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TOWING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to the towing and impounding of vehicles.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires submission of a certain form to the Division of Motor Vehicles and notification of the owner of a vehicle if the vehicle is removed;
- ▶ grants rulemaking authority to prescribe the format and contents of the form to be submitted to the Division of Motor Vehicles;
- ▶ provides that certain towing related fees and charges are a possessory lien on the vehicle and nonlife essential items in the vehicle;
- ▶ allows a tow truck motor carrier to charge an after-hour fee if an owner requests release of a vehicle after normal business hours; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



28 **41-1a-102**, as last amended by Laws of Utah 2019, Chapters 373, 428, 459, and 479

29 **41-1a-1103**, as last amended by Laws of Utah 2014, Chapter 382

30 **41-6a-102**, as last amended by Laws of Utah 2020, Chapters 84 and 354

31 **41-6a-1406**, as last amended by Laws of Utah 2019, Chapter 373

32 **53-3-106**, as last amended by Laws of Utah 2018, Chapter 417

33 **63I-1-241**, as last amended by Laws of Utah 2020, Chapters 84 and 154

34 **72-9-603**, as last amended by Laws of Utah 2020, Chapter 45

35 REPEALS:

36 **41-1a-1104**, as last amended by Laws of Utah 2005, Chapter 56



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

39 Section 1. Section **41-1a-102** is amended to read:

40 **41-1a-102. Definitions.**

41 As used in this chapter:

42 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

43 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
44 vehicles as operated and certified to by a weighmaster.

45 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
46 **41-22-2**.

47 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
48 **41-22-2**.

49 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
50 **41-22-2**.

51 (6) "Alternative fuel vehicle" means:

52 (a) an electric motor vehicle;

53 (b) a hybrid electric motor vehicle;

54 (c) a plug-in hybrid electric motor vehicle; or

55 (d) a motor vehicle powered exclusively by a fuel other than:

56 (i) motor fuel;

57 (ii) diesel fuel;

58 (iii) natural gas; or

59 (iv) propane.

60 (7) "Amateur radio operator" means a person licensed by the Federal Communications
61 Commission to engage in private and experimental two-way radio operation on the amateur
62 band radio frequencies.

63 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.

64 (9) "Automated driving system" means the same as that term is defined in Section
65 41-26-102.1.

66 (10) "Branded title" means a title certificate that is labeled:

67 (a) rebuilt and restored to operation;

68 (b) flooded and restored to operation; or

69 (c) not restored to operation.

70 (11) "Camper" means a structure designed, used, and maintained primarily to be
71 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
72 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
73 camping.

74 (12) "Certificate of title" means a document issued by a jurisdiction to establish a
75 record of ownership between an identified owner and the described vehicle, vessel, or outboard
76 motor.

77 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
78 weighmaster.

79 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
80 maintained for the transportation of persons or property that operates:

81 (a) as a carrier for hire, compensation, or profit; or

82 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
83 owner's commercial enterprise.

84 (15) "Commission" means the State Tax Commission.

85 (16) "Consumer price index" means the same as that term is defined in Section
86 59-13-102.

87 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
88 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
89 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established

90 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

91 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.

92 (19) "Division" means the Motor Vehicle Division of the commission, created in
93 Section 41-1a-106.

94 (20) "Dynamic driving task" means the same as that term is defined in Section
95 41-26-102.1.

96 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an
97 electric motor drawing current from a rechargeable energy storage system.

98 (22) "Essential parts" means the integral and body parts of a vehicle of a type required
99 to be registered in this state, the removal, alteration, or substitution of which would tend to
100 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,
101 or mode of operation.

102 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
103 implement for drawing plows, mowing machines, and other implements of husbandry.

104 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
105 the owner's or operator's own use in the transportation of:

106 (i) farm products, including livestock and its products, poultry and its products,
107 floricultural and horticultural products;

108 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
109 agricultural, floricultural, horticultural, livestock, and poultry production; and

110 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
111 other purposes connected with the operation of a farm.

112 (b) "Farm truck" does not include the operation of trucks by commercial processors of
113 agricultural products.

114 (25) "Fleet" means one or more commercial vehicles.

115 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into
116 this state from another state, territory, or country other than in the ordinary course of business
117 by or through a manufacturer or dealer, and not registered in this state.

118 (27) "Gross laden weight" means the actual weight of a vehicle or combination of
119 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

120 (28) "Highway" or "street" means the entire width between property lines of every way

121 or place of whatever nature when any part of it is open to the public, as a matter of right, for
122 purposes of vehicular traffic.

123 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion
124 energy from onboard sources of stored energy that are both:

125 (a) an internal combustion engine or heat engine using consumable fuel; and

126 (b) a rechargeable energy storage system where energy for the storage system comes
127 solely from sources onboard the vehicle.

128 (30) (a) "Identification number" means the identifying number assigned by the
129 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
130 motor.

131 (b) "Identification number" includes a vehicle identification number, state assigned
132 identification number, hull identification number, and motor serial number.

133 (31) "Implement of husbandry" means a vehicle designed or adapted and used
134 exclusively for an agricultural operation and only incidentally operated or moved upon the
135 highways.

136 (32) (a) "In-state miles" means the total number of miles operated in this state during
137 the preceding year by fleet power units.

138 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
139 total number of miles that those vehicles were towed on Utah highways during the preceding
140 year.

141 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
142 province, territory, or possession of the United States or foreign country.

143 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
144 possession of the United States or any foreign country.

145 (35) "Lienholder" means a person with a security interest in particular property.

146 (36) "Manufactured home" means a transportable factory built housing unit constructed
147 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards
148 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body
149 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more
150 square feet, and which is built on a permanent chassis and designed to be used as a dwelling
151 with or without a permanent foundation when connected to the required utilities, and includes

152 the plumbing, heating, air-conditioning, and electrical systems.

153 (37) "Manufacturer" means a person engaged in the business of constructing,
154 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
155 outboard motors for the purpose of sale or trade.

156 (38) "Mobile home" means a transportable factory built housing unit built prior to June
157 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
158 Manufactured Housing and Safety Standards Act (HUD Code).

159 (39) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).

160 (40) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
161 operation on the highways.

162 (b) "Motor vehicle" does not include:

163 (i) an off-highway vehicle; or

164 (ii) a motor assisted scooter as defined in Section [41-6a-102](#).

165 (41) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

166 (42) "Motorcycle" means:

167 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
168 more than three wheels in contact with the ground; or

169 (b) an autocytle.

170 (43) "Natural gas" means a fuel of which the primary constituent is methane.

171 (44) (a) "Nonresident" means a person who is not a resident of this state as defined by
172 Section [41-1a-202](#), and who does not engage in intrastate business within this state and does
173 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

174 (b) A person who engages in intrastate business within this state and operates in that
175 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
176 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
177 considered a resident of this state, insofar as that vehicle is concerned in administering this
178 chapter.

179 (45) "Odometer" means a device for measuring and recording the actual distance a
180 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
181 periodically reset.

182 (46) "Off-highway implement of husbandry" means the same as that term is defined in

183 Section 41-22-2.

184 (47) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

185 (48) (a) "Operate" means:

186 (i) to navigate a vessel; or

187 (ii) collectively, the activities performed in order to perform the entire dynamic driving
188 task for a given motor vehicle by:

189 (A) a human driver as defined in Section 41-26-102.1; or

190 (B) an engaged automated driving system.

191 (b) "Operate" includes testing of an automated driving system.

192 (49) "Outboard motor" means a detachable self-contained propulsion unit, excluding
193 fuel supply, used to propel a vessel.

194 (50) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
195 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a
196 security interest.

197 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
198 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
199 stated in the agreement and with an immediate right of possession vested in the conditional
200 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
201 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
202 chapter.

203 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
204 owner until the lessee exercises the lessee's option to purchase the vehicle.

205 (51) "Park model recreational vehicle" means a unit that:

206 (a) is designed and marketed as temporary living quarters for recreational, camping,
207 travel, or seasonal use;

208 (b) is not permanently affixed to real property for use as a permanent dwelling;

209 (c) requires a special highway movement permit for transit; and

210 (d) is built on a single chassis mounted on wheels with a gross trailer area not
211 exceeding 400 square feet in the setup mode.

