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 158 ~~[(24)]~~ (26) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
- 159 as determined by a Tagliabue or equivalent closed-cup test device.
- 160 ~~[(25)]~~ (27) "Freeway" means a controlled-access highway that is part of the interstate system
- 161 as defined in Section 72-1-102.
- 162 ~~[(26)]~~ (28)(a) "Golf cart" means a device that:
- 163 (i) is designed for transportation by players on a golf course;
- 164 (ii) has not less than three wheels in contact with the ground;
- 165 (iii) has an unladen weight of less than 1,800 pounds;
- 166 (iv) is designed to operate at low speeds; and

- 167 (v) is designed to carry not more than six persons including the driver.
- 168 (b) "Golf cart" does not include:
- 169 (i) a low-speed vehicle or an off-highway vehicle;
- 170 (ii) a motorized wheelchair;
- 171 (iii) an electric personal assistive mobility device;
- 172 (iv) an electric assisted bicycle;
- 173 (v) a motor assisted scooter;
- 174 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 175 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 176 ~~[(27)]~~ (29) "Gore area" means the area delineated by two solid white lines that is between a
- 177 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
- 178 including similar areas between merging or splitting highways.
- 179 ~~[(28)]~~ (30) "Gross weight" means the weight of a vehicle without a load plus the weight of
- 180 any load on the vehicle.
- 181 ~~[(29)]~~ (31) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 182 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 183 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
- 184 highway or railroad tracks.
- 185 ~~[(30)]~~ (32) "Highway" means the entire width between property lines of every way or place
- 186 of any nature when any part of it is open to the use of the public as a matter of right for
- 187 vehicular travel.
- 188 ~~[(31)]~~ (33) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 189 ~~[(32)]~~ (34)(a) "Intersection" means the area embraced within the prolongation or
- 190 connection of the lateral curb lines, or, if none, then the lateral boundary lines of the
- 191 roadways of two or more highways that join one another.
- 192 (b) Where a highway includes two roadways 30 feet or more apart:
- 193 (i) every crossing of each roadway of the divided highway by an intersecting
- 194 highway is a separate intersection; and
- 195 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
- 196 every crossing of two roadways of the highways is a separate intersection.
- 197 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 198 ~~[(33)]~~ (35) "Island" means an area between traffic lanes or at an intersection for control of
- 199 vehicle movements or for pedestrian refuge designated by:
- 200 (a) pavement markings, which may include an area designated by two solid yellow lines

201 surrounding the perimeter of the area;

202 (b) channelizing devices;

203 (c) curbs;

204 (d) pavement edges; or

205 (e) other devices.

206 [(34)] (36) "Lane filtering" means, when operating a motorcycle other than an autocycle, the
207 act of overtaking and passing another vehicle that is stopped in the same direction of
208 travel in the same lane.

209 [(35)] (37) "Law enforcement agency" means the same as that term is as defined in Section
210 53-1-102.

211 [(36)] (38) "Limited access highway" means a highway:

212 (a) that is designated specifically for through traffic; and

213 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
214 persons have any right or easement, or have only a limited right or easement of
215 access, light, air, or view.

216 [(37)] (39) "Local highway authority" means the legislative, executive, or governing body of
217 a county, municipal, or other local board or body having authority to enact laws relating
218 to traffic under the constitution and laws of the state.

219 [(38)] (40)(a) "Low-speed vehicle" means a four wheeled motor vehicle that:

220 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

221 (ii) has a capacity of not more than six passengers, including a conventional driver or
222 fallback-ready user if on board the vehicle, as those terms are defined in Section
223 41-26-102.1.

224 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

225 [(39)] (41) "Metal tire" means a tire, the surface of which in contact with the highway is
226 wholly or partly of metal or other hard nonresilient material.

227 [(40)] (42)(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a
228 seat or saddle that is less than 24 inches from the ground as measured on a level
229 surface with properly inflated tires.

230 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

231 (c) "Mini-motorcycle" does not include a motorcycle that is:

232 (i) designed for off-highway use; and

233 (ii) registered as an off-highway vehicle under Section 41-22-3.

234 [(41)] (43) "Mobile home" means:

- 235 (a) a trailer or semitrailer that is:
- 236 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 237 place either permanently or temporarily; and
- 238 (ii) equipped for use as a conveyance on streets and highways; or
- 239 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
- 240 for use as a mobile home, as defined in Subsection [~~(41)~~(a)] (43)(a), but that is instead
- 241 used permanently or temporarily for:
- 242 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 243 (ii) any other commercial purpose except the transportation of property for hire or the
- 244 transportation of property for distribution by a private carrier.
- 245 [~~(42)~~] (44) "Mobility disability" means the inability of a person to use one or more of the
- 246 person's extremities or difficulty with motor skills, that may include limitations with
- 247 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
- 248 condition.
- 249 [~~(43)~~] (45)(a) "Moped" means a motor-driven cycle having:
- 250 (i) pedals to permit propulsion by human power; and
- 251 (ii) a motor that:
- 252 (A) produces not more than two brake horsepower; and
- 253 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
- 254 on level ground.
- 255 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 256 centimeters and the moped shall have a power drive system that functions directly or
- 257 automatically without clutching or shifting by the operator after the drive system is
- 258 engaged.
- 259 (c) "Moped" does not include:
- 260 (i) an electric assisted bicycle; or
- 261 (ii) a motor assisted scooter.
- 262 [~~(44)~~] (46)(a) "Motor assisted scooter" means a self-propelled device with:
- 263 (i) at least two wheels in contact with the ground;
- 264 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 265 (iii) an electric motor not exceeding 2,000 watts;
- 266 (iv) either:
- 267 (A) handlebars and a deck design for a person to stand while operating the device;
- 268 or

