

72-9-301 Duties -- Enforcement -- Federal safety regulations -- Audits -- Rights of entry for audits.

- (1) The department shall administer and in cooperation with the Department of Public Safety, Utah Highway Patrol Division, as specified under Section 53-8-105, shall enforce state and federal laws related to the operation of a motor carrier within the state, including:
 - (a) the operation of ports-of-entry under Section 72-9-501;
 - (b) vehicle size, weight, and load restrictions;
 - (c) security requirements;
 - (d) safety requirements; and
 - (e) the Federal Motor Carrier Safety Regulations as contained in Title 49, Code of Federal Regulations.
- (2)
 - (a) The department shall conduct compliance audits and inspections as needed to enforce state and federal laws related to the operation of a motor carrier.
 - (b) The Department of Public Safety, Utah Highway Patrol Division, and other law enforcement agencies certified by the department shall conduct inspections as needed to enforce state and federal laws related to the operation of a motor carrier.
- (3)
 - (a) In accordance with Subsection (3)(b), the department's authorized employees or agents may enter, inspect, and examine any lands, buildings, and equipment of a motor carrier subject to this chapter, to inspect and copy any accounts, books, records, and documents in order to administer and enforce state and federal laws related to the operation of a motor carrier provided:
 - (i) the department's authorized employees or agents schedule an appointment with the motor carrier prior to entering, inspecting, or examining any facility or records of a motor carrier; or
 - (ii) if the department's authorized employees or agents believe that a criminal violation is involved and that a scheduled appointment would compromise the detection of the alleged criminal violation, no appointment is necessary.
 - (b) A motor carrier shall submit its lands, buildings, and equipment for inspection and examination and shall submit its accounts, books, records, and documents for inspection and copying in accordance with this section.

Amended by Chapter 155, 2009 General Session