

Wayne A. Harper proposes the following substitute bill:

Use of Motorized Vehicles by Minors 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 and motorcycles.

Highlighted Provisions:

This bill:

- ▶ amends the definition of "motorcycle" to include a mini-motorcycle;
- ▶ amends the definition of "mini-motorcycle";
- ▶ 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41-6a-102 (Effective 07/01/26) (Partially Repealed 07/01/27), as last amended by Laws of Utah 2025, Chapters 220, 471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41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29), as last amended by Laws of Utah 2025, Chapter 378

ENACTS:

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

REPEALS:

29 **41-6a-1117 (Effective 07/01/26)**, as last amended by Laws of Utah 2015, Chapter 412

30

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

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

33 **41-1a-102 (Effective 07/01/26). Definitions.**

34 As used in this chapter:

- 35 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- 36 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
37 vehicles as operated and certified to by a weighmaster.
- 38 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 39 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 40 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 41 (6) "Alternative fuel vehicle" means:
- 42 (a) an electric motor vehicle;
- 43 (b) a hybrid electric motor vehicle;
- 44 (c) a plug-in hybrid electric motor vehicle; or
- 45 (d) a motor vehicle powered exclusively by a fuel other than:
- 46 (i) motor fuel;
- 47 (ii) diesel fuel;
- 48 (iii) natural gas; or
- 49 (iv) propane.
- 50 (7) "Amateur radio operator" means a person licensed by the Federal Communications
51 Commission to engage in private and experimental two-way radio operation on the
52 amateur band radio frequencies.
- 53 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 54 (9) "Automated driving system" means the same as that term is defined in Section
55 41-26-102.1.
- 56 (10) "Branded title" means a title certificate that is labeled:
- 57 (a) rebuilt and restored to operation;
- 58 (b) flooded and restored to operation; or
- 59 (c) not restored to operation.
- 60 (11) "Camper" means a structure designed, used, and maintained primarily to be mounted
61 on or affixed to a motor vehicle that contains a floor and is designed to provide a mobile
62 dwelling, sleeping place, commercial space, or facilities for human habitation or for

- 63 camping.
- 64 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of
65 ownership between an identified owner and the described vehicle, vessel, or outboard
66 motor.
- 67 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
68 weighmaster.
- 69 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained
70 for the transportation of persons or property that operates:
71 (a) as a carrier for hire, compensation, or profit; or
72 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
73 owner's commercial enterprise.
- 74 (15) "Commission" means the State Tax Commission.
- 75 (16) "Consumer [~~price index~~] Price Index" means the same as that term is defined in Section
76 59-13-102.
- 77 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
78 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright
79 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an
80 established place of business for the sale, lease, trade, or display of vehicles, vessels, or
81 outboard motors.
- 82 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 83 (19) "Division" means the Motor Vehicle Division of the commission, created in Section
84 41-1a-106.
- 85 (20) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.
- 86 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric
87 motor drawing current from a rechargeable energy storage system.
- 88 (22) "Essential parts" means the integral and body parts of a vehicle of a type required to be
89 registered in this state, the removal, alteration, or substitution of which would tend to
90 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model,
91 type, or mode of operation.
- 92 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
93 implement for drawing plows, mowing machines, and other implements of husbandry.
- 94 (24)(a) "Farm truck" means a truck used by the owner or operator of a farm solely for
95 the owner's or operator's own use in the transportation of:
96 (i) farm products, including livestock and its products, poultry and its products,

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

- 131 preceding year.
- 132 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
133 province, territory, or possession of the United States or foreign country.
- 134 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
135 possession of the United States or any foreign country.
- 136 (35) "Lienholder" means a person with a security interest in particular property.
- 137 (36) "Manufactured home" means a transportable factory built housing unit constructed on
138 or after June 15, 1976, according to the Federal Home Construction and Safety
139 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling
140 mode, is eight body feet or more in width or 40 body feet or more in length, or when
141 erected on site, is 400 or more square feet, and which is built on a permanent chassis and
142 designed to be used as a dwelling with or without a permanent foundation when
143 connected to the required utilities, and includes the plumbing, heating, air-conditioning,
144 and electrical systems.
- 145 (37) "Manufacturer" means a person engaged in the business of constructing,
146 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
147 outboard motors for the purpose of sale or trade.
- 148 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured for use
149 by armed forces and that is maintained in a condition that represents the vehicle's
150 military design and markings regardless of current ownership or use.
- 151 (39) "Mobile home" means a transportable factory built housing unit built prior to June 15,
152 1976, in accordance with a state mobile home code which existed prior to the Federal
153 Manufactured Housing and Safety Standards Act (HUD Code).
- 154 (40) "Motor fuel" means the same as that term is defined in Section 59-13-102.
- 155 (41)(a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
156 operation on the highways.
- 157 (b) "Motor vehicle" includes a roadable aircraft and a street-legal all-terrain vehicle.
- 158 (c) "Motor vehicle" does not include:
- 159 (i) an off-highway vehicle; or
- 160 (ii) a motor assisted scooter as defined in Section 41-6a-102.
- 161 (42) "Motorboat" means the same as that term is defined in Section 73-18c-102.
- 162 [~~(43) "Motoreycle" means:~~]
- 163 [~~(a) a motor vehicle having a saddle for the use of the rider and designed to travel on not~~
164 ~~more than three wheels in contact with the ground; or]~~

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

199 or mortgage of the vehicle with the right of purchase upon performance of the
200 conditions stated in the agreement and with an immediate right of possession vested
201 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security
202 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
203 for the purposes of this chapter.

204 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner
205 until the lessee exercises the lessee's option to purchase the vehicle.

206 (53) "Park model recreational vehicle" means a unit that:

207 (a) is designed and marketed as temporary living quarters for recreational, camping,
208 travel, or seasonal use;

209 (b) is not permanently affixed to real property for use as a permanent dwelling;

210 (c) requires a special highway movement permit for transit; and

211 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
212 400 square feet in the setup mode.

213 (54) "Personal vehicle" means a vehicle that is not a commercial vehicle.

