

- 30 [41-1a-702](#), as last amended by Laws of Utah 2015, Chapter 412
- 31 [41-1a-1206](#), as last amended by Laws of Utah 2015, Chapter 412
- 32 [41-6a-601](#), as last amended by Laws of Utah 2015, Chapter 412
- 33 [41-6a-609](#), as renumbered and amended by Laws of Utah 2005, Chapter 2
- 34 [41-6a-904](#), as last amended by Laws of Utah 2015, Chapter 412
- 35 [41-6a-1626](#), as last amended by Laws of Utah 2015, Chapters 15 and 412
- 36 [41-6a-1630](#), as last amended by Laws of Utah 2015, Chapter 412
- 37 [41-6a-1631](#), as last amended by Laws of Utah 2015, Chapter 412
- 38 [41-12a-303.2](#), as last amended by Laws of Utah 2015, Chapter 412
- 39 [53-1-116](#), as last amended by Laws of Utah 1997, Chapter 51
- 40 [53-3-305](#), as enacted by Laws of Utah 2008, Chapter 88
- 41 [53-3-412](#), as last amended by Laws of Utah 2015, Chapter 412
- 42 [53-8-209](#), as renumbered and amended by Laws of Utah 1993, Chapters 26 and 234
- 43 [53B-3-107](#), as last amended by Laws of Utah 2015, Chapter 412
- 44 [72-7-403](#), as last amended by Laws of Utah 2015, Chapter 412
- 45 [72-7-404](#), as last amended by Laws of Utah 2015, Chapter 412
- 46 [72-7-405](#), as last amended by Laws of Utah 2015, Chapter 412
- 47 [72-7-406](#), as last amended by Laws of Utah 2015, Chapter 412
- 48 [72-7-407](#), as last amended by Laws of Utah 2015, Chapter 412
- 49 [72-7-408](#), as last amended by Laws of Utah 2015, Chapter 412
- 50 [72-7-409](#), as last amended by Laws of Utah 2015, Chapter 412
- 51 [73-18-6](#), as last amended by Laws of Utah 2015, Chapter 412
- 52 [73-18-7](#), as last amended by Laws of Utah 2015, Chapter 412
- 53 [73-18-8](#), as last amended by Laws of Utah 2015, Chapters 113 and 412
- 54 [73-18-8.1](#), as last amended by Laws of Utah 2015, Chapter 412
- 55 [73-18-15.1](#), as last amended by Laws of Utah 2015, Chapter 412
- 56 [73-18-15.2](#), as last amended by Laws of Utah 2015, Chapter 412
- 57 [73-18-15.3](#), as last amended by Laws of Utah 2015, Chapter 412

- 58 **73-18-16**, as last amended by Laws of Utah 2015, Chapter 412
- 59 **76-9-702.3**, as enacted by Laws of Utah 2012, Chapter 303
- 60 **76-9-706**, as last amended by Laws of Utah 2008, Chapter 186
- 61 **78B-1-115**, as renumbered and amended by Laws of Utah 2008, Chapter 3
- 62 **78B-8-304**, as renumbered and amended by Laws of Utah 2008, Chapter 3

63 REPEALS:

- 64 **4-31-112**, as enacted by Laws of Utah 2012, Chapter 331

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

67 Section 1. Section **4-31-104** is amended to read:

68 **4-31-104. Penalty.**

69 A person who violates Section **4-31-102** or **4-31-103** is guilty of [~~a class C~~
70 misdemeanor] an infraction.

71 Section 2. Section **10-9a-611** is amended to read:

72 **10-9a-611. Prohibited acts.**

73 (1) (a) (i) An owner of any land located in a subdivision who transfers or sells any land
74 in that subdivision before a plat of the subdivision has been approved and recorded violates this
75 part for each lot or parcel transferred or sold.

76 (ii) A violation of Subsection (1)(a)(i) is an infraction.

77 (b) The description by metes and bounds in an instrument of transfer or other
78 documents used in the process of selling or transferring does not exempt the transaction from
79 being a violation of Subsection (1)(a) or from the penalties or remedies provided in this
80 chapter.

81 (c) Notwithstanding any other provision of this Subsection (1), the recording of an
82 instrument of transfer or other document used in the process of selling or transferring real
83 property that violates this part:

84 (i) does not affect the validity of the instrument or other document; and

85 (ii) does not affect whether the property that is the subject of the instrument or other

86 document complies with applicable municipal ordinances on land use and development.

87 (2) (a) A municipality may bring an action against an owner to require the property to
88 conform to the provisions of this part or an ordinance enacted under the authority of this part.

89 (b) An action under this Subsection (2) may include an injunction, abatement, merger
90 of title, or any other appropriate action or proceeding to prevent, enjoin, or abate the violation.

91 (c) A municipality need only establish the violation to obtain the injunction.

92 Section 3. Section **10-9a-802** is amended to read:

93 **10-9a-802. Enforcement.**

94 (1) (a) A municipality or any adversely affected owner of real estate within the
95 municipality in which violations of this chapter or ordinances enacted under the authority of
96 this chapter occur or are about to occur may, in addition to other remedies provided by law,
97 institute:

- 98 (i) injunctions, mandamus, abatement, or any other appropriate actions; or
- 99 (ii) proceedings to prevent, enjoin, abate, or remove the unlawful building, use, or act.

100 (b) A municipality need only establish the violation to obtain the injunction.

101 (2) (a) A municipality may enforce the municipality's ordinance by withholding a
102 building permit.

103 (b) It is [~~unlawful~~] an infraction to erect, construct, reconstruct, alter, or change the use
104 of any building or other structure within a municipality without approval of a building permit.

105 (c) A municipality may not issue a building permit unless the plans of and for the
106 proposed erection, construction, reconstruction, alteration, or use fully conform to all
107 regulations then in effect.

108 (d) A municipality may not deny an applicant a building permit because the applicant
109 has not completed an infrastructure improvement:

110 (i) that is not essential to meet the requirements for the issuance of a building permit
111 under the building code and fire code; and

112 (ii) for which the municipality has accepted an infrastructure improvement assurance
113 for infrastructure improvements for the development.

114 Section 4. Section **13-32-106** is amended to read:

115 **13-32-106. Penalties.**

116 A person who violates this chapter is guilty of [~~a class C misdemeanor~~] an infraction.

117 Section 5. Section **17-23-15** is amended to read:

118 **17-23-15. Removal, destruction, or defacement of monuments or corners as**
119 **infraction -- Costs.**

120 (1) [~~No~~] A person [~~shall~~] may not willfully or negligently remove, destroy, or deface
121 any government survey monument, corner, or witness corner.

122 (2) Any person who violates this section is guilty of [~~a class C misdemeanor~~] an
123 infraction and is additionally responsible for:

124 (a) the costs of any necessary legal action; and

125 (b) the costs of reestablishing the survey monument, corner, or witness corner.

126 Section 6. Section **17-23-17** is amended to read:

127 **17-23-17. Map of boundary survey -- Procedure for filing -- Contents -- Marking**
128 **of monuments -- Record of corner changes -- Penalties.**

129 (1) As used in this section:

130 (a) "Land surveyor" means a surveyor who is licensed to practice land surveying in this
131 state in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land
132 Surveyors Licensing Act.

133 (b) (i) "Township" means a term used in the context of identifying a geographic area in
134 common surveyor practice.

135 (ii) "Township" does not mean a metro township as that term is defined in Section
136 [10-2a-403](#).

137 (2) (a) (i) Each land surveyor making a boundary survey of lands within this state to
138 establish or reestablish a boundary line or to obtain data for constructing a map or plat showing
139 a boundary line shall file a map of the survey that meets the requirements of this section with
140 the county surveyor or designated office within 90 days of the establishment or reestablishment
141 of a boundary.

142 (ii) A land surveyor who fails to file a map of the survey as required by Subsection
143 (2)(a)(i) is guilty of [~~a class C misdemeanor~~] an infraction.

144 (iii) Each failure to file a map of the survey as required by Subsection (2)(a)(i) is a
145 separate violation.

146 (b) The county surveyor or designated office shall file and index the map of the survey.

147 (c) The map shall be a public record in the office of the county surveyor or designated
148 office.

149 (3) This type of map shall show:

150 (a) the location of survey by quarter section and township and range;

151 (b) the date of survey;

152 (c) the scale of drawing and north point;

153 (d) the distance and course of all lines traced or established, giving the basis of bearing
154 and the distance and course to two or more section corners or quarter corners, including
155 township and range, or to identified monuments within a recorded subdivision;

156 (e) all measured bearings, angles, and distances separately indicated from those of
157 record;

158 (f) a written boundary description of property surveyed;

159 (g) all monuments set and their relation to older monuments found;

160 (h) a detailed description of monuments found and monuments set, indicated
161 separately;

162 (i) the surveyor's seal or stamp; and

163 (j) the surveyor's business name and address.

164 (4) (a) The map shall contain a written narrative that explains and identifies:

165 (i) the purpose of the survey;

166 (ii) the basis on which the lines were established; and

167 (iii) the found monuments and deed elements that controlled the established or
168 reestablished lines.

169 (b) If the narrative is a separate document, it shall contain:

- 170 (i) the location of the survey by quarter section and by township and range;
- 171 (ii) the date of the survey;
- 172 (iii) the surveyor's stamp or seal; and
- 173 (iv) the surveyor's business name and address.
- 174 (c) The map and narrative shall be referenced to each other if they are separate
- 175 documents.
- 176 (5) The map and narrative shall be created on material of a permanent nature on stable
- 177 base reproducible material in the sizes required by the county surveyor.
- 178 (6) (a) Any monument set by a licensed professional land surveyor to mark or reference
- 179 a point on a property or land line shall be durably and visibly marked or tagged with the
- 180 registered business name or the letters "L.S." followed by the registration number of the
- 181 surveyor in charge.
- 182 (b) If the monument is set by a licensed land surveyor who is a public officer, it shall
- 183 be marked with the official title of the office.
- 184 (7) (a) If, in the performance of a survey, a surveyor finds or makes any changes to the
- 185 section corner or quarter-section corner, or their accessories, the surveyor shall complete and
- 186 submit to the county surveyor or designated office a record of the changes made.
- 187 (b) The record shall be submitted within 45 days of the corner visits and shall include
- 188 the surveyor's seal, business name, and address.
- 189 (8) The Utah State Board of Engineers and Land Surveyors Examiners may revoke the
- 190 license of any land surveyor who fails to comply with the requirements of this section,
- 191 according to the procedures set forth in Title 58, Chapter 1, Division of Occupational and
- 192 Professional Licensing Act.
- 193 (9) Each federal or state agency, board, or commission, local district, special service
- 194 district, or municipal corporation that makes a boundary survey of lands within this state shall
- 195 comply with this section.

196 Section 7. Section **20A-1-604** is amended to read:

197 **20A-1-604. Destroying instruction cards, sample ballots, or election**

198 **paraphernalia -- Penalties.**

199 (1) A person may not:

200 (a) willfully deface or destroy any list of candidates posted in accordance with the
201 provisions of this title;

202 (b) willfully deface, tear down, remove or destroy any card of instruction or sample
203 ballot, printed or posted for the instruction of voters during an election;

204 (c) willfully remove or destroy any of the supplies or conveniences furnished to enable
205 a voter to prepare the voter's ballot during an election; or

206 (d) willfully hinder the voting of others.

207 (2) In addition to the penalties established in Section 20A-1-609, a person who
208 commits an offense under Subsection (1) is guilty of [~~a class C misdemeanor~~] an infraction.

209 Section 8. Section 26-15-13 is amended to read:

210 **26-15-13. Regulation of tanning facilities.**

211 (1) For purposes of this section:

212 (a) "Minor" means a person under 18 years of age.

213 (b) "Phototherapy device" means equipment that emits ultraviolet radiation used by a
214 health care professional in the treatment of disease.

215 (c) (i) "Tanning device" means equipment to which a tanning facility provides access
216 that emits electromagnetic radiation with wavelengths in the air between 200 and 400
217 nanometers used for tanning of the skin, including:

218 (A) a sunlamp; and

219 (B) a tanning booth or bed.

220 (ii) "Tanning device" does not include a phototherapy device.

221 (d) "Tanning facility" means a commercial location, place, area, structure, or business
222 that provides access to a tanning device.

223 (2) A tanning facility shall:

224 (a) annually obtain a permit to do business as a tanning facility from the local health
225 department with jurisdiction over the location in which the facility is located; and

226 (b) in accordance with Subsection (3) post a warning sign in a conspicuous location
227 that is readily visible to a person about to use a tanning device.

228 (3) The posted warning and written consent required by Subsections (2) and (5) shall
229 be developed by the department through administrative rules and shall include:

230 (a) that there are health risks associated with the use of a tanning device;

231 (b) that the facility may not allow a minor to use a tanning device unless the minor:

232 (i) has a written order from a physician; or

233 (ii) at each time of use is accompanied at the tanning facility by a parent or legal
234 guardian who provides written consent authorizing the minor to use the tanning device.

235 (4) It is unlawful for any operator of a tanning facility to allow a minor to use a tanning
236 device unless:

237 (a) the minor has a written order from a physician as defined in Section [58-67-102](#), to
238 use a tanning device as a medical treatment; or

239 (b) (i) the minor's parent or legal guardian appears in person at the tanning facility each
240 time that the minor uses a tanning device, except that the minor's parent or legal guardian is not
241 required to remain at the facility for the duration of the use; and

242 (ii) the minor's parent or legal guardian signs the consent form required in Subsection
243 (5).

244 (5) The written consent required by Subsection (4) shall be signed and dated each time
245 the minor uses a tanning device at the facility, and shall include at least:

246 (a) information concerning the health risks associated with the use of a tanning device;
247 and

248 (b) a statement that:

249 (i) the parent or legal guardian of the minor has read and understood the warnings
250 given by the tanning facility, and consents to the minor's use of a tanning device; and

251 (ii) the parent or legal guardian agrees that the minor will use protective eye wear.

252 (6) The department shall adopt administrative rules in accordance with Title 63G,
253 Chapter 3, Utah Administrative Rulemaking Act, specifying:

254 (a) minimum requirements a tanning facility shall satisfy to obtain a permit under
255 Subsection (2);

256 (b) the written information concerning health risks a facility should include in the
257 posted signs required by Subsection (3) and in the consent form required by Subsection (5);

258 (c) procedures a tanning facility shall implement to ensure a minor and the minor's
259 parent or legal guardian comply with Subsections (4) and (5), including use of a statewide
260 uniform form:

261 (i) for a parent or legal guardian to certify and give consent under Subsection (5); and

262 (ii) that clearly identifies the department's seal or other means to indicate that the form
263 is an official form of the department; and

264 (d) the size, placement, and content of the sign a tanning facility must post under
265 Subsection (2).

266 (7) (a) A violation of this section:

267 (i) is [~~a class C misdemeanor~~] an infraction; and

268 (ii) may result in the revocation of a permit to do business as a tanning facility.

269 (b) If a person misrepresents to a tanning facility that the person is 18 years of age or
270 older, the person is guilty of [~~a class C misdemeanor~~] an infraction.

271 (8) This section supercedes any ordinance enacted by the governing body of a political
272 subdivision that:

273 (a) imposes restrictions on access to a tanning device by a person younger than age 18
274 that is not essentially identical to the provisions of this section; or

275 (b) that require the posting of warning signs at the tanning facility that are not
276 essentially identical to the provisions of this section.

277 Section 9. Section **41-1a-401** is amended to read:

278 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**
279 **registration in lieu of or used with plates.**

280 (1) (a) The division upon registering a vehicle shall issue to the owner:

281 (i) one license plate for a motorcycle, trailer, or semitrailer;

282 (ii) one decal for a park model recreational vehicle, in lieu of a license plate, which
283 shall be attached in plain sight to the rear of the park model recreational vehicle;

284 (iii) one decal for a camper, in lieu of a license plate, which shall be attached in plain
285 sight to the rear of the camper; and

286 (iv) two identical license plates for every other vehicle.

287 (b) The license plate or decal issued under Subsection (1)(a) is for the particular
288 vehicle registered and may not be removed during the term for which the license plate or decal
289 is issued or used upon any other vehicle than the registered vehicle.

290 (2) The division may receive applications for registration renewal, renew registration,
291 and issue new license plates or decals at any time prior to the expiration of registration.

292 (3) (a) All license plates to be manufactured and issued by the division shall be treated
293 with a fully reflective material on the plate face that provides effective and dependable
294 reflective brightness during the service period of the license plate.

295 (b) The division shall prescribe all license plate material specifications and establish
296 and implement procedures for conforming to the specifications.

297 (c) The specifications for the materials used such as the aluminum plate substrate, the
298 reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may
299 qualify as suppliers.

300 (d) The granting of contracts for the materials shall be by public bid.

301 (4) (a) The commission may issue, adopt, and require the use of indicia of registration
302 it considers advisable in lieu of or in conjunction with license plates as provided in this part.

303 (b) All provisions of this part relative to license plates apply to these indicia of
304 registration, so far as the provisions are applicable.

305 (5) A violation of this section is an infraction~~[-except that a violation of Subsection~~
306 ~~(1)(b) is a class C misdemeanor].~~

307 Section 10. Section **41-1a-702** is amended to read:

308 **41-1a-702. Endorsement of assignment and warranty of title -- Co-owners.**

309 (1) (a) To transfer a vehicle, vessel, or outboard motor the owner shall endorse the

310 certificate of title issued for the vehicle, vessel, or outboard motor in the space for assignment
311 and warranty of title.

312 (b) The endorsement and assignment shall include a statement of all liens or
313 encumbrances on the vehicle, vessel, or outboard motor.

314 (c) Upon the endorsement and assignment of a certificate of title, the same certificate
315 of title may not be reendorsed and reassigned to a new owner except as provided in Section
316 41-1a-705.

317 (2) (a) If a title certificate reflects the names of two or more people as co-owners in the
318 alternative by use of the word "or" or "and/or," each co-owner is considered to have granted the
319 other co-owners the absolute right to endorse and deliver title and to dispose of the vehicle,
320 vessel, or outboard motor.

321 (b) If the title certificate reflects the names of two or more people as co-owners in the
322 conjunctive by use of the word "and," or the title does not reflect any alternative or conjunctive
323 word, the endorsement of each co-owner is required to transfer title to the vehicle, vessel, or
324 outboard motor.

325 (3) The owner shall deliver the certificate of title containing the odometer disclosure
326 statement required under Section 41-1a-902 and the certificate of registration to the purchaser
327 or transferee at the time of, or within 48 hours after delivering the vehicle, vessel, or outboard
328 motor, as applicable, except as provided for under Sections 41-3-301, 41-1a-519, and
329 41-1a-709.

330 (4) A violation of this section is an infraction~~[, except that a violation of Subsection (3)~~
331 ~~is a class C misdemeanor].~~

332 Section 11. Section 41-1a-1206 is amended to read:

333 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

334 (1) Except as provided in Subsections (2) and (3), at the time application is made for
335 registration or renewal of registration of a vehicle or combination of vehicles under this
336 chapter, a registration fee shall be paid to the division as follows:

337 (a) \$44.50 for each motorcycle;

338 (b) \$43 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding
339 motorcycles;

340 (c) unless the semitrailer or trailer is exempt from registration under Section [41-1a-202](#)
341 or is registered under Section [41-1a-301](#):

342 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

343 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less
344 gross unladen weight;

345 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds
346 gross laden weight; plus

347 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

348 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm
349 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

350 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

351 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not
352 exceeding 14,000 pounds gross laden weight; plus

353 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight; and

354 (g) \$45 for each vintage vehicle that is less than 40 years old.

355 (2) At the time application is made for registration or renewal of registration of a
356 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
357 registration fee shall be paid to the division as follows:

358 (a) \$33.50 for each motorcycle; and

359 (b) \$32.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
360 excluding motorcycles.

361 (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is
362 \$40.

363 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of
364 registration fees under Subsection (1).

365 (c) A vehicle with a Purple Heart special group license plate issued in accordance with

366 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

367 (d) A camper is exempt from the registration fees under Subsection (1).

368 (4) If a motor vehicle is operated in combination with a semitrailer or trailer, each
369 motor vehicle shall register for the total gross laden weight of all units of the combination if the
370 total gross laden weight of the combination exceeds 12,000 pounds.

371 (5) (a) Registration fee categories under this section are based on the gross laden
372 weight declared in the licensee's application for registration.

373 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part
374 of 2,000 pounds is a full unit.

375 (6) The owner of a commercial trailer or commercial semitrailer may, as an alternative
376 to registering under Subsection (1)(c), apply for and obtain a special registration and license
377 plate for a fee of \$130.

378 (7) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
379 truck unless:

380 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and

381 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

382 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
383 submits to the division a certificate of emissions inspection or a waiver in compliance with
384 Section 41-6a-1642.

385 (8) A violation of Subsection (7) is [~~a class C misdemeanor~~] an infraction that shall be
386 punished by a fine of not less than \$200.

387 (9) Trucks used exclusively to pump cement, bore wells, or perform crane services
388 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees
389 required for those vehicles under this section.

390 Section 12. Section 41-6a-601 is amended to read:

391 **41-6a-601. Speed regulations -- Safe and appropriate speeds at certain locations**
392 **-- Prima facie speed limits -- Emergency power of the governor.**

393 (1) A person may not operate a vehicle at a speed greater than is reasonable and

394 prudent under the existing conditions, giving regard to the actual and potential hazards then
395 existing, including when:

- 396 (a) approaching and crossing an intersection or railroad grade crossing;
- 397 (b) approaching and going around a curve;
- 398 (c) approaching a hill crest;
- 399 (d) traveling upon any narrow or winding roadway; and
- 400 (e) approaching other hazards that exist due to pedestrians, other traffic, weather, or
401 highway conditions.

402 (2) Subject to Subsections (1) and (4) and Sections 41-6a-602 and 41-6a-603, the
403 following speeds are lawful:

- 404 (a) 20 miles per hour in a reduced speed school zone as defined in Section 41-6a-303;
- 405 (b) 25 miles per hour in any urban district; and
- 406 (c) 55 miles per hour in other locations.

407 (3) Except as provided in Section 41-6a-604, any speed in excess of the limits provided
408 in this section or established under Sections 41-6a-602 and 41-6a-603 is prima facie evidence
409 that the speed is not reasonable or prudent and that it is unlawful.

410 (4) A violation of Subsection (1) is [~~a class C misdemeanor~~] an infraction.

411 (5) The governor by proclamation in time of war or emergency may change the speed
412 limits on the highways of the state.

413 Section 13. Section 41-6a-609 is amended to read:

414 **41-6a-609. Radar jamming devices and jamming radar prohibited -- Defense --**
415 **Exceptions -- Penalties.**

416 (1) As used in this section, "radar jamming device" means any instrument or
417 mechanism designed or intended to interfere with the radar or any laser that is used by law
418 enforcement personnel to measure the speed of a motor vehicle on a highway.

419 (2) (a) A person may not operate a motor vehicle on a highway with a radar jamming
420 device in the motor vehicle.

421 (b) A person may not knowingly use a radar jamming device to interfere with the radar

422 signals or lasers used by law enforcement personnel to measure the speed of a motor vehicle on
423 a highway.

424 (3) It is an affirmative defense to a charge under Subsection (2)(a) that the radar
425 jamming device was in an inoperative condition or could not be readily used at the time of the
426 arrest or citation.

427 (4) This section does not apply to law enforcement personnel acting in their official
428 capacity.

429 (5) A person who violates this section is guilty of [~~a class C misdemeanor~~] an
430 infraction.

431 Section 14. Section **41-6a-904** is amended to read:

432 **41-6a-904. Approaching emergency vehicle -- Necessary signals -- Stationary**
433 **emergency vehicle -- Duties of respective operators.**

434 (1) Except when otherwise directed by a peace officer, the operator of a vehicle, upon
435 the immediate approach of an authorized emergency vehicle using audible or visual signals
436 under Section 41-6a-212 or 41-6a-1625, shall:

437 (a) yield the right-of-way and immediately move to a position parallel to, and as close
438 as possible to, the right-hand edge or curb of the highway, clear of any intersection; and

439 (b) then stop and remain stopped until the authorized emergency vehicle has passed.

440 (2) The operator of a vehicle, upon approaching a stationary authorized emergency
441 vehicle that is displaying alternately flashing red, red and white, or red and blue lights, shall:

442 (a) reduce the speed of the vehicle;

443 (b) provide as much space as practical to the stationary authorized emergency vehicle;

444 and

445 (c) if traveling in a lane adjacent to the stationary authorized emergency vehicle and if
446 practical, with due regard to safety and traffic conditions, make a lane change into a lane not
447 adjacent to the authorized emergency vehicle.

448 (3) The operator of a vehicle, upon approaching a stationary tow truck or highway
449 maintenance vehicle that is displaying flashing amber lights, shall:

450 (a) reduce the speed of the vehicle; and

451 (b) provide as much space as practical to the stationary tow truck or highway
452 maintenance vehicle.

453 (4) This section does not relieve the operator of an authorized emergency vehicle, tow
454 truck, or highway maintenance vehicle from the duty to drive with regard for the safety of all
455 persons using the highway.

456 (5) (a) (i) In addition to the penalties prescribed under Subsection (7), a person who
457 violates this section shall attend a four hour live classroom defensive driving course approved
458 by:

459 (A) the Driver License Division; or

460 (B) a court in this state.

461 (ii) Upon completion of the four hour live classroom course under Subsection (5)(a)(i),
462 the person shall provide to the Driver License Division a certificate of attendance of the
463 classroom course.

464 (b) The Driver License Division shall suspend a person's driver license for a period of
465 90 days if the person:

466 (i) violates a provision of Subsections (1) through (3); and

467 (ii) fails to meet the requirements of Subsection (5)(a)(i) within 90 days of sentencing
468 for or pleading guilty to a violation of this section.

469 (c) Notwithstanding the provisions of Subsection (5)(b), the Driver License Division
470 shall shorten the 90-day suspension period imposed under Subsection (5)(b) effective
471 immediately upon receiving a certificate of attendance of the four hour live classroom course
472 required under Subsection (5)(a)(i) if the certificate of attendance is received prior to
473 completion of the suspension period.

474 (d) A person whose license is suspended under Subsection (5)(b) is required to pay the
475 license reinstatement fees under Subsection 53-3-105(23), including a person whose
476 suspension is shortened as described under Subsection (5)(c).

477 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

478 Driver License Division shall make rules to implement the provisions of this part.

479 (7) A violation of Subsection (1), (2), or (3) is [~~a class C misdemeanor~~] an infraction.

480 Section 15. Section **41-6a-1626** is amended to read:

481 **41-6a-1626. Mufflers -- Prevention of noise, smoke, and fumes -- Air pollution**
482 **control devices.**

483 (1) (a) A vehicle shall be equipped, maintained, and operated to prevent excessive or
484 unusual noise.

485 (b) A motor vehicle shall be equipped with a muffler or other effective noise
486 suppressing system in good working order and in constant operation.

487 (c) A person may not use a muffler cut-out, bypass, or similar device on a vehicle.

488 (2) (a) Except while the engine is being warmed to the recommended operating
489 temperature, the engine and power mechanism of a gasoline-powered motor vehicle may not
490 emit visible contaminants during operation.

491 (b) (i) As used in this Subsection (2)(b), "heavy tow" means a tow that exceeds the
492 vehicle's maximum tow weight.

493 (ii) A diesel engine manufactured on or after January 1, 2008, may not emit visible
494 contaminants during operation:

495 (A) except while the engine is being warmed to the recommended operating
496 temperature or under a heavy tow; or

497 (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight
498 rating in excess of 26,000 pounds.

499 (iii) A diesel engine manufactured before January 1, 2008, may not emit visible
500 contaminants of a shade or density that obscures a contrasting background by more than 20%,
501 for more than five consecutive seconds:

502 (A) except while the engine is being warmed to the recommended operating
503 temperature or under a heavy tow; or

504 (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight
505 rating in excess of 26,000 pounds.

506 (c) A person who violates the provisions of Subsection (2)(a) is guilty of an infraction
507 and shall be fined:

508 (i) not less than \$50 for a violation; or

509 (ii) not less than \$100 for a second or subsequent violation within three years of a
510 previous violation of this section.

511 (3) (a) If a motor vehicle is equipped by a manufacturer with air pollution control
512 devices, the devices shall be maintained in good working order and in constant operation.

513 (b) For purposes of the first sale of a vehicle at retail, an air pollution control device
514 may be substituted for the manufacturer's original device if the substituted device is at least as
515 effective in the reduction of emissions from the vehicle motor as the air pollution control
516 device furnished by the manufacturer of the vehicle as standard equipment for the same vehicle
517 class.

518 (c) A person who renders inoperable an air pollution control device on a motor vehicle
519 is guilty of ~~[a class C misdemeanor]~~ an infraction.

520 (4) Subsection (3) does not apply to a motor vehicle altered and modified to use clean
521 fuel, as defined under Section 59-13-102, when the emissions from the modified or altered
522 motor vehicle are at levels that comply with existing state or federal standards for the emission
523 of pollutants from a motor vehicle of the same class.

524 (5) A violation of ~~[this section]~~ Subsection (1), (2), or (3) is an infraction~~[-except that~~
525 ~~a violation of Subsection (3) is a class C misdemeanor]~~.

526 Section 16. Section **41-6a-1630** is amended to read:

527 **41-6a-1630. Standards applicable to vehicles.**

528 (1) The following standards apply to vehicles under Sections 41-6a-1629 through
529 41-6a-1633:

530 (a) A replacement part and equipment used in a mechanical alteration shall be:

531 (i) designed and capable of performing the function for which they are intended; and

532 (ii) equal to or greater in strength and durability than the original parts provided by the
533 original manufacturer.

534 (b) Except for original equipment, a person may not use spacers to increase wheel track
535 width of a vehicle.

536 (c) A person may not use axle blocks to alter the suspension on the front axle of a
537 vehicle.

538 (d) A person may not stack two or more axle blocks of a vehicle.

539 (2) (a) In doubtful or unusual cases, or to meet specific industrial requirements,
540 personnel of the Utah Highway Patrol shall inspect the vehicle to determine:

541 (i) the road worthiness and safe condition of the vehicle; and

542 (ii) whether it complies with Sections 41-6a-1629 through 41-6a-1633.

543 (b) If the vehicle complies, the Utah Highway Patrol shall issue a permit of approval
544 that shall be carried in the vehicle.

545 (3) (a) Upon notice to the party to whom the motor vehicle is registered, the
546 department shall suspend the registration of any motor vehicle equipped, altered, or modified in
547 violation of Sections 41-6a-1629 through 41-6a-1633.

548 (b) The Motor Vehicle Division shall, under Subsection 41-1a-109(1)(e) or (2), refuse
549 to register any motor vehicle it has reason to believe is equipped, altered, or modified in
550 violation of Sections 41-6a-1629 through 41-6a-1633.

551 (4) A violation of this section is [~~a class C misdemeanor~~] an infraction.

552 Section 17. Section **41-6a-1631** is amended to read:

553 **41-6a-1631. Prohibitions.**

554 (1) A person may not operate on a highway a motor vehicle that is mechanically altered
555 or changed:

556 (a) in any way that may under normal operation:

557 (i) cause the motor vehicle body or chassis to come in contact with the roadway;

558 (ii) expose the fuel tank to damage from collision; or

559 (iii) cause the wheels to come in contact with the body;

560 (b) in any manner that may impair the safe operation of the vehicle;

561 (c) so that any part of the vehicle other than tires, rims, and mudguards are less than

562 three inches above the ground;

563 (d) to a frame height of more than 24 inches for a motor vehicle with a gross vehicle
564 weight rating of less than 4,500 pounds;

565 (e) to a frame height of more than 26 inches for a motor vehicle with a gross vehicle
566 weight rating of at least 4,500 pounds and less than 7,500 pounds;

567 (f) to a frame height of more than 28 inches for a motor vehicle with a gross vehicle
568 weight rating of at least 7,500 pounds;

569 (g) by stacking or attaching vehicle frames (one from on top of or beneath another
570 frame); or

571 (h) so that the lowest portion of the body floor is raised more than three inches above
572 the top of the frame.

573 (2) If the wheel track is increased beyond the O.E.M. specification, the top 50% of the
574 tires shall be covered by the original fenders, by rubber, or other flexible fender extenders
575 under any loading condition.

576 (3) A violation of this section is [~~a class C misdemeanor~~] an infraction.

577 Section 18. Section **41-12a-303.2** is amended to read:

578 **41-12a-303.2. Evidence of owner's or operator's security to be carried when**
579 **operating motor vehicle -- Defense -- Penalties.**

580 (1) As used in this section:

581 (a) "Division" means the Motor Vehicle Division of the State Tax Commission.

582 (b) "Registration materials" means the evidences of motor vehicle registration,
583 including all registration cards, license plates, temporary permits, and nonresident temporary
584 permits.

585 (2) (a) (i) A person operating a motor vehicle shall:

586 (A) have in the person's immediate possession evidence of owner's or operator's
587 security for the motor vehicle the person is operating; and

588 (B) display it upon demand of a peace officer.

589 (ii) A person is exempt from the requirements of Subsection (2)(a)(i) if the person is

590 operating:

591 (A) a government-owned or leased motor vehicle; or

592 (B) an employer-owned or leased motor vehicle and is driving it with the employer's
593 permission.

594 (b) Evidence of owner's or operator's security includes any one of the following:

595 (i) a copy of the operator's valid:

596 (A) insurance policy;

597 (B) insurance policy declaration page;

598 (C) binder notice;

599 (D) renewal notice; or

600 (E) card issued by an insurance company as evidence of insurance;

601 (ii) a certificate of insurance issued under Section 41-12a-402;

602 (iii) a certified copy of a surety bond issued under Section 41-12a-405;

603 (iv) a certificate of the state treasurer issued under Section 41-12a-406;

604 (v) a certificate of self-funded coverage issued under Section 41-12a-407; or

605 (vi) information that the vehicle or driver is insured from the Uninsured Motorist
606 Identification Database Program created under Title 41, Chapter 12a, Part 8, Uninsured
607 Motorist Identification Database Program.

608 (c) A card issued by an insurance company as evidence of owner's or operator's
609 security under Subsection (2)(b)(i)(E) on or after July 1, 2014, may not display the owner's or
610 operator's address on the card.

611 (d) (i) A person may provide to a peace officer evidence of owner's or operator's
612 security described in this Subsection (2) in:

613 (A) a hard copy format; or

614 (B) an electronic format using a mobile electronic device.

615 (ii) If a person provides evidence of owner's or operator's security in an electronic
616 format using a mobile electronic device under this Subsection (2)(d), the peace officer viewing
617 the owner's or operator's security on the mobile electronic device may not view any other

618 content on the mobile electronic device.

619 (iii) Notwithstanding any other provision under this section, a peace officer is not
620 subject to civil liability or criminal penalties under this section if the peace officer inadvertently
621 views content other than the evidence of owner's or operator's security on the mobile electronic
622 device.

