

## SB0105S05 compared with SB0105S04

~~{deleted text}~~ shows text that was in SB0105S04 but was deleted in SB0105S05.

inserted text shows text that was not in SB0105S04 but was inserted into SB0105S05.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Senator Jerry W. Stevenson}~~Representative Candice B. Pierucci proposes the following substitute bill:

### TRAFFIC ENFORCEMENT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jerry W. Stevenson**

House Sponsor: ~~{~~Brett Garner~~}~~

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#### LONG TITLE

##### General Description:

This bill ~~{creates the speed safety camera pilot program,}~~ amends ~~{restrictions on the use of a speed safety camera for traffic enforcement, and allocates fees collected from speed safety camera citations}~~ provisions related to high occupancy vehicle lanes on a highway to consider a vehicle with a pregnant individual as containing two occupants for purposes of high occupancy vehicle lane purposes.

##### Highlighted Provisions:

This bill:

▶ ~~{defines terms;~~

▶ ~~creates the speed safety camera pilot program that allows the use of a speed safety camera without a peace officer present in certain circumstances;~~

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- describes when law enforcement can use a speed safety camera for speed limit enforcement;
- designates the Zero Fatalities initiative as the highway safety initiative of the Department of Transportation;
- allocates the revenues from certain fines collected from a speed safety camera to the prosecuting government entity and to the Zero Fatalities initiative in the Department of Transportation; and
- makes technical changes} amends provisions related to high occupancy vehicle lanes on a highway to count a pregnant individual as two occupants for purposes of high occupancy vehicle lane purposes; and
  - ▶ enacts an affirmative defense provision that allows a pregnant individual to provide evidence of pregnancy as cause for citation dismissal.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

{ ~~This bill provides a special effective date.~~ } None

### Utah Code Sections Affected:

#### AMENDS:

- ~~{51-2a-301}~~ 41-6a-702, as last amended by Laws of Utah ~~{2022, Chapter 89~~
- ~~63I-1-241~~, as last amended by Laws of Utah 2022, Chapters 68, 92, 104, and 110
- ~~63I-1-278~~, as last amended by Laws of Utah 2022, Chapters 188, 318, 384, and 423
- ~~78A-5-110~~, as last amended by Laws of Utah 2022, Chapter 68
- ~~78A-7-120~~, as last amended by Laws of Utah 2022, Chapters 68, 89

#### ENACTS:

- ~~72-1-217~~, Utah Code Annotated 1953

#### REPEALS AND REENACTS:

- ~~41-6a-608~~, as renumbered and amended by Laws of Utah 2005, Chapter 2
- †2020, Chapter 74

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

Section 1. Section ~~{41-6a-608}~~ 41-6a-702 is ~~{repealed and reenacted to read:~~

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~~41-6a-608. Speed safety camera pilot program -- Restrictions on use:~~

~~(1) As used in this section:~~

~~(a) "Construction zone" means a portion of a highway under construction, reconstruction, replacement, and improvement of a highway.~~

~~(b) "Department of Transportation" means the Department of Transportation created in Section 72-1-201.~~

~~(c) "Reduced speed school zone" means the same as that term is defined in Section 41-6a-303.~~

~~(d) "Speed safety camera" means a device used primarily for speed limit enforcement consisting of a radar or lidar unit and camera which automatically produces a photograph of a vehicle, with the vehicle's speed, the date, time of day, and location of the violation printed on the photograph.~~

~~(2) (a) Subject to Subsections (3) and (4), in coordination with an applicable local law enforcement agency and the department, the Department of Transportation shall implement a speed safety camera pilot program for speed limit enforcement on a state road as described in this Subsection (2).~~

~~(b) The speed safety camera pilot program shall begin on July 1, 2023, and end on June 30, 2024.~~

~~(c) The Department of Transportation, the department, and a local law enforcement agency may only implement a speed safety camera in:~~

~~(i) up to three reduced speed school zones with each zone having up to two speed safety cameras, one for each direction of traffic; and~~

~~(ii) up to three construction zones with each zone having:~~

~~(A) if the construction zone is on a freeway as defined in Section 41-6a-102, up to two speed safety cameras per freeway entrance, one for each direction of traffic; or~~

