

EMERGENCY RESPONDER FEES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: Gregory H. Hughes

LONG TITLE

General Description:

This bill modifies Title 10, Utah Municipal Code, and Title 11, Cities, Counties, and Local Taxing Units, by prohibiting a municipality or political subdivision from charging a first responder fee.

Highlighted Provisions:

This bill:

- ▶ defines the term "political subdivision"; and
- ▶ prohibits a municipality or political subdivision from charging an individual a flat fee for responding to a traffic incident.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-8-55.5, Utah Code Annotated 1953

11-46-101, Utah Code Annotated 1953

11-46-102, Utah Code Annotated 1953

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

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

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:
 36 (i) medical costs for:
 37 (A) transporting an individual from the scene of a traffic accident; or
 38 (B) treatment of a person injured in a traffic accident;
 39 (ii) repair to damaged public property, if the individual is legally liable for the damage;
 40 (iii) the cost of materials used in cleaning up the traffic accident, if the individual is
 41 legally liable for the traffic accident; and
 42 (iv) towing costs.

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

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

49 **CHAPTER 46. EMERGENCY RESPONSE**

50 **11-46-101. Title.**

51 This chapter is known as "Emergency Response."

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

53 **11-46-102. Prohibition of response fees.**

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

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

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

60 (b) may only charge the individual for the actual cost of services provided in
61 responding to the traffic incident, limited to:

62 (i) medical costs for:

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

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

65 (ii) repair to damaged public property, if the individual is legally liable for the damage;

66 (iii) the cost of materials used in cleaning up the traffic accident, if the individual is
67 legally liable for the traffic accident; and

68 (iv) towing costs.

69 (3) If a political subdivision, or a person who contracts with a political subdivision to
70 provide emergency services, imposes a charge on more than one individual for the actual cost
71 of responding to a traffic incident, the political subdivision or person contracting with the
72 political subdivision shall apportion the charges so that it does not receive more for responding
73 to the traffic incident than the actual response cost.