

HB0381S02 compared with HB0381S01

{Omitted text} shows text that was in HB0381S01 but was omitted in HB0381S02
inserted text shows text that was not in HB0381S01 but was inserted into HB0381S02

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Electric Mobility Device Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul A. Cutler

Senate Sponsor:

LONG TITLE

General Description:

This bill amends provisions regarding electric assisted bicycles and other devices.

Highlighted Provisions:

This bill:

- defines terms;
- clarifies that the definition of motorcycle includes a motorcycle being powered by an electric or combustion engine;
- makes it unlawful to consume alcohol while operating an electric assisted bicycle;
- addresses tampering with or modifying equipment beyond the manufacturer's original settings on electric assisted bicycle or motorcycle;
- requires that an individual under {16} 21 years old must wear a helmet while operating certain vehicles on a highway;
- allows a peace officer to hold an individual's electric vehicle and release it to a parent if the peace officer observes a violation and the individual is under 18 years old.

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creates a safety course for the operation of certain electric devices on a highway and describes the circumstances under which the course is required; and

18 ▸ makes technical changes.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 This bill provides a special effective date.

25 **Utah Code Sections Affected:**

26 **AMENDS:**

27 **13-20-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234

28 **13-35-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 507

29 **41-6a-102 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws of Utah 2025, Chapters 220, 471

31 **41-6a-526 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 84

32 **41-6a-706.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 84

33 **41-6a-1115 (Effective 05/05/27)**, as last amended by Laws of Utah 2019, Chapter 428

34 **41-6a-1115.5 (Effective 05/05/27)**, as last amended by Laws of Utah 2024, Chapter 445

35 **41-6a-1116 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 452

36 **41-6a-1501 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412

37 **41-6a-1502 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 74

38 **41-6a-1503 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412

39 **41-6a-1504 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412

40 **41-6a-1505 (Effective 05/06/26)**, as last amended by Laws of Utah 2017, Chapter 369

41 **41-6a-1506 (Effective 05/06/26)**, as last amended by Laws of Utah 2016, Chapter 40

42 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws of Utah 2025, Chapter 285

44 **41-22-3.5 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 279**

45 **53-3-202 (Effective 05/05/27)**, as last amended by Laws of Utah 2025, Chapter 229

46 **63I-1-241 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 277

47 **79-7-301 (Effective 05/06/26), as enacted by Laws of Utah 2021, Chapter 280**

48 **ENACTS:**

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49 **41-6a-1115.6 (Effective 05/06/26), Utah Code Annotated 1953**

50 **41-6a-1511 (Effective 05/06/26), Utah Code Annotated 1953**

51 **41-6a-1512 (Effective 05/05/27), Utah Code Annotated 1953**

52 **41-6a-1513 (Effective 05/06/26), Utah Code Annotated 1953**

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

54 Section 1. Section **13-20-2** is amended to read:

55 **13-20-2. Definitions.**

56 As used in this chapter:

52 (1) "Consumer" means an individual who enters into an agreement or contract for the transfer, lease, purchase of a new motor vehicle other than for purposes of resale, or sublease during the duration of the period defined under Section 13-20-5.

55 (2) "Manufacturer" means manufacturer, importer, distributor, or anyone who is named as the warrantor on an express written warranty on a motor vehicle.

57 (3) "Motor home" means a self-propelled vehicular unit, primarily designed as a temporary dwelling for travel, recreational, and vacation use.

59 (4)

60 (a) "Motor vehicle" includes:

62 (i) a motor home, as defined in this section, but only the self-propelled vehicle and chassis sold in this state;

63 (ii) a motor vehicle, as defined in Section 41-1a-102, sold in this state; and

65 (iii) a motorcycle, as defined in Section 41-1a-102, sold in this state if the motorcycle is designed primarily for use and operation on paved highways.

66 (b) "Motor vehicle" does not include:

68 (i) those portions of a motor home designated, used, or maintained primarily as a mobile dwelling, office, or commercial space;

69 (ii) a road tractor or truck tractor as defined in Section 41-1a-102;

70 (iii) a mobile home as defined in Section 41-1a-102;

71 (iv) any motor vehicle with a gross laden weight of over 14,000 pounds, except:

72 (A) a motor home as defined under Subsection (3); and

72 (B) a farm tractor as defined in Section 41-1a-102;

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73 (v) a motorcycle, as defined in Section 41-1a-102, if the motorcycle is designed primarily for use or
operation over unimproved terrain;

75 (vi) an electric assisted bicycle as defined in Section 41-6a-102;

76 (vii) a moped as defined in Section 41-6a-102; or

77 (viii) a motor assisted scooter as defined in Section 41-6a-102[; ~~or~~].

78 [~~(ix) a motor-driven cycle as defined in Section 41-6a-102.~~]

79 (5) "Recreational vehicle trailer" means a travel trailer, camping trailer, or fifth wheel trailer.

80 Section 2. Section **13-35-102** is amended to read:

13-35-102. Definitions.

81 As used in this chapter:

82 (1) "Dealership" means a site or location in this state:

83 (a) at which a franchisee conducts the business of a new powersport vehicle dealer; and

84 (b) that is identified as a new powersport vehicle dealer's principal place of business for registration
purposes under Section 13-35-105.

85 (2) "Department" means the Department of Commerce.

86 (3) "Executive director" means the executive director of the Department of Commerce.

87 (4) "Franchise" or "franchise agreement" means a written agreement, for a definite or indefinite period,
in which:

88 (a) a person grants to another person a license to use a trade name, trademark, service mark, or related
characteristic; and

89 (b) a community of interest exists in the marketing of new powersport vehicles, new powersport vehicle
parts, and services related to the sale or lease of new powersport vehicles at wholesale or retail.

90 (5) "Franchisee" means a person with whom a franchisor has agreed or permitted, in writing or in
practice, to purchase, sell, or offer for sale new powersport vehicles manufactured, produced,
represented, or distributed by the franchisor.

91 (6)

92 (a) "Franchisor" means a person who has, in writing or in practice, agreed with or permits a franchisee
to purchase, sell, or offer for sale new powersport vehicles manufactured, produced, represented, or
distributed by the franchisor, and includes:

93 (i) the manufacturer or distributor of the new powersport vehicles;

94 (ii) an intermediate distributor;

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105 (iii) an agent, officer, or field or area representative of the franchisor; and
106 (iv) a person who is affiliated with a manufacturer or a representative or who directly or indirectly
through an intermediary is controlled by, or is under common control with the manufacturer.

109 (b) For purposes of Subsection (6)(a)(iv), a person is controlled by a manufacturer if the manufacturer
has the authority directly or indirectly by law or by an agreement of the parties, to direct or
influence the management and policies of the person.

112 (7) "Lead" means the referral by a franchisor to a franchisee of an actual or potential customer for
the purchase or lease of a new powersport vehicle, or for service work related to the franchisor's
vehicles.

115 (8) "Line-make" means the powersport vehicles that are offered for sale, lease, or distribution under a
common name, trademark, service mark, or brand name of the franchisor, or manufacturer of the
powersport vehicle.

118 (9) "New powersport vehicle dealer" means a person who is engaged in the business of buying, selling,
offering for sale, or exchanging new powersport vehicles either outright or on conditional sale,
bailment, lease, chattel mortgage, or otherwise who has established a place of business for the sale,
lease, trade, or display of powersport vehicles.

123 (10) "Notice" or "notify" includes both traditional written communications and all reliable forms of
electronic communication unless expressly prohibited by statute or rule.

125 (11)
(a) "Powersport vehicle" means:
126 (i) an all-terrain type I, type II, or type III vehicle "ATV" defined in Section 41-22-2;
127 (ii) a snowmobile as defined in Section 41-22-2;
128 (iii) a motorcycle as defined in Section 41-1a-102;
129 (iv) a personal watercraft as defined in Section 73-18-2; or
130 [~~(v) except as provided in Subsection (11)(b), a motor-driven cycle as defined in Section 41-6a-102;~~
or]
132 [~~(vi)~~] (v) a moped as defined in Section 41-6a-102.
133 (b) "Powersport vehicle" does not include:
134 (i) an electric assisted bicycle defined in Section 41-6a-102;
135 (ii) a motor assisted scooter as defined in Section 41-6a-102; or
136 (iii) an electric personal assistive mobility device as defined in Section 41-6a-102.

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137 (12) "Relevant market area" means:

138 (a) for a powersport dealership in a county that has a population of less than 225,000:

139 (i) the county in which the powersport dealership exists or is to be established or relocated; and

141 (ii) in addition to the county described in Subsection (12)(a)(i), the area within a 15-mile radius from
the site of the existing, new, or relocated dealership; or

143 (b) for a powersport dealership in a county that has a population of 225,000 or more, the area within a
10-mile radius from the site of the existing, new, or relocated dealership.

145 (13) "Sale, transfer, or assignment" means any disposition of a franchise or an interest in a franchise,
with or without consideration, including a bequest, inheritance, gift, exchange, lease, or license.

148 (14) "Serve" or "served," unless expressly indicated otherwise by statute or rule, includes any reliable
form of communication.

150 (15) "Written," "write," "in writing," or other variations of those terms shall include all reliable forms of
electronic communication.

158 Section 3. Section **41-6a-102** is amended to read:

159 **41-6a-102. Definitions.**

As used in this chapter:

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

157 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.

158 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

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

160 (5) "Authorized emergency vehicle" includes:

161 (a) a fire department vehicle;

162 (b) a police vehicle;

163 (c) an ambulance; and

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

166 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.

167 (7)

168 (a) "Bicycle" means a wheeled vehicle:

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

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- (ii) with a seat or saddle designed for the use of the operator;
- (iii) designed to be operated on the ground; and
- (iv) whose wheels are not less than 14 inches in diameter.

"Bicycle" includes an electric assisted bicycle.

"Bicycle" does not include scooters and similar devices.

"Bicycle lane" means a portion of a highway that has been designated by a highway authority through striping, signage, pavement markings, or barriers for the preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted scooter traffic.

"Bicycle lane" does not include shared lanes intended for both motor vehicle and bicycle travel.

"Bus" means a motor vehicle:

- (i) designed for carrying more than 15 passengers and used for the transportation of persons; or
- (ii) designed and used for the transportation of persons for compensation.

"Bus" does not include a taxicab.

)

"Circular intersection" means an intersection that has an island, generally circular in design, located in the center of the intersection where traffic passes to the right of the island.

"Circular intersection" includes:

- roundabouts;
- rotaries; and
- traffic circles.

)

③ "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or electronics that:

- {f(a){1} {ii)}} provides assistance only when the rider is pedaling; and
- {f(b){1} {ii)}} ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

④ "Class 1 electric assisted bicycle" does not include a programmable electric assisted bicycle capable of operating as a class 2 electric assisted bicycle or a class 3 electric assisted bicycle.)

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{(a)} "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or electronics that:

202 {f(a){}} {(i)} may be used exclusively to propel the bicycle; and

203 {f(b){}} {(ii)} is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

205 {b) "Class 2 electric assisted bicycle" does not include a programmable electric assisted bicycle capable of operating as a class 3 electric assisted bicycle.}

207 (13)

{(a)} "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or electronics that:

209 {f(a){}} {(i)} provides assistance only when the rider is pedaling;

210 {f(b){}} {(ii)} ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour; and

212 {f(c){}} {(iii)} is equipped with a speedometer.

213 {b) "Class 3 electric assisted bicycle" includes a programmable electric assisted bicycle that is capable of operating as a class 3 electric assisted bicycle.}

215 (14) "Commissioner" means the commissioner of the Department of Public Safety.

216 (15) "Controlled-access highway" means a highway, street, or roadway:

217 (a) designed primarily for through traffic; and

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

221 (16) "Crosswalk" means:

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

224 (i)

(A) the curbs; or

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

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

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(b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

231 (17) "Department" means the Department of Public Safety.

232 (18) "Direct supervision" means oversight at a distance within which:

233 (a) visual contact is maintained; and

234 (b) advice and assistance can be given and received.

235 (19) "Divided highway" means a highway divided into two or more roadways by:

236 (a) an unpaved intervening space;

237 (b) a physical barrier; or

238 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

239 (20) "Echelon formation" means the operation of two or more snowplows arranged side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to clear snow from two or more lanes at once.

242 (21)

243 (a) "Electric assisted bicycle" means a bicycle with an electric motor that:

244 (i) has a power output of not more than 750 watts;

245 (ii) has fully operable pedals;

246 (iii) has permanently affixed cranks that were installed at the time of the original manufacture;

247 (iv) is fully operable as a bicycle without the use of the electric motor; and

248 (v) is one of the following:

249 (A) a class 1 electric assisted bicycle;

250 (B) a class 2 electric assisted bicycle;

251 (C) a class 3 electric assisted bicycle; or

252 (D) a programmable electric assisted bicycle.

253 (b) "Electric assisted bicycle" does not include:

254 (i) a moped;

255 (ii) a motor assisted scooter;

256 (iii) an electric motorcycle;

257 [(iii)] (iv) a motorcycle; or

258 [(iv) a motor-driven cycle; or]

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(v) any other vehicle with less than four wheels that is designed, manufactured, intended, or advertised by the seller to have any of the following capabilities or features, or that is modifiable or is modified to have any of the following capabilities or features:

- (A) has the ability to attain the speed of 20 miles per hour or greater on motor power alone;
- (B) is equipped with a continuous rated motor power of more than 750 watts[~~or greater~~];
- (C) is equipped with foot pegs for the operator at the time of manufacture, or requires installation of a pedal kit to have operable pedals; or
- (D) if equipped with multiple operating modes and a throttle, has one or more modes that exceed 20 miles per hour on motor power alone.

(22)

(a) "Electric personal assistive mobility device" means a self-balancing device with:

- (i) two nontandem wheels in contact with the ground;
- (ii) a system capable of steering and stopping the unit under typical operating conditions;
- (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- (v) a deck design for a person to stand while operating the device.

(b) "Electric personal assistive mobility device" does not include a wheelchair.

(23) "Electric motorcycle" means a motorcycle:

(a) powered by an electric motor of more than 750 watts; {and} or

(b) capable of exceeding a speed of 20 miles per hour using the power of the electric motor alone.

[{23}] (24) "Electric unicycle" means a self-balancing personal transportation device that:

- (a) has a single wheel;
- (b) is powered by an electric motor that utilizes gyroscopes and accelerometers to stabilize the rider; and
- (c) is designed for the operator to face in the direction of travel while operating the device.

[{24}] (25) "Explosives" means a chemical compound or mechanical mixture commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustive units or other ingredients in proportions, quantities, or packing so that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of causing death or serious bodily injury.

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297 [25] (26) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement, for
drawing plows, mowing machines, and other implements of husbandry.

299 [26] (27) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as
determined by a Tagliabue or equivalent closed-cup test device.

301 [27] (28) "Freeway" means a controlled-access highway that is part of the interstate system as defined
in Section 72-1-102.

303 [28] (29)

304 (a) "Golf cart" means a device that:

305 (i) is designed for transportation by players on a golf course;

306 (ii) has not less than three wheels in contact with the ground;

307 (iii) has an unladen weight of less than 1,800 pounds;

308 (iv) is designed to operate at low speeds; and

309 (v) is designed to carry not more than six persons including the driver.

310 (b) "Golf cart" does not include:

311 (i) a low-speed vehicle or an off-highway vehicle;

312 (ii) a motorized wheelchair;

313 (iii) an electric personal assistive mobility device;

314 (iv) an electric assisted bicycle;

315 (v) a motor assisted scooter;

316 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

317 (vii) a mobile carrier, as defined in Section 41-6a-1120.

318 [29] (30) "Gore area" means the area delineated by two solid white lines that is between a continuing
lane of a through roadway and a lane used to enter or exit the continuing lane including similar areas
between merging or splitting highways.

319 [30] (31) "Gross weight" means the weight of a vehicle without a load plus the weight of any load on
the vehicle.

320 (32)

321 (a) "High power electric device" means a self-propelled vehicle, other than a motor vehicle subject to
the title and registration requirement described in Chapter 1a, Motor Vehicle Act, powered by an
electric motor that is capable of traveling more than 20 miles per hour on the power of the electric
motor alone.

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325 (b) "High power electric device" includes {an electric motorcycle.} :

326 {(f31)} (33) an electric assisted bicycle that has modified or tampered equipment beyond the manufacturer's original settings to change the speed or power output; and

327 (ii) an electric assisted bicycle that has been modified to be capable of traveling more than 20 miles per hour on the power of the electric motor alone.

329 [(31)] (33) "Hi-rail vehicle" means a roadway maintenance vehicle that is:

327 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and

328 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a highway or railroad tracks.

330 [(32)] (34) "Highway" means the entire width between property lines of every way or place of any nature when any part of it is open to the use of the public as a matter of right for vehicular travel.

333 [(33)] (35) "Highway authority" means the same as that term is defined in Section 72-1-102.

334 [(34)] (36) "Interdicted person" means the same as that term is defined in Section 32B-1-102.

335 [(35)] (37)

338 (a) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two or more highways that join one another.

339 (b) Where a highway includes two roadways 30 feet or more apart:

341 (i) every crossing of each roadway of the divided highway by an intersecting highway is a separate intersection; and

341 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of the highways is a separate intersection.

343 (c) "Intersection" does not include the junction of an alley with a street or highway.

344 [(36)] (38) "Island" means an area between traffic lanes or at an intersection for control of vehicle movements or for pedestrian refuge designated by:

346 (a) pavement markings, which may include an area designated by two solid yellow lines surrounding the perimeter of the area;

348 (b) channelizing devices;

349 (c) curbs;

350 (d) pavement edges; or

351 (e) other devices.

