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ROAD RAGE AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Paul A. Cutler
Senate Sponsor: Todd D. Weiler

Cosponsor: Candice B. Pierucci
Cheryl K. Acton 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;
- ▶ requires the Administrative Office of the Courts to collect data regarding road rage enhancements; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- ▶ to Department of Public Safety - Programs & Operations - Highway Patrol - Administration as an ongoing appropriation:

- 26 • from the Road Rage Awareness and Prevention Restricted Account, \$50,000
 27 ▸ to Department of Public Safety - Road Rage Awareness and Prevention Account as an ongoing
 28 appropriation:
 29 • from the General Fund, \$50,000

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **41-1a-102 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 33, 532

35 **41-1a-1101 (Effective 07/01/24)**, as last amended by Laws of Utah 2019, Chapter 373

36 **41-1a-1103 (Effective 07/01/24)**, as last amended by Laws of Utah 2022, Chapter 92

37 **41-6a-1406 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 335

38 **41-12a-806 (Effective 07/01/24)**, as last amended by Laws of Utah 2020, Fifth Special
 39 Session, Chapter 20

40 **53-3-220 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 415

41 **63I-1-253 (Effective 07/01/24) (Contingently Superseded 01/01/25)**, as last amended by
 42 Laws of Utah 2023, Chapters 30, 52, 133, 161, 310, 367, and 494

43 **63I-1-253 (Contingently Effective 01/01/25)**, as last amended by Laws of Utah 2023,
 44 Chapters 30, 52, 133, 161, 187, 310, 367, and 494

45 **76-5-103 (Effective 07/01/24)**, as last amended by Laws of Utah 2022, Chapter 181

46 **78A-2-109.5 (Effective 07/01/24)**, as last amended by Laws of Utah 2023, Chapter 441

47 ENACTS:

48 **53-1-122 (Effective 07/01/24)**, as Utah Code Annotated 1953

49 **76-3-203.17 (Effective 07/01/24)**, as Utah Code Annotated 1953

50

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

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

53 **41-1a-102 (Effective 07/01/24). Definitions.**

54 As used in this chapter:

- 55 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
 56 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
 57 vehicles as operated and certified to by a weighmaster.
 58 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
 59 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

- 60 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 61 (6) "Alternative fuel vehicle" means:
- 62 (a) an electric motor vehicle;
- 63 (b) a hybrid electric motor vehicle;
- 64 (c) a plug-in hybrid electric motor vehicle; or
- 65 (d) a motor vehicle powered exclusively by a fuel other than:
- 66 (i) motor fuel;
- 67 (ii) diesel fuel;
- 68 (iii) natural gas; or
- 69 (iv) propane.
- 70 (7) "Amateur radio operator" means a person licensed by the Federal Communications
- 71 Commission to engage in private and experimental two-way radio operation on the
- 72 amateur band radio frequencies.
- 73 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 74 (9) "Automated driving system" means the same as that term is defined in Section
- 75 41-26-102.1.
- 76 (10) "Branded title" means a title certificate that is labeled:
- 77 (a) rebuilt and restored to operation;
- 78 (b) flooded and restored to operation; or
- 79 (c) not restored to operation.
- 80 (11) "Camper" means a structure designed, used, and maintained primarily to be mounted
- 81 on or affixed to a motor vehicle that contains a floor and is designed to provide a mobile
- 82 dwelling, sleeping place, commercial space, or facilities for human habitation or for
- 83 camping.
- 84 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of
- 85 ownership between an identified owner and the described vehicle, vessel, or outboard
- 86 motor.
- 87 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
- 88 weighmaster.
- 89 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained
- 90 for the transportation of persons or property that operates:
- 91 (a) as a carrier for hire, compensation, or profit; or
- 92 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
- 93 owner's commercial enterprise.

- 94 (15) "Commission" means the State Tax Commission.
- 95 (16) "Consumer price index" means the same as that term is defined in Section 59-13-102.
- 96 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
97 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright
98 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an
99 established place of business for the sale, lease, trade, or display of vehicles, vessels, or
100 outboard motors.
- 101 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 102 (19) "Division" means the Motor Vehicle Division of the commission, created in Section
103 41-1a-106.
- 104 (20) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.
- 105 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric
106 motor drawing current from a rechargeable energy storage system.
- 107 (22) "Essential parts" means the integral and body parts of a vehicle of a type required to be
108 registered in this state, the removal, alteration, or substitution of which would tend to
109 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model,
110 type, or mode of operation.
- 111 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
112 implement for drawing plows, mowing machines, and other implements of husbandry.
- 113 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
114 the owner's or operator's own use in the transportation of:
- 115 (i) farm products, including livestock and its products, poultry and its products,
116 floricultural and horticultural products;
- 117 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
118 agricultural, floricultural, horticultural, livestock, and poultry production; and
- 119 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
120 other purposes connected with the operation of a farm.
- 121 (b) "Farm truck" does not include the operation of trucks by commercial processors of
122 agricultural products.
- 123 (25) "Fleet" means one or more commercial vehicles.
- 124 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this
125 state from another state, territory, or country other than in the ordinary course of
126 business by or through a manufacturer or dealer, and not registered in this state.
- 127 (27) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles,

- 128 equipped for operation, to which shall be added the maximum load to be carried.
- 129 (28) "Highway" or "street" means the entire width between property lines of every way or
130 place of whatever nature when any part of it is open to the public, as a matter of right,
131 for purposes of vehicular traffic.
- 132 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy
133 from onboard sources of stored energy that are both:
- 134 (a) an internal combustion engine or heat engine using consumable fuel; and
135 (b) a rechargeable energy storage system where energy for the storage system comes
136 solely from sources onboard the vehicle.
- 137 (30) (a) "Identification number" means the identifying number assigned by the
138 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or
139 outboard motor.
- 140 (b) "Identification number" includes a vehicle identification number, state assigned
141 identification number, hull identification number, and motor serial number.
- 142 (31) "Implement of husbandry" means a vehicle designed or adapted and used exclusively
143 for an agricultural operation and only incidentally operated or moved upon the highways.
- 144 (32) (a) "In-state miles" means the total number of miles operated in this state during the
145 preceding year by fleet power units.
- 146 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
147 total number of miles that those vehicles were towed on Utah highways during the
148 preceding year.
- 149 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
150 province, territory, or possession of the United States or foreign country.
- 151 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
152 possession of the United States or any foreign country.
- 153 (35) "Lienholder" means a person with a security interest in particular property.
- 154 (36) "Manufactured home" means a transportable factory built housing unit constructed on
155 or after June 15, 1976, according to the Federal Home Construction and Safety
156 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling
157 mode, is eight body feet or more in width or 40 body feet or more in length, or when
158 erected on site, is 400 or more square feet, and which is built on a permanent chassis and
159 designed to be used as a dwelling with or without a permanent foundation when
160 connected to the required utilities, and includes the plumbing, heating, air-conditioning,
161 and electrical systems.

- 162 (37) "Manufacturer" means a person engaged in the business of constructing,
163 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
164 outboard motors for the purpose of sale or trade.
- 165 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured for use
166 by armed forces and that is maintained in a condition that represents the vehicle's
167 military design and markings regardless of current ownership or use.
- 168 (39) "Mobile home" means a transportable factory built housing unit built prior to June 15,
169 1976, in accordance with a state mobile home code which existed prior to the Federal
170 Manufactured Housing and Safety Standards Act (HUD Code).
- 171 (40) "Motor fuel" means the same as that term is defined in Section 59-13-102.
- 172 (41) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
173 operation on the highways.
- 174 (b) "Motor vehicle" does not include:
- 175 (i) an off-highway vehicle; or
176 (ii) a motor assisted scooter as defined in Section 41-6a-102.
- 177 (42) "Motorboat" means the same as that term is defined in Section 73-18-2.
- 178 (43) "Motorcycle" means:
- 179 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
180 more than three wheels in contact with the ground; or
181 (b) an autocycle.
- 182 (44) "Natural gas" means a fuel of which the primary constituent is methane.
- 183 (45) (a) "Nonresident" means a person who is not a resident of this state as defined by
184 Section 41-1a-202, and who does not engage in intrastate business within this state
185 and does not operate in that business any motor vehicle, trailer, or semitrailer within
186 this state.
- 187 (b) A person who engages in intrastate business within this state and operates in that
188 business any motor vehicle, trailer, or semitrailer in this state or who, even though
189 engaging in interstate commerce, maintains a vehicle in this state as the home station
190 of that vehicle is considered a resident of this state, insofar as that vehicle is
191 concerned in administering this chapter.
- 192 (46) "Odometer" means a device for measuring and recording the actual distance a vehicle
193 travels while in operation, but does not include any auxiliary odometer designed to be
194 periodically reset.
- 195 (47) "Off-highway implement of husbandry" means the same as that term is defined in

- 196 Section 41-22-2.
- 197 (48) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 198 (49) (a) "Operate" means:
- 199 (i) to navigate a vessel; or
- 200 (ii) collectively, the activities performed in order to perform the entire dynamic
- 201 driving task for a given motor vehicle by:
- 202 (A) a human driver as defined in Section 41-26-102.1; or
- 203 (B) an engaged automated driving system.
- 204 (b) "Operate" includes testing of an automated driving system.
- 205 (50) "Original issue license plate" means a license plate that is of a format and type issued
- 206 by the state in the same year as the model year of a vehicle that is a model year 1973 or
- 207 older.
- 208 (51) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel
- 209 supply, used to propel a vessel.
- 210 (52) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
- 211 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
- 212 subject to a security interest.
- 213 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale
- 214 or mortgage of the vehicle with the right of purchase upon performance of the
- 215 conditions stated in the agreement and with an immediate right of possession vested
- 216 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security
- 217 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
- 218 for the purposes of this chapter.
- 219 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner
- 220 until the lessee exercises the lessee's option to purchase the vehicle.
- 221 (53) "Park model recreational vehicle" means a unit that:
- 222 (a) is designed and marketed as temporary living quarters for recreational, camping,
- 223 travel, or seasonal use;
- 224 (b) is not permanently affixed to real property for use as a permanent dwelling;
- 225 (c) requires a special highway movement permit for transit; and
- 226 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
- 227 400 square feet in the setup mode.
- 228 (54) "Personalized license plate" means a license plate that has displayed on it a
- 229 combination of letters, numbers, or both as requested by the owner of the vehicle and

- 230 assigned to the vehicle by the division.
- 231 (55) (a) "Pickup truck" means a two-axle motor vehicle with motive power
232 manufactured, remanufactured, or materially altered to provide an open cargo area.
- 233 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
234 camper, camper shell, tarp, removable top, or similar structure.
- 235 (56) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has
236 the capability to charge the battery or batteries used for vehicle propulsion from an
237 off-vehicle electric source, such that the off-vehicle source cannot be connected to the
238 vehicle while the vehicle is in motion.
- 239 (57) "Pneumatic tire" means a tire in which compressed air is designed to support the load.
- 240 (58) "Preceding year" means a period of 12 consecutive months fixed by the division that is
241 within 16 months immediately preceding the commencement of the registration or
242 license year in which proportional registration is sought. The division in fixing the
243 period shall conform it to the terms, conditions, and requirements of any applicable
244 agreement or arrangement for the proportional registration of vehicles.
- 245 (59) "Public garage" means a building or other place where vehicles or vessels are kept and
246 stored and where a charge is made for the storage and keeping of vehicles and vessels.
- 247 (60) "Receipt of surrender of ownership documents" means the receipt of surrender of
248 ownership documents described in Section 41-1a-503.
- 249 (61) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state
250 that is materially altered from its original construction by the removal, addition, or
251 substitution of essential parts, new or used.
- 252 (62) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 253 (63) "Registration" means a document issued by a jurisdiction that allows operation of a
254 vehicle or vessel on the highways or waters of this state for the time period for which the
255 registration is valid and that is evidence of compliance with the registration requirements
256 of the jurisdiction.
- 257 (64) "Registration decal" means the decal issued by the division that is evidence of
258 compliance with the division's registration requirements.
- 259 (65) (a) "Registration year" means a 12 consecutive month period commencing with the
260 completion of the applicable registration criteria.
- 261 (b) For administration of a multistate agreement for proportional registration the division
262 may prescribe a different 12-month period.
- 263 (66) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors

264 to a sound working condition by substituting any inoperative part of the vehicle, vessel,
265 or outboard motor, or by correcting the inoperative part.

266 (67) "Replica vehicle" means:

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

268 (b) a custom vehicle that meets the requirements under Subsection 41-6a-1507

269 (1)(a)(i)(B).

270 (68) "Restored-modified vehicle" means a motor vehicle that has been restored and

271 modified with modern parts and technology, including emission control technology and

272 an on-board diagnostic system.

273 (69) "Road tractor" means a motor vehicle designed and used for drawing other vehicles

274 and constructed so it does not carry any load either independently or any part of the

275 weight of a vehicle or load that is drawn.

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

277 (71) "Security interest" means an interest that is reserved or created by a security agreement

278 to secure the payment or performance of an obligation and that is valid against third

279 parties.

280 (72) "Semitrailer" means a vehicle without motive power designed for carrying persons or

281 property and for being drawn by a motor vehicle and constructed so that some part of its

282 weight and its load rests or is carried by another vehicle.

283 (73) "Special group license plate" means a type of license plate designed for a particular

284 group of people or a license plate authorized and issued by the division in accordance

285 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

286 (74) (a) "Special interest vehicle" means a vehicle used for general transportation

287 purposes and that is:

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

289 (ii) a make or model of motor vehicle recognized by the division director as having

290 unique interest or historic value.

291 (b) In making a determination under Subsection (74)(a), the division director shall give

292 special consideration to:

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

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

295 (iii) a make or model of motor vehicle produced as an experimental vehicle or one

296 designed exclusively for educational purposes or museum display; or

297 (iv) a motor vehicle of any age or make that has not been substantially altered or

- 298 modified from original specifications of the manufacturer and because of its
299 significance is being collected, preserved, restored, maintained, or operated by a
300 collector or hobbyist as a leisure pursuit.
- 301 (75) (a) "Special mobile equipment" means a vehicle:
- 302 (i) not designed or used primarily for the transportation of persons or property;
 - 303 (ii) not designed to operate in traffic; and
 - 304 (iii) only incidentally operated or moved over the highways.
- 305 (b) "Special mobile equipment" includes:
- 306 (i) farm tractors;
 - 307 (ii) off-road motorized construction or maintenance equipment including backhoes,
308 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
 - 309 (iii) ditch-digging apparatus.
- 310 (c) "Special mobile equipment" does not include a commercial vehicle as defined under
311 Section 72-9-102.
- 312 (76) "Specially constructed vehicle" means a vehicle of a type required to be registered in
313 this state, not originally constructed under a distinctive name, make, model, or type by a
314 generally recognized manufacturer of vehicles, and not materially altered from its
315 original construction.
- 316 (77) (a) "Standard license plate" means a license plate for general issue described in
317 Subsection 41-1a-402(1).
- 318 (b) "Standard license plate" includes a license plate for general issue that the division
319 issues before January 1, 2024.
- 320 (78) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
321 motor that meets the requirements of rules made by the commission [~~pursuant to~~
322 ~~Subsection 41-1a-1101(5)~~] as described in Subsection 41-1a-1101(7).
- 323 (79) "Symbol decal" means the decal that is designed to represent a special group and
324 displayed on a special group license plate.
- 325 (80) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 326 (81) (a) "Total fleet miles" means the total number of miles operated in all jurisdictions
327 during the preceding year by power units.
- 328 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the
329 number of miles that those vehicles were towed on the highways of all jurisdictions
330 during the preceding year.
- 331 (82) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.

- 332 (83) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
333 (84) "Trailer" means a vehicle without motive power designed for carrying persons or
334 property and for being drawn by a motor vehicle and constructed so that no part of its
335 weight rests upon the towing vehicle.
336 (85) "Transferee" means a person to whom the ownership of property is conveyed by sale,
337 gift, or any other means except by the creation of a security interest.
338 (86) "Transferor" means a person who transfers the person's ownership in property by sale,
339 gift, or any other means except by creation of a security interest.
340 (87) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle
341 without motive power, designed as a temporary dwelling for travel, recreational, or
342 vacation use that does not require a special highway movement permit when drawn by a
343 self-propelled motor vehicle.
344 (88) "Truck tractor" means a motor vehicle designed and used primarily for drawing other
345 vehicles and not constructed to carry a load other than a part of the weight of the vehicle
346 and load that is drawn.
347 (89) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper,
348 park model recreational vehicle, manufactured home, and mobile home.
349 (90) "Vessel" means the same as that term is defined in Section 73-18-2.
350 (91) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.
351 (92) "Waters of this state" means the same as that term is defined in Section 73-18-2.
352 (93) "Weighmaster" means a person, association of persons, or corporation permitted to
353 weigh vehicles under this chapter.

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

355 **41-1a-1101 (Effective 07/01/24). Seizure -- Circumstances where permitted --**

356 **Impound lot standards.**

357 (1) As used in this section:

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

360 (ii) "Criminal offense" includes:

361 (A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony

362 offense described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2,

363 Driver Licensing Act, Title 73, Chapter 18, State Boating Act, or Title 76, Utah

364 Criminal Code; and

365 (B) a local ordinance that is a class B misdemeanor and is substantially similar to

- 366 an offense listed in Subsection (1)(a)(ii)(A).
- 367 (b) "Operator" means the same as that term is defined in Section 41-6a-102.
- 368 (c) "Road rage event" means the commission of a criminal offense:
- 369 (i) by an operator of a vehicle;
- 370 (ii) in response to an incident that occurs or escalates upon a roadway; and
- 371 (iii) with the intent to endanger or intimidate an individual in another vehicle.
- 372 (d) "Roadway" means:
- 373 (i) a highway; or
- 374 (ii) a private road or driveway as defined in Section 41-6a-102.
- 375 [(+) (2) The division or any peace officer, without a warrant, may seize and take possession
- 376 of any vehicle, vessel, or outboard motor:
- 377 (a) that the division or the peace officer has [~~reason~~] probable cause to believe has been
- 378 stolen;
- 379 (b) on which any identification number has been defaced, altered, or obliterated;
- 380 (c) that has been abandoned in accordance with Section 41-6a-1408;
- 381 (d) for which the applicant has written a check for registration or title fees that has not
- 382 been honored by the applicant's bank and that is not paid within 30 days;
- 383 (e) that is placed on the water with improper registration;
- 384 (f) that is being operated on a highway:
- 385 (i) with registration that has been expired for more than three months;
- 386 (ii) having never been properly registered by the current owner; or
- 387 (iii) with registration that is suspended or revoked; or
- 388 (g) (i) that the division or the peace officer has [~~reason~~] probable cause to believe has
- 389 been involved in an accident described in Section 41-6a-401, 41-6a-401.3, or
- 390 41-6a-401.5; and
- 391 (ii) whose operator did not remain at the scene of the accident until the operator
- 392 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7.
- 393 (3) (a) The division or a peace officer shall seize and take possession of a vehicle,
- 394 without a warrant, when:
- 395 (i) the division or the peace officer has probable cause to believe that an operator of
- 396 the vehicle engaged in a road rage event; and
- 397 (ii) the operator of the vehicle has been arrested in conjunction with the road rage
- 398 event.
- 399 (b) A peace officer may release a vehicle seized and possessed under Subsection (3)(a)

400 to the registered owner of the vehicle if the registered owner is not the individual
401 subject to arrest under Subsection (3)(a) and is immediately available, at the location
402 of the arrest, to take possession of the vehicle.

403 ~~[(2)]~~ (4) (a) Subject to the restriction in Subsection ~~[(2)(b)]~~ (4)(b), the division or any
404 peace officer, without a warrant:

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

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

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

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

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

418 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's
419 security as defined in Section 41-12a-303.2 in the vehicle unless the division or
420 peace officer verifies that owner's or operator's security is not in effect for the
421 vehicle through the Uninsured Motorist Identification Database created in
422 accordance with Section 41-12a-803; or

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

429 ~~[(3)]~~ (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be
430 seized to transport and store the vessel.

431 ~~[(4)]~~ (6) Any peace officer seizing or taking possession of a vehicle, vessel, or outboard
432 motor under this section shall comply with the provisions of Section 41-6a-1406.

433 ~~[(5)]~~ (7) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking

434 Act, the commission shall make rules setting standards for public garages, impound
435 lots, and impound yards that may be used by peace officers and the division.

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

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

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

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

447 [~~(6)~~] (8) (a) Except as provided under Subsection [~~(6)(b)~~] (8)(b), a person may not operate
448 or allow to be operated a vehicle stored in a public garage, impound lot, or impound
449 yard regulated under this part without prior written permission of the owner of the
450 vehicle.

451 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking
452 space to another within the facility and that is necessary for the normal management
453 of the facility is not prohibited under Subsection [~~(6)(a)~~] (8)(a).

454 [~~(7)~~] (9) A person who violates the provisions of Subsection [~~(6)~~] (8) is guilty of a class C
455 misdemeanor.

456 [~~(8)~~] (10) The division or the peace officer who seizes a vehicle shall record the mileage
457 shown on the vehicle's odometer at the time of seizure, if:

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

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

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

461 **41-1a-1103 (Effective 07/01/24). Sale.**

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

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

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

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

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

479 (i) For a vehicle, vessel, or outboard motor with a model year of eight years old or
480 older, if the owner or lienholder of a vehicle, vessel, or outboard motor seized
481 under Section 41-1a-1101 and subsequently released by the division fails to take
482 possession of the vehicle, vessel, or outboard motor and satisfy the amount due to
483 the place of storage within 30 days from the date of release, the division shall, 30
484 days from the date of the original notice described in Section 41-6a-1406, issue a
485 certificate of sale for the vehicle, vessel, or outboard motor to the tow truck motor
486 carrier in possession of the vehicle, vessel, or outboard motor upon request by the
487 tow truck motor carrier, in accordance with this section.