623 (e) (i) Evidence of owner's or operator's security from the Uninsured Motorist
624 Identification Database Program described under Subsection (2)(b)(vi) supercedes any
625 evidence of owner's or operator's security described under Subsection (2)(b)(i)(D) or (E).

626 (ii) A peace officer may not cite or arrest a person for a violation of Subsection (2)(a) if
627 the Uninsured Motorist Identification Database Program created under Title 41, Chapter 12a,
628 Part 8, Uninsured Motorist Identification Database Program, information indicates that the
629 vehicle or driver is insured.

630 (3) It is an affirmative defense to a charge under this section that the person had
631 owner's or operator's security in effect for the vehicle the person was operating at the time of
632 the person's citation or arrest.

633 (4) (a) Evidence of owner's or operator's security as defined under Subsection (2)(b) or
634 a written statement from an insurance producer or company verifying that the person had the
635 required motor vehicle insurance coverage on the date specified is considered proof of owner's
636 or operator's security for purposes of Subsection (3) and Section 41-12a-804.

637 (b) The court considering a citation issued under this section shall allow the evidence
638 or a written statement under Subsection (4)(a) and a copy of the citation to be faxed or mailed
639 to the clerk of the court to satisfy Subsection (3).

640 (c) The notice under Section 41-12a-804 shall specify that the written statement under
641 Subsection (4)(a) and a copy of the notice shall be faxed or mailed to the designated agent to
642 satisfy the proof of owner's or operator's security required under Section 41-12a-804.

643 (5) A violation of this section is [~~a class C misdemeanor~~] an infraction, and the fine
644 shall be not less than:

645 (a) \$400 for a first offense; and

646 (b) \$1,000 for a second and subsequent offense within three years of a previous
647 conviction or bail forfeiture.

648 (6) Upon receiving notification from a court of a conviction for a violation of this
649 section, the department:

650 (a) shall suspend the person's driver license; and

651 (b) may not renew the person's driver license or issue a driver license to the person
652 until the person gives the department proof of owner's or operator's security.

653 (i) This proof of owner's or operator's security shall be given by any of the ways
654 required under Section 41-12a-401.

655 (ii) This proof of owner's or operator's security shall be maintained with the department
656 for a three-year period.

657 (iii) An insurer that provides a certificate of insurance as provided under Section
658 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of termination
659 is filed with the department no later than 10 days after termination as required under Section
660 41-12a-404.

661 (iv) If a person who has canceled the certificate of insurance applies for a license
662 within three years from the date proof of owner's or operator's security was originally required,
663 the department shall refuse the application unless the person reestablishes proof of owner's or
664 operator's security and maintains the proof for the remainder of the three-year period.

665 Section 19. Section 53-1-116 is amended to read:

666 **53-1-116. Violations.**

667 A violation of this title, except for a violation under Chapter 3, Part 2, Driver Licensing
668 Act, is [~~a class C misdemeanor~~] an infraction, unless otherwise provided.

669 Section 20. Section 53-3-305 is amended to read:

670 **53-3-305. Notification of impaired person to the division -- Confidentiality of**
671 **notification -- Rulemaking -- Penalty.**

672 (1) A person who is aware of a physical, mental, or emotional impairment of another
673 person that appears to present an imminent threat to driving safety may notify the division of

674 the impairment.

675 (2) If the division determines that the notification made under Subsection (1) was made
676 in good faith, the division may require the person who is the subject of the notification to
677 submit to:

678 (a) one or more medical reports under Subsection 53-3-304(1);

679 (b) a physical and mental fitness test under Section 53-3-206;

680 (c) the knowledge test required by the division; or

681 (d) the skills test approved by the division.

682 (3) (a) A person making a notification under Subsection (1) may request that the
683 notification be confidential.

684 (b) If requested by the person notifying the division, the notification provided under
685 this section relating to a physical, mental, or emotional impairment is classified as a protected
686 record under Title 63G, Chapter 2, Government Records Access and Management Act, and the
687 identity of the person notifying the division may not be disclosed by the division.

688 (c) The division may not accept an anonymous notification under this section.

689 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
690 division shall make rules establishing procedures for making a protected notification under this
691 section to ensure that the notification is made in good faith.

692 (5) A person who makes a notification with the intent to annoy, intimidate, or harass
693 the person that is the subject of the notification is guilty of [~~a class C misdemeanor~~] an
694 infraction.

695 Section 21. Section 53-3-412 is amended to read:

696 **53-3-412. CDL classifications, endorsements, and restrictions.**

697 (1) A CDL may be granted with the following classifications, endorsements, and
698 restrictions:

699 (a) Classifications:

700 (i) Class A: any combination of vehicles with a GVWR of 26,001 pounds or more, if
701 the GVWR of the one or more vehicles being towed is in excess of 10,000 pounds;

702 (ii) Class B: any single motor vehicle with a GVWR of 26,001 pounds or more,
703 including that motor vehicle when towing a vehicle with a GVWR of 10,000 pounds or less;
704 and

705 (iii) Class C: any single motor vehicle with a GVWR of less than 26,001 pounds or
706 that motor vehicle when towing a vehicle with a GVWR of 10,000 pounds or less when the
707 vehicle is designed:

708 (A) to carry 16 or more passengers, including the driver;

709 (B) as a school bus, and weighing less than 26,001 pounds GVWR; or

710 (C) to transport hazardous materials that requires the vehicle to be placarded under 49
711 C.F.R. Part 172, Subpart F.

712 (b) Endorsements:

713 (i) "H" authorizes the driver to drive a commercial motor vehicle transporting
714 hazardous materials as defined in 49 C.F.R. Sec. 383.5.

715 (ii) "N" authorizes the driver to drive a tank vehicle.

716 (iii) "P" authorizes the driver to drive a motor vehicle designed to carry 16 or more
717 passengers including the driver.

718 (iv) "S" authorizes the driver to transport preprimary, primary, or secondary school
719 students from home to school, school to home, or to and from school-sponsored events.

720 (v) "T" authorizes the driver to drive a commercial motor vehicle with a double or
721 triple trailer.

722 (vi) "X" authorizes the driver to drive a tank vehicle and transport hazardous materials.

723 (c) Restrictions:

724 (i) "E" restricts the driver from driving a commercial motor vehicle with a manual
725 transmission.

726 (ii) "K" restricts the driver to driving intrastate only any commercial motor vehicle as
727 defined by 49 C.F.R. Parts 383 and 390.

728 (iii) "L" restricts the driver to driving a commercial motor vehicle not equipped with
729 air brakes.

- 730 (iv) "J" provides for other CDL restrictions.
- 731 (v) "M" restricts a driver from transporting passengers using a class A bus.
- 732 (vi) "N" restricts a driver from transporting passengers using a class A or class B bus.
- 733 (vii) "O" restricts a driver from driving a commercial motor vehicle equipped with a
- 734 tractor trailer.
- 735 (viii) (A) "V" indicates that the driver has been issued a variance by the Federal Motor
- 736 Carrier Safety Administration in reference to the driver's medical certification status.
- 737 (B) A driver with a "V" restriction shall have the letter outlining the specifications for
- 738 the variance in the driver's possession along with the driver's commercial driver license when
- 739 operating a commercial motor vehicle.
- 740 (ix) "Z" restricts a driver from driving a commercial motor vehicle with non-fully
- 741 equipped air brakes.
- 742 (2) A commercial driver instruction permit may be granted with the following
- 743 classifications, endorsements, and restrictions:
- 744 (a) Classifications:
- 745 (i) Class A: any combination of vehicles with a GVWR of 26,001 pounds or more, if
- 746 the GVWR of the one or more vehicles being towed is in excess of 10,000 pounds;
- 747 (ii) Class B: any single motor vehicle with a GVWR of 26,001 pounds or more,
- 748 including that motor vehicle when towing a vehicle with a GVWR of 10,000 pounds or less;
- 749 and
- 750 (iii) Class C: any single motor vehicle with a GVWR of less than 26,001 pounds or
- 751 that motor vehicle when towing a vehicle with a GVWR of 10,000 pounds or less when the
- 752 vehicle is designed:
- 753 (A) to carry 16 or more passengers, including the driver;
- 754 (B) as a school bus, and weighing less than 26,001 pounds GVWR; or
- 755 (C) to transport hazardous material that requires the vehicle to be placarded under 49
- 756 C.F.R. Part 172, Subpart F.
- 757 (b) Endorsements:

758 (i) "N" authorizes the driver to drive a tank vehicle. An "N" endorsement may only be
759 issued with an "X" restriction.

760 (ii) "P" authorizes the driver to drive a motor vehicle designed to carry 16 or more
761 passengers including the driver. A "P" endorsement may only be issued with a "P" restriction.

762 (iii) "S" authorizes the driver to transport preprimary, primary, or secondary school
763 students from home to school, school to home, or to and from school-sponsored events. An
764 "S" endorsement may only be issued with a "P" restriction.

765 (c) Restrictions:

766 (i) "K" restricts the driver to driving intrastate only any commercial motor vehicle as
767 defined by 49 C.F.R. Parts 383 and 390.

768 (ii) "L" restricts the driver to driving a commercial motor vehicle not equipped with air
769 brakes.

770 (iii) "M" restricts a driver from transporting passengers using a class A bus.

771 (iv) "N" restricts a driver from transporting passengers using a class A or class B bus.

772 (v) "P" restricts a driver from having one or more passengers in the vehicle while
773 driving a commercial motor vehicle bus unless the passenger is:

774 (A) a federal or state auditor or inspector;

775 (B) a test examiner;

776 (C) another trainee; or

777 (D) the CDL holder accompanying the CDIP holder as required in 49 C.F.R. Sec.
778 383.25.

779 (vi) (A) "V" indicates that the driver has been issued a variance by the Federal Motor
780 Carrier Safety Administration in reference to the driver's medical certification status.

781 (B) A driver with a "V" restriction shall have the letter outlining the specifications for
782 the variance in the driver's possession along with the driver's commercial driver license when
783 operating a commercial motor vehicle.

784 (vii) "X" restricts a driver from having cargo in a commercial motor vehicle tank
785 vehicle.

786 (3) A violation of this section is [~~a class C misdemeanor~~] an infraction.

787 Section 22. Section **53-8-209** is amended to read:

788 **53-8-209. Inspection by officers -- Certificate of inspection.**

789 (1) A peace officer may stop, inspect, and test a vehicle at any time upon reasonable
790 cause to believe that:

791 (a) a vehicle is unsafe or not equipped as required by law; or

792 (b) that its equipment is not in proper adjustment or repair.

793 (2) (a) (i) If a vehicle is found to be in unsafe condition or any required part or
794 equipment is not present or is not in proper repair and adjustment, the officer shall give a
795 written notice to the driver and shall send a copy to the division.

796 (ii) The notice shall:

797 (A) require that the vehicle be placed in safe condition and its equipment in proper
798 repair and adjustment;

799 (B) specify the repairs and adjustments needed; and

800 (C) require that a safety inspection certificate be obtained within five days.

801 (b) If a vehicle is, in the reasonable judgment of the peace officer, hazardous to
802 operate, the peace officer may require that the vehicle:

803 (i) not be operated under its own power; or

804 (ii) be driven to the nearest garage or other place of safety.

805 (c) (i) If the owner or driver does not comply with the notice requirements and secure a
806 safety inspection certificate within five days, the vehicle may not be operated on the highways
807 of this state.

808 (ii) A violation of Subsection (2)(c)(i) is an infraction.

809 Section 23. Section **53B-3-107** is amended to read:

810 **53B-3-107. Traffic violations -- Notice of rule or regulation.**

811 (1) It is a violation of this section for any person to operate or park a vehicle upon any
812 property owned or controlled by a state institution of higher education contrary to posted signs
813 authorized by the published rules and regulations of the institution or to block or impede traffic

814 through or on any of these properties.

