

AUTONOMOUS VEHICLES AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends provisions regarding traffic laws, licensing, and titling requirements, and adds provisions regarding the operation of autonomous vehicles.

Highlighted Provisions:

This bill:

- ▶ defines terms related to autonomous vehicles;
- ▶ allows the operation of a vehicle in the state by an automated driving system;
- ▶ exempts a vehicle with an engaged automated driving system from licensure;
- ▶ provides protocol in case of an accident involving an autonomous vehicle;
- ▶ requires a vehicle equipped with an automated driving system to be properly titled, registered, and insured;
- ▶ preempts political subdivisions from regulating autonomous vehicles in addition to regulation provided in state statute; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

13-51-102, as enacted by Laws of Utah 2015, Chapter 461

13-51-103, as last amended by Laws of Utah 2016, Chapter 359

41-1a-102 (Effective 01/01/19), as last amended by Laws of Utah 2018, Chapters 166

and 424

41-1a-201, as last amended by Laws of Utah 2017, Chapter 149

41-1a-202, as last amended by Laws of Utah 2013, Chapter 463

41-1a-209, as last amended by Laws of Utah 2005, Chapter 47

- 33 **41-1a-213**, as last amended by Laws of Utah 2017, Chapter 119
- 34 **41-1a-1503**, as enacted by Laws of Utah 2013, Chapter 189
- 35 **41-6a-102**, as last amended by Laws of Utah 2018, Chapters 166 and 205
- 36 **41-6a-1641**, as last amended by Laws of Utah 2015, Chapter 412
- 37 **53-3-102**, as last amended by Laws of Utah 2017, Chapter 297
- 38 **53-3-104**, as last amended by Laws of Utah 2018, Chapters 233 and 415
- 39 **53-3-202**, as last amended by Laws of Utah 2017, Chapter 297

40 ENACTS:

- 41 **41-26-102.1**, Utah Code Annotated 1953
- 42 **41-26-103**, Utah Code Annotated 1953
- 43 **41-26-104**, Utah Code Annotated 1953
- 44 **41-26-105**, Utah Code Annotated 1953
- 45 **41-26-106**, Utah Code Annotated 1953
- 46 **41-26-107**, Utah Code Annotated 1953
- 47 **41-26-108**, Utah Code Annotated 1953
- 48 **41-26-109**, Utah Code Annotated 1953

49 REPEALS:

- 50 **41-26-102**, as enacted by Laws of Utah 2016, Chapter 212

51

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

53 Section 1. Section **13-51-102** is amended to read:

54 **13-51-102. Definitions.**

55 (1) "Division" means the Division of Consumer Protection within the Department of
56 Commerce.

57 (2) "Prearranged ride" means a period of time that:

58 (a) begins when the transportation network driver has accepted a passenger's request
59 for a ride through the transportation network company's software application; and

60 (b) ends when the passenger exits the transportation network driver's vehicle.

61 (3) "Software application" means an Internet-connected software platform, including a
62 mobile application, that a transportation network company uses to:

63 (a) connect a transportation network driver to a passenger; and

- 64 (b) process passenger requests.
- 65 (4) "Transportation network company" means an entity that:
- 66 (a) uses a software application to connect a passenger to a transportation network
67 driver providing transportation network services;
- 68 (b) is not:
- 69 (i) a taxicab, as defined in Section 53-3-102; or
- 70 (ii) a motor carrier, as defined in Section 72-9-102; and
- 71 (c) except in certain cases involving a motor vehicle with a level four or five automated
72 driving system, as defined in Section 41-26-102.1, does not own, control, operate, or manage
73 the vehicle used to provide the transportation network services.
- 74 (5) "Transportation network driver" means ~~[an individual who]~~:
- 75 (a) an individual who:
- 76 ~~[(a)]~~ (i) pays a fee to a transportation network company, and, in exchange, receives a
77 connection to a potential passenger from the transportation network company;
- 78 ~~[(b)]~~ (ii) operates a motor vehicle that:
- 79 ~~[(+)]~~ (A) the individual owns, leases, or is authorized to use; and
- 80 ~~[(+)]~~ (B) the individual uses to provide transportation network services; and
- 81 ~~[(+)]~~ (iii) receives, in exchange for providing a passenger a ride, compensation that
82 exceeds the individual's cost to provide the ride~~[-];~~ or
- 83 (b) a level four or five automated driving system, as defined in Section 41-26-102.1,
84 when the automated driving system is operating the vehicle and used to provide a passenger a
85 ride in exchange for compensation.
- 86 (6) "Transportation network services" means, for a transportation network driver
87 providing services through a transportation network company:
- 88 (a) providing a prearranged ride; or
- 89 (b) being engaged in a waiting period.
- 90 (7) "Waiting period" means a period of time when:
- 91 (a) a transportation network driver is logged into a transportation network company's
92 software application; and
- 93 (b) the transportation network driver is not engaged in a prearranged ride.
- 94 Section 2. Section **13-51-103** is amended to read:

95 **13-51-103. Exemptions -- Transportation network company and transportation**
 96 **network driver.**

97 (1) A transportation network company or a transportation network driver is not subject
 98 to the requirements applicable to:

99 (a) a motor carrier, under Title 72, Chapter 9, Motor Carrier Safety Act;

100 (b) a common carrier, under Title 59, Chapter 12, Sales and Use Tax Act; or

101 (c) a taxicab, under Title 53, Chapter 3, Uniform Driver License Act.

102 (2) A transportation network driver is:

103 (a) (i) an independent contractor of a transportation network company; and

104 [~~(b)~~] (ii) not an employee of a transportation network company[-]; or

105 (b) for a motor vehicle with a level four or five automated driving system as defined in

106 Section 41-26-102.1, in driverless operation, an automated driving system if dispatched:

107 (i) at the direction of, on behalf of, or as an agent of a transportation network company;

108 or

109 (ii) at the direction of, on behalf of, or as an agent of a third party pursuant to an

110 agreement between the third party and a transportation network company, operated on behalf of
 111 and as an agent of the transportation network company.

112 Section 3. Section **41-1a-102 (Effective 01/01/19)** is amended to read:

113 **41-1a-102 (Effective 01/01/19). Definitions.**

114 As used in this chapter:

115 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

116 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
 117 vehicles as operated and certified to by a weighmaster.

118 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
 119 41-22-2.

120 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
 121 41-22-2.

122 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
 123 41-22-2.

124 (6) "Alternative fuel vehicle" means:

125 (a) an electric motor vehicle;

- 126 (b) a hybrid electric motor vehicle;
- 127 (c) a plug-in hybrid electric motor vehicle; or
- 128 (d) a motor vehicle powered by a fuel other than:
- 129 (i) motor fuel;
- 130 (ii) diesel fuel;
- 131 (iii) natural gas; or
- 132 (iv) propane.
- 133 (7) "Amateur radio operator" means any person licensed by the Federal
- 134 Communications Commission to engage in private and experimental two-way radio operation
- 135 on the amateur band radio frequencies.
- 136 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 137 (9) "Automated driving system" means the same as that term is defined in Section
- 138 41-26-102.1.
- 139 [~~(9)~~] (10) "Branded title" means a title certificate that is labeled:
- 140 (a) rebuilt and restored to operation;
- 141 (b) flooded and restored to operation; or
- 142 (c) not restored to operation.
- 143 [~~(10)~~] (11) "Camper" means any structure designed, used, and maintained primarily to
- 144 be mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
- 145 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
- 146 camping.
- 147 [~~(11)~~] (12) "Certificate of title" means a document issued by a jurisdiction to establish
- 148 a record of ownership between an identified owner and the described vehicle, vessel, or
- 149 outboard motor.
- 150 [~~(12)~~] (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by
- 151 a weighmaster.
- 152 [~~(13)~~] (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
- 153 maintained for the transportation of persons or property that operates:
- 154 (a) as a carrier for hire, compensation, or profit; or
- 155 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
- 156 owner's commercial enterprise.

157 ~~[(14)]~~ (15) "Commission" means the State Tax Commission.

158 ~~[(15)]~~ (16) "Consumer price index" means the same as that term is defined in Section
159 59-13-102.

160 ~~[(16)]~~ (17) "Dealer" means a person engaged or licensed to engage in the business of
161 buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either outright
162 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an
163 established place of business for the sale, lease, trade, or display of vehicles, vessels, or
164 outboard motors.

165 ~~[(17)]~~ (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.

166 ~~[(18)]~~ (19) "Division" means the Motor Vehicle Division of the commission, created in
167 Section 41-1a-106.

168 (20) "Dynamic driving task" means the same as that term is defined in Section
169 41-26-102.1.

170 ~~[(19)]~~ (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an
171 electric motor drawing current from a rechargeable energy storage system.

172 ~~[(20)]~~ (22) "Essential parts" means all integral and body parts of a vehicle of a type
173 required to be registered in this state, the removal, alteration, or substitution of which would
174 tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or
175 mode of operation.

176 ~~[(21)]~~ (23) "Farm tractor" means every motor vehicle designed and used primarily as a
177 farm implement for drawing plows, mowing machines, and other implements of husbandry.

178 ~~[(22)]~~ (24) (a) "Farm truck" means a truck used by the owner or operator of a farm
179 solely for the owner's or operator's own use in the transportation of:

180 (i) farm products, including livestock and its products, poultry and its products,
181 floricultural and horticultural products;

182 (ii) farm supplies, including tile, fence, and every other thing or commodity used in
183 agricultural, floricultural, horticultural, livestock, and poultry production; and

184 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
185 other purposes connected with the operation of a farm.

186 (b) "Farm truck" does not include the operation of trucks by commercial processors of
187 agricultural products.

188 ~~[(23)]~~ (25) "Fleet" means one or more commercial vehicles.

189 ~~[(24)]~~ (26) "Foreign vehicle" means a vehicle of a type required to be registered,
190 brought into this state from another state, territory, or country other than in the ordinary course
191 of business by or through a manufacturer or dealer, and not registered in this state.

192 ~~[(25)]~~ (27) "Gross laden weight" means the actual weight of a vehicle or combination
193 of vehicles, equipped for operation, to which shall be added the maximum load to be carried.

194 ~~[(26)]~~ (28) "Highway" or "street" means the entire width between property lines of
195 every way or place of whatever nature when any part of it is open to the public, as a matter of
196 right, for purposes of vehicular traffic.

