

1 **FAILURE TO APPEAR AMENDMENTS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Daniel W. Thatcher**

5 House Sponsor: Brian M. Greene

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7 **LONG TITLE**

8 **General Description:**

9 This bill repeals Section 77-7-22.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ repeals Section 77-7-22 which provides an individual is guilty of a class B  
13 misdemeanor for failure to appear before a court after being issued a citation  
14 requiring appearance for a misdemeanor or infraction charge; and

15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 **AMENDS:**

22 41-22-16, as last amended by Laws of Utah 2005, Chapter 2

23 73-18-20, as last amended by Laws of Utah 2005, Chapter 2

24 73-18a-15, as last amended by Laws of Utah 2005, Chapter 2

25 **REPEALS:**

26 77-7-22, as enacted by Laws of Utah 1980, Chapter 15

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

29 Section 1. Section 41-22-16 is amended to read:

30 **41-22-16. Authorized peace officers -- Arrest provisions.**

31 (1) Any peace officer authorized under Title 53, Chapter 13, Peace Officer  
32 Classifications, may enforce the provisions of this chapter and the rules [~~promulgated~~] made  
33 under this chapter.

34 (2) Whenever any [~~person~~] individual is arrested for any violation of the provisions of  
35 this chapter or [~~of the rules promulgated~~] a rule made under this chapter, the procedure for the  
36 arrest is the same as [~~outlined~~] described in Sections [~~77-7-22;~~] 77-7-23[;] and 77-7-24.

37 Section 2. Section **73-18-20** is amended to read:

38 **73-18-20. Enforcement of chapter -- Authority to stop and board vessels --**39 **Disregarding law enforcement signal to stop as misdemeanor -- Procedure for arrest.**

40 (1) Any law enforcement officer authorized under Title 53, Chapter 13, Peace Officer  
41 Classifications, may enforce the provisions of this chapter and the rules [~~promulgated~~] made  
42 under this chapter.

43 (2) Any law enforcement officer authorized under Title 53, Chapter 13, Peace Officer  
44 Classifications, has the authority to stop and board any vessel subject to this chapter, whether  
45 the vessel is on water or land. If that officer determines the vessel is overloaded, unseaworthy,  
46 or the safety equipment required by this chapter or rules of the board is not on the vessel, that  
47 officer may prohibit the launching of the vessel or stop the vessel from operating.

48 (3) An operator who, having received a visual or audible signal from a law  
49 enforcement officer authorized under Title 53, Chapter 13, Peace Officer Classifications, to  
50 bring [~~his~~] the operator's vessel to a stop, operates [~~his~~] the vessel in willful or wanton  
51 disregard of the signal so as to interfere with or endanger the operation of any vessel or  
52 endanger any [~~person~~] individual, or who attempts to flee or elude the officer whether by vessel  
53 or otherwise is guilty of a class A misdemeanor.

54 (4) Whenever any [~~person~~] individual is arrested for any violation of the provisions of  
55 this chapter or [~~of the rules promulgated~~] a rule made under this chapter, the procedure for  
56 arrest is the same as [~~outlined in Sections 77-7-22 through~~] described in Sections 77-7-23 and  
57 77-7-24.

58 Section 3. Section **73-18a-15** is amended to read:

59 **73-18a-15. Arrest for violation -- Procedure.**

60 Whenever any [~~person~~] individual is arrested for any violation of the provisions of this  
61 chapter or [~~rule promulgated~~] a rule made under this chapter, the procedure for arrest is the  
62 same as [~~specified in Sections 77-7-22 through~~] described in Sections 77-7-23 and 77-7-24.

63 Section 4. **Repealer.**

64 This bill repeals:

65 Section **77-7-22, Failure to appear as misdemeanor.**