

**Representative Robert M. Spendlove** proposes the following substitute bill:

**AUTONOMOUS VEHICLE REGULATIONS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Robert M. Spendlove**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding traffic laws, licensing, and titling requirements, and adds provisions regarding the operation of autonomous vehicles.

**Highlighted Provisions:**

This bill:

- ▶ defines terms related to autonomous vehicles;
- ▶ allows the operation of a vehicle in the state by an automated driving system;
- ▶ exempts a vehicle with an engaged automated driving system from licensure;
- ▶ provides protocol in case of an accident involving an autonomous vehicle;
- ▶ requires a vehicle equipped with an automated driving system to be properly titled, registered, and insured;
- ▶ preempts political subdivisions from regulating autonomous vehicles in addition to regulation provided in state statute; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None



26 **Utah Code Sections Affected:**

27 AMENDS:

- 28 **13-51-102**, as enacted by Laws of Utah 2015, Chapter 461
- 29 **13-51-103**, as last amended by Laws of Utah 2016, Chapter 359
- 30 **41-1a-102**, as last amended by Laws of Utah 2018, Chapters 166 and 424
- 31 **41-1a-201**, as last amended by Laws of Utah 2017, Chapter 149
- 32 **41-1a-202**, as last amended by Laws of Utah 2013, Chapter 463
- 33 **41-1a-1503**, as enacted by Laws of Utah 2013, Chapter 189
- 34 **41-6a-102**, as last amended by Laws of Utah 2018, Chapters 166 and 205
- 35 **41-6a-1641**, as last amended by Laws of Utah 2015, Chapter 412
- 36 **53-3-102**, as last amended by Laws of Utah 2017, Chapter 297
- 37 **53-3-104**, as last amended by Laws of Utah 2018, Chapters 233 and 415
- 38 **53-3-202**, as last amended by Laws of Utah 2017, Chapter 297

39 ENACTS:

- 40 **41-26-102.1**, Utah Code Annotated 1953
- 41 **41-26-103**, Utah Code Annotated 1953
- 42 **41-26-104**, Utah Code Annotated 1953
- 43 **41-26-105**, Utah Code Annotated 1953
- 44 **41-26-106**, Utah Code Annotated 1953
- 45 **41-26-107**, Utah Code Annotated 1953
- 46 **41-26-108**, Utah Code Annotated 1953

47 REPEALS:

- 48 **41-26-102**, as enacted by Laws of Utah 2016, Chapter 212



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

51 Section 1. Section **13-51-102** is amended to read:

52 **13-51-102. Definitions.**

53 (1) "Division" means the Division of Consumer Protection within the Department of  
54 Commerce.

55 (2) "Prearranged ride" means a period of time that:

56 (a) begins when the transportation network driver has accepted a passenger's request

- 57 for a ride through the transportation network company's software application; and
- 58 (b) ends when the passenger exits the transportation network driver's vehicle.
- 59 (3) "Software application" means an Internet-connected software platform, including a
- 60 mobile application, that a transportation network company uses to:
- 61 (a) connect a transportation network driver to a passenger; and
- 62 (b) process passenger requests.
- 63 (4) "Transportation network company" means an entity that:
- 64 (a) uses a software application to connect a passenger to a transportation network
- 65 driver providing transportation network services;
- 66 (b) is not:
- 67 (i) a taxicab, as defined in Section 53-3-102; or
- 68 (ii) a motor carrier, as defined in Section 72-9-102; and
- 69 (c) except in certain cases involving a motor vehicle with a level four or five automated
- 70 driving system, as defined in Section 41-26-102.1, does not own, control, operate, or manage
- 71 the vehicle used to provide the transportation network services.
- 72 (5) "Transportation network driver" means ~~[an individual who]~~:
- 73 (a) an individual who:
- 74 ~~[(a)]~~ (i) pays a fee to a transportation network company, and, in exchange, receives a
- 75 connection to a potential passenger from the transportation network company;
- 76 ~~[(b)]~~ (ii) operates a motor vehicle that:
- 77 ~~[(i)]~~ (A) the individual owns, leases, or is authorized to use; and
- 78 ~~[(ii)]~~ (B) the individual uses to provide transportation network services; and
- 79 ~~[(c)]~~ (iii) receives, in exchange for providing a passenger a ride, compensation that
- 80 exceeds the individual's cost to provide the ride~~[-];~~ or
- 81 (b) a level four or five automated driving system, as defined in Section 41-26-102.1,
- 82 when the automated driving system is operating the vehicle and used to provide a passenger a
- 83 ride in exchange for compensation.
- 84 (6) "Transportation network services" means, for a transportation network driver
- 85 providing services through a transportation network company:
- 86 (a) providing a prearranged ride; or
- 87 (b) being engaged in a waiting period.

88 (7) "Waiting period" means a period of time when:

89 (a) a transportation network driver is logged into a transportation network company's  
90 software application; and

91 (b) the transportation network driver is not engaged in a prearranged ride.

92 Section 2. Section **13-51-103** is amended to read:

93 **13-51-103. Exemptions -- Transportation network company and transportation**  
94 **network driver.**

95 (1) A transportation network company or a transportation network driver is not subject  
96 to the requirements applicable to:

97 (a) a motor carrier, under Title 72, Chapter 9, Motor Carrier Safety Act;

98 (b) a common carrier, under Title 59, Chapter 12, Sales and Use Tax Act; or

99 (c) a taxicab, under Title 53, Chapter 3, Uniform Driver License Act.

100 (2) A transportation network driver is:

101 (a) (i) an independent contractor of a transportation network company; and

102 [~~(b)~~] (ii) not an employee of a transportation network company[-]; or

103 (b) for a motor vehicle with a level four or five automated driving system as defined in

104 Section 41-26-102.1, in driverless operation, an automated driving system if dispatched:

105 (i) at the direction of, on behalf of, or as an agent of a transportation network company;

106 or

107 (ii) at the direction of, on behalf of, or as an agent of a third party pursuant to an

108 agreement between the third party and a transportation network company, operated on behalf of

109 and as an agent of the transportation network company.

110 Section 3. Section **41-1a-102** is amended to read:

111 **41-1a-102. Definitions.**

112 As used in this chapter:

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

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

116 (3) "All-terrain type I vehicle" means the same as that term is defined in Section  
117 [41-22-2](#).

118 (4) "All-terrain type II vehicle" means the same as that term is defined in Section

119 [41-22-2.](#)

120 (5) "All-terrain type III vehicle" means the same as that term is defined in Section

121 [41-22-2.](#)

122 (6) "Alternative fuel vehicle" means:

123 (a) an electric motor vehicle;

124 (b) a hybrid electric motor vehicle;

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

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

127 (i) motor fuel;

128 (ii) diesel fuel;

129 (iii) natural gas; or

130 (iv) propane.

131 (7) "Amateur radio operator" means any person licensed by the Federal

132 Communications Commission to engage in private and experimental two-way radio operation

133 on the amateur band radio frequencies.

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

135 (9) "Automated driving system" means the same as that term is defined in Section

136 [41-26-102.1.](#)

137 [~~(9)~~] (10) "Branded title" means a title certificate that is labeled:

138 (a) rebuilt and restored to operation;

139 (b) flooded and restored to operation; or

140 (c) not restored to operation.

