

1 **UNINSURED MOTORIST IDENTIFICATION SUNSET**

2 **AMENDMENTS**

3 2019 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Joel Ferry**

6 Senate Sponsor: Curtis S. Bramble

8 **LONG TITLE**

9 **General Description:**

10 This bill repeals sunset provisions related to funding for the Uninsured Motorist
11 Identification Database Program and amends an allocation from the Uninsured Motorist
12 Identification Restricted Account.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ repeals sunset provisions related to funding for the Uninsured Motorist
- 16 Identification Database Program; and
- 17 ▶ increases the amount that may be appropriated from the Uninsured Motorist
- 18 Identification Restricted Account to the Peace Officer Standards and Training
- 19 Division from \$500,000 to \$1,000,000 annually.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 [41-12a-806](#), as last amended by Laws of Utah 2015, Chapter 109

27 [63I-1-241](#), as last amended by Laws of Utah 2015, Chapter 109

28 [63I-2-231](#), as last amended by Laws of Utah 2017, Chapter 292

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

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

32 **41-12a-806. Restricted account -- Creation -- Funding -- Interest -- Purposes.**

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

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

36 (a) money received by the state under Section **41-1a-1218**, the uninsured motorist
37 identification fee;

38 (b) money received by the state under Section **41-1a-1220**, the registration
39 reinstatement fee; and

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

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

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

43 (4) The Legislature shall appropriate money from the account to:

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

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

47 (c) the Tax Commission to offset the costs to the Motor Vehicle Division for revoking
48 and reinstating vehicle registrations under Subsection **41-1a-110(2)(a)(ii)**; and

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

51 (i) the person's vehicle was impounded in accordance with Subsection **41-1a-1101(2)**;

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

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

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

57 (5) The Legislature may appropriate not more than [~~\$500,000~~] \$1,000,000 annually

58 from the account to the Peace Officer Standards and Training Division, created under Section
59 [53-6-103](#), for use in law enforcement training, including training on the use of the Uninsured
60 Motorist Identification Database Program created under Title 41, Chapter 12a, Part 8,
61 Uninsured Motorist Identification Database Program.

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

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

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

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

72 **63I-1-241. Repeal dates, Title 41.**

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

74 Section 3. Section **63I-2-231** is amended to read:

75 **63I-2-231. Repeal dates -- Title 31A.**

76 [~~(1) Section [31A-22-315.5](#) is repealed July 1, 2019.~~]

77 [~~(2)~~] (1) Title 31A, Chapter 30, Part 2, Defined Contribution Arrangements is repealed
78 July 1, 2019.

79 [~~(3)~~] (2) Title 31A, Chapter 30, Part 3, Individual and Small Employer Risk
80 Adjustment Act is repealed July 1, 2019.

81 [~~(4) Title 31A, Chapter 42, Defined Contribution Risk Adjuster Act, is repealed~~
82 ~~December 31, 2018.~~]