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

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

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

- 502 (a) be held in the form of a public auction at the place of storage; and
 503 (b) at the discretion of the division, be conducted by:
 504 (i) an authorized representative of the division; or
 505 (ii) a public garage, impound lot, or impound yard that:
 506 (A) is authorized by the division;
 507 (B) meets the standards under Subsection [~~41-1a-1101(5)~~] 41-1a-1101(7); and
 508 (C) complies with the requirements of Section 72-9-603.
- 509 (5) At least five days prior to the date set for sale described in Subsection (4), the division
 510 shall publish a notice of sale setting forth the date, time, and place of sale and a
 511 description of the vehicle, vessel, or outboard motor to be sold:
 512 (a) on the division's website; and
 513 (b) as required in Section 45-1-101.
- 514 (6) At the time of sale described in Subsection (4) the division or other person authorized to
 515 conduct the sale shall tender to the highest bidder a certificate of sale conveying all
 516 rights, title, and interest in the vehicle, vessel, or outboard motor.
- 517 (7) The proceeds from the sale of a vehicle, vessel, or outboard motor under Subsection (4)
 518 shall be distributed as provided under Section 41-1a-1104.
- 519 (8) For a vehicle, vessel, or outboard motor with a model year seven years old or newer, if
 520 the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
 521 41-1a-1101 and subsequently released by the division fails to take possession of the
 522 vehicle, vessel, or outboard motor and satisfy the amount due to the place of storage
 523 within 60 days from the date of release, the division shall, 60 days from the date of the
 524 original notice described in Section 41-6a-1406, sell the vehicle, vessel, or outboard
 525 motor as described in Subsection (4).
- 526 (9) For a vehicle, vessel, or outboard motor with a model year of seven years old or newer,
 527 if the owner or lienholder of a vehicle, vessel, or outboard motor seized under Section
 528 41-1a-1101 and subsequently released by the division fails to take possession of the
 529 vehicle, vessel, or outboard motor within 45 days of the original notice described in
 530 Section 41-6a-1406, the tow truck motor carrier shall notify the division, and the
 531 division shall renotify the owner or lienholder.

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

533 **41-6a-1406 (Effective 07/01/24). Removal and impoundment of vehicles --**
 534 **Reporting and notification requirements -- Administrative impound fee -- Refunds**
 535 **-- Possessory lien -- Rulemaking.**

- 536 (1) If a vehicle, vessel, or outboard motor is removed or impounded as provided under
537 Section 41-1a-1101, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order of a
538 peace officer or by an order of a person acting on behalf of a law enforcement agency or
539 highway authority, the removal or impoundment of the vehicle, vessel, or outboard
540 motor shall be at the expense of the owner.
- 541 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be removed or
542 impounded to a state impound yard.
- 543 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be
544 removed by a tow truck motor carrier that meets standards established:
- 545 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
546 (b) by the department under Subsection (10).
- 547 (4) (a) A report described in this Subsection (4) is required for a vehicle, vessel, or
548 outboard motor that is:
- 549 (i) removed or impounded as described in Subsection (1); or
550 (ii) removed or impounded by any law enforcement or government entity.
- 551 (b) Before noon on the next business day after the date of the removal of the vehicle,
552 vessel, or outboard motor, a report of the removal shall be sent to the Motor Vehicle
553 Division by:
- 554 (i) the peace officer or agency by whom the peace officer is employed; and
555 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
556 operator is employed.
- 557 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
558 include:
- 559 (i) the operator's name, if known;
560 (ii) a description of the vehicle, vessel, or outboard motor;
561 (iii) the vehicle identification number or vessel or outboard motor identification
562 number;
563 (iv) the license number, temporary permit number, or other identification number
564 issued by a state agency;
565 (v) the date, time, and place of impoundment;
566 (vi) the reason for removal or impoundment;
567 (vii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
568 outboard motor; and
569 (viii) the place where the vehicle, vessel, or outboard motor is stored.

- 570 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
571 State Tax Commission shall make rules to establish proper format and information
572 required on the form described in this Subsection (4).
- 573 (e) Until the tow truck operator or tow truck motor carrier reports the removal as
574 required under this Subsection (4), a tow truck motor carrier or impound yard may
575 not:
- 576 (i) collect any fee associated with the removal; and
 - 577 (ii) begin charging storage fees.
- 578 (5) (a) Except as provided in Subsection (5)(e) and upon receipt of the report, the Motor
579 Vehicle Division shall give notice, in the manner described in Section 41-1a-114, to
580 the following parties with an interest in the vehicle, vessel, or outboard motor, as
581 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
585 motor is currently operating under a temporary permit issued by the dealer, as
586 described in Section 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
590 for removal, 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,
592 and 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
597 or impoundment under this section, one of the parties fails to make a claim for
598 release of the vehicle, vessel, or outboard motor.
- 599 (c) Except as provided in Subsection (5)(e) and if the vehicle, vessel, or outboard motor
600 is not registered in this state, the Motor Vehicle Division shall make a reasonable
601 effort to notify the parties described in Subsection (5)(a) of the removal and the place
602 where the vehicle, vessel, or outboard motor is stored.
- 603 (d) The Motor Vehicle Division shall forward a copy of the notice to the place where the

- 604 vehicle, vessel, or outboard motor is stored.
- 605 (e) The Motor Vehicle Division is not required to give notice under this Subsection (5) if
606 a report was received by a tow truck operator or tow truck motor carrier reporting a
607 tow truck 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 in
609 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 41-1a-1101
616 (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
618 outboard 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
623 Section 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 waived
629 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
633 shown by a letter or other report from the Driver License Division presented
634 within 180 days after the day on which the Driver License Division mailed the
635 final notification; or
 - 636 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
637 stolen vehicle report presented within 180 days after the day of the impoundment.

- 638 (d) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept
639 payment by cash and debit or credit card for a removal or impoundment under
640 Subsection (1) or any service rendered, performed, or supplied in connection with a
641 removal or impoundment under Subsection (1).
- 642 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
643 impounded vehicle, vessel, or outboard motor if:
- 644 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
645 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
646 Subsection (5)(a), even if the party satisfies the requirements to release the
647 vehicle, vessel, or outboard motor under this Subsection (6).
- 648 (7) (a) For an impounded vehicle, vessel, or outboard motor not claimed by a party
649 described in Subsection (5)(a) within the time prescribed by Section 41-1a-1103, the
650 Motor Vehicle Division shall issue a certificate of sale for the impounded vehicle,
651 vessel, or outboard motor as described in Section 41-1a-1103.
- 652 (b) The date of impoundment is considered the date of seizure for computing the time
653 period provided under Section 41-1a-1103.
- 654 (8) A party described in Subsection (5)(a) that pays all fees and charges incurred in the
655 impoundment of the owner's vehicle, vessel, or outboard motor has a cause of action for
656 all the fees and charges, together with damages, court costs, and attorney fees, against
657 the operator of the vehicle, vessel, or outboard motor whose actions caused the removal
658 or impoundment.
- 659 (9) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel, or
660 outboard motor.
- 661 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
662 department shall make rules setting the performance standards for towing companies to
663 be used by the department.
- 664 (11) (a) The Motor Vehicle Division may specify that a report required under Subsection
665 (4) be submitted in electronic form utilizing a database for submission, storage, and
666 retrieval of the information.
- 667 (b) (i) Unless otherwise provided by statute, the Motor Vehicle Division or the
668 administrator of the database may adopt a schedule of fees assessed for utilizing
669 the database.
- 670 (ii) The fees under this Subsection (11)(b) shall:
- 671 (A) be reasonable and fair; and

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

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

674 **41-12a-806 (Effective 07/01/24). Restricted account -- Creation -- Funding --**
675 **Interest -- Purposes.**

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

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

679 (a) money received by the state under Section 41-1a-1218, the uninsured motorist
680 identification fee;

681 (b) money received by the state under Section 41-1a-1220, the registration reinstatement
682 fee; and

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

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

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

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

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

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

690 (c) the Tax Commission to offset the costs to the Motor Vehicle Division for revoking
691 and reinstating vehicle registrations under Subsection 41-1a-110(2)(a)(ii); and

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

694 (i) the person's vehicle was impounded in accordance with Subsection [~~41-1a-1101(2)~~]
695 41-1a-1101(4);

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

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

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

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

- 706 (6) (a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures
 707 Act, the department shall hold a hearing to determine whether a person's vehicle was
 708 wrongfully impounded under Subsection [~~41-1a-1101(2)~~] 41-1a-1101(4).
 709 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 710 division shall make rules establishing procedures for a person to apply for a
 711 reimbursement under Subsection (4)(d).
 712 (c) A person is not eligible for a reimbursement under Subsection (4)(d) unless the
 713 person applies for the reimbursement within six months from the date that the motor
 714 vehicle was impounded.