141 [~~(10)~~] (11) "Camper" means any structure designed, used, and maintained primarily to

142 be mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a

143 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for

144 camping.

145 [~~(11)~~] (12) "Certificate of title" means a document issued by a jurisdiction to establish

146 a record of ownership between an identified owner and the described vehicle, vessel, or

147 outboard motor.

148 [~~(12)~~] (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by

149 a weighmaster.

150           ~~[(13)]~~ (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or  
151 maintained for the transportation of persons or property that operates:

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

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

155           ~~[(14)]~~ (15) "Commission" means the State Tax Commission.

156           ~~[(15)]~~ (16) "Consumer price index" means the same as that term is defined in Section  
157 [59-13-102](#).

158           ~~[(16)]~~ (17) "Dealer" means a person engaged or licensed to engage in the business of  
159 buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either outright  
160 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an  
161 established place of business for the sale, lease, trade, or display of vehicles, vessels, or  
162 outboard motors.

163           ~~[(17)]~~ (18) "Diesel fuel" means the same as that term is defined in Section [59-13-102](#).

164           ~~[(18)]~~ (19) "Division" means the Motor Vehicle Division of the commission, created in  
165 Section [41-1a-106](#).

166           (20) "Dynamic driving task" means the same as that term is defined in Section  
167 [41-26-102.1](#).

168           ~~[(19)]~~ (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an  
169 electric motor drawing current from a rechargeable energy storage system.

170           ~~[(20)]~~ (22) "Essential parts" means all integral and body parts of a vehicle of a type  
171 required to be registered in this state, the removal, alteration, or substitution of which would  
172 tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or  
173 mode of operation.

174           ~~[(21)]~~ (23) "Farm tractor" means every motor vehicle designed and used primarily as a  
175 farm implement for drawing plows, mowing machines, and other implements of husbandry.

176           ~~[(22)]~~ (24) (a) "Farm truck" means a truck used by the owner or operator of a farm  
177 solely for the owner's or operator's own use in the transportation of:

178           (i) farm products, including livestock and its products, poultry and its products,  
179 floricultural and horticultural products;

180           (ii) farm supplies, including tile, fence, and every other thing or commodity used in

181 agricultural, floricultural, horticultural, livestock, and poultry production; and

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

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

186 [~~(23)~~] (25) "Fleet" means one or more commercial vehicles.

187 [~~(24)~~] (26) "Foreign vehicle" means a vehicle of a type required to be registered,  
188 brought into this state from another state, territory, or country other than in the ordinary course  
189 of business by or through a manufacturer or dealer, and not registered in this state.

190 [~~(25)~~] (27) "Gross laden weight" means the actual weight of a vehicle or combination  
191 of vehicles, equipped for operation, to which shall be added the maximum load to be carried.

192 [~~(26)~~] (28) "Highway" or "street" means the entire width between property lines of  
193 every way or place of whatever nature when any part of it is open to the public, as a matter of  
194 right, for purposes of vehicular traffic.

195 [~~(27)~~] (29) "Hybrid electric motor vehicle" means a motor vehicle that draws  
196 propulsion energy from onboard sources of stored energy that are both:

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

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

200 [~~(28)~~] (30) (a) "Identification number" means the identifying number assigned by the  
201 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard  
202 motor.

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

205 [~~(29)~~] (31) "Implement of husbandry" means every vehicle designed or adapted and  
206 used exclusively for an agricultural operation and only incidentally operated or moved upon the  
207 highways.

208 [~~(30)~~] (32) (a) "In-state miles" means the total number of miles operated in this state  
209 during the preceding year by fleet power units.

210 (b) If fleets are composed entirely of trailers or semitrailers, "in-state miles" means the  
211 total number of miles that those vehicles were towed on Utah highways during the preceding

212 year.

213 ~~[(31)]~~ (33) "Interstate vehicle" means any commercial vehicle operated in more than  
214 one state, province, territory, or possession of the United States or foreign country.

215 ~~[(32)]~~ (34) "Jurisdiction" means a state, district, province, political subdivision,  
216 territory, or possession of the United States or any foreign country.

217 ~~[(33)]~~ (35) "Lienholder" means a person with a security interest in particular property.

218 ~~[(34)]~~ (36) "Manufactured home" means a transportable factory built housing unit  
219 constructed on or after June 15, 1976, according to the Federal Home Construction and Safety  
220 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is  
221 eight body feet or more in width or 40 body feet or more in length, or when erected on site, is  
222 400 or more square feet, and which is built on a permanent chassis and designed to be used as a  
223 dwelling with or without a permanent foundation when connected to the required utilities, and  
224 includes the plumbing, heating, air-conditioning, and electrical systems.

225 ~~[(35)]~~ (37) "Manufacturer" means a person engaged in the business of constructing,  
226 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or  
227 outboard motors for the purpose of sale or trade.

228 ~~[(36)]~~ (38) "Mobile home" means a transportable factory built housing unit built prior  
229 to June 15, 1976, in accordance with a state mobile home code which existed prior to the  
230 Federal Manufactured Housing and Safety Standards Act (HUD Code).

231 ~~[(37)]~~ (39) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).

232 ~~[(38)]~~ (40) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for  
233 use and operation on the highways.

234 (b) "Motor vehicle" does not include an off-highway vehicle.

235 ~~[(39)]~~ (41) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

236 ~~[(40)]~~ (42) "Motorcycle" means:

237 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not  
238 more than three wheels in contact with the ground; or

239 (b) an auticycle.

240 ~~[(41)]~~ (43) "Natural gas" means a fuel of which the primary constituent is methane.

241 ~~[(42)]~~ (44) (a) "Nonresident" means a person who is not a resident of this state as  
242 defined by Section [41-1a-202](#), and who does not engage in intrastate business within this state



243 and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.

244 (b) A person who engages in intrastate business within this state and operates in that  
245 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in  
246 interstate commerce, maintains any vehicle in this state as the home station of that vehicle is  
247 considered a resident of this state, insofar as that vehicle is concerned in administering this  
248 chapter.

249 ~~[(43)]~~ (45) "Odometer" means a device for measuring and recording the actual distance  
250 a vehicle travels while in operation, but does not include any auxiliary odometer designed to be  
251 periodically reset.

252 ~~[(44)]~~ (46) "Off-highway implement of husbandry" means the same as that term is  
253 defined in Section [41-22-2](#).

254 ~~[(45)]~~ (47) "Off-highway vehicle" means the same as that term is defined in Section  
255 [41-22-2](#).

256 ~~[(46)]~~ (48) (a) "Operate" means ~~[to drive or be in actual physical control of a vehicle~~  
257 ~~or]~~:

258 (i) to navigate a vessel[-]; or

259 (ii) collectively, the activities performed in order to perform the entire dynamic driving  
260 task for a given motor vehicle by:

261 (A) a human driver as defined in Section [41-26-102.1](#); or

262 (B) an engaged automated driving system.

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

264 ~~[(47)]~~ (49) "Outboard motor" means a detachable self-contained propulsion unit,  
265 excluding fuel supply, used to propel a vessel.

266 ~~[(48)]~~ (50) (a) "Owner" means a person, other than a lienholder, holding title to a  
267 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is  
268 subject to a security interest.

269 (b) If a vehicle is the subject of an agreement for the conditional sale or installment  
270 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions  
271 stated in the agreement and with an immediate right of possession vested in the conditional  
272 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the  
273 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this

274 chapter.

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

277 [~~(49)~~] (51) "Park model recreational vehicle" means a unit that:

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

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

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

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

284 [~~(50)~~] (52) "Personalized license plate" means a license plate that has displayed on it a  
285 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned  
286 to the vehicle by the division.

287 [~~(51)~~] (53) (a) "Pickup truck" means a two-axle motor vehicle with motive power  
288 manufactured, remanufactured, or materially altered to provide an open cargo area.

289 (b) "Pickup truck" includes motor vehicles with the open cargo area covered with a  
290 camper, camper shell, tarp, removable top, or similar structure.

291 [~~(52)~~] (54) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor  
292 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion  
293 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the  
294 vehicle while the vehicle is in motion.

295 [~~(53)~~] (55) "Pneumatic tire" means every tire in which compressed air is designed to  
296 support the load.

297 [~~(54)~~] (56) "Preceding year" means a period of 12 consecutive months fixed by the  
298 division that is within 16 months immediately preceding the commencement of the registration  
299 or license year in which proportional registration is sought. The division in fixing the period  
300 shall conform it to the terms, conditions, and requirements of any applicable agreement or  
301 arrangement for the proportional registration of vehicles.

302 [~~(55)~~] (57) "Public garage" means every building or other place where vehicles or  
303 vessels are kept and stored and where a charge is made for the storage and keeping of vehicles  
304 and vessels.

305           ~~[(56)]~~ (58) "Receipt of surrender of ownership documents" means the receipt of  
306 surrender of ownership documents described in Section [41-1a-503](#).

307           ~~[(57)]~~ (59) "Reconstructed vehicle" means every vehicle of a type required to be  
308 registered in this state that is materially altered from its original construction by the removal,  
309 addition, or substitution of essential parts, new or used.

310           ~~[(58)]~~ (60) "Recreational vehicle" means the same as that term is defined in Section  
311 [13-14-102](#).

312           ~~[(59)]~~ (61) "Registration" means a document issued by a jurisdiction that allows  
313 operation of a vehicle or vessel on the highways or waters of this state for the time period for  
314 which the registration is valid and that is evidence of compliance with the registration  
315 requirements of the jurisdiction.

316           ~~[(60)]~~ (62) (a) "Registration year" means a 12 consecutive month period commencing  
317 with the completion of all applicable registration criteria.

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

320           ~~[(61)]~~ (63) "Repair or replacement" means the restoration of vehicles, vessels, or  
321 outboard motors to a sound working condition by substituting any inoperative part of the  
322 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

323           ~~[(62)]~~ (64) "Replica vehicle" means:

324           (a) a street rod that meets the requirements under Subsection [41-21-1\(3\)\(a\)\(i\)\(B\)](#); or

325           (b) a custom vehicle that meets the requirements under Subsection  
326 [41-6a-1507\(1\)\(a\)\(i\)\(B\)](#).

327           ~~[(63)]~~ (65) "Road tractor" means every motor vehicle designed and used for drawing  
328 other vehicles and constructed so it does not carry any load either independently or any part of  
329 the weight of a vehicle or load that is drawn.

330           ~~[(64)]~~ (66) "Sailboat" means the same as that term is defined in Section [73-18-2](#).

331           ~~[(65)]~~ (67) "Security interest" means an interest that is reserved or created by a security  
332 agreement to secure the payment or performance of an obligation and that is valid against third  
333 parties.

334           ~~[(66)]~~ (68) "Semitrailer" means every vehicle without motive power designed for  
335 carrying persons or property and for being drawn by a motor vehicle and constructed so that

336 some part of its weight and its load rests or is carried by another vehicle.

337 ~~[(67)]~~ (69) "Special group license plate" means a type of license plate designed for a  
338 particular group of people or a license plate authorized and issued by the division in accordance  
339 with Section [41-1a-418](#).

340 ~~[(68)]~~ (70) (a) "Special interest vehicle" means a vehicle used for general  
341 transportation purposes and that is:

342 (i) 20 years or older from the current year; or  
343 (ii) a make or model of motor vehicle recognized by the division director as having  
344 unique interest or historic value.

345 (b) In making a determination under Subsection ~~[(68)]~~ (70)(a), the division director  
346 shall give special consideration to:

347 (i) a make of motor vehicle that is no longer manufactured;  
348 (ii) a make or model of motor vehicle produced in limited or token quantities;  
349 (iii) a make or model of motor vehicle produced as an experimental vehicle or one  
350 designed exclusively for educational purposes or museum display; or

351 (iv) a motor vehicle of any age or make that has not been substantially altered or  
352 modified from original specifications of the manufacturer and because of its significance is  
353 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a  
354 leisure pursuit.

355 ~~[(69)]~~ (71) (a) "Special mobile equipment" means every vehicle:

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

359 (b) "Special mobile equipment" includes:

360 (i) farm tractors;  
361 (ii) off-road motorized construction or maintenance equipment including backhoes,  
362 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and  
363 (iii) ditch-digging apparatus.

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

366 ~~[(70)]~~ (72) "Specially constructed vehicle" means every vehicle of a type required to be

367 registered in this state, not originally constructed under a distinctive name, make, model, or  
368 type by a generally recognized manufacturer of vehicles, and not materially altered from its  
369 original construction.

370 ~~[(71)]~~ (73) "Title" means the right to or ownership of a vehicle, vessel, or outboard  
371 motor.

372 ~~[(72)]~~ (74) (a) "Total fleet miles" means the total number of miles operated in all  
373 jurisdictions during the preceding year by power units.

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

377 ~~[(73)]~~ (75) "Trailer" means a vehicle without motive power designed for carrying  
378 persons or property and for being drawn by a motor vehicle and constructed so that no part of  
379 its weight rests upon the towing vehicle.

380 ~~[(74)]~~ (76) "Transferee" means a person to whom the ownership of property is  
381 conveyed by sale, gift, or any other means except by the creation of a security interest.

382 ~~[(75)]~~ (77) "Transferor" means a person who transfers the person's ownership in  
383 property by sale, gift, or any other means except by creation of a security interest.

384 ~~[(76)]~~ (78) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable  
385 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or  
386 vacation use that does not require a special highway movement permit when drawn by a  
387 self-propelled motor vehicle.

388 ~~[(77)]~~ (79) "Truck tractor" means a motor vehicle designed and used primarily for  
389 drawing other vehicles and not constructed to carry a load other than a part of the weight of the  
390 vehicle and load that is drawn.

391 ~~[(78)]~~ (80) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,  
392 camper, park model recreational vehicle, manufactured home, and mobile home.

393 ~~[(79)]~~ (81) "Vessel" means the same as that term is defined in Section 73-18-2.

394 ~~[(80)]~~ (82) "Vintage vehicle" means the same as that term is defined in Section  
395 41-21-1.

396 ~~[(81)]~~ (83) "Waters of this state" means the same as that term is defined in Section  
397 73-18-2.

398            [~~(82)~~] (84) "Weighmaster" means a person, association of persons, or corporation  
399 permitted to weigh vehicles under this chapter.

400            Section 4. Section **41-1a-201** is amended to read:

401            **41-1a-201. Function of registration -- Registration required -- Penalty.**

402            (1) Unless exempted, a person or automated driving system may not operate and an  
403 owner may not engage an automated driving system, give another person permission to engage  
404 an automated driving system, or give another person permission to operate a motor vehicle,  
405 combination of vehicles, trailer, semitrailer, vintage vehicle, off-highway vehicle, vessel, or  
406 park model recreational vehicle in this state unless it has been registered in accordance with  
407 this chapter, Title 41, Chapter 22, Off-Highway Vehicles, or Title 73, Chapter 18, State  
408 Boating Act.

409            (2) Subject to Subsection [53-8-209](#)(3), a violation of this section is an infraction.

410            Section 5. Section **41-1a-202** is amended to read:

411            **41-1a-202. Definitions -- Vehicles exempt from registration -- Registration of**  
412 **vehicles after establishing residency.**

413            (1) In this section:

414            (a) "Domicile" means the place:

415            (i) where an individual has a fixed permanent home and principal establishment;

416            (ii) to which the individual if absent, intends to return; and

417            (iii) in which the individual and his family voluntarily reside, not for a special or  
418 temporary purpose, but with the intention of making a permanent home.

419            (b) (i) "Resident" means any of the following:

420            (A) an individual who:

421            (I) has established a domicile in this state;

422            (II) regardless of domicile, remains in this state for an aggregate period of six months  
423 or more during any calendar year;

424            (III) engages in a trade, profession, or occupation in this state or who accepts  
425 employment in other than seasonal work in this state and who does not commute into the state;

426            (IV) declares himself to be a resident of this state for the purpose of obtaining a driver  
427 license or motor vehicle registration; or

428            (V) declares himself a resident of Utah to obtain privileges not ordinarily extended to

429 nonresidents, including going to school, or placing children in school without paying  
430 nonresident tuition or fees; or

431 (B) any individual, partnership, limited liability company, firm, corporation,  
432 association, or other entity that:

433 (I) maintains a main office, branch office, or warehouse facility in this state and that  
434 bases and operates a motor vehicle in this state; or

435 (II) operates a motor vehicle in intrastate transportation for other than seasonal work.

436 (ii) "Resident" does not include any of the following:

437 (A) a member of the military temporarily stationed in Utah;

438 (B) an out-of-state student, as classified by the institution of higher education, enrolled  
439 with the equivalent of seven or more quarter hours, regardless of whether the student engages  
440 in a trade, profession, or occupation in this state or accepts employment in this state; and

441 (C) an individual domiciled in another state or a foreign country that:

442 (I) is engaged in public, charitable, educational, or religious services for a government  
443 agency or an organization that qualifies for tax-exempt status under Internal Revenue Code  
444 Section 501(c)(3);

445 (II) is not compensated for services rendered other than expense reimbursements; and

446 (III) is temporarily in Utah for a period not to exceed 24 months.

447 (iii) Notwithstanding Subsections (1)(b)(i) and (ii), "resident" includes the owner of a  
448 vehicle equipped with an automated driving system as defined in Section [41-26-102.1](#) if the  
449 vehicle is physically present in the state for more than 30 consecutive days in a calendar year.

450 (2) Registration under this chapter is not required for any:

451 (a) vehicle registered in another state and owned by a nonresident of the state or  
452 operating under a temporary registration permit issued by the division or a dealer authorized by  
453 this chapter, driven or moved upon a highway in conformance with the provisions of this  
454 chapter relating to manufacturers, transporters, dealers, lien holders, or interstate vehicles;

455 (b) vehicle driven or moved upon a highway only for the purpose of crossing the  
456 highway from one property to another;

457 (c) implement of husbandry, whether of a type otherwise subject to registration or not,  
458 that is only incidentally operated or moved upon a highway;

459 (d) special mobile equipment;

- 460 (e) vehicle owned or leased by the federal government;
  - 461 (f) motor vehicle not designed, used, or maintained for the transportation of passengers  
462 for hire or for the transportation of property if the motor vehicle is registered in another state  
463 and is owned and operated by a nonresident of this state;
  - 464 (g) vehicle or combination of vehicles designed, used, or maintained for the  
465 transportation of persons for hire or for the transportation of property if the vehicle or  
466 combination of vehicles is registered in another state and is owned and operated by a  
467 nonresident of this state and if the vehicle or combination of vehicles has a gross laden weight  
468 of 26,000 pounds or less;
  - 469 (h) trailer of 750 pounds or less unladen weight and not designed, used, and maintained  
470 for hire for the transportation of property or person;
  - 471 (i) manufactured home or mobile home;
  - 472 (j) off-highway vehicle currently registered under Section 41-22-3 if the off-highway  
473 vehicle is:
    - 474 (i) being towed;
    - 475 (ii) operated on a street or highway designated as open to off-highway vehicle use; or
    - 476 (iii) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);
  - 477 (k) off-highway implement of husbandry operated in the manner prescribed in  
478 Subsections 41-22-5.5(3) through (5);
  - 479 (l) modular and prebuilt homes conforming to the uniform building code and presently  
480 regulated by the United States Department of Housing and Urban Development that are not  
481 constructed on a permanent chassis;
  - 482 (m) electric assisted bicycle defined under Section 41-6a-102;
  - 483 (n) motor assisted scooter defined under Section 41-6a-102; or
  - 484 (o) electric personal assistive mobility device defined under Section 41-6a-102.
- 485 (3) Unless otherwise exempted under Subsection (2), registration under this chapter is  
486 required for any motor vehicle, combination of vehicles, trailer, semitrailer, or vintage vehicle  
487 within 60 days of the owner establishing residency in this state.
- 488 (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the  
489 registration requirements of this part for the time period that the registration under Section  
490 41-3-306 is valid.



491 (5) A vehicle that has been issued a nonrepairable certificate may not be registered  
492 under this chapter.

493 Section 6. Section **41-1a-1503** is amended to read:

494 **41-1a-1503. Event data recorders -- Retrieval or disclosure of event data.**

495 (1) (a) Event data that is recorded on an event data recorder:

496 (i) is private;

497 (ii) is the personal information of the motor vehicle's owner; and

498 (iii) except as provided in Subsection (2), may not be retrieved by a person who is not  
499 the owner of the motor vehicle.

500 (b) If a motor vehicle is owned by more than one person, only one owner is required to  
501 consent to the retrieval or use of the data from a motor vehicle event data recorder.

