

**RESTRICTING THE MOVEMENT OF A MOTOR  
VEHICLE**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brent H. Goodfellow**

House Sponsor: R. Curt Webb

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**LONG TITLE**

**General Description:**

This bill modifies the Traffic Code by amending provisions relating to vehicle immobilization devices.

**Highlighted Provisions:**

This bill:

- provides that the maximum fee that a vehicle immobilizer may charge to remove a vehicle immobilization device may not exceed \$75 per day for each day a vehicle is immobilized.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-6a-1409**, as enacted by Laws of Utah 2009, Chapter 317

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

Section 1. Section **41-6a-1409** is amended to read:

**41-6a-1409. Vehicle immobilization devices -- Definitions -- Notice requirements**



28 -- **Maximum removal fee.**

29 (1) As used in this section:

30 (a) "Immobilize" means to affix and lock a vehicle immobilization device to the  
31 exterior of a motor vehicle.

32 (b) "Vehicle immobilization device" means a device that may be affixed and locked to  
33 the exterior of a motor vehicle for the purpose of prohibiting the movement or removal of the  
34 vehicle from its location.

35 (c) "Vehicle immobilizer" means a person who or entity that uses or causes to be used  
36 a vehicle immobilization device for the purpose of enforcing parking restrictions with prior  
37 authorization from the owner or person in lawful possession or control of the real property.

38 (2) (a) A vehicle immobilizer may not immobilize a vehicle without the motor vehicle  
39 owner's knowledge at either of the following locations without signage that meets the  
40 requirements of Subsection (2)(b):

41 (i) a mobile home park as defined in Section 57-16-3; or

42 (ii) a multifamily dwelling of more than eight units.

43 (b) Signage under Subsection (2)(a) shall display:

44 (i) where parking is subject to being immobilized; and

45 (ii) one of the following:

46 (A) the name and phone number of the vehicle immobilizer that immobilizes a vehicle  
47 for the locations listed under Subsection (2)(a)(i); or

48 (B) the name of the mobile home park or multifamily dwelling and the phone number  
49 of the mobile home park or multifamily dwelling manager or management office that  
50 authorized the vehicle immobilizer to immobilize the motor vehicle.

51 (c) Signage is not required under Subsection (2)(b) for parking in a location:

52 (i) that is prohibited by law; or

53 (ii) if it is reasonably apparent that the location is not open to parking.

54 (d) Nothing in Subsection (2)(b) restricts the ability of a mobile home park as defined  
55 in Section 57-16-3 or a multifamily dwelling from instituting and enforcing regulations on  
56 parking.

57 (3) (a) Upon immobilizing a vehicle, the vehicle immobilizer shall affix a notice to the  
58 immobilized vehicle in a conspicuous place so as to be plainly visible to a person seeking to

59 operate the vehicle.

60 (b) The notice under Subsection (3)(a) shall include:

61 (i) the name and phone number of the vehicle immobilizer;

62 (ii) a phone number that the owner of the vehicle may call to arrange for release of the  
63 vehicle; and

64 (iii) applicable fees.

65 (4) The maximum fee that a vehicle immobilizer may charge to remove a vehicle  
66 immobilization device may not exceed \$75 per day for each day a vehicle is immobilized.

67 (5) A county or municipal legislative or governing body may not enact or enforce any  
68 ordinance, regulation, rule, or fee pertaining to a vehicle immobilization device that conflicts  
69 with this part.

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**Legislative Review Note**  
as of 1-25-10 1:02 PM

**Office of Legislative Research and General Counsel**

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**S.B. 102 - Restricting the Movement of a Motor Vehicle**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enacting this bill will not likely result in direct, measurable costs and/or benefits for local governments. Increasing the cap for removing a vehicle immobilization device from \$75 total to \$75 per day will increase revenues to the relevant businesses and increase costs to their customers.

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