197 ~~[(27)]~~ (29) "Hybrid electric motor vehicle" means a motor vehicle that draws
198 propulsion energy from onboard sources of stored energy that are both:

- 199 (a) an internal combustion engine or heat engine using consumable fuel; and
200 (b) a rechargeable energy storage system where energy for the storage system comes
201 solely from sources onboard the vehicle.

202 ~~[(28)]~~ (30) (a) "Identification number" means the identifying number assigned by the
203 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
204 motor.

205 (b) "Identification number" includes a vehicle identification number, state assigned
206 identification number, hull identification number, and motor serial number.

207 ~~[(29)]~~ (31) "Implement of husbandry" means every vehicle designed or adapted and
208 used exclusively for an agricultural operation and only incidentally operated or moved upon the
209 highways.

210 ~~[(30)]~~ (32) (a) "In-state miles" means the total number of miles operated in this state
211 during the preceding year by fleet power units.

212 (b) If fleets are composed entirely of trailers or semitrailers, "in-state miles" means the
213 total number of miles that those vehicles were towed on Utah highways during the preceding
214 year.

215 ~~[(31)]~~ (33) "Interstate vehicle" means any commercial vehicle operated in more than
216 one state, province, territory, or possession of the United States or foreign country.

217 ~~[(32)]~~ (34) "Jurisdiction" means a state, district, province, political subdivision,
218 territory, or possession of the United States or any foreign country.

219 ~~[(33)]~~ (35) "Lienholder" means a person with a security interest in particular property.

220 ~~[(34)]~~ (36) "Manufactured home" means a transportable factory built housing unit
221 constructed on or after June 15, 1976, according to the Federal Home Construction and Safety
222 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is
223 eight body feet or more in width or 40 body feet or more in length, or when erected on site, is
224 400 or more square feet, and which is built on a permanent chassis and designed to be used as a
225 dwelling with or without a permanent foundation when connected to the required utilities, and
226 includes the plumbing, heating, air-conditioning, and electrical systems.

227 ~~[(35)]~~ (37) "Manufacturer" means a person engaged in the business of constructing,
228 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
229 outboard motors for the purpose of sale or trade.

230 ~~[(36)]~~ (38) "Mobile home" means a transportable factory built housing unit built prior
231 to June 15, 1976, in accordance with a state mobile home code which existed prior to the
232 Federal Manufactured Housing and Safety Standards Act (HUD Code).

233 ~~[(37)]~~ (39) "Motor fuel" means the same as that term is defined in Section 59-13-102.

234 ~~[(38)]~~ (40) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for
235 use and operation on the highways.

236 (b) "Motor vehicle" does not include an off-highway vehicle.

237 ~~[(39)]~~ (41) "Motorboat" means the same as that term is defined in Section 73-18-2.

238 ~~[(40)]~~ (42) "Motorcycle" means:

239 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
240 more than three wheels in contact with the ground; or

241 (b) an auticycle.

242 ~~[(41)]~~ (43) "Natural gas" means a fuel of which the primary constituent is methane.

243 ~~[(42)]~~ (44) (a) "Nonresident" means a person who is not a resident of this state as
244 defined by Section 41-1a-202, and who does not engage in intrastate business within this state
245 and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.

246 (b) A person who engages in intrastate business within this state and operates in that
247 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
248 interstate commerce, maintains any vehicle in this state as the home station of that vehicle is
249 considered a resident of this state, insofar as that vehicle is concerned in administering this

250 chapter.

251 ~~[(43)]~~ (45) "Odometer" means a device for measuring and recording the actual distance
252 a vehicle travels while in operation, but does not include any auxiliary odometer designed to be
253 periodically reset.

254 ~~[(44)]~~ (46) "Off-highway implement of husbandry" means the same as that term is
255 defined in Section 41-22-2.

256 ~~[(45)]~~ (47) "Off-highway vehicle" means the same as that term is defined in Section
257 41-22-2.

258 ~~[(46)]~~ (48) (a) "Operate" means ~~[to drive or be in actual physical control of a vehicle~~
259 ~~or]~~:

260 (i) to navigate a vessel~~[-];~~ or

261 (ii) collectively, the activities performed in order to perform the entire dynamic driving
262 task for a given motor vehicle by:

263 (A) a human driver as defined in Section 41-26-102.1; or

264 (B) an engaged automated driving system.

265 (b) "Operate" includes testing of an automated driving system.

266 ~~[(47)]~~ (49) "Outboard motor" means a detachable self-contained propulsion unit,
267 excluding fuel supply, used to propel a vessel.

268 ~~[(48)]~~ (50) (a) "Owner" means a person, other than a lienholder, holding title to a
269 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
270 subject to a security interest.

271 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
272 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
273 stated in the agreement and with an immediate right of possession vested in the conditional
274 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
275 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
276 chapter.

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

279 ~~[(49)]~~ (51) "Park model recreational vehicle" means a unit that:

280 (a) is designed and marketed as temporary living quarters for recreational, camping,

281 travel, or seasonal use;

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

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

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

286 ~~[(50)]~~ (52) "Personalized license plate" means a license plate that has displayed on it a
287 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
288 to the vehicle by the division.

289 ~~[(51)]~~ (53) (a) "Pickup truck" means a two-axle motor vehicle with motive power
290 manufactured, remanufactured, or materially altered to provide an open cargo area.

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

293 ~~[(52)]~~ (54) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor
294 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion
295 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the
296 vehicle while the vehicle is in motion.

297 ~~[(53)]~~ (55) "Pneumatic tire" means every tire in which compressed air is designed to
298 support the load.

299 ~~[(54)]~~ (56) "Preceding year" means a period of 12 consecutive months fixed by the
300 division that is within 16 months immediately preceding the commencement of the registration
301 or license year in which proportional registration is sought. The division in fixing the period
302 shall conform it to the terms, conditions, and requirements of any applicable agreement or
303 arrangement for the proportional registration of vehicles.

304 ~~[(55)]~~ (57) "Public garage" means every building or other place where vehicles or
305 vessels are kept and stored and where a charge is made for the storage and keeping of vehicles
306 and vessels.

307 ~~[(56)]~~ (58) "Receipt of surrender of ownership documents" means the receipt of
308 surrender of ownership documents described in Section 41-1a-503.

309 ~~[(57)]~~ (59) "Reconstructed vehicle" means every vehicle of a type required to be
310 registered in this state that is materially altered from its original construction by the removal,
311 addition, or substitution of essential parts, new or used.

312 ~~[(58)]~~ (60) "Recreational vehicle" means the same as that term is defined in Section
313 13-14-102.

314 ~~[(59)]~~ (61) "Registration" means a document issued by a jurisdiction that allows
315 operation of a vehicle or vessel on the highways or waters of this state for the time period for
316 which the registration is valid and that is evidence of compliance with the registration
317 requirements of the jurisdiction.

318 ~~[(60)]~~ (62) (a) "Registration year" means a 12 consecutive month period commencing
319 with the completion of all applicable registration criteria.

320 (b) For administration of a multistate agreement for proportional registration the
321 division may prescribe a different 12-month period.

322 ~~[(61)]~~ (63) "Repair or replacement" means the restoration of vehicles, vessels, or
323 outboard motors to a sound working condition by substituting any inoperative part of the
324 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

325 ~~[(62)]~~ (64) "Replica vehicle" means:

326 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

327 (b) a custom vehicle that meets the requirements under Subsection
328 41-6a-1507(1)(a)(i)(B).

329 ~~[(63)]~~ (65) "Road tractor" means every motor vehicle designed and used for drawing
330 other vehicles and constructed so it does not carry any load either independently or any part of
331 the weight of a vehicle or load that is drawn.

332 ~~[(64)]~~ (66) "Sailboat" means the same as that term is defined in Section 73-18-2.

333 ~~[(65)]~~ (67) "Security interest" means an interest that is reserved or created by a security
334 agreement to secure the payment or performance of an obligation and that is valid against third
335 parties.

336 ~~[(66)]~~ (68) "Semitrailer" means every vehicle without motive power designed for
337 carrying persons or property and for being drawn by a motor vehicle and constructed so that
338 some part of its weight and its load rests or is carried by another vehicle.

339 ~~[(67)]~~ (69) "Special group license plate" means a type of license plate designed for a
340 particular group of people or a license plate authorized and issued by the division in accordance
341 with Section 41-1a-418.

342 ~~[(68)]~~ (70) (a) "Special interest vehicle" means a vehicle used for general

343 transportation purposes and that is:

344 (i) 20 years or older from the current year; or

345 (ii) a make or model of motor vehicle recognized by the division director as having
346 unique interest or historic value.

347 (b) In making a determination under Subsection [~~(68)~~] (70)(a), the division director
348 shall give special consideration to:

349 (i) a make of motor vehicle that is no longer manufactured;

350 (ii) a make or model of motor vehicle produced in limited or token quantities;

351 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
352 designed exclusively for educational purposes or museum display; or

353 (iv) a motor vehicle of any age or make that has not been substantially altered or
354 modified from original specifications of the manufacturer and because of its significance is
355 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
356 leisure pursuit.

357 [~~(69)~~] (71) (a) "Special mobile equipment" means every vehicle:

358 (i) not designed or used primarily for the transportation of persons or property;

359 (ii) not designed to operate in traffic; and

360 (iii) only incidentally operated or moved over the highways.

361 (b) "Special mobile equipment" includes:

362 (i) farm tractors;

363 (ii) off-road motorized construction or maintenance equipment including backhoes,
364 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

365 (iii) ditch-digging apparatus.

366 (c) "Special mobile equipment" does not include a commercial vehicle as defined
367 under Section 72-9-102.

368 [~~(70)~~] (72) "Specially constructed vehicle" means every vehicle of a type required to be
369 registered in this state, not originally constructed under a distinctive name, make, model, or
370 type by a generally recognized manufacturer of vehicles, and not materially altered from its
371 original construction.

372 [~~(71)~~] (73) "Title" means the right to or ownership of a vehicle, vessel, or outboard
373 motor.

374 ~~(72)~~ (74) (a) "Total fleet miles" means the total number of miles operated in all
375 jurisdictions during the preceding year by power units.

376 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
377 the number of miles that those vehicles were towed on the highways of all jurisdictions during
378 the preceding year.

379 ~~(73)~~ (75) "Trailer" means a vehicle without motive power designed for carrying
380 persons or property and for being drawn by a motor vehicle and constructed so that no part of
381 its weight rests upon the towing vehicle.

382 ~~(74)~~ (76) "Transferee" means a person to whom the ownership of property is
383 conveyed by sale, gift, or any other means except by the creation of a security interest.