502 (2) Event data that is recorded on an event data recorder may be retrieved, obtained, or  
503 used by a person who is not the owner of the motor vehicle in the following circumstances:

504 (a) the owner of the motor vehicle or the owner's agent has consented to the retrieval of  
505 the data relating to an accident;

506 (b) the data is retrieved by a motor vehicle dealer, motor vehicle manufacturer, or by an  
507 automotive technician to diagnose, service, or repair the motor vehicle at the request of the  
508 owner or the owner's agent;

509 (c) the data is subject to discovery in a criminal prosecution or pursuant to the rules of  
510 civil procedure in a claim arising out of a motor vehicle accident;

511 (d) a court or administrative agency having jurisdiction orders the data to be retrieved;

512 (e) a peace officer retrieves the data pursuant to a court order as part of an investigation  
513 of a suspected violation of a law that has caused, or contributed to the cause of, an accident  
514 resulting in damage of property or injury to a person; ~~or~~

515 (f) to facilitate or determine the need for emergency medical care for the driver or  
516 passenger of a motor vehicle that is involved in a motor vehicle crash or other emergency,  
517 including the retrieval of data from a company that provides subscription services to the owner  
518 of a motor vehicle for in-vehicle safety and security communications[-]; or

519 (g) for purposes of improving motor vehicle safety, security, or traffic management,  
520 including medical research on the human body's reaction to motor vehicle crashes, as long as  
521 the identity of the owner, passenger, or human driver is not disclosed in connection with the

522 retrieved data.

523 (3) Except as provided in Subsection (4), a person who has retrieved, obtained, or used  
524 event data under Subsection (2) may not release event data that is recorded on an event data  
525 recorder.

526 (4) A person may release event data that is recorded on an event data recorder in the  
527 following circumstances:

528 (a) the owner of the motor vehicle or the owner's agent has consented to the release of  
529 the data;

530 (b) the data is subject to discovery in a criminal prosecution or pursuant to the rules of  
531 civil procedure in a claim arising out of a motor vehicle accident;

532 (c) the data is released pursuant to a court order as part of an investigation of a  
533 suspected violation of a law that has caused, or contributed to the cause of, an accident  
534 resulting in damage of property or injury to a person; or

535 (d) if the identity of the owner or driver is not disclosed~~], the data is released to a motor~~  
536 ~~vehicle safety and medical research entity or data processor in order to advance motor vehicle~~  
537 ~~safety, security, or traffic management]~~ in connection with the retrieved data, the data is  
538 released for purposes of improving motor vehicle safety, security, or traffic management,  
539 including medical research on the human body's reaction to a motor vehicle crash.

540 (5) (a) If a motor vehicle is equipped with an event data recorder that is capable of  
541 recording or transmitting event data and that capability is part of a subscription service, the fact  
542 that the event data may be recorded or transmitted shall be disclosed in the subscription service  
543 agreement.

544 (b) Notwithstanding the provisions of this section, event data from an event data  
545 recorder may be retrieved, obtained, and used by a subscription service provider for  
546 subscription services meeting the requirement of Subsection (5)(a).

547 Section 7. Section **41-6a-102** is amended to read:

548 **41-6a-102. Definitions.**

549 As used in this chapter:

550 (1) "Alley" means a street or highway intended to provide access to the rear or side of  
551 lots or buildings in urban districts and not intended for through vehicular traffic.

552 (2) "All-terrain type I vehicle" means the same as that term is defined in Section

553 41-22-2.

554 (3) "Authorized emergency vehicle" includes:

555 (a) fire department vehicles;

556 (b) police vehicles;

557 (c) ambulances; and

558 (d) other publicly or privately owned vehicles as designated by the commissioner of the

559 Department of Public Safety.

560 (4) "Autocycle" means the same as that term is defined in Section 53-3-102.

561 (5) (a) "Bicycle" means a wheeled vehicle:

562 (i) propelled by human power by feet or hands acting upon pedals or cranks;

563 (ii) with a seat or saddle designed for the use of the operator;

564 (iii) designed to be operated on the ground; and

565 (iv) whose wheels are not less than 14 inches in diameter.

566 (b) "Bicycle" includes an electric assisted bicycle.

567 (c) "Bicycle" does not include scooters and similar devices.

568 (6) (a) "Bus" means a motor vehicle:

569 (i) designed for carrying more than 15 passengers and used for the transportation of  
570 persons; or

571 (ii) designed and used for the transportation of persons for compensation.

572 (b) "Bus" does not include a taxicab.

573 (7) (a) "Circular intersection" means an intersection that has an island, generally

574 circular in design, located in the center of the intersection where traffic passes to the right of  
575 the island.

576 (b) "Circular intersection" includes:

577 (i) roundabouts;

578 (ii) rotaries; and

579 (iii) traffic circles.

580 (8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in

581 Subsection (17)(d)(i).

582 (9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in

583 Subsection (17)(d)(ii).

584 (10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in  
585 Subsection (17)(d)(iii).

586 (11) "Commissioner" means the commissioner of the Department of Public Safety.

587 (12) "Controlled-access highway" means a highway, street, or roadway:

588 (a) designed primarily for through traffic; and

589 (b) to or from which owners or occupants of abutting lands and other persons have no  
590 legal right of access, except at points as determined by the highway authority having  
591 jurisdiction over the highway, street, or roadway.

592 (13) "Crosswalk" means:

593 (a) that part of a roadway at an intersection included within the connections of the  
594 lateral lines of the sidewalks on opposite sides of the highway measured from:

595 (i) (A) the curbs; or

596 (B) in the absence of curbs, from the edges of the traversable roadway; and

597 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway  
598 included within the extension of the lateral lines of the existing sidewalk at right angles to the  
599 centerline; or

600 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for  
601 pedestrian crossing by lines or other markings on the surface.

602 (14) "Department" means the Department of Public Safety.

603 (15) "Direct supervision" means oversight at a distance within which:

604 (a) visual contact is maintained; and

605 (b) advice and assistance can be given and received.

606 (16) "Divided highway" means a highway divided into two or more roadways by:

607 (a) an unpaved intervening space;

608 (b) a physical barrier; or

609 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

610 (17) "Electric assisted bicycle" means a bicycle with an electric motor that:

611 (a) has a power output of not more than 750 watts;

612 (b) has fully operable pedals on permanently affixed cranks;

613 (c) is fully operable as a bicycle without the use of the electric motor; and

614 (d) is one of the following:

615 (i) an electric assisted bicycle equipped with a motor or electronics that:  
616 (A) provides assistance only when the rider is pedaling; and  
617 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per  
618 hour;

619 (ii) an electric assisted bicycle equipped with a motor or electronics that:  
620 (A) may be used exclusively to propel the bicycle; and  
621 (B) is not capable of providing assistance when the bicycle reaches the speed of 20  
622 miles per hour; or

623 (iii) an electric assisted bicycle equipped with a motor or electronics that:  
624 (A) provides assistance only when the rider is pedaling;  
625 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per  
626 hour; and

627 (C) is equipped with a speedometer.

628 (18) (a) "Electric personal assistive mobility device" means a self-balancing device  
629 with:

630 (i) two nontandem wheels in contact with the ground;

631 (ii) a system capable of steering and stopping the unit under typical operating  
632 conditions;

633 (iii) an electric propulsion system with average power of one horsepower or 750 watts;

634 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and

635 (v) a deck design for a person to stand while operating the device.

636 (b) "Electric personal assistive mobility device" does not include a wheelchair.

637 (19) "Explosives" means any chemical compound or mechanical mixture commonly  
638 used or intended for the purpose of producing an explosion and that contains any oxidizing and  
639 combustive units or other ingredients in proportions, quantities, or packing so that an ignition  
640 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture  
641 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are  
642 capable of producing destructive effects on contiguous objects or of causing death or serious  
643 bodily injury.

