

73-18-13.5 Motorboat accidents -- Investigation and report of operator security -- Agency action if no security -- Surrender of registration materials.

- (1) Upon request of a peace officer investigating an accident involving a motorboat as defined in Section 73-18c-102, the operator of the motorboat shall provide evidence of the owner's or operator's security required under Section 73-18c-301.
- (2) The peace officer shall record on a form approved by the division:
 - (a) the information provided by the operator;
 - (b) whether the operator provided insufficient or no information; and
 - (c) whether the peace officer finds reasonable cause to believe that any information given is not correct.
- (3) The peace officer shall deposit all completed forms with the peace officer's agency, which shall forward the forms to the division no later than 10 days after receipt.
- (4)
 - (a) The division shall revoke the registration of a motorboat as defined in Section 73-18c-102 involved in an accident unless the owner or operator can demonstrate to the division compliance with the owner's or operator's security requirement of Section 73-18c-301 at the time of the accident.
 - (b) Any registration revoked shall be renewed in accordance with Section 73-18-7.
- (5) A person may appeal a revocation issued under Subsection (4) in accordance with procedures established by the board by rule that are consistent with Title 63G, Chapter 4, Administrative Procedures Act.
- (6)
 - (a) Any person whose registration is revoked under Subsection (4) shall return the registration card and decals for the motorboat to the division.
 - (b) If the person fails to return the registration materials as required, they shall be confiscated under Section 73-18-13.6.
- (7) The board may make rules for the enforcement of this section.
- (8) In this section, "evidence of owner's or operator's security" includes any one of the following:
 - (a) the operator's:
 - (i) insurance policy;
 - (ii) binder notice;
 - (iii) renewal notice; or
 - (iv) card issued by an insurance company as evidence of insurance;
 - (b) a copy of a surety bond, certified by the surety, which conforms to Section 73-18c-102;
 - (c) a certificate of the state treasurer issued under Section 73-18c-305; or
 - (d) a certificate of self-funded coverage issued under Section 73-18c-306.

Amended by Chapter 386, 2011 General Session