

28 Section 1. Section **10-8-55.5** is enacted to read:

29 **10-8-55.5. Prohibition of flat response fee.**

30 (1) A municipality, or a person who contracts with a municipality to provide
31 emergency services:

32 (a) may not impose a flat fee, or collect a flat fee, from an individual involved in a
33 traffic incident; and

34 (b) may only charge the individual for the actual cost of services provided in
35 responding to the traffic incident ~~§~~, limited to:

35a (i) medical costs for:

35b (A) transporting an individual from the scene of a traffic accident; or

35c (B) treatment of a person injured in a traffic accident;

35d (ii) repair to damaged public property ~~H~~, if the individual is legally liable for
35d1 the damage ~~H~~ ;

35e (iii) ~~H~~ the ~~H~~ cost of materials used in cleaning up the traffic accident
35e1 ~~H~~, if the individual is legally liable for the traffic accident ~~H~~ ; and

35f (iv) towing costs ~~S~~ .

36 (2) If a municipality, or a person who contracts with a municipality to provide
37 emergency services, imposes a charge on more than one individual for the actual cost of
38 responding to a traffic incident, the municipality or person contracting with the municipality
39 shall apportion the charges so that it does not receive more for responding to the traffic incident
40 than the actual response cost.

41 Section 2. Section **11-46-101** is enacted to read:

42 **CHAPTER 46. EMERGENCY RESPONSE**

43 **11-46-101. Title.**

44 This chapter is known as "Emergency Response."

45 Section 3. Section **11-46-102** is enacted to read:

46 **11-46-102. Prohibition of response fees.**

47 (1) As used in this section, "political subdivision" means a county, city, town, local
48 district, or special district.

49 (2) A political subdivision, or a person who contracts with a political subdivision to
50 provide emergency services:

51 (a) may not impose a flat fee, or collect a flat fee, from an individual involved in a
52 traffic incident; and

53 (b) may only charge the individual for the actual cost of services provided in
54 responding to the traffic incident ~~S~~, limited to:

54a (i) medical costs for:

54b (A) transporting an individual from the scene of a traffic accident; or

54c (B) treatment of a person injured in a traffic accident;

54d (ii) repair to damaged public property ~~it~~, if the individual is legally liable for

54d1 the damage ~~it~~ ;

54e (iii) ~~it~~ the ~~it~~ cost of materials used in cleaning up the traffic accident

54e1 ~~it~~, if the individual is legally liable for the traffic accident [clean-up costs] ~~it~~ ; and

54f (iv) towing costs ~~it~~ .

55 (3) If a political subdivision, or a person who contracts with a political subdivision to

56 provide emergency services, imposes a charge on more than one individual for the actual cost

57 of responding to a traffic incident, the political subdivision or person contracting with the

58 political subdivision shall apportion the charges so that it does not receive more for responding