~~(B) if the construction zone is not on a freeway as defined in Section 41-6a-102, up to two speed safety cameras, one for each direction of traffic.~~

~~(d) In accordance with Subsection (2)(c), the total maximum number of speed safety camera locations the Department of Transportation, the department, and local law enforcement agencies can collectively employ throughout the state at one time is six locations, with each location having up to two speed safety cameras, one for each direction of traffic.~~

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- ~~—— (e) (i) The Department of Transportation shall:~~
- ~~—— (A) install the necessary signs described in Subsection (3)(a);~~
- ~~—— (B) enter into an agreement or contract to obtain the speed safety camera from a vendor as described in Subsection (6);~~
- ~~—— (C) manage the use and maintenance of a speed safety camera and signs;~~
- ~~—— (D) collect and send, or ensure the speed safety camera vendor collects and sends, necessary data captured by the speed safety camera to the applicable local law enforcement agency or the department for the enforcing agency to send a citation or warning as described in Subsection (5);~~
- ~~—— (E) coordinate with the department and an applicable local law enforcement agency for implementation of the speed safety camera pilot program including placement location of a speed safety camera; and~~
- ~~—— (F) determine the placement location for each speed safety camera in consultation with the local law enforcement agency or the department.~~
- ~~—— (ii) The department shall:~~
- ~~—— (A) consult with the Department of Transportation for the Department of Transportation to enter into a contract to purchase, lease, or rent a speed safety camera from a vendor;~~
- ~~—— (B) coordinate with the Department of Transportation to receive the captured data described in Subsection (2)(c)(i)(D);~~
- ~~—— (C) search the department's database of registered vehicles based on the photograph of the violating driver's vehicle's license plate; and~~
- ~~—— (D) send the owner of the vehicle described in Subsection (2)(c)(ii)(C) the warning or citation described in Subsection (5);~~
- ~~—— (iii) A local highway authority that agrees to the placement of a speed safety camera in a reduced speed school zone within that local highway authority's jurisdiction shall ensure the local law enforcement agency in that jurisdiction coordinates with the Department of Transportation for the placement, use, maintenance, or removal of the speed safety camera.~~
- ~~—— (3) Subject to Subsection (4), the department or a local law enforcement agency may not use a speed safety camera in the areas described in Subsection (2)(c), unless:~~
- ~~—— (a) a prominent sign is posted on the highway providing notice to a motorist that a~~

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~~speed safety camera is in use:~~

~~—— (b) the speed safety camera is installed and operated in a manner consistent with the vendor's specifications;~~

~~—— (c) use of a speed safety camera by a local highway authority and enforcement by the local law enforcement agency is approved by the local highway authority's governing body; and~~

~~—— (d) the issuance of a citation is accompanied by the photograph produced by a speed safety camera.~~

~~—— (4) (a) Except as provided in Subsection (4)(b), the Department of Transportation shall:~~

~~—— (i) consult with the department and the relevant local law enforcement agency~~

~~regarding speed safety camera placement locations using:~~

~~—— (A) relevant safety metrics; and~~

~~—— (B) factors identifying an area as having the highest potential in preventing loss of life and injury; and~~

~~—— (ii) determine the placement of a speed safety camera in the reduced speed school zones and construction zones described in Subsection (2)(c):~~

~~—— (b) The Department of Transportation may not have more than two speed safety camera locations in any one county.~~

~~—— (5) If an individual commits a moving traffic violation and is caught by a speed safety camera described in Subsection (2), the department or the applicable local law enforcement agency shall:~~

~~—— (a) provide one warning per vehicle per calendar year upon the vehicle owner's first violation in any jurisdiction; and~~

~~—— (b) issue a citation to the vehicle owner for the second and subsequent violations with the same vehicle within any jurisdiction until the next calendar year begins.~~

~~—— (6) (a) Subject to Subsection (6)(b), the Department of Transportation shall enter into a contract regarding the purchase, lease, or rental of a speed safety camera for use by the department or a local highway authority:~~

~~—— (b) The contract described in Subsection (6)(a) may not require any condition for issuing a citation.~~

~~—— (c) The Department of Transportation shall use existing departmental funds to purchase, lease, or rent the speed safety cameras for the pilot program.~~

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~~(7) Upon request, the Department of Transportation, the department, and any local highway authority shall make the following information available for public inspection during regular office hours:~~