212 (52) "Personalized license plate" means a license plate that has displayed on it a
213 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned

214 to the vehicle by the division.

215 (53) (a) "Pickup truck" means a two-axle motor vehicle with motive power
216 manufactured, remanufactured, or materially altered to provide an open cargo area.

217 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
218 camper, camper shell, tarp, removable top, or similar structure.

219 (54) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that
220 has the capability to charge the battery or batteries used for vehicle propulsion from an
221 off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle
222 while the vehicle is in motion.

223 (55) "Pneumatic tire" means a tire in which compressed air is designed to support the
224 load.

225 (56) "Preceding year" means a period of 12 consecutive months fixed by the division
226 that is within 16 months immediately preceding the commencement of the registration or
227 license year in which proportional registration is sought. The division in fixing the period shall
228 conform it to the terms, conditions, and requirements of any applicable agreement or
229 arrangement for the proportional registration of vehicles.

230 (57) "Public garage" means a building or other place where vehicles or vessels are kept
231 and stored and where a charge is made for the storage and keeping of vehicles and vessels.

232 (58) "Receipt of surrender of ownership documents" means the receipt of surrender of
233 ownership documents described in Section [41-1a-503](#).

234 (59) "Reconstructed vehicle" means a vehicle of a type required to be registered in this
235 state that is materially altered from its original construction by the removal, addition, or
236 substitution of essential parts, new or used.

237 (60) "Recreational vehicle" means the same as that term is defined in Section
238 [13-14-102](#).

239 (61) "Registration" means a document issued by a jurisdiction that allows operation of
240 a vehicle or vessel on the highways or waters of this state for the time period for which the
241 registration is valid and that is evidence of compliance with the registration requirements of the
242 jurisdiction.

243 (62) (a) "Registration year" means a 12 consecutive month period commencing with
244 the completion of the applicable registration criteria.

245 (b) For administration of a multistate agreement for proportional registration the
246 division may prescribe a different 12-month period.

247 (63) "Repair or replacement" means the restoration of vehicles, vessels, or outboard
248 motors to a sound working condition by substituting any inoperative part of the vehicle, vessel,
249 or outboard motor, or by correcting the inoperative part.

250 (64) "Replica vehicle" means:

251 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

252 (b) a custom vehicle that meets the requirements under Subsection

253 41-6a-1507(1)(a)(i)(B).

254 (65) "Road tractor" means a motor vehicle designed and used for drawing other
255 vehicles and constructed so it does not carry any load either independently or any part of the
256 weight of a vehicle or load that is drawn.

257 (66) "Sailboat" means the same as that term is defined in Section 73-18-2.

258 (67) "Security interest" means an interest that is reserved or created by a security
259 agreement to secure the payment or performance of an obligation and that is valid against third
260 parties.

261 (68) "Semitrailer" means a vehicle without motive power designed for carrying persons
262 or property and for being drawn by a motor vehicle and constructed so that some part of its
263 weight and its load rests or is carried by another vehicle.

264 (69) "Special group license plate" means a type of license plate designed for a
265 particular group of people or a license plate authorized and issued by the division in accordance
266 with Section 41-1a-418.

267 (70) (a) "Special interest vehicle" means a vehicle used for general transportation
268 purposes and that is:

269 (i) 20 years or older from the current year; or

270 (ii) a make or model of motor vehicle recognized by the division director as having
271 unique interest or historic value.

272 (b) In making a determination under Subsection (70)(a), the division director shall give
273 special consideration to:

274 (i) a make of motor vehicle that is no longer manufactured;

275 (ii) a make or model of motor vehicle produced in limited or token quantities;

276 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
277 designed exclusively for educational purposes or museum display; or

278 (iv) a motor vehicle of any age or make that has not been substantially altered or
279 modified from original specifications of the manufacturer and because of its significance is
280 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
281 leisure pursuit.

282 (71) (a) "Special mobile equipment" means a vehicle:

283 (i) not designed or used primarily for the transportation of persons or property;

284 (ii) not designed to operate in traffic; and

285 (iii) only incidentally operated or moved over the highways.

286 (b) "Special mobile equipment" includes:

287 (i) farm tractors;

288 (ii) off-road motorized construction or maintenance equipment including backhoes,
289 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

290 (iii) ditch-digging apparatus.

291 (c) "Special mobile equipment" does not include a commercial vehicle as defined
292 under Section [72-9-102](#).

293 (72) "Specially constructed vehicle" means a vehicle of a type required to be registered
294 in this state, not originally constructed under a distinctive name, make, model, or type by a
295 generally recognized manufacturer of vehicles, and not materially altered from its original
296 construction.

297 (73) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
298 motor that meets the requirements of rules made by the commission pursuant to Subsection
299 [41-1a-1101\(5\)](#).

300 (74) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.

301 (75) (a) "Total fleet miles" means the total number of miles operated in all jurisdictions
302 during the preceding year by power units.

303 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
304 the number of miles that those vehicles were towed on the highways of all jurisdictions during
305 the preceding year.

306 (76) "Tow truck motor carrier" means the same as that term is defined in Section

307 [72-9-102.](#)

308 ~~(77)~~ (77) "Tow truck operator" means the same as that term is defined in Section [72-9-102.](#)

309 ~~(76)~~ (78) "Trailer" means a vehicle without motive power designed for carrying
310 persons or property and for being drawn by a motor vehicle and constructed so that no part of
311 its weight rests upon the towing vehicle.

312 ~~(77)~~ (79) "Transferee" means a person to whom the ownership of property is
313 conveyed by sale, gift, or any other means except by the creation of a security interest.

314 ~~(78)~~ (80) "Transferor" means a person who transfers the person's ownership in
315 property by sale, gift, or any other means except by creation of a security interest.

316 ~~(79)~~ (81) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
317 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
318 vacation use that does not require a special highway movement permit when drawn by a
319 self-propelled motor vehicle.

320 ~~(80)~~ (82) "Truck tractor" means a motor vehicle designed and used primarily for
321 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
322 vehicle and load that is drawn.

323 ~~(81)~~ (83) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
324 camper, park model recreational vehicle, manufactured home, and mobile home.

325 ~~(82)~~ (84) "Vessel" means the same as that term is defined in Section [73-18-2.](#)

326 ~~(83)~~ (85) "Vintage vehicle" means the same as that term is defined in Section
327 [41-21-1.](#)

328 ~~(84)~~ (86) "Waters of this state" means the same as that term is defined in Section
329 [73-18-2.](#)

330 ~~(85)~~ (87) "Weighmaster" means a person, association of persons, or corporation
331 permitted to weigh vehicles under this chapter.

332 Section 2. Section **41-1a-1103** is amended to read:

333 **41-1a-1103. Sale.**

334 (1) (a) ~~[H]~~ For a vehicle, vessel, or outboard motor with a model year of seven years
335 old or older, if the owner or lienholder of a seized vehicle, vessel, or outboard motor does not
336 recover the vehicle, vessel, or outboard motor within 30 days from the date of seizure, or if the
337 division is unable to determine the owner or lienholder through reasonable efforts, the division

338 shall ~~[setH]~~ transfer title of the vehicle, vessel, or outboard motor to the tow truck motor carrier
 339 in possession of the vehicle, vessel, or outboard motor.

340 (b) For a vehicle, vessel, or outboard motor with a model year under seven years old, if
 341 the owner or lienholder of a seized vehicle, vessel, or outboard motor does not recover the
 342 vehicle, vessel, or outboard motor within 55 days from the date of seizure, or if the division is
 343 unable to determine the owner or lienholder through reasonable efforts, the division shall
 344 transfer title of the vehicle, vessel, or outboard motor to the tow truck motor carrier in
 345 possession of the vehicle, vessel, or outboard motor.

346 ~~[(2) The sale shall:]~~

347 ~~[(a) be held in the form of a public auction at the place of storage; and]~~

348 ~~[(b) at the discretion of the division, be conducted by:]~~

349 ~~[(i) an authorized representative of the division; or]~~

350 ~~[(ii) a public garage, impound lot, or impound yard that:]~~

351 ~~[(A) is authorized by the division;]~~

352 ~~[(B) meets the standards under Subsection 41-1a-1101(5); and]~~

353 ~~[(C) complies with the requirements of Section 72-9-603.]~~

354 ~~[(3) At least five days prior to the date set for sale, the division shall publish a notice of~~
 355 ~~sale setting forth the date, time, and place of sale and a description of the vehicle, vessel, or~~
 356 ~~outboard motor to be sold:]~~

357 ~~[(a) on the division's website; and]~~

358 ~~[(b) as required in Section 45-1-101.]~~

359 ~~[(4) At the time of sale the division or other person authorized to conduct the sale shall~~
 360 ~~tender to the highest bidder a certificate of sale conveying all rights, title, and interest in the~~
 361 ~~vehicle, vessel, or outboard motor:]~~

362 ~~[(5) The proceeds from the sale of a vehicle, vessel, or outboard motor under this~~
 363 ~~section shall be distributed as provided under Section 41-1a-1104.]~~

364 ~~[(6)]~~ (2) (a) ~~[H]~~ For a vehicle, vessel, or outboard motor with a model year of seven
 365 years old or older, if the owner or lienholder of a vehicle, vessel, or outboard motor seized
 366 under Section 41-1a-1101 and subsequently released by the division fails to take possession of
 367 the vehicle, vessel, or outboard motor and satisfy the amount due to the place of storage within
 368 30 days from the date of release, the division shall renotify the owner or lienholder and [setH]

369 transfer title to the vehicle, vessel, or outboard motor to the tow truck motor carrier in
370 possession of the vehicle, vessel, or outboard motor, in accordance with this section, 30 days
371 from the date of the notice.

372 (b) For a vehicle, vessel, or outboard motor with a model year under seven years old, if
373 the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
374 41-1a-1101 and subsequently released by the division fails to take possession of the vehicle,
375 vessel, or outboard motor and satisfy the amount due to the place of storage within 55 days
376 from the date of release, the division shall renotify the owner or lienholder and transfer title to
377 the vehicle, vessel, or outboard motor to the tow truck motor carrier in possession of the
378 vehicle, vessel, or outboard motor, in accordance with this section, 55 days from the date of the
379 notice.

380 Section 3. Section **41-6a-102** is amended to read:

381 **41-6a-102. Definitions.**

382 As used in this chapter:

383 (1) "Alley" means a street or highway intended to provide access to the rear or side of
384 lots or buildings in urban districts and not intended for through vehicular traffic.

385 (2) "All-terrain type I vehicle" means the same as that term is defined in Section
386 41-22-2.

387 (3) "Authorized emergency vehicle" includes:

388 (a) fire department vehicles;

389 (b) police vehicles;

390 (c) ambulances; and

391 (d) other publicly or privately owned vehicles as designated by the commissioner of the
392 Department of Public Safety.

393 (4) "Autocycle" means the same as that term is defined in Section 53-3-102.

394 (5) (a) "Bicycle" means a wheeled vehicle:

395 (i) propelled by human power by feet or hands acting upon pedals or cranks;

396 (ii) with a seat or saddle designed for the use of the operator;

397 (iii) designed to be operated on the ground; and

398 (iv) whose wheels are not less than 14 inches in diameter.

399 (b) "Bicycle" includes an electric assisted bicycle.

- 400 (c) "Bicycle" does not include scooters and similar devices.
- 401 (6) (a) "Bus" means a motor vehicle:
 - 402 (i) designed for carrying more than 15 passengers and used for the transportation of
 - 403 persons; or
 - 404 (ii) designed and used for the transportation of persons for compensation.
- 405 (b) "Bus" does not include a taxicab.
- 406 (7) (a) "Circular intersection" means an intersection that has an island, generally
- 407 circular in design, located in the center of the intersection where traffic passes to the right of
- 408 the island.
 - 409 (b) "Circular intersection" includes:
 - 410 (i) roundabouts;
 - 411 (ii) rotaries; and
 - 412 (iii) traffic circles.
 - 413 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
 - 414 Subsection (17)(d)(i).
 - 415 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
 - 416 Subsection (17)(d)(ii).
 - 417 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in
 - 418 Subsection (17)(d)(iii).
 - 419 (11) "Commissioner" means the commissioner of the Department of Public Safety.
 - 420 (12) "Controlled-access highway" means a highway, street, or roadway:
 - 421 (a) designed primarily for through traffic; and
 - 422 (b) to or from which owners or occupants of abutting lands and other persons have no
 - 423 legal right of access, except at points as determined by the highway authority having
 - 424 jurisdiction over the highway, street, or roadway.
 - 425 (13) "Crosswalk" means:
 - 426 (a) that part of a roadway at an intersection included within the connections of the
 - 427 lateral lines of the sidewalks on opposite sides of the highway measured from:
 - 428 (i) (A) the curbs; or
 - 429 (B) in the absence of curbs, from the edges of the traversable roadway; and
 - 430 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway

431 included within the extension of the lateral lines of the existing sidewalk at right angles to the
432 centerline; or

433 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
434 pedestrian crossing by lines or other markings on the surface.

435 (14) "Department" means the Department of Public Safety.

436 (15) "Direct supervision" means oversight at a distance within which:

437 (a) visual contact is maintained; and

438 (b) advice and assistance can be given and received.

439 (16) "Divided highway" means a highway divided into two or more roadways by:

440 (a) an unpaved intervening space;

441 (b) a physical barrier; or

442 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

443 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:

444 (a) has a power output of not more than 750 watts;

445 (b) has fully operable pedals on permanently affixed cranks;

446 (c) is fully operable as a bicycle without the use of the electric motor; and

447 (d) is one of the following:

448 (i) an electric assisted bicycle equipped with a motor or electronics that:

449 (A) provides assistance only when the rider is pedaling; and

450 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per

451 hour;

452 (ii) an electric assisted bicycle equipped with a motor or electronics that:

453 (A) may be used exclusively to propel the bicycle; and

454 (B) is not capable of providing assistance when the bicycle reaches the speed of 20

455 miles per hour; or

456 (iii) an electric assisted bicycle equipped with a motor or electronics that:

457 (A) provides assistance only when the rider is pedaling;

458 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per

459 hour; and

460 (C) is equipped with a speedometer.

461 (18) (a) "Electric personal assistive mobility device" means a self-balancing device

462 with:

- 463 (i) two nontandem wheels in contact with the ground;
- 464 (ii) a system capable of steering and stopping the unit under typical operating
- 465 conditions;
- 466 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 467 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 468 (v) a deck design for a person to stand while operating the device.

469 (b) "Electric personal assistive mobility device" does not include a wheelchair.

470 (19) "Explosives" means a chemical compound or mechanical mixture commonly used
471 or intended for the purpose of producing an explosion and that contains any oxidizing and
472 combustive units or other ingredients in proportions, quantities, or packing so that an ignition
473 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture
474 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are
475 capable of producing destructive effects on contiguous objects or of causing death or serious
476 bodily injury.

477 (20) "Farm tractor" means a motor vehicle designed and used primarily as a farm
478 implement, for drawing plows, mowing machines, and other implements of husbandry.

479 (21) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
480 as determined by a [~~tagliabue~~] Tagliabue or equivalent closed-cup test device.

481 (22) "Freeway" means a controlled-access highway that is part of the interstate system
482 as defined in Section [72-1-102](#).

483 (23) (a) "Golf cart" means a device that:

- 484 (i) is designed for transportation by players on a golf course;
- 485 (ii) has not less than three wheels in contact with the ground;
- 486 (iii) has an unladen weight of less than 1,800 pounds;
- 487 (iv) is designed to operate at low speeds; and
- 488 (v) is designed to carry not more than six persons including the driver.

489 (b) "Golf cart" does not include:

- 490 (i) a low-speed vehicle or an off-highway vehicle;
- 491 (ii) a motorized wheelchair;
- 492 (iii) an electric personal assistive mobility device;

- 493 (iv) an electric assisted bicycle;
- 494 (v) a motor assisted scooter;
- 495 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 496 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 497 (24) "Gore area" means the area delineated by two solid white lines that is between a
- 498 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
- 499 including similar areas between merging or splitting highways.
- 500 (25) "Gross weight" means the weight of a vehicle without a load plus the weight of
- 501 any load on the vehicle.
- 502 (26) "Highway" means the entire width between property lines of every way or place of
- 503 any nature when any part of it is open to the use of the public as a matter of right for vehicular
- 504 travel.
- 505 (27) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 506 (28) (a) "Intersection" means the area embraced within the prolongation or connection
- 507 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or
- 508 more highways that join one another.
- 509 (b) Where a highway includes two roadways 30 feet or more apart:
- 510 (i) every crossing of each roadway of the divided highway by an intersecting highway
- 511 is a separate intersection; and
- 512 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
- 513 every crossing of two roadways of the highways is a separate intersection.
- 514 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 515 (29) "Island" means an area between traffic lanes or at an intersection for control of
- 516 vehicle movements or for pedestrian refuge designated by:
- 517 (a) pavement markings, which may include an area designated by two solid yellow
- 518 lines surrounding the perimeter of the area;
- 519 (b) channelizing devices;
- 520 (c) curbs;
- 521 (d) pavement edges; or
- 522 (e) other devices.
- 523 (30) "Lane filtering" means, when operating a motorcycle other than an autocycle, the

524 act of overtaking and passing another vehicle that is stopped in the same direction of travel in
525 the same lane.

526 (31) "Law enforcement agency" means the same as that term is as defined in Section
527 [53-1-102](#).

528 (32) "Limited access highway" means a highway:

529 (a) that is designated specifically for through traffic; and

530 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
531 persons have any right or easement, or have only a limited right or easement of access, light,
532 air, or view.

533 (33) "Local highway authority" means the legislative, executive, or governing body of
534 a county, municipal, or other local board or body having authority to enact laws relating to
535 traffic under the constitution and laws of the state.

536 (34) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

537 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

538 (ii) has a capacity of not more than six passengers, including a conventional driver or
539 fallback-ready user if on board the vehicle, as those terms are defined in Section [41-26-102.1](#).

540 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

541 (35) "Metal tire" means a tire, the surface of which in contact with the highway is
542 wholly or partly of metal or other hard nonresilient material.

543 (36) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
544 saddle that is less than 24 inches from the ground as measured on a level surface with properly
545 inflated tires.

546 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

547 (c) "Mini-motorcycle" does not include a motorcycle that is:

548 (i) designed for off-highway use; and

549 (ii) registered as an off-highway vehicle under Section [41-22-3](#).

550 (37) "Mobile home" means:

551 (a) a trailer or semitrailer that is:

552 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
553 place either permanently or temporarily; and

554 (ii) equipped for use as a conveyance on streets and highways; or

555 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
556 constructed for use as a mobile home, as defined in Subsection (37)(a), but that is instead used
557 permanently or temporarily for:

- 558 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 559 (ii) any other commercial purpose except the transportation of property for hire or the
560 transportation of property for distribution by a private carrier.

561 (38) (a) "Moped" means a motor-driven cycle having:

- 562 (i) pedals to permit propulsion by human power; and
- 563 (ii) a motor that:
 - 564 (A) produces not more than two brake horsepower; and
 - 565 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
566 level ground.

567 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
568 centimeters and the moped shall have a power drive system that functions directly or
569 automatically without clutching or shifting by the operator after the drive system is engaged.

570 (c) "Moped" does not include:

- 571 (i) an electric assisted bicycle; or
- 572 (ii) a motor assisted scooter.

573 (39) (a) "Motor assisted scooter" means a self-propelled device with:

- 574 (i) at least two wheels in contact with the ground;
- 575 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 576 (iii) an electric motor not exceeding 2,000 watts;
- 577 (iv) either:
 - 578 (A) handlebars and a deck design for a person to stand while operating the device; or
 - 579 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating
580 the device;

581 (v) a design for the ability to be propelled by human power alone; and

582 (vi) a maximum speed of 20 miles per hour on a paved level surface.

583 (b) "Motor assisted scooter" does not include:

- 584 (i) an electric assisted bicycle; or
- 585 (ii) a motor-driven cycle.

586 (40) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
587 propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

588 (b) "Motor vehicle" does not include:

589 (i) vehicles moved solely by human power;

590 (ii) motorized wheelchairs;

591 (iii) an electric personal assistive mobility device;

592 (iv) an electric assisted bicycle;

593 (v) a motor assisted scooter;

594 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

595 (vii) a mobile carrier, as defined in Section 41-6a-1120.

596 (41) "Motorcycle" means:

597 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
598 and designed to travel with not more than three wheels in contact with the ground; or

599 (b) an auticycle.

600 (42) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
601 having:

602 (i) an engine with less than 150 cubic centimeters displacement; or

603 (ii) a motor that produces not more than five horsepower.

604 (b) "Motor-driven cycle" does not include:

605 (i) an electric personal assistive mobility device;

606 (ii) a motor assisted scooter; or

607 (iii) an electric assisted bicycle.

608 (43) "Off-highway implement of husbandry" means the same as that term is defined
609 under Section 41-22-2.

610 (44) "Off-highway vehicle" means the same as that term is defined under Section
611 41-22-2.

612 (45) "Operate" means the same as that term is defined in Section 41-1a-102.

613 (46) "Operator" means:

614 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

615 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
616 vehicle.

617 (47) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
618 occupied or not.

619 (b) "Park" or "parking" does not include:

620 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged
621 in loading or unloading property or passengers; or

622 (ii) a motor vehicle with an engaged automated driving system that has achieved a
623 minimal risk condition, as those terms are defined in Section [41-26-102.1](#).

624 (48) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
625 Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic
626 laws.

627 (49) "Pedestrian" means a person traveling:

628 (a) on foot; or

629 (b) in a wheelchair.

630 (50) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
631 pedestrians.

632 (51) "Person" means a natural person, firm, copartnership, association, corporation,
633 business trust, estate, trust, partnership, limited liability company, association, joint venture,
634 governmental agency, public corporation, or any other legal or commercial entity.

635 (52) "Pole trailer" means a vehicle without motive power:

636 (a) designed to be drawn by another vehicle and attached to the towing vehicle by
637 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

638 (b) that is ordinarily used for transporting long or irregular shaped loads including
639 poles, pipes, or structural members generally capable of sustaining themselves as beams
640 between the supporting connections.

641 (53) "Private road or driveway" means every way or place in private ownership and
642 used for vehicular travel by the owner and those having express or implied permission from the
643 owner, but not by other persons.

644 (54) "Railroad" means a carrier of persons or property upon cars operated on stationary
645 rails.

646 (55) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
647 public body or official or by a railroad and intended to give notice of the presence of railroad

648 tracks or the approach of a railroad train.

649 (56) "Railroad train" means a locomotive propelled by any form of energy, coupled
650 with or operated without cars, and operated upon rails.

651 (57) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful
652 manner in preference to another vehicle or pedestrian approaching under circumstances of
653 direction, speed, and proximity that give rise to danger of collision unless one grants
654 precedence to the other.

655 (58) (a) "Roadway" means that portion of highway improved, designed, or ordinarily
656 used for vehicular travel.

657 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
658 them are used by persons riding bicycles or other human-powered vehicles.

659 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
660 a highway includes two or more separate roadways.

661 (59) "Safety zone" means the area or space officially set apart within a roadway for the
662 exclusive use of pedestrians and that is protected, marked, or indicated by adequate signs as to
663 be plainly visible at all times while set apart as a safety zone.

664 (60) (a) "School bus" means a motor vehicle that:

665 (i) complies with the color and identification requirements of the most recent edition of
666 "Minimum Standards for School Buses"; and

667 (ii) is used to transport school children to or from school or school activities.

668 (b) "School bus" does not include a vehicle operated by a common carrier in
669 transportation of school children to or from school or school activities.

670 (61) (a) "Semitrailer" means a vehicle with or without motive power:

671 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
672 and

673 (ii) constructed so that some part of its weight and that of its load rests on or is carried
674 by another vehicle.

675 (b) "Semitrailer" does not include a pole trailer.

676 (62) "Shoulder area" means:

677 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
678 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";

679 or

680 (b) that portion of the road contiguous to the roadway for accommodation of stopped
681 vehicles, for emergency use, and for lateral support.

682 (63) "Sidewalk" means that portion of a street between the curb lines, or the lateral
683 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

684 (64) "Solid rubber tire" means a tire of rubber or other resilient material that does not
685 depend on compressed air for the support of the load.

686 (65) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied
687 or not, for the purpose of and while actually engaged in receiving or discharging passengers.

688 (66) "Stop" when required means complete cessation from movement.

689 (67) "Stop" or "stopping" when prohibited means any halting even momentarily of a
690 vehicle, whether occupied or not, except when:

691 (a) necessary to avoid conflict with other traffic; or

692 (b) in compliance with the directions of a peace officer or traffic-control device.

693 (68) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
694 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet the
695 requirements of Section [41-6a-1509](#) to operate on highways in the state in accordance with
696 Section [41-6a-1509](#).

697 (69) "Tow truck operator" means the same as that term is defined in Section [72-9-102](#).

698 (70) "Tow truck motor carrier" means the same as that term is defined in Section
699 [72-9-102](#).

700 [~~(69)~~] (71) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
701 conveyances either singly or together while using any highway for the purpose of travel.

702 [~~(70)~~] (72) "Traffic signal preemption device" means an instrument or mechanism
703 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

704 [~~(71)~~] (73) "Traffic-control device" means a sign, signal, marking, or device not
705 inconsistent with this chapter placed or erected by a highway authority for the purpose of
706 regulating, warning, or guiding traffic.

707 [~~(72)~~] (74) "Traffic-control signal" means a device, whether manually, electrically, or
708 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

709 [~~(73)~~] (75) (a) "Trailer" means a vehicle with or without motive power designed for

710 carrying persons or property and for being drawn by a motor vehicle and constructed so that no
711 part of its weight rests upon the towing vehicle.

712 (b) "Trailer" does not include a pole trailer.

713 [~~(74)~~] (76) "Truck" means a motor vehicle designed, used, or maintained primarily for
714 the transportation of property.

715 [~~(75)~~] (77) "Truck tractor" means a motor vehicle:

716 (a) designed and used primarily for drawing other vehicles; and

717 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
718 tractor.

719 [~~(76)~~] (78) "Two-way left turn lane" means a lane:

720 (a) provided for vehicle operators making left turns in either direction;

721 (b) that is not used for passing, overtaking, or through travel; and

722 (c) that has been indicated by a lane traffic-control device that may include lane
723 markings.

724 [~~(77)~~] (79) "Urban district" means the territory contiguous to and including any street,
725 in which structures devoted to business, industry, or dwelling houses are situated at intervals of
726 less than 100 feet, for a distance of a quarter of a mile or more.

727 [~~(78)~~] (80) "Vehicle" means a device in, on, or by which a person or property is or may
728 be transported or drawn on a highway, except a mobile carrier, as defined in Section
729 [41-6a-1120](#), or a device used exclusively on stationary rails or tracks.

730 Section 4. Section **41-6a-1406** is amended to read:

731 **41-6a-1406. Removal and impoundment of vehicles -- Reporting and notification**
732 **requirements -- Administrative impound fee -- Refunds -- Possessory lien -- Rulemaking.**

733 (1) If a vehicle, vessel, or outboard motor is removed or impounded as provided under
734 Section [41-1a-1101](#), [41-6a-527](#), [41-6a-1405](#), [41-6a-1408](#), or [73-18-20.1](#) by an order of a peace
735 officer or by an order of a person acting on behalf of a law enforcement agency or highway
736 authority, the removal or impoundment of the vehicle, vessel, or outboard motor shall be at the
737 expense of the owner.

738 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be removed or
739 impounded to a state impound yard.

740 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be

741 removed by a tow truck motor carrier that meets standards established:

742 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and

743 (b) by the department under Subsection (10).

744 (4) (a) A report described in this Subsection (4) is required for a vehicle, vessel, or

745 outboard motor that is:

746 (i) removed or impounded as described in Subsection (1); or

747 (ii) removed or impounded by any law enforcement or government entity.

748 ~~[(4)(a)]~~ (b) [Immediately] Before noon on the next business day after the date of the

749 removal of the vehicle, vessel, or outboard motor, a report of the removal shall be sent to the
750 Motor Vehicle Division by:

751 (i) the peace officer or agency by whom the peace officer is employed; and

752 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck

753 operator is employed.

754 ~~[(b)]~~ (c) The report shall be in a form specified by the Motor Vehicle Division and
755 shall include:

756 (i) the operator's name, if known;

757 (ii) a description of the vehicle, vessel, or outboard motor;

758 (iii) the vehicle identification number or vessel or outboard motor identification

759 number;

760 (iv) the license number, temporary permit number, or other identification number

761 issued by a state agency;

762 (v) the date, time, and place of impoundment;

763 (vi) the reason for removal or impoundment;

764 (vii) the name of the tow truck motor carrier who removed the vehicle, vessel, or

765 outboard motor; and

766 (viii) the place where the vehicle, vessel, or outboard motor is stored.

767 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

768 State Tax Commission shall make rules to establish proper format and information required on

769 the form described in this subsection (4).

770 ~~[(e)]~~ (e) Until the tow truck operator or tow truck motor carrier reports the removal as

771 required under this Subsection (4), a tow truck motor carrier or impound yard may not~~[(i)]~~

772 collect any fee associated with the removal~~;~~ and].

773 ~~[(ii) begin charging storage fees.]~~

774 (5) (a) Except as provided in Subsection (5)(e) and upon receipt of the report, the
775 Motor Vehicle Division shall give notice, in the manner described in Section 41-1a-114, to the
776 following parties with an interest in the vehicle, vessel, or outboard motor, as applicable:

777 (i) the registered owner;

778 (ii) any lien holder; or

779 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard motor
780 is currently operating under a temporary permit issued by the dealer, as described in Section
781 41-3-302.

782 (b) The notice shall:

783 (i) state the date, time, and place of removal, the name, if applicable, of the person
784 operating the vehicle, vessel, or outboard motor at the time of removal, the reason for removal,
785 and the place where the vehicle, vessel, or outboard motor is stored;

786 (ii) state that the registered owner is responsible for payment of towing, impound, and
787 storage fees charged against the vehicle, vessel, or outboard motor;

788 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard
789 motor is released; and

790 (iv) inform the parties described in Subsection (5)(a) of the division's intent to sell the
791 vehicle, vessel, or outboard motor, if, within 30 days after the day of the removal or
792 impoundment under this section, one of the parties fails to make a claim for release of the
793 vehicle, vessel, or outboard motor.

794 (c) Except as provided in Subsection (5)(e) and if the vehicle, vessel, or outboard
795 motor is not registered in this state, the Motor Vehicle Division shall make a reasonable effort
796 to notify the parties described in Subsection (5)(a) of the removal and the place where the
797 vehicle, vessel, or outboard motor is stored.

798 (d) The Motor Vehicle Division shall forward a copy of the notice to the place where
799 the vehicle, vessel, or outboard motor is stored.

800 (e) The Motor Vehicle Division is not required to give notice under this Subsection (5)
801 if a report was received by a tow truck operator or tow truck motor carrier reporting a tow truck
802 service in accordance with Subsection 72-9-603(1)(a)(i).

803 (6) (a) Fees described in this Subsection (6) are a possessory lien on the vehicle, vessel,
804 outboard motor, and any nonlife essential items contained in the vehicle, vessel, or outboard
805 motor until paid.

806 ~~[(6)(a)]~~ (b) The vehicle, vessel, or outboard motor shall be released after a party
807 described in Subsection (5)(a):

808 (i) makes a claim for release of the vehicle, vessel, or outboard motor at any office of
809 the State Tax Commission;

810 (ii) presents identification sufficient to prove ownership of the impounded vehicle,
811 vessel, or outboard motor;

812 (iii) completes the registration, if needed, and pays the appropriate fees;

813 (iv) if the impoundment was made under Section 41-6a-527, pays an administrative
814 impound fee of \$400; and

815 (v) pays all towing and storage fees to the place where the vehicle, vessel, or outboard
816 motor is stored.

817 ~~[(b)]~~ (c) (i) Twenty-nine dollars of the administrative impound fee assessed under
818 Subsection ~~[(6)(a)(iv)]~~ (6)(b)(iv) shall be dedicated credits to the Motor Vehicle Division;

819 (ii) \$147 of the administrative impound fee assessed under Subsection ~~[(6)(a)(iv)]~~
820 (6)(b)(iv) shall be deposited ~~[in]~~ into the Department of Public Safety Restricted Account
821 created in Section 53-3-106;

822 (iii) \$20 of the administrative impound fee assessed under Subsection ~~[(6)(a)(iv)]~~
823 (6)(b)(iv) shall be deposited in the Spinal Cord and Brain Injury Rehabilitation Fund; and

824 (iv) the remainder of the administrative impound fee assessed under Subsection
825 ~~[(6)(a)(iv)]~~ (6)(b)(iv) shall be deposited ~~[in]~~ into the General Fund.

826 ~~[(c)]~~ (d) The administrative impound fee assessed under Subsection ~~[(6)(a)(iv)]~~
827 (6)(b)(iv) shall be waived or refunded by the State Tax Commission if the registered owner,
828 lien holder, or owner's agent presents written evidence to the State Tax Commission that:

829 (i) the Driver License Division determined that the arrested person's driver license
830 should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as shown by a letter
831 or other report from the Driver License Division presented within 180 days after the day on
832 which the Driver License Division mailed the final notification; or

833 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the

834 stolen vehicle report presented within 180 days after the day of the impoundment.

835 ~~[(d)]~~ (e) A tow truck operator, a tow truck motor carrier, and an impound yard shall
836 accept payment by cash and debit or credit card for a removal or impoundment under
837 Subsection (1) or any service rendered, performed, or supplied in connection with a removal or
838 impoundment under Subsection (1).

839 ~~[(e)]~~ (f) The owner of an impounded vehicle may not be charged a fee for the storage
840 of the impounded vehicle, vessel, or outboard motor if:

841 (i) the vehicle, vessel, or outboard motor is being held as evidence; and

842 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
843 Subsection 5(a), even if the party satisfies the requirements to release the vehicle, vessel, or
844 outboard motor under this Subsection (6).

845 (7) (a) ~~[An]~~ For an impounded vehicle, vessel, or outboard motor not claimed by a
846 party described in Subsection (5)(a) within the time prescribed by Section [41-1a-1103](#) ~~[shall be~~
847 ~~sold in accordance with that section and the proceeds, if any, shall be disposed of as provided~~
848 ~~under Section [41-1a-1104](#)]~~, the Motor Vehicle Division shall transfer title of the impounded
849 vehicle, vessel, or outboard motor as described in Section [41-1a-1103](#).

850 (b) The date of impoundment is considered the date of seizure for computing the time
851 period provided under Section [41-1a-1103](#).

852 (8) A party described in Subsection (5)(a) that pays all fees and charges incurred in the
853 impoundment of the owner's vehicle, vessel, or outboard motor has a cause of action for all the
854 fees and charges, together with damages, court costs, and attorney fees, against the operator of
855 the vehicle, vessel, or outboard motor whose actions caused the removal or impoundment.

856 (9) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel,
857 or outboard motor.

858 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
859 the department shall make rules setting the performance standards for towing companies to be
860 used by the department.

861 (11) (a) The Motor Vehicle Division may specify that a report required under
862 Subsection (4) be submitted in electronic form utilizing a database for submission, storage, and
863 retrieval of the information.

864 (b) (i) Unless otherwise provided by statute, the Motor Vehicle Division or the

865 administrator of the database may adopt a schedule of fees assessed for utilizing the database.

866 (ii) The fees under this Subsection (11)(b) shall:

867 (A) be reasonable and fair; and

868 (B) reflect the cost of administering the database.

869 Section 5. Section **53-3-106** is amended to read:

870 **53-3-106. Disposition of revenues under this chapter -- Restricted account created**

871 **-- Uses as provided by appropriation -- Nonlapsing.**

872 (1) There is created within the Transportation Fund a restricted account known as the

873 "Department of Public Safety Restricted Account."

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

875 (a) all money received under this chapter;

876 (b) administrative fees received according to the fee schedule authorized under this

877 chapter and Section [63J-1-504](#);

878 (c) beginning on January 1, 2013, money received in accordance with Section

879 [41-1a-1201](#); and

880 (d) any appropriations made to the account by the Legislature.

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

882 (b) All interest earned on account money shall be deposited in the account.

883 (4) The expenses of the department in carrying out this chapter shall be provided for by

884 legislative appropriation from this account.

885 (5) The amount in excess of \$45 of the fees collected under Subsection [53-3-105\(25\)](#)

886 shall be appropriated by the Legislature from this account to the department to implement the

887 provisions of Section [53-1-117](#), except that of the amount in excess of \$45, \$100 shall be

888 deposited ~~in~~ into the State Laboratory Drug Testing Account created in Section [26-1-34](#).

889 (6) All money received under Subsection [41-6a-1406\(6\)\(~~b~~\)\(c\)\(ii\)](#) shall be

890 appropriated by the Legislature from this account to the department to implement the

891 provisions of Section [53-1-117](#).

892 (7) Beginning in fiscal year 2009-10, the Legislature shall appropriate \$100,000

893 annually from the account to the state medical examiner appointed under Section [26-4-4](#) for

894 use in carrying out duties related to highway crash deaths under Subsection [26-4-7\(1\)](#).

895 (8) The division shall remit the fees collected under Subsection [53-3-105\(31\)](#) to the

896 Bureau of Criminal Identification to cover the costs for the services the Bureau of Criminal
897 Identification provides under Section 53-3-205.5.

898 (9) (a) Beginning on January 1, 2013, the Legislature shall appropriate all money
899 received in the account under Section 41-1a-1201 to the Utah Highway Patrol Division for
900 field operations.

901 (b) The Legislature may appropriate additional money from the account to the Utah
902 Highway Patrol Division for law enforcement purposes.

903 (10) Appropriations to the department from the account are nonlapsing.

904 (11) The department shall report to the Department of Health, on or before December
905 31, the amount the department expects to collect under Subsection 53-3-105(25) in the next
906 fiscal year.

907 Section 6. Section 63I-1-241 is amended to read:

908 **63I-1-241. Repeal dates, Title 41.**

909 (1) Subsection 41-1a-1201(9), related to the Spinal Cord and Brain Injury
910 Rehabilitation Fund, is repealed January 1, 2025.

911 (2) Section 41-3-106, which creates an advisory board related to motor vehicle
912 business regulation, is repealed July 1, 2024.

913 (3) The following subsections addressing lane filtering are repealed on July 1, 2022:

914 (a) Subsection 41-6a-102(30) that defines "lane filtering";

915 (b) Subsection 41-6a-704(5); and

916 (c) Subsection 41-6a-710(1)(c).

917 (4) Subsection 41-6a-1406(6)(~~(b)~~)(c)(iii), related to the Spinal Cord and Brain Injury
918 Rehabilitation Fund, is repealed January 1, 2025.

919 (5) Subsections 41-22-2(1) and 41-22-10(1)(a), which create the Off-highway Vehicle
920 Advisory Council, are repealed July 1, 2027.

921 (6) Subsection 41-22-8(3), related to the Spinal Cord and Brain Injury Rehabilitation
922 Fund, is repealed January 1, 2025.

923 Section 7. Section 72-9-603 is amended to read:

924 **72-9-603. Towing notice requirements -- Cost responsibilities -- Abandoned**
925 **vehicle title restrictions -- Rules for maximum rates and certification.**

926 (1) Except for a tow truck service that was ordered by a peace officer, a person acting

927 on behalf of a law enforcement agency, or a highway authority, after performing a tow truck
928 service that is being done without the vehicle, vessel, or outboard motor owner's knowledge,
929 the tow truck operator or the tow truck motor carrier shall:

930 (a) immediately upon arriving at the place of storage or impound of the vehicle, vessel,
931 or outboard motor:

932 (i) send a report of the removal to the Motor Vehicle Division that complies with the
933 requirements of Subsection [~~41-6a-1406(4)(b)~~] [41-6a-1406\(4\)](#); and

934 (ii) contact the law enforcement agency having jurisdiction over the area where the
935 vehicle, vessel, or outboard motor was picked up and notify the agency of the:

936 (A) location of the vehicle, vessel, or outboard motor;

937 (B) date, time, and location from which the vehicle, vessel, or outboard motor was
938 removed;

939 (C) reasons for the removal of the vehicle, vessel, or outboard motor;

940 (D) person who requested the removal of the vehicle, vessel, or outboard motor; and

941 (E) description, including the identification number, license number, or other
942 identification number issued by a state agency, of the vehicle, vessel, or outboard motor;

943 (b) within two business days of performing the tow truck service under Subsection
944 (1)(a), send a certified letter to the last-known address of each party described in Subsection
945 [41-6a-1406\(5\)\(a\)](#) with an interest in the vehicle, vessel, or outboard motor obtained from the
946 Motor Vehicle Division or, if the person has actual knowledge of the party's address, to the
947 current address, notifying the party of the:

948 (i) location of the vehicle, vessel, or outboard motor;

949 (ii) date, time, and location from which the vehicle, vessel, or outboard motor was
950 removed;

951 (iii) reasons for the removal of the vehicle, vessel, or outboard motor;

952 (iv) person who requested the removal of the vehicle, vessel, or outboard motor;

953 (v) a description, including its identification number and license number or other
954 identification number issued by a state agency; and

955 (vi) costs and procedures to retrieve the vehicle, vessel, or outboard motor; and

956 (c) upon initial contact with the owner whose vehicle, vessel, or outboard motor was
957 removed, provide the owner with a copy of the Utah Consumer Bill of Rights Regarding

958 Towing established by the department in Subsection (16)(e).

959 (2) Until the tow truck operator or tow truck motor carrier reports the removal as
960 required under Subsection (1)(a), a tow truck operator, tow truck motor carrier, or impound
961 yard may not:

- 962 (a) collect any fee associated with the removal; or
- 963 (b) begin charging storage fees.

964 (3) (a) Except as provided in Subsection (3)(b) or (9), a tow truck operator or tow truck
965 motor carrier may not perform a tow truck service at the request or direction of a private
966 property owner or the property owner's agent unless:

967 (i) the owner or a lien holder of the vehicle, vessel, or outboard motor consents to the
968 tow truck service; or

969 (ii) the property owner erects signage that meets the requirements of:

- 970 (A) Subsection (4)(b)(ii); and
- 971 (B) Subsection (7) or (8).

972 (b) Subsections (7) through (9) do not apply to the removal of a vehicle, vessel, or
973 outboard motor:

974 (i) from a location where parking is prohibited by law, including:

975 (A) a designated fire lane;

976 (B) within 15 feet of a fire hydrant, unless the vehicle is parked in a marked parking
977 stall or space; or

978 (C) a marked parking stall or space legally designated for disabled persons;

979 (ii) from a location where it is reasonably apparent that the location is not open to
980 parking;

981 (iii) from a location where all public access points are controlled by:

982 (A) a permanent gate, door, or similar feature allowing the vehicle to access the
983 facility; or

984 (B) a parking attendant;

985 (iv) from a location that materially interferes with access to private property;

986 (v) from the property of a detached single-family dwelling or duplex; or

987 (vi) pursuant to a legal repossession.

988 (4) (a) A private property owner may, subject to the requirements of a local ordinance,

989 enforce parking restrictions by:

990 (i) authorizing a tow truck motor carrier to patrol and monitor the property and enforce
991 parking restrictions on behalf of the property owner in accordance with Subsection (7);

992 (ii) enforcing parking restrictions as needed by requesting a tow from a tow truck
993 motor carrier on a case-by-case basis in accordance with Subsection (8); or

994 (iii) requesting a tow from a tow truck motor carrier after providing 24-hour written
995 notice in accordance with Subsection (9).

996 (b) (i) Any agreement between a private property owner and tow truck motor carrier
997 authorizing the tow truck motor carrier to patrol and monitor the property under Subsection
998 (4)(a)(i) shall include specific terms and conditions for the tow truck motor carrier to remove a
999 vehicle, vessel, or outboard motor from the property.

1000 (ii) In addition to the signage described in Subsection (7) or (8), a private property
1001 owner who allows public parking shall erect appropriate signage on the property indicating
1002 clear instructions for parking at the property.

1003 (iii) Where a single parking area includes abutting parcels of property owned by two or
1004 more private property owners who enforce different parking restrictions under Subsection (7)
1005 or (8), each property owner shall, in addition to the requirements under Subsection (7) or (8),
1006 erect signage as required by this section:

1007 (A) at each entrance to the property owner's parcel from another property owner's
1008 parcel; and

1009 (B) if there is no clearly defined entrance between one property owner's parcel and
1010 another property owner's parcel, at intervals of 40 feet or less along the line dividing the
1011 property owner's parcel from the other property owner's parcel.

1012 (iv) Where there is no clearly defined entrance to a parking area from a highway, the
1013 property owner shall erect signage as required by this section at intervals of 40 feet or less
1014 along any portion of a property line where a vehicle, vessel, or outboard motor may enter the
1015 parking area.

1016 (5) Nothing in Subsection (3) or (4) restricts the ability of a private property owner
1017 from, subject to the provisions of this section, instituting and enforcing regulations for parking
1018 at the property.

1019 (6) In addition to any other powers provided by law, a political subdivision or state

1020 agency may:

1021 (a) enforce parking restrictions in accordance with Subsections (7) through (9) on

1022 property that is:

1023 (i) owned by the political subdivision or state agency;

1024 (ii) located outside of the public right-of-way; and

1025 (iii) open to public parking; and

1026 (b) request or direct a tow truck service in order to abate a public nuisance on private
1027 property over which the political subdivision or state agency has jurisdiction.

1028 (7) For private property where parking is enforced under Subsection (4)(a)(i), the
1029 property owner shall ensure that each entrance to the property has the following signs located
1030 on the property and clearly visible to the driver of a vehicle entering the property:

1031 (a) a top sign that is 24 inches tall by 18 inches wide and has:

1032 (i) a blue, reflective background with a 1/2 inch white border;

1033 (ii) two-inch, white letters at the top of the sign with the capitalized words "Lot is
1034 Patrolled";

1035 (iii) a white towing logo that is six inches tall and 16 inches wide that depicts an entire
1036 tow truck, a tow hook, and an entire vehicle being towed; and

1037 (iv) two-inch, white letters at the bottom of the sign with the capitalized words
1038 "Towing Enforced"; and

1039 (b) a bottom sign that is 24 inches tall by 18 inches wide with a 1/2 inch white,
1040 reflective border, and has:

1041 (i) a top half that is red background with white, reflective letters indicating:

1042 (A) who is authorized to park or restricted from parking at the property; and

1043 (B) any type of vehicle prohibited from parking at the property; and

1044 (ii) a bottom half that has a white, reflective background with red letters indicating:

1045 (A) the name and telephone number of the tow truck motor carrier that the property
1046 owner has authorized to patrol the property; and

1047 (B) the Internet web address "tow.utah.gov".

1048 (8) For private property where parking is enforced under Subsection (4)(a)(ii):

1049 (a) a tow truck motor carrier may not:

1050 (i) patrol and monitor the property;

1051 (ii) perform a tow truck service without the written or verbal request of the property
1052 owner or the property owner's agent; or

1053 (iii) act as the property owner's agent to request a tow truck service; and

1054 (b) the property owner shall ensure that each entrance to the property has a clearly
1055 visible sign located on the property that is 24 inches tall by 18 inches wide with a 1/2 inch
1056 white, reflective border, and has:

1057 (i) at the top of the sign, a blue background with a white, reflective towing logo that is
1058 at least four inches tall and 16 inches wide that depicts an entire tow truck, a tow hook, and an
1059 entire vehicle being towed;

1060 (ii) immediately below the towing logo described in Subsection (8)(b)(i), a blue
1061 background with white, reflective letters at least two inches tall with the capitalized words
1062 "Towing Enforced";

1063 (iii) in the middle of the sign, a red background with white, reflective letters at least
1064 one inch tall indicating:

1065 (A) who is authorized to park or restricted from parking at the property; and

1066 (B) any type of vehicle prohibited from parking at the property; and

1067 (iv) at the bottom of the sign, a white, reflective background with red letters at least
1068 one inch tall indicating:

1069 (A) either:

1070 (I) the name and telephone number of the property owner or the property owner's agent
1071 who is authorized to request a tow truck service; or

1072 (II) the name and telephone number of the tow truck motor carrier that provides tow
1073 truck services for the property; and

1074 (B) the Internet web address "tow.utah.gov".

