

**Effective 5/10/2016**

**76-10-1507 Exclusion of persons without bona fide business from terminal -- Dangerous materials -- Surveillance devices and seizure of offending materials -- Detention of violators -- Private security personnel.**

- (1)
  - (a) In order to provide for the safety, welfare and comfort of passengers, a bus company may refuse admission to terminals to a person not having bona fide business within the terminal.
  - (b) The refusal may not be inconsistent or contrary to state or federal laws or regulations, or to an ordinance of the political subdivision in which the terminal is located.
  - (c) An authorized bus company representative may require a person in a terminal to identify himself and state his business.
  - (d) Failure to comply with a request under Subsection (1)(c) or to state an acceptable business purpose is grounds for the representative to request that the person depart the terminal.
  - (e) A person who refuses to comply with a request made under Subsection (1)(d) is guilty of a class C misdemeanor.
- (2)
  - (a) A person who carries any highly flammable or hazardous material or device into a terminal or aboard a bus is guilty of a third degree felony.
  - (b) The bus company may employ reasonable means, including mechanical, electronic or x-ray devices to detect the items concealed in baggage or upon the person of a passenger.
  - (c) Upon the discovery of an item referred to in Subsection (2)(a), the company may obtain possession and retain custody of the item until it is transferred to a peace officer.
- (3)
  - (a) An authorized bus company representative may detain within a terminal or bus any person violating the provisions of this section for a reasonable time until law enforcement authorities arrive.
  - (b) The detention does not constitute unlawful imprisonment and neither the bus company nor the representative is civilly or criminally liable upon grounds of unlawful imprisonment or assault, provided that only reasonable and necessary force is exercised against the detained person.
- (4)
  - (a) A bus company may employ or contract for private security personnel.
  - (b) The personnel may:
    - (i) detain within a terminal or bus a person violating this section for a reasonable time until law enforcement authorities arrive; and
    - (ii) use reasonable and necessary force in subduing or detaining the person.

Amended by Chapter 399, 2016 General Session