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Criminal Penalty Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ryan D. Wilcox

Senate Sponsor: Calvin R. Musselman

LONG TITLE

General Description:

This bill addresses criminal penalties.

Highlighted Provisions:

This bill:

- reduces the criminal offense of operating a vehicle at a speed greater than 20 miles per hour in a school zone from a class C misdemeanor to an infraction if the person is operating the vehicle from 21 miles per hour to 29 miles per hour;
- merges the criminal offenses of:
 - operating a motor vehicle without an owner's or operator's security; and
 - failing to carry evidence of owner's or operator's security to be carried when operating a motor vehicle;
- reduces the penalty for the criminal offense of careless driving from a class C misdemeanor to an infraction; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 31A-22-302**, as last amended by Laws of Utah 2013, Chapter 91
- 41-1a-109**, as last amended by Laws of Utah 2013, Chapter 138
- 41-1a-110**, as last amended by Laws of Utah 2025, Chapter 285
- 41-1a-1101**, as last amended by Laws of Utah 2025, Chapter 220

28 **41-6a-403**, as last amended by Laws of Utah 2024, Chapter 251
 29 **41-6a-604**, as last amended by Laws of Utah 2024, Chapter 346
 30 **41-6a-1715**, as last amended by Laws of Utah 2021, Chapter 120
 31 **41-12a-302**, as last amended by Laws of Utah 2015, Chapter 412
 32 **41-12a-303.3**, as enacted by Laws of Utah 1994, Chapter 220
 33 **41-12a-804**, as last amended by Laws of Utah 2025, Chapter 285
 34 **73-18c-304**, as last amended by Laws of Utah 2024, Chapter 236

35 REPEALS:

36 **41-12a-303.2**, as last amended by Laws of Utah 2024, Chapter 236

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

39 Section 1. Section **31A-22-302** is amended to read:

40 **31A-22-302 . Required components of motor vehicle insurance policies --**

41 **Exceptions.**

- 42 (1) Every policy of insurance or combination of policies purchased to satisfy the owner's or
 43 operator's security requirement of Section 41-12a-301 shall include:
 44 (a) motor vehicle liability coverage under Sections 31A-22-303 and 31A-22-304;
 45 (b) uninsured motorist coverage under Section 31A-22-305, unless affirmatively waived
 46 under Subsection 31A-22-305(5);
 47 (c) underinsured motorist coverage under Section 31A-22-305.3, unless affirmatively
 48 waived under Subsection 31A-22-305.3(3); and
 49 (d) except as provided in Subsection (2) and subject to Subsection (4), personal injury
 50 protection under Sections 31A-22-306 through 31A-22-309.
- 51 (2) A policy of insurance or combination of policies, purchased to satisfy the owner's or
 52 operator's security requirement of Section 41-12a-301 for a motorcycle, off-highway
 53 vehicle, street-legal all-terrain vehicle, trailer, or semitrailer is not required to have
 54 personal injury protection under Sections 31A-22-306 through 31A-22-309.
- 55 (3) A card issued by an insurance company as evidence of owner's or operator's security
 56 under Section [~~41-12a-303.2 on or after July 1, 2014,~~] 41-12a-302 may not display the
 57 owner's or operator's address on the card.
- 58 (4)(a) First party medical coverages may be offered or included in policies issued to
 59 motorcycle, off-highway vehicle, street-legal all-terrain vehicle, trailer, and
 60 semitrailer owners or operators.
- 61 (b) Owners and operators of motorcycles, off-highway vehicles, street-legal all-terrain

62 vehicles, trailers, and semitrailers are not covered by personal injury protection
63 coverages in connection with injuries incurred while operating any of these vehicles.

64 (5) First party medical coverage expenses shall be governed by the relative value study
65 provisions under Subsections 31A-22-307(2) and (3).

66 Section 2. Section **41-1a-109** is amended to read:

67 **41-1a-109 . Grounds for division refusing registration or certificate of title.**

68 (1) The division shall refuse registration or issuance of a certificate of title or any transfer
69 of registration upon any of the following grounds:

70 (a) the application contains any false or fraudulent statement;

71 (b) the applicant has failed to furnish required information or reasonable additional
72 information requested by the division;

73 (c) the applicant is not entitled to the issuance of a certificate of title or registration of
74 the vehicle under this chapter;

75 (d) the division has reasonable grounds to believe that the vehicle is a stolen vehicle or
76 that the granting of registration or the issuance of a certificate of title would
77 constitute a fraud against the rightful owner or other person having a valid lien upon
78 the vehicle;

79 (e) the registration of the vehicle is suspended or revoked for any reason provided in the
80 motor vehicle laws of this state; or

81 (f) the required fees have not been paid.

