

SB0262S01 compared with SB0262S02

19 77-7-28 , Utah Code Annotated 1953

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

22 Section 1. Section 1 is enacted to read:

24 **77-7-28. Restrictions on {a stop for a traffic infraction when using} certain uses of an unmarked law enforcement vehicle.**

7.

{7.} Arrests and Citations, By Whom, and How Made

26 (1) As used in this section:

27 (a) "Law enforcement agency" means the same as that term is defined in Section 77-7-27.

28 (b) "Traffic {infraction} law" means a violation that is classified as an infraction under:

29 (i) Title 41, Chapter 6a, Traffic Code; or

30 (ii) a local traffic ordinance.

31 (c) "Unmarked law enforcement vehicle" means a vehicle that:

32 (i) is used for a law enforcement purpose;

33 (ii) does not have a visible light bar affixed to the roof of the vehicle that contains:

34 (A) red and blue lights; or

35 (B) other lights commonly used by a law enforcement agency; and

36 (iii) does not have writing or markings on both sides of the vehicle that clearly identify the vehicle as a law enforcement vehicle from at least 25 feet away.

38 (2) {~~Except as provided in~~} In accordance with Section 41-1a-407 and subject to Subsection (3), {~~an employee of~~} a law enforcement agency may not use an unmarked law enforcement vehicle {~~to initiate a stop of a vehicle for the purpose of~~} :

41 {(a) {~~investigating a traffic infraction;}~~}

42 {(b) {~~issuing a citation for a traffic infraction; or}~~}

43 (c) {(a) {~~issuing~~} for a {~~warning~~} patrol assignment for {~~a~~} which a primary purpose is the enforcement of traffic {~~infraction.~~} law; or

41 (b) for a routine patrol assignment in which a law enforcement officer conducts the general patrolling of an area.

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(3) An ~~{employee of a law enforcement agency may use an }~~ unmarked law enforcement vehicle ~~{to initiate a stop of a vehicle for a traffic infraction if the employee of the law }~~ may be used for the enforcement {agency:} of traffic laws involving school zones or stopped school buses.

47 ~~{(a) {believes, in addition to the traffic infraction, that exigent circumstances or an imminent risk to public safety exists; or} }~~

49 ~~{(b) {subject to Subsection (4), observes a traffic violation and has reasonable, articulable suspicion that criminal activity apart from the traffic violation is occurring or has occurred.} }~~

52 ~~{(4) {Under the circumstances described in Subsection (3)(b):} }~~

53 ~~{(a) {the traffic violation may serve as the lawful basis for the stop;} }~~

54 ~~{(b) {the failure of the employee of the law enforcement agency to obtain evidence to support probable cause for the suspected additional criminal conduct does not render the stop unlawful under this section; and} }~~

57 ~~{(c) {{the employee of the law enforcement agency may not issue a citation for the traffic infraction.} }~~

45 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

3-2-26 3:47 PM