

**EMERGENCY RESPONDER FEES**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: J. Stuart Adams**

House Sponsor: Gregory H. Hughes

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**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

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



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.

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.

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

59 to the traffic incident than the actual response cost.

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**Legislative Review Note**  
as of 2-22-11 6:19 PM

**Office of Legislative Research and General Counsel**