82 (2) The division shall also refuse registration or any transfer of registration if the vehicle is
83 mechanically unfit or unsafe to be operated or moved upon the highways.

84 (3) The division shall refuse registration or any transfer of registration of a vehicle upon
85 notification by the Department of Transportation that the vehicle or owner is not in
86 compliance with Title 72, Chapter 9, Motor Carrier Safety Act.

87 (4) The division may not register a vehicle if the registration of the vehicle is revoked under
88 Subsection 41-1a-110(2) until the applicant provides proof:

89 (a) of owner's or operator's security in a form allowed under [~~Subsection 41-12a-303.2(2)~~]
90 Section 41-12a-302;

91 (b) of exemption from the owner's or operator's security requirements; or

92 (c) that the applicant was not an owner of the vehicle at the time of the alleged violation
93 or on the day following the time limit provided after the second notice under
94 Subsection 41-12a-804(2).

95 Section 3. Section **41-1a-110** is amended to read:

96 **41-1a-110 . Authority of division to suspend or revoke registration, certificate of**
97 **title, license plate, or permit.**

98 (1) Except as provided in Subsections (3) and (4), the division may suspend or revoke a
99 registration, certificate of title, license plate, or permit if:

- 100 (a) the division is satisfied that a registration, certificate of title, license plate, or permit
101 was fraudulently procured or erroneously issued;
- 102 (b) the division determines that a registered vehicle is mechanically unfit or unsafe to be
103 operated or moved upon the highways;
- 104 (c) a registered vehicle has been dismantled;
- 105 (d) the division determines that the required fee has not been paid and the fee is not paid
106 upon reasonable notice and demand;
- 107 (e) a registration decal, license plate, or permit is knowingly displayed upon a vehicle
108 other than the one for which issued;
- 109 (f) the division determines that the owner has committed any offense under this chapter
110 involving the registration, certificate of title, registration card, license plate,
111 registration decal, or permit; or
- 112 (g) the division receives notification by the Department of Transportation that the owner
113 has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

114 (2)(a) The division shall revoke the registration of a vehicle if the division receives
115 notification by the:

116 (i) Department of Public Safety that a person:

117 (A) has been convicted of operating a registered motor vehicle in violation of
118 Section 41-12a-301 or [~~41-12a-303.2~~] 41-12a-302; or

119 (B) is under an administrative action taken by the Department of Public Safety for
120 operating a registered motor vehicle in violation of Section 41-12a-301;

121 (ii) designated agent that the owner of a motor vehicle:

122 (A) has failed to provide satisfactory proof of owner's or operator's security to the
123 designated agent after the second notice provided under Section 41-12a-804; or

124 (B) provided a false or fraudulent statement to the designated agent; or

125 (iii) designated agent that, during the months of April through October, the owner of
126 a motorboat:

127 (A) has failed to provide satisfactory proof of owner's or operator's security to the
128 designated agent after the second notice provided under Section 41-12a-804; or

129 (B) provided a false or fraudulent statement to the designated agent.

- 130 (b) The division shall notify the Driver License Division if the division revokes the
- 131 registration of a vehicle under Subsection (2)(a)(ii)(A).
- 132 (3) The division may not suspend or revoke the registration of a vessel or outboard motor
- 133 unless authorized under Section 73-18-7.3.
- 134 (4) The division may not suspend or revoke the registration of an off-highway vehicle
- 135 unless authorized under Section 41-22-17.
- 136 (5) The division shall charge a registration reinstatement fee under Section 41-1a-1220, if
- 137 the registration is revoked under Subsection (2).
- 138 (6) Except as provided in Subsections (3), (4), and (7), the division may suspend or revoke
- 139 a registered vehicle's registration if the division is notified by a local health department,
- 140 as defined in Section 26A-1-102, that the registered vehicle is unable to meet state or
- 141 local air emissions standards or violates Subsection 41-6a-1626(2)(a) or (b).
- 142 (7) The division may not suspend or revoke a registered vehicle's registration under
- 143 Subsection (6) if the registered vehicle has a manufacturer's gross vehicle weight rating
- 144 that is greater than 26,000 pounds.

145 Section 4. Section **41-1a-1101** is amended to read:

146 **41-1a-1101 . Seizure -- Circumstances where permitted -- Impound lot standards.**

147 (1) As used in this section:

148 (a)(i) "Criminal offense" means a class B misdemeanor offense, a class A

149 misdemeanor offense, or a felony offense.

150 (ii) "Criminal offense" includes:

151 (A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony

152 offense described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2,

153 Driver Licensing Act, Title 73, Chapter 18, State Boating Act, or Title 76, Utah

154 Criminal Code; and

155 (B) a local ordinance that is a class B misdemeanor and is substantially similar to

156 an offense listed in Subsection (1)(a)(ii)(A).

