

Stephanie Pitcher proposes the following substitute bill:

Use of Motorized Vehicles by Minors and Impound Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ashlee Matthews

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill addresses the use of mini-motorcycles, motorcycles, and the retrieval of items from an impounded vehicle.

Highlighted Provisions:

This bill:

- ▶ amends the definition of "motorcycle" to include a mini-motorcycle;
- ▶ amends the definition of "mini-motorcycle";
- ▶ amends the definition of "life essential item" to include cell phones and employment tools;
- ▶ adds a requirement that the removal of items may not interfere with health and safety;
- ▶ provides that mini-motorcycles are the same as a motorcycle for purposes of traffic laws, registration, insurance, and driver license purposes;
- ▶ provides for the impoundment of a motorcycle involved in certain traffic violations; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

41-1a-102 (Effective 07/01/26), as last amended by Laws of Utah 2025, Chapter 285

41-6a-102 (Effective 07/01/26) (Partially Repealed 07/01/27), as last amended by Laws of Utah 2025, Chapters 220, 471

41-6a-210 (Effective 07/01/26), as last amended by Laws of Utah 2024, Chapter 134

41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29), as last amended by Laws of Utah 2025, Chapter 378

29 **72-9-102 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapter 457

30 **72-9-603 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 378

31 ENACTS:

32 **41-6a-1511 (Effective 07/01/26)**, Utah Code Annotated 1953

33 REPEALS:

34 **41-6a-1117 (Effective 07/01/26)**, as last amended by Laws of Utah 2015, Chapter 412

35

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

37 Section 1. Section **41-1a-102** is amended to read:

38 **41-1a-102 (Effective 07/01/26). Definitions.**

39 As used in this chapter:

- 40 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- 41 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
- 42 vehicles as operated and certified to by a weighmaster.
- 43 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 44 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 45 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 46 (6) "Alternative fuel vehicle" means:
- 47 (a) an electric motor vehicle;
- 48 (b) a hybrid electric motor vehicle;
- 49 (c) a plug-in hybrid electric motor vehicle; or
- 50 (d) a motor vehicle powered exclusively by a fuel other than:
- 51 (i) motor fuel;
- 52 (ii) diesel fuel;
- 53 (iii) natural gas; or
- 54 (iv) propane.
- 55 (7) "Amateur radio operator" means a person licensed by the Federal Communications
- 56 Commission to engage in private and experimental two-way radio operation on the
- 57 amateur band radio frequencies.
- 58 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 59 (9) "Automated driving system" means the same as that term is defined in Section
- 60 41-26-102.1.
- 61 (10) "Branded title" means a title certificate that is labeled:
- 62 (a) rebuilt and restored to operation;

- 63 (b) flooded and restored to operation; or
64 (c) not restored to operation.
- 65 (11) "Camper" means a structure designed, used, and maintained primarily to be mounted
66 on or affixed to a motor vehicle that contains a floor and is designed to provide a mobile
67 dwelling, sleeping place, commercial space, or facilities for human habitation or for
68 camping.
- 69 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of
70 ownership between an identified owner and the described vehicle, vessel, or outboard
71 motor.
- 72 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
73 weighmaster.
- 74 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained
75 for the transportation of persons or property that operates:
76 (a) as a carrier for hire, compensation, or profit; or
77 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
78 owner's commercial enterprise.
- 79 (15) "Commission" means the State Tax Commission.
- 80 (16) "Consumer [~~price index~~] Price Index" means the same as that term is defined in Section
81 59-13-102.
- 82 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
83 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright
84 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an
85 established place of business for the sale, lease, trade, or display of vehicles, vessels, or
86 outboard motors.
- 87 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 88 (19) "Division" means the Motor Vehicle Division of the commission, created in Section
89 41-1a-106.
- 90 (20) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.
- 91 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric
92 motor drawing current from a rechargeable energy storage system.
- 93 (22) "Essential parts" means the integral and body parts of a vehicle of a type required to be
94 registered in this state, the removal, alteration, or substitution of which would tend to
95 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model,
96 type, or mode of operation.

- 97 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
98 implement for drawing plows, mowing machines, and other implements of husbandry.
- 99 (24)(a) "Farm truck" means a truck used by the owner or operator of a farm solely for
100 the owner's or operator's own use in the transportation of:
- 101 (i) farm products, including livestock and its products, poultry and its products,
102 floricultural, and horticultural products;
 - 103 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
104 agricultural, floricultural, horticultural, livestock, and poultry production; and
 - 105 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
106 other purposes connected with the operation of a farm.
- 107 (b) "Farm truck" does not include the operation of trucks by commercial processors of
108 agricultural products.
- 109 (25) "Fleet" means:
- 110 (a) one or more commercial vehicles; or
 - 111 (b) for purposes of Section 41-1a-215, one or more personal vehicles.
- 112 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this
113 state from another state, territory, or country other than in the ordinary course of
114 business by or through a manufacturer or dealer, and not registered in this state.
- 115 (27) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles,
116 equipped for operation, to which shall be added the maximum load to be carried.
- 117 (28) "Highway" or "street" means the entire width between property lines of every way or
118 place of whatever nature when any part of it is open to the public, as a matter of right,
119 for purposes of vehicular traffic.
- 120 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy
121 from onboard sources of stored energy that are both:
- 122 (a) an internal combustion engine or heat engine using consumable fuel; and
 - 123 (b) a rechargeable energy storage system where energy for the storage system comes
124 solely from sources onboard the vehicle.
- 125 (30)(a) "Identification number" means the identifying number assigned by the
126 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or
127 outboard motor.
- 128 (b) "Identification number" includes a vehicle identification number, state assigned
129 identification number, hull identification number, and motor serial number.
- 130 (31) "Implement of husbandry" means a vehicle designed or adapted and used exclusively

- 131 for an agricultural operation and only incidentally operated or moved upon the highways.
- 132 (32)(a) "In-state miles" means the total number of miles operated in this state during the
133 preceding year by fleet power units.
- 134 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
135 total number of miles that those vehicles were towed on Utah highways during the
136 preceding year.
- 137 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
138 province, territory, or possession of the United States or foreign country.
- 139 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
140 possession of the United States or any foreign country.
- 141 (35) "Lienholder" means a person with a security interest in particular property.
- 142 (36) "Manufactured home" means a transportable factory built housing unit constructed on
143 or after June 15, 1976, according to the Federal Home Construction and Safety
144 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling
145 mode, is eight body feet or more in width or 40 body feet or more in length, or when
146 erected on site, is 400 or more square feet, and which is built on a permanent chassis and
147 designed to be used as a dwelling with or without a permanent foundation when
148 connected to the required utilities, and includes the plumbing, heating, air-conditioning,
149 and electrical systems.
- 150 (37) "Manufacturer" means a person engaged in the business of constructing,
151 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
152 outboard motors for the purpose of sale or trade.
- 153 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured for use
154 by armed forces and that is maintained in a condition that represents the vehicle's
155 military design and markings regardless of current ownership or use.
- 156 (39) "Mobile home" means a transportable factory built housing unit built prior to June 15,
157 1976, in accordance with a state mobile home code which existed prior to the Federal
158 Manufactured Housing and Safety Standards Act (HUD Code).
- 159 (40) "Motor fuel" means the same as that term is defined in Section 59-13-102.
- 160 (41)(a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
161 operation on the highways.
- 162 (b) "Motor vehicle" includes a roadable aircraft and a street-legal all-terrain vehicle.
- 163 (c) "Motor vehicle" does not include:
- 164 (i) an off-highway vehicle; or

- 165 (ii) a motor assisted scooter as defined in Section 41-6a-102.
- 166 (42) "Motorboat" means the same as that term is defined in Section 73-18c-102.
- 167 [~~(43) "Motoreycle" means:~~
- 168 ~~[(a) a motor vehicle having a saddle for the use of the rider and designed to travel on not~~
- 169 ~~more than three wheels in contact with the ground; or]~~
- 170 ~~[(b) an autoecycle.]~~
- 171 (43) "Motorcycle" means the same as that term is defined in Section 41-6a-102.
- 172 (44) "Natural gas" means a fuel of which the primary constituent is methane.
- 173 (45)(a) "Nonresident" means a person who is not a resident of this state as defined by
- 174 Section 41-1a-202, and who does not engage in intrastate business within this state
- 175 and does not operate in that business any motor vehicle, trailer, or semitrailer within
- 176 this state.
- 177 (b) A person who engages in intrastate business within this state and operates in that
- 178 business any motor vehicle, trailer, or semitrailer in this state or who, even though
- 179 engaging in interstate commerce, maintains a vehicle in this state as the home station
- 180 of that vehicle is considered a resident of this state, insofar as that vehicle is
- 181 concerned in administering this chapter.
- 182 (46) "Odometer" means a device for measuring and recording the actual distance a vehicle
- 183 travels while in operation, but does not include any auxiliary odometer designed to be
- 184 periodically reset.
- 185 (47) "Off-highway implement of husbandry" means the same as that term is defined in
- 186 Section 41-22-2.
- 187 (48) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 188 (49)(a) "Operate" means:
- 189 (i) to navigate a vessel; or
- 190 (ii) collectively, the activities performed in order to perform the entire dynamic
- 191 driving task for a given motor vehicle by:
- 192 (A) a human driver as defined in Section 41-26-102.1; or
- 193 (B) an engaged automated driving system.
- 194 (b) "Operate" includes testing of an automated driving system.
- 195 (50) "Original issue license plate" means a license plate that is of a format and type issued
- 196 by the state in the same year as the model year of a vehicle that is a model year 1973 or
- 197 older.
- 198 (51) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel

- 199 supply, used to propel a vessel.
- 200 (52)(a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
201 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
202 subject to a security interest.
- 203 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale
204 or mortgage of the vehicle with the right of purchase upon performance of the
205 conditions stated in the agreement and with an immediate right of possession vested
206 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security
207 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
208 for the purposes of this chapter.
- 209 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner
210 until the lessee exercises the lessee's option to purchase the vehicle.
- 211 (53) "Park model recreational vehicle" means a unit that:
- 212 (a) is designed and marketed as temporary living quarters for recreational, camping,
213 travel, or seasonal use;
- 214 (b) is not permanently affixed to real property for use as a permanent dwelling;
- 215 (c) requires a special highway movement permit for transit; and
- 216 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
217 400 square feet in the setup mode.
- 218 (54) "Personal vehicle" means a vehicle that is not a commercial vehicle.
- 219 (55) "Personalized license plate" means a license plate that has displayed on it a
220 combination of letters, numbers, or both as requested by the owner of the vehicle and
221 assigned to the vehicle by the division.
- 222 (56)(a) "Pickup truck" means a two-axle motor vehicle with motive power
223 manufactured, remanufactured, or materially altered to provide an open cargo area.
- 224 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
225 camper, camper shell, tarp, removable top, or similar structure.
- 226 (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has
227 the capability to charge the battery or batteries used for vehicle propulsion from an
228 off-vehicle electric source, such that the off-vehicle source cannot be connected to the
229 vehicle while the vehicle is in motion.
- 230 (58) "Pneumatic tire" means a tire in which compressed air is designed to support the load.
- 231 (59) "Preceding year" means a period of 12 consecutive months fixed by the division that is
232 within 16 months immediately preceding the commencement of the registration or

