

Representative Kera Birkeland proposes the following substitute bill:

DRIVING BY MINORS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kera Birkeland

Senate Sponsor: Michael K. McKell

LONG TITLE

General Description:

This bill amends the restrictions on a newly licensed driver.

Highlighted Provisions:

This bill:

▶ allows a newly licensed driver who is younger than 18 years old to drive one passenger who is not an immediate family member.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-8-3, as last amended by Laws of Utah 2015, Chapter 412

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

Section 1. Section **41-8-3** is amended to read:

41-8-3. Operation of vehicle by persons under 16 and six months -- Passenger limitations -- Exceptions -- Penalties.



26 (1) In addition to the provisions of Title 53, Chapter 3, Uniform Driver License Act, a
27 person, whether resident or nonresident of this state, may not operate a motor vehicle upon any
28 highway of this state with [~~any~~] more than one passenger who is not an immediate family
29 member of the driver until the earlier of:

30 (a) six months from the date the person's driver license was issued; or

31 (b) the person reaches 18 years [~~of age~~] old.

32 (2) It is an affirmative defense to a charge under Subsection (1) that the person is
33 operating a motor vehicle:

34 (a) accompanied by a licensed driver at least 21 years [~~of age~~] old who is occupying a
35 seat next to the driver;

36 (b) on assignment of a farmer or rancher and the driver is engaged in an agricultural
37 operation; or

38 (c) in an emergency.

39 (3) In addition to any penalties imposed under Title 53, Chapter 3, Uniform Driver
40 License Act, a violation of this section is an infraction.

41 (4) (a) Enforcement of this section by state or local law enforcement officers shall be
42 only as a secondary action when an operator of a motor vehicle has been detained for a
43 suspected violation of Title 41, Motor Vehicles, other than this section, or for another offense.

44 (b) A peace officer may not seize or impound a vehicle if:

45 (i) the operator of the vehicle is cited for a violation of this section; and

46 (ii) the seizure or impoundment is not otherwise authorized under Section [41-1a-1101](#),
47 [41-6a-1405](#), [41-6a-1608](#), or [73-18-20.1](#) or required under Section [41-6a-527](#).

48 Section 2. **Effective date.**

49 This bill takes effect on May 1, 2024.