

# H.B. 86

## VEHICLE IMPOUND AMENDMENTS

Representative **Lee B. Perry** proposes the following amendments:

1. *Page 1, Line 18:*

18 license or with a driver license that has been expired for more than one year; ~~{and}~~

**▶ authorizes a peace officer to release a vehicle that is subject to impoundment to another licensed driver in certain circumstances; and**

2. *Page 2, Lines 31 through 43:*

31 (1) **(a)** The division or any peace officer, without a warrant, may seize and take possession  
32 of any vehicle, vessel, or outboard motor:

33 ~~{(a)}~~ **(i)** that the division or the peace officer has reason to believe has been stolen;

34 ~~{(b)}~~ **(ii)** on which any identification number has been defaced, altered, or obliterated;

35 ~~{(c)}~~ **(iii)** that has been abandoned in accordance with Section 41-6a-1408;

36 ~~{(d)}~~ **(iv)** for which the applicant has written a check for registration or title fees that has not  
37 been honored by the applicant's bank and that is not paid within 30 days;

38 ~~{(e)}~~ **(v)** that is placed on the water with improper registration;

39 ~~{(f)}~~ **(vi)** that is being operated on a highway:

40 ~~{(i)}~~ **(A)** with registration that has been expired for more than three months;

41 ~~{(ii)}~~ **(B)** having never been properly registered by the current owner; or

42 ~~{(iii)}~~ **(C)** with registration that is suspended or revoked; ~~{or}~~

43 ~~{(g)-(i)}~~ **(v)(A)** that the division or the peace officer has reason to believe has been involved in

3. *Page 2, Lines 45 through 51:*

45 ~~{(ii)}~~ **(B)** whose operator did not remain at the scene of the accident until the operator  
46 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7[~~];~~

47 ~~{(h)}~~ **(vi)** whose operator is operating the vehicle and has never been issued a valid driver  
48 license; or

49 ~~{(i)}~~ **(vii)** whose operator is operating the vehicle:

50 ~~{(i)}~~ **(A)** with a suspended or revoked driver license; or

51 ~~{(ii)}~~ **(B)** with a driver license that has been expired for more than one year **and the**

**operator was aware that the driver license is expired** .

**(b) Notwithstanding Subsection (1)(a), a peace officer may release a vehicle that is subject to impoundment under Subsection (1)(a)(vi) or (vii) to another licensed driver who:**

(i)(A) is in the vehicle; or  
(B) is otherwise available within a reasonably short period of time; and  
(ii) can legally operate the vehicle on a highway.