157 (b) "Operator" means the same as that term is defined in Section 41-6a-102.

158 (c) "Road rage event" means the commission of a criminal offense:

159 (i) by an operator of a vehicle;

160 (ii) in response to an incident that occurs or escalates upon a roadway; and

161 (iii) with the intent to endanger or intimidate an individual in another vehicle.

162 (d) "Roadway" means:

163 (i) a highway; or

- 164 (ii) a private road or driveway as defined in Section 41-6a-102.
- 165 (2) The division or any peace officer, without a warrant, may seize and take possession of
166 any vehicle, vessel, or outboard motor:
- 167 (a) that the division or the peace officer has probable cause to believe has been stolen;
168 (b) on which any identification number has been defaced, altered, or obliterated;
169 (c) that has been abandoned in accordance with Section 41-6a-1408;
170 (d) for which the applicant has written a check for registration or title fees that has not
171 been honored by the applicant's bank and that is not paid within 30 days;
172 (e) that is placed on the water with improper registration;
173 (f) that is being operated on a highway:
- 174 (i) with registration that has been expired for more than three months;
175 (ii) having never been properly registered by the current owner; or
176 (iii) with registration that is suspended or revoked;
- 177 (g)(i) that the division or the peace officer has probable cause to believe has been
178 involved in an accident described in Section 41-6a-401, 41-6a-401.3, or
179 41-6a-401.5; and
180 (ii) whose operator did not remain at the scene of the accident until the operator
181 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7; or
182 (h) if the division or peace officer has probable cause to believe that the operator:
- 183 (i) failed to properly display the license plate on a motorcycle as described in Section
184 41-1a-404.1; or
185 (ii) used the motorcycle:
- 186 (A) to perform a wheelie in violation of Section 41-6a-606.1; or
187 (B) to engage in lane splitting in violation of Section 41-6a-704.1.
- 188 (3)(a) The division or a peace officer shall seize and take possession of a vehicle,
189 without a warrant, when:
- 190 (i) the division or the peace officer has probable cause to believe that an operator of
191 the vehicle engaged in a road rage event; and
192 (ii) the operator of the vehicle has been arrested in conjunction with the road rage
193 event.
- 194 (b) A peace officer may release a vehicle seized and possessed under Subsection (3)(a)
195 to the registered owner of the vehicle if the registered owner is not the individual
196 subject to arrest under Subsection (3)(a) and is immediately available, at the location
197 of the arrest, to take possession of the vehicle.

- 198 (4)(a) Subject to the restriction in Subsection (4)(b), the division or any peace officer,
199 without a warrant:
- 200 (i) shall seize and take possession of any vehicle that is being operated on a highway
201 without owner's or operator's security in effect for the vehicle as required under
202 Section 41-12a-301 and the vehicle was involved in an accident; or
- 203 (ii) may seize and take possession of any vehicle that is being operated on a highway
204 without owner's or operator's security in effect for the vehicle as required under
205 Section 41-12a-301 after the division or any peace officer makes a reasonable
206 determination whether the vehicle would:
- 207 (A) present a public safety concern to the operator or any of the occupants in the
208 vehicle; or
- 209 (B) prevent the division or the peace officer from addressing other public safety
210 considerations.
- 211 (b) The division or any peace officer may not seize and take possession of a vehicle
212 under Subsection (4)(a):
- 213 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's
214 security as defined in Section [~~41-12a-303.2~~] 41-12a-302 in the vehicle unless the
215 division or peace officer verifies that owner's or operator's security is not in effect
216 for the vehicle through the Uninsured Motorist Identification Database created in
217 accordance with Section 41-12a-803; or
- 218 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security
219 as defined in Section [~~41-12a-303.2~~] 41-12a-302 in the vehicle and the Uninsured
220 Motorist Identification Database created in accordance with Section 41-12a-803
221 indicates that the owner's or operator's security is not in effect for the vehicle,
222 unless the division or a peace officer makes a reasonable attempt to independently
223 verify that owner's or operator's security is not in effect for the vehicle.
- 224 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to
225 transport and store the vessel.
- 226 (6) Any peace officer seizing or taking possession of a vehicle, vessel, or outboard motor
227 under this section shall comply with the provisions of Section 41-6a-1406.
- 228 (7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
229 the commission shall make rules setting standards for public garages, impound lots,
230 and impound yards that may be used by peace officers and the division.
- 231 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of