~~(a) the terms of any contract regarding the purchase, lease, rental, or use of a speed safety camera;~~

~~(b) the total fine revenue generated by using a speed safety camera;~~

~~(c) the number of citations issued by the use of a speed safety camera; and~~

~~(d) the amount paid to the vendor providing the speed safety camera unit.~~

~~(8) On or before October 1, 2024, the Department of Transportation and the department shall provide a report to the Transportation Interim Committee that summarizes:~~

~~(a) the effectiveness of speed safety camera enforcement in the selected reduced speed school zones and construction zones;~~

~~(b) if available, the average speed of vehicles driving through the reduced speed school zones and construction zones before and after implementation of the pilot program;~~

~~(c) if available, the crash rates before and after implementation; and~~

~~(d) other relevant data.~~

~~(9) A moving traffic violation enforced through the use of a speed safety camera is not a reportable violation as defined under Section 53-3-102, and the Driver License Division created in Section 53-3-103 may not assess points under Section 53-3-221 against the driving record of a person for the violation.~~

~~(10) Notwithstanding Subsections (2) through (4), the restrictions on the use of a speed safety camera do not apply when the information gathered is used for highway safety research or to issue warning citations not involving a fine, court appearance, or an individual's driving record.~~

~~amended to read:~~

**41-6a-702. Left lane restrictions -- Exceptions -- Other lane restrictions --**

### **Penalties.**

(1) As used in this section and Section 41-6a-704, "general purpose lane" means a highway lane open to vehicular traffic but does not include a designated:

(a) high occupancy vehicle (HOV) lane; or

(b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway

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off-ramp.

(2) On a freeway or section of a freeway which has three or more general purpose lanes in the same direction, a person may not operate a vehicle in the left most general purpose lane if the person's vehicle or combination of vehicles has a gross vehicle weight rating of 18,001 or more pounds.

(3) Subsection (2) does not apply to a person operating a vehicle who is:

(a) preparing to turn left or taking a different highway split or an exit on the left;

(b) responding to emergency conditions;

(c) avoiding actual or potential traffic moving onto the highway from an acceleration or merging lane; or

(d) following direction signs that direct use of a designated lane.

(4) (a) A highway authority may designate a specific lane or lanes of travel for any type of vehicle on a highway or portion of a highway under its jurisdiction for the:

(i) safety of the public;

(ii) efficient maintenance of a highway; or

(iii) use of high occupancy vehicles.

(b) The lane designation under Subsection (4)(a) is effective when appropriate signs or roadway markings giving notice are erected on the highway or portion of the highway.

(c) For purposes of determining the occupancy of a vehicle for use of a high occupancy vehicle lane, when a pregnant individual is driving with no other individuals in the vehicle, the vehicle is considered to have at least two occupants.

(5) (a) Subject to Subsection (5)(b), the lane designation under Subsection (4)(a)(iii) shall allow a vehicle with a clean fuel vehicle decal issued in accordance with Section 72-6-121 to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants as permitted by federal law or federal regulation.

(b) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation may make rules to allow a vehicle with a clean fuel vehicle decal to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants as permitted by federal law or federal regulation.

(ii) Except as provided in Subsection (5)(b)(iii), the Department of Transportation may not issue more than 6,000 clean fuel vehicle decals under Section 72-6-121.

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(iii) The Department of Transportation may, through rules made under Subsection (5)(b)(i), increase the number of clean fuel vehicle decals issued in accordance with Section 72-6-121 beyond the minimum described in Subsection (5)(b)(ii) if the increased issuance will allow the Department of Transportation to continue to meet its goals for operational management of the lane designated under Subsection (4)(a)(iii).

(6) A public transportation vehicle may operate in a lane designated under Subsection (4)(a)(iii) regardless of the number of occupants as permitted by federal law and regulation.

(7) (a) [A] Subject to Subsection (7)(b), a person who operates a vehicle in violation of Subsection (2) or in violation of the restrictions made under Subsection (4) is guilty of an infraction.

