



1 (2) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized  
2 to transport and store the vessel.

3 (3) Any peace officer seizing or taking possession of a vehicle, vessel, or outboard motor  
4 under this section shall immediately notify the division of the action.

5 (4) A vehicle or vessel seized under this section shall be moved by a peace officer or by  
6 a tow truck that meets the standards established:

7 (a) by the Department of Public Safety under Subsection 41-6-102(4)(b); and

8 (b) under Title 27, Chapter 17, Motor Carrier Safety Act.

9 (5) (a) [~~The commission shall make rules in~~] In accordance with Title 63, Chapter 46a,  
10 Utah Administrative Rulemaking Act, the commission shall make rules setting standards for public  
11 garages, impound lots, and impound yards that may be used by peace officers and the division.

12 (b) The [~~impound yard~~] standards shall be equitable, reasonable, and unrestrictive as to  
13 the number of public garages, impound lots, or impound yards per geographical area.

14 (6) (a) Except as provided under Subsection (6)(b), a person may not operate or allow to  
15 be operated a vehicle stored in a public garage, impound lot, or impound yard regulated under this  
16 part without prior written permission of the owner of the vehicle.

17 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking  
18 space to another within the facility and that is necessary for the normal management of the facility  
19 is not prohibited under this Subsection (6)(a).

20 (7) A person who violates the provisions of Subsection (6) is guilty of a class C  
21 misdemeanor.

22 Section 2. Section **41-1a-1105** is amended to read:

23 **41-1a-1105. Records to be kept by public garage, impound lot, or impound yard.**

24 (1) (a) Each person engaged in the business of operating a public garage, impound lot, or  
25 impound yard shall keep a record of every vehicle, vessel, or outboard motor stored in it for  
26 compensation for a period longer than 12 hours.

27 (b) The record shall include:

28 (i) the name and address of the person storing the vehicle, vessel, or outboard motor; [~~and~~]

29 (ii) a brief description of the vehicle, vessel, or outboard motor, including the name or  
30 make, identification number, and license number shown by the license plates[~~;~~]; and

31 (iii) the mileage shown on the vehicle's odometer both upon arrival at and upon its release

- 1 from the public garage, impound lot, or impound yard, if the vehicle is equipped with an odometer.  
2 (2) Every record kept under Subsection (1) shall be open to inspection by any peace  
3 officer.
- 
- 

**Legislative Review Note**  
**as of 1-21-98 2:47 PM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**