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**Tow Yard Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Don L. Ipson**

House Sponsor:

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**LONG TITLE**

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**General Description:**

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This bill codifies existing rules regarding state impound lot standards and creates a mandatory waiting period for a person removed from a towing rotation to rejoin a towing rotation in a first or second class county.

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**Highlighted Provisions:**

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This bill:

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- ▶ defines terms;
- ▶ establishes requirements for an impound lot;
- ▶ allows the Motor Vehicle Division to review an impound lot's qualifications;
- ▶ creates procedures for retrieval of items from an impounded vehicle;
- ▶ creates a waiting period for a person removed from a towing rotation from being added to a towing rotation in a first or second class county with a new tow truck motor carrier; and
- ▶ makes technical changes.

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**Money Appropriated in this Bill:**

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None

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**Other Special Clauses:**

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None

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**Utah Code Sections Affected:**

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**AMENDS:**

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**41-1a-1101**, as last amended by Laws of Utah 2025, Chapter 220

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**72-9-607**, as enacted by Laws of Utah 2019, Chapter 373

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

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Section 1. Section **41-1a-1101** is amended to read:

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**41-1a-1101 . Seizure -- Circumstances where permitted -- Impound lot standards.**

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(1) As used in this section:

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(a)(i) "Criminal offense" means a class B misdemeanor offense, a class A

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misdemeanor offense, or a felony offense.

(ii) "Criminal offense" includes:

(A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony offense described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2, Driver Licensing Act, Title 73, Chapter 18, State Boating Act, or Title 76, Utah Criminal Code; and

(B) a local ordinance that is a class B misdemeanor and is substantially similar to an offense listed in Subsection (1)(a)(ii)(A).

(b) "Impound lot" means a state impound lot or impound yard designated by the division for the storage of a seized vehicle, vessel, or outboard motor as described in Subsection (2).

(c) "Life essential item" means the same as that term is defined in Section 72-9-603.

[b] (d) "Operator" means the same as that term is defined in Section 41-6a-102.

[(e)] (e) "Road rage event" means the commission of a criminal offense:

(i) by an operator of a vehicle;

(ii) in response to an incident that occurs or escalates upon a roadway; and

(iii) with the intent to endanger or intimidate an individual in another vehicle.

[(d)] (f) "Roadway" means:

(i) a highway; or

(ii) a private road or driveway as defined in Section 41-6a-102.

(2) The division or [any] a peace officer, without a warrant, may seize and take possession of [any] a vehicle, vessel, or outboard motor:

(a) that the division or [the-] a peace officer has probable cause to believe has been stolen;

(b) on which any identification number has been defaced, altered, or obliterated;

(c) that has been abandoned in accordance with Section 41-6a-1408;

(d) for which the applicant has written a check for registration or title fees that has not been honored by the applicant's bank and that is not paid within 30 days;

(e) that is placed on the water with improper registration;

(f) that is being operated on a highway:

(i) with registration that has been expired for more than three months;

(ii) having never been properly registered by the current owner; or

(iii) with registration that is suspended or revoked;

(g)(i) that the division or the peace officer has probable cause to believe has been involved in an accident described in Section 41-6a-401, 41-6a-401.3, or

65                   41-6a-401.5; and

66                   (ii) whose operator did not remain at the scene of the accident until the operator  
67                   fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7; or

68                   (h) if the division or peace officer has probable cause to believe that the operator:

69                   (i) failed to properly display the license plate on a motorcycle as described in Section  
70                   41-1a-404.1; or

71                   (ii) used the motorcycle:

72                   (A) to perform a wheelie in violation of Section 41-6a-606.1; or

73                   (B) to engage in lane splitting in violation of Section 41-6a-704.1.

74                   (3)(a) The division or a peace officer shall seize and take possession of a vehicle,  
75                   without a warrant, when:

76                   (i) the division or the peace officer has probable cause to believe that an operator of  
77                   the vehicle engaged in a road rage event; and

78                   (ii) the operator of the vehicle has been arrested in conjunction with the road rage  
79                   event.

80                   (b) A peace officer may release a vehicle seized and possessed under Subsection (3)(a)  
81                   to the registered owner of the vehicle if the registered owner is not the individual  
82                   subject to arrest under Subsection (3)(a) and is immediately available, at the location  
83                   of the arrest, to take possession of the vehicle.

84                   (4)(a) Subject to the restriction in Subsection (4)(b), the division or [any] a peace officer,  
85                   without a warrant:

86                   (i) shall seize and take possession of [any] a vehicle that is being operated on a  
87                   highway without owner's or operator's security in effect for the vehicle as required  
88                   under Section 41-12a-301 and the vehicle was involved in an accident; or

89                   (ii) may seize and take possession of [any] a vehicle that is being operated on a  
90                   highway without owner's or operator's security in effect for the vehicle as required  
91                   under Section 41-12a-301 after the division or [any] a peace officer makes a  
92                   reasonable determination whether the vehicle would:

93                   (A) present a public safety concern to the operator or any of the occupants in the  
94                   vehicle; or

95                   (B) prevent the division or the peace officer from addressing other public safety  
96                   considerations.

97                   (b) The division or [any] a peace officer may not seize and take possession of a vehicle  
98                   under Subsection (4)(a):

99 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's  
100 security as defined in Section 41-12a-303.2 in the vehicle unless the division or  
101 peace officer verifies that owner's or operator's security is not in effect for the  
102 vehicle through the Uninsured Motorist Identification Database created in  
103 accordance with Section 41-12a-803; or  
104 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security  
105 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist  
106 Identification Database created in accordance with Section 41-12a-803 indicates  
107 that the owner's or operator's security is not in effect for the vehicle, unless the  
108 division or a peace officer makes a reasonable attempt to independently verify that  
109 owner's or operator's security is not in effect for the vehicle.

110 (5) If necessary for the transportation of a seized vessel, the division or a peace officer may  
111 seize the vessel's trailer [may be seized] to transport and store the vessel.

112 (6) The division or a peace officer who seizes a vehicle shall record the mileage shown on  
113 the vehicle's odometer at the time of seizure, if:  
114 (a) the vehicle is equipped with an odometer; and  
115 (b) the odometer reading is accessible to the division or the peace officer.

116 [(6)] (7) [Any] A peace officer seizing or taking possession of a vehicle, vessel, or outboard  
117 motor under this section shall comply with [the provisions of] Section 41-6a-1406.

118 (8)(a) An operator of an impound lot shall ensure the impound lot has a conspicuously  
119 placed, well-maintained sign that:  
120 (i) is at least 24 square feet in size;  
121 (ii) includes the business name, address, phone number, and hours of business for the  
122 impound lot;  
123 (iii) displays the impound lot identification number issued by the division in  
124 characters at least four inches high;  
125 (iv) is visible from the nearest highway; and  
126 (v) is adequately lit so the sign is always readable from the center of the nearest  
127 highway.

128 (b) An operator of an impound lot shall maintain a hard-surfaced storage area of  
129 concrete, black top, gravel, road base, or other similar material in the impound lot.

130 (c) An operator of an impound lot shall ensure the impound lot is illuminated so that  
131 objects and surface conditions are clearly visible, as determined from a point within  
132 the impound lot that is the farthest distance from the nearest source of light.

133 (d) An operator of an impound lot shall fence the perimeter of the impound lot:

134 (i) separately from any other personal or business activity that is not directly related  
135 to state impounds; and

136 (ii) with six-foot high chain link or other similar fence or wall topped with three  
137 strands of barbed wire or razor security wire that are properly affixed to the fence  
138 or wall.

139 (e) An operator of an impound lot shall maintain opaque fencing, which may be opaque  
140 chain link fencing, on any side that has frontage with a highway.

141 (f) An operator of an impound lot shall maintain spacing between vehicles that is  
142 adequate to allow opening of vehicle doors without interfering with other vehicles or  
143 objects.

144 (g) Except as provided in Subsection (9), an operator of an impound lot shall have an  
145 office on the premises.

146 (h) An operator of an impound lot shall ensure the impound lot office is staffed and open  
147 for public business during normal business hours, Monday through Friday, except for  
148 designated state and federal holidays.

149 (i) An operator of an impound lot shall provide compressed air and battery boosting  
150 capabilities at the impound lot at no additional cost.

151 (j) An operator of an impound lot may not have any weeds in the impound lot that  
152 exceed six inches in height.

153 (9)(a) Upon request, the division may authorize an impound lot to maintain multiple  
154 storage areas managed by a central office facility if each storage area is within a 10  
155 mile radius of the central office facility.

156 (b) An operator of an impound lot with a central office facility authorized under this  
157 Subsection (9) shall appear at an appropriate storage area within 60 minutes of  
158 notification to release a vehicle held at that storage area.

159 (c) If an operator of an impound lot fails to appear as described in Subsection (9)(b), the  
160 division may revoke the impound lot's authorization to operate as an impound lot for  
161 a minimum of six months.

162 (d) In addition to the requirements of this Subsection (9), each sign at a storage area  
163 affiliated with a central office facility shall provide the location and phone number of  
164 the central office facility.

165 (10) A crusher, dismantler, or salvage dealer may not operate as an impound lot unless the  
166 crusher, dismantler, or salvage dealer meets all of the requirements for an impound lot

167       described in this section.

168       (11) The division shall enforce an impound lot's compliance with the standards described in  
169       this section.

170       (12)(a) The division shall provide written notice, in person or by certified mail, to an  
171       operator of an impound lot not in compliance with the standards described in this  
172       section and give 30 days from that notice to rectify any noncompliance.

173       (b) The division may suspend the impound lot's authorization to operate as an impound  
174       lot if no action or insufficient action is taken by the operator of the impound lot.