- 232 public garages, impound lots, or impound yards per geographical area.
- 233 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard
234 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a
235 state impound yard set forth in this section and rules made in accordance with
236 Subsection (7)(a).
- 237 (d)(i) Rules made by the commission shall include a requirement that a state impound
238 yard have opaque fencing on any side of the state impound yard that has frontage
239 with a highway.
- 240 (ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link
241 fencing.
- 242 (8)(a) Except as provided under Subsection (8)(b), a person may not operate or allow to
243 be operated a vehicle stored in a public garage, impound lot, or impound yard
244 regulated under this part without prior written permission of the owner of the vehicle.
- 245 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking
246 space to another within the facility and that is necessary for the normal management
247 of the facility is not prohibited under Subsection (8)(a).
- 248 (9) A person who violates the provisions of Subsection (8) is guilty of a class C
249 misdemeanor.
- 250 (10) The division or the peace officer who seizes a vehicle shall record the mileage shown
251 on the vehicle's odometer at the time of seizure, if:
- 252 (a) the vehicle is equipped with an odometer; and
253 (b) the odometer reading is accessible to the division or the peace officer.
- 254 Section 5. Section **41-6a-403** is amended to read:
- 255 **41-6a-403 . Vehicle accidents -- Investigation and report of operator security --**
256 **Agency action if no security -- Surrender of plates -- Penalties.**
- 257 (1)(a) Upon request of a peace officer investigating an accident involving a motor
258 vehicle, the operator of the motor vehicle shall provide evidence of the owner's or
259 operator's security required under Section 41-12a-301.
- 260 (b) The evidence of owner's or operator's security includes information specified under
261 Section [~~41-12a-303.2~~] 41-12a-302.
- 262 (2) The peace officer shall record on a form approved by the department:
- 263 (a) the information provided by the operator;
264 (b) whether the operator provided insufficient or no information;
265 (c) whether the officer finds reasonable cause to believe that any information given is

- 266 not correct; and
- 267 (d) whether other information available to the peace officer indicates that owner's or
268 operator's security is in effect.
- 269 (3) The peace officer shall deposit all completed forms with the peace officer's law
270 enforcement agency, which shall forward the forms to the department no later than 10
271 days after receipt.
- 272 (4)(a) The department shall within 10 days of receipt of the forms from the law
273 enforcement agency take action as follows:
- 274 (i) if the operator provided no information under Subsection (1) and other
275 information available to the peace officer does not indicate that owner's or
276 operator's security is in effect, the department shall take direct action under
277 Subsection 53-3-221(13); or
- 278 (ii) if the peace officer noted or the department determines that there is reasonable
279 cause to believe that the information given under Subsection (1) is not correct, the
280 department shall contact directly the insurance company or other provider of
281 security as described in Section [~~41-12a-303.2~~] 41-12a-302 and request
282 verification of the accuracy of the information submitted as of the date of the
283 accident.
- 284 (b) The department may require the verification under Subsection (4)(a)(ii) to be in a
285 form specified by the department.
- 286 (c) The insurance company or other provider of security shall return the verification to
287 the department within 30 days of receipt of the request.
- 288 (d) If the department does not receive verification within 35 days after sending the
289 request, or within the 35 days receives notice that the information was not correct, the
290 department shall take action under Subsection 53-3-221(13).
- 291 (5)(a) The owner of a vehicle with an unexpired license plate for which security is not
292 provided as required under this chapter shall return the plates for the vehicle to the
293 Motor Vehicle Division unless specifically permitted by statute to retain them.
- 294 (b) If the owner fails to return the plates as required, the plates shall be confiscated
295 under Section 53-3-226.
- 296 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
297 department may make rules for the enforcement of this section.
- 298 (7) A person is guilty of a class B misdemeanor, and shall be fined not less than \$100, who:
299 (a) when requested to provide security information under Subsection (1), or Section [

- 300 41-12a-303.2] 41-12a-302, provides false information;
 301 (b) falsely represents to the department that security required under this chapter is in
 302 effect; or
 303 (c) sells a vehicle to avoid the penalties of this section as applicable either to himself or
 304 a third party.

305 Section 6. Section **41-6a-604** is amended to read:

306 **41-6a-604 . Maximum speed in a school zone -- Penalty -- Minimum fines --**
 307 **Compensatory service -- Waiver -- Recordkeeping.**

- 308 (1) A person may not operate a vehicle at a speed greater than 20 miles per hour in a
 309 reduced speed school zone as defined in Section 41-6a-303.
 310 (2)(a) [A] Except as provided in Subsection (2)(b), a violation of Subsection (1) is an
 311 infraction subject to the minimum fine described in Subsection (3)(a).
 312 (b) A violation of Subsection (1) is a class C misdemeanor [and] if the vehicle speed is
 313 30 miles per hour or more and subject to the minimum fine[?] described in Subsection
 314 (3)(a).