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

646 (21) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,  
647 as determined by a tagliabue or equivalent closed-cup test device.

648 (22) "Freeway" means a controlled-access highway that is part of the interstate system  
649 as defined in Section [72-1-102](#).

650 (23) "Gore area" means the area delineated by two solid white lines that is between a  
651 continuing lane of a through roadway and a lane used to enter or exit the continuing lane  
652 including similar areas between merging or splitting highways.

653 (24) "Gross weight" means the weight of a vehicle without a load plus the weight of  
654 any load on the vehicle.

655 (25) "Highway" means the entire width between property lines of every way or place of  
656 any nature when any part of it is open to the use of the public as a matter of right for vehicular  
657 travel.

658 (26) "Highway authority" means the same as that term is defined in Section [72-1-102](#).

659 (27) (a) "Intersection" means the area embraced within the prolongation or connection  
660 of the lateral curblines, or, if none, then the lateral boundary lines of the roadways of two or  
661 more highways which join one another.

662 (b) Where a highway includes two roadways 30 feet or more apart:

663 (i) every crossing of each roadway of the divided highway by an intersecting highway  
664 is a separate intersection; and

665 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then  
666 every crossing of two roadways of the highways is a separate intersection.

667 (c) "Intersection" does not include the junction of an alley with a street or highway.

668 (28) "Island" means an area between traffic lanes or at an intersection for control of  
669 vehicle movements or for pedestrian refuge designated by:

670 (a) pavement markings, which may include an area designated by two solid yellow  
671 lines surrounding the perimeter of the area;

672 (b) channelizing devices;

673 (c) curbs;

674 (d) pavement edges; or

675 (e) other devices.

676 (29) "Law enforcement agency" means the same as that term is as defined in Section

677 53-1-102.

678 (30) "Limited access highway" means a highway:

679 (a) that is designated specifically for through traffic; and

680 (b) over, from, or to which neither owners nor occupants of abutting lands nor other  
681 persons have any right or easement, or have only a limited right or easement of access, light,  
682 air, or view.

683 (31) "Local highway authority" means the legislative, executive, or governing body of  
684 a county, municipal, or other local board or body having authority to enact laws relating to  
685 traffic under the constitution and laws of the state.

686 (32) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

687 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

688 (ii) has a capacity of not more than four passengers, including [~~the driver~~] a  
689 conventional driver or fallback-ready user if on board the vehicle, as those terms are defined in  
690 Section 41-26-102.1.

691 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

692 (33) "Metal tire" means a tire, the surface of which in contact with the highway is  
693 wholly or partly of metal or other hard nonresilient material.

694 (34) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or  
695 saddle that is less than 24 inches from the ground as measured on a level surface with properly  
696 inflated tires.

697 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

698 (c) "Mini-motorcycle" does not include a motorcycle that is:

699 (i) designed for off-highway use; and

700 (ii) registered as an off-highway vehicle under Section 41-22-3.

701 (35) "Mobile home" means:

702 (a) a trailer or semitrailer that is:

703 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping  
704 place either permanently or temporarily; and

705 (ii) equipped for use as a conveyance on streets and highways; or

706 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and

707 constructed for use as a mobile home, as defined in Subsection (35)(a), but that is instead used

708 permanently or temporarily for:

- 709 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 710 (ii) any other commercial purpose except the transportation of property for hire or the
- 711 transportation of property for distribution by a private carrier.

712 (36) (a) "Moped" means a motor-driven cycle having:

- 713 (i) pedals to permit propulsion by human power; and
- 714 (ii) a motor that:
  - 715 (A) produces not more than two brake horsepower; and
  - 716 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
  - 717 level ground.

718 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic

719 centimeters and the moped shall have a power drive system that functions directly or

720 automatically without clutching or shifting by the operator after the drive system is engaged.

721 (c) "Moped" includes a motor assisted scooter.

722 (d) "Moped" does not include an electric assisted bicycle.

723 (37) (a) "Motor assisted scooter" means a self-propelled device with:

- 724 (i) at least two wheels in contact with the ground;
- 725 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 726 (iii) a gas or electric motor not exceeding 40 cubic centimeters;
- 727 (iv) either:
  - 728 (A) a deck design for a person to stand while operating the device; or
  - 729 (B) a deck and seat designed for a person to sit, straddle, or stand while operating the
  - 730 device; and

731 (v) a design for the ability to be propelled by human power alone.

732 (b) "Motor assisted scooter" does not include an electric assisted bicycle.

733 (38) (a) "Motor vehicle" means a vehicle that is self-propelled and every vehicle which

734 is propelled by electric power obtained from overhead trolley wires, but not operated upon

735 rails.

736 (b) "Motor vehicle" does not include vehicles moved solely by human power,

737 motorized wheelchairs, an electric personal assistive mobility device, an electric assisted

738 bicycle, or a personal delivery device, as defined in Section [41-6a-1119](#).



739 (39) "Motorcycle" means:

740 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider  
741 and designed to travel with not more than three wheels in contact with the ground; or

742 (b) an autocycle.

743 (40) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped, motor  
744 assisted scooter, and every motorized bicycle having:

745 (i) an engine with less than 150 cubic centimeters displacement; or

746 (ii) a motor that produces not more than five horsepower.

747 (b) "Motor-driven cycle" does not include:

748 (i) an electric personal assistive mobility device; or

749 (ii) an electric assisted bicycle.

750 (41) "Off-highway implement of husbandry" means the same as that term is defined  
751 under Section [41-22-2](#).

752 (42) "Off-highway vehicle" means the same as that term is defined under Section  
753 [41-22-2](#).

754 (43) "Operate" means the same as that term is defined in Section [41-1a-102](#).

755 ~~[(43)]~~ (44) "Operator" means ~~[a person who is in actual physical control of a vehicle.];~~

756 (a) a human driver, as defined in Section [41-26-102.1](#), that operates a vehicle; or

757 (b) an automated driving system, as defined in Section [41-26-102.1](#), that operates a  
758 vehicle.

759 ~~[(44)]~~ (45) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle  
760 is occupied or not.

761 (b) "Park" or "parking" does not include:

762 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged  
763 in loading or unloading property or passengers[-]; or

764 (ii) a motor vehicle with an engaged automated driving system that has achieved a  
765 minimal risk condition, as those terms are defined in Section [41-26-102.1](#).

766 ~~[(45)]~~ (46) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,  
767 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of  
768 traffic laws.

769 ~~[(46)]~~ (47) "Pedestrian" means a person traveling:

770 (a) on foot; or

771 (b) in a wheelchair.

772 [~~(47)~~] (48) "Pedestrian traffic-control signal" means a traffic-control signal used to  
773 regulate pedestrians.

774 [~~(48)~~] (49) "Person" means ~~every~~ a natural person, firm, copartnership, association,  
775 ~~or~~ corporation, business trust, estate, trust, partnership, limited liability company, association,  
776 joint venture, governmental agency, public corporation, or any other legal or commercial entity.

777 [~~(49)~~] (50) "Pole trailer" means every vehicle without motive power:

778 (a) designed to be drawn by another vehicle and attached to the towing vehicle by  
779 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

780 (b) that is ordinarily used for transporting long or irregular shaped loads including  
781 poles, pipes, or structural members generally capable of sustaining themselves as beams  
782 between the supporting connections.

783 [~~(50)~~] (51) "Private road or driveway" means every way or place in private ownership  
784 and used for vehicular travel by the owner and those having express or implied permission  
785 from the owner, but not by other persons.

786 [~~(51)~~] (52) "Railroad" means a carrier of persons or property upon cars operated on  
787 stationary rails.

788 [~~(52)~~] (53) "Railroad sign or signal" means a sign, signal, or device erected by  
789 authority of a public body or official or by a railroad and intended to give notice of the presence  
790 of railroad tracks or the approach of a railroad train.

791 [~~(53)~~] (54) "Railroad train" means a locomotive propelled by any form of energy,  
792 coupled with or operated without cars, and operated upon rails.

793 [~~(54)~~] (55) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a  
794 lawful manner in preference to another vehicle or pedestrian approaching under circumstances  
795 of direction, speed, and proximity that give rise to danger of collision unless one grants  
796 precedence to the other.

797 [~~(55)~~] (56) (a) "Roadway" means that portion of highway improved, designed, or  
798 ordinarily used for vehicular travel.

799 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of  
800 them are used by persons riding bicycles or other human-powered vehicles.

801 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if  
802 a highway includes two or more separate roadways.

803 [~~(56)~~] (57) "Safety zone" means the area or space officially set apart within a roadway  
804 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate  
805 signs as to be plainly visible at all times while set apart as a safety zone.

806 [~~(57)~~] (58) (a) "School bus" means a motor vehicle that:

807 (i) complies with the color and identification requirements of the most recent edition of  
808 "Minimum Standards for School Buses"; and

809 (ii) is used to transport school children to or from school or school activities.

810 (b) "School bus" does not include a vehicle operated by a common carrier in  
811 transportation of school children to or from school or school activities.

812 [~~(58)~~] (59) (a) "Semitrailer" means a vehicle with or without motive power:

813 (i) designed for carrying persons or property and for being drawn by a motor vehicle;  
814 and

815 (ii) constructed so that some part of its weight and that of its load rests on or is carried  
816 by another vehicle.

817 (b) "Semitrailer" does not include a pole trailer.

818 [~~(59)~~] (60) "Shoulder area" means:

819 (a) that area of the hard-surfaced highway separated from the roadway by a pavement  
820 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";  
821 or

822 (b) that portion of the road contiguous to the roadway for accommodation of stopped  
823 vehicles, for emergency use, and for lateral support.

824 [~~(60)~~] (61) "Sidewalk" means that portion of a street between the curb lines, or the  
825 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

826 [~~(61)~~] (62) "Solid rubber tire" means a tire of rubber or other resilient material that  
827 does not depend on compressed air for the support of the load.

828 [~~(62)~~] (63) "Stand" or "standing" means the temporary halting of a vehicle, whether  
829 occupied or not, for the purpose of and while actually engaged in receiving or discharging  
830 passengers.

831 [~~(63)~~] (64) "Stop" when required means complete cessation from movement.

832           ~~[(64)]~~ (65) "Stop" or "stopping" when prohibited means any halting even momentarily  
833 of a vehicle, whether occupied or not, except when:

834           (a) necessary to avoid conflict with other traffic; or

835           (b) in compliance with the directions of a peace officer or traffic-control device.

836           ~~[(65)]~~ (66) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain  
837 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet  
838 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with  
839 Section 41-6a-1509.

840           ~~[(66)]~~ (67) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other  
841 conveyances either singly or together while using any highway for the purpose of travel.

842           ~~[(67)]~~ (68) "Traffic signal preemption device" means an instrument or mechanism  
843 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

844           ~~[(68)]~~ (69) "Traffic-control device" means a sign, signal, marking, or device not  
845 inconsistent with this chapter placed or erected by a highway authority for the purpose of  
846 regulating, warning, or guiding traffic.

847           ~~[(69)]~~ (70) "Traffic-control signal" means a device, whether manually, electrically, or  
848 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

849           ~~[(70)]~~ (71) (a) "Trailer" means a vehicle with or without motive power designed for  
850 carrying persons or property and for being drawn by a motor vehicle and constructed so that no  
851 part of its weight rests upon the towing vehicle.

852           (b) "Trailer" does not include a pole trailer.

853           ~~[(71)]~~ (72) "Truck" means a motor vehicle designed, used, or maintained primarily for  
854 the transportation of property.

855           ~~[(72)]~~ (73) "Truck tractor" means a motor vehicle:

856           (a) designed and used primarily for drawing other vehicles; and

857           (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck  
858 tractor.

859           ~~[(73)]~~ (74) "Two-way left turn lane" means a lane:

860           (a) provided for vehicle operators making left turns in either direction;

861           (b) that is not used for passing, overtaking, or through travel; and

862           (c) that has been indicated by a lane traffic-control device that may include lane

863 markings.

864 ~~[(74)]~~ (75) "Urban district" means the territory contiguous to and including any street,  
865 in which structures devoted to business, industry, or dwelling houses are situated at intervals of  
866 less than 100 feet, for a distance of a quarter of a mile or more.

867 ~~[(75)]~~ (76) "Vehicle" means a device in, on, or by which a person or property is or may  
868 be transported or drawn on a highway, except devices used exclusively on stationary rails or  
869 tracks.

870 Section 8. Section **41-6a-1641** is amended to read:

871 **41-6a-1641. Video display in motor vehicles prohibited if visible to driver --**

872 **Exceptions.**

873 (1) A motor vehicle may not be operated on a highway if the motor vehicle is equipped  
874 with a video display located so that the display is visible to the ~~[operator]~~ conventional driver  
875 of the vehicle as that term is defined in Section 41-26-102.1.

876 (2) This section does not prohibit the use of a video display used exclusively for:

877 (a) safety or law enforcement purposes if the use is approved by rule of the department  
878 under Section 41-6a-1601;

879 (b) motor vehicle navigation; ~~[or]~~

880 (c) monitoring of equipment and operating systems of the motor vehicle~~[-]~~; or

881 (d) operation of a vehicle in a connected platooning system.

882 (3) A violation of this section is an infraction.

883 Section 9. Section **41-26-102.1** is enacted to read:

884 **41-26-102.1. Definitions.**

885 (1) "ADS-dedicated vehicle" means a vehicle designed to be operated exclusively by a  
886 level four or five ADS for all trips within the given operational design domain limitations of  
887 the ADS, if any.

888 (2) (a) "Automated driving system" or "ADS" means the hardware and software that  
889 are collectively capable of performing the entire dynamic driving task on a sustained basis,  
890 regardless of whether the ADS is limited to a specific operational design domain, if any.

891 (b) "Automated driving system" or "ADS" is used specifically to describe a level three,  
892 four, or five driving automation system.

893 (3) "Commission" means the State Tax Commission as defined in Section 59-1-101.

894 (4) "Conventional driver" means a human driver who is onboard the motor vehicle and  
895 manually performs some or all of the following actions in order to operate a vehicle:

896 (a) braking;

897 (b) accelerating;

898 (c) steering; and

899 (d) transmission gear selection input devices.

