

87 (d) Witness or victim testimony is not required at ~~§~~→ [the] a ←~~§~~ hearing on ~~§~~→ [the] a  
87a ←~~§~~ motion to detain ~~§~~→ if:

87b (i) the defendant is charged with driving under the influence or driving with a  
87c measurable controlled substance in the body; and

87d (ii) an appearance by the victim would present an undue burden upon the victim ←~~§~~ .

88 (e) Notwithstanding any other provisions of this section, there is a rebuttable  
89 presumption that an individual ~~§~~→ [~~arrested for or charged with the offense of driving under the~~  
90 ~~influence is a substantial danger to the community as long as the individual has a blood or~~  
91 ~~breath alcohol concentration of .05 grams or greater;~~] is a substantial danger to the community:

91a (i) as long as the individual has a blood or breath alcohol concentration of .05 grams or  
91b greater if the individual is arrested for or charged with the offense of driving under the  
91c influence and the offense resulted in death or serious bodily injury to an individual; or

91d (ii) if the individual has a measurable amount of controlled substance in the individual's  
91e body, the individual is arrested for or charged with the offense of driving with a measurable  
91f controlled substance in the body, and the offense resulted in death or serious bodily injury to  
91g an individual. ←~~§~~

92 (4) (a) Except as otherwise provided in this section or Section 78B-7-802, the court  
93 shall order that an individual charged with a criminal offense be released on the individual's  
94 own recognizance, on condition that the individual appear at all required court proceedings, if  
95 the court finds that additional conditions are not necessary to reasonably ensure compliance  
96 with Subsection (3)(b).

97 (b) The court shall impose additional release conditions if the court finds that  
98 additional release conditions are necessary to reasonably ensure compliance with Subsection  
99 (3)(b). The conditions imposed may include that the individual:

100 (i) not commit a federal, state, or local offense during the period of release;

101 (ii) avoid contact with a victim or victims of the alleged offense;

102 (iii) avoid contact with a witness or witnesses who may testify concerning the alleged  
103 offense that are named in the pretrial status order;

104 (iv) not use or consume alcohol, or any narcotic drug or other controlled substance  
105 except as prescribed by a licensed medical practitioner;

106 (v) submit to drug or alcohol testing;

107 (vi) complete a substance abuse evaluation and comply with any recommended  
108 treatment or release program;

109 (vii) submit to electronic monitoring or location device tracking;