815 (2) A violation of Subsection (1) is [~~a class C misdemeanor~~] an infraction.

816 (3) Notice of a rule or regulation to all persons is sufficient if the rule or regulation is
817 published in one issue of a newspaper of general circulation in the county or counties in which
818 the institution and the campus or facility is located.

819 Section 24. Section **72-7-403** is amended to read:

820 **72-7-403. Towing requirements and limitations on towing.**

821 (1) (a) The draw-bar or other connection between any two vehicles, one of which is
822 towing or drawing the other on a highway, may not exceed 15 feet in length from one vehicle
823 to the other except:

824 (i) in the case of a connection between any two vehicles transporting poles, pipe,
825 machinery, or structural material that cannot be dismembered when transported upon a pole
826 trailer as defined in Section [41-6a-102](#); or

827 (ii) when operated under a permit under Section [72-7-406](#).

828 (b) When the connection between the two vehicles is a chain, rope, or cable, a red flag
829 or other signal or cloth not less than 12 inches both in length and width shall be displayed on or
830 near the midpoint of the connection.

831 (2) A person may not operate a combination of vehicles when any trailer, semitrailer,
832 or other vehicle being towed:

833 (a) whips or swerves from side to side dangerously or unreasonably; or

834 (b) fails to follow substantially in the path of the towing vehicle.

835 (3) A person who violates this section is guilty of [~~a class C misdemeanor~~] an
836 infraction.

837 Section 25. Section **72-7-404** is amended to read:

838 **72-7-404. Maximum gross weight limitation for vehicles -- Bridge formula for**
839 **weight limitations -- Minimum mandatory fines.**

840 (1) (a) As used in this section:

841 (i) "Axle load" means the total load on all wheels whose centers may be included

842 between two parallel transverse vertical planes 40 inches apart.

843 (ii) "Tandem axle" means two or more axles spaced not less than 40 inches nor more
844 than 96 inches apart and having at least one common point of weight suspension.

845 (b) The tire load rating shall be marked on the tire sidewall. A tire, wheel, or axle may
846 not carry a greater weight than the manufacturer's rating.

847 (2) (a) A vehicle may not be operated or moved on any highway in the state with:

848 (i) a gross weight in excess of 10,500 pounds on one wheel;

849 (ii) a single axle load in excess of 20,000 pounds; or

850 (iii) a tandem axle load in excess of 34,000 pounds.

851 (b) Subject to the limitations of Subsection (3), the gross vehicle weight of any vehicle
852 or combination of vehicles may not exceed 80,000 pounds.

853 (3) (a) Subject to the limitations in Subsection (2), no group of two or more
854 consecutive axles between the first and last axle of a vehicle or combination of vehicles and no
855 vehicle or combination of vehicles may carry a gross weight in excess of the weight provided
856 by the following bridge formula, except as provided in Subsection (3)(b):

$$857 \quad W = 500 \{LN/(N-1) + 12N+36\}$$

858 (i) W = overall gross weight on any group of two or more consecutive axles to the
859 nearest 500 pounds.

860 (ii) L = distance in feet between the extreme of any group of two or more consecutive
861 axles. When the distance in feet includes a fraction of a foot of one inch or more the next
862 larger number of feet shall be used.

863 (iii) N = number of axles in the group under consideration.

864 (b) Two consecutive sets of tandem axles may carry a gross weight of 34,000 pounds
865 each if the overall distance between the first and last axles of the consecutive sets of tandem
866 axles is 36 feet or more.

867 (4) Any exception to this section must be authorized by an overweight permit as
868 provided in Section [72-7-406](#).

869 (5) (a) Any person who violates this section is guilty of [~~a class C misdemeanor~~] an

870 infraction except that, notwithstanding Sections 76-3-301 and 76-3-302, the violator shall pay
 871 the largest minimum mandatory fine of either:

- 872 (i) \$50 plus the sum of the overweight axle fines calculated under Subsection (5)(b); or
- 873 (ii) \$50 plus the gross vehicle weight fine calculated under Subsection (5)(b).

874 (b) The fine for each axle and a gross vehicle weight violation shall be calculated
 875 according to the following schedule:

876	Number of Pounds Overweight	Axle Fine (Cents per Pound for Each Overweight Axle)	Gross Vehicle Weight Fine(Cents per Pound)
877	1 - 2,000	0	0
878	2,001 - 5,000	4	5
879	5,001 - 8,000	5	5
880	8,001 - 12,000	6	5
881	12,001 - 16,000	7	5
882	16,001 - 20,000	9	5
883	20,001 - 25,000	11	5
884	25,001 or more	13	5

885 Section 26. Section **72-7-405** is amended to read:

886 **72-7-405. Measuring vehicles for size and weight compliance -- Summary powers**
 887 **of peace officers -- Penalty for violations.**

888 (1) Any peace officer having reason to believe that the height, width, length, or weight
 889 of a vehicle and load is unlawful may require the operator to stop the vehicle and submit to a
 890 measurement or weighing of the vehicle and load.

891 (2) A peace officer may require that the vehicle be driven to the nearest scales or
 892 port-of-entry if the scales or port-of-entry is within three miles.

893 (3) (a) A peace officer, special function officer, or port-of-entry agent may measure or
 894 weigh a vehicle and vehicle load for compliance with this chapter.

895 (b) If, upon measuring or weighing a vehicle and load, it is determined that the height,
896 width, length, or weight is unlawful, the measuring or weighing peace officer, special function
897 officer, or port-of-entry agent may require the operator to park the vehicle in a suitable place.
898 The vehicle shall remain parked until the vehicle or its load is adjusted or a portion of the load
899 is removed to conform to legal limits. All materials unloaded shall be cared for by the owner
900 or operator of the vehicle at his risk.

901 (4) An operator who fails or refuses to stop and submit the vehicle and load to a
902 measurement or weighing, or who fails or refuses when directed by a peace officer, special
903 function officer, or port-of-entry agent to comply with this section is guilty of [~~a class C~~
904 ~~misdemeanor~~] an infraction.

905 [~~(5) Any driver or owner of a vehicle who violates Section 72-7-404 or 72-7-406 is~~
906 ~~guilty of a class C misdemeanor.~~]

907 Section 27. Section **72-7-406** is amended to read:

908 **72-7-406. Oversize permits and oversize and overweight permits for vehicles of**
909 **excessive size or weight -- Applications -- Restrictions -- Fees -- Rulemaking provisions --**
910 **Penalty.**

911 (1) (a) The department may, upon receipt of an application and good cause shown,
912 issue in writing an oversize permit or an oversize and overweight permit. The oversize permit
913 or oversize and overweight permit may authorize the applicant to operate or move upon a
914 highway:

915 (i) a vehicle or combination of vehicles, unladen or with a load weighing more than the
916 maximum weight specified in Section 72-7-404 for any wheel, axle, group of axles, or total
917 gross weight; or

918 (ii) a vehicle or combination of vehicles that exceeds the vehicle width, height, or
919 length provisions under Section 72-7-402 or draw-bar length restriction under Subsection
920 72-7-403(1)(a).

921 (b) Except as provided under Subsection (8), an oversize and overweight permit may
922 not be issued under this section to allow the transportation of a load that is reasonably divisible.

923 (c) The maximum size or weight authorized by a permit under this section shall be
924 within limits that do not impair the state's ability to qualify for federal-aid highway funds.

925 (d) The department may deny or issue a permit under this section to protect the safety
926 of the traveling public and to protect highway foundation, surfaces, or structures from undue
927 damage by one or more of the following:

928 (i) limiting the number of trips the vehicle may make;

929 (ii) establishing seasonal or other time limits within which the vehicle may operate or
930 move on the highway indicated;

931 (iii) requiring security in addition to the permit to compensate for any potential damage
932 by the vehicle to any highway; and

933 (iv) otherwise limiting the conditions of operation or movement of the vehicle.

934 (e) Prior to granting a permit under this section, the department shall approve the route
935 of any vehicle or combination of vehicles.

936 (2) An application for a permit under this section shall state:

937 (a) the proposed maximum wheel loads, maximum axle loads, all axle spacings of each
938 vehicle or combination of vehicles;

939 (b) the proposed maximum load size and maximum size of each vehicle or
940 combination of vehicles;

941 (c) the specific roads requested to be used under authority of the permit; and

942 (d) if the permit is requested for a single trip or if other seasonal limits or time limits
943 apply.

944 (3) Each oversize permit or oversize and overweight permit shall be carried in the
945 vehicle or combination of vehicles to which it refers and shall be available for inspection by
946 any peace officer, special function officer, port of entry agent, or other personnel authorized by
947 the department.

948 (4) A permit under this section may not be issued or is not valid unless the vehicle or
949 combination of vehicles is:

950 (a) properly registered for the weight authorized by the permit; or

951 (b) registered for a gross laden weight of 78,001 pounds or over, if the gross laden
952 weight authorized by the permit exceeds 80,000 pounds.

953 (5) (a) (i) An oversize permit may be issued under this section for a vehicle or
954 combination of vehicles that exceeds one or more of the maximum width, height, or length
955 provisions under Section [72-7-402](#).

956 (ii) Except for an annual oversize permit for an implement of husbandry under Section
957 [72-7-407](#) or for an annual oversize permit issued under Subsection (5)(a)(iii), only a single trip
958 oversize permit may be issued for a vehicle or combination of vehicles that is more than 14 feet
959 6 inches wide, 14 feet high, or 105 feet long.

960 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
961 the department shall make rules for the issuance of an annual oversize permit for a vehicle or
962 combination of vehicles that is more than 14 feet 6 inches wide, 14 feet high, or 105 feet long
963 if the department determines that the permit is needed to accommodate highway transportation
964 needs for multiple trips on a specified route.

965 (b) The fee is \$30 for a single trip oversize permit under this Subsection (5). This
966 permit is valid for not more than 96 continuous hours.

967 (c) The fee is \$75 for a semiannual oversize permit under this Subsection (5). This
968 permit is valid for not more than 180 continuous days.

969 (d) The fee is \$90 for an annual oversize permit under this Subsection (5). This permit
970 is valid for not more than 365 continuous days.

971 (6) (a) An oversize and overweight permit may be issued under this section for a
972 vehicle or combination of vehicles carrying a nondivisible load that exceeds one or more of the
973 maximum weight provisions of Section [72-7-404](#) up to a gross weight of 125,000 pounds.

974 (b) The fee is \$60 for a single trip oversize and overweight permit under this
975 Subsection (6). This permit is valid for not more than 96 continuous hours.

976 (c) A semiannual oversize and overweight permit under this Subsection (6) is valid for
977 not more than 180 continuous days. The fee for this permit is:

978 (i) \$180 for a vehicle or combination of vehicles with gross vehicle weight of more

979 than 80,000 pounds, but not exceeding 84,000 pounds;

980 (ii) \$320 for a vehicle or combination of vehicles with gross vehicle weight of more
981 than 84,000 pounds, but not exceeding 112,000 pounds; and

982 (iii) \$420 for a vehicle or combination of vehicles with gross vehicle weight of more
983 than 112,000 pounds, but not exceeding 125,000 pounds.

984 (d) An annual oversize and overweight permit under this Subsection (6) is valid for not
985 more than 365 continuous days. The fee for this permit is:

986 (i) \$240 for a vehicle or combination of vehicles with gross vehicle weight of more
987 than 80,000 pounds, but not exceeding 84,000 pounds;

988 (ii) \$480 for a vehicle or combination of vehicles with gross vehicle weight of more
989 than 84,000 pounds, but not exceeding 112,000 pounds; and

990 (iii) \$540 for a vehicle or combination of vehicles with gross vehicle weight of more
991 than 112,000 pounds, but not exceeding 125,000 pounds.

992 (7) (a) A single trip oversize and overweight permit may be issued under this section
993 for a vehicle or combination of vehicles carrying a nondivisible load that exceeds:

994 (i) one or more of the maximum weight provisions of Section [72-7-404](#); or

995 (ii) a gross weight of 125,000 pounds.