214 (55) "Personalized license plate" means a license plate that has displayed on it a
215 combination of letters, numbers, or both as requested by the owner of the vehicle and
216 assigned to the vehicle by the division.

217 (56)(a) "Pickup truck" means a two-axle motor vehicle with motive power
218 manufactured, remanufactured, or materially altered to provide an open cargo area.

219 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
220 camper, camper shell, tarp, removable top, or similar structure.

221 (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has
222 the capability to charge the battery or batteries used for vehicle propulsion from an
223 off-vehicle electric source, such that the off-vehicle source cannot be connected to the
224 vehicle while the vehicle is in motion.

225 (58) "Pneumatic tire" means a tire in which compressed air is designed to support the load.

226 (59) "Preceding year" means a period of 12 consecutive months fixed by the division that is
227 within 16 months immediately preceding the commencement of the registration or
228 license year in which proportional registration is sought. The division in fixing the
229 period shall conform it to the terms, conditions, and requirements of any applicable
230 agreement or arrangement for the proportional registration of vehicles.

231 (60) "Public garage" means a building or other place where vehicles or vessels are kept and
232 stored and where a charge is made for the storage and keeping of vehicles and vessels.

- 233 (61) "Receipt of surrender of ownership documents" means the receipt of surrender of
234 ownership documents described in Section 41-1a-503.
- 235 (62) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state
236 that is materially altered from its original construction by the removal, addition, or
237 substitution of essential parts, new or used.
- 238 (63) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 239 (64) "Registration" means a document issued by a jurisdiction that allows operation of a
240 vehicle or vessel on the highways or waters of this state for the time period for which the
241 registration is valid and that is evidence of compliance with the registration requirements
242 of the jurisdiction.
- 243 (65) "Registration decal" means the decal issued by the division that is evidence of
244 compliance with the division's registration requirements.
- 245 (66)(a) "Registration year" means a 12 consecutive month period commencing with the
246 completion of the applicable registration criteria.
- 247 (b) For administration of a multistate agreement for proportional registration the division
248 may prescribe a different 12-month period.
- 249 (67) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors
250 to a sound working condition by substituting any inoperative part of the vehicle, vessel,
251 or outboard motor, or by correcting the inoperative part.
- 252 (68) "Replica vehicle" means:
- 253 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
254 (b) a custom vehicle that meets the requirements under Subsection
255 41-6a-1507(1)(a)(i)(B).
- 256 (69) "Restored-modified vehicle" means a motor vehicle that has been restored and
257 modified with modern parts and technology, including emission control technology and
258 an on-board diagnostic system.
- 259 (70) "Road tractor" means a motor vehicle designed and used for drawing other vehicles
260 and constructed so it does not carry any load either independently or any part of the
261 weight of a vehicle or load that is drawn.
- 262 (71) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 263 (72) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 264 (73) "Security interest" means an interest that is reserved or created by a security agreement
265 to secure the payment or performance of an obligation and that is valid against third
266 parties.

- 267 (74) "Semitrailer" means the same as the term "trailer."
268 (75) "Special group license plate" means a type of license plate designed for a particular
269 group of people or a license plate authorized and issued by the division in accordance
270 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.
271 (76)(a) "Special interest vehicle" means a vehicle used for general transportation
272 purposes and that is:
- 273 (i) 20 years or older from the current year; or
 - 274 (ii) a make or model of motor vehicle recognized by the division director as having
275 unique interest or historic value.
- 276 (b) In making a determination under Subsection (76)(a), the division director shall give
277 special consideration to:
- 278 (i) a make of motor vehicle that is no longer manufactured;
 - 279 (ii) a make or model of motor vehicle produced in limited or token quantities;
 - 280 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
281 designed exclusively for educational purposes or museum display; or
 - 282 (iv) a motor vehicle of any age or make that has not been substantially altered or
283 modified from original specifications of the manufacturer and because of its
284 significance is being collected, preserved, restored, maintained, or operated by a
285 collector or hobbyist as a leisure pursuit.
- 286 (77)(a) "Special mobile equipment" means a vehicle:
- 287 (i) not designed or used primarily for the transportation of persons or property;
 - 288 (ii) not designed to operate in traffic; and
 - 289 (iii) only incidentally operated or moved over the highways.
- 290 (b) "Special mobile equipment" includes:
- 291 (i) farm tractors;
 - 292 (ii) off-road motorized construction or maintenance equipment including backhoes,
293 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
 - 294 (iii) ditch-digging apparatus.
- 295 (c) "Special mobile equipment" does not include a commercial vehicle as defined under
296 Section 72-9-102.
- 297 (78) "Specially constructed vehicle" means a vehicle of a type required to be registered in
298 this state, not originally constructed under a distinctive name, make, model, or type by a
299 generally recognized manufacturer of vehicles, and not materially altered from its
300 original construction.

- 301 (79)(a) "Standard license plate" means a license plate for general issue described in
302 Subsection 41-1a-402(1).
- 303 (b) "Standard license plate" includes a license plate for general issue that the division
304 issues before January 1, 2024.
- 305 (80) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
306 motor that meets the requirements of rules made by the commission as described in
307 Subsection 41-1a-1101(7).
- 308 (81) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is
309 defined in Section 41-6a-102.
- 310 (82) "Symbol decal" means the decal that is designed to represent a special group and
311 displayed on a special group license plate.
- 312 (83) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 313 (84)(a) "Total fleet miles" means the total number of miles operated in all jurisdictions
314 during the preceding year by power units.
- 315 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the
316 number of miles that those vehicles were towed on the highways of all jurisdictions
317 during the preceding year.
- 318 (85) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 319 (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 320 (87) "Trailer" means a vehicle:
- 321 (a) without motive power; and
- 322 (b) designed for:
- 323 (i) carrying persons or property; and
- 324 (ii) being drawn by a motor vehicle.
- 325 (88) "Transferee" means a person to whom the ownership of property is conveyed by sale,
326 gift, or any other means except by the creation of a security interest.
- 327 (89) "Transferor" means a person who transfers the person's ownership in property by sale,
328 gift, or any other means except by creation of a security interest.
- 329 (90) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle
330 without motive power, designed as a temporary dwelling for travel, recreational, or
331 vacation use that does not require a special highway movement permit when drawn by a
332 self-propelled motor vehicle.
- 333 (91) "Truck tractor" means a motor vehicle designed and used primarily for drawing other
334 vehicles and not constructed to carry a load other than a part of the weight of the vehicle

335 and load that is drawn.

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

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

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

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

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

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

344 **41-6a-102 (Effective 07/01/26) (Partially Repealed 07/01/27). Definitions.**

345 As used in this chapter:

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

347 [(4)] (2) "Alley" means a street or highway intended to provide access to the rear or side of
348 lots or buildings in urban districts and not intended for through vehicular traffic.

349 [(2)] (3) "All-terrain type I vehicle" means the same as that term is defined in Section
350 41-22-2.

351 [(3)] (4) "All-terrain type II vehicle" means the same as that term is defined in Section
352 41-22-2.

353 [(4)] (5) "All-terrain type III vehicle" means the same as that term is defined in Section
354 41-22-2.

355 [(5)] (6) "Authorized emergency vehicle" includes:

356 (a) a fire department vehicle;

357 (b) a police vehicle;

358 (c) an ambulance; and

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

361 [(6)] (7) "Autocycle" means the same as that term is defined in Section 53-3-102.

362 [(7)] (8)(a) "Bicycle" means a wheeled vehicle:

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

364 (ii) with a seat or saddle designed for the use of the operator;

365 (iii) designed to be operated on the ground; and

366 (iv) whose wheels are not less than 14 inches in diameter.

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

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

- 369 ~~[(8)]~~ (9)(a) "Bicycle lane" means a portion of a highway that has been designated by a
370 highway authority through striping, signage, pavement markings, or barriers for the
371 preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted
372 scooter traffic.
- 373 (b) "Bicycle lane" does not include shared lanes intended for both motor vehicle and
374 bicycle travel.
- 375 ~~[(9)]~~ (10)(a) "Bus" means a motor vehicle:
- 376 (i) designed for carrying more than 15 passengers and used for the transportation of
377 persons; or
- 378 (ii) designed and used for the transportation of persons for compensation.
- 379 (b) "Bus" does not include a taxicab.
- 380 (11) "Child" means an individual younger than 18 years old.
- 381 ~~[(10)]~~ (12)(a) "Circular intersection" means an intersection that has an island, generally
382 circular in design, located in the center of the intersection where traffic passes to the
383 right of the island.
- 384 (b) "Circular intersection" includes:
- 385 (i) roundabouts;
- 386 (ii) rotaries; and
- 387 (iii) traffic circles.
- 388 ~~[(11)]~~ (13) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped
389 with a motor or electronics that:
- 390 (a) provides assistance only when the rider is pedaling; and
- 391 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- 392 ~~[(12)]~~ (14) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped
393 with a motor or electronics that:
- 394 (a) may be used exclusively to propel the bicycle; and
- 395 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
396 per hour.
- 397 ~~[(13)]~~ (15) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped
398 with a motor or electronics that:
- 399 (a) provides assistance only when the rider is pedaling;
- 400 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
- 401 and
- 402 (c) is equipped with a speedometer.

- 403 ~~[(14)]~~ (16) "Commissioner" means the commissioner of the Department of Public Safety.
- 404 ~~[(15)]~~ (17) "Controlled-access highway" means a highway, street, or roadway:
- 405 (a) designed primarily for through traffic; and
- 406 (b) to or from which owners or occupants of abutting lands and other persons have no
- 407 legal right of access, except at points as determined by the highway authority having
- 408 jurisdiction over the highway, street, or roadway.
- 409 ~~[(16)]~~ (18) "Crosswalk" means:
- 410 (a) that part of a roadway at an intersection included within the connections of the lateral
- 411 lines of the sidewalks on opposite sides of the highway measured from:
- 412 (i)(A) the curbs; or
- 413 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 414 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
- 415 included within the extension of the lateral lines of the existing sidewalk at right
- 416 angles to the centerline; or
- 417 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
- 418 pedestrian crossing by lines or other markings on the surface.
- 419 ~~[(17)]~~ (19) "Department" means the Department of Public Safety.
- 420 ~~[(18)]~~ (20) "Direct supervision" means oversight at a distance within which:
- 421 (a) visual contact is maintained; and
- 422 (b) advice and assistance can be given and received.
- 423 ~~[(19)]~~ (21) "Divided highway" means a highway divided into two or more roadways by:
- 424 (a) an unpaved intervening space;
- 425 (b) a physical barrier; or
- 426 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 427 ~~[(20)]~~ (22) "Echelon formation" means the operation of two or more snowplows arranged
- 428 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
- 429 clear snow from two or more lanes at once.
- 430 ~~[(21)]~~ (23)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 431 (i) has a power output of not more than 750 watts;
- 432 (ii) has fully operable pedals;
- 433 (iii) has permanently affixed cranks that were installed at the time of the original
- 434 manufacture;
- 435 (iv) is fully operable as a bicycle without the use of the electric motor; and
- 436 (v) is one of the following:

- 437 (A) a class 1 electric assisted bicycle;
 438 (B) a class 2 electric assisted bicycle;
 439 (C) a class 3 electric assisted bicycle; or
 440 (D) a programmable electric assisted bicycle.

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

- 442 (i) a moped;
 443 (ii) a motor assisted scooter;
 444 (iii) a motorcycle;
 445 (iv) a motor-driven cycle; or
 446 (v) any other vehicle with less than four wheels that is designed, manufactured,
 447 intended, or advertised by the seller to have any of the following capabilities or
 448 features, or that is modifiable or is modified to have any of the following
 449 capabilities or features:

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

457 [~~(22)~~] (24)(a) "Electric personal assistive mobility device" means a self-balancing device
 458 with:

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

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

467 [~~(23)~~] (25) "Electric unicycle" means a self-balancing personal transportation device that:

- 468 (a) has a single wheel;
 469 (b) is powered by an electric motor that utilizes gyroscopes and accelerometers to
 470 stabilize the rider; and

471 (c) is designed for the operator to face in the direction of travel while operating the
472 device.

473 [~~(24)~~] (26) "Explosives" means a chemical compound or mechanical mixture commonly
474 used or intended for the purpose of producing an explosion and that contains any
475 oxidizing and combustive units or other ingredients in proportions, quantities, or
476 packing so that an ignition by fire, friction, concussion, percussion, or detonator of any
477 part of the compound or mixture may cause a sudden generation of highly heated gases,
478 and the resultant gaseous pressures are capable of producing destructive effects on
479 contiguous objects or of causing death or serious bodily injury.

480 [~~(25)~~] (27) "Farm tractor" means a motor vehicle designed and used primarily as a farm
481 implement, for drawing plows, mowing machines, and other implements of husbandry.

482 [~~(26)~~] (28) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
483 as determined by a Tagliabue or equivalent closed-cup test device.

484 [~~(27)~~] (29) "Freeway" means a controlled-access highway that is part of the interstate system
485 as defined in Section 72-1-102.

486 [~~(28)~~] (30)(a) "Golf cart" means a device that:

- 487 (i) is designed for transportation by players on a golf course;
- 488 (ii) has not less than three wheels in contact with the ground;
- 489 (iii) has an unladen weight of less than 1,800 pounds;
- 490 (iv) is designed to operate at low speeds; and
- 491 (v) is designed to carry not more than six persons including the driver.

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

- 493 (i) a low-speed vehicle or an off-highway vehicle;
- 494 (ii) a motorized wheelchair;
- 495 (iii) an electric personal assistive mobility device;
- 496 (iv) an electric assisted bicycle;
- 497 (v) a motor assisted scooter;
- 498 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 499 (vii) a mobile carrier, as defined in Section 41-6a-1120.

500 [~~(29)~~] (31) "Gore area" means the area delineated by two solid white lines that is between a
501 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
502 including similar areas between merging or splitting highways.

503 [~~(30)~~] (32) "Gross weight" means the weight of a vehicle without a load plus the weight of
504 any load on the vehicle.

- 505 ~~[(31)]~~ (33) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 506 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 507 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
- 508 highway or railroad tracks.
- 509 ~~[(32)]~~ (34) "Highway" means the entire width between property lines of every way or place
- 510 of any nature when any part of it is open to the use of the public as a matter of right for
- 511 vehicular travel.
- 512 ~~[(33)]~~ (35) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 513 ~~[(34)]~~ (36) "Interdicted person" means the same as that term is defined in Section 32B-1-102.
- 514 ~~[(35)]~~ (37)(a) "Intersection" means the area embraced within the prolongation or
- 515 connection of the lateral curb lines, or, if none, then the lateral boundary lines of the
- 516 roadways of two or more highways that join one another.
- 517 (b) Where a highway includes two roadways 30 feet or more apart:
- 518 (i) every crossing of each roadway of the divided highway by an intersecting
- 519 highway is a separate intersection; and
- 520 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
- 521 every crossing of two roadways of the highways is a separate intersection.
- 522 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 523 ~~[(36)]~~ (38) "Island" means an area between traffic lanes or at an intersection for control of
- 524 vehicle movements or for pedestrian refuge designated by:
- 525 (a) pavement markings, which may include an area designated by two solid yellow lines
- 526 surrounding the perimeter of the area;
- 527 (b) channelizing devices;
- 528 (c) curbs;
- 529 (d) pavement edges; or
- 530 (e) other devices.
- 531 ~~[(37)]~~ (39)(a) "Lane filtering" means, when operating a motorcycle other than an
- 532 autocycle, the act of overtaking and passing another vehicle that is stopped in the
- 533 same direction of travel in the same lane.
- 534 (b) "Lane filtering" does not include lane splitting.
- 535 ~~[(38)]~~ (40)(a) "Lane splitting" means, when operating a motorcycle other than an
- 536 autocycle, the act of riding a motorcycle between clearly marked lanes for traffic
- 537 traveling in the same direction of travel while traffic is in motion.
- 538 (b) "Lane splitting" does not include lane filtering.

- 539 ~~[(39)]~~ (41) "Law enforcement agency" means the same as that term is as defined in Section
540 53-1-102.
- 541 ~~[(40)]~~ (42) "Limited access highway" means a highway:
542 (a) that is designated specifically for through traffic; and
543 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
544 persons have any right or easement, or have only a limited right or easement of
545 access, light, air, or view.
- 546 ~~[(41)]~~ (43) "Local highway authority" means the legislative, executive, or governing body of
547 a county, municipal, or other local board or body having authority to enact laws relating
548 to traffic under the constitution and laws of the state.
- 549 ~~[(42)]~~ (44)(a) "Low-speed vehicle" means a four wheeled motor vehicle that:
550 (i) is designed to be operated at speeds of not more than 25 miles per hour; and
551 (ii) has a capacity of not more than six passengers, including a conventional driver or
552 fallback-ready user if on board the vehicle, as those terms are defined in Section
553 41-26-102.1.
- 554 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 555 ~~[(43)]~~ (45) "Metal tire" means a tire, the surface of which in contact with the highway is
556 wholly or partly of metal or other hard nonresilient material.
- 557 ~~[(44)]~~ (46)(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that:
558 (i) has a seat or saddle that is less than 24 inches from the ground as measured on a
559 level surface with properly inflated tires[-] ; and
560 (ii)(A) has an electric motor of more than 750 watts, or is capable of exceeding a
561 speed of 20 miles per hour using the power of the electric motor alone; or
562 (B) has an internal combustion engine that has a displacement that exceeds 50
563 cubic centimeters.
- 564 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 565 (c) "Mini-motorcycle" does not include a motorcycle that is:
566 (i) designed for off-highway use; and
567 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 568 ~~[(45)]~~ (47) "Mobile home" means:
569 (a) a trailer or semitrailer that is:
570 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
571 place either permanently or temporarily; and
572 (ii) equipped for use as a conveyance on streets and highways; or

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

- 576 (i) the advertising, sale, display, or promotion of merchandise or services; or
577 (ii) any other commercial purpose except the transportation of property for hire or the
578 transportation of property for distribution by a private carrier.

579 [~~(46)~~] (48) "Mobility disability" means the inability of a person to use one or more of the
580 person's extremities or difficulty with motor skills, that may include limitations with
581 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
582 condition.

583 [~~(47)~~] (49)(a) "Moped" means a motor-driven cycle having:

- 584 (i) pedals to permit propulsion by human power; and
585 (ii) a motor that:
586 (A) produces not more than two brake horsepower; and
587 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
588 on level ground.

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

593 (c) "Moped" does not include:

- 594 (i) an electric assisted bicycle; or
595 (ii) a motor assisted scooter.

596 [~~(48)~~] (50)(a) "Motor assisted scooter" means a self-propelled device with:

- 597 (i) at least two wheels in contact with the ground;
598 (ii) a braking system capable of stopping the unit under typical operating conditions;
599 (iii) an electric motor not exceeding 2,000 watts;
600 (iv) either:
601 (A) handlebars and a deck design for a person to stand while operating the device;
602 or
603 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
604 operating the device;
605 (v) a design for the ability to be propelled by human power alone; and
606 (vi) a maximum speed of 20 miles per hour on a paved level surface.

607 (b) "Motor assisted scooter" does not include:

608 (i) an electric assisted bicycle; or

609 (ii) a motor-driven cycle.

610 [(49)] (51)(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
611 propelled by electric power obtained from overhead trolley wires, but not operated
612 upon rails.

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

614 (i) vehicles moved solely by human power;

615 (ii) motorized wheelchairs;

616 (iii) an electric personal assistive mobility device;

617 (iv) an electric assisted bicycle;

618 (v) a motor assisted scooter;

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

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

621 [(50)] (52)(a) "Motorcycle" means:

622 [(a)] (i) a motor vehicle, other than a tractor, having a seat or saddle for the use of the
623 rider and designed to travel with not more than three wheels in contact with the
624 ground, regardless of the mode of power generation; or

625 [(b)] (ii) an auticycle.

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

627 [(51)] (53)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
628 having:

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

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

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

632 (i) an electric personal assistive mobility device;

633 (ii) a motor assisted scooter; or

634 (iii) an electric assisted bicycle.

635 [(52)] (54) "Off-highway implement of husbandry" means the same as that term is defined
636 under Section 41-22-2.

637 [(53)] (55) "Off-highway motorcycle" means the same as that term is defined in Section
638 41-22-2.

639 [(54)] (56) "Off-highway vehicle" means the same as that term is defined under Section
640 41-22-2.

- 641 [~~(55)~~] (57) "Operate" means the same as that term is defined in Section 41-1a-102.
- 642 [~~(56)~~] (58) "Operator" means:
- 643 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 644 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
- 645 vehicle.
- 646 [~~(57)~~] (59) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
- 647 other device operated, alone or coupled with another device, on stationary rails.
- 648 (60) "Parent" or "guardian" means an individual with a parent-child relationship under
- 649 Section 81-5-102.
- 650 [~~(58)~~] (61)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
- 651 occupied or not.
- 652 (b) "Park" or "parking" does not include:
- 653 (i) the standing of a vehicle temporarily for the purpose of and while actually
- 654 engaged in loading or unloading property or passengers; or
- 655 (ii) a motor vehicle with an engaged automated driving system that has achieved a
- 656 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 657 [~~(59)~~] (62) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
- 658 Peace Officer Classifications, to direct or regulate traffic or to make arrests for
- 659 violations of traffic laws.
- 660 [~~(60)~~] (63) "Pedestrian" means a person traveling:
- 661 (a) on foot; or
- 662 (b) in a wheelchair.
- 663 [~~(61)~~] (64) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
- 664 pedestrians.
- 665 [~~(62)~~] (65) "Person" means a natural person, firm, copartnership, association, corporation,
- 666 business trust, estate, trust, partnership, limited liability company, association, joint
- 667 venture, governmental agency, public corporation, or any other legal or commercial
- 668 entity.
- 669 [~~(63)~~] (66) "Pole trailer" means a vehicle without motive power:
- 670 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
- 671 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
- 672 and
- 673 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
- 674 pipes, or structural members generally capable of sustaining themselves as beams

675 between the supporting connections.

676 [(64)] (67) "Private road or driveway" means every way or place in private ownership and
677 used for vehicular travel by the owner and those having express or implied permission
678 from the owner, but not by other persons.

679 [(65)] (68) "Programmable electric assisted bicycle" means an electric assisted bicycle with
680 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
681 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
682 electric assisted bicycle fully conforms with the respective requirements of each class of
683 electric assisted bicycle when operated in that mode.

684 [(66)] (69) "Railroad" means a carrier of persons or property upon cars operated on
685 stationary rails.

686 [(67)] (70) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
687 public body or official or by a railroad and intended to give notice of the presence of
688 railroad tracks or the approach of a railroad train.

689 [(68)] (71) "Railroad train" means a locomotive propelled by any form of energy, coupled
690 with or operated without cars, and operated upon rails.

691 [(69)] (72) "Restored-modified vehicle" means the same as the term defined in Section
692 41-1a-102.

693 [(70)] (73) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
694 lawful manner in preference to another vehicle or pedestrian approaching under
695 circumstances of direction, speed, and proximity that give rise to danger of collision
696 unless one grants precedence to the other.

697 [(71)] (74)(a) "Roadway" means that portion of highway improved, designed, or
698 ordinarily used for vehicular travel.

699 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
700 them are used by persons riding bicycles or other human-powered vehicles.

701 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
702 highway includes two or more separate roadways.

703 [(72)] (75) "Safety zone" means the area or space officially set apart within a roadway for
704 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
705 signs as to be plainly visible at all times while set apart as a safety zone.