384 ~~(75)~~ (77) "Transferor" means a person who transfers the person's ownership in
385 property by sale, gift, or any other means except by creation of a security interest.

386 ~~(76)~~ (78) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
387 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
388 vacation use that does not require a special highway movement permit when drawn by a
389 self-propelled motor vehicle.

390 ~~(77)~~ (79) "Truck tractor" means a motor vehicle designed and used primarily for
391 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
392 vehicle and load that is drawn.

393 ~~(78)~~ (80) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
394 camper, park model recreational vehicle, manufactured home, and mobile home.

395 ~~(79)~~ (81) "Vessel" means the same as that term is defined in Section 73-18-2.

396 ~~(80)~~ (82) "Vintage vehicle" means the same as that term is defined in Section
397 41-21-1.

398 ~~(81)~~ (83) "Waters of this state" means the same as that term is defined in Section
399 73-18-2.

400 ~~(82)~~ (84) "Weighmaster" means a person, association of persons, or corporation
401 permitted to weigh vehicles under this chapter.

402 Section 4. Section **41-1a-201** is amended to read:

403 **41-1a-201. Function of registration -- Registration required -- Penalty.**

404 (1) For purposes of this section, "automated driving system" means the same as that

405 term is defined in Section 41-26-102.1.

406 ~~[(1)]~~ (2) Unless exempted, a person or automated driving system may not operate and
407 an owner may not engage an automated driving system, give another person permission to
408 engage an automated driving system, or give another person permission to operate a motor
409 vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, off-highway vehicle,
410 vessel, or park model recreational vehicle in this state unless it has been registered in
411 accordance with this chapter, Title 41, Chapter 22, Off-Highway Vehicles, or Title 73, Chapter
412 18, State Boating Act.

413 ~~[(2)]~~ (3) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
414 Section 5. Section **41-1a-202** is amended to read:

415 **41-1a-202. Definitions -- Vehicles exempt from registration -- Registration of**
416 **vehicles after establishing residency.**

417 (1) In this section:

418 (a) "Domicile" means the place:

419 (i) where an individual has a fixed permanent home and principal establishment;

420 (ii) to which the individual if absent, intends to return; and

421 (iii) in which the individual and his family voluntarily reside, not for a special or
422 temporary purpose, but with the intention of making a permanent home.

423 (b) (i) "Resident" means any of the following:

424 (A) an individual who:

425 (I) has established a domicile in this state;

426 (II) regardless of domicile, remains in this state for an aggregate period of six months
427 or more during any calendar year;

428 (III) engages in a trade, profession, or occupation in this state or who accepts
429 employment in other than seasonal work in this state and who does not commute into the state;

430 (IV) declares himself to be a resident of this state for the purpose of obtaining a driver
431 license or motor vehicle registration; or

432 (V) declares himself a resident of Utah to obtain privileges not ordinarily extended to
433 nonresidents, including going to school, or placing children in school without paying
434 nonresident tuition or fees; or

435 (B) any individual, partnership, limited liability company, firm, corporation,

436 association, or other entity that:

437 (I) maintains a main office, branch office, or warehouse facility in this state and that
438 bases and operates a motor vehicle in this state; or

439 (II) operates a motor vehicle in intrastate transportation for other than seasonal work.

440 (ii) "Resident" does not include any of the following:

441 (A) a member of the military temporarily stationed in Utah;

442 (B) an out-of-state student, as classified by the institution of higher education, enrolled
443 with the equivalent of seven or more quarter hours, regardless of whether the student engages
444 in a trade, profession, or occupation in this state or accepts employment in this state; and

445 (C) an individual domiciled in another state or a foreign country that:

446 (I) is engaged in public, charitable, educational, or religious services for a government
447 agency or an organization that qualifies for tax-exempt status under Internal Revenue Code
448 Section 501(c)(3);

449 (II) is not compensated for services rendered other than expense reimbursements; and

450 (III) is temporarily in Utah for a period not to exceed 24 months.

451 (iii) Notwithstanding Subsections (1)(b)(i) and (ii), "resident" includes the owner of a
452 vehicle equipped with an automated driving system as defined in Section 41-26-102.1 if the
453 vehicle is physically present in the state for more than 30 consecutive days in a calendar year.

454 (2) Registration under this chapter is not required for any:

455 (a) vehicle registered in another state and owned by a nonresident of the state or
456 operating under a temporary registration permit issued by the division or a dealer authorized by
457 this chapter, driven or moved upon a highway in conformance with the provisions of this
458 chapter relating to manufacturers, transporters, dealers, lien holders, or interstate vehicles;

459 (b) vehicle driven or moved upon a highway only for the purpose of crossing the
460 highway from one property to another;

461 (c) implement of husbandry, whether of a type otherwise subject to registration or not,
462 that is only incidentally operated or moved upon a highway;

463 (d) special mobile equipment;

464 (e) vehicle owned or leased by the federal government;

465 (f) motor vehicle not designed, used, or maintained for the transportation of passengers
466 for hire or for the transportation of property if the motor vehicle is registered in another state

467 and is owned and operated by a nonresident of this state;

468 (g) vehicle or combination of vehicles designed, used, or maintained for the
469 transportation of persons for hire or for the transportation of property if the vehicle or
470 combination of vehicles is registered in another state and is owned and operated by a
471 nonresident of this state and if the vehicle or combination of vehicles has a gross laden weight
472 of 26,000 pounds or less;

473 (h) trailer of 750 pounds or less unladen weight and not designed, used, and maintained
474 for hire for the transportation of property or person;

475 (i) manufactured home or mobile home;

476 (j) off-highway vehicle currently registered under Section 41-22-3 if the off-highway
477 vehicle is:

478 (i) being towed;

479 (ii) operated on a street or highway designated as open to off-highway vehicle use; or

480 (iii) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);

481 (k) off-highway implement of husbandry operated in the manner prescribed in
482 Subsections 41-22-5.5(3) through (5);

483 (l) modular and prebuilt homes conforming to the uniform building code and presently
484 regulated by the United States Department of Housing and Urban Development that are not
485 constructed on a permanent chassis;

486 (m) electric assisted bicycle defined under Section 41-6a-102;

487 (n) motor assisted scooter defined under Section 41-6a-102; or

488 (o) electric personal assistive mobility device defined under Section 41-6a-102.

489 (3) Unless otherwise exempted under Subsection (2), registration under this chapter is
490 required for any motor vehicle, combination of vehicles, trailer, semitrailer, or vintage vehicle
491 within 60 days of the owner establishing residency in this state.

492 (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the
493 registration requirements of this part for the time period that the registration under Section
494 41-3-306 is valid.

495 (5) A vehicle that has been issued a nonrepairable certificate may not be registered
496 under this chapter.

497 Section 6. Section **41-1a-209** is amended to read:

498 **41-1a-209. Application for registration -- Contents.**

499 (1) An owner of a vehicle subject to registration under this part shall apply to the
500 division for registration on forms furnished by the division.

501 (2) The application for registration shall include:

502 (a) the signature of an owner of the vehicle to be registered;

503 (b) the name, bona fide residence and mailing address of the owner, or business
504 address of the owner if the owner is a firm, association, or corporation;

505 (c) a description of the vehicle including the make, model, type of body, the model year
506 as specified by the manufacturer, the number of cylinders, and the identification number of the
507 vehicle; [~~and~~]

508 (d) other information required by the division to enable it to determine whether the
509 owner is lawfully entitled to register the vehicle[-]; and

510 (e) for a vehicle equipped with an automated driving system as defined in Section
511 41-26-102.1:

512 (i) the level of the automated driving system of the vehicle as defined in Section
513 41-26-102.1; and

514 (ii) the certifications described in Section 41-26-109.

515 Section 7. Section **41-1a-213** is amended to read:

516 **41-1a-213. Contents of registration cards.**

517 (1) The registration card shall be delivered to the owner and shall contain:

518 (a) the date issued;

519 (b) the name of the owner;

520 (c) a description of the vehicle registered including the year, the make, the
521 identification number, and the license plate assigned to the vehicle;

522 (d) the expiration date; [~~and~~]

523 (e) for a vehicle equipped with an automated driving system as defined in Section
524 41-26-102.1, the level of the automated driving system; and

525 [~~(e)~~] (f) other information as determined by the commission.

526 (2) If a vehicle is leased for a period in excess of 45 days, the registration shall contain:

527 (a) the owner's name; and

528 (b) the name of the lessee.

529 (3) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the
530 registration card shall also contain the gross laden weight as given in the application for
531 registration.

532 (4) (a) Except as provided in Subsection (4)(b), a new registration card issued by the
533 commission on or after November 1, 2013, may not display the address of the owner or the
534 lessee on the registration card.

535 (b) A new registration card issued by the commission under one of the following
536 provisions shall display the address of the owner or the lessee on the registration card:

537 (i) Section 41-1a-301 for a vehicle; or

538 (ii) Section 73-18-7 for a vessel.

539 Section 8. Section **41-1a-1503** is amended to read:

540 **41-1a-1503. Event data recorders -- Retrieval or disclosure of event data.**

541 (1) (a) Event data that is recorded on an event data recorder:

542 (i) is private;

543 (ii) is the personal information of the motor vehicle's owner; and

544 (iii) except as provided in Subsection (2), may not be retrieved by a person who is not
545 the owner of the motor vehicle.

546 (b) If a motor vehicle is owned by more than one person, only one owner is required to
547 consent to the retrieval or use of the data from a motor vehicle event data recorder.

548 (2) Event data that is recorded on an event data recorder may be retrieved, obtained, or
549 used by a person who is not the owner of the motor vehicle in the following circumstances:

550 (a) the owner of the motor vehicle or the owner's agent has consented to the retrieval of
551 the data;

552 (b) the data is retrieved by a motor vehicle dealer, motor vehicle manufacturer, or by an
553 automotive technician to diagnose, service, or repair the motor vehicle at the request of the
554 owner or the owner's agent;

555 (c) the data is subject to discovery in a criminal prosecution or pursuant to the rules of
556 civil procedure in a claim arising out of a motor vehicle accident;

557 (d) a court or administrative agency having jurisdiction orders the data to be retrieved;

558 (e) a peace officer retrieves the data pursuant to a court order as part of an investigation
559 of a suspected violation of a law that has caused, or contributed to the cause of, an accident

560 resulting in damage of property or injury to a person; [or]

561 (f) to facilitate or determine the need for emergency medical care for the driver or
562 passenger of a motor vehicle that is involved in a motor vehicle crash or other emergency,
563 including the retrieval of data from a company that provides subscription services to the owner
564 of a motor vehicle for in-vehicle safety and security communications[-]; or

565 (g) for purposes of improving motor vehicle safety, security, insurability, or traffic
566 management, including medical research on the human body's reaction to motor vehicle
567 crashes, as long as the identity of the owner, passenger, or human driver is not disclosed in
568 connection with the retrieved data.