- 269 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
270 operating the device;
- 271 (v) a design for the ability to be propelled by human power alone; and
272 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 273 (b) "Motor assisted scooter" does not include:
- 274 (i) an electric assisted bicycle; or
275 (ii) a motor-driven cycle.
- 276 [(45)] (47)(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
277 propelled by electric power obtained from overhead trolley wires, but not operated
278 upon rails.
- 279 (b) "Motor vehicle" does not include:
- 280 (i) vehicles moved solely by human power;
281 (ii) motorized wheelchairs;
282 (iii) an electric personal assistive mobility device;
283 (iv) an electric assisted bicycle;
284 (v) a motor assisted scooter;
285 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
286 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 287 [(46)] (48) "Motorcycle" means:
- 288 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
289 and designed to travel with not more than three wheels in contact with the ground; or
290 (b) an auticycle.
- 291 [(47)] (49)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
292 having:
- 293 (i) an engine with less than 150 cubic centimeters displacement; or
294 (ii) a motor that produces not more than five horsepower.
- 295 (b) "Motor-driven cycle" does not include:
- 296 (i) an electric personal assistive mobility device;
297 (ii) a motor assisted scooter; or
298 (iii) an electric assisted bicycle.
- 299 [(48)] (50) "Off-highway implement of husbandry" means the same as that term is defined
300 under Section 41-22-2.
- 301 [(49)] (51) "Off-highway vehicle" means the same as that term is defined under Section
302 41-22-2.

- 303 ~~[(50)]~~ (52) "Operate" means the same as that term is defined in Section 41-1a-102.
- 304 ~~[(51)]~~ (53) "Operator" means:
- 305 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 306 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
- 307 vehicle.
- 308 ~~[(52)]~~ (54) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
- 309 other device operated, alone or coupled with another device, on stationary rails.
- 310 (55) "Parent" or "guardian" means:
- 311 (a) an individual with a parent-child relationship under Section 78B-15-102; or
- 312 (b) a legal parent under Section 78B-15-102.
- 313 ~~[(53)]~~ (56)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
- 314 occupied or not.
- 315 (b) "Park" or "parking" does not include:
- 316 (i) the standing of a vehicle temporarily for the purpose of and while actually
- 317 engaged in loading or unloading property or passengers; or
- 318 (ii) a motor vehicle with an engaged automated driving system that has achieved a
- 319 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 320 ~~[(54)]~~ (57) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
- 321 Peace Officer Classifications, to direct or regulate traffic or to make arrests for
- 322 violations of traffic laws.
- 323 ~~[(55)]~~ (58) "Pedestrian" means a person traveling:
- 324 (a) on foot; or
- 325 (b) in a wheelchair.
- 326 ~~[(56)]~~ (59) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
- 327 pedestrians.
- 328 ~~[(57)]~~ (60) "Person" means a natural person, firm, copartnership, association, corporation,
- 329 business trust, estate, trust, partnership, limited liability company, association, joint
- 330 venture, governmental agency, public corporation, or any other legal or commercial
- 331 entity.
- 332 ~~[(58)]~~ (61) "Pole trailer" means a vehicle without motive power:
- 333 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
- 334 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
- 335 and
- 336 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,

- 337 pipes, or structural members generally capable of sustaining themselves as beams
338 between the supporting connections.
- 339 [(59)] (62) "Private road or driveway" means every way or place in private ownership and
340 used for vehicular travel by the owner and those having express or implied permission
341 from the owner, but not by other persons.
- 342 [(60)] (63) "Programmable electric assisted bicycle" means an electric assisted bicycle with
343 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
344 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
345 electric assisted bicycle fully conforms with the respective requirements of each class of
346 electric assisted bicycle when operated in that mode.
- 347 [(61)] (64) "Railroad" means a carrier of persons or property upon cars operated on
348 stationary rails.
- 349 [(62)] (65) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
350 public body or official or by a railroad and intended to give notice of the presence of
351 railroad tracks or the approach of a railroad train.
- 352 [(63)] (66) "Railroad train" means a locomotive propelled by any form of energy, coupled
353 with or operated without cars, and operated upon rails.
- 354 [(64)] (67) "Restored-modified vehicle" means the same as the term defined in Section
355 41-1a-102.
- 356 [(65)] (68) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
357 lawful manner in preference to another vehicle or pedestrian approaching under
358 circumstances of direction, speed, and proximity that give rise to danger of collision
359 unless one grants precedence to the other.
- 360 [(66)] (69)(a) "Roadway" means that portion of highway improved, designed, or
361 ordinarily used for vehicular travel.
- 362 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
363 them are used by persons riding bicycles or other human-powered vehicles.
- 364 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
365 highway includes two or more separate roadways.
- 366 [(67)] (70) "Safety zone" means the area or space officially set apart within a roadway for
367 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
368 signs as to be plainly visible at all times while set apart as a safety zone.
- 369 [(68)] (71)(a) "School bus" means a motor vehicle that:
- 370 (i) complies with the color and identification requirements of the most recent edition

- 371 of "Minimum Standards for School Buses"; and
- 372 (ii) is used to transport school children to or from school or school activities.
- 373 (b) "School bus" does not include a vehicle operated by a common carrier in
- 374 transportation of school children to or from school or school activities.
- 375 ~~[(69)]~~ (72)(a) "Semitrailer" means a vehicle with or without motive power:
- 376 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
- 377 and
- 378 (ii) constructed so that some part of its weight and that of its load rests on or is
- 379 carried by another vehicle.
- 380 (b) "Semitrailer" does not include a pole trailer.
- 381 ~~[(70)]~~ (73) "Shoulder area" means:
- 382 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
- 383 edge line as established in the current approved "Manual on Uniform Traffic Control
- 384 Devices"; or
- 385 (b) that portion of the road contiguous to the roadway for accommodation of stopped
- 386 vehicles, for emergency use, and for lateral support.
- 387 ~~[(71)]~~ (74) "Sidewalk" means that portion of a street between the curb lines, or the lateral
- 388 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 389 ~~[(72)]~~ (75)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
- 390 that is designated for the use of a bicycle.
- 391 (b) "Soft-surface trail" does not mean a trail:
- 392 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
- 393 federal law, regulation, or rule; or
- 394 (ii) located in whole or in part on land granted to the state or a political subdivision
- 395 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 396 ~~[(73)]~~ (76) "Solid rubber tire" means a tire of rubber or other resilient material that does not
- 397 depend on compressed air for the support of the load.
- 398 ~~[(74)]~~ (77) "Stand" or "standing" means the temporary halting of a vehicle, whether
- 399 occupied or not, for the purpose of and while actually engaged in receiving or
- 400 discharging passengers.
- 401 ~~[(75)]~~ (78) "Stop" when required means complete cessation from movement.
- 402 ~~[(76)]~~ (79) "Stop" or "stopping" when prohibited means any halting even momentarily of a
- 403 vehicle, whether occupied or not, except when:
- 404 (a) necessary to avoid conflict with other traffic; or

- 405 (b) in compliance with the directions of a peace officer or traffic-control device.
- 406 [(77)] (80) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
407 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
408 the requirements of Section 41-6a-1509 to operate on highways in the state in
409 accordance with Section 41-6a-1509.
- 410 [(78)] (81) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
411 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
412 operate on highways in the state in accordance with [~~with~~]Section 41-6a-1509.
- 413 [(79)] (82) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 414 [(80)] (83) "Tow truck motor carrier" means the same as that term is defined in Section
415 72-9-102.
- 416 [(81)] (84) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
417 conveyances either singly or together while using any highway for the purpose of travel.
- 418 [(82)] (85) "Traffic signal preemption device" means an instrument or mechanism designed,
419 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 420 [(83)] (86) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
421 with this chapter placed or erected by a highway authority for the purpose of regulating,
422 warning, or guiding traffic.
- 423 [(84)] (87) "Traffic-control signal" means a device, whether manually, electrically, or
424 mechanically operated, by which traffic is alternately directed to stop and permitted to
425 proceed.
- 426 [(85)] (88)(a) "Trailer" means a vehicle with or without motive power designed for
427 carrying persons or property and for being drawn by a motor vehicle and constructed
428 so that no part of its weight rests upon the towing vehicle.
- 429 (b) "Trailer" does not include a pole trailer.
- 430 [(86)] (89) "Truck" means a motor vehicle designed, used, or maintained primarily for the
431 transportation of property.
- 432 [(87)] (90) "Truck tractor" means a motor vehicle:
- 433 (a) designed and used primarily for drawing other vehicles; and
- 434 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
435 tractor.
- 436 [(88)] (91) "Two-way left turn lane" means a lane:
- 437 (a) provided for vehicle operators making left turns in either direction;
- 438 (b) that is not used for passing, overtaking, or through travel; and

439 (c) that has been indicated by a lane traffic-control device that may include lane
440 markings.

441 [(89)] (92) "Urban district" means the territory contiguous to and including any street, in
442 which structures devoted to business, industry, or dwelling houses are situated at
443 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

444 [(90)] (93) "Vehicle" means a device in, on, or by which a person or property is or may be
445 transported or drawn on a highway, except a mobile carrier, as defined in Section
446 41-6a-1120, or a device used exclusively on stationary rails or tracks.

447 Section 2. Section **41-6a-210** is amended to read:

448 **41-6a-210 . Failure to respond to officer's signal to stop -- Fleeing -- Causing**
449 **property damage or bodily injury -- Suspension of driver's license -- Forfeiture of vehicle**
450 **-- Penalties.**

451 (1)(a) An operator who receives a visual or audible signal from a law enforcement
452 officer to bring the vehicle to a stop may not:

- 453 (i) operate the vehicle in willful or wanton disregard of the signal so as to interfere
454 with or endanger the operation of any vehicle or person; or
455 (ii) knowingly or intentionally attempt to flee or elude a law enforcement officer by
456 vehicle or other means.

457 (b)(i) A person who violates Subsection (1)(a) is guilty of a felony of the third
458 degree.

459 (ii) The court shall, as part of any sentence under this Subsection (1), impose a fine of
460 not less than \$1,000.

461 (c) A law enforcement officer may impound a vehicle of a person who violates
462 Subsection (1)(a).

463 (2)(a) An operator who violates Subsection (1) and while so doing causes death or
464 serious bodily injury to another person, under circumstances not amounting to
465 murder or aggravated murder, is guilty of a felony of the second degree.

466 (b) The court shall, as part of any sentence under this Subsection (2), impose a fine of
467 not less than \$5,000.

468 (3)(a) In addition to the penalty provided under this section or any other section, a
469 person who violates Subsection (1)(a) or (2)(a) shall have the person's driver license
470 revoked under Subsection 53-3-220(1)(a)(ix) for a period of one year.

471 (b) If the individual has not been issued a driver license, the division shall deny the
472 individual's application for a driver license or learner's permit for the longer of:

- 473 (i) one year after the conviction; or
 474 (ii) one year after the individual is old enough to qualify for a driver license or
 475 learner's permit.

476 [(b)] (c)(i) The court shall forward the report of the conviction to the division.

- 477 (ii) If the person is the holder of a driver license from another jurisdiction, the
 478 division shall notify the appropriate officials in the licensing state.

479 Section 3. Section **41-6a-1101** is amended to read:

480 **41-6a-1101 . Parents and guardians may not authorize child's violation of**
 481 **chapter.**

482 (1) [~~The~~] An adult, parent, or guardian [of a child] may not authorize or knowingly
 483 permit ~~the~~ a child to violate any of the provisions of this chapter.

484 (2) A child who violates this chapter is guilty of an infraction.

485 (3) A parent or guardian of a child described in Subsection (2) is guilty of:

486 (a) a class C misdemeanor if:

487 (i) the child has previously committed a violation of this chapter; and

488 (ii) the parent or guardian was notified of the prior violation; or

489 (b) a class B misdemeanor if:

490 (i) the parent or guardian was convicted under Subsection (3)(a); and

491 (ii) the child commits a new violation after the conviction described in Subsection

492 (3)(b)(i).

493 Section 4. Section **41-6a-1103** is amended to read:

494 **41-6a-1103 . Carrying more persons than design permits prohibited -- Exception.**

495 (1) Except as provided in Subsection (2), a bicycle, electric assisted bicycle,

496 mini-motorcycle, motor assisted scooter, or moped may not be used to carry more

497 persons at one time than the number for which it is designed or equipped.

498 (2) An adult rider may carry a child securely attached to the adult rider's person in a back

499 pack or sling.

500 Section 5. Section **41-6a-1104** is amended to read:

501 **41-6a-1104 . Persons on bicycles, electric assisted bicycles, mini-motorcycles,**
 502 **motor assisted scooters, mopeds, skates, and sleds not to attach to moving vehicles --**
 503 **Exception.**

504 (1) A person riding a bicycle, electric assisted bicycle, mini-motorcycle, motor assisted

505 scooter, moped, coaster, skate board, roller skates, sled, or toy vehicle may not attach it

506 or a person to any moving vehicle on a highway.

507 (2) This section does not prohibit attaching a trailer or semitrailer to a bicycle, electric
 508 assisted bicycle, mini-motorcycle, motor assisted scooter, or moped if that trailer or
 509 semitrailer has been designed for attachment.

510 Section 6. Section **41-6a-1121** is enacted to read:

511 **41-6a-1121 . Impoundment.**

512 (1) A law enforcement officer may impound a bicycle, electric assisted bicycle,
 513 mini-motorcycle, motor assisted scooter, or moped if the operator commits a violation of
 514 this chapter.

515 (2) An impoundment under this section is subject to Section 41-6a-1406.

516 (3) A bicycle, electric assisted bicycle, mini-motorcycle, motor assisted scooter, or moped
 517 impounded under Subsection (1) is subject to an administrative impound fee of \$50.

518 (4) The fee described in Subsection (3) shall be deposited into the Brain and Spinal Cord
 519 Injury Fund created in Section 26B-1-318.

520 Section 7. Section **41-6a-1406** is amended to read:

521 **41-6a-1406 . Removal and impoundment of vehicles -- Reporting and notification**
 522 **requirements -- Administrative impound fee -- Refunds -- Possessory lien -- Rulemaking.**

523 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section
 524 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1121, 41-6a-1405, 41-6a-1408, or 73-18-20.1
 525 by an order of a peace officer or by an order of a person acting on behalf of a law
 526 enforcement agency or highway authority, the impoundment of the vehicle, vessel, or
 527 outboard motor shall be at the expense of the owner.

528 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be impounded to a
 529 state impound yard.

530 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be
 531 removed by a tow truck motor carrier that meets standards established:

532 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and

533 (b) by the department under Subsection (11).

534 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or
 535 outboard motor that is impounded as described in Subsection (1).

536 (b) Before noon on the next business day after the date of the removal of the vehicle,
 537 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor
 538 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,
 539 by:

540 (i) the peace officer or agency by whom the peace officer is employed; and

- 541 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
542 operator is employed.
- 543 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
544 include:
- 545 (i) the operator's name, if known;
- 546 (ii) a description of the vehicle, vessel, or outboard motor;
- 547 (iii) the vehicle identification number or vessel or outboard motor identification
548 number;
- 549 (iv) the case number designated by the peace officer, law enforcement agency
550 number, or government entity;
- 551 (v) the license number, temporary permit number, or other identification number
552 issued by a state agency;
- 553 (vi) the date, time, and place of impoundment;
- 554 (vii) the reason for removal or impoundment;
- 555 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
556 outboard motor; and
- 557 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 558 (d)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
559 the State Tax Commission shall make rules to establish proper format and
560 information required on the form described in this Subsection (4).
- 561 (ii) The State Tax Commission shall ensure that the form described in this Subsection
562 (4) is provided in an electronic format.
- 563 (e) Until the tow truck operator or tow truck motor carrier reports the removal as
564 required under this Subsection (4), a tow truck motor carrier or impound yard may
565 not:
- 566 (i) collect any fee associated with the removal; and
- 567 (ii) begin charging storage fees.
- 568 (5)(a) A report described in this Subsection (5) is required for any vehicle, vessel, or
569 outboard motor that is removed, except for:
- 570 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in
571 Subsection (1); or
- 572 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in
573 accordance with Section 72-9-603.
- 574 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer

575 shall provide documentation to the tow truck operator or tow truck motor carrier that
576 includes:

- 577 (i) the name and badge number of the peace officer;
578 (ii) the name and originating agency identifier of the law enforcement agency; and
579 (iii) the case number designated by the law enforcement officer or law enforcement
580 agency.

581 (c) For a removal described in Subsection (5)(a), before noon on the next business day
582 following the date of the removal of the vehicle, vessel, or outboard motor, the tow
583 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in
584 an electronic format approved by the Motor Vehicle Division:

- 585 (i) the report described in Subsection (4); or
586 (ii) the report described in Subsection (5)(d).

587 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck
588 motor carrier does not provide the report described in Subsection (4), the tow truck
589 operator or tow truck motor carrier shall provide a report to the Motor Vehicle
590 Division that includes:

- 591 (i) the name and badge number of the relevant peace officer;
592 (ii) the name and originating agency identifier of the law enforcement agency;
593 (iii) the law enforcement agency case number;
594 (iv) subject to Subsection (5)(e), the vehicle identification number and the license
595 number, temporary permit number, or other identification number issued by a
596 state agency;
597 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and
598 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.

599 (e) If either the vehicle identification number or the license number, temporary permit
600 number, or other identification number issued by a state agency is not available, the
601 report shall include:

- 602 (i) as much information as is available from both the vehicle identification number
603 and the license plate number of the vehicle, vessel, or outboard motor; and
604 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,
605 model, and model year of the vehicle, vessel, or outboard motor.

606 (f) Until the tow truck operator or tow truck motor carrier reports the removal as
607 required under this Subsection (5), a tow truck motor carrier may not:

- 608 (i) collect any fee associated with the removal; or

- 609 (ii) begin charging storage fees.
- 610 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be
611 removed to:
- 612 (i) a state impound yard; or
- 613 (ii) a location that has been requested by the registered owner at the time of removal,
614 if payment is made to the tow truck motor carrier or tow truck operator at the time
615 of removal.
- 616 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
617 State Tax Commission may make rules to establish proper format and information
618 required on the form described in [~~Subsection (5)(e)~~] this Subsection (5), including
619 submission in an electronic format.
- 620 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in
621 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner
622 described in Section 41-1a-114, to the following parties with an interest in the
623 vehicle, vessel, or outboard motor, as applicable:
- 624 (i) the registered owner;
- 625 (ii) any lien holder; or
- 626 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard
627 motor is currently operating under a temporary permit issued by the dealer, as
628 described in Section 41-3-302.
- 629 (b) The notice shall:
- 630 (i) state the date, time, and place of removal, the name, if applicable, of the person
631 operating the vehicle, vessel, or outboard motor at the time of removal, the reason
632 for removal, and the place where the vehicle, vessel, or outboard motor is stored;
- 633 (ii) state that the registered owner is responsible for payment of towing, impound,
634 and storage fees charged against the vehicle, vessel, or outboard motor;
- 635 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard
636 motor is released; and
- 637 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the
638 vehicle, vessel, or outboard motor, if, within 30 days after the day of the removal
639 or impoundment under this section, one of the parties fails to make a claim for
640 release of the vehicle, vessel, or outboard motor.
- 641 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor
642 is not registered in this state, the Motor Vehicle Division shall make a reasonable

643 effort to notify the parties described in Subsection (6)(a) of the removal and the place
644 where the vehicle, vessel, or outboard motor is stored.

645 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)
646 if a report was received by a tow truck operator or tow truck motor carrier reporting a
647 tow truck service in accordance with Subsection 72-9-603(1)(a)(i).

648 (e)(i) The Motor Vehicle Division shall disclose the information in the report
649 described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent
650 as defined in Section 41-12a-802 regarding a tow that was initiated:

651 (A) by law enforcement; or

652 (B) without the vehicle owner's consent.

653 (ii) The Motor Vehicle Division may rely on the information provided by the tow
654 truck operator or tow truck motor carrier to determine if a tow meets the criteria
655 described in Subsections (6)(e)(i)(A) and (B).

656 (iii) The designated agent may disclose information received regarding a tow
657 described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the
658 vehicle owner's verified insurance company.

659 (iv) The designated agent may not disclose information to a vehicle owner's
660 insurance company if the tow does not meet the criteria described in Subsections
661 (6)(e)(i)(A) and (B).

662 (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound
663 yard as described in this section shall be released after a party described in
664 Subsection (6)(a):

665 (i) makes a claim for release of the vehicle, vessel, or outboard motor at any office of
666 the State Tax Commission;

667 (ii) presents identification sufficient to prove ownership of the impounded or
668 removed vehicle, vessel, or outboard motor;

669 (iii) completes the registration, if needed, and pays the appropriate fees;

670 (iv) if the impoundment was made under Section 41-6a-527 or Subsection 41-1a-1101
671 (3), pays:

672 (A) an administrative impound fee of \$425; and

673 (B) in addition to the administrative fee described in Subsection (6)(a)(iv)(A), an
674 administrative testing fee of \$30;[-]

675 (v) if the impoundment was made under Section 41-6a-1121, pays an administrative
676 impound fee of \$50; and

- 677 [~~(v)~~] (vi) pays all towing and storage fees to the place where the vehicle, vessel, or
678 outboard motor is stored.
- 679 (b)(i) \$29 of the administrative impound fee assessed under Subsection (7)(a)(iv)(A)
680 shall be dedicated credits to the Motor Vehicle Division.
- 681 (ii) One-hundred and forty-seven dollars of the administrative impound fee assessed
682 under Subsection (7)(a)(iv)(A) shall be deposited into the Department of Public
683 Safety Restricted Account created in Section 53-3-106.
- 684 (iii) Twenty dollars of the administrative impound fee assessed under Subsection
685 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund
686 created in Section 26B-1-318.
- 687 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the
688 remainder of the administrative impound fee assessed under Subsection
689 (7)(a)(iv)(A) shall be deposited into the General Fund.
- 690 (v) The administrative testing fee described in Subsection [~~(6)(a)(iv)(B)~~] (7)(a)(iv)(B)
691 shall be deposited into the State Laboratory Drug Testing Account created in
692 Section 26B-1-304.
- 693 (c) The administrative impound fee and the administrative testing fee assessed under
694 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the
695 registered owner, lien holder, or owner's agent presents written evidence to the State
696 Tax Commission that:
- 697 (i) the Driver License Division determined that the arrested person's driver license
698 should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as
699 shown by a letter or other report from the Driver License Division presented
700 within 180 days after the day on which the Driver License Division mailed the
701 final notification; or
- 702 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
703 stolen vehicle report presented within 180 days after the day of the impoundment.
- 704 (d) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
705 payment by cash and debit or credit card for a removal or impoundment under
706 Subsection (1) or any service rendered, performed, or supplied in connection with a
707 removal or impoundment under Subsection (1).
- 708 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
709 impounded vehicle, vessel, or outboard motor if:
- 710 (i) the vehicle, vessel, or outboard motor is being held as evidence; and

711 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
712 Subsection (6)(a), even if the party satisfies the requirements to release the
713 vehicle, vessel, or outboard motor under this Subsection (7).

714 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by
715 a party described in Subsection (6)(a) within the time prescribed by Section
716 41-1a-1103, the Motor Vehicle Division shall issue a certificate of sale for the
717 impounded or removed vehicle, vessel, or outboard motor as described in Section
718 41-1a-1103.

719 (b) The date of impoundment or removal is considered the date of seizure for computing
720 the time period provided under Section 41-1a-1103.

721 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the
722 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause
723 of action for all the fees and charges, together with damages, court costs, and attorney
724 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused
725 the removal or impoundment.

726 (10) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel, or
727 outboard motor.

728 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
729 department shall make rules setting the performance standards for towing companies to
730 be used by the department.

731 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection
732 (4) be submitted in electronic form utilizing a database for submission, storage, and
733 retrieval of the information.

734 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the
735 administrator of the database may adopt a schedule of fees assessed for utilizing
736 the database.

737 (ii) The fees under this Subsection (12)(b) shall:

738 (A) be reasonable and fair; and

739 (B) reflect the cost of administering the database.

740 Section 8. Section **53-3-220** is amended to read:

741 **53-3-220 . Offenses requiring mandatory revocation, denial, suspension, or**
742 **disqualification of license -- Offense requiring an extension of period -- Hearing --**
743 **Limited driving privileges.**

744 (1)(a) The division shall immediately revoke or, when this chapter, Title 41, Chapter 6a,

745 Traffic Code, or Section 76-5-303, specifically provides for denial, suspension, or
746 disqualification, the division shall deny, suspend, or disqualify the license of a person
747 upon receiving a record of the person's conviction for:

- 748 (i) manslaughter or negligent homicide resulting from driving a motor vehicle,
749 automobile homicide under Section 76-5-207, or automobile homicide involving
750 using a handheld wireless communication device while driving under Section
751 76-5-207.5;
- 752 (ii) driving or being in actual physical control of a motor vehicle while under the
753 influence of alcohol, any drug, or combination of them to a degree that renders the
754 person incapable of safely driving a motor vehicle as prohibited in Section
755 41-6a-502 or as prohibited in an ordinance that complies with the requirements of
756 Subsection 41-6a-510(1);
- 757 (iii) driving or being in actual physical control of a motor vehicle while having a
758 blood or breath alcohol content as prohibited in Section 41-6a-502 or as prohibited
759 in an ordinance that complies with the requirements of Subsection 41-6a-510(1);
- 760 (iv) perjury or the making of a false affidavit to the division under this chapter, Title
761 41, Motor Vehicles, or any other law of this state requiring the registration of
762 motor vehicles or regulating driving on highways;
- 763 (v) any felony under the motor vehicle laws of this state;
- 764 (vi) any other felony in which a motor vehicle is used to facilitate the offense;
- 765 (vii) failure to stop and render aid as required under the laws of this state if a motor
766 vehicle accident results in the death or personal injury of another;
- 767 (viii) two charges of reckless driving, impaired driving, or any combination of
768 reckless driving and impaired driving committed within a period of 12 months;
769 but if upon a first conviction of reckless driving or impaired driving the judge or
770 justice recommends suspension of the convicted person's license, the division may
771 after a hearing suspend the license for a period of three months;
- 772 (ix) failure to bring a motor vehicle, bicycle, electric assisted bicycle,
773 mini-motorcycle, motor assisted scooter, or moped to a stop at the command of a
774 law enforcement officer as required in Section 41-6a-210;
- 775 (x) any offense specified in Part 4, Uniform Commercial Driver License Act, that
776 requires disqualification;
- 777 (xi) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
778 allowing the discharge of a firearm from a vehicle;

