

Part 6 Transportation and Distribution

32B-4-601 Unlawful removal from conveyance or diversion of shipment.

- (1) It is unlawful for a person transporting an alcoholic product, including a motor carrier, in interstate or other commerce intended for, or consigned to, or claimed to be intended for or consigned to a person outside of this state, to remove or to permit a person to remove the alcoholic product or any part of the alcoholic product from the conveyance in which it is carried while within this state.
- (2) Notwithstanding Subsection (1), removal of an alcoholic product from a conveyance may be allowed if the person described in Subsection (1) notifies the department in writing at least 24 hours before the intended removal and complies with the instructions given by the department.
- (3) It is unlawful for a person to receive for storage or another purpose, or to possess an alcoholic product, that is removed from a vehicle or other conveyance in violation of this section.
- (4) It is unlawful for a person, including a motor vehicle, to divert to any place within this state, or to deliver to any person in this state, an alcoholic product that is consigned for shipment to any place without this state, unless the person:
 - (a) first notifies the department in writing at least 24 hours before the intended diversion or delivery; and
 - (b) complies with the instructions given by the department.
- (5) Upon receiving a notice under Subsection (2) or (4), the department shall take precautions as necessary to ensure compliance with the laws of this state relating to an alcoholic product.

Enacted by Chapter 276, 2010 General Session

32B-4-602 Unlawful transportation.

- (1) It is unlawful for a person, including a motor carrier, or staff of the person to order or purchase an alcoholic product or to cause an alcoholic product to be shipped, carried, or transported into this state, or from one place to another within this state except as otherwise authorized by this title.
- (2) This section does not prohibit a person, including a motor carrier, from:
 - (a) transporting an alcoholic product in the course of export from the state; or
 - (b) transporting an alcoholic product across any part of this state while in transit pursuant to a bona fide consignment of the alcoholic product to a person outside of this state.

Enacted by Chapter 276, 2010 General Session

32B-4-603 Carriers' records.

- (1)
 - (a) A person, including a motor carrier, transporting an alcoholic product into or within this state shall make and maintain a record in which is entered, immediately on the receipt of an alcoholic product:
 - (i) the name of every person to whom the alcoholic product is consigned;
 - (ii) the amount and kind of alcoholic product received; and
 - (iii) the date when the alcoholic product is delivered.
 - (b)
 - (i) Except as provided in Subsection (1)(b)(ii), a consignee shall sign the consignee's name.

- (ii) If the consignee is a corporation, partnership, or limited liability company, an agent authorized in writing shall sign the record described in Subsection (1)(a).
- (2) A person described in Subsection (1) shall make the record open to inspection by an authorized official of the state or local authority at any time during the person's business hours.
- (3) A record under this section constitutes prima facie evidence of the facts stated in the record and is admissible as evidence in a court proceeding to enforce this title.

Enacted by Chapter 276, 2010 General Session