

Effective 10/1/2024

77-40a-202 Automatic deletion for traffic offense by a court.

- (1) A court shall delete all records for the following traffic offenses without a court order or notice to the prosecuting agency:
 - (a) a traffic offense case that resulted in an acquittal on all charges;
 - (b) a traffic offense case that is dismissed with prejudice, except for a case that is dismissed with prejudice as a result of successful completion of a plea in abeyance agreement governed by Subsection 77-2a-3(2)(b); or
 - (c) a traffic offense case for which the following time periods have elapsed from the day on which the case is adjudicated:
 - (i) at least five years for a class C misdemeanor or an infraction; or
 - (ii) at least six years for a class B misdemeanor.
- (2) For a traffic offense case that results in an acquittal, is dismissed, or is adjudicated on or after May 1, 2020, the court shall delete all records for the traffic offense upon identification.
- (3) For a traffic offense case that results in an acquittal, is dismissed, or is adjudicated before May 1, 2020, the court shall delete all records for the traffic offense within one year of the day on which the case is identified as eligible for deletion.

Amended by Chapter 180, 2024 General Session