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

716 **53-1-122 (Effective 07/01/24). Road Rage Awareness and Prevention Restricted**
 717 **Account.**

- 718 (1) There is created a restricted account within the General Fund known as the Road Rage
 719 Awareness and Prevention Restricted Account.
 720 (2) The account is funded by money appropriated by the Legislature.
 721 (3) Upon appropriation, the department shall expend funds from the restricted account to
 722 pay for an education and media campaign on road rage awareness and prevention.

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

724 **53-3-220 (Effective 07/01/24). Offenses requiring mandatory revocation, denial,**
 725 **suspension, or disqualification of license -- Offense requiring an extension of period**
 726 **-- Hearing -- Limited driving privileges.**

- 727 (1) (a) The division shall immediately revoke or, when this chapter, Title 41, Chapter 6a,
 728 Traffic Code, or Section 76-5-303, specifically provides for denial, suspension, or
 729 disqualification, the division shall deny, suspend, or disqualify the license of a person
 730 upon receiving a record of the person's conviction for:
 731 (i) manslaughter or negligent homicide resulting from driving a motor vehicle,
 732 negligently operating a vehicle resulting in death under Section 76-5-207, or
 733 automobile homicide involving using a handheld wireless communication device
 734 while driving under Section 76-5-207.5;
 735 (ii) driving or being in actual physical control of a motor vehicle while under the
 736 influence of alcohol, any drug, or combination of them to a degree that renders the
 737 person incapable of safely driving a motor vehicle as prohibited in Section
 738 41-6a-502 or as prohibited in an ordinance that complies with the requirements of
 739 Subsection 41-6a-510(1);

- 740 (iii) driving or being in actual physical control of a motor vehicle while having a
741 blood or breath alcohol content as prohibited in Section 41-6a-502 or as prohibited
742 in an ordinance that complies with the requirements of Subsection 41-6a-510(1);
- 743 (iv) perjury or the making of a false affidavit to the division under this chapter, Title
744 41, Motor Vehicles, or any other law of this state requiring the registration of
745 motor vehicles or regulating driving on highways;
- 746 (v) any felony under the motor vehicle laws of this state;
- 747 (vi) any other felony in which a motor vehicle is used to facilitate the offense;
- 748 (vii) failure to stop and render aid as required under the laws of this state if a motor
749 vehicle accident results in the death or personal injury of another;
- 750 (viii) two charges of reckless driving, impaired driving, or any combination of
751 reckless driving and impaired driving committed within a period of 12 months;
752 but if upon a first conviction of reckless driving or impaired driving the judge or
753 justice recommends suspension of the convicted person's license, the division may
754 after a hearing suspend the license for a period of three months;
- 755 (ix) failure to bring a motor vehicle to a stop at the command of a law enforcement
756 officer as required in Section 41-6a-210;
- 757 (x) any offense specified in Part 4, Uniform Commercial Driver License Act, that
758 requires disqualification;
- 759 (xi) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
760 allowing the discharge of a firearm from a vehicle;
- 761 (xii) using, allowing the use of, or causing to be used any explosive, chemical, or
762 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b);
- 763 (xiii) operating or being in actual physical control of a motor vehicle while having
764 any measurable controlled substance or metabolite of a controlled substance in the
765 person's body in violation of Section 41-6a-517;
- 766 (xiv) operating or being in actual physical control of a motor vehicle while having
767 any measurable or detectable amount of alcohol in the person's body in violation
768 of Section 41-6a-530;
- 769 (xv) engaging in a motor vehicle speed contest or exhibition of speed on a highway in
770 violation of Section 41-6a-606;
- 771 (xvi) operating or being in actual physical control of a motor vehicle in this state
772 without an ignition interlock system in violation of Section 41-6a-518.2; ~~or~~
- 773 (xvii) refusal of a chemical test under Subsection 41-6a-520.1(1)~~]; or~~

- 774 (xviii) two or more offenses that:
775 (A) are committed within a period of one year;
776 (B) are enhanced under Section 76-3-203.17; and
777 (C) arose from separate incidents.
- 778 (b) The division shall immediately revoke the license of a person upon receiving a
779 record of an adjudication under Section 80-6-701 for:
- 780 (i) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
781 allowing the discharge of a firearm from a vehicle; or
- 782 (ii) using, allowing the use of, or causing to be used any explosive, chemical, or
783 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b).
- 784 (c) (i) Except when action is taken under Section 53-3-219 for the same offense, upon
785 receiving a record of conviction, the division shall immediately suspend for six
786 months the license of the convicted person if the person was convicted of
787 violating any one of the following offenses while the person was an operator of a
788 motor vehicle, and the court finds that a driver license suspension is likely to
789 reduce recidivism and is in the interest of public safety:
- 790 (A) Title 58, Chapter 37, Utah Controlled Substances Act;
791 (B) Title 58, Chapter 37a, Utah Drug Paraphernalia Act;
792 (C) Title 58, Chapter 37b, Imitation Controlled Substances Act;
793 (D) Title 58, Chapter 37c, Utah Controlled Substance Precursor Act;
794 (E) Title 58, Chapter 37d, Clandestine Drug Lab Act; or
795 (F) any criminal offense that prohibits possession, distribution, manufacture,
796 cultivation, sale, or transfer of any substance that is prohibited under the acts
797 described in Subsections (1)(c)(i)(A) through (E), or the attempt or conspiracy
798 to possess, distribute, manufacture, cultivate, sell, or transfer any substance that
799 is prohibited under the acts described in Subsections (1)(c)(i)(A) through (E).
- 800 (ii) Notwithstanding the provisions in Subsection (1)(c)(i), the division shall reinstate
801 a person's driving privilege before completion of the suspension period imposed
802 under Subsection (1)(c)(i) if the reporting court notifies the Driver License
803 Division, in a manner specified by the division, that the defendant is participating
804 in or has successfully completed a drug court program as defined in Section
805 78A-5-201.
- 806 (iii) If a person's driving privilege is reinstated under Subsection (1)(c)(ii), the person
807 is required to pay the license reinstatement fees under Subsection 53-3-105(26).