706 [(73)] (76)(a) "School bus" means a motor vehicle that:

707 (i) complies with the color and identification requirements of the most recent edition
708 of "Minimum Standards for School Buses"; and

- 709 (ii) is used to transport school children to or from school or school activities.
- 710 (b) "School bus" does not include a vehicle operated by a common carrier in
711 transportation of school children to or from school or school activities.
- 712 ~~[(74)]~~ (77) "Self-balancing electric skateboard" means a device similar to a skateboard that:
- 713 (a) has a single wheel;
- 714 (b) is powered by an electric motor; and
- 715 (c) is designed for the operator to face perpendicular to the direction of travel while
716 operating the device.
- 717 ~~[(75)]~~ (78)(a) "Semitrailer" means a vehicle with or without motive power:
- 718 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
719 and
- 720 (ii) constructed so that some part of its weight and that of its load rests on or is
721 carried by another vehicle.
- 722 (b) "Semitrailer" does not include a pole trailer.
- 723 ~~[(76)]~~ (79) "Shoulder area" means:
- 724 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
725 edge line as established in the current approved "Manual on Uniform Traffic Control
726 Devices"; or
- 727 (b) that portion of the road contiguous to the roadway for accommodation of stopped
728 vehicles, for emergency use, and for lateral support.
- 729 ~~[(77)]~~ (80) "Sidewalk" means that portion of a street between the curb lines, or the lateral
730 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 731 ~~[(78)]~~ (81)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
732 that is designated for the use of a bicycle.
- 733 (b) "Soft-surface trail" does not mean a trail:
- 734 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
735 federal law, regulation, or rule; or
- 736 (ii) located in whole or in part on land granted to the state or a political subdivision
737 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 738 ~~[(79)]~~ (82) "Solid rubber tire" means a tire of rubber or other resilient material that does not
739 depend on compressed air for the support of the load.
- 740 ~~[(80)]~~ (83) "Stand" or "standing" means the temporary halting of a vehicle, whether
741 occupied or not, for the purpose of and while actually engaged in receiving or
742 discharging passengers.

- 743 [(81)] (84) "Stop" when required means complete cessation from movement.
- 744 [(82)] (85) "Stop" or "stopping" when prohibited means any halting even momentarily of a
745 vehicle, whether occupied or not, except when:
- 746 (a) necessary to avoid conflict with other traffic; or
- 747 (b) in compliance with the directions of a peace officer or traffic-control device.
- 748 [(83)] (86) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
749 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway
750 motorcycle, that is modified to meet the requirements of Section 41-6a-1509 to operate
751 on highways in the state in accordance with Section 41-6a-1509.
- 752 [(84)] (87) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
753 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
754 operate on highways in the state in accordance with Section 41-6a-1509.
- 755 [(85)] (88) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 756 [(86)] (89) "Tow truck motor carrier" means the same as that term is defined in Section
757 72-9-102.
- 758 [(87)] (90) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and
759 other conveyances either singly or together while using any highway for the purpose of
760 travel.
- 761 [(88)] (91) "Traffic signal preemption device" means an instrument or mechanism designed,
762 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 763 [(89)] (92) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
764 with this chapter placed or erected by a highway authority for the purpose of regulating,
765 warning, or guiding traffic.
- 766 [(90)] (93) "Traffic-control signal" means a device, whether manually, electrically, or
767 mechanically operated, by which traffic is alternately directed to stop and permitted to
768 proceed.
- 769 [(91)] (94)(a) "Trailer" means a vehicle with or without motive power designed for
770 carrying persons or property and for being drawn by a motor vehicle and constructed
771 so that no part of its weight rests upon the towing vehicle.
- 772 (b) "Trailer" does not include a pole trailer.
- 773 [(92)] (95) "Truck" means a motor vehicle designed, used, or maintained primarily for the
774 transportation of property.
- 775 [(93)] (96) "Truck tractor" means a motor vehicle:
- 776 (a) designed and used primarily for drawing other vehicles; and

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

779 [(94)] (97) "Two-way left turn lane" means a lane:

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

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

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

784 [(95)] (98) "Urban district" means the territory contiguous to and including any street, in
785 which structures devoted to business, industry, or dwelling houses are situated at
786 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

787 [(96)] (99) "Vehicle" means a device in, on, or by which a person or property is or may be
788 transported or drawn on a highway, except a mobile carrier, as defined in Section
789 41-6a-1120, or a device used exclusively on stationary rails or tracks.

790 [(97)] (100) "Wheelie" means a maneuver performed while operating a motorcycle whereby
791 the front wheel of the motorcycle is raised off of the ground.

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

793 **41-6a-210 (Effective 07/01/26). Failure to respond to officer's signal to stop --**
794 **Fleeing -- Causing property damage or bodily injury -- Suspension of driver's license --**
795 **Forfeiture of vehicle -- Penalties.**

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

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

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

802 (b)(i) A person who violates Subsection (1)(a) is guilty of a [~~felony of the third~~
803 ~~degree~~] a third degree felony.

804 (ii) The court shall, as part of any sentence under this Subsection (1), impose a fine of
805 not less than \$1,000.

806 (c) A law enforcement officer may impound a vehicle of a person who violates
807 Subsection (1)(a).

808 (2)(a) An operator who violates Subsection (1) and while so doing causes death or
809 serious bodily injury to another person, under circumstances not amounting to
810 murder or aggravated murder, is guilty of a [~~felony of the second degree~~] second