- 233 license year in which proportional registration is sought. The division in fixing the
234 period shall conform it to the terms, conditions, and requirements of any applicable
235 agreement or arrangement for the proportional registration of vehicles.
- 236 (60) "Public garage" means a building or other place where vehicles or vessels are kept and
237 stored and where a charge is made for the storage and keeping of vehicles and vessels.
- 238 (61) "Receipt of surrender of ownership documents" means the receipt of surrender of
239 ownership documents described in Section 41-1a-503.
- 240 (62) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state
241 that is materially altered from its original construction by the removal, addition, or
242 substitution of essential parts, new or used.
- 243 (63) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 244 (64) "Registration" means a document issued by a jurisdiction that allows operation of a
245 vehicle or vessel on the highways or waters of this state for the time period for which the
246 registration is valid and that is evidence of compliance with the registration requirements
247 of the jurisdiction.
- 248 (65) "Registration decal" means the decal issued by the division that is evidence of
249 compliance with the division's registration requirements.
- 250 (66)(a) "Registration year" means a 12 consecutive month period commencing with the
251 completion of the applicable registration criteria.
- 252 (b) For administration of a multistate agreement for proportional registration the division
253 may prescribe a different 12-month period.
- 254 (67) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors
255 to a sound working condition by substituting any inoperative part of the vehicle, vessel,
256 or outboard motor, or by correcting the inoperative part.
- 257 (68) "Replica vehicle" means:
- 258 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
259 (b) a custom vehicle that meets the requirements under Subsection
260 41-6a-1507(1)(a)(i)(B).
- 261 (69) "Restored-modified vehicle" means a motor vehicle that has been restored and
262 modified with modern parts and technology, including emission control technology and
263 an on-board diagnostic system.
- 264 (70) "Road tractor" means a motor vehicle designed and used for drawing other vehicles
265 and constructed so it does not carry any load either independently or any part of the
266 weight of a vehicle or load that is drawn.

- 267 (71) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 268 (72) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 269 (73) "Security interest" means an interest that is reserved or created by a security agreement
270 to secure the payment or performance of an obligation and that is valid against third
271 parties.
- 272 (74) "Semitrailer" means the same as the term "trailer."
- 273 (75) "Special group license plate" means a type of license plate designed for a particular
274 group of people or a license plate authorized and issued by the division in accordance
275 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.
- 276 (76)(a) "Special interest vehicle" means a vehicle used for general transportation
277 purposes and that is:
- 278 (i) 20 years or older from the current year; or
- 279 (ii) a make or model of motor vehicle recognized by the division director as having
280 unique interest or historic value.
- 281 (b) In making a determination under Subsection (76)(a), the division director shall give
282 special consideration to:
- 283 (i) a make of motor vehicle that is no longer manufactured;
- 284 (ii) a make or model of motor vehicle produced in limited or token quantities;
- 285 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
286 designed exclusively for educational purposes or museum display; or
- 287 (iv) a motor vehicle of any age or make that has not been substantially altered or
288 modified from original specifications of the manufacturer and because of its
289 significance is being collected, preserved, restored, maintained, or operated by a
290 collector or hobbyist as a leisure pursuit.
- 291 (77)(a) "Special mobile equipment" means a vehicle:
- 292 (i) not designed or used primarily for the transportation of persons or property;
- 293 (ii) not designed to operate in traffic; and
- 294 (iii) only incidentally operated or moved over the highways.
- 295 (b) "Special mobile equipment" includes:
- 296 (i) farm tractors;
- 297 (ii) off-road motorized construction or maintenance equipment including backhoes,
298 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
- 299 (iii) ditch-digging apparatus.
- 300 (c) "Special mobile equipment" does not include a commercial vehicle as defined under

- 301 Section 72-9-102.
- 302 (78) "Specially constructed vehicle" means a vehicle of a type required to be registered in
303 this state, not originally constructed under a distinctive name, make, model, or type by a
304 generally recognized manufacturer of vehicles, and not materially altered from its
305 original construction.
- 306 (79)(a) "Standard license plate" means a license plate for general issue described in
307 Subsection 41-1a-402(1).
- 308 (b) "Standard license plate" includes a license plate for general issue that the division
309 issues before January 1, 2024.
- 310 (80) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
311 motor that meets the requirements of rules made by the commission as described in
312 Subsection 41-1a-1101(7).
- 313 (81) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is
314 defined in Section 41-6a-102.
- 315 (82) "Symbol decal" means the decal that is designed to represent a special group and
316 displayed on a special group license plate.
- 317 (83) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 318 (84)(a) "Total fleet miles" means the total number of miles operated in all jurisdictions
319 during the preceding year by power units.
- 320 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the
321 number of miles that those vehicles were towed on the highways of all jurisdictions
322 during the preceding year.
- 323 (85) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 324 (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 325 (87) "Trailer" means a vehicle:
- 326 (a) without motive power; and
- 327 (b) designed for:
- 328 (i) carrying persons or property; and
- 329 (ii) being drawn by a motor vehicle.
- 330 (88) "Transferee" means a person to whom the ownership of property is conveyed by sale,
331 gift, or any other means except by the creation of a security interest.
- 332 (89) "Transferor" means a person who transfers the person's ownership in property by sale,
333 gift, or any other means except by creation of a security interest.
- 334 (90) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle

335 without motive power, designed as a temporary dwelling for travel, recreational, or
 336 vacation use that does not require a special highway movement permit when drawn by a
 337 self-propelled motor vehicle.

338 (91) "Truck tractor" means a motor vehicle designed and used primarily for drawing other
 339 vehicles and not constructed to carry a load other than a part of the weight of the vehicle
 340 and load that is drawn.

341 (92) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper,
 342 park model recreational vehicle, manufactured home, and mobile home.

343 (93) "Vessel" means the same as that term is defined in Section 73-18-2.

344 (94) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.

345 (95) "Waters of this state" means the same as that term is defined in Section 73-18-2.

346 (96) "Weighmaster" means a person, association of persons, or corporation permitted to
 347 weigh vehicles under this chapter.

348 Section 2. Section **41-6a-102** is amended to read:

349 **41-6a-102 (Effective 07/01/26) (Partially Repealed 07/01/27). Definitions.**

350 As used in this chapter:

351 (1) "Adult" means an individual 18 years old or older.

352 [~~(1)~~] (2) "Alley" means a street or highway intended to provide access to the rear or side of
 353 lots or buildings in urban districts and not intended for through vehicular traffic.

354 [~~(2)~~] (3) "All-terrain type I vehicle" means the same as that term is defined in Section
 355 41-22-2.

356 [~~(3)~~] (4) "All-terrain type II vehicle" means the same as that term is defined in Section
 357 41-22-2.

358 [~~(4)~~] (5) "All-terrain type III vehicle" means the same as that term is defined in Section
 359 41-22-2.

360 [~~(5)~~] (6) "Authorized emergency vehicle" includes:

361 (a) a fire department vehicle;

362 (b) a police vehicle;

363 (c) an ambulance; and

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

366 [~~(6)~~] (7) "Autocycle" means the same as that term is defined in Section 53-3-102.

367 [~~(7)~~] (8)(a) "Bicycle" means a wheeled vehicle:

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

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

372 (b) "Bicycle" includes an electric assisted bicycle.

373 (c) "Bicycle" does not include scooters and similar devices.

374 ~~[(8)]~~ (9)(a) "Bicycle lane" means a portion of a highway that has been designated by a
375 highway authority through striping, signage, pavement markings, or barriers for the
376 preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted
377 scooter traffic.

378 (b) "Bicycle lane" does not include shared lanes intended for both motor vehicle and
379 bicycle travel.

380 ~~[(9)]~~ (10)(a) "Bus" means a motor vehicle:

381 (i) designed for carrying more than 15 passengers and used for the transportation of
382 persons; or

383 (ii) designed and used for the transportation of persons for compensation.

384 (b) "Bus" does not include a taxicab.

385 (11) "Child" means an individual younger than 18 years old.

386 ~~[(10)]~~ (12)(a) "Circular intersection" means an intersection that has an island, generally
387 circular in design, located in the center of the intersection where traffic passes to the
388 right of the island.

389 (b) "Circular intersection" includes:

390 (i) roundabouts;

391 (ii) rotaries; and

392 (iii) traffic circles.

393 ~~[(11)]~~ (13) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped
394 with a motor or electronics that:

395 (a) provides assistance only when the rider is pedaling; and

396 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

397 ~~[(12)]~~ (14) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped
398 with a motor or electronics that:

399 (a) may be used exclusively to propel the bicycle; and

400 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
401 per hour.

402 ~~[(13)]~~ (15) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped

- 403 with a motor or electronics that:
- 404 (a) provides assistance only when the rider is pedaling;
- 405 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
- 406 and
- 407 (c) is equipped with a speedometer.
- 408 ~~[(14)]~~ (16) "Commissioner" means the commissioner of the Department of Public Safety.
- 409 ~~[(15)]~~ (17) "Controlled-access highway" means a highway, street, or roadway:
- 410 (a) designed primarily for through traffic; and
- 411 (b) to or from which owners or occupants of abutting lands and other persons have no
- 412 legal right of access, except at points as determined by the highway authority having
- 413 jurisdiction over the highway, street, or roadway.
- 414 ~~[(16)]~~ (18) "Crosswalk" means:
- 415 (a) that part of a roadway at an intersection included within the connections of the lateral
- 416 lines of the sidewalks on opposite sides of the highway measured from:
- 417 (i)(A) the curbs; or
- 418 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 419 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
- 420 included within the extension of the lateral lines of the existing sidewalk at right
- 421 angles to the centerline; or
- 422 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
- 423 pedestrian crossing by lines or other markings on the surface.
- 424 ~~[(17)]~~ (19) "Department" means the Department of Public Safety.
- 425 ~~[(18)]~~ (20) "Direct supervision" means oversight at a distance within which:
- 426 (a) visual contact is maintained; and
- 427 (b) advice and assistance can be given and received.
- 428 ~~[(19)]~~ (21) "Divided highway" means a highway divided into two or more roadways by:
- 429 (a) an unpaved intervening space;
- 430 (b) a physical barrier; or
- 431 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 432 ~~[(20)]~~ (22) "Echelon formation" means the operation of two or more snowplows arranged
- 433 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
- 434 clear snow from two or more lanes at once.
- 435 ~~[(21)]~~ (23)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 436 (i) has a power output of not more than 750 watts;

- 437 (ii) has fully operable pedals;
- 438 (iii) has permanently affixed cranks that were installed at the time of the original
439 manufacture;
- 440 (iv) is fully operable as a bicycle without the use of the electric motor; and
- 441 (v) is one of the following:
- 442 (A) a class 1 electric assisted bicycle;
- 443 (B) a class 2 electric assisted bicycle;
- 444 (C) a class 3 electric assisted bicycle; or
- 445 (D) a programmable electric assisted bicycle.
- 446 (b) "Electric assisted bicycle" does not include:
- 447 (i) a moped;
- 448 (ii) a motor assisted scooter;
- 449 (iii) a motorcycle;
- 450 (iv) a motor-driven cycle; or
- 451 (v) any other vehicle with less than four wheels that is designed, manufactured,
452 intended, or advertised by the seller to have any of the following capabilities or
453 features, or that is modifiable or is modified to have any of the following
454 capabilities or features:
- 455 (A) has the ability to attain the speed of 20 miles per hour or greater on motor
456 power alone;
- 457 (B) is equipped with a continuous rated motor power of 750 watts or greater;
- 458 (C) is equipped with foot pegs for the operator at the time of manufacture, or
459 requires installation of a pedal kit to have operable pedals; or
- 460 (D) if equipped with multiple operating modes and a throttle, has one or more
461 modes that exceed 20 miles per hour on motor power alone.
- 462 [~~22~~] (24)(a) "Electric personal assistive mobility device" means a self-balancing device
463 with:
- 464 (i) two nontandem wheels in contact with the ground;
- 465 (ii) a system capable of steering and stopping the unit under typical operating
466 conditions;
- 467 (iii) an electric propulsion system with average power of one horsepower or 750
468 watts;
- 469 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 470 (v) a deck design for a person to stand while operating the device.

- 471 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 472 [~~(23)~~] (25) "Electric unicycle" means a self-balancing personal transportation device that:
- 473 (a) has a single wheel;
- 474 (b) is powered by an electric motor that utilizes gyroscopes and accelerometers to
- 475 stabilize the rider; and
- 476 (c) is designed for the operator to face in the direction of travel while operating the
- 477 device.
- 478 [~~(24)~~] (26) "Explosives" means a chemical compound or mechanical mixture commonly
- 479 used or intended for the purpose of producing an explosion and that contains any
- 480 oxidizing and combustive units or other ingredients in proportions, quantities, or
- 481 packing so that an ignition by fire, friction, concussion, percussion, or detonator of any
- 482 part of the compound or mixture may cause a sudden generation of highly heated gases,
- 483 and the resultant gaseous pressures are capable of producing destructive effects on
- 484 contiguous objects or of causing death or serious bodily injury.
- 485 [~~(25)~~] (27) "Farm tractor" means a motor vehicle designed and used primarily as a farm
- 486 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 487 [~~(26)~~] (28) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
- 488 as determined by a Tagliabue or equivalent closed-cup test device.
- 489 [~~(27)~~] (29) "Freeway" means a controlled-access highway that is part of the interstate system
- 490 as defined in Section 72-1-102.
- 491 [~~(28)~~] (30)(a) "Golf cart" means a device that:
- 492 (i) is designed for transportation by players on a golf course;
- 493 (ii) has not less than three wheels in contact with the ground;
- 494 (iii) has an unladen weight of less than 1,800 pounds;
- 495 (iv) is designed to operate at low speeds; and
- 496 (v) is designed to carry not more than six persons including the driver.
- 497 (b) "Golf cart" does not include:
- 498 (i) a low-speed vehicle or an off-highway vehicle;
- 499 (ii) a motorized wheelchair;
- 500 (iii) an electric personal assistive mobility device;
- 501 (iv) an electric assisted bicycle;
- 502 (v) a motor assisted scooter;
- 503 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 504 (vii) a mobile carrier, as defined in Section 41-6a-1120.

505 [~~(29)~~] (31) "Gore area" means the area delineated by two solid white lines that is between a
506 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
507 including similar areas between merging or splitting highways.

508 [~~(30)~~] (32) "Gross weight" means the weight of a vehicle without a load plus the weight of
509 any load on the vehicle.

510 [~~(31)~~] (33) "Hi-rail vehicle" means a roadway maintenance vehicle that is:

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

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

514 [~~(32)~~] (34) "Highway" means the entire width between property lines of every way or place
515 of any nature when any part of it is open to the use of the public as a matter of right for
516 vehicular travel.

517 [~~(33)~~] (35) "Highway authority" means the same as that term is defined in Section 72-1-102.

518 [~~(34)~~] (36) "Interdicted person" means the same as that term is defined in Section 32B-1-102.

519 [~~(35)~~] (37)(a) "Intersection" means the area embraced within the prolongation or
520 connection of the lateral curb lines, or, if none, then the lateral boundary lines of the
521 roadways of two or more highways that join one another.

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

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

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

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

528 [~~(36)~~] (38) "Island" means an area between traffic lanes or at an intersection for control of
529 vehicle movements or for pedestrian refuge designated by:

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

532 (b) channelizing devices;

533 (c) curbs;

534 (d) pavement edges; or

535 (e) other devices.

536 [~~(37)~~] (39)(a) "Lane filtering" means, when operating a motorcycle other than an
537 autocycle, the act of overtaking and passing another vehicle that is stopped in the
538 same direction of travel in the same lane.

539 (b) "Lane filtering" does not include lane splitting.

540 [(38)] (40)(a) "Lane splitting" means, when operating a motorcycle other than an
541 autocycle, the act of riding a motorcycle between clearly marked lanes for traffic
542 traveling in the same direction of travel while traffic is in motion.

543 (b) "Lane splitting" does not include lane filtering.

544 [(39)] (41) "Law enforcement agency" means the same as that term is as defined in Section
545 53-1-102.

546 (42) "Life essential item retrieval form" means a document completed by a registered
547 owner or other authorized representative of a vehicle, vessel, or outboard motor that has
548 been towed or removed to request and document the release of life essential items from
549 the impounded or towed vehicle, vessel, or outboard motor.

550 [(40)] (43) "Limited access highway" means a highway:

551 (a) that is designated specifically for through traffic; and

552 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
553 persons have any right or easement, or have only a limited right or easement of
554 access, light, air, or view.

555 [(41)] (44) "Local highway authority" means the legislative, executive, or governing body of
556 a county, municipal, or other local board or body having authority to enact laws relating
557 to traffic under the constitution and laws of the state.

558 [(42)] (45)(a) "Low-speed vehicle" means a four wheeled motor vehicle that:

559 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

560 (ii) has a capacity of not more than six passengers, including a conventional driver or
561 fallback-ready user if on board the vehicle, as those terms are defined in Section
562 41-26-102.1.

563 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

564 [(43)] (46) "Metal tire" means a tire, the surface of which in contact with the highway is
565 wholly or partly of metal or other hard nonresilient material.

566 [(44)] (47)(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that:

567 (i) has a seat or saddle that is less than 24 inches from the ground as measured on a
568 level surface with properly inflated tires[-] ; and

569 (ii)(A) has an electric motor of more than 750 watts, or is capable of exceeding a
570 speed of 20 miles per hour using the power of the electric motor alone; or

571 (B) has an internal combustion engine that has a displacement that exceeds 50
572 cubic centimeters.

- 573 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 574 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 575 (i) designed for off-highway use; and
- 576 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 577 [~~(45)~~] (48) "Mobile home" means:
- 578 (a) a trailer or semitrailer that is:
- 579 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 580 place either permanently or temporarily; and
- 581 (ii) equipped for use as a conveyance on streets and highways; or
- 582 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
- 583 for use as a mobile home, as defined in [~~Subsection (45)(a)~~] this subsection (48), but
- 584 that is instead used permanently or temporarily for:
- 585 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 586 (ii) any other commercial purpose except the transportation of property for hire or the
- 587 transportation of property for distribution by a private carrier.
- 588 [~~(46)~~] (49) "Mobility disability" means the inability of a person to use one or more of the
- 589 person's extremities or difficulty with motor skills, that may include limitations with
- 590 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
- 591 condition.
- 592 [~~(47)~~] (50)(a) "Moped" means a motor-driven cycle having:
- 593 (i) pedals to permit propulsion by human power; and
- 594 (ii) a motor that:
- 595 (A) produces not more than two brake horsepower; and
- 596 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
- 597 on level ground.
- 598 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 599 centimeters and the moped shall have a power drive system that functions directly or
- 600 automatically without clutching or shifting by the operator after the drive system is
- 601 engaged.
- 602 (c) "Moped" does not include:
- 603 (i) an electric assisted bicycle; or
- 604 (ii) a motor assisted scooter.
- 605 [~~(48)~~] (51)(a) "Motor assisted scooter" means a self-propelled device with:
- 606 (i) at least two wheels in contact with the ground;

- 607 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 608 (iii) an electric motor not exceeding 2,000 watts;
- 609 (iv) either:
- 610 (A) handlebars and a deck design for a person to stand while operating the device;
- 611 or
- 612 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
- 613 operating the device;
- 614 (v) a design for the ability to be propelled by human power alone; and
- 615 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 616 (b) "Motor assisted scooter" does not include:
- 617 (i) an electric assisted bicycle; or
- 618 (ii) a motor-driven cycle.

619 [(49)] (52)(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is

620 propelled by electric power obtained from overhead trolley wires, but not operated

621 upon rails.

- 622 (b) "Motor vehicle" does not include:
- 623 (i) vehicles moved solely by human power;
- 624 (ii) motorized wheelchairs;
- 625 (iii) an electric personal assistive mobility device;
- 626 (iv) an electric assisted bicycle;
- 627 (v) a motor assisted scooter;
- 628 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 629 (vii) a mobile carrier, as defined in Section 41-6a-1120.