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352 [({37})] (39)

- (a) "Lane filtering" means, when operating a motorcycle other than an autocycle, the act of overtaking and passing another vehicle that is stopped in the same direction of travel in the same lane.
- (b) "Lane filtering" does not include lane splitting.

355 [({38})] (40)

- (a) "Lane splitting" means, when operating a motorcycle other than an autocycle, the act of riding a motorcycle between clearly marked lanes for traffic traveling in the same direction of travel while traffic is in motion.
- (b) "Lane splitting" does not include lane filtering.

359 [({39})] (41) "Law enforcement agency" means the same as that term is as defined in Section 53-1-102.

360 [({40})] (42) "Limited access highway" means a highway:

- (a) that is designated specifically for through traffic; and
- (b) over, from, or to which neither owners nor occupants of abutting lands nor other persons have any right or easement, or have only a limited right or easement of access, light, air, or view.

363 [({41})] (43) "Local highway authority" means the legislative, executive, or governing body of a county, municipal, or other local board or body having authority to enact laws relating to traffic under the constitution and laws of the state.

367 [({42})] (44)

- (a) "Low-speed vehicle" means a four wheeled motor vehicle that:
 - (i) is designed to be operated at speeds of not more than 25 miles per hour; and
 - (ii) has a capacity of not more than six passengers, including a conventional driver or fallback-ready user if on board the vehicle, as those terms are defined in Section 41-26-102.1.
- (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

371 [({43})] (45) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

375 [({44})] (46)

- (a) "Mini-motorcycle" means a motorcycle [or motor-driven cycle] that has a seat or saddle that is less than 24 inches from the ground as measured on a level surface with properly inflated tires.
- (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- (c) "Mini-motorcycle" does not include a motorcycle that is:
 - (i) designed for off-highway use; and

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

385 [~~(45)~~] (47) "Mobile home" means:

386 (a) a trailer or semitrailer that is:

387 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping place either
permanently or temporarily; and

389 (ii) equipped for use as a conveyance on streets and highways; or

390 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a
mobile home, as defined in Subsection [~~(45)(a),~~] (47)(a), but that is instead used permanently or
temporarily for:

393 (i) the advertising, sale, display, or promotion of merchandise or services; or

394 (ii) any other commercial purpose except the transportation of property for hire or the transportation of
property for distribution by a private carrier.

396 [~~(46)~~] (48) "Mobility disability" means the inability of a person to use one or more of the person's
extremities or difficulty with motor skills, that may include limitations with walking, grasping, or
lifting an object, caused by a neuro-muscular, orthopedic, or other condition.

400 [~~(47)~~] (49)

401 (a) "Moped" means a ~~motor-driven cycle~~ motorcycle having:

402 (i) pedals to permit propulsion by human power; and

403 (ii) a motor that:

404 (A) produces not more than two brake horsepower; and

405 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on level ground.

406 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters and
the moped shall have a power drive system that functions directly or automatically without clutching
or shifting by the operator after the drive system is engaged.

408 (c) "Moped" does not include:

410 (i) an electric assisted bicycle; or

411 (ii) a motor assisted scooter.

413 [~~(48)~~] (50)

414 (a) "Motor assisted scooter" means a self-propelled device with:

415 (i) at least two wheels in contact with the ground;

416 (ii) a braking system capable of stopping the unit under typical operating conditions;

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416 (iii) an electric motor not exceeding 2,000 watts;

417 (iv) either:

418 (A) handlebars and a deck design for a person to stand while operating the device; or

420 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating the device;

422 (v) a design for the ability to be propelled by human power alone; and

423 (vi) a maximum speed of 20 miles per hour on a paved level surface.

424 (b) "Motor assisted scooter" does not include[:]an electric assisted bicycle.

425 [~~(i) an electric assisted bicycle; or~~]

426 [~~(ii) a motor-driven cycle.~~]

427 [~~(49)~~] (51)

(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

430 (b) "Motor vehicle" does not include:

431 (i) vehicles moved solely by human power;

432 (ii) motorized wheelchairs;

433 (iii) an electric personal assistive mobility device;

434 (iv) an electric assisted bicycle;

435 (v) a motor assisted scooter;

436 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

437 (vii) a mobile carrier, as defined in Section 41-6a-1120.

438 [~~(50)~~] (52)

(a) "Motorcycle" means:

439 [~~(a)~~] (i) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and
designed to travel with not more than three wheels in contact with the ground;[~~or~~]

442 [~~(b)~~] (ii) an autocycle[:]

443 (iii) a moped; or

444 (iv) an electric motorcycle.

445 (b) "Motorcycle" does not include:

446 (i) an electric assisted bicycle; or

447 (ii) a motor assisted scooter.

448 [~~(51)~~

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(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle having:]

[(i) an engine with less than 150 cubic centimeters displacement; or]

[(ii) a motor that produces not more than five horsepower.]

[(b) "Motor-driven cycle" does not include:]

[(i) an electric personal assistive mobility device;]

[(ii) a motor assisted scooter; or]

[(iii) an electric assisted bicycle.]

[(52)] (53) "Off-highway implement of husbandry" means the same as that term is defined under Section 41-22-2.

[(53)] (54) "Off-highway motorcycle" means the same as that term is defined in Section 41-22-2.

[(54)] (55) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.

[(55)] (56) "Operate" means the same as that term is defined in Section 41-1a-102.

[(56)] (57) "Operator" means:

(a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

(b) an automated driving system, as defined in Section 41-26-102.1, that operates a vehicle.

[(57)] (58) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other device operated, alone or coupled with another device, on stationary rails.

[(58)] (59)

(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is occupied or not.

(b) "Park" or "parking" does not include:

(i) the standing of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading property or passengers; or

(ii) a motor vehicle with an engaged automated driving system that has achieved a minimal risk condition, as those terms are defined in Section 41-26-102.1.

[(59)] (60) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic laws.

[(60)] (61) "Pedestrian" means a person traveling:

(a) on foot; or

(b) in a wheelchair.

[(61)] (62) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate pedestrians.

484

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[{62}] (63) "Person" means a natural person, firm, copartnership, association, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

488 [{63}] (64) "Pole trailer" means a vehicle without motive power:

489 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

492 (b) that is ordinarily used for transporting long or irregular shaped loads including poles, pipes, or structural members generally capable of sustaining themselves as beams between the supporting connections.

495 [{64}] (65) "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

498 [{65}] (66) "Programmable electric assisted bicycle" means an electric assisted bicycle with capability to switch or be programmed by a user to function as a class 1 electric assisted bicycle, class 2 electric assisted bicycle, or class 3 electric assisted bicycle, [provided that] if the electric assisted bicycle fully conforms with the respective requirements of each class of electric assisted bicycle when operated in that mode.

503 [{66}] (67) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.

505 [{67}] (68) "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

508 [{68}] (69) "Railroad train" means a locomotive propelled by any form of energy, coupled with or operated without cars, and operated upon rails.

510 [{69}] (70) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.

512 [{70}] (71) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under circumstances of direction, speed, and proximity that give rise to danger of collision unless one grants precedence to the other.

516 [{71}] (72)

(a) "Roadway" means that portion of highway improved, designed, or ordinarily used for vehicular travel.

518

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- (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of them are used by persons riding bicycles or other human-powered vehicles.
- 520 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a highway includes two or more separate roadways.
- 522 [(72)] (73) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.
- 525 [(73)] (74)
 - (a) "School bus" means a motor vehicle that:
 - 526 (i) complies with the color and identification requirements of the most recent edition of ["Minimum Standards for School Buses";] "The National School Transportation Specifications and Procedures"; and
 - 529 (ii) is used to transport school children to or from school or school activities.
 - 530 (b) "School bus" does not include a vehicle operated by a common carrier in transportation of school children to or from school or school activities.
- 532 [(74)] (75) "Self-balancing electric skateboard" means a device similar to a skateboard that:
 - 533 (a) has a single wheel;
 - 534 (b) is powered by an electric motor;
 - 535 (c) is not capable of exceeding a speed of 20 miles per hour using the power of the electric motor alone; and
- 537 [(e)] (d) is designed for the operator to face perpendicular to the direction of travel while operating the device.
- 539 [(75)] (76)
 - (a) "Semitrailer" means a vehicle with or without motive power:
 - 540 (i) designed for carrying persons or property and for being drawn by a motor vehicle; and
 - 542 (ii) constructed so that some part of its weight and that of its load rests on or is carried by another vehicle.
 - 544 (b) "Semitrailer" does not include a pole trailer.
- 545 [(76)] (77) "Shoulder area" means:
 - 546 (a) that area of the hard-surfaced highway separated from the roadway by a pavement edge line as established in the current approved "Manual on Uniform Traffic Control Devices"; or

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549 (b) that portion of the road contiguous to the roadway for accommodation of stopped vehicles, for
emergency use, and for lateral support.

551 [~~77~~] (78) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a
roadway, and the adjacent property lines intended for the use of pedestrians.

553 [~~78~~] (79)

555 (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt that is designated for the
use of a bicycle.

555 (b) "Soft-surface trail" does not mean a trail:

556 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a federal law,
regulation, or rule; or

558 (ii) located in whole or in part on land granted to the state or a political subdivision subject to a
conservation easement that prohibits the use of a motorized vehicle.

560 [~~79~~] (80) "Solid rubber tire" means a tire of rubber or other resilient material that does not depend on
compressed air for the support of the load.

562 [~~80~~] (81) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied or not, for
the purpose of and while actually engaged in receiving or discharging passengers.

565 [~~81~~] (82) "Stop" when required means complete cessation from movement.

566 [~~82~~] (83) "Stop" or "stopping" when prohibited means any halting even momentarily of a vehicle,
whether occupied or not, except when:

568 (a) necessary to avoid conflict with other traffic; or

569 (b) in compliance with the directions of a peace officer or traffic-control device.

570 [~~83~~] (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I vehicle,
all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway motorcycle, that is
modified to meet the requirements of Section 41-6a-1509 to operate on highways in the state in
accordance with Section 41-6a-1509.

574 [~~84~~] (85) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under Section
41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to operate on highways
in the state in accordance with Section 41-6a-1509.

577 [~~85~~] (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

578 [~~86~~] (87) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.

580

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[{87}] (88) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and other conveyances either singly or together while using any highway for the purpose of travel.

583 [{88}] (89) "Traffic signal preemption device" means an instrument or mechanism designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

585 [{89}] (90) "Traffic-control device" means a sign, signal, marking, or device not inconsistent with this chapter placed or erected by a highway authority for the purpose of regulating, warning, or guiding traffic.

588 [{90}] (91) "Traffic-control signal" means a device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

591 [{91}] (92)

(a) "Trailer" means a vehicle with or without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

594 (b) "Trailer" does not include a pole trailer.

595 [{92}] (93) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

597 [{93}] (94) "Truck tractor" means a motor vehicle:

598 (a) designed and used primarily for drawing other vehicles; and

599 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck tractor.

601 [{94}] (95) "Two-way left turn lane" means a lane:

602 (a) provided for vehicle operators making left turns in either direction;

603 (b) that is not used for passing, overtaking, or through travel; and

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

606 [{95}] (96) "Urban district" means the territory contiguous to and including any street, in which structures devoted to business, industry, or dwelling houses are situated at intervals of less than 100 feet, for a distance of a quarter of a mile or more.

609 [{96}] (97) "Vehicle" means a device in, on, or by which a person or property is or may be transported or drawn on a highway, except a mobile carrier, as defined in Section 41-6a-1120, or a device used exclusively on stationary rails or tracks.

612 [{97}] (98) "Wheelie" means a maneuver performed while operating a motorcycle whereby the front wheel of the motorcycle is raised off of the ground.

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617 Section 4. Section **41-6a-526** is amended to read:

618 **41-6a-526. Drinking alcoholic beverage and open containers in motor vehicle prohibited --**

619 **Definitions -- Exceptions.**

620 (1) As used in this section:

621 (a) "Alcoholic beverage" has the same meaning as defined in Section 32B-1-102.

622 (b) "Chartered bus" has the same meaning as defined in Section 32B-1-102.

623 (c) "Limousine" has the same meaning as defined in Section 32B-1-102.

624 (d)

625 (i) "Passenger compartment" means the area of the vehicle normally occupied by the operator and passengers.

626 (ii) "Passenger compartment" includes areas accessible to the operator and passengers while traveling, including a utility or glove compartment.

627 (iii) "Passenger compartment" does not include a separate front or rear trunk compartment or other area of the vehicle not accessible to the operator or passengers while inside the vehicle.

628 (e) "Waters of the state" has the same meaning as defined in Section 73-18-2.

629 (2) A person may not drink an alcoholic beverage while operating a golf cart, a motor vehicle, a motor assisted scooter, or ~~[a class 2]~~ an electric assisted bicycle, or while a passenger in a motor vehicle, whether the vehicle is moving, stopped, or parked on any highway or waters of the state.

630 (3) A person may not keep, carry, possess, transport, or allow another to keep, carry, possess, or transport in the passenger compartment of a motor vehicle, on a golf cart, on a motor assisted scooter, or on ~~[a class 2]~~ an electric assisted bicycle, when the vehicle is on any highway or waters of the state, any container that contains an alcoholic beverage if the container has been opened, [its] the container's seal broken, or the contents of the container partially consumed.

631 (4) Subsections (2) and (3) do not apply to a passenger:

632 (a) in the living quarters of a motor home or camper;

633 (b) who has carried an alcoholic beverage onto a limousine or chartered bus that is in compliance with Subsections 32B-4-415(4)(b) and (c); or

634 (c) in a motorboat on the waters of the state.

635 (5) Subsection (3) does not apply to passengers traveling in any licensed taxicab or bus.

636 (6) A violation of Subsection (2) or (3) is a class C misdemeanor.

637 Section 5. Section **41-6a-706.5** is amended to read:

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650 **41-6a-706.5. Definitions -- Operation of motor vehicle near a vulnerable user of a highway prohibited -- Endangering a vulnerable user of a highway prohibited.**

650 (1) As used in this section, "vulnerable user of a highway" means:

651 (a) a pedestrian, including a person engaged in work upon a highway or upon utilities facilities along a

652 highway or providing emergency services within the right-of-way of a highway;

654 (b) a person riding an animal; or

655 (c) a person operating any of the following on a highway:

656 (i) a farm tractor or implement of husbandry, without an enclosed shell;

657 (ii) a skateboard;

658 (iii) roller skates;

659 (iv) in-line skates;

660 (v) a bicycle;

661 (vi) an electric[-] assisted bicycle;

662 (vii) an electric personal assistive mobility device;

663 **(viii) a high power electric device;**

664 **[(viii)] (ix)** a moped;

665 **[(ix)] (x)** a motor assisted scooter;

666 **[(x)] a motor-driven cycle;**

667 **{(xi){}} {(x)}}** a motorcycle;

668 **{(xii){}} {(xi)}}** a manual wheelchair; or

669 **{(xiii){}} {(xii)}}** a golf cart.

670 (2) An operator of a motor vehicle may not knowingly, intentionally, or recklessly:

671 (a) operate a motor vehicle within three feet of a vulnerable user of a highway;

672 (b) distract or attempt to distract a vulnerable user of a highway for the purpose of causing violence or
injury to the vulnerable user of a highway;

673 (c) force or attempt to force a vulnerable user of a highway off of the roadway for a purpose unrelated
to public safety; or

674 (d) cause a motor vehicle to emit an excessive amount of exhaust in a manner that distracts or
endangers a vulnerable user of a highway.

675 (3)

676 (a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is an infraction.

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679 (b) A violation of Subsection (2) that results in bodily injury to the vulnerable user of a highway is a
class C misdemeanor.

685 Section 6. Section **41-6a-1115** is amended to read:

41-6a-1115. Motor assisted scooters -- Conflicting provisions -- Restrictions -- Penalties.

684 (1)

(a) Except as otherwise provided in this section, a motor assisted scooter is subject to the provisions
under this chapter for a bicycle.

686 (b) For [a person] an individual operating a motor assisted scooter, the following provisions do not
apply:

688 (i) seating positions under Section 41-6a-1501;

689 (ii) required lights, horns, and mirrors under Section 41-6a-1506;

690 (iii) entitlement to full use of a lane under Subsection 41-6a-1502(1); and

691 (iv) driver licensing requirements under Section 53-3-202.

692 (c) [A person] An individual may operate a motor assisted scooter across a roadway in a crosswalk,
except that the [person] individual may not operate the motor assisted scooter in a negligent manner
in the crosswalk:

695 (i) so as to collide with[-a]:

696 (A) a pedestrian; or

697 (B) [person] an individual operating a bicycle or vehicle or device propelled by human power; or

699 (ii) at a speed greater than is reasonable and prudent under the existing conditions, giving regard to the
actual and potential hazards then existing.

701 (2) An individual eight years old or older and younger than 16 years old may operate a motor assisted
scooter with the motor running on a highway if the individual:

703 (a) is under direct supervision of the individual's parent or another responsible adult; or

704 (b) has a personal electric vehicle safety certificate as described in Section 41-6a-1512.

705 (3) An individual 16 years old or older may operate a motor assisted scooter with the motor running on
a highway without supervision.

707 [(2)] (4) [A person] An individual under eight years [of age] old may not operate a motor assisted
scooter with the motor running ~~[on any public property, highway, path, or sidewalk]~~ on a highway.

710 [(3)] (5) [A person] An individual may not operate a motor assisted scooter:

711 (a) in a public parking structure;

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- 712 (b) on public property posted as an area prohibiting bicycles;
- 713 (c) while carrying more [persons] individuals at one time than the number for which it is designed;
- 715 (d) that has been structurally or mechanically altered from the original manufacturer's design, except for an alteration by, or done at the request of, a person who rents the motor assisted scooter to lower the maximum speed for the motor assisted scooter; or
- 718 (e) at a speed of greater than 15 miles per hour or in violation of Subsection 41-6a-1115.1(3).
- 720 [(4)] (6) Except where posted or prohibited by local ordinance, a motor assisted scooter is considered a nonmotorized vehicle if it is being used with the motor turned off.
- 722 [(5)] (7) An owner may not authorize or knowingly permit [a person] an individual under the age of [+] 16 to operate a motor assisted scooter in violation of this section.

724 [(6)] (8) A person An individual who violates this section is guilty of an infraction.

729 Section 7. Section **41-6a-1115.5** is amended to read:

41-6a-1115.5. Electric assisted bicycles -- Restrictions -- Penalties.

- 728 (1) Except as otherwise provided in this section, an electric assisted bicycle is subject to the provisions under this chapter for a bicycle.
- 730 (2) An individual may operate an electric assisted bicycle on a path or trail designated for the use of a bicycle.
- 732 (3)
 - (a) A local authority or state agency may adopt an ordinance or rule to regulate or restrict the use of an electric assisted bicycle, or a specific classification of an electric assisted bicycle, on a sidewalk, path, or trail within the jurisdiction of the local authority or state agency.
 - 736 (b) When enacting ordinances or making rules related to the use of a pathway or soft-surface trail, and during the planning or construction of a pathway or soft-surface trail, a local authority or state agency shall consider accommodations and increased trail access by a person with a mobility disability.
- 740 [(4) An individual under 16 years old may not operate a class 3 electric assisted bicycle.]
- 741 [(5) An individual under 14 years old may not operate an electric assisted bicycle with the electric motor engaged on any public property, highway, path, or sidewalk unless the individual is under the direct supervision of the individual's parent or guardian.]
- 744 (4) An individual eight years old or older and younger than 16 years old may operate an electric assisted bicycle with the motor engaged on a highway if the individual:

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746 (a) is under direct supervision of the individual's parent or another responsible adult; or
747 (b) has a personal electric vehicle safety certificate as described in Section 41-6a-1512.
748 (5) An individual 16 years old or older may operate an electric assisted bicycle with the motor engaged on a highway without supervision.
750 (6) An individual under eight years old may not operate an electric assisted bicycle with the electric motor engaged on ~~[any public property, highway, path, or sidewalk]~~ a highway.
752 (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an individual to operate an electric assisted bicycle in violation of this section.
754 (8)
755 (a) ~~[Beginning January 1, 2017, each]~~ A Utah-based manufacturer of an electric assisted bicycle and ~~[each]~~ a distributor of an electric assisted bicycle in Utah shall permanently affix a label in a prominent location on the electric assisted bicycle.
757 (b) Each manufacturer and each ~~[distributor]~~ distributor shall ensure that the label is printed in Arial font, in 9-point type or larger, and includes the:
759 (i) appropriate electric assisted bicycle classification number described in Section 41-6a-102;
761 (ii) top assisted speed; and
762 (iii) wattage of the motor.
763 (c) A Utah-based manufacturer or seller shall ensure that a programmable electric assisted bicycle is equipped with a conspicuous label indicating the class or classes of electric assisted bicycle of which the programmable electric assisted bicycle is capable of operating.
767 (d) ~~[Beginning May 1, 2024, a]~~ A seller of any new or used vehicle with less than four wheels that is powered by an electric motor that is not an electric assisted bicycle shall clearly and conspicuously provide the following disclosure to a prospective purchaser at the time of sale and in any advertising materials, online website, or social media post promoting the vehicle: "THIS VEHICLE IS NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS. A HELMET MAY BE REQUIRED WHILE OPERATING. YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR AGENT."

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779 (e) For a disclosure described in Subsection (8)(d), the seller shall ensure that the disclosure appears in bold, capital letters at least the same font size as the description of the vehicle.

782 (f) A person's actions to knowingly advertise, offer for sale, or sell a vehicle that is not an electric assisted bicycle as an electric bicycle, electric assisted bicycle, electric bike, or e-bike without making the disclosure described in Subsection (8)(d) constitutes *prima facie* evidence of a deceptive trade practice under Section 13-11a-3.

786 {~~(9)~~}

788 {~~(a) It is unlawful for an individual to knowingly modify or tamper with equipment on an electric assisted bicycle to change the power or speed output.~~}

790 {~~(b) An individual who violates Subsection (9)(a) is subject to a \$100 fine for a first conviction and a \$250 fine for a second or subsequent conviction.~~}

791 {~~(9){1} {10}{1}~~}

795 (a) An individual who violates this section is guilty of an infraction.

796 (b) If an individual younger than 18 years old violates a provision of this section, a peace officer may hold an electric assisted bicycle involved in a violation of this section or for a moving violation under this chapter and release the electric assisted bicycle to a parent or guardian of the individual accused of a violation as described in Section 41-6a-1115.6.

798 {~~(10){1} {11}{1}~~} [A class 2] An electric assisted bicycle is subject to the restrictions of Section 41-6a-526.

799 Section 8. Section 8 is enacted to read:

800 **41-6a-1115.6. Electric assisted bicycles -- Law enforcement hold**

801 (1) As used in this section:

802 (a) "Personal electric vehicle" means the same as that term is defined in Section 41-6a-1512.

804 (b) "Hold" means an action by a peace officer to take into custody and retain an individual's personal electric device.

806 (c) "Release" means an action by a peace officer to transfer custody of an individual's personal electric device to an individual.

808 (2) If a peace officer observes an individual under 18 years old commit a violation of this chapter and the violation occurred while the individual was operating a personal electric vehicle, the peace officer may hold the personal electric vehicle.

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(3) If a peace officer holds an individual's personal electric vehicle as described in Subsection (2), the peace officer may release the personal electric vehicle to only the individual's parent or guardian.

814 Section 9. Section **41-6a-1116** is amended to read:

815 **41-6a-1116. Electric personal assistive mobility devices -- Conflicting provisions --**

800 **Restrictions -- Penalties.**

800 (1)

805 (a) Except as otherwise provided in this section, an electric personal assistive mobility device is subject to the provisions under this chapter for a bicycle[~~, moped, or a motor-driven cycle~~].

803 (b) For ~~[a person]~~ an individual operating an electric personal assistive mobility device, the following provisions do not apply:

805 (i) seating positions under Section 41-6a-1501;

806 (ii) required lights, horns, and mirrors under Section 41-6a-1506;

807 (iii) entitlement to full use of a lane under Subsection 41-6a-1502(1); and

808 (iv) driver licensing requirements under Section 53-3-202.

809 (2) ~~[A person]~~ An individual under ~~[15]~~ 16 years old may not operate an electric personal assistive mobility device using the motor unless the ~~[person]~~ individual is under the direct supervision of the ~~[person's]~~ individual's parent or ~~[guardian]~~ a responsible adult.

812 (3) ~~[A person]~~ An individual may not operate an electric personal assistive mobility device:

813 (a) on a highway consisting of a total of four or more lanes designated for regular vehicular traffic, except when operating in a lane designated for bicycle traffic;

815 (b) on a highway with a posted speed limit greater than 35 miles per hour, except when operating in a lane designated for bicycle traffic; or

817 (c) that has been structurally or mechanically altered from the original manufacturer's design.

819 (4) An owner may not authorize or knowingly permit ~~[a person]~~ an individual to operate an electric personal assistive mobility device in violation of this section.

821 (5) ~~[A person]~~ An individual may operate an electric personal assistive mobility device on a sidewalk if the operation does not:

823 (a) exceed a speed which is greater than is reasonable or prudent having due regard for weather, visibility, and pedestrians; or

825 (b) endanger the safety of other persons or property.

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(6) [A person] An individual operating an electric personal assistive mobility device shall yield to a pedestrian or other [person] individual using a mobility aid.

(7)

(a) An electric personal assistive mobility device may be operated on:

(i) a path or trail designed for the use of a bicycle; or

(ii) on a highway where a bicycle is allowed, including any lane designated for bicycle traffic regardless of the posted speed limit or number of general purpose lanes.

(b) [A person] An individual operating an electric personal assistive mobility device in an area described in Subsection (7)(a)(i) or (ii) is subject to the laws governing bicycles.

(8) [A person] An individual may operate an electric personal assistive mobility device at night if the device is equipped with or the operator is wearing:

(a) a lamp pointing to the front that emits a white light visible from a distance of not less than 300 feet in front of the device; and

(b) front, rear, and side reflectors.

(9) [A person] An individual may not operate an electric personal assistive mobility device while carrying an article that prevents the [person] individual from keeping both hands on the handlebars or interferes with the [person's] individual's ability to safely operate the electric personal assistive mobility device.

(10) Only one [person] individual may operate an electric personal assistive mobility device at a time.

(11) [A person] An individual may not park an electric personal assistive mobility device on a highway or sidewalk in a manner that obstructs vehicular or pedestrian traffic.

