

57 within Utah.

58 (3) (a) Except as provided in Subsection (5), the state and all of its political
59 subdivisions and their respective departments, institutions, or agencies shall maintain owner's
60 or operator's security in effect continuously for their motor vehicles.

61 (b) Any other state is considered a nonresident owner of its motor vehicles and is
62 subject to Subsection (2)(b).

63 (4) The United States, any political subdivision of it, or any of its agencies may
64 maintain owner's or operator's security in effect for their motor vehicles.

65 (5) Owner's or operator's security is not required for any of the following:

66 (a) off-highway vehicles registered under Section 41-22-3 when operated either:

67 (i) on a highway designated as open for off-highway vehicle use; or

68 (ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3);

69 (b) off-highway implements of husbandry operated in the manner prescribed by
70 Subsections 41-22-5.5(3) through (5);

71 (c) electric assisted bicycles as defined under Section 41-6a-102;

72 (d) motor assisted scooters as defined under Section 41-6a-102; or

73 (e) electric personal assistive mobility devices as defined under Section 41-6a-102.

74 (f) a school district, for a school bus that the school district authorizes a state entity or
75 political subdivision of the state to use.

76 (6) If a school district authorizes a state entity or political subdivision of the state to
77 use a school bus:

78 (a) the state entity or political subdivision shall maintain owner's or operator's security
79 during the term of the school bus use in an amount that is greater than or equal to any
80 governmental immunity liability limit;

81 (b) the state entity or the political subdivision shall indemnify and defend the school
82 district for any claim that arises from the school bus use ~~§~~ **→ including a claim directed at the**
82a **school district, unless the claim arises from the sole negligence of the school district** ~~←§~~ ; and

83 (c) if the school district maintains owner's or operator's security for the school bus
84 during the term of school bus use, the owner's and operator's security maintained by the state
85 entity or political subdivision of the state is primary to the owner's and operator's security
86 maintained by the school district.

87 Section 3. Section 41-12a-303.2 is amended to read: