

1 PEACE OFFICER TRAINING AMENDMENTS

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Marc K. Roberts

5 Senate Sponsor: Deidre M. Henderson

6 Cosponsor: Brian M. Greene

8 LONG TITLE

9 General Description:

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

12 Highlighted Provisions:

13 This bill:

14 ▶ provides that the Legislature may appropriate up to \$500,000 from the Uninsured
15 Motorist Identification Restricted Account each year to the Peace Officer Standards
16 and Training Division for law enforcement training through July 1, 2020; and

17 ▶ provides a repeal date.

18 Money Appropriated in this Bill:

19 None

20 Other Special Clauses:

21 None

22 Utah Code Sections Affected:

23 AMENDS:

24 **41-12a-806**, as last amended by Laws of Utah 2014, Chapter 382

25 **63I-1-241**, as last amended by Laws of Utah 2010, Chapter 319

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

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

29 **41-12a-806. Restricted account -- Creation -- Funding -- Interest -- Purposes.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55 (5) The Legislature may appropriate not more than \$500,000 annually from the account
56 to the Peace Officer Standards and Training Division, created under Section 53-6-103, for use

57 in law enforcement training, including training on the use of the Uninsured Motorist
58 Identification Database Program created under Title 41, Chapter 12a, Part 8, Uninsured
59 Motorist Identification Database Program.

60 [~~5~~] (6) (a) By following the procedures in Title 63G, Chapter 4, Administrative
61 Procedures Act, the department shall hold a hearing to determine whether a person's vehicle
62 was wrongfully impounded under Subsection [41-1a-1101\(2\)](#).

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

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

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

70 **63I-1-241. Repeal dates, Title 41.**

71 Subsection [41-12a-806\(5\)](#) is repealed on July 1, 2020.