630 [(50)] (53)(a) "Motorcycle" means:

- 631 [(a)] (i) a motor vehicle, other than a tractor, having a seat or saddle for the use of the
- 632 rider and designed to travel with not more than three wheels in contact with the
- 633 ground, regardless of the mode of power generation; or
- 634 [(b)] (ii) an autocycle.

635 (b) "Motorcycle" includes a mini-motorcycle.

636 [(51)] (54)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle

637 having:

- 638 (i) an engine with less than 150 cubic centimeters displacement; or
- 639 (ii) a motor that produces not more than five horsepower.
- 640 (b) "Motor-driven cycle" does not include:

- 641 (i) an electric personal assistive mobility device;
- 642 (ii) a motor assisted scooter; or
- 643 (iii) an electric assisted bicycle.
- 644 ~~[(52)]~~ (55) "Off-highway implement of husbandry" means the same as that term is defined
- 645 under Section 41-22-2.
- 646 ~~[(53)]~~ (56) "Off-highway motorcycle" means the same as that term is defined in Section
- 647 41-22-2.
- 648 ~~[(54)]~~ (57) "Off-highway vehicle" means the same as that term is defined under Section
- 649 41-22-2.
- 650 ~~[(55)]~~ (58) "Operate" means the same as that term is defined in Section 41-1a-102.
- 651 ~~[(56)]~~ (59) "Operator" means:
- 652 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 653 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
- 654 vehicle.
- 655 ~~[(57)]~~ (60) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
- 656 other device operated, alone or coupled with another device, on stationary rails.
- 657 (61) "Parent" or "guardian" means an individual with a parent-child relationship under
- 658 Section 81-5-102.
- 659 ~~[(58)]~~ (62)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
- 660 occupied or not.
- 661 (b) "Park" or "parking" does not include:
- 662 (i) the standing of a vehicle temporarily for the purpose of and while actually
- 663 engaged in loading or unloading property or passengers; or
- 664 (ii) a motor vehicle with an engaged automated driving system that has achieved a
- 665 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 666 ~~[(59)]~~ (63) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
- 667 Peace Officer Classifications, to direct or regulate traffic or to make arrests for
- 668 violations of traffic laws.
- 669 ~~[(60)]~~ (64) "Pedestrian" means a person traveling:
- 670 (a) on foot; or
- 671 (b) in a wheelchair.
- 672 ~~[(61)]~~ (65) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
- 673 pedestrians.
- 674 ~~[(62)]~~ (66) "Person" means a natural person, firm, copartnership, association, corporation,

675 business trust, estate, trust, partnership, limited liability company, association, joint
676 venture, governmental agency, public corporation, or any other legal or commercial
677 entity.

678 [(63)] (67) "Pole trailer" means a vehicle without motive power:

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

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

685 [(64)] (68) "Private road or driveway" means every way or place in private ownership and
686 used for vehicular travel by the owner and those having express or implied permission
687 from the owner, but not by other persons.

688 [(65)] (69) "Programmable electric assisted bicycle" means an electric assisted bicycle with
689 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
690 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
691 electric assisted bicycle fully conforms with the respective requirements of each class of
692 electric assisted bicycle when operated in that mode.

693 [(66)] (70) "Railroad" means a carrier of persons or property upon cars operated on
694 stationary rails.

695 [(67)] (71) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
696 public body or official or by a railroad and intended to give notice of the presence of
697 railroad tracks or the approach of a railroad train.

698 [(68)] (72) "Railroad train" means a locomotive propelled by any form of energy, coupled
699 with or operated without cars, and operated upon rails.

700 [(69)] (73) "Restored-modified vehicle" means the same as the term defined in Section
701 41-1a-102.

702 [(70)] (74) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
703 lawful manner in preference to another vehicle or pedestrian approaching under
704 circumstances of direction, speed, and proximity that give rise to danger of collision
705 unless one grants precedence to the other.

706 [(71)] (75)(a) "Roadway" means that portion of highway improved, designed, or
707 ordinarily used for vehicular travel.

708 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of

- 709 them are used by persons riding bicycles or other human-powered vehicles.
- 710 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
711 highway includes two or more separate roadways.
- 712 ~~[(72)]~~ (76) "Safety zone" means the area or space officially set apart within a roadway for
713 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
714 signs as to be plainly visible at all times while set apart as a safety zone.
- 715 ~~[(73)]~~ (77)(a) "School bus" means a motor vehicle that:
- 716 (i) complies with the color and identification requirements of the most recent edition
717 of "Minimum Standards for School Buses"; and
- 718 (ii) is used to transport school children to or from school or school activities.
- 719 (b) "School bus" does not include a vehicle operated by a common carrier in
720 transportation of school children to or from school or school activities.
- 721 ~~[(74)]~~ (78) "Self-balancing electric skateboard" means a device similar to a skateboard that:
- 722 (a) has a single wheel;
- 723 (b) is powered by an electric motor; and
- 724 (c) is designed for the operator to face perpendicular to the direction of travel while
725 operating the device.
- 726 ~~[(75)]~~ (79)(a) "Semitrailer" means a vehicle with or without motive power:
- 727 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
728 and
- 729 (ii) constructed so that some part of its weight and that of its load rests on or is
730 carried by another vehicle.
- 731 (b) "Semitrailer" does not include a pole trailer.
- 732 ~~[(76)]~~ (80) "Shoulder area" means:
- 733 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
734 edge line as established in the current approved "Manual on Uniform Traffic Control
735 Devices"; or
- 736 (b) that portion of the road contiguous to the roadway for accommodation of stopped
737 vehicles, for emergency use, and for lateral support.
- 738 ~~[(77)]~~ (81) "Sidewalk" means that portion of a street between the curb lines, or the lateral
739 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 740 ~~[(78)]~~ (82)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
741 that is designated for the use of a bicycle.
- 742 (b) "Soft-surface trail" does not mean a trail:

- 743 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
744 federal law, regulation, or rule; or
- 745 (ii) located in whole or in part on land granted to the state or a political subdivision
746 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 747 ~~[(79)]~~ (83) "Solid rubber tire" means a tire of rubber or other resilient material that does not
748 depend on compressed air for the support of the load.
- 749 ~~[(80)]~~ (84) "Stand" or "standing" means the temporary halting of a vehicle, whether
750 occupied or not, for the purpose of and while actually engaged in receiving or
751 discharging passengers.
- 752 ~~[(81)]~~ (85) "Stop" when required means complete cessation from movement.
- 753 ~~[(82)]~~ (86) "Stop" or "stopping" when prohibited means any halting even momentarily of a
754 vehicle, whether occupied or not, except when:
- 755 (a) necessary to avoid conflict with other traffic; or
- 756 (b) in compliance with the directions of a peace officer or traffic-control device.
- 757 ~~[(83)]~~ (87) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
758 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway
759 motorcycle, that is modified to meet the requirements of Section 41-6a-1509 to operate
760 on highways in the state in accordance with Section 41-6a-1509.
- 761 ~~[(84)]~~ (88) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
762 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
763 operate on highways in the state in accordance with Section 41-6a-1509.
- 764 ~~[(85)]~~ (89) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 765 ~~[(86)]~~ (90) "Tow truck motor carrier" means the same as that term is defined in Section
766 72-9-102.
- 767 ~~[(87)]~~ (91) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and
768 other conveyances either singly or together while using any highway for the purpose of
769 travel.
- 770 ~~[(88)]~~ (92) "Traffic signal preemption device" means an instrument or mechanism designed,
771 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 772 ~~[(89)]~~ (93) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
773 with this chapter placed or erected by a highway authority for the purpose of regulating,
774 warning, or guiding traffic.
- 775 ~~[(90)]~~ (94) "Traffic-control signal" means a device, whether manually, electrically, or
776 mechanically operated, by which traffic is alternately directed to stop and permitted to

777 proceed.

778 [~~(91)~~] (95)(a) "Trailer" means a vehicle with or without motive power designed for
779 carrying persons or property and for being drawn by a motor vehicle and constructed
780 so that no part of its weight rests upon the towing vehicle.

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

782 [~~(92)~~] (96) "Truck" means a motor vehicle designed, used, or maintained primarily for the
783 transportation of property.

784 [~~(93)~~] (97) "Truck tractor" means a motor vehicle:

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

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

788 [~~(94)~~] (98) "Two-way left turn lane" means a lane:

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

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

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

793 [~~(95)~~] (99) "Urban district" means the territory contiguous to and including any street, in
794 which structures devoted to business, industry, or dwelling houses are situated at
795 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

796 [~~(96)~~] (100) "Vehicle" means a device in, on, or by which a person or property is or may be
797 transported or drawn on a highway, except a mobile carrier, as defined in Section
798 41-6a-1120, or a device used exclusively on stationary rails or tracks.

799 [~~(97)~~] (101) "Wheelie" means a maneuver performed while operating a motorcycle whereby
800 the front wheel of the motorcycle is raised off of the ground.

801 Section 3. Section **41-6a-210** is amended to read:

802 **41-6a-210 (Effective 07/01/26). Failure to respond to officer's signal to stop --**
803 **Fleeing -- Causing property damage or bodily injury -- Suspension of driver's license --**
804 **Forfeiture of vehicle -- Penalties.**

805 (1)(a) An operator who receives a visual or audible signal from a law enforcement
806 officer to bring the vehicle to a stop may not:

807 (i) operate the vehicle in willful or wanton disregard of the signal so as to interfere
808 with or endanger the operation of any vehicle or person; or

809 (ii) knowingly or intentionally attempt to flee or elude a law enforcement officer by
810 vehicle or other means.

- 811 (b)(i) A person who violates Subsection (1)(a) is guilty of a [~~felony of the third~~
 812 ~~degree~~] a third degree felony.
- 813 (ii) The court shall, as part of any sentence under this Subsection (1), impose a fine of
 814 not less than \$1,000.
- 815 (c) A law enforcement officer may impound a vehicle of a person who violates
 816 Subsection (1)(a).
- 817 (2)(a) An operator who violates Subsection (1) and while so doing causes death or
 818 serious bodily injury to another person, under circumstances not amounting to
 819 murder or aggravated murder, is guilty of a [~~felony of the second degree~~] second
 820 degree felony.
- 821 (b) The court shall, as part of any sentence under this Subsection (2), impose a fine of
 822 not less than \$5,000.
- 823 (3)(a) In addition to the penalty provided under this section or any other section, a
 824 person who violates Subsection (1)(a) or (2)(a) shall have the person's driver license
 825 revoked under Subsection 53-3-220(1)(a)(ix) for a period of one year.
- 826 (b) If the individual has not been issued a driver license, the division shall deny the
 827 individual's application for a driver license or learner's permit for the longer of:
 828 (i) one year after the conviction; or
 829 (ii) one year after the individual is old enough to qualify for a driver license or
 830 learner's permit.
- 831 [~~(b)~~] (c)(i) The court shall forward the report of the conviction to the division.
 832 (ii) If the person is the holder of a driver license from another jurisdiction, the
 833 division shall notify the appropriate officials in the licensing state.
- 834 Section 4. Section **41-6a-1406** is amended to read:
 835 **41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29). Removal and**
 836 **impoundment of vehicles -- Reporting and notification requirements -- Administrative**
 837 **impound fee -- Refunds -- Possessory lien -- Rulemaking.**
- 838 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section
 839 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, 41-6a-1511, or 73-18-20.1
 840 by an order of a peace officer or by an order of a person acting on behalf of a law
 841 enforcement agency or highway authority, the impoundment of the vehicle, vessel, or
 842 outboard motor shall be at the expense of the owner.
- 843 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be impounded to a
 844 state impound yard.

- 845 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be
846 removed by a tow truck motor carrier that meets standards established:
- 847 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
848 (b) by the department under Subsection (11).
- 849 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or
850 outboard motor that is impounded as described in Subsection (1).
- 851 (b) Before noon on the next business day after the date of the removal of the vehicle,
852 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor
853 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,
854 by:
- 855 (i) the peace officer or agency by whom the peace officer is employed; and
856 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
857 operator is employed.
- 858 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
859 include:
- 860 (i) the operator's name, if known;
861 (ii) a description of the vehicle, vessel, or outboard motor;
862 (iii) the vehicle identification number or vessel or outboard motor identification
863 number;
864 (iv) the case number designated by the peace officer, law enforcement agency
865 number, or government entity;
866 (v) the license number, temporary permit number, or other identification number
867 issued by a state agency;
868 (vi) the date, time, and place of impoundment;
869 (vii) the reason for removal or impoundment;
870 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
871 outboard motor; and
872 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 873 (d)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
874 the State Tax Commission shall make rules to establish proper format and
875 information required on the form described in this Subsection (4).
876 (ii) The State Tax Commission shall ensure that the form described in this Subsection
877 (4) is provided in an electronic format.
- 878 (e) Until the tow truck operator or tow truck motor carrier reports the removal as

- 879 required under this Subsection (4), a tow truck motor carrier or impound yard may
880 not:
- 881 (i) collect any fee associated with the removal; and
 - 882 (ii) begin charging storage fees.
- 883 (5)(a) A report described in this Subsection (5) is required for any vehicle, vessel, or
884 outboard motor that is removed, except for:
- 885 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in
886 Subsection (1); or
 - 887 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in
888 accordance with Section 72-9-603.
- 889 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer
890 shall provide documentation to the tow truck operator or tow truck motor carrier that
891 includes:
- 892 (i) the name and badge number of the peace officer;
 - 893 (ii) the name and originating agency identifier of the law enforcement agency; and
 - 894 (iii) the case number designated by the law enforcement officer or law enforcement
895 agency.
- 896 (c) For a removal described in Subsection (5)(a), before noon on the next business day
897 following the date of the removal of the vehicle, vessel, or outboard motor, the tow
898 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in
899 an electronic format approved by the Motor Vehicle Division:
- 900 (i) the report described in Subsection (4); or
 - 901 (ii) the report described in Subsection (5)(d).
- 902 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck
903 motor carrier does not provide the report described in Subsection (4), the tow truck
904 operator or tow truck motor carrier shall provide a report to the Motor Vehicle
905 Division that includes:
- 906 (i) the name and badge number of the relevant peace officer;
 - 907 (ii) the name and originating agency identifier of the law enforcement agency;
 - 908 (iii) the law enforcement agency case number;
 - 909 (iv) subject to Subsection (5)(e), the vehicle identification number and the license
910 number, temporary permit number, or other identification number issued by a
911 state agency;
 - 912 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and

- 913 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 914 (e) If either the vehicle identification number or the license number, temporary permit
915 number, or other identification number issued by a state agency is not available, the
916 report shall include:
- 917 (i) as much information as is available from both the vehicle identification number
918 and the license plate number of the vehicle, vessel, or outboard motor; and
- 919 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,
920 model, and model year of the vehicle, vessel, or outboard motor.
- 921 (f) Until the tow truck operator or tow truck motor carrier reports the removal as
922 required under this Subsection (5), a tow truck motor carrier may not:
- 923 (i) collect any fee associated with the removal; or
924 (ii) begin charging storage fees.
- 925 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be
926 removed to:
- 927 (i) a state impound yard; or
928 (ii) a location that has been requested by the registered owner at the time of removal,
929 if payment is made to the tow truck motor carrier or tow truck operator at the time
930 of removal.
- 931 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
932 State Tax Commission may make rules to establish proper format and information
933 required on the form described in Subsection (5)(d), including submission in an
934 electronic format.
- 935 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in
936 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner
937 described in Section 41-1a-114, to the following parties with an interest in the
938 vehicle, vessel, or outboard motor, as applicable:
- 939 (i) the registered owner;
940 (ii) ~~any~~ a lien holder; or
941 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard
942 motor is ~~currently~~ operating under a temporary permit issued by the dealer, as
943 described in Section 41-3-302.
- 944 (b) The notice shall:
- 945 (i) state the date, time, and place of removal, the name, if applicable, of the ~~person~~
946 individual operating the vehicle, vessel, or outboard motor at the time of removal,

- 947 the reason for removal, and the place where the vehicle, vessel, or outboard motor
948 is stored;
- 949 (ii) state that the registered owner is responsible for payment of towing, impound,
950 and storage fees charged against the vehicle, vessel, or outboard motor;
- 951 (iii) state the conditions that [~~must~~] shall be satisfied before the vehicle, vessel, or
952 outboard motor is released; and
- 953 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the
954 vehicle, vessel, or outboard motor, if, within 30 days after the day of the removal
955 or impoundment under this section, one of the parties fails to make a claim for
956 release of the vehicle, vessel, or outboard motor.
- 957 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor
958 is not registered in this state, the Motor Vehicle Division shall make a reasonable
959 effort to notify the parties described in Subsection (6)(a) of the removal and the place
960 where the vehicle, vessel, or outboard motor is stored.
- 961 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)
962 if a report was received by a tow truck operator or tow truck motor carrier reporting a
963 tow truck service in accordance with Subsection 72-9-603(1)(a)(i).
- 964 (e)(i) The Motor Vehicle Division shall disclose the information in the report
965 described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent
966 as defined in Section 41-12a-802 regarding a tow that was initiated:
- 967 (A) by law enforcement; or
968 (B) without the vehicle owner's consent.
- 969 (ii) The Motor Vehicle Division may rely on the information provided by the tow
970 truck operator or tow truck motor carrier to determine if a tow meets the criteria
971 described in Subsections (6)(e)(i)(A) and (B).
- 972 (iii) The designated agent may disclose information received [~~regarding~~] concerning a
973 tow described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the
974 vehicle owner's verified insurance company.
- 975 (iv) The designated agent may not disclose information to a vehicle owner's
976 insurance company if the tow does not meet the criteria described in Subsections
977 (6)(e)(i)(A) and (B).
- 978 (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound
979 yard as described in this section shall be released after a party described in
980 Subsection (6)(a) or (7)(f):

- 981 (i) makes a claim for release of the vehicle, vessel, or outboard motor at any office of
982 the State Tax Commission;
- 983 (ii) presents identification sufficient to prove ownership of the impounded or
984 removed vehicle, vessel, or outboard motor;
- 985 (iii) completes the registration, if needed, and pays the appropriate fees;
- 986 (iv) if the impoundment was made under Section 41-6a-527 or Subsection
987 41-1a-1101(3), pays:
- 988 (A) an administrative impound fee of \$425; and
989 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an
990 administrative testing fee of \$30; and
- 991 (v) pays all towing and storage fees to the place where the vehicle, vessel, or
992 outboard motor is stored.
- 993 (b)(i) Twenty-nine dollars of the administrative impound fee assessed under
994 Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.
- 995 (ii) One-hundred and forty-seven dollars of the administrative impound fee assessed
996 under Subsection (7)(a)(iv)(A) shall be deposited into the Department of Public
997 Safety Restricted Account created in Section 53-3-106.
- 998 (iii) Twenty dollars of the administrative impound fee assessed under Subsection
999 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund
1000 created in Section 26B-1-318.
- 1001 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the
1002 remainder of the administrative impound fee assessed under Subsection
1003 (7)(a)(iv)(A) shall be deposited into the General Fund.
- 1004 (v) The administrative testing fee described in Subsection (7)(a)(iv)(B) shall be
1005 deposited into the State Laboratory Drug Testing Account created in Section
1006 26B-1-304.
- 1007 (c) The administrative impound fee and the administrative testing fee assessed under
1008 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the
1009 registered owner, lien holder, or owner's agent presents written evidence to the State
1010 Tax Commission that:
- 1011 (i) the Driver License Division determined that the arrested [~~person's~~] individual's
1012 driver license should not be suspended or revoked under Section 53-3-223 or
1013 41-6a-521 as shown by a letter or other report from the Driver License Division
1014 presented within 180 days after the day on which the Driver License Division

- 1015 mailed the final notification; or
- 1016 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
1017 stolen vehicle report presented within 180 days after the day of the impoundment.
- 1018 (d) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
1019 payment by cash and debit or credit card for a removal or impoundment under
1020 Subsection (1) or any service rendered, performed, or supplied in connection with a
1021 removal or impoundment under Subsection (1).
- 1022 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
1023 impounded vehicle, vessel, or outboard motor if:
- 1024 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
- 1025 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
1026 Subsection (6)(a), even if the party satisfies the requirements to release the
1027 vehicle, vessel, or outboard motor under this Subsection (7).
- 1028 (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or
1029 outboard motor impounded or removed to a state impound yard as described in this
1030 section shall be released to an individual that is not described in Subsection (6)(a) if
1031 the individual:
- 1032 (i)(A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);
- 1033 (B) presents the individual's driver license or other government-issued
1034 identification; and
- 1035 (C) demonstrates that the individual has authority granted by a person described in
1036 Subsection (6)(a) to obtain and operate the vehicle; or
- 1037 (ii) is a tow truck operator or tow truck motor carrier that:
- 1038 (A) demonstrates that the tow truck operator or tow truck motor carrier has
1039 authority granted by a person described in Subsection (6)(a) to obtain and
1040 operate the vehicle, vessel, or outboard motor;
- 1041 (B) provides a towing certificate issued by the Department of Transportation [
1042 ~~pursuant to~~] in accordance with Section 72-9-602;
- 1043 (C) pays all towing and storage fees; and
- 1044 (D) obtains or presents an impound release for the vehicle, vessel, or outboard
1045 motor [~~pursuant to~~] in accordance with Subsection (7)(a).
- 1046 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by
1047 a party described in Subsection (6)(a) or (7)(f) within the time prescribed by Section
1048 41-1a-1103, the Motor Vehicle Division shall issue a certificate of sale for the