~~{Section 2. Section 51-2a-301 is amended to read:~~

~~———— 51-2a-301. State auditor responsibilities.~~

~~———— (1) Except for political subdivisions that do not receive or expend public funds, the state auditor shall adopt guidelines, qualifications criteria, and procurement procedures for use in the procurement of audit services for all entities that are required by Section 51-2a-201 to cause an accounting report to be made.~~

~~———— (2) The state auditor shall follow the notice, hearing, and publication requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

~~———— (3) The state auditor shall:~~

~~———— (a) review the accounting report submitted to the state auditor under Section 51-2a-201; and~~

~~———— (b) if necessary, conduct additional inquiries or examinations of financial statements of the entity submitting that information.~~

~~———— (4) The governing board of each entity required by Section 51-2a-201 to submit an accounting report to the state auditor's office shall comply with the guidelines, criteria, and procedures established by the state auditor.~~

~~———— (5) Each fifth year, the state auditor shall:~~

~~———— (a) review the dollar criteria established in Section 51-2a-201 to determine if they need to be increased or decreased; and~~

~~———— (b) if the state auditor determines that they need to be increased or decreased, notify the Legislature of that need.~~

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~~—— (6) (a) The state auditor may require a higher level of accounting report than is required under Section 51-2a-201.~~

~~—— (b) The state auditor shall:~~

~~—— (i) develop criteria under which a higher level of accounting report may be required; and~~

~~—— (ii) provide copies of those criteria to entities required to analyze and report under Section 51-2a-201.~~

~~—— (7) This section does not apply to a nonprofit corporation that submits an accounting report under Section 51-2a-201.5.~~

~~—— (8) The state auditor shall adopt a policy to monitor compliance with Subsection [78A-7-120(7).] 78A-7-120(8):~~

~~—— Section 3. Section **63I-1-241** is amended to read:~~

~~—— **63I-1-241. Repeal dates: Title 41.**~~

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

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

~~—— (3) The following subsections addressing lane filtering are repealed on July 1, 2027:~~

~~—— (a) Subsection 41-6a-102(31) that defines "lane filtering";~~

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

~~—— (c) Subsection 41-6a-710(1)(c):~~

~~—— (4) Section 41-6a-608, related to the speed safety camera pilot program, is repealed July 1, 2025.~~

~~—— [(4)] (5) Subsection 41-6a-1406(6)(c)(iii), related to the Spinal Cord and Brain Injury Rehabilitation Fund, is repealed January 1, 2025.~~

~~—— [(5)] (6) Subsections 41-22-2(1) and 41-22-10(1)(a), which authorize an advisory council that includes in the advisory council's duties addressing off-highway vehicle issues, are repealed July 1, 2027.~~

~~—— [(6)] (7) Subsection 41-22-8(3), related to the Spinal Cord and Brain Injury Rehabilitation Fund, is repealed January 1, 2025.~~

~~—— Section 4. Section **63I-1-278** is amended to read:~~

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~~631-1-278. Repeal dates: Title 78A and Title 78B.~~

~~(1) Subsections 78A-2-301(4) and 78A-2-301.5(12), regarding the suspension of filing fees for petitions for expungement, are repealed on July 1, 2023.~~

~~(2) Section 78B-3-421, regarding medical malpractice arbitration agreements, is repealed July 1, 2029.~~

~~(3) Subsection 78A-5-110(7), regarding fines and forfeitures collected as part of the speed safety camera pilot program, is repealed on July 1, 2025.~~

~~[(3)] (4) Subsection 78A-7-106(6), regarding the transfer of a criminal action involving a domestic violence offense from the justice court to the district court, is repealed on July 1, 2024.~~

~~(5) Subsection 78A-7-120(7), regarding fines and forfeitures collected as part of the speed safety camera pilot program, is repealed on July 1, 2025.~~

~~[(4)] (6) Section 78B-4-518, regarding the limitation on employer liability for an employee convicted of an offense, is repealed on July 1, 2025.~~

~~[(5)] (7) Title 78B, Chapter 6, Part 2, Alternative Dispute Resolution Act, is repealed July 1, 2026.~~

~~[(6)] (8) Title 78B, Chapter 12, Part 4, Advisory Committee, which creates the Child Support Guidelines Advisory Committee, is repealed July 1, 2026.~~

~~[(7)] (9) Section 78B-22-805, regarding the Interdisciplinary Parental Representation Pilot Program, is repealed December 31, 2024.~~