- 808 (iv) The court shall notify the division, in a manner specified by the division, if a
809 person fails to complete all requirements of the drug court program.
- 810 (v) Upon receiving the notification described in Subsection (1)(c)(iv), the division
811 shall suspend the person's driving privilege for a period of six months from the
812 date of the notice, and no days shall be subtracted from the six-month suspension
813 period for which a driving privilege was previously suspended under Subsection
814 (1)(c)(i).
- 815 (d) (i) The division shall immediately suspend a person's driver license for conviction
816 of the offense of theft of motor vehicle fuel under Section 76-6-404.7 if the
817 division receives:
- 818 (A) an order from the sentencing court requiring that the person's driver license be
819 suspended; and
- 820 (B) a record of the conviction.
- 821 (ii) An order of suspension under this section is at the discretion of the sentencing
822 court, and may not be for more than 90 days for each offense.
- 823 (e) (i) The division shall immediately suspend for one year the license of a person
824 upon receiving a record of:
- 825 (A) conviction for the first time for a violation under Section 32B-4-411; or
826 (B) an adjudication under Section 80-6-701 for a violation under Section
827 32B-4-411.
- 828 (ii) The division shall immediately suspend for a period of two years the license of a
829 person upon receiving a record of:
- 830 (A) (I) conviction for a second or subsequent violation under Section
831 32B-4-411; and
832 (II) the violation described in Subsection (1)(e)(ii)(A)(I) is within 10 years of a
833 prior conviction for a violation under Section 32B-4-411; or
834 (B) (I) a second or subsequent adjudication under Section 80-6-701 for a
835 violation under Section 32B-4-411; and
836 (II) the adjudication described in Subsection (1)(e)(ii)(B)(I) is within 10 years
837 of a prior adjudication under Section 80-6-701 for a violation under Section
838 32B-4-411.
- 839 (iii) Upon receipt of a record under Subsection (1)(e)(i) or (ii), the division shall:
- 840 (A) for a conviction or adjudication described in Subsection (1)(e)(i):
841 (I) impose a suspension for one year beginning on the date of conviction; or

- 842 (II) if the person is under the age of eligibility for a driver license, impose a
843 suspension that begins on the date of conviction and continues for one year
844 beginning on the date of eligibility for a driver license; or
- 845 (B) for a conviction or adjudication described in Subsection (1)(e)(ii):
- 846 (I) impose a suspension for a period of two years; or
- 847 (II) if the person is under the age of eligibility for a driver license, impose a
848 suspension that begins on the date of conviction and continues for two years
849 beginning on the date of eligibility for a driver license.
- 850 (iv) Upon receipt of the first order suspending a person's driving privileges under
851 Section 32B-4-411, the division shall reduce the suspension period under
852 Subsection (1)(e)(i) if ordered by the court in accordance with Subsection
853 32B-4-411(3)(a).
- 854 (v) Upon receipt of the second or subsequent order suspending a person's driving
855 privileges under Section 32B-4-411, the division shall reduce the suspension
856 period under Subsection (1)(e)(ii) if ordered by the court in accordance with
857 Subsection 32B-4-411(3)(b).
- 858 (f) The division shall immediately suspend a person's driver license for the conviction of
859 an offense that is enhanced under Section 76-3-203.17 if the division receives:
- 860 (i) an order from the sentencing court requiring the person's driver license to be
861 suspended; and
- 862 (ii) a record of the conviction.
- 863 (2) The division shall extend the period of the first denial, suspension, revocation, or
864 disqualification for an additional like period, to a maximum of one year for each
865 subsequent occurrence, upon receiving:
- 866 (a) a record of the conviction of any person on a charge of driving a motor vehicle while
867 the person's license is denied, suspended, revoked, or disqualified;
- 868 (b) a record of a conviction of the person for any violation of the motor vehicle law in
869 which the person was involved as a driver;
- 870 (c) a report of an arrest of the person for any violation of the motor vehicle law in which
871 the person was involved as a driver; or
- 872 (d) a report of an accident in which the person was involved as a driver.
- 873 (3) When the division receives a report under Subsection (2)(c) or (d) that a person is
874 driving while the person's license is denied, suspended, disqualified, or revoked, the
875 person is entitled to a hearing regarding the extension of the time of denial, suspension,

- 876 disqualification, or revocation originally imposed under Section 53-3-221.
- 877 (4) (a) The division may extend to a person the limited privilege of driving a motor
878 vehicle to and from the person's place of employment or within other specified limits
879 on recommendation of the judge in any case where a person is convicted of any of
880 the offenses referred to in Subsections (1) and (2) except:
- 881 (i) those offenses referred to in Subsections (1)(a)(i), (ii), (iii), (xi), (xii), (xiii), (1)(b),
882 and (1)(c)(i); and
- 883 (ii) those offenses referred to in Subsection (2) when the original denial, suspension,
884 revocation, or disqualification was imposed because of a violation of Section
885 41-6a-502, 41-6a-517, a local ordinance that complies with the requirements of
886 Subsection 41-6a-510(1), Section 41-6a-520, 41-6a-520.1, 76-5-102.1, or 76-5-207,
887 or a criminal prohibition that the person was charged with violating as a result of a
888 plea bargain after having been originally charged with violating one or more of
889 these sections or ordinances, unless:
- 890 (A) the person has had the period of the first denial, suspension, revocation, or
891 disqualification extended for a period of at least three years;
- 892 (B) the division receives written verification from the person's primary care
893 physician that:
- 894 (I) to the physician's knowledge the person has not used any narcotic drug or
895 other controlled substance except as prescribed by a licensed medical
896 practitioner within the last three years; and
- 897 (II) the physician is not aware of any physical, emotional, or mental
898 impairment that would affect the person's ability to operate a motor vehicle
899 safely; and
- 900 (C) for a period of one year prior to the date of the request for a limited driving
901 privilege:
- 902 (I) the person has not been convicted of a violation of any motor vehicle law in
903 which the person was involved as the operator of the vehicle;
- 904 (II) the division has not received a report of an arrest for a violation of any
905 motor vehicle law in which the person was involved as the operator of the
906 vehicle; and
- 907 (III) the division has not received a report of an accident in which the person
908 was involved as an operator of a vehicle.
- 909 (b) (i) Except as provided in Subsection (4)(b)(ii), the discretionary privilege

- 910 authorized in this Subsection (4):
- 911 (A) is limited to when undue hardship would result from a failure to grant the
912 privilege; and
- 913 (B) may be granted only once to any person during any single period of denial,
914 suspension, revocation, or disqualification, or extension of that denial,
915 suspension, revocation, or disqualification.
- 916 (ii) The discretionary privilege authorized in Subsection (4)(a)(ii):
- 917 (A) is limited to when the limited privilege is necessary for the person to commute
918 to school or work; and
- 919 (B) may be granted only once to any person during any single period of denial,
920 suspension, revocation, or disqualification, or extension of that denial,
921 suspension, revocation, or disqualification.
- 922 (c) A limited CDL may not be granted to a person disqualified under Part 4, Uniform
923 Commercial Driver License Act, or whose license has been revoked, suspended,
924 cancelled, or denied under this chapter.

925 Section 8. Section **63I-1-253** is amended to read:

926 **63I-1-253 (Effective 07/01/24) (Contingently Superseded 01/01/25). Repeal dates:**
927 **Titles 53 through 53G.**

- 928 (1) Section 53-1-122, which creates the Road Rage Awareness and Prevention Restricted
929 Account, is repealed on July 1, 2028.
- 930 ~~[(1)]~~ (2) Section 53-2a-105, which creates the Emergency Management Administration
931 Council, is repealed July 1, 2027.
- 932 ~~[(2)]~~ (3) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue
933 Advisory Board, are repealed July 1, 2027.
- 934 ~~[(3)]~~ (4) Section 53-2d-703 is repealed July 1, 2027.
- 935 ~~[(4)]~~ (5) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed
936 July 1, 2024.
- 937 ~~[(5)]~~ (6) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is
938 repealed July 1, 2024.
- 939 ~~[(6)]~~ (7) Section 53B-7-709, regarding five-year performance goals for the Utah System of
940 Higher Education is repealed July 1, 2027.
- 941 ~~[(7)]~~ (8) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed
942 July 1, 2028.
- 943 ~~[(8)]~~ (9) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