- 1049 impounded or removed vehicle, vessel, or outboard motor as described in Section
1050 41-1a-1103.
- 1051 (b) The date of impoundment or removal is considered the date of seizure for computing
1052 the time period provided under Section 41-1a-1103.
- 1053 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the
1054 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause
1055 of action for all the fees and charges, together with damages, court costs, and attorney
1056 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused
1057 the removal or impoundment.
- 1058 (10)(a) As used in this Subsection (10), "life essential item" means the same as that term
1059 is defined in Subsection 72-9-603(13).
- 1060 (b) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel,
1061 or outboard motor.
- 1062 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and any
1063 nonlife essential items contained in the vehicle, vessel, or outboard motor.
- 1064 (d)(i) Except for a vehicle, vessel, or outboard motor being held as evidence, a tow
1065 truck operator, a tow truck motor carrier, or an impound yard shall allow a person
1066 described in Subsection (6)(a) or an individual described in Subsection (7)(f)(i) to
1067 take possession of any life essential item within the vehicle, vessel, or outboard
1068 motor during normal business hours regardless of whether the towing, impound
1069 fees, or storage fees have been paid.
- 1070 (ii) A tow truck operator, a tow truck motor carrier, or an impound yard may not
1071 allow an individual to retrieve the items described in Subsection (10)(d)(i) if the
1072 retrieval would cause an unreasonable delay to vehicle impounding or storage or
1073 create a safety risk.
- 1074 (e) Except for a vehicle, vessel, ~~[or]~~ outboard motor, or an item being held as evidence,
1075 upon payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an
1076 impound yard shall allow a person described in Subsection (6)(a) or an individual
1077 described in Subsection (7)(f)(i) to enter the vehicle, vessel, or outboard motor after
1078 completion of a life essential item retrieval form during normal business hours and
1079 remove personal property not attached to the vehicle, vessel, or outboard motor.
- 1080 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1081 department shall make rules setting the performance standards for towing companies to
1082 be used by the department.

- 1083 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection
 1084 (4) be submitted in electronic form [~~utilizing~~] using a database for submission,
 1085 storage, and retrieval of the information.
- 1086 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the
 1087 administrator of the database may adopt a schedule of fees assessed for [~~utilizing~~]
 1088 using the database.
- 1089 (ii) The fees under this Subsection (12)(b) shall:
 1090 (A) be reasonable and fair; and
 1091 (B) reflect the cost of administering the database.
- 1092 (13) If an owner or authorized representative of a vehicle, vessel, or outboard motor that
 1093 has been towed or removed requests to retrieve a life essential item, an operator of an
 1094 impound yard shall provide a life essential item retrieval form.
- 1095 (14)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 1096 the commission shall make rules creating, managing, and distributing a life essential
 1097 item retrieval form.
- 1098 (b) The commission shall ensure that a life essential item retrieval form includes:
 1099 (i) identifying information of:
 1100 (A) the individual requesting release of a life essential item;
 1101 (B) the vehicle, vessel, or outboard motor containing the life essential item; and
 1102 (C) the life essential item for which the individual is requesting release;
 1103 (ii) if the individual requesting release of a life essential item is not the registered
 1104 owner of the vehicle, vessel, or outboard motor, proof of authority to retrieve a
 1105 life essential item;
 1106 (iii) space for a representative of the impound yard to note the condition of a life
 1107 essential item upon the item's release;
 1108 (iv) the date of request and release;
 1109 (v) if the individual requesting release of a life essential item is requesting an item
 1110 specific to the individual's employment, the name and phone number of an
 1111 employer of the individual;
 1112 (vi) space for signatures of the individual requesting release of a life essential item
 1113 and a representative of the impound yard; and
 1114 (vii) other items deemed necessary and proper by the commission.
- 1115 Section 5. Section **41-6a-1511** is enacted to read:
 1116 **41-6a-1511 (Effective 07/01/26). Parents and guardians may not authorize**

1117 **child's violation of part -- Impoundment.**

1118 (1) An adult, parent, or guardian may not authorize or knowingly permit a child to violate
 1119 this part.

1120 (2) A child who violates this part is guilty of an infraction.

1121 (3) A law enforcement officer shall notify the parent or guardian of a child who violates
 1122 this part.

1123 (4) A law enforcement officer may impound a motorcycle if the operator commits a
 1124 violation of this part.

1125 (5) An impoundment under this section is subject to Section 41-6a-1406.

1126 Section 7. Section **72-9-102** is amended to read:

1127 **72-9-102 (Effective 07/01/26). Definitions.**

1128 As used in this chapter:

1129 (1)(a) "Commercial vehicle" includes:

1130 (i) an interstate commercial vehicle;

1131 (ii) an intrastate commercial vehicle; and

1132 (iii) a tow truck.

1133 (b) "Commercial vehicle" does not include the following vehicles for purposes of this
 1134 chapter:

1135 (i) equipment owned and operated by the United States Department of Defense when
 1136 driven by any active duty military personnel and members of the reserves and
 1137 national guard on active duty including personnel on full-time national guard duty,
 1138 personnel on part-time training, and national guard military technicians and
 1139 civilians who are required to wear military uniforms and are subject to the code of
 1140 military justice;

1141 (ii) firefighting and emergency vehicles, operated by emergency personnel, not
 1142 including commercial tow trucks;

1143 (iii) recreational vehicles that are driven solely as family or personal conveyances for
 1144 noncommercial purposes; or

1145 (iv) vehicles owned by the state or a local government.

1146 (2) "Interstate commercial vehicle" means a self-propelled or towed motor vehicle used on
 1147 a highway in interstate commerce to transport passengers or property if the vehicle:

1148 (a) has a gross vehicle weight rating or gross vehicle weight of 10,001 or more pounds,
 1149 or gross combination weight rating or gross combination weight of 10,001 or more
 1150 pounds, whichever is greater;

- 1151 (b) is designed or used to transport more than eight passengers, including the driver, for
 1152 compensation;
- 1153 (c) is designed or used to transport more than 15 passengers, including the driver, and is
 1154 not used to transport passengers for compensation; or
- 1155 (d)(i) is used to transport materials designated as hazardous in accordance with 49
 1156 U.S.C. Sec. 5103; and
- 1157 (ii) is required to be placarded in accordance with regulations under 49 C.F.R.[5]
 1158 Subtitle B, Chapter I, Subchapter C.
- 1159 (3) "Intrastate commercial vehicle" means a motor vehicle, vehicle, trailer, or semitrailer
 1160 used or maintained for business, compensation, or profit to transport passengers or
 1161 property on a highway only within the boundaries of this state if the commercial vehicle:
 1162 (a)(i) has a manufacturer's gross vehicle weight rating or gross vehicle weight, or
 1163 gross combination weight rating or gross combination weight of 26,001 or more
 1164 pounds, whichever is greater, and is operated by an individual who is 18 years old
 1165 or older; or
- 1166 (ii) has a manufacturer's gross vehicle weight rating or gross combination weight
 1167 rating of 16,001 or more pounds and is operated by an individual who is under 18
 1168 years old;
- 1169 (b)(i) is designed to transport more than 15 passengers, including the driver; or
 1170 (ii) is designed to transport more than 12 passengers, including the driver, and has a
 1171 manufacturer's gross vehicle weight rating or gross combination weight rating of
 1172 13,000 or more pounds; or
- 1173 (c) is used in the transportation of hazardous materials and is required to be placarded in
 1174 accordance with 49 C.F.R. Part 172, Subpart F.
- 1175 (4) "Life essential item retrieval form" means the same as that term is defined in Section
 1176 41-6a-102.
- 1177 [(4)] (5) "Motor carrier" means a person engaged in or transacting the business of
 1178 transporting passengers, freight, merchandise, or other property by a commercial vehicle
 1179 on a highway within this state and includes a tow truck business.
- 1180 [(5)] (6) "Owner" as pertaining to a vehicle, vessel, or outboard motor, means the same as
 1181 that term is defined in Section 41-1a-102.
- 1182 [(6)] (7) "Property owner" means the owner or lessee of real property.
- 1183 [(7)] (8) "State impound yard" means the same as that term is defined in Section 41-1a-102.
- 1184 [(8)] (9) "Tow truck" means a motor vehicle constructed, designed, altered, or equipped

1185 primarily for the purpose of towing or removing damaged, disabled, abandoned, seized,
 1186 or impounded vehicles from a highway or other place by means of a crane, hoist, tow
 1187 bar, tow line, dolly, tilt bed, or other means.

1188 [~~(9)~~] (10) "Tow truck motor carrier" means a motor carrier that is engaged in or transacting
 1189 business for tow truck services.

1190 [~~(10)~~] (11) "Tow truck operator" means an individual that performs operations related to a
 1191 tow truck service as an employee or as an independent contractor on behalf of a tow
 1192 truck motor carrier.

1193 [~~(11)~~] (12) "Tow truck service" means the functions and any ancillary operations associated
 1194 with recovering, removing, and towing a vehicle and its load from a highway or other
 1195 place by means of a tow truck.

1196 [~~(12)~~] (13) "Transportation" means the actual movement of property or passengers by motor
 1197 vehicle, including loading, unloading, and any ancillary service provided by the motor
 1198 carrier in connection with movement by motor vehicle, which is performed by or on
 1199 behalf of the motor carrier, its employees or agents, or under the authority of the motor
 1200 carrier, its employees or agents, or under the apparent authority and with the knowledge
 1201 of the motor carrier.

1202 Section 7. Section **72-9-603** is amended to read:

1203 **72-9-603 (Effective 07/01/26). Towing notice requirements -- Cost**
 1204 **responsibilities -- Abandoned vehicle title restrictions -- Rules for maximum rates and**
 1205 **certification.**

1206 (1) Except for a tow truck service that was ordered by a peace officer, a person acting on
 1207 behalf of a law enforcement agency, or a highway authority, after performing a tow
 1208 truck service that is being done without the vehicle, vessel, or outboard motor owner's
 1209 knowledge, the tow truck operator or the tow truck motor carrier shall:

1210 (a) immediately upon arriving at the place of storage or impound of the vehicle, vessel,
 1211 or outboard motor:

1212 (i) provide relevant information to the impound vehicle service system database
 1213 administered by the Motor Vehicle Division, including:

1214 (A) the date and time of the removal of the vehicle, vessel, or outboard motor;

1215 (B) a description of the vehicle, vessel, or outboard motor; and

1216 (C) the vehicle identification number or vessel or outboard motor identification
 1217 number; and

1218 (ii) contact the law enforcement agency having jurisdiction over the area where the

- 1219 vehicle, vessel, or outboard motor was picked up and notify the agency of the:
- 1220 (A) location of the vehicle, vessel, or outboard motor;
- 1221 (B) date, time, and location from which the vehicle, vessel, or outboard motor was
- 1222 removed;
- 1223 (C) reasons for the removal of the vehicle, vessel, or outboard motor;
- 1224 (D) person who requested the removal of the vehicle, vessel, or outboard motor;
- 1225 and
- 1226 (E) description, including the identification number, license number, or other
- 1227 identification number issued by a state agency, of the vehicle, vessel, or
- 1228 outboard motor;
- 1229 (b) except for a vehicle, vessel, or outboard motor that has been retrieved by the owner
- 1230 or operator, within two business days of performing the tow truck service under
- 1231 Subsection (1)(a), send a certified letter to the last-known address of each party
- 1232 described in Subsection 41-6a-1406(6)(a) with an interest in the vehicle, vessel, or
- 1233 outboard motor obtained from the Motor Vehicle Division or, if the ~~person~~
- 1234 individual has actual knowledge of the party's address, to the ~~current~~ party's
- 1235 address, notifying the party of the:
- 1236 (i) location of the vehicle, vessel, or outboard motor;
- 1237 (ii) date, time, and location from which the vehicle, vessel, or outboard motor was
- 1238 removed;
- 1239 (iii) reasons for the removal of the vehicle, vessel, or outboard motor;
- 1240 (iv) person who requested the removal of the vehicle, vessel, or outboard motor;
- 1241 (v) ~~a~~ description, including ~~its~~ an identification number and license number or
- 1242 other identification number issued by a state agency; and
- 1243 (vi) costs and procedures to retrieve the vehicle, vessel, or outboard motor; and
- 1244 (c) upon initial contact with the owner or operator whose vehicle, vessel, or outboard
- 1245 motor was removed, provide the owner or operator with a copy of the Utah
- 1246 Consumer Bill of Rights Regarding Towing established by the department in
- 1247 Subsection (16)(e).
- 1248 (2) Until the tow truck operator or tow truck motor carrier reports the information required
- 1249 under Subsection (1)(a), a tow truck operator, tow truck motor carrier, or impound yard
- 1250 may not:
- 1251 (a) collect any fee associated with the removal; or
- 1252 (b) begin charging storage fees.

- 1253 (3)(a) Except as provided in Subsection (3)(b) or (9), a tow truck operator or tow truck
1254 motor carrier may not perform a tow truck service at the request or direction of a
1255 private property owner or the property owner's agent unless:
- 1256 (i) the owner or a lien holder of the vehicle, vessel, or outboard motor consents to the
1257 tow truck service; or
 - 1258 (ii) the property owner erects signage that meets the requirements of:
 - 1259 (A) Subsection (4)(b)(ii); and
 - 1260 (B) Subsection (7) or (8).
- 1261 (b) Subsections (7) through (9) do not apply to the removal of a vehicle, vessel, or
1262 outboard motor:
- 1263 (i) from a location where parking is prohibited by law, including:
 - 1264 (A) a designated fire lane;
 - 1265 (B) within 15 feet of a fire hydrant, unless the vehicle is parked in a marked
1266 parking stall or space; or
 - 1267 (C) a marked parking stall or space legally designated for disabled ~~persons~~
1268 individuals;
 - 1269 (ii) from a location where it is reasonably apparent that the location is not open to
1270 parking;
 - 1271 (iii) from a location where all public access points are controlled by:
 - 1272 (A) a permanent gate, door, or similar feature allowing the vehicle to access the
1273 facility; or
 - 1274 (B) a parking attendant;
 - 1275 (iv) from a location that materially interferes with access to private property;
 - 1276 (v) from the property of a detached single-family dwelling or duplex; or
 - 1277 (vi) ~~pursuant to~~ in accordance with a legal repossession.
- 1278 (4)(a) A private property owner may, subject to the requirements of a local ordinance,
1279 enforce parking restrictions by:
- 1280 (i) authorizing a tow truck motor carrier to patrol and monitor the property and
1281 enforce parking restrictions on behalf of the property owner in accordance with
1282 Subsection (7);
 - 1283 (ii) enforcing parking restrictions as needed by requesting a tow from a tow truck
1284 motor carrier on a case-by-case basis in accordance with Subsection (8); or
 - 1285 (iii) requesting a tow from a tow truck motor carrier after providing 24-hour written
1286 notice in accordance with Subsection (9).

- 1287 (b)(i) Any agreement between a private property owner and tow truck motor carrier
1288 authorizing the tow truck motor carrier to patrol and monitor the property under
1289 Subsection (4)(a)(i) shall include specific terms and conditions for the tow truck
1290 motor carrier to remove a vehicle, vessel, or outboard motor from the property.
- 1291 (ii) In addition to the signage described in Subsection (7) or (8), a private property
1292 owner who allows public parking shall erect appropriate signage on the property
1293 indicating clear instructions for parking at the property.
- 1294 (iii) Where a single parking area includes abutting parcels of property owned by two
1295 or more private property owners who enforce different parking restrictions under
1296 Subsection (7) or (8), each property owner shall, in addition to the requirements
1297 under Subsection (7) or (8), erect signage as required by this section:
- 1298 (A) at each entrance to the property owner's parcel from another property owner's
1299 parcel; and
- 1300 (B) if there is no clearly defined entrance between one property owner's parcel and
1301 another property owner's parcel, at intervals of 40 feet or less along the line
1302 dividing the property owner's parcel from the other property owner's parcel.
- 1303 (iv) Where there is no clearly defined entrance to a parking area from a highway, the
1304 property owner shall erect signage as required by this section at intervals of 40
1305 feet or less along any portion of a property line where a vehicle, vessel, or
1306 outboard motor may enter the parking area.
- 1307 (5) Nothing in Subsection (3) or (4) restricts the ability of a private property owner from,
1308 subject to ~~[the provisions of]~~ this section, instituting and enforcing regulations for
1309 parking at the property.
- 1310 (6) In addition to any other powers provided by law, a political subdivision or state agency
1311 may:
- 1312 (a) enforce parking restrictions in accordance with Subsections (7) through (9) on
1313 property that is:
- 1314 (i) owned by the political subdivision or state agency;
- 1315 (ii) located outside of the public right-of-way; and
- 1316 (iii) open to public parking; and
- 1317 (b) request or direct a tow truck service ~~[in order]~~ to abate a public nuisance on private
1318 property over which the political subdivision or state agency has jurisdiction.
- 1319 (7) For private property where parking is enforced under Subsection (4)(a)(i), the property
1320 owner shall ensure that each entrance to the property has signs located on the property

- 1321 and clearly visible to the driver of a vehicle entering the property that substantially
 1322 comply with the following, as determined by the department:
- 1323 (a) a top sign that is 24 inches tall by 18 inches wide and has:
- 1324 (i) a blue, reflective background with a 1/2 inch white border;
- 1325 (ii) two-inch, white letters at the top of the sign with the capitalized words "Lot is
 1326 Patrolled";
- 1327 (iii) a white towing logo that is six inches tall and 16 inches wide that depicts an
 1328 entire tow truck, a tow hook, and an entire vehicle being towed; and
- 1329 (iv) two-inch, white letters at the bottom of the sign with the capitalized words
 1330 "Towing Enforced"; and
- 1331 (b) a bottom sign that is 24 inches tall by 18 inches wide with a 1/2 inch white, reflective
 1332 border, and has:
- 1333 (i) a top half that is red background with white, reflective letters indicating:
- 1334 (A) who is authorized to park or restricted from parking at the property; and
- 1335 (B) any type of vehicle prohibited from parking at the property; and
- 1336 (ii) a bottom half that has a white, reflective background with red letters indicating:
- 1337 (A) the name and telephone number of the tow truck motor carrier that the
 1338 property owner has authorized to patrol the property; and
- 1339 (B) the [~~Internet~~] internet web address "tow.utah.gov".
- 1340 (8)(a) For private property where parking is enforced under Subsection (4)(a)(ii), a tow
 1341 truck motor carrier may not:
- 1342 [~~(i) a tow truck motor carrier may not:~~]
- 1343 [~~(A)~~] (i) patrol and monitor the property;
- 1344 [~~(B)~~] (ii) perform a tow truck service without the written or verbal request of the
 1345 property owner or the property owner's agent; or
- 1346 [~~(C)~~] (iii) act as the property owner's agent to request a tow truck service.
- 1347 (b) For private property where parking is enforced under Subsection (4)(a)(ii), the
 1348 property owner shall ensure that each entrance to the property has a clearly visible
 1349 sign located on the property that substantially follows the following format, as
 1350 determined by the department:
- 1351 (i) the sign is 24 inches tall by 18 inches wide with a 1/2 inch white, reflective
 1352 border, and has:
- 1353 (A) at the top of the sign, a blue background with a white, reflective towing logo
 1354 that is at least four inches tall and 16 inches wide that depicts an entire tow

