

Senator Curtis S. Bramble proposes the following substitute bill:

AUTOMOBILE INSURANCE REGISTRY AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Norman K Thurston

LONG TITLE

General Description:

This bill amends provisions related to motor vehicle insurance.

Highlighted Provisions:

This bill:

~~⌘→ [→ amends provisions related to a peace officer's seizure of a motor vehicle operated without insurance coverage;] ←⌘~~

▶ amends provisions related to evidence of a motor vehicle owner's or operator's security; and

▶ amends post-accident security requirements.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-1101, as last amended by Laws of Utah 2014, Chapter 382

41-12a-303.2, as last amended by Laws of Utah 2016, Chapters 303 and 356

41-12a-501, as last amended by Laws of Utah 2005, Chapter 2



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

Section 1. Section **41-1a-1101** is amended to read:

41-1a-1101. Seizure -- Circumstances where permitted -- Impound lot standards.

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

- (a) that the division or the peace officer has reason to believe has been stolen;
- (b) on which any identification number has been defaced, altered, or obliterated;
- (c) that has been abandoned in accordance with Section 41-6a-1408;
- (d) for which the applicant has written a check for registration or title fees that has not been honored by the applicant's bank and that is not paid within 30 days;
- (e) that is placed on the water with improper registration;
- (f) that is being operated on a highway:
 - (i) with registration that has been expired for more than three months;
 - (ii) having never been properly registered by the current owner; or
 - (iii) with registration that is suspended or revoked; or
- (g) (i) that the division or the peace officer has reason to believe has been involved in an accident described in Section 41-6a-401, 41-6a-401.3, or 41-6a-401.5; and
 - (ii) whose operator did not remain at the scene of the accident until the operator fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7.

(2) (a) Subject to the restriction in Subsection (2)(b), the division or any peace officer, without a warrant, ~~shall~~ ~~may~~ seize and take possession of any vehicle that is being operated on a highway without owner's or operator's security in effect for the vehicle as required under Section 41-12a-301 ~~shall~~ unless the division or any peace officer makes a reasonable determination

that:

(i) the seizure of the vehicle would present a public safety concern to the operator or any of the occupants in the vehicle; or

(ii) the impoundment of the vehicle would prevent the division or the peace officer from addressing other public safety considerations. ~~shall~~

(b) The division or any peace officer may not seize and take possession of a vehicle under Subsection (2)(a):