

Part 1 **Department Administration**

53-1-101 Title.

This title is known as the "Public Safety Code."

Enacted by Chapter 234, 1993 General Session

53-1-102 Definitions.

(1) As used in this title:

- (a) "Capitol hill complex" means capitol hill, as defined in Section 63O-1-101.
- (b) "Commissioner" means the commissioner of public safety appointed under Section 53-1-107.
- (c) "Department" means the Department of Public Safety created in Section 53-1-103.
- (d) "Governor-elect" means an individual whom the board of canvassers determines to be the successful candidate for governor after a general election for the office of governor.
- (e) "Institution of higher education" means the same as that term is defined in Section 53H-1-101.
- (f) "Law enforcement agency" means an entity or division of:
 - (i) (A) the federal government, a state, or a political subdivision of a state;
(B) an institution of higher education; or
(C) a private institution of higher education, if the entity or division is certified by the commissioner under Title 53, Chapter 19, Certification of Private Law Enforcement Agency; and
 - (ii) that exists primarily to prevent and detect crime and enforce criminal laws, statutes, and ordinances.
- (g) "Law enforcement officer" means the same as that term is defined in Section 53-13-103.
- (h) "Motor vehicle" means every self-propelled vehicle and every vehicle propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except motorized wheel chairs and vehicles moved solely by human power.
- (i) "Peace officer" means any officer certified in accordance with Title 53, Chapter 13, Peace Officer Classifications.
- (j) "Public official" means the same as that term is defined in Section 36-11-102.
- (k) "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

(2) The definitions provided in Subsection (1) are to be applied throughout this title in addition to definitions that are applicable to specific chapters or parts.

Amended by Chapter 9, 2025 Special Session 1

53-1-103 Creation of department.

- (1) There is created within state government the Department of Public Safety.
- (2) The department has all of the policymaking functions, regulatory and enforcement powers, rights, duties, and responsibilities specified in this title.

Renumbered and Amended by Chapter 234, 1993 General Session

53-1-104 Boards, bureaus, councils, divisions, and offices.

- (1) The following are the policymaking boards and committees within the department:
 - (a) the Trauma System and Emergency Medical Services Committee created in Section 53-2d-104;
 - (b) the Air Ambulance Committee created in Section 53-2d-107;
 - (c) the Driver License Medical Advisory Board, created in Section 53-3-303;
 - (d) the Concealed Firearm Review Board, created in Section 53-5a-302;
 - (e) the Utah Fire Prevention Board, created in Section 53-7-203;
 - (f) the Liquified Petroleum Gas Board, created in Section 53-7-304; and
 - (g) the Bail Bond Recovery and Private Investigator Licensure Board created in Section 53-11-104.
- (2) The Peace Officer Standards and Training Council, created in Section 53-6-106, is within the department.
- (3) The following are the divisions within the department:
 - (a) the Administrative Services Division, created in Section 53-1-203;
 - (b) the Management Information Services Division, created in Section 53-1-303;
 - (c) the Division of Emergency Management, created in Section 53-2a-103;
 - (d) the Driver License Division, created in Section 53-3-103;
 - (e) the Criminal Investigations and Technical Services Division, created in Section 53-10-103;
 - (f) the Peace Officer Standards and Training Division, created in Section 53-6-103;
 - (g) the State Fire Marshal Division, created in Section 53-7-103; and
 - (h) the Utah Highway Patrol Division, created in Section 53-8-103.
- (4) The Office of Executive Protection is created in Section 53-1-112.
- (5) The following are the bureaus within the department:
 - (a) the Bureau of Emergency Medical Services, created in Section 53-2d-102;
 - (b) the Bureau of Criminal Identification, created in Section 53-10-201;
 - (c) the State Bureau of Investigation, created in Section 53-10-301;
 - (d) the Bureau of Forensic Services, created in Section 53-10-401; and
 - (e) the Bureau of Communications, created in Section 53-10-501.

Amended by Chapter 208, 2025 General Session

53-1-105 Rulemaking -- Adjudicative proceedings -- Meetings.

The commissioner and the department and its boards, councils, divisions, and offices shall comply with the procedures and requirements of:

- (1) Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in their rulemaking;
- (2) Title 63G, Chapter 4, Administrative Procedures Act, in their adjudicative proceedings; and
- (3) Title 52, Chapter 4, Open and Public Meetings Act, in their meetings.

Amended by Chapter 382, 2008 General Session

53-1-106 Department duties -- Powers.

- (1) In addition to the responsibilities contained in this title, the department shall:
 - (a) make rules and perform the functions specified in Title 41, Chapter 6a, Traffic Code, including:
 - (i) setting performance standards for towing companies to be used by the department, as required by Section 41-6a-1406; and

- (ii) advising the Department of Transportation regarding the safe design and operation of school buses, as required by Section 41-6a-1304;
- (b) make rules to establish and clarify standards pertaining to the curriculum and teaching methods of a motor vehicle accident prevention course under Section 31A-19a-211;
- (c) aid in enforcement efforts to combat drug trafficking;
- (d) meet with the Division of Technology Services to formulate contracts, establish priorities, and develop funding mechanisms for dispatch and telecommunications operations;
- (e) provide assistance to the Commission on Criminal and Juvenile Justice and the Utah Office for Victims of Crime in conducting research or monitoring victims' programs, as required by Section 63M-7-507;
- (f) develop sexual assault exam protocol standards in conjunction with the Utah Hospital Association;
- (g) engage in emergency planning activities, including preparation of policy and procedure and rulemaking necessary for implementation of the federal Emergency Planning and Community Right to Know Act of 1986, as required by Section 53-2a-702;
- (h) implement the provisions of Section 53-2a-402, the Emergency Management Assistance Compact;
- (i) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:
 - (i) under this title;
 - (ii) by the department; or
 - (iii) by an agency or division within the department;
- (j) employ a law enforcement officer as a public safety liaison to be housed at the State Board of Education who shall work with the State Board of Education to:
 - (i) support training with relevant state agencies for school resource officers as described in Section 53G-8-702;
 - (ii) coordinate the creation of model policies and memorandums of understanding for a local education agency and a local law enforcement agency; and
 - (iii) ensure cooperation between relevant state agencies, a local education agency, and a local law enforcement agency to foster compliance with disciplinary related statutory provisions, including Sections 53E-3-516 and 53G-8-211;
- (k) provide for the security and protection of public officials, public officials' staff, and the capitol hill complex in accordance with the provisions of this part;
- (l) fulfill the duties described in Sections 77-36-2.1 and 78B-7-120 related to lethality assessments; and
- (m) fulfill the duties described in Section 63L-13-201 related to restricted foreign entities.

(2)

- (a) The department shall establish a schedule of fees as required or allowed in this title for services provided by the department.
- (b) All fees not established in statute shall be established in accordance with Section 63J-1-504.

(3) The department may establish or contract for the establishment of an Organ Procurement Donor Registry in accordance with Section 26B-8-319.

Amended by Chapter 506, 2024 General Session

53-1-106.2 Towing dispatch program.

- (1) An interlocal agency established pursuant to Title 11, Chapter 13, Interlocal Cooperation Act, a special service district established pursuant to Title 17D, Chapter 1, Special Service District Act, a political subdivision, or a state agency may enter into a contract with a vendor that provides a product or technology capable of increasing efficiency, effectiveness, and transparency in the dispatching of towing providers and management of towing rotations.
- (2) The product or technology described in Subsection (1) shall comply with the following requirements and capabilities:
 - (a) decreasing delays associated with requesting and dispatching a tow truck motor carrier from an established tow rotation;
 - (b) increasing information, transparency, and data collection associated with tow rotation operations, including dispatching, response time, completion, clearance, and storage; and
 - (c) increasing responder and traffic safety by reducing secondary crashes, responder time on scene, and the impacts of traffic accidents on traffic flow and safety.
- (3) A vendor selected to provide towing dispatch management services as described in this section may not also provide towing, storage, impounding, or other services related to the operation of a towing provider.

