

H.B. 22

TRAFFIC CODE REVISIONS

Representative **James A. Dunnigan** proposes the following amendments:

1. *Page 1, Lines 1 through 2:*

1 ~~{TRAFFIC}~~ MOTOR VEHICLES CODE REVISIONS
2 2007 GENERAL SESSION

2. *Page 1, Lines 9 through 14:*

9 This bill modifies the Motor Vehicles Code by amending certain provisions for motor
10 vehicle accidents and motor vehicle owner's or operator's security .
11 Highlighted Provisions:
12 This bill:
13 ▶ modifies motor vehicle accident provisions by moving provisions for accidents
14 resulting in fatalities or injuries into new sections of the Utah Code; ~~{and}~~
= ▶ permits a court to waive a portion of a fine for not maintaining owner's and operator's security
in certain instances; and

3. *Page 1, Lines 22 through 23:*

22 41-6a-401, as renumbered and amended by Chapter 2 and last amended by Chapter 26,
23 Laws of Utah 2005
41-12a-302, as last amended by Chapter 35, Laws of Utah 1998

4. *Page 5, Line 150 through Page 6, Line 152:*

150 (6) A person who violates Subsection (4) is guilty of a class B misdemeanor.
151 Section 5. Section **41-12a-302** is amended to read:
41-12a-302. Operating motor vehicle without owner's or operator's security -- Penalty.
(1) ~~{Any}~~ (a) Except as provided in Subsection (1)(b), an owner of a motor vehicle on
which owner's or operator's security is required under Section 41-12a-301, who operates ~~{his}~~ the
owner's vehicle or permits it to be operated on a highway in this state without owner's security being in effect
is guilty of a class B misdemeanor, and the fine shall be not less than:
 ~~{(a)}~~ (i) \$400 for a first offense; and
 ~~{(b)}~~ (ii) \$1,000 for a second and subsequent offense within three years of a previous
conviction or bail forfeiture.

(b) A court may waive up to \$300 of the fine charged to the owner of a motor vehicle under Subsection (1)(a)(i) if the owner demonstrates that owner's or operator's security required under Section 41-12a-301 was obtained subsequent to the violation.

(2) (a) Except as provided under Subsection (2)(b), any other person who operates a motor vehicle upon a highway in Utah with the knowledge that the owner does not have owner's security in effect for the motor vehicle is also guilty of a class B misdemeanor, and the fine shall be not less than:

(i) \$400 for a first offense; and

(ii) \$1,000 for a second and subsequent offense within three years of a previous conviction or bail forfeiture.

(b) A person that has in effect owner's security on a Utah-registered motor vehicle or its equivalent that covers the operation, by the person, of the motor vehicle in question is exempt from this Subsection (2).

Section ~~{-5}~~ 6 . Section **53-3-414** is amended to read:

152 53-3-414. CDL disqualification or suspension -- Grounds and duration --

Renumber remaining sections accordingly.