- 944 ~~[(9)]~~ (10) Section 53B-17-1203, which creates the SafeUT and School Safety Commission,
945 is repealed January 1, 2025.
- 946 ~~[(10)]~~ (11) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 947 ~~[(11)]~~ (12) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure
948 Research Center, is repealed on July 1, 2028.
- 949 ~~[(12)]~~ (13) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money
950 from the Land Exchange Distribution Account to the Geological Survey for test wells
951 and other hydrologic studies in the West Desert, is repealed July 1, 2030.
- 952 ~~[(13)]~~ (14) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth
953 in custody, are repealed July 1, 2027.
- 954 ~~[(14)]~~ (15) In relation to a standards review committee, on January 1, 2028:
955 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
956 recommendations of a standards review committee established under Section
957 53E-4-203" is repealed; and
958 (b) Section 53E-4-203 is repealed.
- 959 ~~[(15)]~~ (16) Section 53E-4-402, which creates the State Instructional Materials Commission,
960 is repealed July 1, 2027.
- 961 ~~[(16)]~~ (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission,
962 is repealed July 1, 2033.
- 963 ~~[(17)]~~ (18) Section 53F-2-420, which creates the Intensive Services Special Education Pilot
964 Program, is repealed July 1, 2024.
- 965 ~~[(18)]~~ (19) Section 53F-5-213 is repealed July 1, 2023.
- 966 ~~[(19)]~~ (20) Section 53F-5-214, in relation to a grant for professional learning, is repealed
967 July 1, 2025.
- 968 ~~[(20)]~~ (21) Section 53F-5-215, in relation to an elementary teacher preparation grant, is
969 repealed July 1, 2025.
- 970 ~~[(21)]~~ (22) Section 53F-5-219, which creates the Local Innovations Civics Education Pilot
971 Program, is repealed on July 1, 2025.
- 972 ~~[(22)]~~ (23) Subsection 53F-9-203(7), which creates the Charter School Revolving Account
973 Committee, is repealed July 1, 2024.
- 974 ~~[(23)]~~ (24) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
975 Commission, are repealed January 1, 2025.
- 976 ~~[(24)]~~ (25) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.
- 977 ~~[(25)]~~ (26) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1,

978 2027.

979 Section 9. Section **63I-1-253** is amended to read:

980 **63I-1-253 (Contingently Effective 01/01/25). Repeal dates: Titles 53 through 53G.**

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

983 [~~(1)~~] (2) Section 53-2a-105, which creates the Emergency Management Administration
984 Council, is repealed July 1, 2027.

985 [~~(2)~~] (3) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue
986 Advisory Board, are repealed July 1, 2027.

987 [~~(3)~~] (4) Section 53-2d-703 is repealed July 1, 2027.

988 [~~(4)~~] (5) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed
989 July 1, 2024.

990 [~~(5)~~] (6) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is
991 repealed July 1, 2024.

992 [~~(6)~~] (7) Section 53B-7-709, regarding five-year performance goals for the Utah System of
993 Higher Education is repealed July 1, 2027.

994 [~~(7)~~] (8) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed
995 July 1, 2028.

996 [~~(8)~~] (9) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

997 [~~(9)~~] (10) Section 53B-17-1203, which creates the SafeUT and School Safety Commission,
998 is repealed January 1, 2025.

999 [~~(10)~~] (11) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

1000 [~~(11)~~] (12) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure
1001 Research Center, is repealed on July 1, 2028.

1002 [~~(12)~~] (13) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money
1003 from the Land Exchange Distribution Account to the Geological Survey for test wells
1004 and other hydrologic studies in the West Desert, is repealed July 1, 2030.

1005 [~~(13)~~] (14) Subsections 53E-3-503(5) and (6), which create coordinating councils for youth
1006 in custody, are repealed July 1, 2027.

1007 [~~(14)~~] (15) In relation to a standards review committee, on January 1, 2028:

1008 (a) in Subsection 53E-4-202(8), the language "by a standards review committee and the
1009 recommendations of a standards review committee established under Section
1010 53E-4-203" is repealed; and

1011 (b) Section 53E-4-203 is repealed.

- 1012 [~~(15)~~] (16) Section 53E-4-402, which creates the State Instructional Materials Commission,
1013 is repealed July 1, 2027.
- 1014 [~~(16)~~] (17) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission,
1015 is repealed July 1, 2033.
- 1016 [~~(17)~~] (18) Section 53F-2-420, which creates the Intensive Services Special Education Pilot
1017 Program, is repealed July 1, 2024.
- 1018 [~~(18)~~] (19) Section 53F-5-213 is repealed July 1, 2023.
- 1019 [~~(19)~~] (20) Section 53F-5-214, in relation to a grant for professional learning, is repealed
1020 July 1, 2025.
- 1021 [~~(20)~~] (21) Section 53F-5-215, in relation to an elementary teacher preparation grant, is
1022 repealed July 1, 2025.
- 1023 [~~(21)~~] (22) Section 53F-5-219, which creates the Local Innovations Civics Education Pilot
1024 Program, is repealed on July 1, 2025.
- 1025 [~~(22)~~] (23) (a) Subsection 53F-9-201.1(2)(b)(ii), in relation to the use of funds from a
1026 loss in enrollment for certain fiscal years, is repealed on July 1, 2030.
- 1027 (b) On July 1, 2030, the Office of Legislative Research and General Counsel shall
1028 renumber the remaining subsections accordingly.
- 1029 [~~(23)~~] (24) Subsection 53F-9-203(7), which creates the Charter School Revolving Account
1030 Committee, is repealed July 1, 2024.
- 1031 [~~(24)~~] (25) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
1032 Commission, are repealed January 1, 2025.
- 1033 [~~(25)~~] (26) Section 53G-9-212, Drinking water quality in schools, is repealed July 1, 2027.
- 1034 [~~(26)~~] (27) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed July 1,
1035 2027.
- 1036 Section 10. Section **76-3-203.17** is enacted to read:
- 1037 **76-3-203.17 (Effective 07/01/24). Enhancement of an offense for road rage.**
- 1038 (1) As used in this section:
- 1039 (a) "Roadway" means the same as that term is defined in Section 41-1a-1101.
- 1040 (b) "Operator" means the same as that term is defined in Section 41-6a-102.
- 1041 (c) "Vehicle" means the same as that term is defined in Section 41-1a-102.
- 1042 (2) If the trier of fact finds that an actor was an operator or passenger of a vehicle and the
1043 actor committed an offense in response to an incident that occurred or escalated upon a
1044 roadway and with the intent to endanger or intimidate an individual in another vehicle,
1045 the actor is guilty of:

- 1046 (a) a class A misdemeanor if the actor is charged with an offense that is designated by
1047 law as a class B misdemeanor;
- 1048 (b) a third degree felony if the actor is charged with an offense that is designated by law
1049 as a class A misdemeanor;
- 1050 (c) a third degree felony if the actor is charged with an offense that is designated by law
1051 as a third degree felony; or
- 1052 (d) a second degree felony if the actor is charged with an offense that is designated by
1053 law as a second degree felony.
- 1054 (3) (a) If an actor is guilty of a class A misdemeanor as described in Subsection (2)(a),
1055 the court shall impose a mandatory fine of no less than \$750 in addition to any other
1056 penalty the court may impose for a class A misdemeanor.
- 1057 (b) If an actor is guilty of a third degree felony as described in Subsection (2)(b), the
1058 court shall impose a mandatory fine of no less than \$1,000 in addition to any other
1059 penalty the court may impose for a third degree felony.
- 1060 (c) If an actor is guilty of a third degree felony as described in Subsection (2)(c), the
1061 court shall impose:
- 1062 (i) a mandatory fine of no less than \$1,000; and
- 1063 (ii) an indeterminate term of imprisonment for no less than one year and no more
1064 than five years in addition to any other penalty the court may impose for a third
1065 degree felony.
- 1066 (d) If an actor is guilty of a second degree felony as described in Subsection (2)(d), the
1067 court shall impose:
- 1068 (i) a mandatory fine of no less than \$1,000; and
- 1069 (ii) an indeterminate term of imprisonment for no less than two years and no more
1070 than 15 years in addition to any other penalty the court may impose for a second
1071 degree felony.
- 1072 (4) Except as otherwise provided by another provision of the Utah Code, the court may
1073 suspend the execution of an indeterminate term of imprisonment described in Subsection
1074 (3)(c)(ii) or (3)(d)(ii) in accordance with Section 77-18-105.
- 1075 (5) The prosecuting attorney, or the grand jury if an indictment is returned, shall include
1076 notice in the information or indictment that the offense is subject to an enhancement
1077 under this section.
- 1078 (6) (a) If an actor is convicted of an offense and the offense is enhanced under this
1079 section, the court may order the suspension of the actor's driver license for a period of

1080 no longer than one year, except that the court may not order a suspension of an actor's
 1081 driver license if the actor's driver license is required to be revoked under Subsection
 1082 53-3-220(1).

