

PASSENGER LIMITATIONS FOR YOUNG DRIVERS

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen Hale

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

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

ENACTS:

41-8-3, Utah Code Annotated 1953

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

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

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

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

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

(b) the person reaches 18 years of age.

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

(a) accompanied by a licensed driver at least 21 years of age who is occupying a seat next to the driver;

(b) on assignment of a farmer or rancher and the driver is engaged in an agricultural operation;

(c) with the written consent of the driver's parent or guardian to and from the driver's school, own school-sponsored activity, or religion-sponsored activity and the driver's residence;

or

(d) in an emergency.

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

(4) Enforcement of this section by state or local law enforcement officers shall be only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of Title 41, other than this section, or for another offense.

Section 2. Effective date.

This act takes effect on July 1, 2001.