Repealed and Re-enacted by Chapter 219, 2023 General Session

53-1-106.5 Utah Medical Cannabis Act -- Department duties.

In addition to the duties described in Section 53-1-106, the department shall:

- (1) provide standards for training peace officers and law enforcement agencies in the use of the state electronic verification system; and
- (2) collaborate with the Department of Health and the Department of Agriculture and Food to provide standards for training peace officers and law enforcement agencies in medical cannabis law.

Amended by Chapter 1, 2018 Special Session 3

53-1-107 Commissioner of public safety -- Appointment -- Qualifications -- Salary.

- (1) The chief executive officer of the department is the commissioner.
- (2)
 - (a) Every fourth year after the year 1989, the governor shall appoint a commissioner with the advice and consent of the Senate.
 - (b) The commissioner shall serve for a period of four years from July 1 of the year of the commissioner's appointment.
- (3) The commissioner shall:
 - (a) be an individual of recognized executive and administrative capacity;
 - (b) be selected solely with regard to the commissioner's qualifications and fitness to discharge the duties of the commissioner's office;
 - (c) be of high moral character;
 - (d) be of good standing in the community in which the commissioner lives; and
 - (e) have been a resident of this state for a period of at least five years immediately prior to appointment.
- (4) The commissioner shall devote full time to the duties of the office.
- (5) The governor shall establish the commissioner's salary within the salary range fixed by the Legislature in Title 67, Chapter 22, State Officer Compensation.

Amended by Chapter 352, 2020 General Session

53-1-108 Commissioner's powers and duties.

- (1) In addition to the responsibilities contained in this title, the commissioner shall:
 - (a) administer and enforce this title and Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act;
 - (b) appoint deputies, inspectors, examiners, clerical workers, and other employees as required to properly discharge the duties of the department;
 - (c) make rules:
 - (i) governing emergency use of signal lights on private vehicles; and
 - (ii) allowing privately owned vehicles to be designated for part-time emergency use, as provided in Section 41-6a-310;
 - (d) set standards for safety belt systems, as required by Section 41-6a-1803;
 - (e) serve as the cochair of the Emergency Management Administration Council, as required by Section 53-2a-105;
 - (f) designate vehicles as "authorized emergency vehicles," as required by Section 41-6a-102; and
 - (g) on or before January 1, 2003, adopt a written policy that prohibits the stopping, detention, or search of any person when the action is solely motivated by considerations of race, color, ethnicity, age, or gender.
- (2) The commissioner may:
 - (a) subject to the approval of the governor, establish division headquarters at various places in the state;
 - (b) issue to a special agent a certificate of authority to act as a peace officer and revoke that authority for cause, as authorized in Section 56-1-21.5;
 - (c) create specialized units within the commissioner's office for conducting internal affairs and aircraft operations as necessary to protect the public safety;
 - (d) cooperate with any recognized agency in the education of the public in safety and crime prevention and participate in public or private partnerships, subject to Subsection (3);
 - (e) cooperate in applying for and distributing highway safety program funds;
 - (f) receive and distribute federal funding to further the objectives of highway safety in compliance with Title 63J, Chapter 5, Federal Funds Procedures Act;
 - (g) authorize off-duty personal use of Department of Public Safety emergency vehicles; and
 - (h) deny or revoke a public or private school's occupancy permit based on the recommendations of the state security chief as described in Section 53-22-102.
- (3)
 - (a) Money may not be expended under Subsection (2)(d) for public safety education unless it is specifically appropriated by the Legislature for that purpose.
 - (b) Any recognized agency receiving state money for public safety shall file with the auditor of the state an itemized statement of all its receipts and expenditures.

Amended by Chapter 21, 2024 General Session

53-1-109 Security for capitol complex -- Traffic and parking rules enforcement for division -- Security personnel as law enforcement officers.