996 (b) (i) The fee for a single trip oversize and overweight permit under this Subsection
997 (7), which is valid for not more than 96 continuous hours, is \$.012 per mile for each 1,000
998 pounds above 80,000 pounds subject to the rounding described in Subsection (7)(c).

999 (ii) The minimum fee that may be charged under this Subsection (7) is \$80.

1000 (iii) The maximum fee that may be charged under this Subsection (7) is \$540.

1001 (c) (i) The miles used to calculate the fee under this Subsection (7) shall be rounded up
1002 to the nearest 50 mile increment.

1003 (ii) The pounds used to calculate the fee under this Subsection (7) shall be rounded up
1004 to the nearest 25,000 pound increment.

1005 (iii) The dollar amount used to calculate the fee under this Subsection (7) shall be
1006 rounded to the nearest \$10 increment.

1007 (8) (a) An oversize and overweight permit may be issued under this section for a
1008 vehicle or combination of vehicles carrying a divisible load if:

- 1009 (i) the bridge formula under Subsection 72-7-404(3) is not exceeded; and
- 1010 (ii) the length of the vehicle or combination of vehicles is:
 - 1011 (A) more than the limitations specified under Subsections 72-7-402(4)(c) and (d) or
 - 1012 Subsection 72-7-403(1)(a) but not exceeding 81 feet in cargo carrying length and the
 - 1013 application is for a single trip, semiannual trip, or annual trip permit; or
 - 1014 (B) more than 81 feet in cargo carrying length but not exceeding 95 feet in cargo
 - 1015 carrying length and the application is for an annual trip permit.
- 1016 (b) The fee is \$60 for a single trip oversize and overweight permit under this
- 1017 Subsection (8). The permit is valid for not more than 96 continuous hours.
- 1018 (c) The fee for a semiannual oversize and overweight permit under this Subsection (8),
- 1019 which permit is valid for not more than 180 continuous days is:
 - 1020 (i) \$180 for a vehicle or combination of vehicles with gross vehicle weight of more
 - 1021 than 80,000 pounds, but not exceeding 84,000 pounds;
 - 1022 (ii) \$320 for a vehicle or combination of vehicles with gross vehicle weight of more
 - 1023 than 84,000 pounds, but not exceeding 112,000 pounds; and
 - 1024 (iii) \$420 for a vehicle or combination of vehicles with gross vehicle weight of more
 - 1025 than 112,000 pounds, but not exceeding 129,000 pounds.
- 1026 (d) The fee for an annual oversize and overweight permit under this Subsection (8),
- 1027 which permit is valid for not more than 365 continuous days is:
 - 1028 (i) \$240 for a vehicle or combination of vehicles with gross vehicle weight of more
 - 1029 than 80,000 pounds, but not exceeding 84,000 pounds;
 - 1030 (ii) \$480 for a vehicle or combination of vehicles with gross vehicle weight of more
 - 1031 than 84,000 pounds, but not exceeding 112,000 pounds; and
 - 1032 (iii) \$540 for a vehicle or combination of vehicles with gross vehicle weight of more
 - 1033 than 112,000 pounds, but not exceeding 129,000 pounds.
- 1034 (9) Permit fees collected under this section shall be credited monthly to the

1035 Transportation Fund.

1036 (10) The department shall prepare maps, drawings, and instructions as guidance when
1037 issuing permits under this section.

1038 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1039 the department shall make rules governing the issuance and revocation of all permits under this
1040 section and Section 72-7-407.

1041 (12) Any person who violates any of the terms or conditions of a permit issued under
1042 this section:

1043 (a) may have the person's permit revoked; and

1044 (b) is guilty of [~~a class C misdemeanor~~] an infraction, except that a violation of any
1045 rule made under Subsection (11) is not subject to a criminal penalty.

1046 Section 28. Section 72-7-407 is amended to read:

1047 **72-7-407. Implements of husbandry -- Escort vehicle requirements -- Oversize**
1048 **permit -- Penalty.**

1049 (1) As used in this section, "escort vehicle" means a motor vehicle, as defined under
1050 Section 41-1a-102, that has its emergency warning lights operating, and that is being used to
1051 warn approaching motorists by either preceding or following a slow or oversized vehicle,
1052 object, or implement of husbandry being moved on the highway.

1053 (2) An implement of husbandry being moved on a highway shall be accompanied by:

1054 (a) front and rear escort vehicles when the implement of husbandry is 16 feet in width
1055 or greater unless the implement of husbandry is moved by a farmer or rancher or the farmer or
1056 rancher's employees in connection with an agricultural operation; or

1057 (b) one or more escort vehicles when the implement of husbandry is traveling on a
1058 highway where special hazards exist related to weather, pedestrians, other traffic, or highway
1059 conditions.

1060 (3) In addition to the requirements of Subsection (2), a person may not move an
1061 implement of husbandry on a highway during hours of darkness without lights and reflectors as
1062 required under Section 41-6a-1608 or 41-6a-1609.

1063 (4) (a) Except for an implement of husbandry moved by a farmer or rancher or the
1064 farmer's or rancher's employees in connection with an agricultural operation, a person may not
1065 move an implement of husbandry on the highway without:

1066 (i) an oversize permit obtained under Section 72-7-406 if required;

1067 (ii) trained escort vehicle drivers and approved escort vehicles when required under
1068 Subsection (2); and

1069 (iii) compliance with the vehicle weight requirements of Section 72-7-404.

1070 (b) (i) The department shall issue an annual oversize permit for the purpose of allowing
1071 the movement of implements of husbandry on the highways in accordance with this chapter.

1072 (ii) The permit shall require the applicant to obtain verbal permission from the
1073 department for each trip involving the movement of an implement of husbandry 16 feet or
1074 greater in width.

1075 (5) Any person who violates this section is guilty of [~~a class C misdemeanor~~] an
1076 infraction.

1077 Section 29. Section 72-7-408 is amended to read:

1078 **72-7-408. Highway authority -- Restrictions on highway use -- Erection and**
1079 **maintenance of signs designating restrictions -- Penalty.**

1080 (1) (a) Subject to Subsection (1)(b), a highway authority may by rule or ordinance
1081 prescribe procedures and criteria which prohibit the operation of any vehicle or impose
1082 restrictions on the weight of a vehicle upon any highway under its jurisdiction.

1083 (b) A highway authority may impose restrictions for a highway under Subsection (1)(a)
1084 if an engineering inspection concludes that, due to deterioration caused by climatic conditions,
1085 a highway will be seriously damaged or destroyed unless certain vehicles are prohibited or
1086 vehicle weights are restricted.

1087 (2) The highway authority imposing restrictions under this section shall erect signs
1088 citing the provisions of the rule or ordinance at each end of that portion of any highway
1089 affected. The restriction is effective only when the signs are erected and maintained.

1090 (3) Any person who violates any restriction imposed under the authority of this section

1091 is guilty of [~~a class C misdemeanor~~] an infraction.

1092 Section 30. Section ~~72-7-409~~ is amended to read:

1093 **72-7-409. Loads on vehicles -- Limitations -- Confining, securing, and fastening**
1094 **load required -- Penalty.**

1095 (1) As used in this section:

1096 (a) "Agricultural product" means any raw product which is derived from agriculture,
1097 including silage, hay, straw, grain, manure, and other similar product.

1098 (b) "Vehicle" has the same meaning set forth in Section [41-1a-102](#).

1099 (2) A vehicle may not be operated or moved on any highway unless the vehicle is
1100 constructed or loaded to prevent its contents from dropping, sifting, leaking, or otherwise
1101 escaping.

1102 (3) (a) In addition to the requirements under Subsection (2), a vehicle carrying dirt,
1103 sand, gravel, rock fragments, pebbles, crushed base, aggregate, any other similar material, or
1104 scrap metal shall have a covering over the entire load unless:

1105 (i) the highest point of the load does not extend above the top of any exterior wall or
1106 sideboard of the cargo compartment of the vehicle; and

1107 (ii) the outer edges of the load are at least six inches below the top inside edges of the
1108 exterior walls or sideboards of the cargo compartment of the vehicle.

1109 (b) In addition to the requirements under Subsection (2), a vehicle carrying trash or
1110 garbage shall have a covering over the entire load.

1111 (c) The following material is exempt from the provisions of Subsection (3)(a):

1112 (i) hot mix asphalt;

1113 (ii) construction debris or scrap metal if the debris or scrap metal is a size and in a form
1114 not susceptible to being blown out of the vehicle;

1115 (iii) material being transported across a highway between two parcels of property that
1116 would be contiguous but for the highway that is being crossed; and

1117 (iv) material listed under Subsection (3)(a) that is enclosed on all sides by containers,
1118 bags, or packaging.

1119 (d) A chemical substance capable of coating or bonding a load so that the load is
1120 confined on a vehicle, may be considered a covering for purposes of Subsection (3)(a) so long
1121 as the chemical substance remains effective at confining the load.

1122 (4) Subsections (2) and (3) do not apply to a vehicle or implement of husbandry
1123 carrying an agricultural product, if the agricultural product is:

1124 (a) being transported in a manner which is not a hazard or a potential hazard to the safe
1125 operation of the vehicle or to other highway users; and

1126 (b) loaded in a manner that only allows minimal spillage.

1127 (5) (a) An authorized vehicle performing snow removal services on a highway is
1128 exempt from the requirements of this section.

1129 (b) This section does not prohibit the necessary spreading of any substance connected
1130 with highway maintenance, construction, securing traction, or snow removal.

1131 (6) A person may not operate a vehicle with a load on any highway unless the load and
1132 any load covering is fastened, secured, and confined to prevent the covering or load from
1133 becoming loose, detached, or in any manner a hazard to the safe operation of the vehicle, or to
1134 other highway users.

1135 (7) Before entering a highway, the operator of a vehicle carrying any material listed
1136 under Subsection (3), shall remove all loose material on any portion of the vehicle not designed
1137 to carry the material.

1138 (8) (a) Any person who violates this section is guilty of [~~a class C misdemeanor~~] an
1139 infraction.

1140 (b) A person who violates a provision of this section shall be fined not less than:

1141 (i) \$200 for a violation; or

1142 (ii) \$500 for a second or subsequent violation within three years of a previous violation
1143 of this section.

1144 (c) A person who violates a provision of this section while operating a commercial
1145 vehicle as defined in Section 72-9-102 shall be fined:

1146 (i) not less than \$500 for a violation; or

1147 (ii) \$1,000 for a second or subsequent violation within three years of a previous
1148 violation of this section.

1149 Section 31. Section 73-18-6 is amended to read:

1150 **73-18-6. Numbering of motorboats and sailboats required -- Exception.**

1151 (1) Every motorboat and sailboat on the waters of this state shall be numbered. No
1152 person shall operate or give permission for the operation of any motorboat or sailboat on the
1153 waters of this state unless the motorboat or sailboat is numbered in accordance with:

1154 (a) this chapter;

1155 (b) applicable federal law; or

1156 (c) a federally-approved numbering system of another state, if the owner is a resident
1157 of that state and his motorboat or sailboat has not been in this state in excess of 60 days for the
1158 calendar year.

1159 (2) The number assigned to a motorboat or sailboat in accordance with this chapter,
1160 applicable federal law, or a federally-approved numbering system of another state shall be
1161 displayed on each side of the bow of the motorboat or sailboat, except this requirement does
1162 not apply to any vessel which has a valid marine document issued by the United States Coast
1163 Guard.

1164 (3) A violation of this section is [~~a class C misdemeanor~~] an infraction.