315 (3)(a) The minimum fine for a violation of Subsection (1):

316 (i) for a first offense shall be calculated according to the following schedule:

317 Vehicle Speed	Minimum Fine
318 21 - 29 MPH	\$ 260
319 30 - 39 MPH	\$ 420
320 40 MPH and greater	\$ 760

321 (ii) for a second and subsequent offense within three years of a previous conviction [
 322 ~~or bail forfeiture~~] shall be calculated according to the following schedule:

323 Vehicle Speed	Minimum Fine
324 21 - 29 MPH	\$ 320
325 30 - 39 MPH	\$ 560
326 40 MPH and greater	\$ 960

- 327 (b)(i) Except as provided under Subsection [(2)(a)(ii)] (3)(a)(ii), the court may order
 328 the person to perform compensatory service in lieu of the fine or any portion of
 329 the fine.
 330 (ii) The court shall order the person to perform compensatory service observing a
 331 crossing guard if the conviction is for a:

- 332 (A) first offense with a vehicle speed of 30 miles per hour or more; or
- 333 (B) second and subsequent offense within three years of a previous conviction~~[or~~
- 334 ~~bail forfeiture]~~.

335 (iii) The court may waive the compensatory service required under Subsection [
 336 ~~(2)(b)(ii)] (3)(b)(ii) if the court makes the reasons for the waiver part of the record.~~

337 ~~[(3)] (4)~~ The Driver License Division shall develop and implement a record system to
 338 distinguish:

- 339 (a) a conviction ~~[or bail forfeiture]~~ under this section from other convictions; and
- 340 (b) between a first and subsequent conviction ~~[or bail forfeiture]~~ under this section.

341 ~~[(4)] (5)~~ The provisions of this section take precedence over the provisions of Sections
 342 41-6a-601, 41-6a-602, 41-6a-603, and 76-3-301.

343 Section 7. Section **41-6a-1715** is amended to read:

344 **41-6a-1715 . Careless driving defined and prohibited.**

- 345 (1) A person operating a motor vehicle is guilty of careless driving if the person:
 - 346 (a) commits two or more moving traffic violations under this chapter in a series of acts
 - 347 within a single continuous period of driving covering three miles or less in total
 - 348 distance; or
 - 349 (b) commits a moving traffic violation under this chapter other than a moving traffic
 - 350 violation under Part 6, Speed Restrictions, while being distracted by one or more
 - 351 activities taking place within the vehicle that are not related to the operation of a
 - 352 motor vehicle, including:
 - 353 (i) searching for an item in the vehicle; or
 - 354 (ii) attending to personal hygiene or grooming.

355 (2) A violation of this section is ~~[a class C misdemeanor]~~ an infraction.

356 (3) In addition to the penalty provided under this section or any other section, a judge may
 357 order the revocation of the convicted person's driver license if the violation causes or
 358 results in the death of another person in accordance with Subsection 53-3-218(7).

359 Section 8. Section **41-12a-302** is amended to read:

360 **41-12a-302 . Operating motor vehicle without owner's or operator's security --**
 361 **Penalty.**

362 ~~[(1)(a) Except as provided in Subsection (1)(b), an owner of a motor vehicle on which~~
 363 ~~owner's or operator's security is required under Section 41-12a-301, who operates the~~
 364 ~~owner's vehicle or permits it to be operated on a highway in this state without owner's~~
 365 ~~security being in effect is guilty of a class C misdemeanor, and the fine shall be not~~

- 366 less than:]
- 367 [(i) \$400 for a first offense; and]
- 368 [(ii) \$1,000 for a second and subsequent offense within three years of a previous
- 369 conviction or bail forfeiture.]
- 370 [(b) A court may waive up to \$300 of the fine charged to the owner of a motor vehicle
- 371 under Subsection (1)(a)(i) if the owner demonstrates that owner's or operator's
- 372 security required under Section 41-12a-301 was obtained subsequent to the violation
- 373 but before sentencing.]
- 374 [(2)(a) Except as provided under Subsection (2)(b), any other person who operates a
- 375 motor vehicle upon a highway in Utah with the knowledge that the owner does not
- 376 have owner's security in effect for the motor vehicle is also guilty of a class C
- 377 misdemeanor, and the fine shall be not less than:]
- 378 [(i) \$400 for a first offense; and]
- 379 [(ii) \$1,000 for a second and subsequent offense within three years of a previous
- 380 conviction or bail forfeiture.]
- 381 [(b) A person that has in effect owner's security on a Utah-registered motor vehicle or its
- 382 equivalent that covers the operation, by the person, of the motor vehicle in question is
- 383 exempt from this Subsection (2).]
- 384 (1) As used in this section:
- 385 (a) "Evidence of owner's or operator's security" means the following information
- 386 regarding a motor vehicle:
- 387 (i) a copy of an operator's valid:
- 388 (A) insurance policy;
- 389 (B) insurance policy declaration page;
- 390 (C) binder notice;
- 391 (D) renewal notice; or
- 392 (E) card issued by an insurance company as evidence of insurance;
- 393 (ii) a certificate of insurance issued under Section 41-12a-402;
- 394 (iii) a certified copy of a surety bond issued under Section 41-12a-405;
- 395 (iv) a certificate of the state treasurer issued under Section 41-12a-406;
- 396 (v) a certificate of self-funded coverage issued under Section 41-12a-407;
- 397 (vi) if the motor vehicle is owned by a rental company, the rental vehicle's rental
- 398 agreement; or
- 399 (vii) information that the vehicle or driver is insured from the Uninsured Motorist