- 811 degree felony.
- 812 (b) The court shall, as part of any sentence under this Subsection (2), impose a fine of
- 813 not less than \$5,000.
- 814 (3)(a) In addition to the penalty provided under this section or any other section, a
- 815 person who violates Subsection (1)(a) or (2)(a) shall have the person's driver license
- 816 revoked under Subsection 53-3-220(1)(a)(ix) for a period of one year.
- 817 (b) If the individual has not been issued a driver license, the division shall deny the
- 818 individual's application for a driver license or learner's permit for the longer of:
- 819 (i) one year after the conviction; or
- 820 (ii) one year after the individual is old enough to qualify for a driver license or
- 821 learner's permit.
- 822 [(b)] (c)(i) The court shall forward the report of the conviction to the division.
- 823 (ii) If the person is the holder of a driver license from another jurisdiction, the
- 824 division shall notify the appropriate officials in the licensing state.
- 825 Section 4. Section **41-6a-1406** is amended to read:
- 826 **41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29). Removal and**
- 827 **impoundment of vehicles -- Reporting and notification requirements -- Administrative**
- 828 **impound fee -- Refunds -- Possessory lien -- Rulemaking.**
- 829 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section
- 830 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, 41-6a-1511, or 73-18-20.1
- 831 by an order of a peace officer or by an order of a person acting on behalf of a law
- 832 enforcement agency or highway authority, the impoundment of the vehicle, vessel, or
- 833 outboard motor shall be at the expense of the owner.
- 834 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be impounded to a
- 835 state impound yard.
- 836 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be
- 837 removed by a tow truck motor carrier that meets standards established:
- 838 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
- 839 (b) by the department under Subsection (11).
- 840 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or
- 841 outboard motor that is impounded as described in Subsection (1).
- 842 (b) Before noon on the next business day after the date of the removal of the vehicle,
- 843 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor
- 844 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,

- 845 by:
- 846 (i) the peace officer or agency by whom the peace officer is employed; and
- 847 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
- 848 operator is employed.
- 849 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
- 850 include:
- 851 (i) the operator's name, if known;
- 852 (ii) a description of the vehicle, vessel, or outboard motor;
- 853 (iii) the vehicle identification number or vessel or outboard motor identification
- 854 number;
- 855 (iv) the case number designated by the peace officer, law enforcement agency
- 856 number, or government entity;
- 857 (v) the license number, temporary permit number, or other identification number
- 858 issued by a state agency;
- 859 (vi) the date, time, and place of impoundment;
- 860 (vii) the reason for removal or impoundment;
- 861 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
- 862 outboard motor; and
- 863 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 864 (d)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 865 the State Tax Commission shall make rules to establish proper format and
- 866 information required on the form described in this Subsection (4).
- 867 (ii) The State Tax Commission shall ensure that the form described in this Subsection
- 868 (4) is provided in an electronic format.
- 869 (e) Until the tow truck operator or tow truck motor carrier reports the removal as
- 870 required under this Subsection (4), a tow truck motor carrier or impound yard may
- 871 not:
- 872 (i) collect any fee associated with the removal; and
- 873 (ii) begin charging storage fees.
- 874 (5)(a) A report described in this Subsection (5) is required for any vehicle, vessel, or
- 875 outboard motor that is removed, except for:
- 876 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in
- 877 Subsection (1); or
- 878 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in

- 879 accordance with Section 72-9-603.
- 880 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer
881 shall provide documentation to the tow truck operator or tow truck motor carrier that
882 includes:
- 883 (i) the name and badge number of the peace officer;
884 (ii) the name and originating agency identifier of the law enforcement agency; and
885 (iii) the case number designated by the law enforcement officer or law enforcement
886 agency.
- 887 (c) For a removal described in Subsection (5)(a), before noon on the next business day
888 following the date of the removal of the vehicle, vessel, or outboard motor, the tow
889 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in
890 an electronic format approved by the Motor Vehicle Division:
- 891 (i) the report described in Subsection (4); or
892 (ii) the report described in Subsection (5)(d).
- 893 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck
894 motor carrier does not provide the report described in Subsection (4), the tow truck
895 operator or tow truck motor carrier shall provide a report to the Motor Vehicle
896 Division that includes:
- 897 (i) the name and badge number of the relevant peace officer;
898 (ii) the name and originating agency identifier of the law enforcement agency;
899 (iii) the law enforcement agency case number;
900 (iv) subject to Subsection (5)(e), the vehicle identification number and the license
901 number, temporary permit number, or other identification number issued by a
902 state agency;
903 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and
904 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 905 (e) If either the vehicle identification number or the license number, temporary permit
906 number, or other identification number issued by a state agency is not available, the
907 report shall include:
- 908 (i) as much information as is available from both the vehicle identification number
909 and the license plate number of the vehicle, vessel, or outboard motor; and
910 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,
911 model, and model year of the vehicle, vessel, or outboard motor.
- 912 (f) Until the tow truck operator or tow truck motor carrier reports the removal as

- 913 required under this Subsection (5), a tow truck motor carrier may not:
- 914 (i) collect any fee associated with the removal; or
- 915 (ii) begin charging storage fees.
- 916 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be
- 917 removed to:
- 918 (i) a state impound yard; or
- 919 (ii) a location that has been requested by the registered owner at the time of removal,
- 920 if payment is made to the tow truck motor carrier or tow truck operator at the time
- 921 of removal.
- 922 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 923 State Tax Commission may make rules to establish proper format and information
- 924 required on the form described in Subsection (5)(d), including submission in an
- 925 electronic format.
- 926 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in
- 927 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner
- 928 described in Section 41-1a-114, to the following parties with an interest in the
- 929 vehicle, vessel, or outboard motor, as applicable:
- 930 (i) the registered owner;
- 931 (ii) any lien holder; or
- 932 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard
- 933 motor is currently operating under a temporary permit issued by the dealer, as
- 934 described in Section 41-3-302.
- 935 (b) The notice shall:
- 936 (i) state the date, time, and place of removal, the name, if applicable, of the [person]
- 937 individual operating the vehicle, vessel, or outboard motor at the time of removal,
- 938 the reason for removal, and the place where the vehicle, vessel, or outboard motor
- 939 is stored;
- 940 (ii) state that the registered owner is responsible for payment of towing, impound,
- 941 and storage fees charged against the vehicle, vessel, or outboard motor;
- 942 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard
- 943 motor is released; and
- 944 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the
- 945 vehicle, vessel, or outboard motor, if, within 30 days after the day of the removal
- 946 or impoundment under this section, one of the parties fails to make a claim for

- 947 release of the vehicle, vessel, or outboard motor.
- 948 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor
949 is not registered in this state, the Motor Vehicle Division shall make a reasonable
950 effort to notify the parties described in Subsection (6)(a) of the removal and the place
951 where the vehicle, vessel, or outboard motor is stored.
- 952 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)
953 if a report was received by a tow truck operator or tow truck motor carrier reporting a
954 tow truck service in accordance with Subsection 72-9-603(1)(a)(i).
- 955 (e)(i) The Motor Vehicle Division shall disclose the information in the report
956 described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent
957 as defined in Section 41-12a-802 regarding a tow that was initiated:
- 958 (A) by law enforcement; or
959 (B) without the vehicle owner's consent.
- 960 (ii) The Motor Vehicle Division may rely on the information provided by the tow
961 truck operator or tow truck motor carrier to determine if a tow meets the criteria
962 described in Subsections (6)(e)(i)(A) and (B).
- 963 (iii) The designated agent may disclose information received regarding a tow
964 described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the
965 vehicle owner's verified insurance company.
- 966 (iv) The designated agent may not disclose information to a vehicle owner's
967 insurance company if the tow does not meet the criteria described in Subsections
968 (6)(e)(i)(A) and (B).
- 969 (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound
970 yard as described in this section shall be released after a party described in
971 Subsection (6)(a) or (7)(f):
- 972 (i) makes a claim for release of the vehicle, vessel, or outboard motor at any office of
973 the State Tax Commission;
- 974 (ii) presents identification sufficient to prove ownership of the impounded or
975 removed vehicle, vessel, or outboard motor;
- 976 (iii) completes the registration, if needed, and pays the appropriate fees;
- 977 (iv) if the impoundment was made under Section 41-6a-527 or Subsection
978 41-1a-1101(3), pays:
- 979 (A) an administrative impound fee of \$425; and
980 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an

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

- 1015 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
1016 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
1017 Subsection (6)(a), even if the party satisfies the requirements to release the
1018 vehicle, vessel, or outboard motor under this Subsection (7).
- 1019 (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or
1020 outboard motor impounded or removed to a state impound yard as described in this
1021 section shall be released to an individual that is not described in Subsection (6)(a) if
1022 the individual:
- 1023 (i)(A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);
1024 (B) presents the individual's driver license or other government-issued
1025 identification; and
1026 (C) demonstrates that the individual has authority granted by a person described in
1027 Subsection (6)(a) to obtain and operate the vehicle; or
1028 (ii) is a tow truck operator or tow truck motor carrier that:
- 1029 (A) demonstrates that the tow truck operator or tow truck motor carrier has
1030 authority granted by a person described in Subsection (6)(a) to obtain and
1031 operate the vehicle, vessel, or outboard motor;
1032 (B) provides a towing certificate issued by the Department of Transportation [
1033 ~~pursuant to~~] in accordance with Section 72-9-602;
1034 (C) pays all towing and storage fees; and
1035 (D) obtains or presents an impound release for the vehicle, vessel, or outboard
1036 motor [~~pursuant to~~] in accordance with Subsection (7)(a).
- 1037 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by
1038 a party described in Subsection (6)(a) or (7)(f) within the time prescribed by Section
1039 41-1a-1103, the Motor Vehicle Division shall issue a certificate of sale for the
1040 impounded or removed vehicle, vessel, or outboard motor as described in Section
1041 41-1a-1103.
- 1042 (b) The date of impoundment or removal is considered the date of seizure for computing
1043 the time period provided under Section 41-1a-1103.
- 1044 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the
1045 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause
1046 of action for all the fees and charges, together with damages, court costs, and attorney
1047 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused
1048 the removal or impoundment.

- 1049 (10)(a) As used in this Subsection (10), "life essential item" means the same as that term
1050 is defined in Subsection 72-9-603(13).
- 1051 (b) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel,
1052 or outboard motor.
- 1053 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and any
1054 nonlife essential items contained in the vehicle, vessel, or outboard motor.
- 1055 (d) Except for a vehicle, vessel, or outboard motor being held as evidence, a tow truck
1056 operator, a tow truck motor carrier, or an impound yard shall allow a person
1057 described in Subsection (6)(a) or an individual described in Subsection (7)(f)(i) to
1058 take possession of any life essential item within the vehicle, vessel, or outboard
1059 motor during normal business hours regardless of whether the towing, impound fees,
1060 or storage fees have been paid.
- 1061 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon
1062 payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an
1063 impound yard shall allow a person described in Subsection (6)(a) or an individual
1064 described in Subsection (7)(f)(i) to enter the vehicle, vessel, or outboard motor during
1065 normal business hours and remove personal property not attached to the vehicle,
1066 vessel, or outboard motor.
- 1067 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1068 department shall make rules setting the performance standards for towing companies to
1069 be used by the department.
- 1070 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection
1071 (4) be submitted in electronic form utilizing a database for submission, storage, and
1072 retrieval of the information.
- 1073 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the
1074 administrator of the database may adopt a schedule of fees assessed for utilizing
1075 the database.
- 1076 (ii) The fees under this Subsection (12)(b) shall:
- 1077 (A) be reasonable and fair; and
- 1078 (B) reflect the cost of administering the database.
- 1079 Section 5. Section **41-6a-1511** is enacted to read:
- 1080 **41-6a-1511 (Effective 07/01/26). Parents and guardians may not authorize**
1081 **child's violation of part -- Impoundment.**
- 1082 (1) An adult, parent, or guardian may not authorize or knowingly permit a child to violate

- 1083 this part.
- 1084 (2) A child who violates this part is guilty of an infraction.
- 1085 (3) A law enforcement officer shall notify the parent or guardian of a child who violates
- 1086 this part.
- 1087 (4) A law enforcement officer may impound a motorcycle if the operator commits a
- 1088 violation of this part.
- 1089 (5) An impoundment under this section is subject to Section 41-6a-1406.
- 1090 Section 6. **Repealer.**
- 1091 This bill repeals:
- 1092 Section **41-6a-1117, Mini-motorcycle restrictions -- Exceptions.**
- 1093 Section 7. **Effective Date.**
- 1094 This bill takes effect on July 1, 2026.