

Representative Paul A. Cutler proposes the following substitute bill:

ROAD RAGE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul A. Cutler

Senate Sponsor: Todd D. Weiler

Cosponsor: Andrew Stoddard

LONG TITLE

General Description:

This bill addresses road rage events.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ addresses the seizure and possession of a vehicle for a road rage event;
- ▶ allows for an administrative impound fee when a vehicle involved in a road rage event is seized and impounded;
- ▶ creates the Road Rage Awareness and Prevention Restricted Account to pay for an education and media campaign on road rage awareness and prevention;
- ▶ includes a sunset date for the Road Rage Awareness and Prevention Restricted Account;
- ▶ allows for the suspension or revocation of an individual's driver license when the individual is convicted of an offense that is enhanced for road rage;
- ▶ creates an enhancement of an offense for road rage;
- ▶ modifies the elements of aggravated assault to address the use of a motor vehicle;



25 ▶ requires the Administrative Office of the Courts to collect data regarding road rage
26 enhancements; and

27 ▶ makes technical and conforming changes.

28 **Money Appropriated in this Bill:**

29 This bill appropriates in fiscal year 2025:

30 ▶ to Department of Public Safety - Programs & Operations - Highway Patrol -

31 Administration as an ongoing appropriation:

32 • from the Road Rage Awareness and Prevention Restricted Account, \$50,000

33 ▶ to Department of Public Safety - Road Rage Awareness and Prevention Account as
34 an ongoing appropriation:

35 • from the General Fund, \$50,000

36 **Other Special Clauses:**

37 This bill provides a special effective date.

38 **Utah Code Sections Affected:**

39 AMENDS:

40 **41-1a-102**, as last amended by Laws of Utah 2023, Chapters 33, 532

41 **41-1a-1101**, as last amended by Laws of Utah 2019, Chapter 373

42 **41-1a-1103**, as last amended by Laws of Utah 2022, Chapter 92

43 **41-6a-1406**, as last amended by Laws of Utah 2023, Chapter 335

44 **41-12a-806**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

45 **53-3-220**, as last amended by Laws of Utah 2023, Chapter 415

46 **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25)**, as last amended by Laws of Utah 2023,
47 Chapters 30, 52, 133, 161, 310, 367, and 494

48 **63I-1-253 (Contingently Effective 01/01/25)**, as last amended by Laws of Utah 2023,
49 Chapters 30, 52, 133, 161, 187, 310, 367, and 494

50 **76-5-103**, as last amended by Laws of Utah 2022, Chapter 181

51 **78A-2-109.5**, as last amended by Laws of Utah 2023, Chapter 441

52 ENACTS:

53 **53-1-122**, Utah Code Annotated 1953

54 **76-3-203.17**, Utah Code Annotated 1953

55

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

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

58 **41-1a-102. Definitions.**

59 As used in this chapter:

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

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

63 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
64 [41-22-2](#).

65 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
66 [41-22-2](#).

67 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
68 [41-22-2](#).

69 (6) "Alternative fuel vehicle" means:

70 (a) an electric motor vehicle;

71 (b) a hybrid electric motor vehicle;

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

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

74 (i) motor fuel;

75 (ii) diesel fuel;

76 (iii) natural gas; or

77 (iv) propane.

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

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

82 (9) "Automated driving system" means the same as that term is defined in Section
83 [41-26-102.1](#).

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

85 (a) rebuilt and restored to operation;

86 (b) flooded and restored to operation; or

87 (c) not restored to operation.

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

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

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

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

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

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

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

103 (16) "Consumer price index" means the same as that term is defined in Section
104 [59-13-102](#).

105 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
106 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
107 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
108 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

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

110 (19) "Division" means the Motor Vehicle Division of the commission, created in
111 Section [41-1a-106](#).

112 (20) "Dynamic driving task" means the same as that term is defined in Section
113 [41-26-102.1](#).

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

116 (22) "Essential parts" means the integral and body parts of a vehicle of a type required
117 to be registered in this state, the removal, alteration, or substitution of which would tend to

118 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,
119 or mode of operation.

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

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

124 (i) farm products, including livestock and its products, poultry and its products,
125 floricultural and horticultural products;

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

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

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

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

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

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

138 (28) "Highway" or "street" means the entire width between property lines of every way
139 or place of whatever nature when any part of it is open to the public, as a matter of right, for
140 purposes of vehicular traffic.

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

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

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

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

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

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

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

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

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

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

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

164 (36) "Manufactured home" means a transportable factory built housing unit constructed
165 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards
166 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body
167 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more
168 square feet, and which is built on a permanent chassis and designed to be used as a dwelling
169 with or without a permanent foundation when connected to the required utilities, and includes
170 the plumbing, heating, air-conditioning, and electrical systems.

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

174 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured
175 for use by armed forces and that is maintained in a condition that represents the vehicle's
176 military design and markings regardless of current ownership or use.

177 (39) "Mobile home" means a transportable factory built housing unit built prior to June
178 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
179 Manufactured Housing and Safety Standards Act (HUD Code).

- 180 (40) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).
- 181 (41) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
182 operation on the highways.
- 183 (b) "Motor vehicle" does not include:
- 184 (i) an off-highway vehicle; or
- 185 (ii) a motor assisted scooter as defined in Section [41-6a-102](#).
- 186 (42) "Motorboat" means the same as that term is defined in Section [73-18-2](#).
- 187 (43) "Motorcycle" means:
- 188 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
189 more than three wheels in contact with the ground; or
- 190 (b) an auticycle.
- 191 (44) "Natural gas" means a fuel of which the primary constituent is methane.
- 192 (45) (a) "Nonresident" means a person who is not a resident of this state as defined by
193 Section [41-1a-202](#), and who does not engage in intrastate business within this state and does
194 not operate in that business any motor vehicle, trailer, or semitrailer within this state.
- 195 (b) A person who engages in intrastate business within this state and operates in that
196 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
197 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
198 considered a resident of this state, insofar as that vehicle is concerned in administering this
199 chapter.
- 200 (46) "Odometer" means a device for measuring and recording the actual distance a
201 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
202 periodically reset.
- 203 (47) "Off-highway implement of husbandry" means the same as that term is defined in
204 Section [41-22-2](#).
- 205 (48) "Off-highway vehicle" means the same as that term is defined in Section [41-22-2](#).
- 206 (49) (a) "Operate" means:
- 207 (i) to navigate a vessel; or
- 208 (ii) collectively, the activities performed in order to perform the entire dynamic driving
209 task for a given motor vehicle by:
- 210 (A) a human driver as defined in Section [41-26-102.1](#); or

211 (B) an engaged automated driving system.

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

213 (50) "Original issue license plate" means a license plate that is of a format and type
214 issued by the state in the same year as the model year of a vehicle that is a model year 1973 or
215 older.

216 (51) "Outboard motor" means a detachable self-contained propulsion unit, excluding
217 fuel supply, used to propel a vessel.

218 (52) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
219 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a
220 security interest.

221 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
222 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
223 stated in the agreement and with an immediate right of possession vested in the conditional
224 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
225 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
226 chapter.

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

229 (53) "Park model recreational vehicle" means a unit that:

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

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

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

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

236 (54) "Personalized license plate" means a license plate that has displayed on it a
237 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
238 to the vehicle by the division.

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

241 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a

242 camper, camper shell, tarp, removable top, or similar structure.

243 (56) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that
244 has the capability to charge the battery or batteries used for vehicle propulsion from an
245 off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle
246 while the vehicle is in motion.

247 (57) "Pneumatic tire" means a tire in which compressed air is designed to support the
248 load.

