

1                                    **SCHOOL DISTRICT TRAFFIC VIOLATION**

2                                    **COMPLAINT PROCEDURES**

3                                    2009 GENERAL SESSION

4                                    STATE OF UTAH

5                                    **Chief Sponsor: Wayne A. Harper**

6                                    Senate Sponsor: Kevin T. Van Tassell

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8 **LONG TITLE**

9 **General Description:**

10                    This bill modifies the Motor Vehicles Code by amending school district traffic  
11 violation complaint procedures for certain traffic violations.

12 **Highlighted Provisions:**

13                    This bill:

14                    ▶ authorizes a school crossing guard who observes a person speeding in a reduced  
15 speed school zone to report the incident to a law enforcement agency;

16                    ▶ authorizes the law enforcement agency to send a notification letter to the  
17 last-known registered owner of the offending vehicle that the vehicle was observed  
18 violating the speed limit in a reduced speed school zone; and

19                    ▶ provides that a law enforcement agency that receives a report may initiate an  
20 investigation of the alleged violation.

21 **Monies Appropriated in this Bill:**

22                    None

23 **Other Special Clauses:**

24                    None

25 **Utah Code Sections Affected:**

26 ENACTS:

27                    **41-6a-604.5**, Utah Code Annotated 1953

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

30 Section 1. Section **41-6a-604.5** is enacted to read:

31 **41-6a-604.5. Speeding in a school zone complaint procedure.**

32 (1) (a) A school crossing guard who observes an operator of a vehicle violating  
33 Section 41-6a-604 may prepare a report of the alleged violation, in a manner specified by the  
34 law enforcement agency with jurisdiction, for the law enforcement agency no more than two  
35 working days after the alleged violation occurred.

36 (b) The report under Subsection (1)(a) shall contain:

37 (i) the date, time, and location of the violation;

38 (ii) the license plate number and state;

39 (iii) a description of the offending vehicle;

40 (iv) as much as practical, a description of the operator of the offending vehicle;

41 (v) a description of the incident involving the violation;

42 (vi) information on how to contact the school crossing guard who witnessed the  
43 offense; and

44 (vii) the signature of the school crossing guard who witnessed the offense attesting to  
45 the accuracy of the report.

46 (2) (a) Upon receiving a report in accordance with Subsection (1), the law  
47 enforcement agency shall promptly send a notification letter to the last-known registered  
48 owner of the vehicle.

49 (b) The notification letter shall include:

50 (i) the applicable information on the school crossing guard's report stating that the  
51 vehicle was observed speeding in a reduced speed school zone in violation of state law;

52 (ii) a complete explanation of the applicable provisions of Section 41-6a-604; and

53 (iii) an explanation that the notification letter is not a peace officer citation but is an  
54 effort to call attention to the seriousness of the incident.

55 (c) A law enforcement agency shall make reporting forms for a report under  
56 Subsection (1) available:

57 (i) to a school crossing guard; and

58            (ii) in school administrative offices.

59            (3) A law enforcement agency that receives a report under Subsection (1) may have a  
60 peace officer initiate an investigation of the reported violation.