

10-8-55.5 Prohibition of flat response fee.

- (1) A municipality, or a person who contracts with a municipality to provide emergency services:
 - (a) may not impose a flat fee, or collect a flat fee, from an individual involved in a traffic incident; and
 - (b) may only charge the individual for the actual cost of services provided in responding to the traffic incident, limited to:
 - (i) medical costs for:
 - (A) transporting an individual from the scene of a traffic accident; or
 - (B) treatment of a person injured in a traffic accident;
 - (ii) repair to damaged public property, if the individual is legally liable for the damage;
 - (iii) the cost of materials used in cleaning up the traffic accident, if the individual is legally liable for the traffic accident; and
 - (iv) towing costs.
- (2) If a municipality, or a person who contracts with a municipality to provide emergency services, imposes a charge on more than one individual for the actual cost of responding to a traffic incident, the municipality or person contracting with the municipality shall apportion the charges so that it does not receive more for responding to the traffic incident than the actual response cost.

Enacted by Chapter 230, 2011 General Session