



# SB0262 compared with SB0262S01

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 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" means a violation that is 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 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) issuing a warning for a traffic infraction.

44 (3) An employee of a law enforcement agency may use an unmarked law enforcement vehicle to initiate a stop of a vehicle for {~~the purpose of investigating a potential crime other than~~} a traffic infraction{:} if the employee of the law enforcement agency:

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

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(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.

59 Section 2. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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