

28 Section 2. Section **41-6-108.5** is enacted to read:
29 **41-6-108.5. Passengers in the back of pickup trucks -- Secondary enforcement.**
30 (1) As used in this section:
31 (a) "camper" has the same meaning as provided in Section 41-1a-102; and
32 (b) "pickup truck" has the same meaning as provided in Section 41-1a-102.
33 (2) Notwithstanding the provisions of Section 41-6-108:
34 (a) a person driving a pickup truck may not knowingly permit a person under 16 years
35 of age to ride in the back of the pickup truck; or
36 (b) a passenger who is at least 16 years of age but less than 18 years of age may not
37 ride in the back of a pickup truck.
38 (3) Subsection (2) does not apply to a person:
39 (a) riding in a camper; or
40 (b) engaged in an agricultural operation.
41 (4) (a) If more than one person is in violation under Subsection (2)(a), it is only one
42 offense and the driver may receive only one citation.
43 (b) Each person in violation under Subsection (2)(b) is a separate offense and each
44 person may receive a citation.
45 (5) A state or local law enforcement officer shall enforce Subsection (2) only as a
46 secondary action when the vehicle has been detained:
47 (a) for a suspected violation by any person in the vehicle of Title 41, Motor Vehicles,
48 other than this section; or
49 (b) for another offense.

Legislative Review Note
as of 12-6-02 3:25 PM

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

Office of Legislative Research and General Counsel

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst