

Representative Lee B. Perry proposes the following substitute bill:

AMENDMENTS TO TRAFFIC CODE PROVISIONS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lee B. Perry

Senate Sponsor: Peter C. Knudson

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to the operation of a motor vehicle.

Highlighted Provisions:

This bill:

- ▶ provides that careless driving includes committing certain traffic violations while being distracted through fatigue or illness; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1715, as last amended by Laws of Utah 2010, Chapter 157

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

Section 1. Section **41-6a-1715** is amended to read:



26 **41-6a-1715. Careless driving defined and prohibited.**

27 (1) A person operating a motor vehicle is guilty of careless driving if the person:

28 (a) commits two or more moving traffic violations under this chapter in a series of acts
29 within a single continuous period of driving covering three miles or less in total distance; or

30 (b) commits a moving traffic violation under this chapter other than a moving traffic
31 violation under Part 6, Speed Restrictions, while being distracted by one or more activities
32 taking place within the vehicle that are not related to the operation of a motor vehicle,
33 including:

34 (i) using a wireless telephone or other electronic device unless the person is using
35 hands-free talking and listening features while operating the motor vehicle;

36 (ii) searching for an item in the vehicle; [or]

37 (iii) attending to personal hygiene or grooming[-]; or

38 (iv) being distracted through fatigue ~~H~~→ [or illness] ←~~H~~ .

39 (2) A violation of this section is a class C misdemeanor.

40 (3) In addition to the penalty provided under this section or any other section, a judge
41 may order the revocation of the convicted person's driver license if the violation causes or
42 results in the death of another person in accordance with Subsection 53-3-218(6).

FISCAL NOTE

H.B. 95 2nd Sub. (Gray)

SHORT TITLE: Amendments to Traffic Code Provisions

SPONSOR: Perry, L.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.