569 (3) Except as provided in Subsection (4), a person who has retrieved, obtained, or used
570 event data under Subsection (2) may not release event data that is recorded on an event data
571 recorder.

572 (4) A person may release event data that is recorded on an event data recorder in the
573 following circumstances:

574 (a) the owner of the motor vehicle or the owner's agent has consented to the release of
575 the data;

576 (b) the data is subject to discovery in a criminal prosecution or pursuant to the rules of
577 civil procedure in a claim arising out of a motor vehicle accident;

578 (c) the data is released pursuant to a court order as part of an investigation of a
579 suspected violation of a law that has caused, or contributed to the cause of, an accident
580 resulting in damage of property or injury to a person; or

581 (d) if the identity of the owner or driver is not disclosed[~~the data is released to a motor~~
582 ~~vehicle safety and medical research entity or data processor in order to advance motor vehicle~~
583 ~~safety, security, or traffic management] in connection with the retrieved data, the data is
584 released for purposes of improving motor vehicle safety, security, insurability, or traffic
585 management, including medical research on the human body's reaction to a motor vehicle
586 crash.~~

587 (5) (a) If a motor vehicle is equipped with an event data recorder that is capable of
588 recording or transmitting event data and that capability is part of a subscription service, the fact
589 that the event data may be recorded or transmitted shall be disclosed in the subscription service
590 agreement.

591 (b) Notwithstanding the provisions of this section, event data from an event data
592 recorder may be retrieved, obtained, and used by a subscription service provider for
593 subscription services meeting the requirement of Subsection (5)(a).

594 Section 9. Section **41-6a-102** is amended to read:

595 **41-6a-102. Definitions.**

596 As used in this chapter:

597 (1) "Alley" means a street or highway intended to provide access to the rear or side of
598 lots or buildings in urban districts and not intended for through vehicular traffic.

599 (2) "All-terrain type I vehicle" means the same as that term is defined in Section
600 41-22-2.

601 (3) "Authorized emergency vehicle" includes:

602 (a) fire department vehicles;

603 (b) police vehicles;

604 (c) ambulances; and

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

607 (4) "Autocycle" means the same as that term is defined in Section 53-3-102.

608 (5) (a) "Bicycle" means a wheeled vehicle:

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

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

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

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

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

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

615 (6) (a) "Bus" means a motor vehicle:

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

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

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

620 (7) (a) "Circular intersection" means an intersection that has an island, generally
621 circular in design, located in the center of the intersection where traffic passes to the right of

622 the island.

623 (b) "Circular intersection" includes:

624 (i) roundabouts;

625 (ii) rotaries; and

626 (iii) traffic circles.

627 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
628 Subsection (17)(d)(i).

629 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
630 Subsection (17)(d)(ii).

631 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in
632 Subsection (17)(d)(iii).

633 (11) "Commissioner" means the commissioner of the Department of Public Safety.

634 (12) "Controlled-access highway" means a highway, street, or roadway:

635 (a) designed primarily for through traffic; and

636 (b) to or from which owners or occupants of abutting lands and other persons have no
637 legal right of access, except at points as determined by the highway authority having
638 jurisdiction over the highway, street, or roadway.

639 (13) "Crosswalk" means:

640 (a) that part of a roadway at an intersection included within the connections of the
641 lateral lines of the sidewalks on opposite sides of the highway measured from:

642 (i) (A) the curbs; or

643 (B) in the absence of curbs, from the edges of the traversable roadway; and

644 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
645 included within the extension of the lateral lines of the existing sidewalk at right angles to the
646 centerline; or

647 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
648 pedestrian crossing by lines or other markings on the surface.

649 (14) "Department" means the Department of Public Safety.

650 (15) "Direct supervision" means oversight at a distance within which:

651 (a) visual contact is maintained; and

652 (b) advice and assistance can be given and received.

- 653 (16) "Divided highway" means a highway divided into two or more roadways by:
- 654 (a) an unpaved intervening space;
- 655 (b) a physical barrier; or
- 656 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 657 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 658 (a) has a power output of not more than 750 watts;
- 659 (b) has fully operable pedals on permanently affixed cranks;
- 660 (c) is fully operable as a bicycle without the use of the electric motor; and
- 661 (d) is one of the following:
- 662 (i) an electric assisted bicycle equipped with a motor or electronics that:
- 663 (A) provides assistance only when the rider is pedaling; and
- 664 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per
- 665 hour;
- 666 (ii) an electric assisted bicycle equipped with a motor or electronics that:
- 667 (A) may be used exclusively to propel the bicycle; and
- 668 (B) is not capable of providing assistance when the bicycle reaches the speed of 20
- 669 miles per hour; or
- 670 (iii) an electric assisted bicycle equipped with a motor or electronics that:
- 671 (A) provides assistance only when the rider is pedaling;
- 672 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per
- 673 hour; and
- 674 (C) is equipped with a speedometer.
- 675 (18) (a) "Electric personal assistive mobility device" means a self-balancing device
- 676 with:
- 677 (i) two nontandem wheels in contact with the ground;
- 678 (ii) a system capable of steering and stopping the unit under typical operating
- 679 conditions;
- 680 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 681 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 682 (v) a deck design for a person to stand while operating the device.
- 683 (b) "Electric personal assistive mobility device" does not include a wheelchair.

684 (19) "Explosives" means any chemical compound or mechanical mixture commonly
685 used or intended for the purpose of producing an explosion and that contains any oxidizing and
686 combustive units or other ingredients in proportions, quantities, or packing so that an ignition
687 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture
688 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are
689 capable of producing destructive effects on contiguous objects or of causing death or serious
690 bodily injury.

691 (20) "Farm tractor" means a motor vehicle designed and used primarily as a farm
692 implement, for drawing plows, mowing machines, and other implements of husbandry.

693 (21) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
694 as determined by a tagliabue or equivalent closed-cup test device.

695 (22) "Freeway" means a controlled-access highway that is part of the interstate system
696 as defined in Section 72-1-102.

697 (23) "Gore area" means the area delineated by two solid white lines that is between a
698 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
699 including similar areas between merging or splitting highways.

700 (24) "Gross weight" means the weight of a vehicle without a load plus the weight of
701 any load on the vehicle.

702 (25) "Highway" means the entire width between property lines of every way or place of
703 any nature when any part of it is open to the use of the public as a matter of right for vehicular
704 travel.

705 (26) "Highway authority" means the same as that term is defined in Section 72-1-102.

706 (27) (a) "Intersection" means the area embraced within the prolongation or connection
707 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or
708 more highways which join one another.

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

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

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

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

715 (28) "Island" means an area between traffic lanes or at an intersection for control of
716 vehicle movements or for pedestrian refuge designated by:

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

719 (b) channelizing devices;

720 (c) curbs;

721 (d) pavement edges; or

722 (e) other devices.

723 (29) "Law enforcement agency" means the same as that term is as defined in Section
724 53-1-102.

725 (30) "Limited access highway" means a highway:

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

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

730 (31) "Local highway authority" means the legislative, executive, or governing body of
731 a county, municipal, or other local board or body having authority to enact laws relating to
732 traffic under the constitution and laws of the state.

733 (32) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

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

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

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

739 (33) "Metal tire" means a tire, the surface of which in contact with the highway is
740 wholly or partly of metal or other hard nonresilient material.

741 (34) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
742 saddle that is less than 24 inches from the ground as measured on a level surface with properly
743 inflated tires.

744 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

745 (c) "Mini-motorcycle" does not include a motorcycle that is:

- 746 (i) designed for off-highway use; and
- 747 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 748 (35) "Mobile home" means:
- 749 (a) a trailer or semitrailer that is:
- 750 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 751 place either permanently or temporarily; and
- 752 (ii) equipped for use as a conveyance on streets and highways; or
- 753 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
- 754 constructed for use as a mobile home, as defined in Subsection (35)(a), but that is instead used
- 755 permanently or temporarily for:
- 756 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 757 (ii) any other commercial purpose except the transportation of property for hire or the
- 758 transportation of property for distribution by a private carrier.
- 759 (36) (a) "Moped" means a motor-driven cycle having:
- 760 (i) pedals to permit propulsion by human power; and
- 761 (ii) a motor that:
- 762 (A) produces not more than two brake horsepower; and
- 763 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
- 764 level ground.
- 765 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 766 centimeters and the moped shall have a power drive system that functions directly or
- 767 automatically without clutching or shifting by the operator after the drive system is engaged.
- 768 (c) "Moped" includes a motor assisted scooter.
- 769 (d) "Moped" does not include an electric assisted bicycle.
- 770 (37) (a) "Motor assisted scooter" means a self-propelled device with:
- 771 (i) at least two wheels in contact with the ground;
- 772 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 773 (iii) a gas or electric motor not exceeding 40 cubic centimeters;
- 774 (iv) either:
- 775 (A) a deck design for a person to stand while operating the device; or
- 776 (B) a deck and seat designed for a person to sit, straddle, or stand while operating the

777 device; and

778 (v) a design for the ability to be propelled by human power alone.

779 (b) "Motor assisted scooter" does not include an electric assisted bicycle.

780 (38) (a) "Motor vehicle" means a vehicle that is self-propelled and every vehicle which
781 is propelled by electric power obtained from overhead trolley wires, but not operated upon
782 rails.

783 (b) "Motor vehicle" does not include vehicles moved solely by human power,
784 motorized wheelchairs, an electric personal assistive mobility device, an electric assisted
785 bicycle, or a personal delivery device, as defined in Section 41-6a-1119.

786 (39) "Motorcycle" means:

787 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
788 and designed to travel with not more than three wheels in contact with the ground; or

789 (b) an autocycle.

790 (40) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped, motor
791 assisted scooter, and every motorized bicycle having:

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

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

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

795 (i) an electric personal assistive mobility device; or

796 (ii) an electric assisted bicycle.

797 (41) "Off-highway implement of husbandry" means the same as that term is defined
798 under Section 41-22-2.

799 (42) "Off-highway vehicle" means the same as that term is defined under Section
800 41-22-2.

801 (43) "Operate" means the same as that term is defined in Section 41-1a-102.

802 [~~(43)~~] (44) "Operator" means [a person who is in actual physical control of a vehicle.];

803 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

804 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
805 vehicle.

806 [~~(44)~~] (45) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle
807 is occupied or not.

808 (b) "Park" or "parking" does not include:

809 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged
810 in loading or unloading property or passengers[-]; or

811 (ii) a motor vehicle with an engaged automated driving system that has achieved a
812 minimal risk condition, as those terms are defined in Section 41-26-102.1.

813 [~~(45)~~] (46) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
814 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of
815 traffic laws.

816 [~~(46)~~] (47) "Pedestrian" means a person traveling:

817 (a) on foot; or

818 (b) in a wheelchair.

819 [~~(47)~~] (48) "Pedestrian traffic-control signal" means a traffic-control signal used to
820 regulate pedestrians.

821 [~~(48)~~] (49) "Person" means ~~[every]~~ a natural person, firm, copartnership, association,
822 ~~[or]~~ corporation, business trust, estate, trust, partnership, limited liability company, association,
823 joint venture, governmental agency, public corporation, or any other legal or commercial entity.

824 [~~(49)~~] (50) "Pole trailer" means every vehicle without motive power:

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

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

830 [~~(50)~~] (51) "Private road or driveway" means every way or place in private ownership
831 and used for vehicular travel by the owner and those having express or implied permission
832 from the owner, but not by other persons.

833 [~~(51)~~] (52) "Railroad" means a carrier of persons or property upon cars operated on
834 stationary rails.

835 [~~(52)~~] (53) "Railroad sign or signal" means a sign, signal, or device erected by
836 authority of a public body or official or by a railroad and intended to give notice of the presence
837 of railroad tracks or the approach of a railroad train.

838 [~~(53)~~] (54) "Railroad train" means a locomotive propelled by any form of energy,

839 coupled with or operated without cars, and operated upon rails.

840 ~~[(54)]~~ (55) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
841 lawful manner in preference to another vehicle or pedestrian approaching under circumstances
842 of direction, speed, and proximity that give rise to danger of collision unless one grants
843 precedence to the other.

844 ~~[(55)]~~ (56) (a) "Roadway" means that portion of highway improved, designed, or
845 ordinarily used for vehicular travel.

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

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

850 ~~[(56)]~~ (57) "Safety zone" means the area or space officially set apart within a roadway
851 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
852 signs as to be plainly visible at all times while set apart as a safety zone.

853 ~~[(57)]~~ (58) (a) "School bus" means a motor vehicle that:

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

856 (ii) is used to transport school children to or from school or school activities.

857 (b) "School bus" does not include a vehicle operated by a common carrier in
858 transportation of school children to or from school or school activities.

859 ~~[(58)]~~ (59) (a) "Semitrailer" means a vehicle with or without motive power:

860 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
861 and

862 (ii) constructed so that some part of its weight and that of its load rests on or is carried
863 by another vehicle.

864 (b) "Semitrailer" does not include a pole trailer.

865 ~~[(59)]~~ (60) "Shoulder area" means:

866 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
867 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
868 or

869 (b) that portion of the road contiguous to the roadway for accommodation of stopped

870 vehicles, for emergency use, and for lateral support.

871 ~~[(60)]~~ (61) "Sidewalk" means that portion of a street between the curb lines, or the
872 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

873 ~~[(61)]~~ (62) "Solid rubber tire" means a tire of rubber or other resilient material that
874 does not depend on compressed air for the support of the load.

875 ~~[(62)]~~ (63) "Stand" or "standing" means the temporary halting of a vehicle, whether
876 occupied or not, for the purpose of and while actually engaged in receiving or discharging
877 passengers.

878 ~~[(63)]~~ (64) "Stop" when required means complete cessation from movement.

879 ~~[(64)]~~ (65) "Stop" or "stopping" when prohibited means any halting even momentarily
880 of a vehicle, whether occupied or not, except when:

881 (a) necessary to avoid conflict with other traffic; or

882 (b) in compliance with the directions of a peace officer or traffic-control device.

883 ~~[(65)]~~ (66) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain
884 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
885 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with
886 Section 41-6a-1509.

887 ~~[(66)]~~ (67) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
888 conveyances either singly or together while using any highway for the purpose of travel.

889 ~~[(67)]~~ (68) "Traffic signal preemption device" means an instrument or mechanism
890 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

891 ~~[(68)]~~ (69) "Traffic-control device" means a sign, signal, marking, or device not
892 inconsistent with this chapter placed or erected by a highway authority for the purpose of
893 regulating, warning, or guiding traffic.

894 ~~[(69)]~~ (70) "Traffic-control signal" means a device, whether manually, electrically, or
895 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

896 ~~[(70)]~~ (71) (a) "Trailer" means a vehicle with or without motive power designed for
897 carrying persons or property and for being drawn by a motor vehicle and constructed so that no
898 part of its weight rests upon the towing vehicle.

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

900 ~~[(71)]~~ (72) "Truck" means a motor vehicle designed, used, or maintained primarily for

901 the transportation of property.

902 [~~(72)~~] (73) "Truck tractor" means a motor vehicle:

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

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

906 [~~(73)~~] (74) "Two-way left turn lane" means a lane:

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

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

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

911 [~~(74)~~] (75) "Urban district" means the territory contiguous to and including any street,
912 in which structures devoted to business, industry, or dwelling houses are situated at intervals of
913 less than 100 feet, for a distance of a quarter of a mile or more.

914 [~~(75)~~] (76) "Vehicle" means a device in, on, or by which a person or property is or may
915 be transported or drawn on a highway, except devices used exclusively on stationary rails or
916 tracks.

917 Section 10. Section **41-6a-1641** is amended to read:

918 **41-6a-1641. Video display in motor vehicles prohibited if visible to driver --**

919 **Exceptions.**

920 (1) A motor vehicle may not be operated on a highway if the motor vehicle is equipped
921 with a video display located so that the display is visible to the [~~operator~~] conventional driver
922 of the vehicle as that term is defined in Section 41-26-102.1.

923 (2) This section does not prohibit the use of a video display used exclusively for:

924 (a) safety or law enforcement purposes if the use is approved by rule of the department
925 under Section 41-6a-1601;

926 (b) motor vehicle navigation; [~~or~~]

927 (c) monitoring of equipment and operating systems of the motor vehicle[~~;~~]; or

928 (d) operation of a vehicle in a connected platooning system.

929 (3) A violation of this section is an infraction.

930 Section 11. Section **41-26-102.1** is enacted to read:

931 **41-26-102.1. Definitions.**

932 (1) "ADS-dedicated vehicle" means a vehicle designed to be operated exclusively by a
933 level four or five ADS for all trips within the given operational design domain limitations of
934 the ADS, if any.

935 (2) (a) "Automated driving system" or "ADS" means the hardware and software that
936 are collectively capable of performing the entire dynamic driving task on a sustained basis,
937 regardless of whether the ADS is limited to a specific operational design domain, if any.

938 (b) "Automated driving system" or "ADS" is used specifically to describe a level three,
939 four, or five driving automation system.

940 (3) "Commission" means the State Tax Commission as defined in Section 59-1-101.

941 (4) "Conventional driver" means a human driver who is onboard the motor vehicle and
942 manually performs some or all of the following actions in order to operate a vehicle:

943 (a) braking;

944 (b) accelerating;

945 (c) steering; and

946 (d) transmission gear selection input devices.

947 (5) (a) "Dispatch" means to place an ADS-equipped vehicle into service in driverless
948 operation by engaging the ADS.

949 (b) "Dispatch" includes software-enabled dispatch of multiple ADS-equipped motor
950 vehicles in driverless operation that may complete multiple trips involving pick-up and
951 drop-off of passengers or goods throughout a day or other pre-defined period of service, and
952 which may involve multiple agents performing various tasks related to the dispatch function.

953 (6) "Division" means the Motor Vehicle Division of the commission, created in
954 Section 41-1a-106.

955 (7) "Driverless operation" means the operation of an ADS-equipped vehicle in which:

956 (a) no on-board user is present; or

957 (b) an on-board user is not a human driver or fallback-ready user.

958 (8) "Driverless operation dispatcher" means a user who dispatches an ADS-equipped
959 vehicle in driverless operation.

960 (9) "Driving automation system" means the hardware and software collectively capable
961 of performing part or all of the dynamic driving task on a sustained basis.

962 (10) "Driving automation system feature" means a specific function of a driving

963 automation system.

964 (11) (a) "Dynamic driving task" means all of the real-time operational and tactical
965 functions required to operate a motor vehicle in on-road traffic, including:

966 (i) lateral vehicle motion control through steering;

967 (ii) longitudinal motion control through acceleration and deceleration;

968 (iii) monitoring the driving environment through object and event detection,
969 recognition, classification, and response preparation;

970 (iv) object and event response execution;

971 (v) maneuver planning; and

972 (vi) enhancing conspicuity with lighting, signaling, and gesturing.

973 (b) "Dynamic driving task" does not include strategic functions such as trip scheduling
974 and selection of destinations and waypoints.

975 (12) "Engage" as it pertains to the operation of a vehicle by a driving automation
976 system means to cause a driving automation system feature to perform part or all of the
977 dynamic driving task on a sustained basis.

978 (13) "External event" is a situation in the driving environment that necessitates a
979 response by a human driver or driving automation system.

980 (14) "Fallback-ready user" means the user of a vehicle equipped with an engaged level
981 three ADS who is:

982 (a) a human driver; and

983 (b) ready to operate the vehicle if:

984 (i) a system failure occurs; or

985 (ii) the ADS issues a request to intervene.

986 (15) (a) "Human driver" means a natural person:

987 (i) with a valid license to operate a motor vehicle of the proper class for the motor
988 vehicle being operated; and

989 (ii) who performs in real-time all or part of the dynamic driving task.

990 (b) "Human driver" includes a:

991 (i) conventional driver; and

992 (ii) remote driver.

993 (16) "Level five automated driving system" or "level five ADS" means an ADS feature

994 that has the capability to perform on a sustained basis the entire dynamic driving task under all
995 conditions that can reasonably be managed by a human driver, as well as any maneuvers
996 necessary to respond to a system failure, without any expectation that a human user will
997 respond to a request to intervene.

998 (17) "Level four automated driving system" or "level four ADS" means an ADS feature
999 that, without any expectation that a human user will respond to a request to intervene, has:

1000 (a) the capability to perform on a sustained basis the entire dynamic driving task within
1001 its operational design domain; and

1002 (b) the capacity to perform any maneuvers necessary to achieve a minimal risk
1003 condition in response to:

1004 (i) an exit from the operational design domain of the ADS; or

1005 (ii) a system failure.

