

Part 1 General Provisions

72-9-101 Title.

This chapter is known as the "Motor Carrier Safety Act."

Renumbered and Amended by Chapter 270, 1998 General Session

72-9-102 Definitions.

As used in this chapter:

- (1)
 - (a) "Commercial vehicle" includes:
 - (i) an interstate commercial vehicle;
 - (ii) an intrastate commercial vehicle; and
 - (iii) a tow truck.
 - (b) "Commercial vehicle" does not include the following vehicles for purposes of this chapter:
 - (i) equipment owned and operated by the United States Department of Defense when driven by any active duty military personnel and members of the reserves and national guard on active duty including personnel on full-time national guard duty, personnel on part-time training, and national guard military technicians and civilians who are required to wear military uniforms and are subject to the code of military justice;
 - (ii) firefighting and emergency vehicles, operated by emergency personnel, not including commercial tow trucks;
 - (iii) recreational vehicles that are driven solely as family or personal conveyances for noncommercial purposes; or
 - (iv) vehicles owned by the state or a local government.
- (2) "Interstate commercial vehicle" means a self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property if the vehicle:
 - (a) has a gross vehicle weight rating or gross vehicle weight of 10,001 or more pounds, or gross combination weight rating or gross combination weight of 10,001 or more pounds, whichever is greater;
 - (b) is designed or used to transport more than eight passengers, including the driver, for compensation;
 - (c) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
 - (d)
 - (i) is used to transport materials designated as hazardous in accordance with 49 U.S.C. Sec. 5103; and
 - (ii) is required to be placarded in accordance with regulations under 49 C.F.R., Subtitle B, Chapter I, Subchapter C.
- (3) "Intrastate commercial vehicle" means a motor vehicle, vehicle, trailer, or semitrailer used or maintained for business, compensation, or profit to transport passengers or property on a highway only within the boundaries of this state if the commercial vehicle:
 - (a)
 - (i) has a manufacturer's gross vehicle weight rating or gross vehicle weight, or gross combination weight rating or gross combination weight of 26,001 or more pounds, whichever is greater, and is operated by an individual who is 18 years old or older; or

- (ii) has a manufacturer's gross vehicle weight rating or gross combination weight rating of 16,001 or more pounds and is operated by an individual who is under 18 years old;
- (b)
 - (i) is designed to transport more than 15 passengers, including the driver; or
 - (ii) is designed to transport more than 12 passengers, including the driver, and has a manufacturer's gross vehicle weight rating or gross combination weight rating of 13,000 or more pounds; or
- (c) is used in the transportation of hazardous materials and is required to be placarded in accordance with 49 C.F.R. Part 172, Subpart F.
- (4) "Motor carrier" means a person engaged in or transacting the business of transporting passengers, freight, merchandise, or other property by a commercial vehicle on a highway within this state and includes a tow truck business.
- (5) "Owner" as pertaining to a vehicle, vessel, or outboard motor, means the same as that term is defined in Section 41-1a-102.
- (6) "Property owner" means the owner or lessee of real property.
- (7) "State impound yard" means the same as that term is defined in Section 41-1a-102.
- (8) "Tow truck" means a motor vehicle constructed, designed, altered, or equipped primarily for the purpose of towing or removing damaged, disabled, abandoned, seized, or impounded vehicles from a highway or other place by means of a crane, hoist, tow bar, tow line, dolly, tilt bed, or other means.
- (9) "Tow truck motor carrier" means a motor carrier that is engaged in or transacting business for tow truck services.
- (10) "Tow truck operator" means an individual that performs operations related to a tow truck service as an employee or as an independent contractor on behalf of a tow truck motor carrier.
- (11) "Tow truck service" means the functions and any ancillary operations associated with recovering, removing, and towing a vehicle and its load from a highway or other place by means of a tow truck.
- (12) "Transportation" means the actual movement of property or passengers by motor vehicle, including loading, unloading, and any ancillary service provided by the motor carrier in connection with movement by motor vehicle, which is performed by or on behalf of the motor carrier, its employees or agents, or under the authority of the motor carrier, its employees or agents, or under the apparent authority and with the knowledge of the motor carrier.

Amended by Chapter 457, 2024 General Session

**72-9-103 Rulemaking -- Motor vehicle liability coverage for certain motor carriers --
Adjudicative proceedings.**

- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules:
 - (a) adopting by reference in whole or in part the Federal Motor Carrier Safety Regulations including minimum security requirements for motor carriers;
 - (b) specifying the equipment required to be carried in each tow truck, including limits on loads that may be moved based on equipment capacity and load weight; and
 - (c) providing for the necessary administration and enforcement of this chapter.
- (2)
 - (a) Notwithstanding Subsection (1)(a), the department shall not require a motor carrier to comply with 49 C.F.R. Part 387 Subpart B if the motor carrier is:

- (i) engaging in or transacting the business of transporting passengers by an intrastate commercial vehicle that has a seating capacity of no more than 30 passengers; and
- (ii) a licensed child care provider under Section 26B-2-403.
- (b) Policies containing motor vehicle liability coverage for a motor carrier described under Subsection (2)(a) shall require minimum coverage of:
 - (i) \$1,000,000 for a vehicle with a seating capacity of up to 20 passengers; or
 - (ii) \$1,500,000 for a vehicle with a seating capacity of up to 30 passengers.
- (3) The department shall comply with Title 63G, Chapter 4, Administrative Procedures Act, in its adjudicative proceedings.

Amended by Chapter 330, 2023 General Session

72-9-104 Motor carriers to operate under chapter.

A motor carrier may not operate any commercial vehicle for the transportation of persons or property on any public highway in this state except in accordance with this chapter, and rules and orders of the department.

Renumbered and Amended by Chapter 270, 1998 General Session

72-9-105 Information lettered on vehicle -- Exceptions.

- (1) Except under Subsection (4), a motor carrier shall have lettered on both sides of any vehicle used for transportation of persons or property the name of the motor carrier company.
- (2) The motor carrier shall ensure that the lettering is free from obstruction and legible from a distance of at least 50 feet.
- (3)
 - (a) In addition to the lettering required under Subsection (1), the department may require a motor carrier to display an identification number assigned by the department in accordance with this section.
 - (b) The department may issue an identification number in conjunction with the United States Department of Transportation to develop a program to improve motor carrier safety enforcement.
- (4) An intrastate commercial vehicle primarily used by a farmer for the production of agricultural products is exempt from the provisions of this section.

Amended by Chapter 96, 2017 General Session

72-9-106 Exemption for public utilities from regulations establishing hours of service.

- (1) As used in this section, "emergency" means a condition which jeopardizes life or property or that endangers public health and safety.
- (2) A person who is an employee of an electrical corporation, a gas corporation, or a telephone corporation, as these corporations are defined in Section 54-2-1, is exempt from any hours of service rules and regulations for drivers while operating a public utility vehicle within the state during the emergency restoration of public utility service.

Renumbered and Amended by Chapter 270, 1998 General Session

72-9-107 Medical exemptions for farm vehicle operators.

Except as provided in Section 53-3-206, an operator of a farm vehicle or combination of farm vehicles is exempt from additional requirements for physical qualifications, medical examinations, and medical certification if the farm vehicle or combination of farm vehicles being operated is:

- (1) under 26,001 pounds gross vehicle weight rating;
- (2) not operated as a commercial motor vehicle in accordance with Subsection 53-3-102(7)(b)(ii);
and
- (3) not operated as an interstate commercial motor vehicle.

Amended by Chapter 52, 2015 General Session