1083 (b) If the court orders the suspension of the actor's driver license, the court shall:
 1084 (i) specify the length of the suspension in the order as described in Section 53-3-225;
 1085 and
 1086 (ii) forward the order of suspension to the Driver License Division.

1087 (7) If an offense is enhanced under this section, the court shall forward a record of
 1088 conviction for the offense to the Driver License Division.

1089 (8) This section does not affect or limit any individual's constitutional right to lawful
 1090 expression of free speech or other recognized rights secured by the laws or Constitution
 1091 of Utah or by the laws or Constitution of the United States.

1092 Section 11. Section **76-5-103** is amended to read:

1093 **76-5-103 (Effective 07/01/24). Aggravated assault -- Penalties.**

1094 (1) (a) As used in this section, "targeting a law enforcement officer" means the same as
 1095 that term is defined in Section 76-5-202.

1096 (b) Terms defined in Section 76-1-101.5 apply to this section.

1097 (2) An actor commits aggravated assault if~~the actor~~:

1098 (a) (i) the actor attempts, with unlawful force or violence, to do bodily injury to
 1099 another;
 1100 (ii) the actor makes a threat, accompanied by a show of immediate force or violence,
 1101 to do bodily injury to another; or
 1102 (iii) the actor commits an act, committed with unlawful force or violence, that causes
 1103 bodily injury to another or creates a substantial risk of bodily injury to another; and

1104 (b) ~~includes in~~the actor's conduct ~~under~~ described in Subsection (2)(a) includes:

1105 (i) the use of:

1106 ~~(i)~~ (A) a dangerous weapon; or

1107 (B) a motor vehicle;

1108 (ii) any act that impedes the breathing or the circulation of blood of another
 1109 individual by the actor's use of unlawful force or violence that is likely to produce
 1110 a loss of consciousness by:

1111 (A) applying pressure to the neck or throat of an individual; or

1112 (B) obstructing the nose, mouth, or airway of an individual; or

1113 (iii) other means or force likely to produce death or serious bodily injury.

- 1114 (3) (a) A violation of Subsection (2) is a third degree felony.
1115 (b) Notwithstanding Subsection (3)(a), a violation of Subsection (2) is a second degree
1116 felony if:
1117 (i) the act results in serious bodily injury; or
1118 (ii) an act under Subsection (2)(b)(ii) produces a loss of consciousness.
1119 (c) Notwithstanding Subsection (3)(a) or (b), a violation of Subsection (2) is a first
1120 degree felony if the conduct constitutes targeting a law enforcement officer and
1121 results in serious bodily injury.

1122 Section 12. Section **78A-2-109.5** is amended to read:

1123 **78A-2-109.5 (Effective 07/01/24). Court data collection and reporting.**

- 1124 (1) As used in this section, "commission" means the Commission on Criminal and Juvenile
1125 Justice created in Section 63M-7-201.
- 1126 (2) The Administrative Office of the Courts shall submit the following information to the
1127 commission for each criminal case filed with the court:
1128 (a) case number;
1129 (b) the defendant's:
1130 (i) full name;
1131 (ii) offense tracking number; and
1132 (iii) date of birth;
1133 (c) charges filed;
1134 (d) initial appearance date;
1135 (e) bail amount set by the court, if any;
1136 (f) whether the defendant was represented by a public defender, private counsel, or pro
1137 se; and
1138 (g) final disposition of the charges.
- 1139 (3) (a) The Administrative Office of the Courts shall submit the information described in
1140 Subsection (2) to the commission on the 15th day of July and January of each year
1141 for the previous six-month period ending the last day of June and December of each
1142 year in the form and manner selected by the commission.
1143 (b) If the last day of the month is a Saturday, Sunday, or state holiday, the
1144 Administrative Office of the Courts shall submit the information described in
1145 Subsection (2) to the commission on the next working day.
- 1146 (4) Before July 1 of each year, the Administrative Office of the Courts shall submit the
1147 following data on cases involving individuals charged with class A misdemeanors and

1148 felonies, broken down by judicial district, to the commission for each preceding calendar
1149 year:

- 1150 (a) the number of cases in which a preliminary hearing is set and placed on the court
1151 calendar;
- 1152 (b) the median and range of the number of times that a preliminary hearing is continued
1153 in cases in which a preliminary hearing is set and placed on the court calendar;
- 1154 (c) the number of cases, and the average time to disposition for those cases, in which
1155 only written statements from witnesses are submitted as probable cause at the
1156 preliminary hearing;
- 1157 (d) the number of cases, and the average time to disposition for those cases, in which
1158 written statements and witness testimony are submitted as probable cause at the
1159 preliminary hearing;
- 1160 (e) the number of cases, and the average time to disposition for those cases, in which
1161 only witness testimony is submitted as probable cause at the preliminary hearing; and
- 1162 (f) the number of cases in which a preliminary hearing is held and the defendant is
1163 bound over for trial.

1164 (5) The commission shall include the data collected under Subsection (4) in the
1165 commission's annual report described in Section 63M-7-205.

1166 (6) No later than November 1, 2027, the Administrative Office of the Courts shall provide
1167 the Law Enforcement and Criminal Justice Interim Committee with a written report on,
1168 for each fiscal year that begins on and after July 1, 2024:

- 1169 (a) the total number of offenses, including the level of each offense, for which an
1170 enhancement was sought under Section 76-3-203.17;
- 1171 (b) the total number of offenses, including the level of each offense, that were enhanced
1172 under Section 76-3-203.17; and
- 1173 (c) the total amount of fines that were imposed under Section 76-3-203.17.

1174 **Section 13. FY 2025 Appropriation.**

1175 The following sums of money are appropriated for the fiscal year beginning July 1,
1176 2024, and ending June 30, 2025. These are additions to amounts previously
1177 appropriated for fiscal year 2025.

1178 **Subsection 13(a) Operating and Capital Budgets**

1179 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,
1180 the Legislature appropriates the following sums of money from the funds or accounts
1181 indicated for the use and support of the government of the state of Utah.

1182 ITEM 1 To Department of Public Safety - Programs & Operations
 1183 From Road Rage Awareness and Prevention Restricted
 1184 Account \$50,000
 1185 Schedule of Programs:
 1186 Highway Patrol - Administration \$50,000
 1187 Subsection 13(b) **Restricted Fund and Account Transfers**
 1188 The Legislature authorizes the State Division of Finance to transfer the following
 1189 amounts between the following funds or accounts as indicated. Expenditures and
 1190 outlays from the funds to which the money is transferred must be authorized by an
 1191 appropriation.
 1192 ITEM 2 To Road Rage Awareness and Prevention Account
 1193 From General Fund \$50,000
 1194 Schedule of Programs:
 1195 Road Rage Awareness and Prevention Account \$50,000
 1196 Section 14. **Effective date.**
 1197 This bill takes effect on July 1, 2024.