

72-12-103 Definitions.

As used in this chapter:

- (1) "Car-pool" means a mode of transportation in which:
 - (a) six or fewer persons, including the driver, ride together in a motor vehicle;
 - (b) that transportation is incidental to another purpose of the driver; and
 - (c) the vehicle manufacturer's design capacity of any one seat is not exceeded.
- (2) "Van-pool" means a nonprofit mode of prearranged commuter transportation of a relatively fixed group of seven to 15 persons, including the driver, between home and work, or termini near home and work, in a vehicle the group occupancy of which does not exceed the vehicle manufacturer's design capacity and that:
 - (a) is owned or leased and operated by an individual:
 - (i) who owns only one van-pool vehicle;
 - (ii) whose provision of transportation is incidental to another purpose of the operator;
 - (iii) who does not transport people as a business; and
 - (iv) who accepts money from riders in the vehicle, if at all, only to recover some or all expenses directly related to the transportation, including fuel, maintenance, insurance, and depreciation;
 - (b) is owned or leased by a nonprofit employee organization and used to transport employees between home and work, or termini near home and work to provide incentives to employees to make the commute by a mode other than single occupant motor vehicle, the operating, administration, and reasonable depreciation costs of which are paid, if at all, by the persons using the vehicles; or
 - (c) is owned or leased by an employer, a public agency, or a public transit district, either alone or in cooperation with others to provide incentives to employees to make the commute by a mode other than single occupant motor vehicle, the driver and passengers of which are employees and fees charged, if at all, for which are nonprofit and only to recover operating, maintenance, administration, and reasonable depreciation costs.
- (3) "Ride-sharing arrangement" means either a car-pool, van-pool, or both.

Renumbered and Amended by Chapter 270, 1998 General Session