

Chapter 12

Travel Reduction Act

72-12-101 Title.

This chapter is known as the "Travel Reduction Act."

Enacted by Chapter 270, 1998 General Session

72-12-102 Legislative findings and policy.

- (1) The Legislature finds that:
 - (a) increasingly heavy commuting burdens on Utah's freeways and major transportation arteries are gradually aggravating driving conditions for all Utah motorists;
 - (b) single-occupant driving is the predominant mode of transportation used by commuters in Utah;
 - (c) single-occupant driving represents the most costly and most excessive use of dwindling petroleum reserves; and
 - (d) rapidly increasing energy costs represent an ever-growing burden on commuters' work-related expenses.
- (2) The policy of this state is to support and encourage transportation modes and ride-sharing programs that reduce the number of vehicle miles traveled, thereby reducing gasoline consumption and protecting the environment.

Renumbered and Amended by Chapter 270, 1998 General Session

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

72-12-104 Ride-sharing arrangements -- Exemption from specified laws and rules.

The following laws and rules do not apply to ride-sharing arrangements:

- (1) laws and rules containing insurance requirements that are specifically applicable to motor carriers or commercial vehicles;
- (2) laws imposing a higher standard of care on drivers or owners of motor carriers or commercial vehicles than that imposed on drivers or owners of other motor vehicles;
- (3) laws and rules with equipment requirements and special accident reporting requirements that are specifically applicable to motor carriers or commercial vehicles; and
- (4) laws imposing a tax on fuel purchased in other states by motor carriers or road user taxes on commercial buses.

Renumbered and Amended by Chapter 270, 1998 General Session

72-12-105 Worker compensation inapplicable to injuries in ride-sharing.

Section 34A-2-401 providing compensation for workers injured during the course of their employment does not apply to persons injured while participating in a ride-sharing arrangement between their places of residence and places of employment.

Renumbered and Amended by Chapter 270, 1998 General Session

72-12-106 Employer's liability for ride-sharing injuries.

- (1) An employer is not liable for injuries to passengers or other persons or both resulting from the operation or use of a motor vehicle not owned, leased, or contracted for by the employer in a ride-sharing arrangement.
- (2) An employer is not liable for injuries to passengers or other persons or both on account of the employer having provided information or incentives or otherwise having encouraged employees to participate in ride-sharing arrangements.

Renumbered and Amended by Chapter 270, 1998 General Session

72-12-107 Benefits of ride-sharing driver not taxable income.

Money and other benefits, other than salary, received by a driver in a ride-sharing arrangement does not constitute income for the purpose of computing gross income under Title 59, Chapter 10, Individual Income Tax Act.

Renumbered and Amended by Chapter 270, 1998 General Session

72-12-108 Local taxation and licensing.

A county or municipality may not impose a tax on, or require a license for, a ride-sharing arrangement.

Renumbered and Amended by Chapter 270, 1998 General Session

72-12-109 Wage and hour regulations unaffected by ride-sharing.

The fact that an employee participates in any kind of ride-sharing arrangement does not affect the application of any laws requiring payment of a minimum wage or overtime pay or otherwise regulating the hours a person may work.

Amended by Chapter 21, 1999 General Session

72-12-110 Vehicles used and drivers excluded from definitions for regulatory purposes.

- (1) A motor vehicle used in a ride-sharing arrangement is not a bus or commercial vehicle under:
 - (a) Title 41, Chapter 1a, Motor Vehicle Act, relating to registration; and
 - (b) Title 41, Chapter 6a, Traffic Code, relating to equipment requirements and rules of the road.
- (2) The driver of a vehicle used in a ride-sharing arrangement is not a chauffeur and he is not transporting persons for compensation under the driver licensing provisions of Title 53, Chapter 3, Uniform Driver License Act.

Amended by Chapter 2, 2005 General Session