(12) [A person] An individual who violates this section is guilty of an infraction.

Section 10. Section **41-6a-1501** is amended to read:

41-6a-1501. Motorcycle-- Place for operator to ride -- Passengers.

(1) [A person] An individual operating a motorcycle [or motor-driven cycle] shall ride only on the permanent and regular seat attached to the motorcycle[or motor-driven cycle].

(2)

(a) Except as provided in Subsection (2)(b):

(i) [a person] an individual operating a motorcycle [or motor-driven cycle] may not carry any other [person] individual on the motorcycle[or motor-driven cycle]; and

(ii) a passenger may not ride on a motorcycle[or a motor-driven cycle].

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859 (b) If a motorcycle[~~or motor-driven cycle~~] is designed to carry more than one [person] individual, a passenger may ride on:

861 (i) the permanent and regular seat, if designed for two [persons] individuals; or

862 (ii) another seat firmly attached to the motorcycle [~~or motor-driven cycle~~] at the rear or side of the operator.

864 (3) [A person] An individual shall ride on a motorcycle [~~or motor-driven cycle~~] only while sitting astride the seat, facing forward, with one leg on either side of the motorcycle[~~or motor-driven cycle~~].

867 (4) [A person] An individual may not operate a motorcycle [~~or motor-driven cycle~~] while carrying a package, bundle, or other article [~~which~~] that prevents the [person] operator from keeping both hands on the handlebars.

870 (5) An operator of a motorcycle [~~or motor-driven cycle~~] may not carry [a person] an individual and [a person] an individual may not ride in a position that interferes with:

872 (a) the operation or control of the motorcycle[~~or motor-driven cycle~~]; or

873 (b) the view of the operator.

874 (6) A violation of this section is an infraction.

892 Section 11. Section **41-6a-1502** is amended to read:

41-6a-1502. Motorcycles and all-terrain type I vehicles -- Operation on public highways.

878 (1)

879 (a) A motorcycle [~~or a motor-driven cycle~~] is entitled to full use of a lane.

881 (b) An individual may not operate a motor vehicle in a manner that deprives a motorcycle [~~or motor-driven cycle~~] of the full use of a lane.

883 (c) This Subsection (1) does not apply to motorcycles [~~or motor-driven cycles~~] operated two abreast in a single lane.

885 (2) The operator of a motorcycle [~~or motor-driven cycle~~] may not overtake and pass in the same lane occupied by the vehicle being overtaken.

887 (3)

888 (a) Except as described in Subsection (3)(b), an individual may not operate a motorcycle [~~or motor-driven cycle~~] between:

889 (i) lanes of traffic; or

890 (ii) adjacent lines or rows of vehicles.

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889 (b) Subsection (3)(a) does not apply to an individual operating a motorcycle engaging in lane filtering
as described in Section 41-6a-704.

891 (4) Motorcycles [~~or motor-driven cycles~~] may not be operated more than two abreast in a single lane.

893 (5) Subsections (2) and (3)(a) do not apply to peace officers acting in the peace officers' official
capacities.

895 (6) The provisions of this section also apply to all-terrain type I vehicles.

896 (7) A violation of this section is an infraction.

914 Section 12. Section **41-6a-1503** is amended to read:

41-6a-1503. Motorcycle-- Attaching to another vehicle prohibited.

900 (1) [~~A person~~] An individual riding on a motorcycle[~~or motor-driven cycle~~] may not attach
[himself] themselves to any other vehicle on a roadway.

902 (2) A violation of this section is an infraction.

920 Section 13. Section **41-6a-1504** is amended to read:

41-6a-1504. Motorcycle-- Footrests for passenger -- Height of handlebars limited.

906 (1) A motorcycle [~~or motor-driven vehicle~~] carrying a passenger on a public highway, other than in a
sidecar or enclosed cab, shall be equipped with footrests for the passenger.

908 (2) [~~A person~~] An individual may not operate a motorcycle [~~or motor-driven cycle~~] with handlebars
above shoulder height.

910 (3) A violation of this section is an infraction.

928 Section 14. Section **41-6a-1505** is amended to read:

**41-6a-1505. Motorcycle-- Protective headgear -- Closed cab excepted -- Electric assisted
bicycles, motor assisted scooters, electric personal assistive mobility devices.**

915 (1) [~~A person~~] An individual under [~~the age of 21~~] 21 years old may not operate or ride [~~any of~~] the
following on a highway unless the [~~person~~] individual is wearing protective headgear that complies
with specifications adopted under [~~Subseetion (3)~~] Subsection (4):

918 (a) a motorcycle;

919 [~~(b)~~ a motor-driven cycle;]

920 [~~(e)~~ a class 3 electric assisted bicycle; or]

921 (b) an electric assisted bicycle;

922 (c) a motor assisted scooter;

923 (d) a high power electric device; or

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924 [¶] (e) an autocycle that is not fully enclosed.

925 (2) This section does not apply to [persons] an individual riding within an enclosed cab.

926 (3) This section does not apply to an individual operating a class 1 electric assisted bicycle or a motor assisted scooter rented from a business or corporate entity.

928 [¶] (4) The following standards and specifications for protective headgear are adopted:

929 (a) 49 C.F.R. Sec. 571.218 related to protective headgear for motorcycles; and

930 (b) 16 C.F.R. Part 1203 related to protective headgear for bicycles, motor assisted scooters, and electric personal assistive mobility devices.

932 [¶] (5) A court shall waive \$8 of a fine charged to [a person] an individual operating a vehicle described in Subsection (1) for a moving traffic violation if the [person] individual was:

935 (a) 21 years [of age or older] old or older at the time of operation; and

936 (b) wearing protective headgear that complies with the specifications adopted under [Subsection (3)] Subsection (4) at the time of operation.

938 [¶] (6) The failure to wear protective headgear:

939 (a) does not constitute contributory or comparative negligence on the part of [a person] an individual seeking recovery for injuries; and

941 (b) may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the mitigation of damages.

943 [¶] (7) Notwithstanding [Subsektion (4)] Subsection (5), a court may not waive \$8 of a fine charged to [a person] an individual operating a motorcycle [or motor-driven cycle] for a driving under the influence violation of Section 41-6a-502.

946 [¶] (8) A violation of this section is an infraction.

964 Section 15. Section **41-6a-1506** is amended to read:

965 **41-6a-1506. Motorcycles -- Required equipment -- Brakes.**

949 (1) A motorcycle [and a motor-driven cycle] shall be equipped with the following items:

950 (a) one head lamp that, when factory equipped with an automatic lighting ignition system, may not be disconnected;

952 (b) one tail lamp;

953 (c) either a tail lamp or a separate lamp which illuminates the rear license plate with a white light;

955 (d) one red reflector on the rear, either separate or as part of the tail lamp;

956 (e) one stop lamp;

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957 (f) a braking system, other than parking brake, in accordance with Section 41-6a-1623;
958 (g) a horn or warning device in accordance with Section 41-6a-1625;
959 (h) a muffler and emission control system in accordance with Section 41-6a-1626;
960 (i) a mirror in accordance with Section 41-6a-1627; and
961 (j) tires in accordance with Section 41-6a-1636.

962 (2) An autocycle shall be equipped with the following items:
963 (a) a seatbelt for each seat installed in the autocycle in accordance with Section 41-6a-1628;
965 (b) at least one head lamp that, when factory equipped with an automatic lighting ignition system, may
not be disconnected;
967 (c) at least one tail lamp;
968 (d) either a tail lamp or a separate lamp that illuminates the rear license plate with a white light;
970 (e) at least one red reflector, either separate or as part of the tail lamp or tail lamps;
971 (f) at least one stop lamp;
972 (g) a braking system, other than a parking brake, in accordance with Section 41-6a-1623;
973 (h) a horn or warning device in accordance with Section 41-6a-1625;
974 (i) a muffler and emission control system in accordance with Section 41-6a-1626 that, when factory
equipped, may not be removed;
976 (j) a mirror in accordance with Section 41-6a-1627; and
977 (k) tires in accordance with Section 41-6a-1636.

978 [(3) The department may require an inspection of the braking system on a motor-driven cycle and
disapprove a braking system that is not designed or constructed as to insure reasonable and reliable
performance in actual use in accordance with Section 41-6a-1623.]

981 [(4) A person may not operate a motor-driven cycle on a highway if the department has disapproved the
braking system on the motor-driven cycle.]

983 [(5)
(a) Upon notice to the party to whom the motor-driven cycle is registered, the department may suspend
the registration of a motor-driven cycle if the department has disapproved the braking system under
this section.]

986 [(b) The Motor Vehicle Division shall, under Subsection 41-1a-109(1)(e) or (2), refuse to register
a motor-driven cycle if it has reason to believe the motor-driven cycle has a braking system
disapproved under this section.]

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989 [({6})] (3) A violation of this section is an infraction.

1007 Section 16. Section **16** is enacted to read:

1008 **41-6a-1511. Electric motorcycles and high power electric devices.**

1010 (1)

993 (1){(a)} An individual operating a high power electric device, including an electric motorcycle, has all rights and is subject to all provisions of this chapter applicable to an operator of a motorcycle.

1013 (b) Notwithstanding Subsection (1)(a), a high power electric device without a vehicle identification number that is not a motorcycle is not subject to the requirement to maintain liability insurance as described in Section 41-12A-301.

996 (2)

(a) A local authority may adopt an ordinance or a state agency may adopt a rule to regulate or restrict the use of a high power electric device on a sidewalk, path, or trail within the jurisdiction of the local authority or state agency.

999 (b) When enacting ordinances or making rules related to the use of a pathway or soft-surface trail, and during the planning or construction of a pathway or soft-surface trail, a local authority or state agency shall consider accommodations and increased trail access by a person with a mobility disability.

1003 (3) An individual younger than 16 years old may not operate a high power electric device on a highway.

1005 (4) The owner of a high power electric device may not authorize or knowingly permit an individual to operate a high power electric device in violation of this section.

1007 (5)

(a) Beginning January 1, 2027, a seller of any new or used vehicle shall clearly and conspicuously provide the disclosure described in Subsection (4)(b) to a prospective purchaser at the time of sale and in any advertising materials, online website, or social media post promoting the vehicle if the vehicle:

1011 (i) has fewer than four wheels;

1012 (ii) is powered by an electric motor; and

1013 (iii) is not an electric assisted bicycle.

1014 (b) The disclosure required under Subsection (4)(a) shall state; "THIS VEHICLE IS NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO APPLICABLE MOTOR

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VEHICLE LAWS IF USED ON PUBLIC ROADS OR PUBLIC LANDS. A HELMET MAY BE REQUIRED WHILE OPERATING. YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE COMPANY OR AGENT."

1023 (c) A seller of a new or used {electric assisted bicycle or} high power electric device shall inform prospective purchasers of state law requirements for insurance and registration applying to operators of {electric assisted bicycles and} high power electric devices.

1027 {(6) {An individual may not knowingly modify or tamper with equipment on a high power electric device to change the power or speed output.}}

1029 (7){(6)} Except for offenses otherwise provided under this chapter, an individual who violates this section is guilty of an infraction.

1048 Section 17. Section 17 is enacted to read:

1049 **41-6a-1512. Safety program -- Personal electric vehicles.**

1033 (1) As used in this section:

1034 (a) "Personal electric vehicle" means an electric assisted bicycle, high power electric device, or motor assisted scooter.

1036 (b) "Personal electric vehicle safety certificate" means the personal electric vehicle safety certificate issued under Subsection (2)(c).

1038 (c) "Program" means the personal electric vehicle safety education and training program described in Subsection (2)(a).

1040 (2) The department shall:

1041 (a) design and administer a personal electric vehicle safety education and training program to develop and instill the knowledge, attitudes, habits, and skills necessary for the safe and ethical operation of a personal electric vehicle on a highway;

1044 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that establish curriculum standards for the program;

1046 (c) issue a personal electric vehicle safety certificate to an individual who successfully completes the program;

1048 (d) collect a fee of \$10 or less from each applicant for administration of the program; and

1049 (e) ensure that an individual may complete the program online.

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1050 (3) The department may contract with another person to implement the program.

1068 (4)

1051 (4){(a)} An individual {who is} eight years old or older and younger than 16 years old may not operate
a personal electric vehicle on a highway in this state unless:

1053 (a){(i)} the individual obtains a personal electric vehicle safety certificate; or

1054 (b){(ii)} the individual is under direct supervision of a parent or responsible adult while operating a
personal electric device on a highway.

1073 (b) Notwithstanding Subsection (4)(a), an individual who is younger than 16 years old may not operate
a high power electric device on a highway.

1056 (5) A person may not rent a personal electric vehicle to an individual under 16 years old unless the
individual who will operate the personal electric vehicle:

1058 (a) presents the certificate described in Subsection (2)(c); or

1059 (b) is under direct supervision of the individual's parent or a responsible adult.

1060 (6)

1064 (a) In addition to the governmental immunity granted in Title 63G, Chapter 7, Governmental Immunity
Act of Utah, the state is immune from suit for any act, or failure to act, in any capacity relating to
the personal electric vehicle safety education and training program.

1085 (b) The state is not responsible for any insufficiency or inadequacy in the quality of training provided
by this program.

1086 (7) A violation of this section by an operator of a personal electric vehicle:

1088 (a) does not constitute contributory or comparative negligence on the part of a party in an action for
recovery of damages; and

1092 (b) may not be introduced as evidence in any civil litigation on the issue of negligence, injuries, or the
mitigation of damages.

1093 (7){(8)} A violation of this section is an infraction and a fine associated with a conviction under this
section may not exceed \$150 per offense.

1095 Section 18. Section **18** is enacted to read:

1096 **41-6a-1513. Electric mobility devices -- Law enforcement hold.**

1098 (1) As used in this section:

1099 (a) "Personal electric vehicle" means the same as that term is defined in Section 41-6a-1512.

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(b) "Hold" means an action by a peace officer to take into custody and retain an individual's personal electric device.

(c) "Release" means an action by a peace officer to transfer custody of an individual's personal electric device to an individual.

(2) If a peace officer observes an individual under 18 years old commit a violation of this chapter and the violation occurred while the individual was operating a personal electric vehicle, the peace officer may hold the personal electric vehicle.

(3) If a peace officer holds an individual's personal electric vehicle as described in Subsection (2), the peace officer may release the personal electric vehicle to only the individual's parent or guardian.

Section 19. Section **41-22-2** is amended to read:

41-22-2. Definitions.

As used in this chapter:

(1) "Advisory council" means an advisory council appointed by the Division of Outdoor Recreation that has within the advisory council's duties advising on policies related to the use of off-highway vehicles.

(2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width, having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator, and designed for or capable of travel over unimproved terrain.

(3)

(a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width, traveling on four or more low pressure tires, having a steering wheel, non-straddle seating, a rollover protection system, and designed for or capable of travel over unimproved terrain, and is:

(i) an electric-powered vehicle; or

(ii) a vehicle powered by an internal combustion engine and has an unladen dry weight of 3,500 pounds or less.

(b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed or modified primarily for recreational use on unimproved terrain, or farm tractors as defined under Section 41-1a-102.

(4)

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- (a) "All-terrain type III vehicle" means any other motor vehicle, not defined in Subsection (2), (3), (13), or (24), designed for or capable of travel over unimproved terrain.
- 1092 (b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed or modified primarily for recreational use on unimproved terrain, or farm tractors as defined under Section 41-1a-102.
- 1096 (5) "Commission" means the Outdoor Adventure Commission.
- 1097 (6) "Cross-country" means across natural terrain and off an existing highway, road, route, or trail.
- 1099 (7) "Dealer" means a person engaged in the business of selling off-highway vehicles at wholesale or retail.
- 1101 (8) "Division" means the Division of Outdoor Recreation.
- 1102 (9) "Low pressure tire" means any pneumatic tire six inches or more in width designed for use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.
- 1105 (10) "Manufacturer" means a person engaged in the business of manufacturing off-highway vehicles.
- 1107 (11)
 - (a) "Motor vehicle" means every vehicle which is self-propelled.
 - 1108 (b) "Motor vehicle" includes an off-highway vehicle.
- 1109 (12) "Motorcycle" means ~~[every motor vehicle having a saddle for the use of the operator and designed to travel on not more than two tires.]~~ the same as that term is defined in Section 41-6a-102.
- 1112 (13) "Off-highway implement of husbandry" means every all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, off-highway motorcycle, or snowmobile that is used by the owner or the owner's agent for agricultural operations.
- 1115 (14) "Off-highway motorcycle" means an off-highway vehicle that is a motorcycle and is designed for use primarily off-highway.
- 1117 (15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.
- 1119 (16)
 - (a) "Off-highway vehicle facility" means a facility or area designated for use by an off-highway vehicle.
 - 1121 (b) "Off-highway vehicle facility" includes a trail, trailhead, storage shed, water and electric infrastructure, or other infrastructure that provides or increases access to an area designated for use by an off-highway vehicle.

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1124 (17) "Operate" means to control the movement of or otherwise use an off-highway vehicle.

1125 (18) "Operator" means the person who is in actual physical control of an off-highway vehicle.

1127 (19) "Organized user group" means an off-highway vehicle organization incorporated as a nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act, for the purpose of promoting the interests of off-highway vehicle recreation.

1131 (20) "Owner" means a person, other than a person with a security interest, having a property interest or title to an off-highway vehicle and entitled to the use and possession of that vehicle.

1134 (21) "Public land" means land owned or administered by any federal or state agency or any political subdivision of the state.

1136 (22) "Register" means the act of assigning a registration number to an off-highway vehicle.

1137 (23) "Roadway" is used as defined in Section 41-6a-102.

