

LIVESTOCK ON HIGHWAYS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrick Painter

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to livestock on highways.

Highlighted Provisions:

This bill:

- ▶ provides that the prohibition on an owner of livestock to willfully or negligently permit any of the livestock to stray or remain unaccompanied on a highway does not apply to livestock on a highway designated as a livestock highway; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-407, as renumbered and amended by Laws of Utah 2005, Chapter 2

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

Section 1. Section **41-6a-407** is amended to read:

41-6a-407. Livestock on highway -- Restrictions -- Collision, action for damages.



28 (1) (a) A person who owns or is in possession or control of any livestock may not
29 willfully or negligently permit any of the livestock to stray or remain unaccompanied on a
30 highway, if both sides of the highway are separated from adjoining property by a fence, wall,
31 hedge, sidewalk, curb, lawn, or building.

32 (b) Subsection (1)(a) does not apply to:

33 (i) range stock drifting onto any highway moving to or from their accustomed
34 ranges[-]; or

35 (ii) livestock on a highway designated as a livestock highway under Section 72-3-112.

36 (2) (a) A person may not drive any livestock upon, over, or across any highway during
37 the period from half an hour after sunset to half an hour before sunrise.

38 (b) Subsection (2)(a) does not apply if the person has a sufficient number of herders
39 with warning lights on continual duty to open the road to permit the passage of vehicles.

40 (3) In any civil action brought for damages caused by collision with any domestic
41 animal or livestock on a highway, there is no presumption that the collision was due to
42 negligence on behalf of the owner or the person in possession of the domestic animal or
43 livestock.

Legislative Review Note
as of 2-18-10 12:08 PM

Office of Legislative Research and General Counsel

H.B. 422 - Livestock on Highways

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
