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Impaired Driving Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor:

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LONG TITLE**General Description:**

This bill concerns the collection and reporting of certain DUI information.

Highlighted Provisions:

This bill:

▸ requires the State Commission on Criminal and Juvenile Justice (the commission) to include certain DUI crash and arrest data in an annual DUI report;

▸ requires the Department of Public Safety's Criminal Investigations and Technical Services Division to collect certain DUI crash and arrest data and provide the data to the commission;

▸ establishes law enforcement agency reporting requirements concerning the collection and reporting of certain DUI crash and arrest data;

▸ provides that the public safety data portal is the repository for the statutorily required DUI crash and arrest data; and

▸ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-511, as last amended by Laws of Utah 2011, Chapter 51

63A-16-1002, as last amended by Laws of Utah 2024, Chapter 467

ENACTS:

53-10-118, Utah Code Annotated 1953

53-25-104, Utah Code Annotated 1953

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

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31 Section 1. Section **41-6a-511** is amended to read:

32 **41-6a-511 . Courts to collect and maintain data.**

- 33 (1) The state courts shall collect and maintain data necessary to allow sentencing and
34 enhancement decisions to be made in accordance with this part.
- 35 (2)(a) Each justice court shall transmit dispositions electronically to the Department of
36 Public Safety in accordance with the requirement for recertification established by
37 the Judicial Council.
- 38 (b) Immediately upon filling the requirements under Subsection (2)(a), a justice court
39 shall collect and report the same DUI related data elements collected and maintained
40 by the state courts under Subsection (1).
- 41 (3) The department shall maintain an electronic data base for DUI related records and data
42 including the data elements received or collected from the courts under this section.
- 43 (4)(a) The Commission on Criminal and Juvenile Justice shall prepare an annual report
44 of DUI related data including the following:
- 45 (i) the data collected by the courts under Subsections (1) and (2); [~~and~~]
 - 46 (ii) the DUI crash and arrest data collected from law enforcement agencies under
47 Section 53-10-118 by the Department of Public Safety's Criminal Investigations
48 and Technical Services Division; and
 - 49 [(ii)] (iii) any measures for which data are available to evaluate the profile and
50 impacts of DUI recidivism and to evaluate the DUI related processes of:
 - 51 (A) law enforcement;
 - 52 (B) adjudication;
 - 53 (C) sanctions;
 - 54 (D) driver license control; and
 - 55 (E) alcohol education, assessment, and treatment.
- 56 (b) The report shall be provided in writing to the Judiciary and Transportation Interim
57 Committees no later than the last day of October following the end of the fiscal year
58 for which the report is prepared.

59 Section 2. Section **53-10-118** is enacted to read:

60 **53-10-118 . Collection of driving under the influence crash and arrest data.**

- 61 (1)(a) The division shall collect from every law enforcement agency the following data
62 concerning a crash that appears to be connected with a driving under the influence
63 offense:
- 64 (i) whether the impaired driver was injured or killed;

- 65 (ii) whether any other individual was injured or killed;
 66 (iii) whether there was damage to real or personal property;
 67 (iv) the following results or findings regarding the impaired driver's impairment:
 68 (A) blood or breath alcohol concentration readings;
 69 (B) blood, chemical, or similar tests detecting alcohol or other drugs in an
 70 individual; and
 71 (C) field sobriety test results; and
 72 (v) if applicable, the name of the establishment that provided the alcohol to the
 73 impaired driver.
- 74 (b) The division shall collect from every law enforcement agency the following data for
 75 every arrest made for a suspected driving under the influence offense, including those
 76 that are unrelated to a crash described in Subsection (1)(a):
 77 (i) the data described in Subsections (1)(a)(iv) and (v); and
 78 (ii) if there were any injuries, deaths, or property damage based on the driving under
 79 the influence incident, a description of the injuries, deaths, or damages.
- 80 (c) In accordance with Section 53-25-104, a law enforcement agency shall provide the
 81 information described in Subsections (1)(a) and (b) in the form and manner requested
 82 by the division.
- 83 (2) The division shall provide the information collected under Subsection (1) to the
 84 Commission on Criminal and Juvenile Justice for use in the annual report described in
 85 Section 41-6a-511.