- (1)
 - (a) The commissioner, under the direction of the State Capitol Preservation Board, shall:
 - (i) provide for the security of capitol hill; and

- (ii) enforce traffic provisions under Title 41, Chapter 6a, Traffic Code, and parking rules, as adopted by the State Capitol Preservation Board, for capitol hill.
- (b) The commissioner, in cooperation with the director of the Division of Facilities Construction and Management shall provide for the security of all grounds and buildings under the jurisdiction of the Division of Facilities Construction and Management.
- (2) Security personnel required in Subsection (1) shall be law enforcement officers as defined in Section 53-13-103.
- (3) Security personnel who were actively employed and had five or more years of active service with Protective Services within the Utah Highway Patrol Division as special function officers, as defined in Section 53-13-105, on June 29, 1996, shall become law enforcement officers:
 - (a) without a requirement of any additional training or examinations, if they have completed the entire law enforcement officer training of the Peace Officers Standards and Training Division; or
 - (b) upon completing only the academic portion of the law enforcement officer training of the Peace Officers Standards and Training Division.
- (4) An officer in a supervisory position with Protective Services within the Utah Highway Patrol Division shall be allowed to transfer the job title that the officer held on April 28, 1996, into a comparable supervisory position of employment as a peace officer for as long as the officer remains with Protective Services within the Utah Highway Patrol Division.

Amended by Chapter 425, 2024 General Session

53-1-110 Compilation of highway, traffic, and driver licensing laws -- Printing and distribution -- Fees.

- (1)
 - (a) The commissioner shall compile an edition of the general highway, traffic, and driver licensing laws of the state as soon as practicable after each regular session of the Legislature.
 - (b) The edition shall include laws enacted or amended by the most recent session of the Legislature.
- (2)
 - (a) The Division of Finance shall print a sufficient quantity of the compiled highway, traffic, and driver licensing laws to distribute copies to all state, county, and local enforcement agencies, courts, legislators, and other agencies as necessary.
 - (b) A fee may be assessed for each copy of the compilation issued by the Division of Finance. The fee shall be established by the Division of Finance in accordance with Section 63J-1-504.

Amended by Chapter 183, 2009 General Session

53-1-111 Crime prevention month -- Department of Public Safety to coordinate.

- (1) The month of October is designated as "Crime Prevention Month."
- (2) The department shall coordinate all activities, special programs, and promotional information to heighten public awareness and involvement in the prevention of crime in each community.

Renumbered and Amended by Chapter 234, 1993 General Session

53-1-112 Office of Executive Protection -- Creation.

There is created within the department the Office of Executive Protection.

Renumbered and Amended by Chapter 234, 1993 General Session

53-1-113 Office of Executive Protection -- Personnel.

- (1) The commissioner shall select personnel for the Office of Executive Protection primarily from the ranks of the Highway Patrol without competitive examination.
- (2) Selection of personnel from other than these ranks may be made at the commissioner's discretion, provided the persons selected are peace officers.

Renumbered and Amended by Chapter 234, 1993 General Session

53-1-114 Office of Executive Protection -- Security and protection for governor and family -- Protection for other officials and staff -- Training -- Equipment.

- (1) The Office of Executive Protection shall provide all necessary security and protection for:
 - (a) the governor and the governor's immediate family;
 - (b) a governor-elect and the governor-elect's immediate family; and
 - (c) the capitol hill complex.
- (2) (a) Subject to the authorization of the commissioner, and only if there is a demonstrable need or a specifically identified threat to the individual to be protected, the Office of Executive Protection may provide protection to:
 - (i) other public officials;
 - (ii) a public official's staff member;
 - (iii) a candidate for an elected state office and the candidate's immediate family during the time beginning on the date of the general election and ending on the date of the meeting of the board of canvassers under Section 20A-4-306; or
 - (iv) an outgoing elected state official and the outgoing elected state official's immediate family.
- (b) (i) Protection provided under Subsection (2)(a) may not extend for more than 15 days without review and approval by the commissioner.
(ii) Review and approval by the commissioner is required at the end of each 15-day period.
- (c) When protection is provided under Subsection (2)(a), the commissioner shall provide a report to the president of the Senate and the speaker of the House of Representatives at the end of each 15-day period.
- (d) The requirement for review and approval described in Subsection (2)(b)(ii) and the reporting requirement described in Subsection (2)(c) may be waived or modified by majority vote of the president of the Senate, the speaker of the House of Representatives, and the commissioner.
- (3) The Office of Executive Protection shall assess, monitor, and address any threat to a public official, a public official's staff member, or any part of the capitol hill complex.
- (4) The commissioner or the commissioner's designee shall provide weekly public protection training to members of the Office of Executive Protection who are assigned to provide security and protection to an individual described in Subsection (1) or (2).
- (5) The commissioner or the commissioner's designee shall provide regular training to all members of the Office of Executive Protection on:
 - (a) personal protection;
 - (b) special tactics;
 - (c) facility defense; and

- (d) any other topic that, in the determination of the commissioner or the commissioner's designee, is relevant to providing for the security and protection of public officials, public officials' staff, and the capitol hill complex.
- (6)
 - (a) At times that the commissioner determines to be reasonable, the Office of Executive Protection shall provide personal security training for all public officials and public officials' staff members who work at the capitol hill complex.
 - (b) The Office of Executive Protection shall make personal security equipment, that the commissioner determines to be reasonable, available to the public officials and public officials' staff members who work at the capitol hill complex.

Amended by Chapter 360, 2021 General Session

53-1-115 Office of Executive Protection -- Closure of property to protect governor -- Violation of order of closure.

- (1) As used in this section:
 - (a) "Office" includes the governor's official office and any other location not generally open to the public in which the governor is conducting the business of the state.
 - (b) "Parking space" includes any space occupied or to be occupied by the governor's vehicle when parked, regardless of whether it is the regular parking space of the governor's vehicle.
 - (c) "Premises" includes:
 - (i) the governor's official residence, private residence, and any temporary residence owned by the governor or the governor's family; and
 - (ii) any temporary lodging or residence where the governor is staying or intends to stay, regardless of whether the stay is for official or other purposes.
 - (d) "Vehicle" includes an automobile, airplane, or other mode of conveyance in which the governor is traveling or intends to travel.
- (2) A member of the Office of Executive Protection may order the closure of or restriction of access to the governor's premises or office when in the member's discretion that action is necessary to insure the safety of the governor, the governor's immediate family, or other persons within the premises or office.
- (3) A member of the Office of Executive Protection may order restriction of access to the governor's vehicle by ordering closure of or restriction of access to areas surrounding the vehicle, the vehicle's parking space, or the vehicle's routes of ingress or egress, when in the member's discretion that action is necessary to ensure the safety of the governor, the governor's immediate family, other persons within the vehicle, or the safe passage of persons in or out of or to or from the vehicle.
- (4) A member of the Office of Executive Protection may order closure or restriction of access to any public property when in the member's discretion that action is necessary in the discharge of the duty to protect the governor, the governor's immediate family, or other persons for whom protection may be provided under Section 53-1-114.
- (5)
 - (a) A member of the Office of Executive Protection may order closure of or restriction of access to privately owned property to the same extent and for the same purposes as for publicly owned property with the consent of the owner, tenant, or occupant of the private property.
 - (b) The owner, tenant, or occupant may:
 - (i) expressly ratify consent that was previously implicit; and
 - (ii) withdraw consent by informing a member of the Office of Executive Protection.

- (6) An order of closure or restriction remains in effect for up to three consecutive days and may be extended beyond three days:
 - (a) with the commissioner's approval; or
 - (b) without the commissioner's approval if immediate circumstances warrant the extension.
- (7)
 - (a) An order closing or restricting access to property shall be posted by placing a copy of it at the primary entrance to the property.
 - (b) An order restricting access to a vehicle shall be posted by placing a copy of it in the area to be closed or restricted, including the area surrounding the vehicle, the vehicle's parking space, or the vehicle's routes of ingress or egress.
 - (c) An order is not invalidated for failure to comply with the procedures of Subsection (7)(a) or (7)(b) if notice to the public of the order is otherwise sufficient and reasonable under the circumstances.
- (8) An order shall specify the extent of the closure or restriction.
- (9) A person who intentionally or knowingly enters or remains within public property in violation of an order of closure or restricted access is guilty of a class B misdemeanor.
- (10) This section does not restrict or limit a member of the Office of Executive Protection in exercising any other power available to the member as an officer of the law to provide for the security of the governor or the safety of the public.

Amended by Chapter 146, 2000 General Session

53-1-116 Violations.

A violation of this title, except for a violation under Chapter 3, Part 2, Driver Licensing Act, is an infraction, unless otherwise provided.

Amended by Chapter 303, 2016 General Session

53-1-117 Alcohol or drug enforcement funding -- Rulemaking -- Legislative findings.

- (1) From money appropriated by the Legislature and any other funds made available for the purposes described under this section, the department shall assist the law enforcement agencies of the state and its political subdivisions in the enforcement of alcohol or drug-related offenses.
- (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commissioner shall make rules establishing criteria and procedures for granting money under this section to law enforcement agencies for:
 - (a) providing equipment, including drug and alcohol testing equipment;
 - (b) funding the training and overtime of peace officers; and
 - (c) managing driving under the influence related abandoned vehicles.
- (3) The Legislature finds that the money is for a general and statewide public purpose.

Amended by Chapter 342, 2011 General Session

53-1-121 Technology and equipment for officer-involved critical incident investigation -- Rulemaking -- Legislative findings -- Revenue fund created.

- (1) The department shall assist the law enforcement agencies of the state and the state's political subdivisions to obtain technology and equipment to assist in the investigation of officer-involved critical incidents in which a firearm is used.

- (2) To be eligible, the technology or equipment shall be:
 - (a) capable of recording actual shots fired, including the date and time, from a specific weapon;
 - (b) able to distinguish between actual shots fired and other, unrelated but contemporaneous, events; and
 - (c) tamper-proof and unable to be removed or manipulated by the officer.
- (3) The department shall create a program to assist law enforcement agencies through monetary grants to:
 - (a) purchase technology and equipment to assist in the investigation of officer-involved critical incidents involving a firearm; and
 - (b) train law enforcement officers in the proper use and handling of any technology and equipment purchased in accordance with this section.
- (4)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commissioner shall make rules establishing a program with criteria and procedures for granting matching funds under this section to law enforcement agencies to purchase technology or equipment meeting the criteria in Subsection (2).
 - (b) The rules shall require that funding provided to purchase technology or equipment under this section shall be matched by the requesting law enforcement agency.
- (5) The Legislature finds that the money is for a general and statewide public purpose.
- (6) Expenses accrued by the department in carrying out this section shall be provided from this appropriation, but may not exceed \$40,000 annually.
- (7) The Legislature shall appropriate funds to the department to use for matching grants to local law enforcement agencies to carry out the purpose of this program.
- (8) The department shall report annually to the Criminal Justice Appropriations Subcommittee on the program. The report shall contain:
 - (a) the total amount of appropriations received by the program;
 - (b) amounts granted from the program to local law enforcement agencies, including an accounting of technology purchased by the local law enforcement agency;
 - (c) an accounting of any administrative expenses for the program paid out of the funds;
 - (d) requests for funding that were not granted and the reason for denial; and
 - (e) the total amount of remaining funds.

Amended by Chapter 271, 2025 General Session

53-1-122 Road Rage Awareness and Prevention Restricted Account.

- (1) There is created a restricted account within the General Fund known as the Road Rage Awareness and Prevention Restricted Account.
- (2) The account is funded by money appropriated by the Legislature.
- (3) Upon appropriation, the department shall expend funds from the restricted account to pay for an education and media campaign on road rage awareness and prevention.

Enacted by Chapter 319, 2024 General Session