1165 Section 32. Section 73-18-7 is amended to read:

1166 **73-18-7. Registration requirements -- Exemptions -- Fee -- Agents -- Records --**
1167 **Period of registration and renewal -- Expiration -- Notice of transfer of interest or change**
1168 **of address -- Duplicate registration card -- Invalid registration -- Powers of board.**

1169 (1) (a) Except as provided by Section 73-18-9, the owner of each motorboat and
1170 sailboat on the waters of this state shall register it with the division as provided in this chapter.

1171 (b) A person may not place, give permission for the placement of, operate, or give
1172 permission for the operation of a motorboat or sailboat on the waters of this state, unless the
1173 motorboat or sailboat is registered as provided in this chapter.

1174 (2) (a) The owner of a motorboat or sailboat required to be registered shall file an

1175 application for registration with the division on forms approved by the division.

1176 (b) The owner of the motorboat or sailboat shall sign the application and pay the fee set
1177 by the board in accordance with Section 63J-1-504.

1178 (c) Before receiving a registration card and registration decals, the applicant shall
1179 provide the division with a certificate from the county assessor of the county in which the
1180 motorboat or sailboat has situs for taxation, stating that:

1181 (i) the property tax on the motorboat or sailboat for the current year has been paid;

1182 (ii) in the county assessor's opinion, the property tax is a lien on real property sufficient
1183 to secure the payment of the property tax; or

1184 (iii) the motorboat or sailboat is exempt by law from payment of property tax for the
1185 current year.

1186 (d) If the board modifies the fee under Subsection (2)(b), the modification shall take
1187 effect on the first day of the calendar quarter after 90 days from the day on which the board
1188 provides the State Tax Commission:

1189 (i) notice from the board stating that the board will modify the fee; and

1190 (ii) a copy of the fee modification.

1191 (3) (a) Upon receipt of the application in the approved form, the division shall record
1192 the receipt and issue to the applicant registration decals and a registration card that state the
1193 number assigned to the motorboat or sailboat and the name and address of the owner.

1194 (b) The registration card shall be available for inspection on the motorboat or sailboat
1195 for which it was issued, whenever that motorboat or sailboat is in operation.

1196 (4) The assigned number shall:

1197 (a) be painted or permanently attached to each side of the forward half of the motorboat
1198 or sailboat;

1199 (b) consist of plain vertical block characters not less than three inches in height;

1200 (c) contrast with the color of the background and be distinctly visible and legible;

1201 (d) have spaces or hyphens equal to the width of a letter between the letter and numeral
1202 groupings; and

1203 (e) read from left to right.

1204 (5) A motorboat or sailboat with a valid marine document issued by the United States
1205 Coast Guard is exempt from the number display requirements of Subsection (4).

1206 (6) The nonresident owner of any motorboat or sailboat already covered by a valid
1207 number that has been assigned to it according to federal law or a federally approved numbering
1208 system of the owner's resident state is exempt from registration while operating the motorboat
1209 or sailboat on the waters of this state unless the owner is operating in excess of the reciprocity
1210 period provided for in Subsection 73-18-9(1).

1211 (7) (a) If the ownership of a motorboat or sailboat changes, the new owner shall file a
1212 new application form and fee with the division, and the division shall issue a new registration
1213 card and registration decals in the same manner as provided for in Subsections (2) and (3).

1214 (b) The division shall reassign the current number assigned to the motorboat or sailboat
1215 to the new owner to display on the motorboat or sailboat.

1216 (8) If the United States Coast Guard has in force an overall system of identification
1217 numbering for motorboats or sailboats within the United States, the numbering system
1218 employed under this chapter by the board shall conform with that system.

1219 (9) (a) The division may authorize any person to act as its agent for the registration of
1220 motorboats and sailboats.

1221 (b) A number assigned, a registration card, and registration decals issued by an agent of
1222 the division in conformity with this chapter and rules of the board are valid.

1223 (10) (a) The Motor Vehicle Division shall classify all records of the division made or
1224 kept according to this section in the same manner that motor vehicle records are classified
1225 under Section 41-1a-116.

1226 (b) Division records are available for inspection in the same manner as motor vehicle
1227 records pursuant to Section 41-1a-116.

1228 (11) (a) (i) Each registration, registration card, and decal issued under this chapter shall
1229 continue in effect for 12 months, beginning with the first day of the calendar month of
1230 registration.

1231 (ii) A registration may be renewed by the owner in the same manner provided for in the
1232 initial application.

1233 (iii) The division shall reassign the current number assigned to the motorboat or
1234 sailboat when the registration is renewed.

1235 (b) Each registration, registration card, and registration decal expires the last day of the
1236 month in the year following the calendar month of registration.

1237 (c) If the last day of the registration period falls on a day in which the appropriate state
1238 or county offices are not open for business, the registration of the motorboat or sailboat is
1239 extended to 12 midnight of the next business day.

1240 (d) The division may receive applications for registration renewal and issue new
1241 registration cards at any time before the expiration of the registration, subject to the availability
1242 of renewal materials.

1243 (e) The new registration shall retain the same expiration month as recorded on the
1244 original registration even if the registration has expired.

1245 (f) The year of registration shall be changed to reflect the renewed registration period.

1246 (g) If the registration renewal application is an application generated by the division
1247 through its automated system, the owner is not required to surrender the last registration card or
1248 duplicate.

1249 (12) (a) An owner shall notify the division of:

1250 (i) the transfer of all or any part of the owner's interest, other than creation of a security
1251 interest, in a motorboat or sailboat registered in this state under Subsections (2) and (3); and

1252 (ii) the destruction or abandonment of the owner's motorboat or sailboat.

1253 (b) Notification must take place within 15 days of the transfer, destruction, or
1254 abandonment.

1255 (c) (i) The transfer, destruction, or abandonment of a motorboat or sailboat terminates
1256 its registration.

1257 (ii) Notwithstanding Subsection (12)(c)(i), a transfer of a part interest that does not
1258 affect the owner's right to operate a motorboat or sailboat does not terminate the registration.

1259 (13) (a) A registered owner shall notify the division within 15 days if the owner's
1260 address changes from the address appearing on the registration card and shall, as a part of this
1261 notification, furnish the division with the owner's new address.

1262 (b) The board may provide in its rules for:

1263 (i) the surrender of the registration card bearing the former address; and

1264 (ii) (A) the replacement of the card with a new registration card bearing the new
1265 address; or

1266 (B) the alteration of an existing registration card to show the owner's new address.

1267 (14) (a) If a registration card is lost or stolen, the division may collect a fee of \$4 for
1268 the issuance of a duplicate card.

1269 (b) If a registration decal is lost or stolen, the division may collect a fee of \$3 for the
1270 issuance of a duplicate decal.

1271 (15) A number other than the number assigned to a motorboat or sailboat or a number
1272 for a motorboat or sailboat granted reciprocity under this chapter may not be painted, attached,
1273 or otherwise displayed on either side of the bow of a motorboat or sailboat.

1274 (16) A motorboat or sailboat registration and number are invalid if obtained by
1275 knowingly falsifying an application for registration.

1276 (17) The board may designate the suffix to assigned numbers, and by following the
1277 procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1278 make rules for:

1279 (a) the display of registration decals;

1280 (b) the issuance and display of dealer numbers and registrations; and

1281 (c) the issuance and display of temporary registrations.

1282 (18) A violation of this section is [~~a class C misdemeanor~~] an infraction.

1283 Section 33. Section **73-18-8** is amended to read:

1284 **73-18-8. Safety equipment required to be on board vessels -- Penalties.**

1285 (1) (a) Except as provided in Subsection (1)(c), each vessel shall have, for each person
1286 on board, one wearable personal flotation device that is approved for the type of use by the

- 1287 commandant of the United States Coast Guard.
- 1288 (b) Each personal flotation device shall be:
- 1289 (i) in serviceable condition;
- 1290 (ii) legally marked with the United States Coast Guard approval number; and
- 1291 (iii) of an appropriate size for the person for whom it is intended.
- 1292 (c) (i) Sailboards and racing shells are exempt from the provisions of Subsections
- 1293 (1)(a) and (e).
- 1294 (ii) The board may exempt certain types of vessels from the provisions of Subsection
- 1295 (1)(a) under certain conditions or upon certain waters.
- 1296 (d) The board may require by rule for personal flotation devices to be worn:
- 1297 (i) while a person is on board a certain type of vessel;
- 1298 (ii) by a person under a certain age; or
- 1299 (iii) on certain waters of the state.
- 1300 (e) For vessels 16 feet or more in length, there shall also be on board one throwable
- 1301 personal flotation device which is approved for this use by the commandant of the United
- 1302 States Coast Guard.
- 1303 (2) The operator of a vessel operated between sunset and sunrise shall display lighted
- 1304 navigation lights approved by the division.
- 1305 (3) If a vessel is not entirely open and it carries or uses any flammable or toxic fluid in
- 1306 any enclosure for any purpose, the vessel shall be equipped with an efficient natural or
- 1307 mechanical ventilation system that is capable of removing resulting gases before and during the
- 1308 time the vessel is occupied by any person.
- 1309 (4) Each vessel shall have fire extinguishing equipment on board.
- 1310 (5) Any inboard gasoline engine shall be equipped with a carburetor backfire flame
- 1311 control device.
- 1312 (6) The board may:
- 1313 (a) require additional safety equipment by rule; and
- 1314 (b) adopt rules conforming with the requirements of this section which govern

1315 specifications for and the use of safety equipment.

1316 (7) A person may not operate or give permission for the operation of a vessel that is not
1317 equipped as required by this section or rules promulgated under this section.

1318 (8) A violation of this section is [~~a class C misdemeanor~~] an infraction.

1319 Section 34. Section **73-18-8.1** is amended to read:

1320 **73-18-8.1. Capacity and certification label.**

1321 (1) Each vessel manufactured after November 1, 1972, which is less than 20 feet in
1322 length, except a sailboat, canoe, kayak, inflatable vessel, or homemade motor boat must have a
1323 United States Coast Guard capacity and certification label permanently affixed to the vessel
1324 and clearly visible to the operator when boarding or operating the vessel. The capacity and
1325 certification information may be combined together and displayed on one label.

1326 (2) No person shall operate, or give permission for the operation of, any vessel on the
1327 waters of this state if it is loaded or powered in excess of the maximum capacity information
1328 on the United States Coast Guard capacity label.

1329 (3) No person shall alter, deface, or remove any United States Coast Guard capacity or
1330 certification information label affixed to a vessel.

1331 (4) No person shall operate, or give permission for the operation of, a vessel on the
1332 waters of this state if the required United States Coast Guard capacity or certification
1333 information label has been altered, defaced, or removed.

1334 (5) A violation of this section is [~~a class C misdemeanor~~] an infraction.

1335 Section 35. Section **73-18-15.1** is amended to read:

1336 **73-18-15.1. Vessel navigation and steering laws.**

1337 (1) The operator of a vessel shall maintain a proper lookout by sight and hearing at all
1338 times to avoid the risk of collision.

1339 (2) When the operators of two motorboats approach each other where there is risk of
1340 collision, each operator shall alter course to the right and pass on the left side of the other.

1341 (3) When the operators of two motorboats are crossing paths and are at risk of a
1342 collision, the operator of the vessel that has the other vessel on its right side shall keep out of

1343 the way and yield right-of-way if necessary.

1344 (4) The operator of any vessel overtaking any other vessel shall keep out of the way of
1345 the vessel being overtaken.

1346 (5) The operator of a vessel underway shall keep out of the way of a:

1347 (a) vessel not under command;

1348 (b) vessel restricted in its ability to maneuver;

1349 (c) vessel engaged in fishing; and

1350 (d) sailing vessel.

1351 (6) If the operator of one of two vessels is to keep out of the way, the other vessel
1352 operator shall maintain his course and speed unless it becomes apparent the other vessel is not
1353 taking the appropriate action.

1354 (7) In narrow channels an operator of a vessel underway shall keep to the right of the
1355 middle of the channel.

