

TRANSIT SECURITY AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Gregory H. Hughes

LONG TITLE

General Description:

This bill modifies the Utah Public Transit District Act by amending provisions related to transit security.

Highlighted Provisions:

This bill:

- ▶ provides that a multicounty district may employ law enforcement officers or contract with other law enforcement agencies to provide law enforcement services, rather than employing security officers;
- ▶ provides that the jurisdiction for a law enforcement officer employed by a multicounty district is limited to transit facilities and transit vehicles;
- ▶ repeals limitations on duties and liability provisions for security officers employed by a multicounty district; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17A-2-1062, as last amended by Chapter 21, Laws of Utah 1999



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

Section 1. Section **17A-2-1062** is amended to read:

17A-2-1062. Multicounty district may employ or contract for law enforcement officers -- Law enforcement officer status, powers, and jurisdiction.

(1) The governing body of a multicounty district may employ [security] law enforcement officers or contract with [a private firm to supply security officers] other law enforcement agencies to provide law enforcement services for the district.

(2) ~~[Each security]~~ A law enforcement officer employed or ~~[supplied]~~ provided by contract under Subsection (1) is a ~~[special function]~~ law enforcement officer under Section ~~[53-13-105]~~ 53-13-103 and shall be subject to the provisions of that section.

~~[(3) The duties of a security officer under this section include:]~~

~~[(a) issuing a citation for a violation of Subsection 17A-2-1061(1);]~~

~~[(b) enforcing the district's parking ordinance under Subsection 17A-2-1061(3);]~~

~~[(c) detaining a person committing a felony or misdemeanor at a transit facility until law enforcement authorities arrive, if the security officer has probable cause to believe that the person committed a felony or misdemeanor; and]~~

~~[(d) security functions respecting transit facilities and preserving the security, peace, and safety of persons using transit facilities.]~~

~~[(4) A person may not recover damages in an action based on a claim related to a security officer's conduct if:]~~

~~[(a) the security officer had probable cause to believe that the person had committed a felony or misdemeanor at a transit facility; and]~~

~~[(b) the security officer acted reasonably under the circumstances.]~~

(3) Subject to the provisions of Section 53-13-103, the jurisdiction of a law enforcement officer employed under this section is limited to transit facilities and transit vehicles.

Legislative Review Note

as of 2-1-06 11:30 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel