

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**UNMARKED VEHICLE AMENDMENTS**

2002 GENERAL SESSION  
STATE OF UTAH

**Sponsor: DeMar Bud Bowman**

**This act modifies the Motor Vehicle Code to amend when unmarked vehicles may be used in an organized Highway Patrol operation to enforce traffic laws. The act makes technical changes.**

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

AMENDS:

**41-1a-407**, as last amended by Chapter 25, Laws of Utah 2000

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

Section 1. Section **41-1a-407** is amended to read:

**41-1a-407. Plates issued to political subdivisions or state -- Use of "EX" letters -- Confidential information.**

(1) Except as provided in Subsection (2), each municipality, board of education, school district, state institution of learning, county, other governmental division, subdivision, or district, and the state shall:

- (a) place a license plate displaying the letters, "EX" on every vehicle owned and operated by it or leased for its exclusive use; and
- (b) display an identification mark designating the vehicle as the property of the entity in a conspicuous place on both sides of the vehicle.

(2) The entity need not display the "EX" license plate or the identification mark required by Subsection (1) if:

- (a) the vehicle is in the direct service of the governor, lieutenant governor, attorney general, state auditor, or state treasurer of Utah;
- (b) the vehicle is used in official investigative work where secrecy is essential;
- (c) the vehicle is used in an organized Utah Highway Patrol operation that is:



- 28 (i) approved by the Commissioner of Public Safety; and
- 29 [~~(ii) utilizing no more than one unmarked vehicle for each operation; and~~]
- 30 [~~(iii)~~] (ii) targeted toward[:] reducing traffic accidents, including:
- 31 (A) violations of Title 41, Chapter 6, Article 5, Driving While Intoxicated and Reckless
- 32 Driving;
- 33 (B) speeding violations for exceeding the posted speed limit [~~by 21 or more miles per~~
- 34 ~~hour~~];
- 35 (C) speeding violations in a reduced speed school zone under Section 41-6-48.5;
- 36 (D) violations of Section 41-6-78 related to pedestrian crosswalks; or
- 37 (E) violations of Section 41-6-53.5 related to lane restrictions;
- 38 (d) the vehicle is provided to an official of the entity as part of a compensation package
- 39 allowing unlimited personal use of that vehicle; or
- 40 (e) the personal security of the occupants of the vehicle would be jeopardized if the "EX"
- 41 license plate were in place.
- 42 (3) Plates issued to Utah Highway Patrol vehicles may bear the capital letters "UHP," a
- 43 beehive logo, and the call number of the trooper to whom the vehicle [~~for which the plate~~] is
- 44 issued.
- 45 (4) The commission shall issue "EX" and "UHP" plates and shall make rules establishing
- 46 the procedure for application for and distribution of the plates.
- 47 (5) For a vehicle that qualifies for "EX" or "UHP" license plates, the entity is not required
- 48 to display an annual registration decal or a county designation under Section 41-1a-402.
- 49 (6) (a) Information shall be confidential for vehicles that are not required to display the
- 50 "EX" license plate or the identification mark under Subsections (2)(a), (b), [~~and~~] (d), and (e).
- 51 (b) (i) If a law enforcement officer's identity must be kept secret, his agency head may
- 52 request in writing that the division remove the license plate information of the officer's personal
- 53 vehicles from all public access files and place it in a confidential file until the assignment is
- 54 completed.
- 55 (ii) The agency head shall notify the division when the assignment is completed.

---

---

**Legislative Review Note**  
**as of 12-4-01 12:56 PM**

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

**Office of Legislative Research and General Counsel**