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

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

256 (60) "Receipt of surrender of ownership documents" means the receipt of surrender of
257 ownership documents described in Section [41-1a-503](#).

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

261 (62) "Recreational vehicle" means the same as that term is defined in Section
262 [13-14-102](#).

263 (63) "Registration" means a document issued by a jurisdiction that allows operation of
264 a vehicle or vessel on the highways or waters of this state for the time period for which the
265 registration is valid and that is evidence of compliance with the registration requirements of the
266 jurisdiction.

267 (64) "Registration decal" means the decal issued by the division that is evidence of
268 compliance with the division's registration requirements.

269 (65) (a) "Registration year" means a 12 consecutive month period commencing with
270 the completion of the applicable registration criteria.

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

273 (66) "Repair or replacement" means the restoration of vehicles, vessels, or outboard
274 motors to a sound working condition by substituting any inoperative part of the vehicle, vessel,
275 or outboard motor, or by correcting the inoperative part.

276 (67) "Replica vehicle" means:

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

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

279 41-6a-1507(1)(a)(i)(B).

280 (68) "Restored-modified vehicle" means a motor vehicle that has been restored and
281 modified with modern parts and technology, including emission control technology and an
282 on-board diagnostic system.

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

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

287 (71) "Security interest" means an interest that is reserved or created by a security
288 agreement to secure the payment or performance of an obligation and that is valid against third
289 parties.

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

293 (73) "Special group license plate" means a type of license plate designed for a
294 particular group of people or a license plate authorized and issued by the division in accordance
295 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

296 (74) (a) "Special interest vehicle" means a vehicle used for general transportation
297 purposes and that is:

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

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

301 (b) In making a determination under Subsection (74)(a), the division director shall give
302 special consideration to:

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

- 304 (ii) a make or model of motor vehicle produced in limited or token quantities;
305 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
306 designed exclusively for educational purposes or museum display; or
307 (iv) a motor vehicle of any age or make that has not been substantially altered or
308 modified from original specifications of the manufacturer and because of its significance is
309 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
310 leisure pursuit.

311 (75) (a) "Special mobile equipment" means a vehicle:

- 312 (i) not designed or used primarily for the transportation of persons or property;
313 (ii) not designed to operate in traffic; and
314 (iii) only incidentally operated or moved over the highways.

315 (b) "Special mobile equipment" includes:

- 316 (i) farm tractors;
317 (ii) off-road motorized construction or maintenance equipment including backhoes,
318 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
319 (iii) ditch-digging apparatus.

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

322 (76) "Specially constructed vehicle" means a vehicle of a type required to be registered
323 in this state, not originally constructed under a distinctive name, make, model, or type by a
324 generally recognized manufacturer of vehicles, and not materially altered from its original
325 construction.

326 (77) (a) "Standard license plate" means a license plate for general issue described in
327 Subsection [41-1a-402](#)(1).

328 (b) "Standard license plate" includes a license plate for general issue that the division
329 issues before January 1, 2024.

330 (78) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
331 motor that meets the requirements of rules made by the commission [~~pursuant to Subsection~~
332 ~~[41-1a-1101](#)(5)] as described in Subsection [41-1a-1101](#)(7).~~

333 (79) "Symbol decal" means the decal that is designed to represent a special group and
334 displayed on a special group license plate.

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

336 (81) (a) "Total fleet miles" means the total number of miles operated in all jurisdictions
337 during the preceding year by power units.

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

341 (82) "Tow truck motor carrier" means the same as that term is defined in Section
342 [72-9-102](#).

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

344 (84) "Trailer" means a vehicle without motive power designed for carrying persons or
345 property and for being drawn by a motor vehicle and constructed so that no part of its weight
346 rests upon the towing vehicle.

347 (85) "Transferee" means a person to whom the ownership of property is conveyed by
348 sale, gift, or any other means except by the creation of a security interest.

349 (86) "Transferor" means a person who transfers the person's ownership in property by
350 sale, gift, or any other means except by creation of a security interest.

351 (87) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle
352 without motive power, designed as a temporary dwelling for travel, recreational, or vacation
353 use that does not require a special highway movement permit when drawn by a self-propelled
354 motor vehicle.

355 (88) "Truck tractor" means a motor vehicle designed and used primarily for drawing
356 other vehicles and not constructed to carry a load other than a part of the weight of the vehicle
357 and load that is drawn.

358 (89) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
359 camper, park model recreational vehicle, manufactured home, and mobile home.

360 (90) "Vessel" means the same as that term is defined in Section [73-18-2](#).

361 (91) "Vintage vehicle" means the same as that term is defined in Section [41-21-1](#).

362 (92) "Waters of this state" means the same as that term is defined in Section [73-18-2](#).

363 (93) "Weighmaster" means a person, association of persons, or corporation permitted
364 to weigh vehicles under this chapter.

365 Section 2. Section **41-1a-1101** is amended to read:

366 **41-1a-1101. Seizure -- Circumstances where permitted -- Impound lot standards.**

367 (1) As used in this section:

368 (a) (i) "Criminal offense" means a class B misdemeanor offense, a class A
369 misdemeanor offense, or a felony offense.

370 (ii) "Criminal offense" includes:

371 (A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony offense
372 described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2, Driver Licensing Act, Title
373 73, Chapter 18, State Boating Act, or Title 76, Utah Criminal Code; and

374 (B) a local ordinance that is a class B misdemeanor and is substantially similar to an
375 offense listed in Subsection (1)(a)(ii)(A).

376 (b) "Operator" means the same as that term is defined in Section [41-6a-102](#).

377 (c) "Road rage event" means the commission of a criminal offense:

378 (i) by an operator of a vehicle;

379 (ii) in response to an incident that occurs or escalates upon a roadway; and

380 (iii) with the intent to endanger or intimidate an individual in another vehicle.

381 (d) "Roadway" means:

382 (i) a highway; or

383 (ii) a private road or driveway as defined in Section [41-6a-102](#).

384 [(+)] (2) The division or any peace officer, without a warrant, may seize and take
385 possession of any vehicle, vessel, or outboard motor:

386 (a) that the division or the peace officer has ~~reason~~ probable cause to believe has been
387 stolen;

388 (b) on which any identification number has been defaced, altered, or obliterated;

389 (c) that has been abandoned in accordance with Section [41-6a-1408](#);

390 (d) for which the applicant has written a check for registration or title fees that has not
391 been honored by the applicant's bank and that is not paid within 30 days;

392 (e) that is placed on the water with improper registration;

393 (f) that is being operated on a highway:

394 (i) with registration that has been expired for more than three months;

395 (ii) having never been properly registered by the current owner; or

396 (iii) with registration that is suspended or revoked; or

397 (g) (i) that the division or the peace officer has ~~[reason]~~ probable cause to believe has
398 been involved in an accident described in Section 41-6a-401, 41-6a-401.3, or 41-6a-401.5; and

399 (ii) whose operator did not remain at the scene of the accident until the operator
400 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7.

401 (3) (a) The division or a peace officer shall seize and take possession of a vehicle,
402 without a warrant, when:

403 (i) the division or the peace officer has probable cause to believe that an operator of the
404 vehicle engaged in a road rage event; and

405 (ii) the operator of the vehicle has been arrested in conjunction with the road rage
406 event.

407 (b) A peace officer may release a vehicle seized and possessed under Subsection (1) to
408 the registered owner of the vehicle if the registered owner is not the individual subject to arrest
409 under Subsection (1) and is immediately available, at the location of the arrest, to take
410 possession of the vehicle.