86 Section 3. Section **53-25-104** is enacted to read:

87 **Part 1. Disclosure and General Reporting Requirements**

88 **53-25-104 . Driving under the influence reporting requirements.**

89 Beginning on January 1, 2026, a law enforcement agency shall collect and provide to the
 90 department's Criminal Investigations and Technical Services Division the driving under the
 91 influence crash and arrest data described in Section 53-10-118.

92 Section 4. Section **63A-16-1002** is amended to read:

93 **63A-16-1002 . Public safety portal.**

- 94 (1) The commission shall oversee the creation and management of a public safety portal for
 95 information and data required to be reported to the commission and accessible to all
 96 criminal justice agencies in the state.
- 97 (2) The division shall assist with the development and management of the public safety
 98 portal.

- 99 (3) The division, in collaboration with the commission, shall create:
- 100 (a) master standards and formats for information submitted to the public safety portal;
- 101 (b) a gateway, bridge, website, or other method for reporting entities to provide the
- 102 information;
- 103 (c) a master data management index or system to assist in the retrieval of information
- 104 from the public safety portal;
- 105 (d) a protocol for accessing information in the public safety portal that complies with
- 106 state privacy regulations; and
- 107 (e) a protocol for real-time audit capability of all data accessed from the public safety
- 108 portal by participating data source, data use entities, and regulators.
- 109 (4) The public safety portal shall be the repository for the statutorily required data described
- 110 in:
- 111 (a) Section 13-53-111, recidivism reporting requirements;
- 112 (b) Section 17-22-32, county jail reporting requirements;
- 113 (c) Section 17-55-201, Criminal Justice Coordinating Councils reporting;
- 114 (d) Section 26B-1-427, Alcohol Abuse Tracking Committee;
- 115 (e) Section 41-6a-511, courts to collect and maintain data;
- 116 (f) Section 53-10-118, collection of driving under the influence crash and arrest data;
- 117 ~~(g)~~ (g) Section 53-25-301, reporting requirements for reverse-location warrants;
- 118 ~~(h)~~ (h) Section 53-25-202, sexual assault offense reporting requirements for law
- 119 enforcement agencies;
- 120 ~~(i)~~ (i) Section 53E-3-516, school disciplinary and law enforcement action report;
- 121 ~~(j)~~ (j) Section 53-25-501, reporting requirements for seized firearms;
- 122 ~~(k)~~ (k) Section 63M-7-214, law enforcement agency grant reporting;
- 123 ~~(l)~~ (l) Section 63M-7-216, prosecutorial data collection;
- 124 ~~(m)~~ (m) Section 63M-7-220, domestic violence data collection;
- 125 ~~(n)~~ (n) Section 64-13-21, supervision of sentenced offenders placed in community;
- 126 ~~(o)~~ (o) Section 64-13-25, standards for programs;
- 127 ~~(p)~~ (p) Section 64-13-45, department reporting requirements;
- 128 ~~(q)~~ (q) Section 64-13e-104, county correctional facility reimbursement program for
- 129 state probationary inmates and state parole inmates;
- 130 ~~(r)~~ (r) Section 77-7-8.5, use of tactical groups;
- 131 ~~(s)~~ (s) Section 77-11b-404, forfeiture reporting requirements;
- 132 ~~(t)~~ (t) Section 77-20-103, release data requirements;

- 133 [~~(t)~~] (u) Section 77-22-2.5, court orders for criminal investigations;
- 134 [~~(u)~~] (v) Section 78A-2-109.5, court data collection on criminal cases;
- 135 [~~(v)~~] (w) Section 80-6-104, data collection on offenses committed by minors; and
- 136 [~~(w)~~] (x) any other statutes which require the collection of specific data and the reporting
- 137 of that data to the commission.
- 138 (5) Before October 1, 2025, the commission shall report all data collected to the Law
- 139 Enforcement and Criminal Justice Interim Committee.
- 140 (6) The commission may:
- 141 (a) enter into contracts with private or governmental entities to assist entities in
- 142 complying with the data reporting requirements of Subsection (4); and
- 143 (b) adopt, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 144 rules to administer this section, including establishing requirements and procedures
- 145 for collecting the data described in Subsection (4).
- 146 **Section 5. Effective Date.**
- 147 This bill takes effect on May 7, 2025.