- 400 Identification Database Program created under Title 41, Chapter 12a, Part 8,
401 Uninsured Motorist Identification Database Program.
- 402 (b) "Rental agreement" means the same as that term is defined in Section 31A-22-311.
403 (c) "Rental company" means the same as that term is defined in Section 31A-22-311.
- 404 (2) An actor commits operating a motor vehicle without owner's or operator's security if the
405 actor:
- 406 (a)(i) is the owner of a motor vehicle for which owner's or operator's security is
407 required under Section 41-12a-301; and
- 408 (ii)(A) operates the vehicle on a highway in Utah without owner's or operator's
409 security being in effect; or
- 410 (B) permits the vehicle to be operated on a highway in Utah without owner's or
411 operator's security being in effect;
- 412 (b)(i) operates a motor vehicle for which owner's or operator's security is required
413 under Section 41-12a-301 upon a highway in Utah; and
- 414 (ii) knows that the owner of the motor vehicle does not have owner's or operator's
415 security in effect; or
- 416 (c)(i) operates a motor vehicle for which owner's or operator's security is required
417 under Section 41-12a-301 upon a highway in Utah;
- 418 (ii) does not have evidence of owner's or operator's security in the actor's immediate
419 possession for the motor vehicle; and
- 420 (iii) fails to display evidence of owner's or operator's security upon demand of a
421 peace officer.
- 422 (3) A violation of Subsection (2) is a class C misdemeanor.
- 423 (4)(a)(i) Except as provided in Subsection (4)(b), for a conviction under this section,
424 a court shall order a fine of not less than \$400.
- 425 (ii) A court may waive up to \$300 of the fine charged to the owner of a motor vehicle
426 under Subsection (4)(a)(i) if, before sentencing, the owner demonstrates that
427 owner's or operator's security required under Section 41-12a-301 was obtained
428 after the violation.
- 429 (b) For a second and subsequent offense within three years of a previous conviction
430 under this section, a court shall order a fine of not less than \$1,000.
- 431 (5) An actor does not violate Subsection (2)(b) if the actor has in effect owner's security on
432 a Utah-registered motor vehicle or an equivalent that covers the operation, by the actor,
433 of the motor vehicle the actor is operating.

- 434 (6)(a) It is an affirmative defense to a charge or in an administrative action for a
435 violation of Subsection (2)(c) that the actor had owner's or operator's security in
436 effect for the vehicle that the actor was operating at the time of the actor's citation or
437 arrest.
- 438 (b) Subsection (2)(c) does not apply to an individual operating:
439 (i) a government-owned or government-leased motor vehicle; or
440 (ii) an employer-owned or employer-leased motor vehicle and is driving the motor
441 vehicle with the employer's permission.
- 442 (c)(i) An actor may provide to a peace officer evidence of owner's or operator's
443 security as described in Subsection (2)(c) in:
444 (A) a hard copy format; or
445 (B) an electronic format using a mobile electronic device.
446 (ii)(A) If an actor provides evidence of owner's or operator's security in an
447 electronic format using a mobile electronic device under Subsection (6)(c)(i)(B),
448 the peace officer viewing the owner's or operator's security on the mobile
449 electronic device may not view any other content on the mobile electronic
450 device.
451 (B) Notwithstanding any other provision under this section, a peace officer is not
452 subject to civil liability or criminal penalties under this section if the peace
453 officer, while viewing the owner's or operator's security on the mobile
454 electronic device under Subsection (6)(c)(i)(B) inadvertently views content
455 other than the evidence of owner's or operator's security on the mobile
456 electronic device.
- 457 (d) Information from the Uninsured Motorist Identification Database Program described
458 under Subsection (1)(a)(vii) supersedes any evidence of owner's or operator's security
459 described under Subsection (1)(a)(i)(D) or (E).
- 460 (e) A peace officer may not cite or arrest an actor for a violation of Subsection (2)(c) if
461 the Uninsured Motorist Identification Database Program created under Title 41,
462 Chapter 12a, Part 8, Uninsured Motorist Identification Database Program,
463 information indicates that the vehicle or driver is insured.
- 464 (7)(a) The following are proof of owner's or operator's security that can be submitted as
465 part of the affirmative defense described in Subsection (6)(a) and under Section
466 41-12a-804:
467 (i) evidence of owner's or operator's security;

- 468 (ii) a written statement from an insurance producer or company verifying that the
469 actor had the required motor vehicle insurance coverage on the date specified; or
470 (iii) a written statement from an insurance producer or company, or provision in an
471 insurance policy, indicating that the policy provides coverage for a newly
472 purchased car and the coverage extended to the date specified.
- 473 (b) A court considering a citation for a violation of Subsection (2)(c) shall allow the
474 evidence or a written statement under Subsection (7)(a) and a copy of the citation to
475 be electronically submitted or mailed to the clerk of the court to satisfy Subsection
476 (6)(a).
- 477 (c) The notice under Section 41-12a-804 shall specify that the written statement under
478 Subsection (7)(a) and a copy of the notice shall be faxed or mailed to the designated
479 agent to satisfy the proof of owner's or operator's security required under Section
480 41-12a-804.
- 481 (8)(a) Upon receiving notification from a court of a conviction for a violation of this
482 section, the department:
- 483 (i) shall suspend the actor's driver license; and
484 (ii) may not renew the actor's driver license or issue a driver license to the actor until
485 the actor gives the department proof of owner's or operator's security.
- 486 (b) The proof of owner's or operator's security described in Subsection (8)(a)(ii) shall:
487 (i) be given by any of the ways required under Section 41-12a-401; and
488 (ii) be maintained with the department for a three-year period.
- 489 (c) An insurer that provides a certificate of insurance as provided under Section
490 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of
491 termination is filed with the department no later than 10 days after termination as
492 required under Section 41-12a-404.
- 493 (d) The department shall:
- 494 (i) suspend the actor's driver license for the remainder of the three-year period if the
495 department is notified that security required in Subsection (8)(b) is no longer
496 valid; and
497 (ii) may not reinstate the actor's driver license or issue a driver license to the actor
498 until the actor gives the department proof of owner's or operator's security for the
499 remainder of the three-year period.
- 500 (9) A card issued by an insurance company as evidence of owner's or operator's security
501 under Subsection (1)(a)(i)(E) may not display the owner's or operator's address on the

502 card.

503 Section 9. Section **41-12a-303.3** is amended to read:

504 **41-12a-303.3 . Providing false evidence of owner's or operator's security --**
 505 **Penalty.**

506 A person who provides evidence of owner's or operator's security to a peace officer
 507 under Section [~~41-12a-303.2~~] 41-12a-302 knowing or having reason to believe that the
 508 evidence of owner's or operator's security is false or that it is evidence of owner's or operator's
 509 security that is not in effect is guilty of a class B misdemeanor.

510 Section 10. Section **41-12a-804** is amended to read:

511 **41-12a-804 . Notice -- Proof -- Revocation of registration -- False statements --**
 512 **Penalties -- Exemptions -- Sales tax enforcement.**

513 (1) Subject to Subsection (3), if the comparison under Section 41-12a-803 shows that a
 514 motor vehicle is not insured for three consecutive months, or a motorboat is not insured
 515 for two consecutive months, the Motor Vehicle Division shall direct that the designated
 516 agent provide notice to the owner of the motor vehicle or motorboat that the owner has
 517 15 days to provide:

518 (a) proof of owner's or operator's security in a form allowed under [~~Subsection~~
 519 ~~41-12a-303.2(2)~~] Section 41-12a-302; or

520 (b) proof of exemption from the owner's or operator's security requirements.

521 (2) Subject to Subsection (3), if an owner of a motor vehicle or motorboat fails to provide
 522 satisfactory proof of owner's or operator's security to the designated agent, the
 523 designated agent shall:

524 (a) provide a second notice to the owner of the motor vehicle or motorboat that the
 525 owner now has 15 days to provide:

526 (i) proof of owner's or operator's security in a form allowed under [~~Subsection~~
 527 ~~41-12a-303.2(2)~~] Section 41-12a-302; or

528 (ii) proof of exemption from the owner's or operator's security requirements;

529 (b) for each notice provided, indicate information relating to the owner's failure to
 530 provide proof of owner's or operator's security in the database; and

531 (c) provide this information to state and local law enforcement agencies as requested in
 532 accordance with the provisions under Section 41-12a-805.

533 (3)(a) Except as provided in Subsection (3)(b), for a motorboat, Subsections (1) and (2)
 534 only apply during the months of April through October.

535 (b) For a motorboat, the designated agent shall comply with the requirement described in

- 536 Subsection (2)(c) year-round.
- 537 (c) For a notice required under Subsection (1) for a motorboat, the requirement for the
538 Motor Vehicle Division and the designated agent to send notice begins on January 1,
539 2026.
- 540 (4)(a) The Motor Vehicle Division:
- 541 (i) shall revoke the registration upon receiving notification under Subsection
542 41-1a-110(2);
- 543 (ii) shall provide appropriate notices of the revocation, the legal consequences of
544 operating a vehicle with revoked registration and without owner's or operator's
545 security, and instructions on how to get the registration reinstated; and
- 546 (iii) may direct the designated agent to provide the notices under this Subsection
547 (4)(a).
- 548 (b) For a motorboat, Subsection (4)(a) only applies during the months of April through
549 October.
- 550 (5) Any action by the Motor Vehicle Division to revoke the registration of a motor vehicle
551 or motorboat under this section may be in addition to an action by a law enforcement
552 agency to impose the penalties under Section 41-12a-302[~~or 41-12a-303.2~~].
- 553 (6)(a) A person may not provide a false or fraudulent statement to the Motor Vehicle
554 Division or designated agent.
- 555 (b) In addition to any other penalties, a person who violates Subsection (6)(a) is guilty of
556 a class B misdemeanor.
- 557 (7) The department and the Motor Vehicle Division shall direct the designated agent to
558 exempt from this section a farm truck that:
- 559 (a) meets the definition of a farm truck under Section 41-1a-102; and
560 (b) is registered as a farm truck under Title 41, Chapter 1a, Motor Vehicle Act.
- 561 (8) This part does not affect other actions or penalties that may be taken or imposed for
562 violation of the owner's and operator's security requirements of this chapter.
- 563 (9) If a comparison under Section 41-12a-803 shows that a motor vehicle or motorboat may
564 not be in compliance with motor vehicle or motorboat registration or sales and use tax
565 laws, the Motor Vehicle Division may direct that the designated agent provide notice to
566 the owner of a motor vehicle or motorboat that information exists which indicates the
567 possible violation.

568 Section 11. Section **73-18c-304** is amended to read:

569 **73-18c-304 . Evidence of owner's or operator's security to be carried when**

570 **operating motorboat -- Defense -- Penalties.**

571 (1)(a)(i) Except as provided in Subsection (1)(a)(ii), a person operating a motorboat
572 shall:

573 (A) have in the person's immediate possession evidence of owner's or operator's
574 security for the motorboat the person is operating; and

575 (B) display it upon demand of a peace officer.

576 (ii) A person operating a government-owned or government-leased motorboat is
577 exempt from the requirements of Subsection (1)(a)(i).

578 (b) Evidence of owner's or operator's security includes any one of the following:

579 (i) the operator's:

580 (A) insurance policy;

581 (B) binder notice;

582 (C) renewal notice; or

583 (D) card issued by an insurance company as evidence of insurance;

584 (ii) a copy of a surety bond, certified by the surety, which conforms to Section
585 73-18c-102;

586 (iii) a certificate of the state treasurer issued under Section 73-18c-305;

587 (iv) a certificate of self-funded coverage issued under Section 73-18c-306;

588 (v) a digital copy or photograph of the evidence of owner's or operator's security
589 described in Subsections (1)(b)(i) through (iv); or

590 (vi) a mobile application displaying evidence of owner's or operator's security
591 described in Subsections (1)(b)(i) through (iv).

592 (2) It is an affirmative defense to a charge under this section that the person had owner's or
593 operator's security in effect for the motorboat the person was operating at the time of the
594 person's citation or arrest.

595 (3)(a) A letter from an insurance producer or company verifying that the person had the
596 required liability insurance coverage on the date specified is considered proof of
597 owner's or operator's security for purposes of Subsection (2).

598 (b) The court considering a citation issued under this section shall allow the letter under
599 Subsection (3)(a) and a copy of the citation to be faxed or mailed to the clerk of the
600 court to satisfy Subsection (2).

601 (4) A violation of this section is a class C misdemeanor.

602 (5) If a person is convicted of a violation of this section and if the person is the owner of a
603 motorboat, the court shall:

- 604 (a) require the person to surrender the person's registration materials to the court; and
- 605 (b) forward the registration materials, together with a copy of the conviction, to the
- 606 division.

607 (6)(a) Upon receiving notification from a court of a conviction for a violation of this
608 section, the division shall revoke the person's motorboat registration.

609 (b) Any registration revoked shall be renewed in accordance with Section 73-18-7.

610 (7) Information from the Uninsured Motorist Identification Database Program created
611 under Title 41, Chapter 12a, Part 8, Uninsured Motorist Identification Database
612 Program, supersedes any evidence of owner's or operator's security described under
613 Subsection (1)(b).

614 Section 12. **Repealer.**

615 This bill repeals:

616 Section **41-12a-303.2, Evidence of owner's or operator's security to be carried when**
617 **operating motor vehicle -- Defense -- Penalties.**

618 Section 13. **Effective Date.**

619 This bill takes effect on May 6, 2026.