- 1355 truck, a tow hook, and an entire vehicle being towed;
- 1356 (B) immediately below the towing logo described in Subsection (8)(b)(i)(A), a
1357 blue background with white, reflective letters at least two inches tall with the
1358 capitalized words "Towing Enforced"; and
- 1359 (C) in the middle of the sign, a red background with white, reflective letters at
1360 least one inch tall indicating who is authorized to park or restricted from
1361 parking at the property, and any type of vehicle prohibited from parking at the
1362 property; and
- 1363 (ii) at the bottom of the sign, a white, reflective background with red letters at least
1364 one inch tall indicating:
- 1365 (A) either the name and telephone number of the property owner or the property
1366 owner's agent who is authorized to request a tow truck service, or the name and
1367 telephone number of the tow truck motor carrier that provides tow truck
1368 services for the property; and
- 1369 (B) the [~~Internet~~] internet web address "tow.utah.gov".
- 1370 (c) If a dispute arises regarding whether a sign required under this section substantially
1371 complies with the requirements of this section, the department shall determine
1372 whether the sign substantially complies.
- 1373 (9)(a) For private property without signage substantially meeting the requirements of
1374 Subsection (7) or (8), as determined by the department, the property owner may
1375 request a tow truck motor carrier to remove a vehicle, vessel, or outboard motor from
1376 the private property 24 hours after the property owner or the property owner's agent
1377 affixes a written notice to the vehicle, vessel, or outboard motor in accordance with
1378 this Subsection (9).
- 1379 (b) The written notice described in Subsection (9)(a) shall:
- 1380 (i) indicate the exact time when the written notice is affixed to the vehicle, vessel, or
1381 outboard motor;
- 1382 (ii) warn the owner of the vehicle, vessel, or outboard motor that the vehicle, vessel,
1383 or outboard motor will be towed from the property if it is not removed within 24
1384 hours after the time indicated in Subsection (9)(b)(i);
- 1385 (iii) be at least four inches tall and four inches wide; and
- 1386 (iv) be affixed to the vehicle, vessel, or outboard motor at a conspicuous location on
1387 the driver's side window of the vehicle, vessel, or outboard motor.
- 1388 (c) A property owner may authorize a tow truck motor carrier to act as the property

- 1389 owner's agent for purposes of affixing the written notice described in Subsection
1390 (9)(a) to a vehicle, vessel, or outboard motor.
- 1391 (10) The department shall publish on the [~~department Internet-~~] department's website the
1392 signage requirements and written notice requirements and illustrated or photographed
1393 examples of the signage and written notice requirements described in Subsections (7)
1394 through (9).
- 1395 (11) It is an affirmative defense to any claim, based on the lack of notice, that arises from
1396 the towing of a vehicle, vessel, or outboard motor from private property that the property
1397 had signage meeting the requirements of:
- 1398 (a) Subsection (4)(b)(ii); and
1399 (b) Subsection (7) or (8).
- 1400 (12) An individual described in Subsection 41-6a-1406(7)(f)(i) or a party described in
1401 Subsection 41-6a-1406(6)(a) with an interest in a vehicle, vessel, or outboard motor
1402 lawfully removed is only responsible for paying:
- 1403 (a) the tow truck service and storage fees set in accordance with Subsection (16); and
1404 (b) the administrative impound fee set in Section 41-6a-1406, if applicable.
- 1405 (13)(a) As used in this Subsection (13), "life essential item" means:
- 1406 (i) prescription medication;
1407 (ii) medical equipment;
1408 (iii) shoes;
1409 (iv) coats;
1410 (v) food and water;
1411 (vi) child safety seats;
1412 (vii) a cell phone;
1413 (viii) tools specific to the registered owner's current employment;
1414 [~~(vii)] (ix) government-issued photo identification; and~~
1415 [~~(viii)] (x) human remains.~~
- 1416 (b) The fees under Subsection (12) are a possessory lien on the vehicle, vessel, or
1417 outboard motor.
- 1418 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and any
1419 nonlife essential items contained in the vehicle, vessel, or outboard motor.
- 1420 (d) Except for a vehicle, vessel, [~~or-~~]outboard motor, or an item being held as evidence,
1421 a tow truck operator, a tow truck motor carrier, or an impound yard shall allow a
1422 party described in Subsection 41-6a-1406(6)(a) with an interest in the vehicle, vessel,

- 1423 or outboard motor or an individual described in Subsection 41-6a-1406(7)(f)(i) to
1424 take possession of any life essential item within the vehicle, vessel, or outboard
1425 motor after completion of a life essential item retrieval form during normal business
1426 hours regardless of whether the towing, impound fees, or storage fees have been paid.
- 1427 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon
1428 payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an
1429 impound yard shall allow a party described in Subsection 41-6a-1406(6)(a) with an
1430 interest in the vehicle, vessel, or outboard motor or an individual described in
1431 Subsection 41-6a-1406(7)(f)(i) to enter the vehicle, vessel, or outboard motor during
1432 normal business hours and remove personal property not attached to the vehicle,
1433 vessel, or outboard motor.
- 1434 (f) The tow truck operator or tow truck motor carrier shall securely store the vehicle,
1435 vessel, or outboard motor and items described in Subsection (13)(a) in an approved
1436 state impound yard until a party described in Subsection 41-6a-1406(6)(a) with an
1437 interest in the vehicle, vessel, or outboard motor:
- 1438 (i) pays the fees described in Subsection (12); and
1439 (ii) removes the vehicle, vessel, or outboard motor from the state impound yard.
- 1440 (14)(a) A vehicle, vessel, or outboard motor shall be considered abandoned if a party
1441 described in Subsection 41-6a-1406(6)(a) with an interest in the vehicle, vessel, or
1442 outboard motor or an individual described in Subsection 41-6a-1406(7)(f)(i) does not,
1443 within 30 days after notice has been sent under Subsection (1)(b):
- 1444 (i) pay the fees described in Subsection (12); and
1445 (ii) remove the vehicle, vessel, or outboard motor from the secure storage facility.
- 1446 (b) A person may not request a transfer of title to an abandoned vehicle, vessel, or
1447 outboard motor until at least 30 days after notice has been sent under Subsection
1448 (1)(b).
- 1449 (15)(a) A tow truck motor carrier or impound yard shall clearly and conspicuously post
1450 and disclose all ~~[its current]~~ fees, rates, and acceptable forms of payment for tow
1451 truck service and storage of a vehicle in accordance with rules established under
1452 Subsection (16).
- 1453 (b) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
1454 payment by cash and debit or credit card for a tow truck service under Subsection (1)
1455 or any service rendered, performed, or supplied in connection with a tow truck
1456 service under Subsection (1).

- 1457 (16) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1458 department shall:
- 1459 (a) subject to the restriction in Subsection (17), set maximum rates that:
- 1460 (i) a tow truck motor carrier may charge for the tow truck service of a vehicle, vessel,
1461 or outboard motor that are transported in response to:
- 1462 (A) a peace officer dispatch call;
- 1463 (B) a motor vehicle division call; and
- 1464 (C) any other call or request where the owner of the vehicle, vessel, or outboard
1465 motor has not consented to the removal;
- 1466 (ii) an impound yard may charge for the storage of a vehicle, vessel, or outboard
1467 motor stored as a result of one of the conditions listed under Subsection (16)(a)(i);
1468 and
- 1469 (iii) an impound yard may charge for the after-hours release of a vehicle, vessel, or
1470 outboard motor stored as a result of one of the conditions described in Subsection
1471 (16)(a)(i);
- 1472 (b) establish authorized towing certification requirements, not in conflict with federal
1473 law, related to incident safety, clean-up, and hazardous material handling;
- 1474 (c) specify the form and content of the posting and disclosure of fees and rates charged
1475 and acceptable forms of payment by a tow truck motor carrier or impound yard;
- 1476 (d) set a maximum rate for an administrative fee that a tow truck motor carrier may
1477 charge for reporting the information required under Subsection (1)(a)(i) and
1478 providing notice of the removal to each party described in Subsection
1479 41-6a-1406(6)(a) with an interest in the vehicle, vessel, or outboard motor as required
1480 in Subsection (1)(b);
- 1481 (e) establish a Utah Consumer Bill of Rights Regarding Towing form that contains
1482 specific information regarding:
- 1483 (i) a vehicle owner's or operator's rights and responsibilities if the owner's vehicle is
1484 towed;
- 1485 (ii) identifies the maximum rates that a tow truck motor carrier may charge for the
1486 tow truck service of a vehicle, vessel, or outboard motor that is transported in
1487 response to a call or request where the owner of the vehicle, vessel, or outboard
1488 motor has not consented to the removal; and
- 1489 (iii) identifies the maximum rates that an impound yard may charge for the storage of
1490 vehicle, vessel, or outboard motor that is transported in response to a call or

- 1491 request where the owner of the vehicle, vessel, or outboard motor has not
1492 consented to the removal; and
- 1493 (f) set a maximum rate for an after-hours fee allowed under Subsection (19)(b).
- 1494 (17) An impound yard may not charge a fee for the storage of an impounded vehicle,
1495 vessel, or outboard motor if:
- 1496 (a) the vehicle, vessel, or outboard motor is being held as evidence; and
1497 (b) the vehicle, vessel, or outboard motor is not being released to a party described in
1498 Subsection 41-6a-1406(6)(a) or an individual described in Subsection
1499 41-6a-1406(7)(f)(i), even if the party satisfies the requirements to release the vehicle,
1500 vessel, or outboard motor under Section 41-6a-1406.
- 1501 (18)(a)(i) A tow truck motor carrier may charge a rate up to the maximum rate set by
1502 the department in rules made under Subsection (16).
- 1503 (ii) In addition to the maximum rates established under Subsection (16) and when
1504 receiving payment by credit card or debit card, a tow truck operator, a tow truck
1505 motor carrier, or an impound yard may charge a card processing fee of 3% of the
1506 transaction total.
- 1507 (b) A tow truck motor carrier may not be required to maintain insurance coverage at a
1508 higher level than required in rules made [~~pursuant to~~] in accordance with Subsection
1509 (16).
- 1510 (19) When a tow truck motor carrier or impound lot is in possession of a vehicle, vessel, or
1511 outboard motor as a result of a tow service that was performed without the consent of
1512 the owner, and that was not ordered by a peace officer or a person acting on behalf of a
1513 law enforcement agency, the tow truck motor carrier or impound yard shall make
1514 personnel available:
- 1515 (a) by phone 24 hours a day, seven days a week; and
1516 (b) to release the impounded vehicle, vessel, or outboard motor to the owner within one
1517 hour of when the owner calls the tow truck motor carrier or impound yard.
- 1518 (20) A tow truck motor carrier or a tow truck operator may not:
- 1519 (a) share contact or other personal information of an owner of a vehicle, vessel, or
1520 outboard motor or a party described in Subsection 41-6a-1406(6)(a) for which the
1521 tow truck motor carrier or tow truck operator has performed a tow service; and
1522 (b) receive payment for referring a person for whom the tow truck motor carrier or tow
1523 truck operator has performed a tow service to another service, including:
1524 (i) a lawyer referral service;

- 1525 (ii) a medical provider;
- 1526 (iii) a funding agency;
- 1527 (iv) a marketer for any service described in Subsections (20)(b)(i) through (iii);
- 1528 (v) a marketer for any other service; or
- 1529 (vi) a third party vendor.

1530 Section 8. **Repealer.**

1531 This bill repeals:

1532 Section **41-6a-1117, Mini-motorcycle restrictions -- Exceptions.**

1533 Section 9. **Effective Date.**

1534 This bill takes effect on July 1, 2026.