

SB0053S01 compared with SB0053

~~{deleted text}~~ shows text that was in SB0053 but was deleted in SB0053S01.

inserted text shows text that was not in SB0053 but was inserted into SB0053S01.

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Senator Jani Iwamoto proposes the following substitute bill:

DRIVER SPEEDING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jani Iwamoto

House Sponsor: ~~{_____}~~ Ryan D. Wilcox

LONG TITLE

General Description:

This bill amends the offense of reckless driving to include certain speeding violations.

Highlighted Provisions:

This bill:

- ▶ prohibits a person from being spectator or making preparations for a speed contest or exhibition of speed on a highway;
- ▶ amends penalties for a violation related to speed races on a highway;
- ▶ allows the seizure of a vehicle that is not street legal that is engaged with a speed race or exhibition of speed on a highway;
- ▶ amends the offense of reckless driving to include~~{~~

~~_____• } =~~ traveling on a highway at a speed of 100 miles-per-hour or greater~~{, or~~

~~_____• } =~~ ~~traveling on a highway at a speed 25 miles-per-hour or more above the posted~~

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~~speed limit~~; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-528, as last amended by Laws of Utah 2009, Chapter 292

41-6a-606, as last amended by Laws of Utah 2017, Chapter 181

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

Section 1. Section **41-6a-528** is amended to read:

41-6a-528. Reckless driving -- Penalty.

(1) A person is guilty of reckless driving who operates a vehicle[~~(a)~~] in willful or wanton disregard for the safety of persons or property[~~;~~~~or~~].

~~[(b) while committing three or more moving traffic violations under Title 41, Chapter 6a, Traffic Code, in a series of acts occurring within a single continuous period of driving covering three miles or less in total distance.]~~

(2) For purposes of this section, "willful or wanton disregard for the safety of persons or property" includes:

(a) traveling on a highway at a speed of 100 miles-per-hour or greater;

~~(b) traveling 25 miles-per-hour or more above the posted speed limit on the highway;~~

or

(~~(c)~~(b) committing three or more traffic violations under Title 41, Chapter 6a, Traffic Code, in a series of acts occurring within a single continuous period of driving covering three miles or less in total distance.

~~[(2)] (3) A person who violates Subsection (1) is guilty of a class B misdemeanor.~~

Section 2. Section **41-6a-606** is amended to read:

41-6a-606. Speed contest or exhibition on highway -- Barricade or obstruction -- Spectators of a speed contest -- Seizure of non-street legal vehicles.

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(1) A person may not engage in any motor vehicle speed contest or exhibition of speed on a highway.

(2) A person may not be present as a spectator, or, in any manner, obstruct or place any barricade or obstruction or assist or participate in placing any barricade or obstruction upon any highway for any purpose prohibited under Subsection (1).

(3) (a) A person who violates Subsection (1) is guilty of a class [B] A misdemeanor.

(b) A person who violates Subsection (2) is guilty of a class B misdemeanor.

(4) (a) In addition to the penalty provided under this section or any other section, a person who violates Subsection (1) shall have the person's driver license suspended under Subsection 53-3-220(1)(a)(xv) for a period of:

(i) 60 days for a first offense; and

(ii) 90 days for a second offense within three years of a prior offense.

(b) The court shall forward the report of the conviction to the Driver License Division in accordance with Section 53-3-218.

(5) A motor vehicle that is not street legal that is operated or used in a manner that violates this section is subject to seizure in accordance with Title 24, Chapter 2, Seizure of Property.