1138 (24) "Snowmobile" means any motor vehicle designed for travel on snow or ice and steered and supported in whole or in part by skis, belts, cleats, runners, or low pressure tires, and equipped with a saddle or seat for the use of the rider.

1141 (25) "Street or highway" means the entire width between boundary lines of every way or place of whatever nature, when any part of it is open to the use of the public for vehicular travel.

1144 (26) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as defined in Section 41-6a-102.

1186 **Section 20. Section 41-22-3.5 is amended to read:**

1187 **41-22-3.5. Staggered registration dates -- Registration renewal.**

1189 (1) Unless exempted under Section 41-22-9, or unless the off-highway vehicle or street-legal all-terrain vehicle is registered for a 24-month period as provided in Section 41-1a-215.5, [every] an off-highway vehicle registration, [every] a registration card, and [every] a registration sticker issued under this chapter for the first registration of the off-highway vehicle in this state, continues in effect for a period of 12 months beginning with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year.

1196 (2) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the off-highway vehicle is extended to [12] midnight of the next business day.

1199 (3)

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(a) The [division] Motor Vehicle Division may receive applications for registration renewal and issue new registration cards at any time prior to the expiration of the registration, subject to the availability of renewal materials.

1202 (b) [Applications-] An application for registration renewal shall be made in accordance with Section 41-22-3.

1204 (4)

(a) The new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.

1206 (b) The year of registration expiration shall be changed to reflect the renewed registration period.

1208 (5) If the registration renewal application is an application generated by the [division] Motor Vehicle Division through its automated system, the owner need not surrender the last registration card or duplicate.

1211 Section 21. Section **53-3-202** is amended to read:

53-3-202. Drivers shall be licensed -- Violation.

1148 (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state unless the human driver is:

1150 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the division under this chapter;

1152 (b) driving an official United States Government class D motor vehicle with a valid United States Government driver permit or license for that type of vehicle;

1154 (c)

(i) driving a road roller, road machinery, or any farm tractor or implement of husbandry temporarily drawn, moved, or propelled on the highways; and

1156 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a construction or agricultural activity;

1158 (d) a nonresident who is at least 16 years old and younger than 18 years old who has in the nonresident's immediate possession a valid license certificate issued to the nonresident in the nonresident's home state or country and is driving in the class or classes identified on the home state license certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;

1163 (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate possession a valid license certificate issued to the nonresident in the nonresident's home state or country if

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driving in the class or classes identified on the home state license certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;

1168 (f) driving under a learner permit in accordance with Section 53-3-210.5;

1169 (g) driving with a temporary license certificate issued in accordance with Section 53-3-207; or

1171 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.

1172 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle motion control for a vehicle being towed by another motor vehicle upon a highway unless the human driver:

1175 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor vehicle being towed; or

1177 (b) is exempted under either Subsection (1)(b) or (1)(c).

1178 (3)

(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this state unless the [person-] individual has a valid class D driver license issued by the division.

1181 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a highway of this state unless the human driver has:

1183 (i) a taxicab endorsement issued by the division on the human driver's license certificate; or

1185 (ii) a commercial driver license with:

1186 (A) a taxicab endorsement;

1187 (B) a passenger endorsement; or

1188 (C) a school bus endorsement.

1189 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor vehicle as a private passenger carrier from regulation under other statutory and regulatory schemes, including:

1192 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

1193 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor Commission in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

1196 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

1199 (4)

(a) [Except as provided in Subsections (4)(b), (c), (d), and (e), a-] A human driver may not operate:

(i) a motorcycle, including an electric motorcycle, unless the human driver has a valid class D driver license and a motorcycle endorsement issued under this chapter; or

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1204 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver license[; or] .

1206 [~~(iii) a motor-driven cycle unless the human driver has a valid class D driver license and a~~
~~motorcycle endorsement issued under this chapter.~~]

1208 (b) [A-] Notwithstanding Subsection (4)(a), a human driver operating a moped, as defined in Section
41-6a-102, is not required to have a motorcycle endorsement issued under this chapter.

1211 [~~(e) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102, is not required~~
~~to have a valid class D driver license or a motorcycle endorsement issued under this chapter.~~]

1214 [~~(d) (c) An individual is not required to have a valid class D driver license if the person is:~~

1216 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance with Section
41-6a-1115; or

1218 (ii) operating an electric personal assistive mobility device, as defined in Section 41-6a-102, in
accordance with Section 41-6a-1116.

1220 [~~(e) (d) A human driver operating an autocycle is not required to have a motorcycle endorsement~~
~~issued under this chapter.~~]

1222 (5)

1224 (a) As used in this Subsection (5), "personal electric vehicle safety certificate" means the same as that
term is defined in Section 41-6a-1512.

1225 (b) An individual under 16 years old:

1226 (i) is not required to hold a class D driver license or a motorcycle endorsement to operate an electric
assisted bicycle on a highway; and

1227 (ii) may not operate an electric assisted bicycle on a highway unless:

1228 (A) the individual obtains a personal electric vehicle safety certificate; or

1229 (B) the individual is under direct supervision of the individual's parent or another responsible adult.

1231 (c) An individual who is 16 years {older} ~~old or older~~ may operate an electric assisted bicycle or a
motor assisted scooter on a highway without:

1233 (i) a class D driver license;

1234 (ii) a motorcycle endorsement; or

1235 (iii) a personal electric vehicle safety certificate.

1236 (d) Notwithstanding the requirement described in Subsection (4)(a)(i), an individual who is 16 years old
or older may operate a high power electric device on a highway if the individual:

1239 (i) obtains a motorcycle endorsement; or

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1240 (ii) obtains a personal electric vehicle safety certificate.

1241 (6) A peace officer may not stop an individual under suspicion of that individual violating Subsection
(5) unless the peace officer observes the individual violate another provision of law.

1244 [(5)] (7) An automated driving system as defined in Section 41-26-102.1 is not required to have a driver
license.

1246 [(6)] (8)

(a) A person who violates this section is guilty of an infraction.

1247 (b) Except as provided in Subsection [(6)(d)] (8)(d), [a person] an individual who violates Subsection
(4)(a)(i) [or (4)(a)(iii)] is subject to a minimum fine of \$350.

1249 (c) The fine described in Subsection [(6)(b)] (8)(b) is in addition to any other fine for a violation of Title
41, Chapter 6a, Traffic Code, or a local ordinance related to the operation of the motorcycle.

1252 (d)

(i) A court shall waive the fine imposed under Subsection [(6)(b)] (8)(b) if the [person] individual
provides to the court within 30 days of the date of the entry of a plea or sentencing, whichever is
later, proof that the [person] individual has been issued a motorcycle endorsement as provided in
this chapter.

1256 (ii) A court may extend the 30-day time period described in Subsection [(6)(d)(i)] (8)(d)(i) for a
reasonable time period for the person to obtain a motorcycle endorsement for good cause shown.

1324 Section 22. Section **63I-1-241** is amended to read:

1325 **63I-1-241. Repeal dates: Title 41.**

1261 (1) Subsection 41-1a-1201(8), regarding the Brain and Spinal Cord Injury Fund, is repealed July 1,
2029.

1263 (2) Subsection [41-6a-102(34)] 41-6a-102(39), regarding lane filtering, is repealed July 1, 2027.

1265 (3) Subsection 41-6a-704(6), regarding lane filtering, is repealed July 1, 2027.

1266 (4) Subsection 41-6a-710(1)(c), regarding lane filtering, is repealed July 1, 2027.

1267 (5) Subsection 41-6a-1406(7)(b)(iii), regarding the Brain and Spinal Cord Injury Fund, is repealed July
1, 2029.

1269 (6) Subsection 41-22-2(1), regarding an advisory council addressing off-highway vehicle issues, is
repealed July 1, 2027.

1271 (7) Subsection 41-22-10(1), regarding an advisory council addressing off-highway vehicle issues, is
repealed July 1, 2027.

HB0381S01 compared with HB0381S02

1273 (8) Subsection 41-22-8(3)(b), regarding the Brain and Spinal Cord Injury Fund, is repealed July 1, 2029.

1340 **Section 23. Section 79-7-301 is amended to read:**

1341 **79-7-301. Money to be appropriated -- Boating account expenses.**

1343 [(1)] The Legislature shall appropriate the money from time to time necessary to carry out the purposes of this chapter to the division to be used by the division in the administration of the powers and duties and in carrying out the objective and purposes [prescribed by] described in this chapter.

1347 [(2)] Departmental operating and administrative expenses for the administration of the boating account of the division shall be charged against that account.]

1349 **Section 24. Effective date.**

Effective Date.

1276 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

1277 (2) The actions affecting the following sections take effect on May 5, 2027:

1278 (a) Section 41-6a-1115 (Effective 05/05/27);

1279 (b) Section 41-6a-1115.5 (Effective 05/05/27);

1280 (c) Section 41-6a-1512 (Effective 05/05/27); and

1281 (d) Section 53-3-202 (Effective 05/05/27).

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