1006 (18) "Level three automated driving system" or "level three ADS" means an ADS
1007 feature that:

1008 (a) has the capability to perform on a sustained basis the entire dynamic driving task
1009 within its operational design domain; and

1010 (b) requires a fallback-ready user to operate the vehicle after receiving a request to
1011 intervene or in response to a system failure.

1012 (19) "Minimal risk condition" means a condition to which a user or an ADS may bring
1013 a motor vehicle in order to reduce the risk of a crash when a given trip cannot or should not be
1014 completed.

1015 (20) "Object and event detection and response" means the subtasks of the dynamic
1016 driving task that include:

1017 (a) monitoring the driving environment; and

1018 (b) executing an appropriate response in order to perform the dynamic driving task.

1019 (21) "On-demand autonomous vehicle network" means a transportation service
1020 network that uses a software application or other digital means to dispatch or otherwise enable
1021 the prearrangement of transportation with motor vehicles that have a level four or five ADS in
1022 driverless operation for purposes of transporting persons, including for-hire transportation and
1023 transportation for compensation.

1024 (22) "Operational design domain" means the operating conditions under which a given

1025 ADS or feature thereof is specifically designed to function, including:

1026 (a) speed range, environmental, geographical, and time-of-day restrictions; or

1027 (b) the requisite presence or absence of certain traffic or roadway characteristics.

1028 (23) "Operate" means the same as that term is defined in Section 41-1a-102.

1029 (24) "Operator" means the same as that term is defined in Section 41-6a-102.

1030 (25) "Passenger" means a user on board a vehicle who has no role in the operation of
1031 that vehicle.

1032 (26) "Person" means the same as that term is defined in Section 41-6a-102.

1033 (27) "Remote driver" means a human driver who is not located in a position to
1034 manually exercise in-vehicle braking, accelerating, steering, or transmission gear selection
1035 input devices, but operates the vehicle.

1036 (28) "Request to intervene" means the notification by an ADS to a fallback-ready user
1037 indicating that the fallback-ready user should promptly begin or resume operation of the
1038 vehicle.

1039 (29) "Sustained operation of a motor vehicle" means the performance of part or all of
1040 the dynamic driving task both between and across external events, including response to
1041 external events and continued performance of part or all of the dynamic driving task in the
1042 absence of external events.

1043 (30) "System failure" means a malfunction in a driving automation system or other
1044 vehicle system that prevents the ADS from reliably performing the portion of the dynamic
1045 driving task on a sustained basis, including the complete dynamic driving task, that the ADS
1046 would otherwise perform.

1047 (31) "User" means a:

1048 (a) human driver;

1049 (b) passenger;

1050 (c) fallback-ready user; or

1051 (d) driverless operation dispatcher.

1052 Section 12. Section **41-26-103** is enacted to read:

1053 **41-26-103. Operation of motor vehicles equipped with an automated driving**
1054 **system.**

1055 (1) A motor vehicle equipped with a level three through five ADS may operate on a

1056 highway in this state if:

1057 (a) the motor vehicle is operated, whether by the ADS or human driver, in compliance
1058 with the applicable traffic and motor vehicle safety laws and regulations of this state, unless an
1059 exemption has been granted;

1060 (b) the motor vehicle meets all applicable federal motor vehicle safety standards and
1061 regulations unless an exemption has been granted;

1062 (c) when operated by an ADS:

1063 (i) the ADS complies with all federal law and federal motor vehicle safety standards
1064 and bears the required certification label including reference to any exemption granted under
1065 applicable federal law; and

1066 (ii) if a system failure occurs that renders the ADS unable to perform the entire
1067 dynamic driving task relevant to the intended operational design domain of the ADS, the ADS
1068 will achieve a minimal risk condition or make a request to intervene; and

1069 (d) the motor vehicle is titled and registered in compliance with Section 41-26-107.

1070 (2) A vehicle being operated by an ADS or a remote driver is not considered
1071 unattended.

1072 (3) The division may revoke or limit the privilege for an ADS to operate a motor
1073 vehicle on a highway of the state if the Department of Transportation or the Department of
1074 Public Safety determines and notifies the division that:

1075 (a) the ADS is operating one or more motor vehicles in an unsafe manner; or

1076 (b) the ADS is being engaged in an unsafe manner.

1077 (4) Nothing in this chapter prohibits or restricts a human driver from operating a
1078 vehicle equipped with an ADS and equipped with controls that allow for the human driver to
1079 perform all or part of the dynamic driving task.

1080 Section 13. Section **41-26-104** is enacted to read:

1081 **41-26-104. Licensing -- Responsibility for compliant operation of ADS-equipped**
1082 **vehicles.**

1083 For the purpose of assessing compliance with applicable traffic or motor vehicle laws:

1084 (1) (a) when an ADS is operating a motor vehicle, the ADS is the operator, and shall
1085 satisfy electronically all physical acts required by a conventional driver in operation of the
1086 vehicle;

1087 (b) the ADS is responsible for the compliant operation of the vehicle and is not
1088 required to be licensed to operate the vehicle.

1089 (2) (a) If a vehicle with an engaged level three ADS issues a request to intervene, the
1090 ADS is responsible for the compliant operation of the vehicle until disengagement of the ADS.

1091 (b) If a vehicle with an engaged level four or five ADS issues a request to intervene,
1092 the ADS is responsible for the compliant operation of the vehicle until or unless a human user
1093 begins to operate the vehicle.

1094 (3) The ADS is responsible for compliant operation of an ADS-dedicated vehicle.

1095 Section 14. Section **41-26-105** is enacted to read:

1096 **41-26-105. Duties following crashes involving motor vehicles equipped with an**
1097 **automated driving system.**

1098 (1) In the event of a crash involving a vehicle with the ADS engaged:

1099 (a) the ADS-equipped vehicle shall remain on the scene of the crash when required to
1100 do so under Section 41-6a-401, consistent with the vehicle's ability to achieve a minimal risk
1101 condition as described in Section 41-26-103; and

1102 (b) the owner of the ADS-equipped vehicle, or a person on behalf of the vehicle owner,
1103 shall report any crashes or collisions consistent with Chapter 6a, Part 4, Accident
1104 Responsibilities.

1105 (2) If the owner or person on behalf of the owner is not on board the vehicle at the time
1106 of the crash, the owner shall ensure that the following information is immediately
1107 communicated or made available to the persons involved or to a peace officer upon request:

1108 (a) the contents of the vehicle's registration card; and

1109 (b) the name of the insurance provider for the vehicle, including the phone number of
1110 the agent or provider.

1111 Section 15. Section **41-26-106** is enacted to read:

1112 **41-26-106. On-demand autonomous vehicle network.**

1113 (1) Subject to Subsection (2), an on-demand autonomous vehicle network may only
1114 operate pursuant to state laws governing the operation of ground transportation for-hire under
1115 state law, including:

1116 (a) a transportation network company pursuant to Title 13, Chapter 51, Transportation
1117 Network Company Registration Act;

1118 (b) a public transit district as defined in Section 17B-2a-802; or

1119 (c) a private passenger carrier as defined in Section 53-3-102.

1120 (2) Any provision of state law described in Subsection (1) that reasonably applies only
1121 to a human driver shall not apply to the operation of a vehicle by an engaged level four or five
1122 ADS that is part of an on-demand autonomous vehicle network.

1123 Section 16. Section **41-26-107** is enacted to read:

1124 **41-26-107. Registration, title, and insurance of motor vehicles equipped with an**
1125 **Automated Driving System.**

1126 (1) If the owner of a vehicle equipped with an ADS is a resident of this state, the owner
1127 shall:

1128 (a) properly register the vehicle in accordance with Title 41, Chapter 1a, Part 2,
1129 Registration; and

1130 (b) have immediately available in the vehicle the certifications obtained in accordance
1131 with Section 41-26-109.

1132 (2) If the owner of a vehicle equipped with an ADS is a resident of this state, the owner
1133 shall properly title the vehicle in accordance with Title 41, Chapter 1a, Part 5, Titling
1134 Requirement.

1135 (3) Before an ADS may operate a vehicle on a highway in this state, the owner of the
1136 vehicle shall ensure that the vehicle complies with Title 41, Chapter 12a, Financial
1137 Responsibility of Motor Vehicle Owners and Operators Act.

1138 Section 17. Section **41-26-108** is enacted to read:

1139 **41-26-108. Controlling authority.**

1140 No local agency, political subdivision, or other entity may prohibit the operation of a
1141 vehicle equipped with a driving automation system, an ADS, or an on-demand autonomous
1142 vehicle network, or otherwise enact or keep in force a rule or ordinance that would impose a
1143 tax, fee, performance standard, or other requirement specific to the operation of a vehicle
1144 equipped with a driving automation system, an ADS, or an on-demand autonomous vehicle
1145 network in addition to the requirements of this title.

1146 Section 18. Section **41-26-109** is enacted to read:

1147 **41-26-109. Certification of ADS-equipped vehicles required -- Vehicles exempt**
1148 **from certification.**

1149 (1) For a vehicle required to be registered in this state with an ADS as original
1150 equipment as defined in Section 41-6a-1629, the vehicle manufacturer or developer shall, on
1151 forms prescribed by the division, certify that:

1152 (a) the vehicle complies with all applicable federal laws and regulations; and

1153 (b) the ADS complies with all applicable federal laws and regulations.

1154 (2) For a vehicle required to be registered in this state with an ADS that is not original
1155 equipment as defined in Section 41-6a-1629, the ADS manufacturer shall, on forms prescribed
1156 by the division, certify that the ADS complies with all applicable federal laws and regulations.

1157 (3) Nothing in this section exempts a vehicle manufacturer, owner, or dealer from
1158 requirements imposed by state or federal laws or regulations pertaining to a vehicle not
1159 equipped with an ADS.

1160 Section 19. Section **53-3-102** is amended to read:

1161 **53-3-102. Definitions.**

1162 As used in this chapter:

1163 (1) "Autocycle" means a motor vehicle that:

1164 (a) is designed to travel with three or fewer wheels in contact with the ground;

1165 (b) is equipped with a steering wheel; and

1166 (c) is equipped with seating that does not require the operator to straddle or sit astride
1167 the vehicle.

1168 (2) "Cancellation" means the termination by the division of a license issued through
1169 error or fraud or for which consent under Section 53-3-211 has been withdrawn.

