

RECLASSIFICATION OF TRAFFIC OFFENSES

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to the penalties for certain traffic violations.

Highlighted Provisions:

This bill:

- ▶ provides that a violation of certain offenses within the Traffic Code are an infraction rather than a class C misdemeanor, with exceptions;

- ▶ provides that a violation of any provision of certain traffic offenses is a class C misdemeanor if:

- the person has been convicted of two or more violations of the Traffic Code within the preceding two years;

- the person is being charged with two or more violations of the Traffic Code during the same occurrence or episode;

- the facts giving rise to the violation involve injury to a person or damage to property; or

- the violation involves speeding and the person was traveling 20 miles per hour or more over the posted speed limit; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **41-6a-202**, as renumbered and amended by Laws of Utah 2005, Chapter 2



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

35 Section 1. Section **41-6a-202** is amended to read:

36 **41-6a-202. Violations of chapter -- Penalties.**

37 (1) A violation of any [provision] of the following parts of this chapter is a class C
38 misdemeanor, unless otherwise provided[-]:

- 39 (a) Part 4, Accident Responsibilities;
- 40 (b) Part 5, Driving Under the Influence and Reckless Driving;
- 41 (c) Part 7, Driving on Right Side of Highway and Passing;
- 42 (d) Part 9, Right-of Way;
- 43 (e) Part 10, Pedestrians' Rights and Duties;
- 44 (f) Part 12, Railroad Trains, Railroad Grade Crossings, and Safety Zones;
- 45 (g) Part 13, School Buses and School Bus Parking Zones; and
- 46 (h) Part 15, Special Vehicles.

47 (2) A violation of any [provision of Parts 2, 11, 17, and 18] of the following parts of
48 this chapter is an infraction, unless otherwise provided[-]:

- 49 (a) Part 2, Applicability and Obedience to Traffic Laws;
- 50 (b) Part 3, Traffic-control Devices;
- 51 (c) Part 6, Speed Restrictions;
- 52 (d) Part 8, Turning and Signaling for Turns;
- 53 (e) Part 11, Bicycles, Regulation of Operation;
- 54 (f) Part 14, Stopping, Standing, and Parking;
- 55 (g) Part 16, Vehicle Equipment;
- 56 (h) Part 17, Miscellaneous Rules; and
- 57 (i) Part 18, Motor Vehicle Safety Belt Usage Act.

58 (3) Except as otherwise provided, a violation of any provision of the parts under

59 Subsection (2) is a class C misdemeanor if:

60 (a) the person has been convicted of two or more violations of this chapter within the
61 preceding two years;

62 (b) the person is being charged with two or more violations of this chapter during the
63 same occurrence or episode;

64 (c) the facts giving rise to the violation involve injury to a person or damage to
65 property; or

66 (d) the violation involves speeding under Part 6, Speed Restrictions, and the person
67 was traveling 20 miles per hour or more over the posted speed limit.

Legislative Review Note
as of 2-23-12 4:56 PM

Office of Legislative Research and General Counsel