

Scott D. Sandall proposes the following substitute bill:

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 range livestock collisions on a highway.

Highlighted Provisions:

This bill:

- creates a rebuttable presumption in a highway collision between a driver and livestock.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-407, as last amended by Laws of Utah 2015, Chapter 412

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

Section 1. Section **41-6a-407** is amended to read:

41-6a-407 . Livestock on highway -- Restrictions -- Collision, action for damages.

(1)(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.

(b) Subsection (1)(a) does not apply to range stock drifting onto any highway moving to or from their accustomed ranges.

(2)(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.

(b) Subsection (2)(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) A violation of Subsection (1) or (2) is an infraction.

31 (4) In any civil action brought for damages caused by collision with any domestic animal or
32 livestock on a highway, there is no presumption that the collision was due to negligence
33 on behalf of the owner or the person in possession of the domestic animal or livestock.

34 (5) In any civil action brought for damages caused by a collision with any range stock on a
35 highway, where range stock drift onto any highway to or from the range stock's
36 accustomed range, there is a rebuttable presumption that the collision was due to the
37 negligence of the driver.

38 Section 2. **Effective Date.**

39 This bill takes effect on May 7, 2025.