

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 accepting a plea for certain traffic violations.

Highlighted Provisions:

This bill:

- ▶ defines serious bodily injury;
- ▶ provides that if a person has received a citation for a moving traffic violation that resulted in a collision and any person involved in the collision sustained serious bodily injury or death as a proximate result of the collision, a court may not accept a plea of guilty or no contest to a charge for the moving traffic violation unless the prosecutor agrees to the plea;
 - ▶ requires a peace officer 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



26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **41-6a-202**, as renumbered and amended by Laws of Utah 2005, Chapter 2

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

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

34 **41-6a-202. Violations of chapter -- Penalties.**

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

36 ~~(1)~~ (2) A violation of any provision of this chapter is a class C misdemeanor, unless
37 otherwise provided.

38 ~~(2)~~ (3) A violation of any provision of Parts 2, 11, 17, and 18 of this chapter is an
39 infraction, unless otherwise provided.

40 (4) (a) If a person has received a citation for a moving traffic violation under this
41 chapter that resulted in a collision and any person involved in the collision sustained serious
42 bodily injury or death as a proximate result of the collision, a court may not accept a plea of
43 guilty or no contest to a charge for the moving traffic violation unless the prosecutor agrees to
44 the plea:

45 (i) in open court;

46 (ii) in writing; or

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

49 (b) A peace officer that issues a citation for a moving traffic violation under this
50 chapter shall record on the citation whether the moving traffic violation resulted in a collision
51 in which any person involved in the collision sustained serious bodily injury or death as a
52 proximate result of the traffic collision.