~~Section 5. Section 72-1-217 is enacted to read:~~

~~**72-1-217. Zero Fatalities initiative.**~~

~~(1) The "Zero Fatalities" initiative is designated as the highway safety initiative of the department in the state.~~

~~(2) The department shall develop or maintain the policies related to the Zero Fatalities initiative that promote safety on highways for pedestrians and vehicle passengers, mitigate vehicle crash severity, and reduce the number of lives lost in this state.~~

~~Section 6. Section 78A-5-110 is amended to read:~~

~~**78A-5-110. Allocation of district court fees and forfeitures.**~~

~~(1) Except as provided in this section, district court fines and forfeitures collected for violation of state statutes shall be paid to the state treasurer.~~

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~~—— (2) Fines and forfeitures collected by the court for violation of a state statute or county or municipal ordinance constituting a misdemeanor or an infraction shall be remitted 1/2 to the state treasurer and 1/2 to the treasurer of the state or local governmental entity which prosecutes or which would prosecute the violation.~~

~~—— (3) (a) Fines and forfeitures collected for violations of Title 23, Wildlife Resources Code of Utah, Title 41, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State Boating Act, shall be paid to the state treasurer.~~

~~—— (b) For violations of Title 23, Wildlife Resources Code of Utah, the state treasurer shall allocate 85% to the Division of Wildlife Resources and 15% to the General Fund.~~

~~—— (c) For violations of Title 41, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State Boating Act, the state treasurer shall allocate 85% to the Division of Outdoor Recreation and 15% to the General Fund.~~

~~—— (4) (a) The state treasurer shall allocate fines and forfeitures collected for a violation of Section 72-7-404 or 72-7-406, less fees established by the Judicial Council, to the Department of Transportation for use on class B and class C roads.~~

~~—— (b) Fees established by the Judicial Council shall be deposited in the state General Fund.~~

~~—— (c) Money allocated for class B and class C roads is supplemental to the money appropriated under Section 72-2-107 but shall be expended in the same manner as other class B and class C road funds.~~

~~—— (5) (a) Fines and forfeitures collected by the court for a second or subsequent violation under Section 41-6a-1713 or Subsection 72-7-409(6)(c) shall be remitted:~~

~~—— (i) 60% to the state treasurer to be deposited into the Transportation Fund; and~~

~~—— (ii) 40% in accordance with Subsection (2).~~

~~—— (b) Fines and forfeitures collected by the court for a second or subsequent violation under Subsection 72-7-409(6)(d) shall be remitted:~~

~~—— (i) 50% to the state treasurer to be deposited into the Transportation Fund; and~~

~~—— (ii) 50% in accordance with Subsection (2).~~

~~—— (6) For fines and forfeitures collected by the court for a violation of Section 41-6a-1302 in instances where evidence of the violation was obtained by an automated traffic enforcement safety device as described in Section 41-6a-1310, the court shall allocate 20% to~~

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~~the school district or private school that owns or contracts for the use of the bus, and the state treasurer shall allocate 40% to the treasurer of the state or local governmental entity that prosecutes or that would prosecute the violation, and 40% to the General Fund.~~

~~—— (7) For fines and forfeitures collected by the court for a moving traffic violation captured by a speed safety camera as described in Section 41-6a-608, the court shall:~~

~~—— (a) if the defendant voluntarily remits the fine under Subsection 77-7-21(1), allocate 100% to the Department of Transportation's Zero Fatalities initiative described in Section 72-1-217; or~~

~~—— (b) in all other instances, allocate:~~

~~—— (i) 40% to the treasurer of the state or local government entity responsible for prosecuting the moving traffic violation; and~~

~~—— (ii) 60% to the Department of Transportation's Zero Fatalities initiative described in Section 72-1-217.~~

~~—— [(7)] (8) Fines and forfeitures collected for any violations not specified in this chapter or otherwise provided for by law shall be paid to the state treasurer.~~

~~—— [(8)] (9) Fees collected in connection with civil actions filed in the district court shall be paid to the state treasurer.~~

~~—— [(9)] (10) The court shall remit money collected in accordance with Title 51, Chapter 7, State Money Management Act.~~

~~—— Section 7. Section 78A-7-120 is amended to read:~~

~~—— **78A-7-120. Disposition of fines.**~~

~~—— (1) (a) Except as otherwise specified by this section, fines and forfeitures collected by a justice court shall be remitted as follows:~~