411 ~~[(2)]~~ (4) (a) Subject to the restriction in Subsection ~~[(2)(b)]~~ (4)(b), the division or any
412 peace officer, without a warrant:

413 (i) shall seize and take possession of any vehicle that is being operated on a highway
414 without owner's or operator's security in effect for the vehicle as required under Section
415 41-12a-301 and the vehicle was involved in an accident; or

416 (ii) may seize and take possession of any vehicle that is being operated on a highway
417 without owner's or operator's security in effect for the vehicle as required under Section
418 41-12a-301 after the division or any peace officer makes a reasonable determination whether
419 the vehicle would:

420 (A) present a public safety concern to the operator or any of the occupants in the
421 vehicle; or

422 (B) prevent the division or the peace officer from addressing other public safety
423 considerations.

424 (b) The division or any peace officer may not seize and take possession of a vehicle
425 under Subsection ~~[(2)(a)]~~ (4)(a):

426 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's
427 security as defined in Section 41-12a-303.2 in the vehicle unless the division or peace officer

428 verifies that owner's or operator's security is not in effect for the vehicle through the Uninsured
429 Motorist Identification Database created in accordance with Section 41-12a-803; or

430 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security
431 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist Identification
432 Database created in accordance with Section 41-12a-803 indicates that the owner's or operator's
433 security is not in effect for the vehicle, unless the division or a peace officer makes a
434 reasonable attempt to independently verify that owner's or operator's security is not in effect for
435 the vehicle.

436 ~~[(3)]~~ (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be
437 seized to transport and store the vessel.

438 ~~[(4)]~~ (6) Any peace officer seizing or taking possession of a vehicle, vessel, or
439 outboard motor under this section shall comply with the provisions of Section 41-6a-1406.

440 ~~[(5)]~~ (7) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
441 Act, the commission shall make rules setting standards for public garages, impound lots, and
442 impound yards that may be used by peace officers and the division.

443 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of
444 public garages, impound lots, or impound yards per geographical area.

445 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard
446 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a state
447 impound yard set forth in this section and rules made in accordance with Subsection ~~[(5)(a)]~~
448 (7)(a).

449 (d) (i) Rules made by the commission shall include a requirement that a state impound
450 yard have opaque fencing on any side of the state impound yard that has frontage with a
451 highway.

452 (ii) The opaque fencing described in Subsection ~~[(5)(d)(i)]~~ (7)(d)(i) may be opaque
453 chain link fencing.

454 ~~[(6)]~~ (8) (a) Except as provided under Subsection ~~[(6)(b)]~~ (8)(b), a person may not
455 operate or allow to be operated a vehicle stored in a public garage, impound lot, or impound
456 yard regulated under this part without prior written permission of the owner of the vehicle.

457 (b) Incidental and necessary operation of a vehicle to move the vehicle from one
458 parking space to another within the facility and that is necessary for the normal management of

459 the facility is not prohibited under Subsection [~~(6)(a)~~] (8)(a).

460 [~~(7)~~] (9) A person who violates the provisions of Subsection [~~(6)~~] (8) is guilty of a
461 class C misdemeanor.

462 [~~(8)~~] (10) The division or the peace officer who seizes a vehicle shall record the
463 mileage shown on the vehicle's odometer at the time of seizure, if:

464 (a) the vehicle is equipped with an odometer; and

465 (b) the odometer reading is accessible to the division or the peace officer.

466 Section 3. Section **41-1a-1103** is amended to read:

467 **41-1a-1103. Sale.**

468 (1) (a) To determine the model year of a vehicle, vessel, or outboard motor as
469 described in this section, the division shall use the model year assigned to a vehicle, vessel, or
470 outboard motor based on:

471 (i) the vehicle identification number assigned by the division; or

472 (ii) if the division has not assigned a vehicle identification number, the vehicle
473 identification number assigned by the manufacturer.

474 (b) To determine the age of a vehicle, vessel, or outboard motor as described in this
475 section, the division shall use the date of the impoundment of the vehicle, vessel, or outboard
476 motor.

477 (2) (a) For a vehicle, vessel, or outboard motor with a model year of eight years old or
478 older, if the owner or lienholder of a seized vehicle, vessel, or outboard motor does not recover
479 the vehicle, vessel, or outboard motor within 30 days from the date of the original notice
480 described in Section [41-6a-1406](#), or if the division is unable to determine the owner or
481 lienholder through reasonable efforts, the division shall issue a certificate of sale for the
482 vehicle, vessel, or outboard motor to the tow truck motor carrier in possession of the vehicle,
483 vessel, or outboard motor upon request by the tow truck motor carrier.

484 (i) For a vehicle, vessel, or outboard motor with a model year of eight years old or
485 older, if the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
486 [41-1a-1101](#) and subsequently released by the division fails to take possession of the vehicle,
487 vessel, or outboard motor and satisfy the amount due to the place of storage within 30 days
488 from the date of release, the division shall, 30 days from the date of the original notice
489 described in Section [41-6a-1406](#), issue a certificate of sale for the vehicle, vessel, or outboard

490 motor to the tow truck motor carrier in possession of the vehicle, vessel, or outboard motor
491 upon request by the tow truck motor carrier, in accordance with this section.

492 (ii) For a vehicle, vessel, or outboard motor with a model year of eight years old or
493 older, if the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
494 [41-1a-1101](#) and subsequently released by the division fails to take possession of the vehicle,
495 vessel, or outboard motor and satisfy the amount due to the place of storage within 20 days
496 from the original notice described in Section [41-6a-1406](#), the tow truck motor carrier shall
497 notify the division, and the division shall renotify the owner or lienholder.

498 (3) For a vehicle, vessel, or outboard motor with a model year seven years old or
499 newer, if the owner or lienholder of a seized vehicle, vessel, or outboard motor does not
500 recover the vehicle, vessel, or outboard motor within 60 days from the date of the original
501 notice described in Section [41-6a-1406](#), or if the division is unable to determine the owner or
502 lienholder through reasonable efforts, the division shall sell the vehicle, vessel, or outboard
503 motor as described in Subsection (4).

504 (4) The sale of a vehicle, vessel, or outboard motor described in Subsection (3) shall:

505 (a) be held in the form of a public auction at the place of storage; and

506 (b) at the discretion of the division, be conducted by:

507 (i) an authorized representative of the division; or

508 (ii) a public garage, impound lot, or impound yard that:

509 (A) is authorized by the division;

510 (B) meets the standards under Subsection [~~[41-1a-1101\(5\)](#)~~] [41-1a-1101\(7\)](#); and

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

512 (5) At least five days prior to the date set for sale described in Subsection (4), the
513 division shall publish a notice of sale setting forth the date, time, and place of sale and a
514 description of the vehicle, vessel, or outboard motor to be sold:

515 (a) on the division's website; and

516 (b) as required in Section [45-1-101](#).

517 (6) At the time of sale described in Subsection (4) the division or other person
518 authorized to conduct the sale shall tender to the highest bidder a certificate of sale conveying
519 all rights, title, and interest in the vehicle, vessel, or outboard motor.

520 (7) The proceeds from the sale of a vehicle, vessel, or outboard motor under

521 Subsection (4) shall be distributed as provided under Section 41-1a-1104.

522 (8) For a vehicle, vessel, or outboard motor with a model year seven years old or
523 newer, if the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
524 41-1a-1101 and subsequently released by the division fails to take possession of the vehicle,
525 vessel, or outboard motor and satisfy the amount due to the place of storage within 60 days
526 from the date of release, the division shall, 60 days from the date of the original notice
527 described in Section 41-6a-1406, sell the vehicle, vessel, or outboard motor as described in
528 Subsection (4).

