

HB0093S01 compared with HB0093

~~{deleted text}~~ shows text that was in HB0093 but was deleted in HB0093S01.

inserted text shows text that was not in HB0093 but was inserted into HB0093S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator John L. Valentine proposes the following substitute bill:

TRAFFIC VIOLATIONS AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jeremy A. Peterson

Senate Sponsor: ~~{_____}~~ John L. Valentine

LONG TITLE

General Description:

This bill modifies the Traffic Code by amending provisions relating to ~~{issuing}~~accepting a ~~{citation}~~plea for certain traffic violations.

Highlighted Provisions:

This bill:

- ▶ defines serious bodily injury;
- ▶ provides that if a ~~{peace officer may not issue}~~person has received a citation for ~~{certain moving traffic violations if:~~

- ~~the}~~a moving traffic violation that resulted in ~~{an accident;}~~a collision and~~{~~
- ~~another peace officer was involved in the accident or}~~ any person involved in the ~~{accident}~~collision sustained serious bodily injury or death as a proximate result of the ~~{accident}~~collision, a court may not accept a plea of guilty or no

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contest to a charge for the moving traffic violation unless the prosecutor agrees to the plea;

- ▶ requires a peace officer ~~{who does not issue a citation to forward the peace officer's accident report to the prosecuting attorney for screening}~~that issues a citation for a moving traffic violation to record on the citation whether the moving traffic violation resulted in a collision in which any person involved in the collision sustained serious bodily injury or death as a proximate result of the traffic collision; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

(1) As used in this section, "serious bodily injury" is as defined in Section 41-6a-401.3.

~~[(+)]~~ (2) A violation of any provision of this chapter is a class C misdemeanor, unless otherwise provided.

~~[(2)]~~ (3) A violation of any provision of Parts 2, 11, 17, and 18 of this chapter is an infraction, unless otherwise provided.

(4) (a) ~~{A peace officer may not issue}~~If a person has received a citation for a moving traffic violation under this chapter ~~{if:~~

~~—— (i) the moving traffic violation}~~that resulted in ~~{an accident;}~~a collision and~~{~~

~~—— (ii) (A) }~~ any person involved in the ~~{accident}~~collision sustained serious bodily injury or death as a proximate result of the ~~{accident; or~~

~~—— (B) another peace officer was involved in the accident}~~collision, a court may not

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accept a plea of guilty or no contest to a charge for the moving traffic violation unless the prosecutor agrees to the plea:

(i) in open court;

(ii) in writing; or

(iii) by another means of communication which the court finds adequate to record the prosecutor's agreement.

(b) A peace officer that ~~{does not issue}~~ issues a citation ~~{as required under this Subsection (4)}~~ shall forward the peace officer's accident report to the prosecuting attorney for screening in accordance with Title 77, Chapter 2, Prosecution, Screening, and Diversion:

Legislative Review Note

~~as of 1-28-13 1:29 PM~~

~~Office of Legislative Research and General Counsel~~ for a moving traffic violation under this chapter shall record on the citation whether the moving traffic violation resulted in a collision in which any person involved in the collision sustained serious bodily injury or death as a proximate result of the traffic collision.