

1 PASSENGER LIMITATIONS FOR YOUNG

2 DRIVERS

3 2001 GENERAL SESSION

4 STATE OF UTAH

5 Sponsor: Karen Hale

6 This act modifies the Motor Vehicle Code to provide passenger limitations for certain young
7 drivers. h This act provides secondary enforcement of violations. h This act takes effect July 1,
7a 2001.

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 ENACTS:

10 **41-8-3**, Utah Code Annotated 1953

11 *Be it enacted by the Legislature of the state of Utah:*

12 Section 1. Section **41-8-3** is enacted to read:

13 **41-8-3. Operation of vehicle by persons under 16 and six months -- Passenger**
14 **limitations -- Exceptions -- Penalties.**

15 (1) In addition to the provisions of Title 53, Chapter 3, Uniform Driver License Act, a
16 person, whether resident or nonresident of this state, may not operate a motor vehicle upon any
17 highway of this state with any passenger who is not an immediate family member of the driver
18 until the earlier of:

19 (a) six months from the date the person's driver license was issued; or

20 (b) the person reaches ~~§ [17]~~ 18 § years of age.

21 (2) It is an affirmative defense to a charge under Subsection (1) that the person is operating
22 a motor vehicle:

23 (a) accompanied by a licensed driver at least 21 years of age who is occupying a seat next
24 to the driver; ~~§ [or]~~

24a (b) ON ASSIGNMENT OF A FARMER OR RANCHER AND THE DRIVER IS ENGAGED IN AN
24b AGRICULTURAL OPERATION; ~~h [OR]~~

24c (c) TO AND FROM THE DRIVER'S SCHOOL, OWN SCHOOL-SPONSORED ACTIVITY, OR
24d RELIGION-SPONSORED ACTIVITY AND THE DRIVER'S RESIDENCE; OR ~~h~~ §

25 ~~[(b)]~~ ~~h [(c)]~~ (d) ~~h~~ § in an emergency.



26 (3) In addition to any penalties imposed under Title 53, Chapter 3, Uniform Driver License
27 Act, a violation of this section is a class C misdemeanor.

27a **h (4) ENFORCEMENT OF THIS SECTION BY STATE OR LOCAL LAW ENFORCEMENT**
27b **OFFICERS SHALL BE ONLY AS A SECONDARY ACTION WHEN AN OPERATOR OF A MOTOR**
27c **VEHICLE HAS BEEN DETAINED FOR A SUSPECTED VIOLATION OF TITLE 41, OTHER THAN THIS**
27d **SECTION, OR FOR ANOTHER OFFENSE. h**

28 Section 2. **Effective date.**
29 This act takes effect on July 1, 2001.

Legislative Review Note
as of 12-5-00 8:23 AM

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

Office of Legislative Research and General Counsel