1170 (3) "Class D license" means the class of license issued to drive motor vehicles not
1171 defined as commercial motor vehicles or motorcycles under this chapter.

1172 (4) "Commercial driver instruction permit" or "CDIP" means a commercial learner
1173 permit:

1174 (a) issued under Section 53-3-408; or

1175 (b) issued by a state or other jurisdiction of domicile in compliance with the standards
1176 contained in 49 C.F.R. Part 383.

1177 (5) "Commercial driver license" or "CDL" means a license:

1178 (a) issued substantially in accordance with the requirements of Title XII, Pub. L.

1179 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,

1180 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
1181 commercial motor vehicle; and

1182 (b) that was obtained by providing evidence of lawful presence in the United States
1183 with one of the document requirements described in Subsection 53-3-410(1)(i)(i).

1184 (6) (a) "Commercial driver license motor vehicle record" or "CDL MVR" means a
1185 driving record that:

1186 (i) applies to a person who holds or is required to hold a commercial driver instruction
1187 permit or a CDL license; and

1188 (ii) contains the following:

1189 (A) information contained in the driver history, including convictions, pleas held in
1190 abeyance, disqualifications, and other licensing actions for violations of any state or local law
1191 relating to motor vehicle traffic control, committed in any type of vehicle;

1192 (B) driver self-certification status information under Section 53-3-410.1; and

1193 (C) information from medical certification record keeping in accordance with 49
1194 C.F.R. Sec. 383.73(o).

1195 (b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a
1196 motor vehicle record described in Subsection [~~30~~] (29).

1197 (7) (a) "Commercial motor vehicle" means a motor vehicle or combination of motor
1198 vehicles designed or used to transport passengers or property if the motor vehicle:

1199 (i) has a gross vehicle weight rating of 26,001 or more pounds or a lesser rating as
1200 determined by federal regulation;

1201 (ii) is designed to transport 16 or more passengers, including the driver; or

1202 (iii) is transporting hazardous materials and is required to be placarded in accordance
1203 with 49 C.F.R. Part 172, Subpart F.

1204 (b) The following vehicles are not considered a commercial motor vehicle for purposes
1205 of Part 4, Uniform Commercial Driver License Act:

1206 (i) equipment owned and operated by the United States Department of Defense when
1207 driven by any active duty military personnel and members of the reserves and national guard on
1208 active duty including personnel on full-time national guard duty, personnel on part-time
1209 training, and national guard military technicians and civilians who are required to wear military
1210 uniforms and are subject to the code of military justice;

1211 (ii) vehicles controlled and driven by a farmer to transport agricultural products, farm
1212 machinery, or farm supplies to or from a farm within 150 miles of his farm but not in operation
1213 as a motor carrier for hire;

1214 (iii) firefighting and emergency vehicles;

1215 (iv) recreational vehicles that are not used in commerce and are driven solely as family
1216 or personal conveyances for recreational purposes; and

1217 (v) vehicles used to provide transportation network services, as defined in Section
1218 13-51-102.

1219 (8) "Conviction" means any of the following:

1220 (a) an unvacated adjudication of guilt or a determination that a person has violated or
1221 failed to comply with the law in a court of original jurisdiction or an administrative proceeding;

1222 (b) an unvacated forfeiture of bail or collateral deposited to secure a person's
1223 appearance in court;

1224 (c) a plea of guilty or nolo contendere accepted by the court;

1225 (d) the payment of a fine or court costs; or

1226 (e) violation of a condition of release without bail, regardless of whether the penalty is
1227 rebated, suspended, or probated.

1228 (9) "Denial" or "denied" means the withdrawal of a driving privilege by the division to
1229 which the provisions of Title 41, Chapter 12a, Part 4, Proof of Owner's or Operator's Security,
1230 do not apply.

1231 (10) "Director" means the division director appointed under Section 53-3-103.

1232 (11) "Disqualification" means either:

1233 (a) the suspension, revocation, cancellation, denial, or any other withdrawal by a state
1234 of a person's privileges to drive a commercial motor vehicle;

1235 (b) a determination by the Federal Highway Administration, under 49 C.F.R. Part 386,
1236 that a person is no longer qualified to drive a commercial motor vehicle under 49 C.F.R. Part
1237 391; or

1238 (c) the loss of qualification that automatically follows conviction of an offense listed in
1239 49 C.F.R. Part 383.51.

1240 (12) "Division" means the Driver License Division of the department created in
1241 Section 53-3-103.

1242 (13) "Downgrade" means to obtain a lower license class than what was originally
1243 issued during an existing license cycle.

1244 (14) "Drive" means:

1245 (a) to operate or be in physical control of a motor vehicle upon a highway; and

1246 (b) in Subsections 53-3-414(1) through (3), Subsection 53-3-414(5), and Sections
1247 53-3-417 and 53-3-418, the operation or physical control of a motor vehicle at any place within
1248 the state.

1249 (15) (a) "Driver" means [~~any person~~] an individual who drives, or is in actual physical
1250 control of a motor vehicle in any location open to the general public for purposes of vehicular
1251 traffic.

1252 (b) In Part 4, Uniform Commercial Driver License Act, "driver" includes any person
1253 who is required to hold a CDL under Part 4, Uniform Commercial Driver License Act, or
1254 federal law.

1255 (16) "Driving privilege card" means the evidence of the privilege granted and issued
1256 under this chapter to drive a motor vehicle to a person whose privilege was obtained without
1257 providing evidence of lawful presence in the United States.

1258 (17) "Extension" means a renewal completed in a manner specified by the division.

1259 (18) "Farm tractor" means every motor vehicle designed and used primarily as a farm
1260 implement for drawing plows, mowing machines, and other implements of husbandry.

1261 (19) "Highway" means the entire width between property lines of every way or place of
1262 any nature when any part of it is open to the use of the public, as a matter of right, for traffic.

1263 (20) "Human driver" means the same as that term is defined in Section 41-26-102.1.

1264 [~~(20)~~] (21) "Identification card" means a card issued under Part 8, Identification Card
1265 Act, to a person for identification purposes.

1266 [~~(21)~~] (22) "Indigent" means that a person's income falls below the federal poverty
1267 guideline issued annually by the U.S. Department of Health and Human Services in the Federal
1268 Register.

1269 [~~(22)~~] (23) "License" means the privilege to drive a motor vehicle.

1270 [~~(23)~~] (24) (a) "License certificate" means the evidence of the privilege issued under
1271 this chapter to drive a motor vehicle.

1272 (b) "License certificate" evidence includes a:

- 1273 (i) regular license certificate;
 1274 (ii) limited-term license certificate;
 1275 (iii) driving privilege card;
 1276 (iv) CDL license certificate;
 1277 (v) limited-term CDL license certificate;
 1278 (vi) temporary regular license certificate; and
 1279 (vii) temporary limited-term license certificate.

1280 ~~[(24)]~~ (25) "Limited-term commercial driver license" or "limited-term CDL" means a
 1281 license:

1282 (a) issued substantially in accordance with the requirements of Title XII, Pub. L. No.
 1283 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,
 1284 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
 1285 commercial motor vehicle; and

1286 (b) that was obtained by providing evidence of lawful presence in the United States
 1287 with one of the document requirements described in Subsection 53-3-410(1)(i)(ii).

1288 ~~[(25)]~~ (26) "Limited-term identification card" means an identification card issued under
 1289 this chapter to a person whose card was obtained by providing evidence of lawful presence in
 1290 the United States with one of the document requirements described in Subsection
 1291 53-3-804(2)(i)(ii).

1292 ~~[(26)]~~ (27) "Limited-term license certificate" means the evidence of the privilege
 1293 granted and issued under this chapter to drive a motor vehicle to a person whose privilege was
 1294 obtained providing evidence of lawful presence in the United States with one of the document
 1295 requirements described in Subsection 53-3-205(8)(a)(ii)(B).

1296 ~~[(27) "Motorboat" means the same as that term is defined in Section 73-18-2.]~~

1297 ~~[(28) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or
 1298 saddle for the use of the rider and designed to travel with not more than three wheels in contact
 1299 with the ground.]~~

1300 ~~[(29) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.]~~

1301 ~~[(30) "Motor vehicle record" or "MVR" means a driving record under Subsection
 1302 53-3-109(6)(a).]~~

1303 (28) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.

1304 (29) "Motor vehicle record" or "MVR" means a driving record under Subsection
1305 53-3-109(6)(a).

1306 (30) "Motorboat" means the same as that term is defined in Section 73-18-2.

1307 (31) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or
1308 saddle for the use of the rider and designed to travel with not more than three wheels in contact
1309 with the ground.

1310 ~~(31)~~ (32) "Office of Recovery Services" means the Office of Recovery Services,
1311 created in Section 62A-11-102.

1312 (33) "Operate" means the same as that term is defined in Section 41-1a-102.

1313 ~~(32)~~ (34) (a) "Owner" means a person other than a lien holder having an interest in
1314 the property or title to a vehicle.

1315 (b) "Owner" includes a person entitled to the use and possession of a vehicle subject to
1316 a security interest in another person but excludes a lessee under a lease not intended as security.

1317 ~~(33)~~ (35) (a) "Private passenger carrier" means any motor vehicle for hire that is:

1318 (i) designed to transport 15 or fewer passengers, including the driver; and

1319 (ii) operated to transport an employee of the person that hires the motor vehicle.

1320 (b) "Private passenger carrier" does not include:

1321 (i) a taxicab;

1322 (ii) a motor vehicle driven by a transportation network driver as defined in Section
1323 13-51-102;

1324 (iii) a motor vehicle driven for transportation network services as defined in Section
1325 13-51-102; and

1326 (iv) a motor vehicle driven for a transportation network company as defined in Section
1327 13-51-102 and registered with the Division of Consumer Protection as described in Section
1328 13-51-104.

1329 ~~(34)~~ (36) "Regular identification card" means an identification card issued under this
1330 chapter to a person whose card was obtained by providing evidence of lawful presence in the
1331 United States with one of the document requirements described in Subsection 53-3-804(2)(i)(i).

1332 ~~(35)~~ (37) "Regular license certificate" means the evidence of the privilege issued
1333 under this chapter to drive a motor vehicle whose privilege was obtained by providing evidence
1334 of lawful presence in the United States with one of the document requirements described in

1335 Subsection 53-3-205(8)(a)(ii)(A).

1336 ~~[(36)]~~ (38) "Renewal" means to validate a license certificate so that it expires at a later
1337 date.

1338 ~~[(37)]~~ (39) "Reportable violation" means an offense required to be reported to the
1339 division as determined by the division and includes those offenses against which points are
1340 assessed under Section 53-3-221.