- 779 (xii) using, allowing the use of, or causing to be used any explosive, chemical, or
780 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b);
- 781 (xiii) operating or being in actual physical control of a motor vehicle while having
782 any measurable controlled substance or metabolite of a controlled substance in the
783 person's body in violation of Section 41-6a-517;
- 784 (xiv) operating or being in actual physical control of a motor vehicle while having
785 any measurable or detectable amount of alcohol in the person's body in violation
786 of Section 41-6a-530;
- 787 (xv) engaging in a motor vehicle speed contest or exhibition of speed on a highway in
788 violation of Section 41-6a-606;
- 789 (xvi) operating or being in actual physical control of a motor vehicle in this state
790 without an ignition interlock system in violation of Section 41-6a-518.2;
- 791 (xvii) refusal of a chemical test under Subsection 41-6a-520.1(1); or
- 792 (xviii) two or more offenses that:
- 793 (A) are committed within a period of one year;
- 794 (B) are enhanced under Section 76-3-203.17; and
- 795 (C) arose from separate incidents.
- 796 (b) The division shall immediately revoke the license of a person upon receiving a
797 record of an adjudication under Section 80-6-701 for:
- 798 (i) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
799 allowing the discharge of a firearm from a vehicle; or
- 800 (ii) using, allowing the use of, or causing to be used any explosive, chemical, or
801 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b).
- 802 (c)(i) Except when action is taken under Section 53-3-219 for the same offense, upon
803 receiving a record of conviction, the division shall immediately suspend for six
804 months the license of the convicted person if the person was convicted of
805 violating any one of the following offenses while the person was an operator of a
806 motor vehicle, and the court finds that a driver license suspension is likely to
807 reduce recidivism and is in the interest of public safety:
- 808 (A) Title 58, Chapter 37, Utah Controlled Substances Act;
- 809 (B) Title 58, Chapter 37a, Utah Drug Paraphernalia Act;
- 810 (C) Title 58, Chapter 37b, Imitation Controlled Substances Act;
- 811 (D) Title 58, Chapter 37c, Utah Controlled Substance Precursor Act;
- 812 (E) Title 58, Chapter 37d, Clandestine Drug Lab Act; or

- 813 (F) any criminal offense that prohibits possession, distribution, manufacture,
814 cultivation, sale, or transfer of any substance that is prohibited under the acts
815 described in Subsections (1)(c)(i)(A) through (E), or the attempt or conspiracy
816 to possess, distribute, manufacture, cultivate, sell, or transfer any substance that
817 is prohibited under the acts described in Subsections (1)(c)(i)(A) through (E).
- 818 (ii) Notwithstanding the provisions in Subsection (1)(c)(i), the division shall reinstate
819 a person's driving privilege before completion of the suspension period imposed
820 under Subsection (1)(c)(i) if the reporting court notifies the Driver License
821 Division, in a manner specified by the division, that the defendant is participating
822 in or has successfully completed a drug court program as defined in Section
823 78A-5-201.
- 824 (iii) If a person's driving privilege is reinstated under Subsection (1)(c)(ii), the person
825 is required to pay the license reinstatement fees under Subsection 53-3-105(26).
- 826 (iv) The court shall notify the division, in a manner specified by the division, if a
827 person fails to complete all requirements of the drug court program.
- 828 (v) Upon receiving the notification described in Subsection (1)(c)(iv), the division
829 shall suspend the person's driving privilege for a period of six months from the
830 date of the notice, and no days shall be subtracted from the six-month suspension
831 period for which a driving privilege was previously suspended under Subsection
832 (1)(c)(i).
- 833 (d)(i) The division shall immediately suspend a person's driver license for conviction
834 of the offense of theft of motor vehicle fuel under Section 76-6-404.7 if the
835 division receives:
- 836 (A) an order from the sentencing court requiring that the person's driver license be
837 suspended; and
838 (B) a record of the conviction.
- 839 (ii) An order of suspension under this section is at the discretion of the sentencing
840 court, and may not be for more than 90 days for each offense.
- 841 (e)(i) The division shall immediately suspend for one year the license of a person
842 upon receiving a record of:
- 843 (A) conviction for the first time for a violation under Section 32B-4-411; or
844 (B) an adjudication under Section 80-6-701 for a violation under Section
845 32B-4-411.
- 846 (ii) The division shall immediately suspend for a period of two years the license of a

