

**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;
 - (c) specifying collection procedures, in conjunction with the administration and enforcement of the safety or security requirements, for the motor carrier fee under Section 72-9-706; and
 - (d) 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 26-39-401.
 - (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 274, 2011 General Session