175       (13) An impound lot contesting suspension, or an impound lot directly and adversely  
176       affected by the division's refusal to designate an impound lot as an impound lot, may  
177       appeal that suspension or designation refusal to the commission.

178       (14)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
179       the commission shall make rules setting standards for public garages and impound  
180       lots that may be used by peace officers and the division for the storage of a seized  
181       vehicle, vessel, or outboard motor.

182       (b) The division may not make rules that conflict with Subsection (8).

183       (c) The division shall ensure that the standards do not restrict the number of public  
184       garages or impound lots per geographical area.

185       (15)(a) An operator of an impound lot shall:

186           (i) allow an individual authorized by Subsection 41-6a-1406(6)(a) to access a vehicle,  
187           vessel, or outboard motor in an impound lot during normal business hours to take  
188           possession of a life essential item or other personal property if the individual:

189           (A) presents the individual's driver license or other government-issued  
190           identification;

191           (B) shows evidence that the individual is authorized under Subsection  
192           41-6a-1406(6)(a) to take possession of the life essential item or other personal  
193           property; and

194           (C) signs a receipt for any personal property removed from a vehicle, vessel, or  
195           outboard motor; and

196           (ii) maintain a record of individuals who have been given access to vehicles to  
197           remove personal property.

198       (b) If an individual is unable to present the individual's driver license or other  
199       government-issued identification as required in Subsection (15)(a)(i)(A) because the  
200       individual's driver license or other government-issued identification is inside the

201 impounded vehicle, the owner of the impound lot shall allow the individual to access  
202 the vehicle, vessel, or outboard motor to retrieve the driver license or  
203 government-issued identification, to show that the individual is authorized to take  
204 possession of a life essential item or other personal property under Subsection  
205 41-6a-1406(6)(a).

206 (16) An operator of an impound lot shall:

207 (a) remove license plate or plates from an impounded vehicle before the time of sale as  
208 described in Section 41-1a-1103; and  
209 (b) give the license plates to the division when the vehicle is sold.

210 (17) The division may require an operator of an impound lot holding five or fewer vehicles  
211 in a month to tow those vehicles to another impound lot to centralize vehicle sales.

212 [(7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
213 the commission shall make rules setting standards for public garages, impound lots,  
214 and impound yards that may be used by peace officers and the division.]

215 [(b) The standards shall be equitable, reasonable, and unrestrictive as to the number of  
216 public garages, impound lots, or impound yards per geographical area.]

217 [(c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard  
218 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a  
219 state impound yard set forth in this section and rules made in accordance with  
220 Subsection (7)(a).]

221 [(d)(i) Rules made by the commission shall include a requirement that a state  
222 impound yard have opaque fencing on any side of the state impound yard that has  
223 frontage with a highway.]

224 [(ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link  
225 fencing.]

226 [(8)] (18)(a) Except as provided under [Subsection (8)(b)] Subsection (18)(b), [a person]  
227 an individual may not operate or allow [to be operated] another individual to operate  
228 a vehicle stored in[ a public garage, impound lot, or impound yard] an impound lot  
229 regulated under this part without [prior]written permission of the owner of the  
230 vehicle.

231 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking  
232 space to another within [the facility] an impound lot and that is necessary for the  
233 normal management of [the facility] an impound lot is not prohibited under [  
234 Subsection (8)(a)] Subsection (18)(a).

235 [({9})] (19) [A person] An individual who violates [the provisions of Subsection (8)]  
236 Subsection (18) is guilty of a class C misdemeanor.

237 [(10) The division or the peace officer who seizes a vehicle shall record the mileage shown  
238 on the vehicle's odometer at the time of seizure, if:]  
239 [(a) the vehicle is equipped with an odometer; and]  
240 [(b) the odometer reading is accessible to the division or the peace officer.]

241 Section 2. Section **72-9-607** is amended to read:

242 **72-9-607 . Process of removal from towing rotation.**

243 (1) As used in this section, "ownership" means any percentage of ownership of a tow truck  
244 motor carrier by a person.

245 (2) Each political subdivision or state agency that establishes a towing rotation to facilitate  
246 tows initiated by the political subdivision or state agency shall establish a policy for an  
247 appeals process to hear and decide appeals from a decision to suspend or remove a tow  
248 truck motor carrier or tow truck operator from a towing rotation.

249 [({2})] (3) In conducting an appeal as described in [Subseetion (1)] Subsection (2):

250 (a) the appeal process may be conducted by a single appeal officer or a panel; and  
251 (b) an individual hearing an appeal, whether as a single appeal officer or as part of a  
252 panel, may not be the same individual who made the decision to suspend or remove  
253 the tow truck motor carrier or tow truck operator from the towing rotation.

254 (4) A person with ownership in a tow truck motor carrier that is removed from a towing  
255 rotation in a first or second class county may not be added to a towing rotation in a first  
256 or second class county for five years after the day on which the tow truck motor carrier  
257 is removed from a towing rotation.

258 Section 3. **Effective Date.**

259 This bill takes effect on May 6, 2026.