1341 ~~[(38)]~~ (40) (a) "Resident" means an individual who:

1342 (i) has established a domicile in this state, as defined in Section 41-1a-202, or
1343 regardless of domicile, remains in this state for an aggregate period of six months or more
1344 during any calendar year;

1345 (ii) engages in a trade, profession, or occupation in this state, or who accepts
1346 employment in other than seasonal work in this state, and who does not commute into the state;

1347 (iii) declares himself to be a resident of this state by obtaining a valid Utah driver
1348 license certificate or motor vehicle registration; or

1349 (iv) declares himself a resident of this state to obtain privileges not ordinarily extended
1350 to nonresidents, including going to school, or placing children in school without paying
1351 nonresident tuition or fees.

1352 (b) "Resident" does not include any of the following:

1353 (i) a member of the military, temporarily stationed in this state;

1354 (ii) an out-of-state student, as classified by an institution of higher education,
1355 regardless of whether the student engages in any type of employment in this state;

1356 (iii) a person domiciled in another state or country, who is temporarily assigned in this
1357 state, assigned by or representing an employer, religious or private organization, or a
1358 governmental entity; or

1359 (iv) an immediate family member who resides with or a household member of a person
1360 listed in Subsections ~~[(38)]~~ (40)(b)(i) through (iii).

1361 ~~[(39)]~~ (41) "Revocation" means the termination by action of the division of a licensee's
1362 privilege to drive a motor vehicle.

1363 ~~[(40)]~~ (42) (a) "School bus" means a commercial motor vehicle used to transport
1364 pre-primary, primary, or secondary school students to and from home and school, or to and
1365 from school sponsored events.

1366 (b) "School bus" does not include a bus used as a common carrier as defined in Section
1367 59-12-102.

1368 [~~(41)~~] (43) "Suspension" means the temporary withdrawal by action of the division of a
1369 licensee's privilege to drive a motor vehicle.

1370 [~~(42)~~] (44) "Taxicab" means any class D motor vehicle transporting any number of
1371 passengers for hire and that is subject to state or federal regulation as a taxi.

1372 Section 20. Section **53-3-104** is amended to read:

1373 **53-3-104. Division duties.**

1374 The division shall:

1375 (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1376 make rules:

1377 (a) for examining applicants for a license, as necessary for the safety and welfare of the
1378 traveling public;

1379 (b) for acceptable documentation of an applicant's identity, Social Security number,
1380 Utah resident status, Utah residence address, proof of legal presence, proof of citizenship in the
1381 United States, honorable or general discharge from the United States military, and other proof
1382 or documentation required under this chapter;

1383 (c) regarding the restrictions to be imposed on [~~a person~~] an individual driving a motor
1384 vehicle with a temporary learner permit or learner permit;

1385 (d) for exemptions from licensing requirements as authorized in this chapter;

1386 (e) establishing procedures for the storage and maintenance of applicant information
1387 provided in accordance with Section 53-3-205, 53-3-410, or 53-3-804; and

1388 (f) to provide educational information to each applicant for a license, which
1389 information shall be based on data provided by the Division of Air Quality, including:

1390 (i) ways drivers can improve air quality; and

1391 (ii) the harmful effects of vehicle emissions;

1392 (2) examine each applicant according to the class of license applied for;

1393 (3) license motor vehicle drivers;

1394 (4) file every application for a license received by [~~it~~] the division and shall maintain
1395 indices containing:

1396 (a) all applications denied and the reason each was denied;

- 1397 (b) all applications granted; and
- 1398 (c) the name of every licensee whose license has been suspended, disqualified, or
1399 revoked by the division and the reasons for the action;
- 1400 (5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with
1401 this chapter;
- 1402 (6) file all accident reports and abstracts of court records of convictions received by [it]
1403 the division under state law;
- 1404 (7) maintain a record of each licensee showing the licensee's convictions and the traffic
1405 accidents in which the licensee has been involved where a conviction has resulted;
- 1406 (8) consider the record of a licensee upon an application for renewal of a license and at
1407 other appropriate times;
- 1408 (9) search the license files, compile, and furnish a report on the driving record of any
1409 [~~person~~] individual licensed in the state in accordance with Section 53-3-109;
- 1410 (10) develop and implement a record system as required by Section 41-6a-604;
- 1411 (11) in accordance with Section 53G-10-507, establish:
- 1412 (a) procedures and standards to certify teachers of driver education classes to
1413 administer knowledge and skills tests;
- 1414 (b) minimal standards for the tests; and
- 1415 (c) procedures to enable school districts to administer or process any tests for students
1416 to receive a class D operator's license;
- 1417 (12) in accordance with Section 53-3-510, establish:
- 1418 (a) procedures and standards to certify licensed instructors of commercial driver
1419 training school courses to administer the skills test;
- 1420 (b) minimal standards for the test; and
- 1421 (c) procedures to enable licensed commercial driver training schools to administer or
1422 process skills tests for students to receive a class D operator's license;
- 1423 (13) provide administrative support to the Driver License Medical Advisory Board
1424 created in Section 53-3-303;
- 1425 (14) upon request by the lieutenant governor, provide the lieutenant governor with a
1426 digital copy of the driver license or identification card signature of [~~a person~~] an individual
1427 who is an applicant for voter registration under Section 20A-2-206; and

1428 (15) in accordance with Section 53-3-407.1, establish:

1429 (a) procedures and standards to license a commercial driver license third party tester or
1430 commercial driver license third party examiner to administer the commercial driver license
1431 skills tests;

1432 (b) minimum standards for the commercial driver license skills test; and

1433 (c) procedures to enable a licensed commercial driver license third party tester or
1434 commercial driver license third party examiner to administer a commercial driver license skills
1435 test for an applicant to receive a commercial driver license.

1436 Section 21. Section **53-3-202** is amended to read:

1437 **53-3-202. Drivers must be licensed -- Violation.**

1438 (1) A [person] human driver may not drive a motor vehicle or an autocycle on a
1439 highway in this state unless the [person] human driver is:

1440 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the
1441 division under this chapter;

1442 (b) driving an official United States Government class D motor vehicle with a valid
1443 United States Government driver permit or license for that type of vehicle;

1444 (c) (i) driving a road roller, road machinery, or any farm tractor or implement of
1445 husbandry temporarily drawn, moved, or propelled on the highways; and

1446 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a
1447 construction or agricultural activity;

1448 (d) a nonresident who is at least 16 years of age and younger than 18 years of age who
1449 has in the nonresident's immediate possession a valid license certificate issued to the
1450 nonresident in the nonresident's home state or country and is driving in the class or classes
1451 identified on the home state license certificate, except those persons referred to in Part 6,
1452 Drivers' License Compact, of this chapter;

1453 (e) a nonresident who is at least 18 years of age and who has in the nonresident's
1454 immediate possession a valid license certificate issued to the nonresident in the nonresident's
1455 home state or country if driving in the class or classes identified on the home state license
1456 certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;

1457 (f) driving under a learner permit in accordance with Section 53-3-210.5;

1458 (g) driving with a temporary license certificate issued in accordance with Section

1459 53-3-207; or

1460 (h) exempt under Title 41, Chapter 22, Off-Highway Vehicles.

1461 ~~[(2) A person may not drive or, while within the passenger compartment of a motor~~
1462 ~~vehicle, exercise any degree or form of physical control of a motor vehicle being towed by a~~
1463 ~~motor vehicle upon a highway unless the person:]~~

1464 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal
1465 vehicle motion control for a vehicle being towed by another motor vehicle upon a highway
1466 unless the human driver:

1467 (a) ~~[holds a valid license issued under this chapter for]~~ is licensed under this chapter to
1468 drive a motor vehicle of the type or class of motor vehicle being towed; or

1469 (b) is exempted under either Subsection (1)(b) or (1)(c).

1470 (3) (a) A ~~[person]~~ human driver may not drive a motor vehicle as a taxicab on a
1471 highway of this state unless the person has a valid class D driver license issued by the division.

1472 (b) A ~~[person]~~ human driver may not drive a motor vehicle as a private passenger
1473 carrier on a highway of this state unless the ~~[person]~~ human driver has:

1474 (i) a taxicab endorsement issued by the division on the ~~[person's]~~ human driver's
1475 license certificate; or

1476 (ii) a commercial driver license with:

1477 (A) a taxicab endorsement;

1478 (B) a passenger endorsement; or

1479 (C) a school bus endorsement.

1480 (c) Nothing in Subsection (3)(b) is intended to exempt a ~~[person]~~ human driver driving
1481 a motor vehicle as a private passenger carrier from regulation under other statutory and
1482 regulatory schemes, including:

1483 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

1484 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor
1485 Commission in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
1486 and

1487 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor
1488 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
1489 Act.

1490 (4) (a) Except as provided in Subsections (4)(b), (c), (d), and (e) a ~~[person]~~ human
1491 driver may not operate:

1492 (i) a motorcycle unless the ~~[person]~~ human driver has a valid class D driver license and
1493 a motorcycle endorsement issued under this chapter;

1494 (ii) a street legal all-terrain vehicle unless the ~~[person]~~ human driver has a valid class D
1495 driver license; or

1496 (iii) a motor-driven cycle unless the ~~[person]~~ human driver has a valid class D driver
1497 license and a motorcycle endorsement issued under this chapter.

1498 (b) A ~~[person]~~ human driver operating a moped, as defined in Section 41-6a-102, is not
1499 required to have a motorcycle endorsement issued under this chapter.

1500 (c) ~~[A person]~~ An individual operating an electric assisted bicycle, as defined in
1501 Section 41-6a-102, is not required to have a valid class D driver license or a motorcycle
1502 endorsement issued under this chapter.

1503 (d) ~~[A person]~~ An individual is not required to have a valid class D driver license if the
1504 person is:

1505 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance
1506 with Section 41-6a-1115; or

1507 (ii) operating an electric personal assistive mobility device, as defined in Section
1508 41-6a-102, in accordance with Section 41-6a-1116.

1509 (e) A ~~[person]~~ human driver operating an auticycle is not required to have a
1510 motorcycle endorsement issued under this chapter.

1511 (5) An automated driving system as defined in Section 41-26-102.1 is not required to
1512 have a driver license.

1513 ~~[(5)]~~ (6) A person who violates this section is guilty of an infraction.

1514 Section 22. **Repealer.**

1515 This bill repeals:

1516 Section **41-26-102, Autonomous motor vehicle study.**