

41-6a-403 Vehicle accidents -- Investigation and report of operator security -- Agency action if no security -- Surrender of plates -- Penalties.

- (1)
 - (a) Upon request of a peace officer investigating an accident involving a motor vehicle, the operator of the motor vehicle shall provide evidence of the owner's or operator's security required under Section 41-12a-301.
 - (b) The evidence of owner's or operator's security includes information specified under Section 41-12a-303.2.
- (2) The peace officer shall record on a form approved by the department:
 - (a) the information provided by the operator;
 - (b) whether the operator provided insufficient or no information;
 - (c) whether the officer finds reasonable cause to believe that any information given is not correct; and
 - (d) whether other information available to the peace officer indicates that owner's or operator's security is in effect.
- (3) The peace officer shall deposit all completed forms with the peace officer's law enforcement agency, which shall forward the forms to the department no later than 10 days after receipt.
- (4)
 - (a) The department shall within 10 days of receipt of the forms from the law enforcement agency take action as follows:
 - (i) if the operator provided no information under Subsection (1) and other information available to the peace officer does not indicate that owner's or operator's security is in effect, the department shall take direct action under Subsection 53-3-221(13); or
 - (ii) if the peace officer noted or the department determines that there is reasonable cause to believe that the information given under Subsection (1) is not correct, the department shall contact directly the insurance company or other provider of security as described in Section 41-12a-303.2 and request verification of the accuracy of the information submitted as of the date of the accident.
 - (b) The department may require the verification under Subsection (4)(a)(ii) to be in a form specified by the department.
 - (c) The insurance company or other provider of security shall return the verification to the department within 30 days of receipt of the request.
 - (d) If the department does not receive verification within 35 days after sending the request, or within the 35 days receives notice that the information was not correct, the department shall take action under Subsection 53-3-221(13).
- (5)
 - (a) The owner of a vehicle with unexpired license plates for which security is not provided as required under this chapter shall return the plates for the vehicle to the Motor Vehicle Division unless specifically permitted by statute to retain them.
 - (b) If the owner fails to return the plates as required, the plates shall be confiscated under Section 53-3-226.
- (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules for the enforcement of this section.
- (7) A person is guilty of a class B misdemeanor, and shall be fined not less than \$100, who:
 - (a) when requested to provide security information under Subsection (1), or Section 41-12a-303.2, provides false information;
 - (b) falsely represents to the department that security required under this chapter is in effect; or

(c) sells a vehicle to avoid the penalties of this section as applicable either to himself or a third party.

Amended by Chapter 382, 2008 General Session