529 (9) For a vehicle, vessel, or outboard motor with a model year of seven years old or
530 newer, if the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
531 41-1a-1101 and subsequently released by the division fails to take possession of the vehicle,
532 vessel, or outboard motor within 45 days of the original notice described in Section
533 41-6a-1406, the tow truck motor carrier shall notify the division, and the division shall renotify
534 the owner or lienholder.

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

536 **41-6a-1406. Removal and impoundment of vehicles -- Reporting and notification**
537 **requirements -- Administrative impound fee -- Refunds -- Possessory lien -- Rulemaking.**

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

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

545 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be
546 removed by a tow truck motor carrier that meets standards established:

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

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

549 (4) (a) A report described in this Subsection (4) is required for a vehicle, vessel, or
550 outboard motor that is:

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

552 (ii) removed or impounded by any law enforcement or government entity.
553 (b) Before noon on the next business day after the date of the removal of the vehicle,
554 vessel, or outboard motor, a report of the removal shall be sent to the Motor Vehicle Division
555 by:

556 (i) the peace officer or agency by whom the peace officer is employed; and
557 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
558 operator is employed.

559 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
560 include:

561 (i) the operator's name, if known;
562 (ii) a description of the vehicle, vessel, or outboard motor;
563 (iii) the vehicle identification number or vessel or outboard motor identification
564 number;
565 (iv) the license number, temporary permit number, or other identification number
566 issued by a state agency;
567 (v) the date, time, and place of impoundment;
568 (vi) the reason for removal or impoundment;
569 (vii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
570 outboard motor; and
571 (viii) the place where the vehicle, vessel, or outboard motor is stored.

572 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
573 State Tax Commission shall make rules to establish proper format and information required on
574 the form described in this Subsection (4).

575 (e) Until the tow truck operator or tow truck motor carrier reports the removal as
576 required under this Subsection (4), a tow truck motor carrier or impound yard may not:

577 (i) collect any fee associated with the removal; and
578 (ii) begin charging storage fees.

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

582 (i) the registered owner;

583 (ii) any lien holder; or
584 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard motor
585 is currently operating under a temporary permit issued by the dealer, as described in Section
586 41-3-302.

587 (b) The notice shall:

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

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

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

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

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

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

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

608 (6) (a) The vehicle, vessel, or outboard motor shall be released after a party described
609 in Subsection (5)(a):

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

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

- 614 (iii) completes the registration, if needed, and pays the appropriate fees;
- 615 (iv) if the impoundment was made under Section [41-6a-527](#) or Subsection
- 616 [41-1a-1101\(3\)](#), pays an administrative impound fee of \$400; and
- 617 (v) pays all towing and storage fees to the place where the vehicle, vessel, or outboard
- 618 motor is stored.
- 619 (b) (i) [~~Twenty-nine dollars~~] \$29 of the administrative impound fee assessed under
- 620 Subsection (6)(a)(iv) shall be dedicated credits to the Motor Vehicle Division;
- 621 (ii) \$147 of the administrative impound fee assessed under Subsection (6)(a)(iv) shall
- 622 be deposited into the Department of Public Safety Restricted Account created in Section
- 623 [53-3-106](#);
- 624 (iii) \$20 of the administrative impound fee assessed under Subsection (6)(a)(iv) shall
- 625 be deposited into the Neuro-Rehabilitation Fund created in Section [26B-1-319](#); and
- 626 (iv) the remainder of the administrative impound fee assessed under Subsection
- 627 (6)(a)(iv) shall be deposited into the General Fund.
- 628 (c) The administrative impound fee assessed under Subsection (6)(a)(iv) shall be
- 629 waived or refunded by the State Tax Commission if the registered owner, lien holder, or
- 630 owner's agent presents written evidence to the State Tax Commission that:
- 631 (i) the Driver License Division determined that the arrested person's driver license
- 632 should not be suspended or revoked under Section [53-3-223](#) or [41-6a-521](#) as shown by a letter
- 633 or other report from the Driver License Division presented within 180 days after the day on
- 634 which the Driver License Division mailed the final notification; or
- 635 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
- 636 stolen vehicle report presented within 180 days after the day of the impoundment.
- 637 (d) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
- 638 payment by cash and debit or credit card for a removal or impoundment under Subsection (1)
- 639 or any service rendered, performed, or supplied in connection with a removal or impoundment
- 640 under Subsection (1).
- 641 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
- 642 impounded vehicle, vessel, or outboard motor if:
- 643 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
- 644 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in

645 Subsection (5)(a), even if the party satisfies the requirements to release the vehicle, vessel, or
646 outboard motor under this Subsection (6).

647 (7) (a) For an impounded vehicle, vessel, or outboard motor not claimed by a party
648 described in Subsection (5)(a) within the time prescribed by Section 41-1a-1103, the Motor
649 Vehicle Division shall issue a certificate of sale for the impounded vehicle, vessel, or outboard
650 motor as described in Section 41-1a-1103.

651 (b) The date of impoundment is considered the date of seizure for computing the time
652 period provided under Section 41-1a-1103.

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

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

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

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

665 (b) (i) Unless otherwise provided by statute, the Motor Vehicle Division or the
666 administrator of the database may adopt a schedule of fees assessed for utilizing the database.

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

668 (A) be reasonable and fair; and

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

670 Section 5. Section 41-12a-806 is amended to read:

671 **41-12a-806. Restricted account -- Creation -- Funding -- Interest -- Purposes.**

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

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

675 (a) money received by the state under Section 41-1a-1218, the uninsured motorist

676 identification fee;

677 (b) money received by the state under Section [41-1a-1220](#), the registration
678 reinstatement fee; and

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

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

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

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

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

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

686 (c) the Tax Commission to offset the costs to the Motor Vehicle Division for revoking
687 and reinstating vehicle registrations under Subsection [41-1a-110\(2\)\(a\)\(ii\)](#); and

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

690 (i) the person's vehicle was impounded in accordance with Subsection [~~[41-1a-1101\(2\)](#)~~]
691 [41-1a-1101\(4\)](#);

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

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

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

697 (5) The Legislature may appropriate not more than \$1,500,000 annually from the
698 account to the Peace Officer Standards and Training Division, created under Section [53-6-103](#),
699 for use in law enforcement training, including training on the use of the Uninsured Motorist
700 Identification Database Program created under Title 41, Chapter 12a, Part 8, Uninsured
701 Motorist Identification Database Program.

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

705 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
706 division shall make rules establishing procedures for a person to apply for a reimbursement

707 under Subsection (4)(d).

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

711 Section 6. Section **53-1-122** is enacted to read:

712 **53-1-122. Road Rage Awareness and Prevention Restricted Account.**

713 (1) There is created a restricted account within the General Fund known as the Road
714 Rage Awareness and Prevention Restricted Account.

715 (2) The account is funded by money appropriated by the Legislature.

716 (3) Upon appropriation, the department shall expend funds from the restricted account
717 to pay for an education and media campaign on road rage awareness and prevention.

718 Section 7. Section **53-3-220** is amended to read:

719 **53-3-220. Offenses requiring mandatory revocation, denial, suspension, or**
720 **disqualification of license -- Offense requiring an extension of period -- Hearing --**
721 **Limited driving privileges.**

722 (1) (a) The division shall immediately revoke or, when this chapter, Title 41, Chapter
723 6a, Traffic Code, or Section **76-5-303**, specifically provides for denial, suspension, or
724 disqualification, the division shall deny, suspend, or disqualify the license of a person upon
725 receiving a record of the person's conviction for:

726 (i) manslaughter or negligent homicide resulting from driving a motor vehicle,
727 negligently operating a vehicle resulting in death under Section **76-5-207**, or automobile
728 homicide involving using a handheld wireless communication device while driving under
729 Section **76-5-207.5**;

730 (ii) driving or being in actual physical control of a motor vehicle while under the
731 influence of alcohol, any drug, or combination of them to a degree that renders the person
732 incapable of safely driving a motor vehicle as prohibited in Section **41-6a-502** or as prohibited
733 in an ordinance that complies with the requirements of Subsection **41-6a-510(1)**;

734 (iii) driving or being in actual physical control of a motor vehicle while having a blood
735 or breath alcohol content as prohibited in Section **41-6a-502** or as prohibited in an ordinance
736 that complies with the requirements of Subsection **41-6a-510(1)**;

737 (iv) perjury or the making of a false affidavit to the division under this chapter, Title

738 41, Motor Vehicles, or any other law of this state requiring the registration of motor vehicles or
739 regulating driving on highways;

740 (v) any felony under the motor vehicle laws of this state;

741 (vi) any other felony in which a motor vehicle is used to facilitate the offense;

742 (vii) failure to stop and render aid as required under the laws of this state if a motor
743 vehicle accident results in the death or personal injury of another;

744 (viii) two charges of reckless driving, impaired driving, or any combination of reckless
745 driving and impaired driving committed within a period of 12 months; but if upon a first
746 conviction of reckless driving or impaired driving the judge or justice recommends suspension
747 of the convicted person's license, the division may after a hearing suspend the license for a
748 period of three months;

749 (ix) failure to bring a motor vehicle to a stop at the command of a law enforcement
750 officer as required in Section 41-6a-210;

751 (x) any offense specified in Part 4, Uniform Commercial Driver License Act, that
752 requires disqualification;

753 (xi) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
754 allowing the discharge of a firearm from a vehicle;

755 (xii) using, allowing the use of, or causing to be used any explosive, chemical, or
756 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b);

757 (xiii) operating or being in actual physical control of a motor vehicle while having any
758 measurable controlled substance or metabolite of a controlled substance in the person's body in
759 violation of Section 41-6a-517;

760 (xiv) operating or being in actual physical control of a motor vehicle while having any
761 measurable or detectable amount of alcohol in the person's body in violation of Section
762 41-6a-530;

763 (xv) engaging in a motor vehicle speed contest or exhibition of speed on a highway in
764 violation of Section 41-6a-606;

765 (xvi) operating or being in actual physical control of a motor vehicle in this state
766 without an ignition interlock system in violation of Section 41-6a-518.2; [or]

767 (xvii) refusal of a chemical test under Subsection 41-6a-520.1(1)[:]; or

768 (xviii) two or more offenses that:

769 (A) are committed within a period of one year;

770 (B) are enhanced under Section 76-3-203.17; and

771 (C) arose from separate incidents.

772 (b) The division shall immediately revoke the license of a person upon receiving a
773 record of an adjudication under Section 80-6-701 for:

774 (i) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
775 allowing the discharge of a firearm from a vehicle; or

776 (ii) using, allowing the use of, or causing to be used any explosive, chemical, or
777 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b).

778 (c) (i) Except when action is taken under Section 53-3-219 for the same offense, upon
779 receiving a record of conviction, the division shall immediately suspend for six months the
780 license of the convicted person if the person was convicted of violating any one of the
781 following offenses while the person was an operator of a motor vehicle, and the court finds that
782 a driver license suspension is likely to reduce recidivism and is in the interest of public safety:

783 (A) Title 58, Chapter 37, Utah Controlled Substances Act;

784 (B) Title 58, Chapter 37a, Utah Drug Paraphernalia Act;

785 (C) Title 58, Chapter 37b, Imitation Controlled Substances Act;

786 (D) Title 58, Chapter 37c, Utah Controlled Substance Precursor Act;

787 (E) Title 58, Chapter 37d, Clandestine Drug Lab Act; or

788 (F) any criminal offense that prohibits possession, distribution, manufacture,
789 cultivation, sale, or transfer of any substance that is prohibited under the acts described in
790 Subsections (1)(c)(i)(A) through (E), or the attempt or conspiracy to possess, distribute,
791 manufacture, cultivate, sell, or transfer any substance that is prohibited under the acts described
792 in Subsections (1)(c)(i)(A) through (E).

793 (ii) Notwithstanding the provisions in Subsection (1)(c)(i), the division shall reinstate a
794 person's driving privilege before completion of the suspension period imposed under
795 Subsection (1)(c)(i) if the reporting court notifies the Driver License Division, in a manner
796 specified by the division, that the defendant is participating in or has successfully completed a
797 drug court program as defined in Section 78A-5-201.

798 (iii) If a person's driving privilege is reinstated under Subsection (1)(c)(ii), the person is
799 required to pay the license reinstatement fees under Subsection 53-3-105(26).

800 (iv) The court shall notify the division, in a manner specified by the division, if a
801 person fails to complete all requirements of the drug court program.

802 (v) Upon receiving the notification described in Subsection (1)(c)(iv), the division shall
803 suspend the person's driving privilege for a period of six months from the date of the notice,
804 and no days shall be subtracted from the six-month suspension period for which a driving
805 privilege was previously suspended under Subsection (1)(c)(i).

806 (d) (i) The division shall immediately suspend a person's driver license for conviction
807 of the offense of theft of motor vehicle fuel under Section 76-6-404.7 if the division receives:

808 (A) an order from the sentencing court requiring that the person's driver license be
809 suspended; and

810 (B) a record of the conviction.

811 (ii) An order of suspension under this section is at the discretion of the sentencing
812 court, and may not be for more than 90 days for each offense.

813 (e) (i) The division shall immediately suspend for one year the license of a person upon
814 receiving a record of:

815 (A) conviction for the first time for a violation under Section 32B-4-411; or

816 (B) an adjudication under Section 80-6-701 for a violation under Section 32B-4-411.

817 (ii) The division shall immediately suspend for a period of two years the license of a
818 person upon receiving a record of:

819 (A) (I) conviction for a second or subsequent violation under Section 32B-4-411; and

820 (II) the violation described in Subsection (1)(e)(ii)(A)(I) is within 10 years of a prior
821 conviction for a violation under Section 32B-4-411; or

822 (B) (I) a second or subsequent adjudication under Section 80-6-701 for a violation
823 under Section 32B-4-411; and

824 (II) the adjudication described in Subsection (1)(e)(ii)(B)(I) is within 10 years of a prior
825 adjudication under Section 80-6-701 for a violation under Section 32B-4-411.

826 (iii) Upon receipt of a record under Subsection (1)(e)(i) or (ii), the division shall:

827 (A) for a conviction or adjudication described in Subsection (1)(e)(i):

828 (I) impose a suspension for one year beginning on the date of conviction; or

829 (II) if the person is under the age of eligibility for a driver license, impose a suspension
830 that begins on the date of conviction and continues for one year beginning on the date of

831 eligibility for a driver license; or

832 (B) for a conviction or adjudication described in Subsection (1)(e)(ii):

833 (I) impose a suspension for a period of two years; or

834 (II) if the person is under the age of eligibility for a driver license, impose a suspension
835 that begins on the date of conviction and continues for two years beginning on the date of
836 eligibility for a driver license.

837 (iv) Upon receipt of the first order suspending a person's driving privileges under
838 Section 32B-4-411, the division shall reduce the suspension period under Subsection (1)(e)(i) if
839 ordered by the court in accordance with Subsection 32B-4-411(3)(a).

840 (v) Upon receipt of the second or subsequent order suspending a person's driving
841 privileges under Section 32B-4-411, the division shall reduce the suspension period under
842 Subsection (1)(e)(ii) if ordered by the court in accordance with Subsection 32B-4-411(3)(b).

843 (f) The division shall immediately suspend a person's driver license for the conviction
844 of an offense that is enhanced under Section 76-3-203.17 if the division receives:

845 (i) an order from the sentencing court requiring the person's driver license to be
846 suspended; and

847 (ii) a record of the conviction.

848 (2) The division shall extend the period of the first denial, suspension, revocation, or
849 disqualification for an additional like period, to a maximum of one year for each subsequent
850 occurrence, upon receiving:

851 (a) a record of the conviction of any person on a charge of driving a motor vehicle
852 while the person's license is denied, suspended, revoked, or disqualified;

853 (b) a record of a conviction of the person for any violation of the motor vehicle law in
854 which the person was involved as a driver;

855 (c) a report of an arrest of the person for any violation of the motor vehicle law in
856 which the person was involved as a driver; or

857 (d) a report of an accident in which the person was involved as a driver.

858 (3) When the division receives a report under Subsection (2)(c) or (d) that a person is
859 driving while the person's license is denied, suspended, disqualified, or revoked, the person is
860 entitled to a hearing regarding the extension of the time of denial, suspension, disqualification,
861 or revocation originally imposed under Section 53-3-221.

862 (4) (a) The division may extend to a person the limited privilege of driving a motor
863 vehicle to and from the person's place of employment or within other specified limits on
864 recommendation of the judge in any case where a person is convicted of any of the offenses
865 referred to in Subsections (1) and (2) except:

866 (i) those offenses referred to in Subsections (1)(a)(i), (ii), (iii), (xi), (xii), (xiii), (1)(b),
867 and (1)(c)(i); and

868 (ii) those offenses referred to in Subsection (2) when the original denial, suspension,
869 revocation, or disqualification was imposed because of a violation of Section 41-6a-502,
870 41-6a-517, a local ordinance that complies with the requirements of Subsection 41-6a-510(1),
871 Section 41-6a-520, 41-6a-520.1, 76-5-102.1, or 76-5-207, or a criminal prohibition that the
872 person was charged with violating as a result of a plea bargain after having been originally
873 charged with violating one or more of these sections or ordinances, unless:

874 (A) the person has had the period of the first denial, suspension, revocation, or
875 disqualification extended for a period of at least three years;

876 (B) the division receives written verification from the person's primary care physician
877 that:

878 (I) to the physician's knowledge the person has not used any narcotic drug or other
879 controlled substance except as prescribed by a licensed medical practitioner within the last
880 three years; and

881 (II) the physician is not aware of any physical, emotional, or mental impairment that
882 would affect the person's ability to operate a motor vehicle safely; and

883 (C) for a period of one year prior to the date of the request for a limited driving
884 privilege:

885 (I) the person has not been convicted of a violation of any motor vehicle law in which
886 the person was involved as the operator of the vehicle;

887 (II) the division has not received a report of an arrest for a violation of any motor
888 vehicle law in which the person was involved as the operator of the vehicle; and

889 (III) the division has not received a report of an accident in which the person was
890 involved as an operator of a vehicle.

891 (b) (i) Except as provided in Subsection (4)(b)(ii), the discretionary privilege
892 authorized in this Subsection (4):

893 (A) is limited to when undue hardship would result from a failure to grant the
894 privilege; and

895 (B) may be granted only once to any person during any single period of denial,
896 suspension, revocation, or disqualification, or extension of that denial, suspension, revocation,
897 or disqualification.

898 (ii) The discretionary privilege authorized in Subsection (4)(a)(ii):

899 (A) is limited to when the limited privilege is necessary for the person to commute to
900 school or work; and

901 (B) may be granted only once to any person during any single period of denial,
902 suspension, revocation, or disqualification, or extension of that denial, suspension, revocation,
903 or disqualification.

904 (c) A limited CDL may not be granted to a person disqualified under Part 4, Uniform
905 Commercial Driver License Act, or whose license has been revoked, suspended, cancelled, or
906 denied under this chapter.

907 Section 8. Section **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25)** is amended to read:

908 **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25). Repeal dates: Titles 53 through**
909 **53G.**

910 (1) Section 53-1-122, which creates the Road Rage Awareness and Prevention
911 Restricted Account, is repealed on July 1, 2028.

912 [~~1~~] (2) Section 53-2a-105, which creates the Emergency Management Administration
913 Council, is repealed July 1, 2027.

914 [~~2~~] (3) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue
915 Advisory Board, are repealed July 1, 2027.

916 [~~3~~] (4) Section 53-2d-703 is repealed July 1, 2027.

917 [~~4~~] (5) Section 53-5-703, which creates the Concealed Firearm Review Board, is
918 repealed July 1, 2024.

919 [~~5~~] (6) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board,
920 is repealed July 1, 2024.

921 [~~6~~] (7) Section 53B-7-709, regarding five-year performance goals for the Utah
922 System of Higher Education is repealed July 1, 2027.

923 [~~7~~] (8) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is

924 repealed July 1, 2028.

925 ~~[(8)]~~ (9) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

926 ~~[(9)]~~ (10) Section 53B-17-1203, which creates the SafeUT and School Safety

927 Commission, is repealed January 1, 2025.

928 ~~[(10)]~~ (11) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,

929 2028.

930 ~~[(11)]~~ (12) Title 53B, Chapter 18, Part 18, Electrification of Transportation

931 Infrastructure Research Center, is repealed on July 1, 2028.

932 ~~[(12)]~~ (13) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of

933 money from the Land Exchange Distribution Account to the Geological Survey for test wells

934 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

935 ~~[(13)]~~ (14) Subsections 53E-3-503(5) and (6), which create coordinating councils for

936 youth in custody, are repealed July 1, 2027.

937 ~~[(14)]~~ (15) In relation to a standards review committee, on January 1, 2028:

938 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the

939 recommendations of a standards review committee established under Section 53E-4-203" is

940 repealed; and

941 (b) Section 53E-4-203 is repealed.

942 ~~[(15)]~~ (16) Section 53E-4-402, which creates the State Instructional Materials

943 Commission, is repealed July 1, 2027.

944 ~~[(16)]~~ (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory

945 Commission, is repealed July 1, 2033.

946 ~~[(17)]~~ (18) Section 53F-2-420, which creates the Intensive Services Special Education

947 Pilot Program, is repealed July 1, 2024.

948 ~~[(18)]~~ (19) Section 53F-5-213 is repealed July 1, 2023.

949 ~~[(19)]~~ (20) Section 53F-5-214, in relation to a grant for professional learning, is

950 repealed July 1, 2025.

951 ~~[(20)]~~ (21) Section 53F-5-215, in relation to an elementary teacher preparation grant, is

952 repealed July 1, 2025.

953 ~~[(21)]~~ (22) Section 53F-5-219, which creates the Local Innovations Civics Education

954 Pilot Program, is repealed on July 1, 2025.

955 [~~(22)~~] (23) Subsection [53F-9-203\(7\)](#), which creates the Charter School Revolving
956 Account Committee, is repealed July 1, 2024.

957 [~~(23)~~] (24) Subsections [53G-4-608\(2\)\(b\)](#) and [\(4\)\(b\)](#), related to the Utah Seismic Safety
958 Commission, are repealed January 1, 2025.

959 [~~(24)~~] (25) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1,
960 2027.

961 [~~(25)~~] (26) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
962 July 1, 2027.

963 Section 9. Section **63I-1-253 (Contingently Effective 01/01/25)** is amended to read:
964 **63I-1-253 (Contingently Effective 01/01/25). Repeal dates: Titles 53 through 53G.**

965 (1) Section [53-1-122](#), which creates the Road Rage Awareness and Prevention
966 Restricted Account, is repealed on July 1, 2028.

967 [~~(1)~~] (2) Section [53-2a-105](#), which creates the Emergency Management Administration
968 Council, is repealed July 1, 2027.

969 [~~(2)~~] (3) Sections [53-2a-1103](#) and [53-2a-1104](#), which create the Search and Rescue
970 Advisory Board, are repealed July 1, 2027.

971 [~~(3)~~] (4) Section [53-2d-703](#) is repealed July 1, 2027.

972 [~~(4)~~] (5) Section [53-5-703](#), which creates the Concealed Firearm Review Board, is
973 repealed July 1, 2024.

974 [~~(5)~~] (6) Section [53B-6-105.5](#), which creates the Technology Initiative Advisory Board,
975 is repealed July 1, 2024.

976 [~~(6)~~] (7) Section [53B-7-709](#), regarding five-year performance goals for the Utah
977 System of Higher Education is repealed July 1, 2027.

978 [~~(7)~~] (8) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is
979 repealed July 1, 2028.

980 [~~(8)~~] (9) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

981 [~~(9)~~] (10) Section [53B-17-1203](#), which creates the SafeUT and School Safety
982 Commission, is repealed January 1, 2025.

983 [~~(10)~~] (11) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1,
984 2028.

985 [~~(11)~~] (12) Title 53B, Chapter 18, Part 18, Electrification of Transportation

986 Infrastructure Research Center, is repealed on July 1, 2028.

987 ~~[(12)]~~ (13) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of
988 money from the Land Exchange Distribution Account to the Geological Survey for test wells
989 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

990 ~~[(13)]~~ (14) Subsections 53E-3-503(5) and (6), which create coordinating councils for
991 youth in custody, are repealed July 1, 2027.

992 ~~[(14)]~~ (15) In relation to a standards review committee, on January 1, 2028:

993 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
994 recommendations of a standards review committee established under Section 53E-4-203" is
995 repealed; and

996 (b) Section 53E-4-203 is repealed.

997 ~~[(15)]~~ (16) Section 53E-4-402, which creates the State Instructional Materials
998 Commission, is repealed July 1, 2027.

999 ~~[(16)]~~ (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory
1000 Commission, is repealed July 1, 2033.

1001 ~~[(17)]~~ (18) Section 53F-2-420, which creates the Intensive Services Special Education
1002 Pilot Program, is repealed July 1, 2024.

1003 ~~[(18)]~~ (19) Section 53F-5-213 is repealed July 1, 2023.

1004 ~~[(19)]~~ (20) Section 53F-5-214, in relation to a grant for professional learning, is
1005 repealed July 1, 2025.

1006 ~~[(20)]~~ (21) Section 53F-5-215, in relation to an elementary teacher preparation grant, is
1007 repealed July 1, 2025.

1008 ~~[(21)]~~ (22) Section 53F-5-219, which creates the Local Innovations Civics Education
1009 Pilot Program, is repealed on July 1, 2025.

1010 ~~[(22)]~~ (23) (a) Subsection 53F-9-201.1(2)(b)(ii), in relation to the use of funds from a
1011 loss in enrollment for certain fiscal years, is repealed on July 1, 2030.

1012 (b) On July 1, 2030, the Office of Legislative Research and General Counsel shall
1013 renumber the remaining subsections accordingly.

1014 ~~[(23)]~~ (24) Subsection 53F-9-203(7), which creates the Charter School Revolving
1015 Account Committee, is repealed July 1, 2024.

1016 ~~[(24)]~~ (25) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety

1017 Commission, are repealed January 1, 2025.

1018 ~~[(25)]~~ (26) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1,
1019 2027.

1020 ~~[(26)]~~ (27) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
1021 July 1, 2027.

1022 Section 10. Section **76-3-203.17** is enacted to read:

1023 **76-3-203.17. Enhancement of an offense for road rage.**

1024 (1) As used in this section:

1025 (a) "Roadway" means the same as that term is defined in Section [41-1a-1101](#).

1026 (b) "Operator" means the same as that term is defined in Section [41-6a-102](#).

1027 (c) "Vehicle" means the same as that term is defined in Section [41-1a-102](#).

1028 (2) If the trier of fact finds that an actor was an operator or passenger of a vehicle and
1029 the actor committed an offense in response to an incident that occurred or escalated upon a
1030 roadway and with the intent to endanger or intimidate an individual in another vehicle, the
1031 actor is guilty of:

1032 ~~Ĥ→ [(a) a class C misdemeanor if the actor is charged with an offense that is designated by~~
1033 ~~law as an infraction;~~

1034 ~~———— (b) a class B misdemeanor if the actor is charged with an offense that is designated by~~
1035 ~~law as a class C misdemeanor;]~~ ←Ĥ

1036 ~~Ĥ→ [(e)]~~ (a) ←Ĥ a class A misdemeanor if the actor is charged with an offense that is
1036a designated by
1037 law as a class B misdemeanor;

1038 ~~Ĥ→ [(d)]~~ (b) ←Ĥ a third degree felony if the actor is charged with an offense that is
1038a designated by
1039 law as a class A misdemeanor;

1040 ~~Ĥ→ [(e)]~~ (c) ←Ĥ a third degree felony if the actor is charged with an offense that is
1040a designated by law
1041 as a third degree felony; or

1042 ~~Ĥ→ [(f)]~~ (d) ←Ĥ a second degree felony if the actor is charged with an offense that is
1042a designated by
1043 law as a second degree felony.

1044 (3) ~~Ĥ→ [(a) If an actor is guilty of a class C misdemeanor as described in Subsection (2)(a);~~
1045 ~~the court shall impose a mandatory fine of no less than \$500 in addition to any other penalty~~
1046 ~~the court may impose for a class C misdemeanor;~~

1047 ~~———— (b) If an actor is guilty of a class B misdemeanor as described in Subsection (2)(b), the~~

1048 court shall impose a mandatory fine of no less than \$500 in addition to any other penalty the
 1049 court may impose for a class B misdemeanor.] ←H

1050 H→ [(e)] (a) ←H If an actor is guilty of a class A misdemeanor as described in Subsection

1050a H→ [(2)(e)] (2)(a) ←H , the

1051 court shall impose a mandatory fine of no less than \$750 in addition to any other penalty the

1052 court may impose for a class A misdemeanor.

1053 H→ [(d)] (b) ←H If an actor is guilty of a third degree felony as described in Subsection

1053a H→ [(2)(d)] (2)(b) ←H , the

1054 court shall impose a mandatory fine of no less than \$1,000 in addition to any other penalty the

1055 court may impose for a third degree felony.

1056 H→ [(e)] (c) ←H If an actor is guilty of a third degree felony as described in Subsection

1056a H→ [(2)(e)] (2)(c) ←H , the

1057 court shall impose:

1058 (i) a mandatory fine of no less than \$1,000; and

1059 (ii) an indeterminate term of imprisonment for no less than one year and no more than

1060 five years in addition to any other penalty the court may impose for a third degree felony.

1061 H→ [(f)] (d) ←H If an actor is guilty of a second degree felony as described in Subsection

1061a H→ [(2)(f)] (2)(d) ←H , the

1062 court shall impose:

1063 (i) a mandatory fine of no less than \$1,000; and

1064 (ii) an indeterminate term of imprisonment for no less than two years and no more than

1065 15 years in addition to any other penalty the court may impose for a second degree felony.

1066 (4) Except as otherwise provided by another provision of the Utah Code, the court may

1067 suspend the execution of an indeterminate term of imprisonment described in Subsection

1068 H→ [(3)(e)(ii) or (3)(f)(ii)] (3)(c)(ii) or (3)(d)(ii) ←H in accordance with Section [77-18-105](#).

1069 (5) The prosecuting attorney, or the grand jury if an indictment is returned, shall

1070 include notice in the information or indictment that the offense is subject to an enhancement

1071 under this section.

1072 (6) (a) If an actor is convicted of an offense and the offense is enhanced under this

1073 section, the court may order the suspension of the actor's driver license for a period of no

1074 longer than one year, except that the court may not order a suspension of an actor's driver

1075 license if the actor's driver license is required to be revoked under Subsection [53-3-220](#)(1).

1076 (b) If the court orders the suspension of the actor's driver license, the court shall:

1077 (i) specify the length of the suspension in the order as described in Section [53-3-225](#);

1078 and

1079 (ii) forward the order of suspension to the Driver License Division.

1080 (7) If an offense is enhanced under this section, the court shall forward a record of

1081 conviction for the offense to the Driver License Division.

1081a **Ĥ→ (8) This section does not affect or limit any individual's constitutional right to lawful**
 1081b **expression of free speech or other recognized rights secured by the laws or Constitution of**
 1081c **Utah or by the laws or Constitution of the United States.** ←Ĥ

1082 Section 11. Section **76-5-103** is amended to read:

1083 **76-5-103. Aggravated assault -- Penalties.**

1084 (1) (a) As used in this section, "targeting a law enforcement officer" means the same as
 1085 that term is defined in Section [76-5-202](#).

1086 (b) Terms defined in Section [76-1-101.5](#) apply to this section.

1087 (2) An actor commits aggravated assault if [~~the actor~~]:

1088 (a) (i) the actor attempts, with unlawful force or violence, to do bodily injury to
 1089 another;

1090 (ii) the actor makes a threat, accompanied by a show of immediate force or violence, to
 1091 do bodily injury to another; or

1092 (iii) the actor commits an act, committed with unlawful force or violence, that causes
 1093 bodily injury to another or creates a substantial risk of bodily injury to another; and

1094 (b) [~~includes in~~] the actor's conduct [~~under~~] described in Subsection (2)(a) includes:

1095 (i) the use of:

1096 [(~~†~~)] (A) a dangerous weapon; or

1097 (B) a motor vehicle;

1098 (ii) any act that impedes the breathing or the circulation of blood of another individual
 1099 by the actor's use of unlawful force or violence that is likely to produce a loss of consciousness

1100 by:

1101 (A) applying pressure to the neck or throat of an individual; or

1102 (B) obstructing the nose, mouth, or airway of an individual; or

1103 (iii) other means or force likely to produce death or serious bodily injury.

1104 (3) (a) A violation of Subsection (2) is a third degree felony.

1105 (b) Notwithstanding Subsection (3)(a), a violation of Subsection (2) is a second degree
 1106 felony if:

1107 (i) the act results in serious bodily injury; or

1108 (ii) an act under Subsection (2)(b)(ii) produces a loss of consciousness.

1109 (c) Notwithstanding Subsection (3)(a) or (b), a violation of Subsection (2) is a first

1110 degree felony if the conduct constitutes targeting a law enforcement officer and results in
1111 serious bodily injury.

1112 Section 12. Section **78A-2-109.5** is amended to read:

1113 **78A-2-109.5. Court data collection and reporting.**

1114 (1) As used in this section, "commission" means the Commission on Criminal and
1115 Juvenile Justice created in Section [63M-7-201](#).

1116 (2) The Administrative Office of the Courts shall submit the following information to
1117 the commission for each criminal case filed with the court:

1118 (a) case number;

1119 (b) the defendant's:

1120 (i) full name;

1121 (ii) offense tracking number; and

1122 (iii) date of birth;

1123 (c) charges filed;

1124 (d) initial appearance date;

1125 (e) bail amount set by the court, if any;

1126 (f) whether the defendant was represented by a public defender, private counsel, or pro
1127 se; and

1128 (g) final disposition of the charges.

1129 (3) (a) The Administrative Office of the Courts shall submit the information described
1130 in Subsection (2) to the commission on the 15th day of July and January of each year for the
1131 previous six-month period ending the last day of June and December of each year in the form
1132 and manner selected by the commission.

1133 (b) If the last day of the month is a Saturday, Sunday, or state holiday, the
1134 Administrative Office of the Courts shall submit the information described in Subsection (2) to
1135 the commission on the next working day.

1136 (4) Before July 1 of each year, the Administrative Office of the Courts shall submit the
1137 following data on cases involving individuals charged with class A misdemeanors and felonies,
1138 broken down by judicial district, to the commission for each preceding calendar year:

1139 (a) the number of cases in which a preliminary hearing is set and placed on the court
1140 calendar;

1141 (b) the median and range of the number of times that a preliminary hearing is continued
1142 in cases in which a preliminary hearing is set and placed on the court calendar;

1143 (c) the number of cases, and the average time to disposition for those cases, in which
1144 only written statements from witnesses are submitted as probable cause at the preliminary
1145 hearing;

1146 (d) the number of cases, and the average time to disposition for those cases, in which
1147 written statements and witness testimony are submitted as probable cause at the preliminary
1148 hearing;

1149 (e) the number of cases, and the average time to disposition for those cases, in which
1150 only witness testimony is submitted as probable cause at the preliminary hearing; and

1151 (f) the number of cases in which a preliminary hearing is held and the defendant is
1152 bound over for trial.

1153 (5) The commission shall include the data collected under Subsection (4) in the
1154 commission's annual report described in Section [63M-7-205](#).

1155 (6) No later than November 1, 2027, the Administrative Office of the Courts shall
1156 provide the Law Enforcement and Criminal Justice Interim Committee with a written report on,
1157 for each fiscal year that begins on and after July 1, 2024:

1158 (a) the total number of offenses, including the level of each offense, for which an
1159 enhancement was sought under Section [76-3-203.17](#);

1160 (b) the total number of offenses, including the level of each offense, that were
1161 enhanced under Section [76-3-203.17](#); and

1162 (c) the total amount of fines that were imposed under Section [76-3-203.17](#).

1163 Section 13. **FY 2025 Appropriation.**

1164 The following sums of money are appropriated for the fiscal year beginning July 1,
1165 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for
1166 fiscal year 2025.

1167 Subsection 13(a). **Operating and Capital Budgets.**

1168 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
1169 Legislature appropriates the following sums of money from the funds or accounts indicated for
1170 the use and support of the government of the state of Utah.

1171 ITEM 1 To Department of Public Safety - Programs & Operations

1172 From Road Rage Awareness and Prevention Restricted Account \$50,000

1173 Schedule of Programs:

1174 Highway Patrol - Administration \$50,000

1175 Subsection 13(b). **Restricted Fund and Account Transfers.**

1176 The Legislature authorizes the State Division of Finance to transfer the following
1177 amounts between the following funds or accounts as indicated. Expenditures and outlays from
1178 the funds to which the money is transferred must be authorized by an appropriation.

1179 ITEM 2 To Road Rage Awareness and Prevention Account

1180 From General Fund \$50,000

1181 Schedule of Programs:

1182 Road Rage Awareness and Prevention \$50,000
Account

1183 Section 14. **Effective date.**

1184 This bill takes effect on July 1, 2024.