~~—— (i) 50% to the treasurer of the local government responsible for the court; and~~

~~—— (ii) 50% to the treasurer of the local government which prosecutes or which would prosecute the violation.~~

~~—— (b) An interlocal agreement created pursuant to Title 11, Chapter 13, Interlocal Cooperation Act, and related to justice courts may alter the ratio described in Subsection (1)(a) if the parties agree.~~

~~—— (2) (a) For violation of Title 23, Wildlife Resources Code of Utah, the court shall allocate 85% to the Division of Wildlife Resources and 15% to the general fund of the local~~

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~~government responsible for the justice court.~~

~~—— (b) For violation of Title 41, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State Boating Act, the court shall allocate 85% to the Division of Outdoor Recreation and 15% to the general fund of the local government responsible for the justice court.~~

~~—— (c) Fines and forfeitures collected by the court for a violation of Section 41-6a-1302 in instances where evidence of the violation was obtained by an automated traffic enforcement safety device as described in Section 41-6a-1310 shall be remitted:~~

~~—— (i) 20% to the school district or private school that owns or contracts for the use of the school bus; and~~

~~—— (ii) 80% in accordance with Subsection (1):~~

~~—— (3) The surcharge established by Section 51-9-401 shall be paid to the state treasurer and deposited into the General Fund.~~

~~—— (4) Fines, fees, court costs, and forfeitures collected by a municipal or county justice court for a violation of Section 72-7-404 or 72-7-406 regarding maximum weight limitations and overweight permits, minus court costs not to exceed the schedule adopted by the Judicial Council, shall be paid to the state treasurer and allocated to the Department of Transportation for class B and class C roads.~~

~~—— (5) Revenue allocated for class B and class C roads pursuant to Subsection (4) or Subsection (7) is supplemental to the money appropriated under Section 72-2-107 but shall be expended in the same manner as other class B and class C road funds.~~

~~—— (6) (a) Fines and forfeitures collected by the court for a second or subsequent violation under Section 41-6a-1713 or Subsection 72-7-409(6)(c) shall be remitted:~~

~~—— (i) 60% to the state treasurer to be deposited into the Transportation Fund; and~~

~~—— (ii) 40% in accordance with Subsection (1):~~

~~—— (b) Fines and forfeitures collected by the court for a second or subsequent violation under Subsection 72-7-409(6)(d) shall be remitted:~~

~~—— (i) 50% to the state treasurer to be deposited into the Transportation Fund; and~~

~~—— (ii) 50% in accordance with Subsection (1):~~

~~—— (7) For fines and forfeitures collected by the court for a moving traffic violation captured by a speed safety camera as described in Section 41-6a-608, the court shall:~~

~~—— (a) if the defendant voluntarily remits the fine under Subsection 77-7-21(1), allocate~~

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~~100% to the Department of Transportation's Zero Fatalities initiative described in Section 72-1-217; or~~

~~—— (b) in all other instances, allocate:~~

~~—— (i) 40% to the treasurer of the state or local government entity responsible for prosecuting the moving traffic violation; and~~

~~—— (ii) 60% to the Department of Transportation's Zero Fatalities initiative described in Section 72-1-217.~~

~~—— [(7)] (8) (a) Revenue from traffic fines may not exceed 25% of a local government's total general fund revenue for a fiscal year.~~

~~—— (b) No later than 30 days after the day on which a local government's fiscal year ends, a local government that receives traffic fine revenue shall:~~

~~—— (i) for the immediately preceding fiscal year, determine the amount of traffic fine revenue that exceeds the amount described in Subsection [(7)(a)] (8)(a), and~~

~~—— (ii) transfer the amount calculated under Subsection [(7)(b)(i)] (8)(b)(i) to the state treasurer to be allocated to the Department of Transportation for class B and class C roads.~~

~~—— Section 8. **Effective date.**~~

~~—— This bill takes effect on July 1, 2023.~~

‡(b) An individual who is pregnant at the time of citation for violation of high occupancy vehicle lane minimum occupancy, may establish an affirmative defense to dismiss the citation by providing medical documentation signed by the individual's physician in which the physician attests that the individual was pregnant on the date of the citation.