1356 (8) The operator of a vessel shall proceed at a safe speed at all times so that the
1357 operator can take proper and effective action to avoid collision and be stopped within a
1358 distance appropriate to the prevailing circumstances or conditions.

1359 (9) (a) When the operators of two sailboats are approaching one another so as to
1360 involve risk of collision, one of the operators shall keep out of the way of the other as follows:

1361 (i) when each has the wind on a different side, the operator of the vessel that has the
1362 wind on the left side shall keep out of the way of the other;

1363 (ii) when both have the wind on the same side, the operator of the vessel that is to the
1364 windward shall keep out of the way of the vessel that is to leeward; and

1365 (iii) if the operator of a vessel with the wind on the left side sees a vessel to windward
1366 and cannot determine with certainty whether the other vessel has the wind on the left or on the
1367 right side, the operator shall keep out of way of the other vessel.

1368 (b) For purposes of this Subsection (9), the windward side shall be the side opposite
1369 that on which the mainsail is carried.

1370 (10) The operator of any vessel may not exceed a wakeless speed when within 150 feet

1371 of:

1372 (a) another vessel;

1373 (b) a person in or floating on the water;

1374 (c) a water skier being towed by another boat;

1375 (d) a water skier that had been towed behind the operator's vessel unless the skier is
1376 still surfing or riding in an upright stance on the wake created by the vessel;

1377 (e) a water skier that had been towed behind another vessel and the skier is still surfing
1378 or riding in an upright stance on the wake created by the other vessel;

1379 (f) a shore fisherman;

1380 (g) a launching ramp;

1381 (h) a dock; or

1382 (i) a designated swimming area.

1383 (11) The operator of a motorboat is responsible for any damage or injury caused by the
1384 wake produced by the operator's motorboat.

1385 (12) (a) Except as provided in Subsection (12)(b), the operator of a motorboat that is
1386 less than 65 feet in length may not exceed a wakeless speed while any person is riding upon the
1387 bow decking, gunwales, transom, seatbacks, or motor cover.

1388 (b) Subsection (12)(a) does not apply if the motorboat is:

1389 (i) between 16 feet and 65 feet in length; and

1390 (ii) the motorboat is equipped with adequate rails or other safeguards to prevent a
1391 person from falling overboard.

1392 (13) If a person is riding upon the bow decking of a motorboat that does not have
1393 designed seating for passengers, the person shall straddle one of the upright supports of the
1394 bow rail and may not block the vision of the operator.

1395 (14) The operator of a vessel may not tow a water skier or a person on another device:

1396 (a) unless an onboard observer, who is at least eight years of age, is designated by the
1397 operator to watch the person being towed; or

1398 (b) between sunset and sunrise.

1399 (15) A person who violates this section is guilty of [~~an infraction~~] a class C
1400 misdemeanor.

1401 Section 36. Section **73-18-15.2** is amended to read:

1402 **73-18-15.2. Minimum age of operators -- Boating safety course for youth to**
1403 **operate personal watercraft.**

1404 (1) (a) A person under 16 years of age may not operate a motorboat on the waters of
1405 this state unless the person is under the on-board and direct supervision of a person who is at
1406 least 18 years of age.

1407 (b) A person under 16 years of age may operate a sailboat, if the person is under the
1408 direct supervision of a person who is at least 18 years of age.

1409 (2) A person who is at least 12 years of age or older but under 16 years of age may
1410 operate a personal watercraft provided he:

1411 (a) is under the direct supervision of a person who is at least 18 years of age;

1412 (b) completes a boating safety course approved by the division; and

1413 (c) has in his possession a boating safety certificate issued by the boating safety course
1414 provider.

1415 (3) A person who is at least 16 years of age but under 18 years of age may operate a
1416 personal watercraft, if the person:

1417 (a) completes a boating safety course approved by the division; and

1418 (b) has in his possession a boating safety certificate issued by the boating safety course
1419 provider.

1420 (4) A person required to attend a boating safety course under Subsection (3)(a) need
1421 not be accompanied by a parent or legal guardian while completing a boating safety course.

1422 (5) A person may not give permission to another person to operate a vessel in violation
1423 of this section.

1424 (6) As used in this section, "direct supervision" means oversight at a distance within
1425 which visual contact is maintained.

1426 (7) (a) The division may collect fees set by the board in accordance with Section

1427 63J-1-504 from each person who takes the division's boating safety course to help defray the
1428 cost of the boating safety course.

1429 (b) Money collected from the fees collected under Subsection (7)(a) shall be deposited
1430 in the Boating Account.

1431 (8) A violation of this section is [~~a class C misdemeanor~~] an infraction.

1432 Section 37. Section 73-18-15.3 is amended to read:

1433 **73-18-15.3. Personal watercraft -- Prohibition on operation between sunset and**
1434 **sunrise.**

1435 (1) A person may not operate a personal watercraft on the waters of this state between
1436 sunset and sunrise.

1437 (2) A violation of this section is [~~a class C misdemeanor~~] an infraction.

1438 Section 38. Section 73-18-16 is amended to read:

1439 **73-18-16. Regattas, races, exhibitions -- Rules.**

1440 (1) The division may authorize the holding of regattas, motorboat or other boat races,
1441 marine parades, tournaments, or exhibitions on any waters of this state.

1442 (2) The board may adopt rules concerning the safety of vessels and persons, either as
1443 observers or participants, that do not conflict with the provisions of Subsections (3) and (4).

1444 (3) A person may elect, at the person's own risk, to wear a non-Coast Guard approved
1445 personal floatation device if the person is on an American Water Ski Association regulation
1446 tournament slalom course and is:

1447 (a) engaged in barefoot water skiing;

1448 (b) water skiing in an American Water Ski Association regulation competition;

1449 (c) a performer participating in a professional exhibition or other tournament; or

1450 (d) practicing for an event described in Subsection (3)(b) or (c).

1451 (4) If a person is water skiing in an American Water Ski Association regulation
1452 tournament slalom course, an observer and flag are not required if the vessel is:

1453 (a) equipped with a wide angle mirror with a viewing surface of at least 48 square
1454 inches; and

- 1455 (b) operated by a person who is at least 18 years of age.
- 1456 (5) A violation of this section is [~~a class C misdemeanor~~] an infraction.
- 1457 Section 39. Section **76-9-702.3** is amended to read:
- 1458 **76-9-702.3. Public urination.**
- 1459 (1) A person is guilty of public urination if the person urinates or defecates:
- 1460 (a) in a public place, other than a public rest room; and
- 1461 (b) under circumstances which the person should know will likely cause affront or
- 1462 alarm to another.
- 1463 (2) Public urination is [~~a class C misdemeanor~~] an infraction.
- 1464 Section 40. Section **76-9-706** is amended to read:
- 1465 **76-9-706. False representation of military award -- False wearing or use of medal,**
- 1466 **name, title, insignia, ritual, or ceremony of a military related organization.**
- 1467 (1) As used in this section:
- 1468 (a) "Military related organization" means a public or private society, order, or
- 1469 organization that:
- 1470 (i) only accepts as a member, a person, or the relative of a person, who is:
- 1471 (A) a member of the military; or
- 1472 (B) an honorably discharged member of the military; and
- 1473 (ii) is organized for the purpose of:
- 1474 (A) recognizing or honoring a person for military service;
- 1475 (B) assisting a person described in Subsection (1)(a)(i) to lawfully associate with, or
- 1476 provide service with, other people described in Subsection (1)(a)(i); or
- 1477 (C) provide support for, or assistance to, a person described in Subsection (1)(a)(i).
- 1478 (b) "Service medal" means:
- 1479 (i) a congressional medal of honor, as defined in 18 U.S.C. 704(c)(2);
- 1480 (ii) a distinguished service cross, as defined in 10 U.S.C 3742;
- 1481 (iii) a Navy cross, as defined in 10 U.S.C. 6242;
- 1482 (iv) an Air Force cross, as defined in 10 U.S.C. 8742;

- 1483 (v) a silver star, as defined in 10 U.S.C. 3746, 6244, or 8746;
- 1484 (vi) a bronze star, as defined in 10 U.S.C. 1133;
- 1485 (vii) a purple heart, as defined in 10 U.S.C. 1129;
- 1486 (viii) any decoration or medal authorized by the Congress of the United States for the
- 1487 armed forces of the United States;
- 1488 (ix) any service medal or badge awarded to members of the armed forces of the United
- 1489 States;
- 1490 (x) any of the following Utah National Guard medals or ribbons:
- 1491 (A) medal of valor;
- 1492 (B) Utah cross;
- 1493 (C) joint medal of merit;
- 1494 (D) Utah medal of merit;
- 1495 (E) joint commendation medal;
- 1496 (F) commendation medal;
- 1497 (G) achievement ribbon;
- 1498 (H) joint staff service ribbon;
- 1499 (I) state partnership service ribbon;
- 1500 (J) service ribbon;
- 1501 (K) military funeral honors service ribbon;
- 1502 (L) emergency service ribbon; or
- 1503 (M) recruiting ribbon;
- 1504 (xi) any ribbon, button, or rosette for a decoration, medal, or badge described in
- 1505 Subsections (1)(b)(i) through (x); or
- 1506 (xii) an imitation of a decoration, medal, badge, ribbon, button, or rosette described in
- 1507 Subsections (1)(b)(i) through (xi).
- 1508 (2) Any person who intentionally makes a false representation, verbally or in writing,
- 1509 that the person has been awarded a service medal is guilty of ~~[a class C misdemeanor]~~ an
- 1510 infraction.

1511 (3) Any person who wears, purchases, attempts to purchase, solicits for purchase,
1512 mails, ships, imports, exports, produces blank certificates of receipt for, manufactures, sells,
1513 attempts to sell, advertises for sale, trades, barter, or exchanges for anything of value a service
1514 medal, or any colorable imitation thereof, except when authorized by federal law, or under
1515 regulations made pursuant to federal law, with the intent to defraud, or with the intent to falsely
1516 represent that the person or another person has been awarded a service medal, is guilty of [~~a~~
1517 ~~class C misdemeanor~~] an infraction.

1518 (4) A person is guilty of [~~a class C misdemeanor~~] an infraction if the person wears or
1519 uses a medal of a military related organization:

1520 (a) that the person is not entitled to wear or use; and

1521 (b) with the intent to defraud or with the intent to falsely represent that the person or
1522 another person has been awarded the medal.

1523 (5) A person is guilty of [~~a class C misdemeanor~~] an infraction if the person uses the
1524 name, an officer title, an insignia, a ritual, or a ceremony of a military related organization:

1525 (a) that the person is not entitled to use; and

1526 (b) with the intent to defraud, or with the intent to falsely represent that the person or
1527 another person was or is a member, representative, or officer of the military related
1528 organization.

1529 Section 41. Section **78B-1-115** is amended to read:

1530 **78B-1-115. Jurors -- Penalties.**

1531 (1) A person who fails to respond timely to questions regarding qualification for jury
1532 service shall be in contempt of court and subject to penalties under Title 78B, Chapter 6, Part 3,
1533 Contempt.

1534 (2) A person summoned for jury service who fails to appear or to complete jury service
1535 as directed shall be in contempt of court and subject to penalties under Title 78B, Chapter 6,
1536 Part 3, Contempt.

1537 (3) Any person who willfully misrepresents a material fact regarding qualification for,
1538 excuse from, or postponement of jury service is guilty of [~~a class C misdemeanor~~] an

1539 infraction.

1540 Section 42. Section **78B-8-304** is amended to read:

1541 **78B-8-304. Violations of service of process authority.**

1542 (1) It is a class A misdemeanor for a person serving process to falsify a return of
1543 service.

1544 (2) It is [~~a class C misdemeanor~~] an infraction for a person to bill falsely for process
1545 service.

1546 Section 43. **Repealer.**

1547 This bill repeals:

1548 Section **4-31-112, Feeding garbage or plate waste to swine prohibited.**