

HB0217S01 compared with HB0217

~~Omitted text~~ shows text that was in HB0217 but was omitted in HB0217S01
inserted text shows text that was not in HB0217 but was inserted into HB0217S01

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LONG TITLE

General Description:

This bill preempts a political subdivision from imposing certain restrictions on reporting a vehicle theft.

Highlighted Provisions:

This bill:

- ▶ {preempts a local law or ordinance:}
 - preempts a local law or ordinance restricting a person's ability to report a vehicle theft; {or
 - imposing a time limit before which a person is prohibited from} provides parameters for
- orting {a} of vehicle theft with regard to vehicles subject to a rental agreement; {and}
- ▶ {invalidates a local law or ordinance that imposes those restrictions.}
- ▶ provides for circumstances where a local government is required to accept a report of a
- len vehicle subject to a rental agreement; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

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17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 **AMENDS:**

21 **41-1a-1402** , as last amended by Laws of Utah 1998, Chapter 263

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

24 Section 1. Section **41-1a-1402** is amended to read:

25 **41-1a-1402. Report by owners or lienholders of thefts and recoveries -- Preemption on restrictions on vehicle theft reporting.**

27 (1) As used in this section, "written rental agreement" means a contract for temporary use of a vehicle that:

29 (a) specifies an agreed time for return of the vehicle; and

30 (b) identifies the authorized operator of the vehicle.

26 [(1)] (2)

29 (a) The owner, or person having a lien or encumbrance upon a vehicle, vessel, or outboard motor that has been stolen, may notify the law enforcement agency having jurisdiction where the theft occurred.

29 (b) In the event of an embezzlement the owner or person may make a report only after having procured the issuance of a warrant for the arrest of the person charged with embezzlement.

32 [(2)] (3)

32 (a) If a vehicle, vessel, or outboard motor is recovered, an owner or other person who has given any notice under Subsection [(1)] (2) shall notify the law enforcement agency where the theft or embezzlement was reported.

35 (b) The law enforcement agency shall notify the Criminal Investigations and Technical Services Division, established in Section 53-10-103, of recovery.

37 (3){(4)}

37 (a) {A} Except as provided in Subsection (4)(b), a political subdivision {of the state} may not enact or enforce a law, ordinance, or rulethat:

38 (i) {restricting} restricts a person's ability to report the theft of a vehicle, vessel, or outboard motor; or

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40 (ii) {imposing} imposes a time {limit} period before which a person is prohibited from reporting the theft of a vehicle, vessel, or outboard motor, including requirements for written demands, certified notice, notarization, supervisory approval, or other procedural prerequisites not expressly authorized in this section.

42 (b) {Any law} For a vehicle subject to a written rental agreement, {ordinance, or rule described in } unless Subsection {3}(a) in effect on or before May 6, 2026, is invalid and unenforceable} {4}(c) applies, a local government may prohibit a person from filing a stolen vehicle report until 48 hours after the vehicle's scheduled return time under the written rental agreement.

53 (c) A political subdivision may not prohibit or delay the reporting of a vehicle as stolen at any time if the reporting party provides evidence of theft, including:

55 (i) use or possession of the vehicle by an unauthorized person;

56 (ii) a material misrepresentation or fraud in obtaining possession of the vehicle;

57 (iii) an express refusal to return the vehicle;

58 (iv) credible information indicating the vehicle is being used in the commission of a crime or is unlikely to be voluntarily returned; or

60 (v) other articulable facts demonstrating an intent to permanently deprive the owner of possession.

62 (d) A political subdivision may require, as a condition of accepting a stolen vehicle report under Subsection (4)(b), reasonable documentation establishing:

64 (i) ownership or lawful possession of the vehicle;

65 (ii) the existence and expiration of the written rental agreement;

66 (iii) that the vehicle has not been returned or lawfully extended; and

67 (iv) reasonable attempts to contact the renter using the contact information provided in the written rental agreement.

69 (e) Acceptance or processing of payment after the return time specified in a written rental agreement does not, by itself, preclude the reporting of a vehicle as stolen.

71 Section 2. Effective date.

Effective Date.

This bill takes effect on May 6, 2026.

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