- 847 person upon receiving a record of:
- 848 (A)(I) conviction for a second or subsequent violation under Section 32B-4-411;
- 849 and
- 850 (II) the violation described in Subsection (1)(e)(ii)(A)(I) is within 10 years of a
- 851 prior conviction for a violation under Section 32B-4-411; or
- 852 (B)(I) a second or subsequent adjudication under Section 80-6-701 for a
- 853 violation under Section 32B-4-411; and
- 854 (II) the adjudication described in Subsection (1)(e)(ii)(B)(I) is within 10 years
- 855 of a prior adjudication under Section 80-6-701 for a violation under Section
- 856 32B-4-411.
- 857 (iii) Upon receipt of a record under Subsection (1)(e)(i) or (ii), the division shall:
- 858 (A) for a conviction or adjudication described in Subsection (1)(e)(i):
- 859 (I) impose a suspension for one year beginning on the date of conviction; or
- 860 (II) if the person is under the age of eligibility for a driver license, impose a
- 861 suspension that begins on the date of conviction and continues for one year
- 862 beginning on the date of eligibility for a driver license; or
- 863 (B) for a conviction or adjudication described in Subsection (1)(e)(ii):
- 864 (I) impose a suspension for a period of two years; or
- 865 (II) if the person is under the age of eligibility for a driver license, impose a
- 866 suspension that begins on the date of conviction and continues for two years
- 867 beginning on the date of eligibility for a driver license.
- 868 (iv) Upon receipt of the first order suspending a person's driving privileges under
- 869 Section 32B-4-411, the division shall reduce the suspension period under
- 870 Subsection (1)(e)(i) if ordered by the court in accordance with Subsection
- 871 32B-4-411(3)(a).
- 872 (v) Upon receipt of the second or subsequent order suspending a person's driving
- 873 privileges under Section 32B-4-411, the division shall reduce the suspension
- 874 period under Subsection (1)(e)(ii) if ordered by the court in accordance with
- 875 Subsection 32B-4-411(3)(b).
- 876 (f) The division shall immediately suspend a person's driver license for the conviction of
- 877 an offense that is enhanced under Section 76-3-203.17 if the division receives:
- 878 (i) an order from the sentencing court requiring the person's driver license to be
- 879 suspended; and
- 880 (ii) a record of the conviction.

- 881 (2) The division shall extend the period of the first denial, suspension, revocation, or
882 disqualification for an additional like period, to a maximum of one year for each
883 subsequent occurrence, upon receiving:
- 884 (a) a record of the conviction of any person on a charge of driving a motor vehicle while
885 the person's license is denied, suspended, revoked, or disqualified;
 - 886 (b) a record of a conviction of the person for any violation of the motor vehicle law in
887 which the person was involved as a driver;
 - 888 (c) a report of an arrest of the person for any violation of the motor vehicle law in which
889 the person was involved as a driver; or
 - 890 (d) a report of an accident in which the person was involved as a driver.
- 891 (3) When the division receives a report under Subsection (2)(c) or (d) that a person is
892 driving while the person's license is denied, suspended, disqualified, or revoked, the
893 person is entitled to a hearing regarding the extension of the time of denial, suspension,
894 disqualification, or revocation originally imposed under Section 53-3-221.
- 895 (4)(a) The division may extend to a person the limited privilege of driving a motor
896 vehicle to and from the person's place of employment or within other specified limits
897 on recommendation of the judge in any case where a person is convicted of any of
898 the offenses referred to in Subsections (1) and (2) except:
- 899 (i) those offenses referred to in Subsections (1)(a)(i), (ii), (iii), (xi), (xii), (xiii), (1)(b),
900 and (1)(c)(i); and
 - 901 (ii) those offenses referred to in Subsection (2) when the original denial, suspension,
902 revocation, or disqualification was imposed because of a violation of Section
903 41-6a-502, 41-6a-517, a local ordinance that complies with the requirements of
904 Subsection 41-6a-510(1), Section 41-6a-520, 41-6a-520.1, 76-5-102.1, or 76-5-207,
905 or a criminal prohibition that the person was charged with violating as a result of a
906 plea bargain after having been originally charged with violating one or more of
907 these sections or ordinances, unless:
 - 908 (A) the person has had the period of the first denial, suspension, revocation, or
909 disqualification extended for a period of at least three years;
 - 910 (B) the division receives written verification from the person's primary care
911 physician or physician assistant that:
 - 912 (I) to the physician's or physician assistant's knowledge the person has not used
913 any narcotic drug or other controlled substance except as prescribed by a
914 licensed medical practitioner within the last three years; and

- 915 (II) the physician or physician assistant is not aware of any physical,
916 emotional, or mental impairment that would affect the person's ability to
917 operate a motor vehicle safely; and
- 918 (C) for a period of one year prior to the date of the request for a limited driving
919 privilege:
- 920 (I) the person has not been convicted of a violation of any motor vehicle law in
921 which the person was involved as the operator of the vehicle;
- 922 (II) the division has not received a report of an arrest for a violation of any
923 motor vehicle law in which the person was involved as the operator of the
924 vehicle; and
- 925 (III) the division has not received a report of an accident in which the person
926 was involved as an operator of a vehicle.
- 927 (b)(i) Except as provided in Subsection (4)(b)(ii), the discretionary privilege
928 authorized in this Subsection (4):
- 929 (A) is limited to when undue hardship would result from a failure to grant the
930 privilege; and
- 931 (B) may be granted only once to any person during any single period of denial,
932 suspension, revocation, or disqualification, or extension of that denial,
933 suspension, revocation, or disqualification.
- 934 (ii) The discretionary privilege authorized in Subsection (4)(a)(ii):
- 935 (A) is limited to when the limited privilege is necessary for the person to commute
936 to school or work; and
- 937 (B) may be granted only once to any person during any single period of denial,
938 suspension, revocation, or disqualification, or extension of that denial,
939 suspension, revocation, or disqualification.
- 940 (c) A limited CDL may not be granted to a person disqualified under Part 4, Uniform
941 Commercial Driver License Act, or whose license has been revoked, suspended,
942 cancelled, or denied under this chapter.

943 **Section 9. Effective Date.**

944 This bill takes effect on May 7, 2025.