1075 (9) (a) For private property without signage meeting the requirements of Subsection (7)
1076 or (8), the property owner may request a tow truck motor carrier to remove a vehicle, vessel, or
1077 outboard motor from the private property 24 hours after the property owner or the property
1078 owner's agent affixes a written notice to the vehicle, vessel, or outboard motor in accordance
1079 with this Subsection (9).

1080 (b) The written notice described in Subsection (9)(a) shall:

1081 (i) indicate the exact time when the written notice is affixed to the vehicle, vessel, or

1082 outboard motor;

1083 (ii) warn the owner of the vehicle, vessel, or outboard motor that the vehicle, vessel, or
1084 outboard motor will be towed from the property if it is not removed within 24 hours after the
1085 time indicated in Subsection (9)(b)(i);

1086 (iii) be at least four inches tall and four inches wide; and

1087 (iv) be affixed to the vehicle, vessel, or outboard motor at a conspicuous location on
1088 the driver's side window of the vehicle, vessel, or outboard motor.

1089 (c) A property owner may authorize a tow truck motor carrier to act as the property
1090 owner's agent for purposes of affixing the written notice described in Subsection (9)(a) to a
1091 vehicle, vessel, or outboard motor.

1092 (10) The department shall publish on the department Internet website the signage
1093 requirements and written notice requirements and illustrated or photographed examples of the
1094 signage and written notice requirements described in Subsections (7) through (9).

1095 (11) It is an affirmative defense to any claim, based on the lack of notice, that arises
1096 from the towing of a vehicle, vessel, or outboard motor from private property that the property
1097 had signage meeting the requirements of:

1098 (a) Subsection (4)(b)(ii); and

1099 (b) Subsection (7) or (8).

1100 (12) The party described in Subsection 41-6a-1406(5)(a) with an interest in a vehicle,
1101 vessel, or outboard motor lawfully removed is only responsible for paying:

1102 (a) the tow truck service and storage fees set in accordance with Subsection (16); and

1103 (b) the administrative impound fee set in Section 41-6a-1406, if applicable.

1104 (13) (a) The fees under Subsection (12) are a possessory lien on the vehicle, vessel, or
1105 outboard motor and any nonlife essential items contained in the vehicle, vessel, or outboard
1106 motor that are owned by the owner of the vehicle, vessel, or outboard motor until paid.

1107 (b) The tow truck operator or tow truck motor carrier shall securely store the vehicle,
1108 vessel, or outboard motor and items described in Subsection (13)(a) in an approved state
1109 impound yard until a party described in Subsection 41-6a-1406(5)(a) with an interest in the
1110 vehicle, vessel, or outboard motor:

1111 (i) pays the fees described in Subsection (12); and

1112 (ii) removes the vehicle, vessel, or outboard motor from the state impound yard.

1113 (14) (a) A vehicle, vessel, or outboard motor shall be considered abandoned if a party
1114 described in Subsection 41-6a-1406(5)(a) with an interest in the vehicle, vessel, or outboard
1115 motor does not, within 30 days after notice has been sent under Subsection (1)(b):

1116 (i) pay the fees described in Subsection (12); and

1117 (ii) remove the vehicle, vessel, or outboard motor from the secure storage facility.

1118 (b) A person may not request a transfer of title to an abandoned vehicle, vessel, or
1119 outboard motor until at least 30 days after notice has been sent under Subsection (1)(b).

1120 (15) (a) A tow truck motor carrier or impound yard shall clearly and conspicuously
1121 post and disclose all its current fees, rates, and acceptable forms of payment for tow truck
1122 service and storage of a vehicle in accordance with rules established under Subsection (16).

1123 (b) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
1124 payment by cash and debit or credit card for a tow truck service under Subsection (1) or any
1125 service rendered, performed, or supplied in connection with a tow truck service under
1126 Subsection (1).

1127 (16) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1128 the department shall:

1129 (a) subject to the restriction in Subsection (17), set maximum rates that:

1130 (i) a tow truck motor carrier may charge for the tow truck service of a vehicle, vessel,
1131 or outboard motor that are transported in response to:

1132 (A) a peace officer dispatch call;

1133 (B) a motor vehicle division call; and

1134 (C) any other call or request where the owner of the vehicle, vessel, or outboard motor
1135 has not consented to the removal; and

1136 (ii) an impound yard may charge for the storage of a vehicle, vessel, or outboard motor
1137 stored as a result of one of the conditions listed under Subsection (16)(a)(i);

1138 (b) establish authorized towing certification requirements, not in conflict with federal
1139 law, related to incident safety, clean-up, and hazardous material handling;

1140 (c) specify the form and content of the posting and disclosure of fees and rates charged
1141 and acceptable forms of payment by a tow truck motor carrier or impound yard;

1142 (d) set a maximum rate for an administrative fee that a tow truck motor carrier may
1143 charge for reporting the removal as required under Subsection (1)(a)(i) and providing notice of

1144 the removal to each party described in Subsection 41-6a-1406(5)(a) with an interest in the
1145 vehicle, vessel, or outboard motor as required in Subsection (1)(b); and

1146 (e) establish a Utah Consumer Bill of Rights Regarding Towing form that contains
1147 specific information regarding:

1148 (i) a vehicle owner's rights and responsibilities if the owner's vehicle is towed;

1149 (ii) identifies the maximum rates that a tow truck motor carrier may charge for the tow
1150 truck service of a vehicle, vessel, or outboard motor that is transported in response to a call or
1151 request where the owner of the vehicle, vessel, or outboard motor has not consented to the
1152 removal; and

1153 (iii) identifies the maximum rates that an impound yard may charge for the storage of
1154 vehicle, vessel, or outboard motor that is transported in response to a call or request where the
1155 owner of the vehicle, vessel, or outboard motor has not consented to the removal.

1156 (17) An impound yard may not charge a fee for the storage of an impounded vehicle,
1157 vessel, or outboard motor if:

1158 (a) the vehicle, vessel, or outboard motor is being held as evidence; and

1159 (b) the vehicle, vessel, or outboard motor is not being released to a party described in
1160 Subsection 41-6a-1406(5)(a), even if the party satisfies the requirements to release the vehicle,
1161 vessel, or outboard motor under Section 41-6a-1406.

1162 (18) (a) (i) A tow truck motor carrier may charge a rate up to the maximum rate set by
1163 the department in rules made under Subsection (16).

1164 (ii) In addition to the maximum rates established under Subsection (16) and when
1165 receiving payment by credit card, a tow truck operator, a tow truck motor carrier, or an
1166 impound yard may charge a credit card processing fee of 3% of the transaction total.

1167 (b) A tow truck motor carrier may not be required to maintain insurance coverage at a
1168 higher level than required in rules made pursuant to Subsection (16).

1169 (19) (a) When a tow truck motor carrier or impound lot is in possession of a vehicle,
1170 vessel, or outboard motor as a result of a tow service that was performed without the consent of
1171 the owner, and that was not ordered by a peace officer or a person acting on behalf of a law
1172 enforcement agency, the tow truck motor carrier or impound yard shall make personnel
1173 available:

1174 ~~(a)~~ (i) by phone 24 hours a day, seven days a week; and

1175 ~~(b)~~ (ii) to release the impounded vehicle, vessel, or outboard motor to the owner
1176 within one hour of when the owner calls the tow truck motor carrier or impound yard.

1177 (b) (i) If an owner of a vehicle, vessel, or outboard motor requests a release of the
1178 vehicle, vessel, or outboard motor outside of normal business hours, the tow truck motor
1179 carrier may charge an after-hours release fee.

1180 (ii) For purposes of this Subsection (19), "outside of normal business hours" means:

1181 (A) any time before 8 a.m.;

1182 (B) any time after 5 p.m.;

1183 (C) on a Saturday or Sunday; or

1184 (D) on a state or federal holiday.

1185 Section 8. **Repealer.**

1186 This bill repeals:

1187 Section **41-1a-1104, Disposition of proceeds from sale.**