

# HB0351S01 compared with HB0351

~~text~~ shows text that was in HB0351 but was deleted in HB0351S01.

text shows text that was not in HB0351 but was inserted into HB0351S01.

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Representative Kera Birkeland proposes the following substitute bill:

## DRIVING BY MINORS AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor:** {} Kera Birkeland

**Senate Sponsor:** {} \_\_\_\_\_

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### LONG TITLE

#### General Description:

This bill ~~repeals a restriction on a minor driving others within six months after receiving a driver license~~ amends the restrictions on a newly licensed driver.

#### Highlighted Provisions:

This bill:

- ▶ ~~repeals the restriction that prevents a minor from driving with a passenger that~~ allows a newly licensed driver who is younger than 18 years old to drive one passenger who is not an immediate family member ~~within six months after receiving a driver license~~.

#### Money Appropriated in this Bill:

None

#### Other Special Clauses:

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None

## Utah Code Sections Affected:

~~{REPEALS}~~ AMENDS:

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

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

Section 1. Section ~~{Repealer.}~~ 41-8-3

~~— This bill repeals~~ is amended to read:

~~{Section}~~ 41-8-3. **Operation of vehicle by persons under 16 and six months --**

**Passenger limitations -- Exceptions -- Penalties.**

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

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

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

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

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

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

(c) in an emergency.

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

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

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

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

(ii) the seizure or impoundment is not otherwise authorized under Section 41-1a-1101,

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41-6a-1405, 41-6a-1608, or 73-18-20.1 or required under Section 41-6a-527.

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.