

Effective 5/6/2026

41-12a-301 Definitions -- Requirement of owner's or operator's security -- Exceptions.

- (1) As used in this section:
 - (a) "Highway" means the same as that term is defined in Section 41-1a-102.
 - (b) "Local education agency" or "LEA" means the same as that term is defined in Section 53E-1-102.
 - (c) "Quasi-public road or parking area" means the same as that term is defined in Section 41-6a-214.
- (2) Except as provided in Subsection (5):
 - (a) every resident owner of a motor vehicle shall maintain owner's or operator's security in effect at any time that the motor vehicle is operated on a highway or on a quasi-public road or parking area within the state; and
 - (b) every nonresident owner of a motor vehicle that has been physically present in this state for:
 - (i) 90 or fewer days during the preceding 365 days shall maintain the type and amount of owner's or operator's security required in his place of residence, in effect continuously throughout the period the motor vehicle remains within Utah; or
 - (ii) more than 90 days during the preceding 365 days shall thereafter maintain owner's or operator's security in effect continuously throughout the period the motor vehicle remains within Utah.
- (3)
 - (a) Except as provided in Subsection (5), the state and all of the state's political subdivisions and their respective departments, institutions, or agencies shall maintain owner's or operator's security in effect continuously for their motor vehicles.
 - (b) Any other state is considered a nonresident owner of its motor vehicles and is subject to Subsection (2)(b).
- (4) The United States, any political subdivision of it, or any of its agencies may maintain owner's or operator's security in effect for their motor vehicles.
- (5) Owner's or operator's security is not required for any of the following:
 - (a) off-highway vehicles registered under Section 41-22-3 when operated either:
 - (i) on a highway designated as open for off-highway vehicle use; or
 - (ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3);
 - (b) off-highway implements of husbandry operated in the manner prescribed by Subsections 41-22-5.5(3) through (5);
 - (c) electric assisted bicycles as defined under Section 41-6a-102;
 - (d) motor assisted scooters as defined under Section 41-6a-102;
 - (e) electric personal assistive mobility devices as defined under Section 41-6a-102; or
 - (f) an LEA, for a school bus that the LEA authorizes a state entity or political subdivision of the state to use.
- (6) If an LEA authorizes a state entity or political subdivision of the state to use a school bus:
 - (a) the state entity or political subdivision shall maintain owner's or operator's security during the term of the school bus use in an amount that is greater than or equal to any governmental immunity liability limit;
 - (b) the state entity or the political subdivision shall indemnify and defend the LEA for any claim that arises from the school bus use including a claim directed at the LEA, unless the claim arises from the sole negligence of the LEA; and
 - (c) if the school district maintains owner's or operator's security for the school bus during the term of school bus use, the owner's and operator's security maintained by the state entity or

political subdivision of the state is primary to the owner's and operator's security maintained by the LEA.

Amended by Chapter 295, 2026 General Session