LEGISLATIVE GENERAL COUNSEL
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PEACE OFFICER TRAINING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Marc K. Roberts

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This bill modifies Title 41, Motor Vehicles Code, regarding the uses of the Uninsured Motorist Identification Restricted Account.

Highlighted Provisions:

This bill:

- provides that the Legislature may appropriate up to $500,000 from the Uninsured Motorist Identification Restricted Account each year to the Peace Officer Standards and Training Division for law enforcement training through July 1, 2020; and
- provides a repeal date.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-12a-806, as last amended by Laws of Utah 2014, Chapter 382

63I-1-241, as last amended by Laws of Utah 2010, Chapter 319

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

Section 1. Section **41-12a-806** is amended to read:

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41-12a-806. Restricted account -- Creation -- Funding -- Interest -- Purposes.

(1) There is created within the Transportation Fund a restricted account known as the "Uninsured Motorist Identification Restricted Account."

(2) The account consists of money generated from the following revenue sources:

(a) money received by the state under Section 41-1a-1218, the uninsured motorist identification fee;

(b) money received by the state under Section 41-1a-1220, the registration reinstatement fee; and

(c) appropriations made to the account by the Legislature.

(3) (a) The account shall earn interest.

(b) All interest earned on account money shall be deposited into the account.

(4) [~~Money shall be appropriated from the account by the~~] The Legislature shall appropriate money from the account to:

(a) the department to fund the contract with the designated agent;

(b) the department to offset the costs to state and local law enforcement agencies of using the information for the purposes authorized under this part;

(c) the Tax Commission to offset the costs to the Motor Vehicle Division for revoking and reinstating vehicle registrations under Subsection 41-1a-110(2)(a)(ii); and

(d) the department to reimburse a person for the costs of towing and storing the person's vehicle if:

(i) the person's vehicle was impounded in accordance with Subsection 41-1a-1101(2);

(ii) the impounded vehicle had owner's or operator's security in effect for the vehicle at the time of the impoundment;

(iii) the database indicated that owner's or operator's security was not in effect for the impounded vehicle; and

(iv) the department determines that the person's vehicle was wrongfully impounded.

(5) The Legislature may appropriate not more than $500,000 annually from the account to the Peace Officer Standards and Training Division, created under Section 53-6-103, for use in law enforcement training Ŝ→ **, including training on the use of the Uninsured Motorist Identification Database Program created under Title 41, Chapter 12a, Part 8, Uninsured Motorist Identification Database Program** ←Ŝ .

[~~(5)~~] (6) (a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act, the department shall hold a hearing to determine whether a person's vehicle

was wrongfully impounded under Subsection 41-1a-1101(2).

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules establishing procedures for a person to apply for a reimbursement under Subsection (4)(d).

(c) A person is not eligible for a reimbursement under Subsection (4)(d) unless the person applies for the reimbursement within six months from the date that the motor vehicle was impounded.

Section 2. Section **63I-1-241** is amended to read:

63I-1-241. Repeal dates, Title 41.

Subsection 41-12a-806(5) is repealed on July 1, 2020.

Legislative Review Note
as of 12-5-14 9:25 AM

Office of Legislative Research and General Counsel