



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

29 Section 1. Section **41-6a-408** is amended to read:

30 **41-6a-408. Peace officer investigating accident to notify owner if livestock or**  
31 **broken fence involved -- Exempt from liability.**

32 (1) (a) A peace officer investigating an accident resulting in injury or death of any  
33 livestock shall make reasonable efforts as soon as possible to:

34 (i) locate the owner of the livestock [~~and~~];

35 (ii) inform the owner of the injured or dead animal[-]; and

36 (iii) provide the owner of the livestock a copy of the accident report prepared in  
37 accordance with Section 41-6a-404.

38 (b) Notwithstanding Subsection 41-6a-404(6), a fee may not be charged to an owner of  
39 livestock injured or killed in a motor vehicle accident who is provided an accident report under  
40 Subsection (1)(a)(iii).

41 (2) A peace officer investigating an accident resulting in a broken fence, if it appears  
42 the fence contains or controls the movement of livestock, shall make reasonable efforts as soon  
43 as possible to locate the owner of the property and inform the owner of the broken fence.

44 (3) (a) Civil or criminal liability for claims does not arise against any peace officer for  
45 failure to locate the owner of the livestock or property.

46 (b) Subsection (3)(a) does not preclude disciplinary action by the law enforcement  
47 agency against a peace officer for failure to perform duties required by this section.

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**Legislative Review Note**  
as of 1-27-10 1:47 PM

**Office of Legislative Research and General Counsel**

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**S.B. 114 - Motor Vehicle Accident Reports**

**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**

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

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