

Daniel McCay proposes the following substitute bill:

Law Enforcement Usage of Unmarked Vehicles

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor:

LONG TITLE

General Description:

This bill prohibits an employee of a law enforcement agency from using an unmarked law enforcement vehicle to initiate a stop for certain traffic violations.

Highlighted Provisions:

This bill:

- defines terms;
- prohibits an employee of a law enforcement agency from using an unmarked law enforcement vehicle to initiate a stop for certain traffic violations that are infractions; and
- provides exceptions.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

77-7-28, Utah Code Annotated 1953

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

Section 1. Section **77-7-28** is enacted to read:

CHAPTER 7. Arrests and Citations, By Whom, and How Made

77-7-28 . Restrictions on a stop for a traffic infraction when using an unmarked law enforcement vehicle.

(1) As used in this section:

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

(b) "Traffic infraction" means a violation that is an infraction under:

- 29 (i) Title 41, Chapter 6a, Traffic Code; or
- 30 (ii) a local traffic ordinance.
- 31 (c) "Unmarked law enforcement vehicle" means a vehicle that:
- 32 (i) is used for a law enforcement purpose;
- 33 (ii) does not have a visible light bar affixed to the roof of the vehicle that contains:
- 34 (A) red and blue lights; or
- 35 (B) other lights commonly used by a law enforcement agency; and
- 36 (iii) does not have writing or markings on both sides of the vehicle that clearly
- 37 identify the vehicle as a law enforcement vehicle from at least 25 feet away.
- 38 (2) Except as provided in Subsection (3), an employee of a law enforcement agency may
- 39 not use an unmarked law enforcement vehicle to initiate a stop of a vehicle for the
- 40 purpose of:
- 41 (a) investigating a traffic infraction;
- 42 (b) issuing a citation for a traffic infraction; or
- 43 (c) issuing a warning for a traffic infraction.
- 44 (3) An employee of a law enforcement agency may use an unmarked law enforcement
- 45 vehicle to initiate a stop of a vehicle for a traffic infraction if the employee of the law
- 46 enforcement agency:
- 47 (a) believes, in addition to the traffic infraction, that exigent circumstances or an
- 48 imminent risk to public safety exists; or
- 49 (b) subject to Subsection (4), observes a traffic violation and has reasonable, articulable
- 50 suspicion that criminal activity apart from the traffic violation is occurring or has
- 51 occurred.
- 52 (4) Under the circumstances described in Subsection (3)(b):
- 53 (a) the traffic violation may serve as the lawful basis for the stop;
- 54 (b) the failure of the employee of the law enforcement agency to obtain evidence to
- 55 support probable cause for the suspected additional criminal conduct does not render
- 56 the stop unlawful under this section; and
- 57 (c) the employee of the law enforcement agency may not issue a citation for the traffic
- 58 infraction.

59 Section 2. **Effective Date.**

60 This bill takes effect on May 6, 2026.