900 (5) (a) "Dispatch" means to place an ADS-equipped vehicle into service in driverless  
901 operation by engaging the ADS.

902 (b) "Dispatch" includes software-enabled dispatch of multiple ADS-equipped motor  
903 vehicles in driverless operation that may complete multiple trips involving pick-up and  
904 drop-off of passengers or goods throughout a day or other pre-defined periods of service, and  
905 which may involve multiple agents performing various tasks related to the dispatch function.

906 (6) "Division" means the Motor Vehicle Division of the commission, created in  
907 Section [41-1a-106](#).

908 (7) "Driverless operation" means the operation of an ADS-equipped vehicle in which:

909 (a) no on-board user is present; or

910 (b) no on-board user is a human driver or fallback-ready user.

911 (8) "Driverless operation dispatcher" means a user who dispatches an ADS-equipped  
912 vehicle in driverless operation.

913 (9) "Driving automation system" means the hardware and software collectively capable  
914 of performing part or all of the dynamic driving task on a sustained basis.

915 (10) "Driving automation system feature" means a specific function of a driving  
916 automation system.

917 (11) (a) "Dynamic driving task" means all of the real-time operational and tactical  
918 functions required to operate a motor vehicle in on-road traffic, including:

919 (i) lateral vehicle motion control through steering;

920 (ii) longitudinal motion control through acceleration and deceleration;

921 (iii) monitoring the driving environment through object and event detection,  
922 recognition, classification, and response preparation;

923 (iv) object and event response execution;

924 (v) maneuver planning; and

925 (vi) enhancing conspicuity with lighting, signaling, and gesturing.

926 (b) "Dynamic driving task" does not include strategic functions such as trip scheduling  
927 and selection of destinations and waypoints.

928 (12) "Engage" as it pertains to the operation of a vehicle by a driving automation  
929 system means to cause a driving automation system feature to perform part or all of the  
930 dynamic driving task on a sustained basis.

931 (13) "External event" is a situation in the driving environment that necessitates a  
932 response by a human driver or driving automation system.

933 (14) "Fallback-ready user" means the user of a vehicle equipped with an engaged level  
934 three ADS who is:

935 (a) a human driver; and

936 (b) ready to operate the vehicle if:

937 (i) a system failure occurs; or

938 (ii) the ADS issues a request to intervene.

939 (15) (a) "Human driver" means a natural person:

940 (i) with a valid license to operate a motor vehicle of the proper class for the motor  
941 vehicle being operated; and

942 (ii) who performs in real-time all or part of the dynamic driving task.

943 (b) "Human driver" includes a:

944 (i) conventional driver; and

945 (ii) remote driver.

946 (16) "Level five automated driving system" or "level five ADS" means an ADS feature  
947 that has the capability to perform on a sustained basis the entire dynamic driving task under all  
948 conditions that can reasonably be managed by a human driver, as well as any maneuvers  
949 necessary to respond to a system failure, without any expectation that a human user will  
950 respond to a request to intervene.

951 (17) "Level four automated driving system" or "level four ADS" means an ADS feature  
952 that, without any expectation that a human user will respond to a request to intervene, has:

953 (a) the capability to perform on a sustained basis the entire dynamic driving task within  
954 its operational design domain; and

955 (b) the capability to perform any maneuvers necessary to achieve a minimal risk

956 condition in response to:

957 (i) an exit from the operational design domain of the ADS; or

958 (ii) a system failure.

959 (18) "Level three automated driving system" or "level three ADS" means an ADS

960 feature that:

961 (a) has the capability to perform on a sustained basis the entire dynamic driving task

962 within its operational design domain; and

963 (b) requires a fallback-ready user to operate the vehicle after receiving a request to

964 intervene or in response to a system failure.

965 (19) "Minimal risk condition" means a condition to which a user or an ADS may bring

966 a motor vehicle in order to reduce the risk of a crash when a given trip cannot or should not be

967 completed.

968 (20) "Object and event detection and response" means the subtasks of the dynamic

969 driving task that include:

970 (a) monitoring the driving environment; and

971 (b) executing an appropriate response in order to perform the dynamic driving task.

972 (21) "On-demand autonomous vehicle network" means a transportation service

973 network that uses a software application or other digital means to dispatch or otherwise enable

974 the prearrangement of transportation with motor vehicles that have a level four or five ADS in

975 driverless operation for purposes of transporting persons, including for-hire transportation and

976 transportation for compensation.

977 (22) "Operate" means the same as that term is defined in Section [41-1a-102](#).

978 (23) "Operational design domain" means the operating conditions under which a given

979 ADS or feature thereof is specifically designed to function, including:

980 (a) speed range, environmental, geographical, and time-of-day restrictions; or

981 (b) the requisite presence or absence of certain traffic or roadway characteristics.

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

983 (25) "Passenger" means a user on board a vehicle who has no role in the operation of

984 that vehicle.

985 (26) "Person" means the same as that term is defined in Section [41-6a-102](#).

986 (27) "Remote driver" means a human driver who is not located in a position to



987 manually exercise in-vehicle braking, accelerating, steering, or transmission gear selection  
988 input devices, but operates the vehicle.

989 (28) "Request to intervene" means the notification by an ADS to a fallback-ready user  
990 indicating that the fallback-ready user should promptly begin or resume operation of the  
991 vehicle.

992 (29) "Sustained operation of a motor vehicle" means the performance of part or all of  
993 the dynamic driving task both between and across external events, including response to  
994 external events and continued performance of part or all of the dynamic driving task in the  
995 absence of external events.

996 (30) "System failure" means a malfunction in a driving automation system or other  
997 vehicle system that prevents the ADS from reliably performing the portion of the dynamic  
998 driving task on a sustained basis, including the complete dynamic driving task, that the ADS  
999 would otherwise perform.

1000 (31) "User" means a:

1001 (a) human driver;

1002 (b) passenger;

1003 (c) fallback-ready user; or

1004 (d) driverless operation dispatcher.

1005 Section 10. Section **41-26-103** is enacted to read:

1006 **41-26-103. Operation of motor vehicles equipped with an automated driving**  
1007 **system.**

1008 (1) A motor vehicle equipped with a level three ADS may operate on a highway in this  
1009 state if:

1010 (a) the motor vehicle is operated, whether by the ADS or human driver, in compliance  
1011 with the applicable traffic and motor vehicle safety laws and regulations of this state, unless an  
1012 exemption has been granted;

1013 (b) when required by federal law, the motor vehicle:

1014 (i) has been certified as being in compliance with all applicable motor vehicle safety  
1015 standards; and

1016 (ii) bears the required certification label, including reference to any exemption granted  
1017 under federal law;

1018 (c) when operated by an ADS, if a system failure occurs that renders the ADS unable to  
1019 perform the entire dynamic driving task relevant to the intended operational design domain of  
1020 the ADS, the ADS will achieve a minimal risk condition or make a request to intervene; and

1021 (d) the motor vehicle is titled and registered in compliance with Section [41-26-107](#).

1022 (2) A motor vehicle equipped with a level four or level five ADS may operate in  
1023 driverless operation on a highway in this state if:

1024 (a) the ADS is capable of operating in compliance with applicable traffic and motor  
1025 vehicle laws and regulations of this state, unless an exemption has been granted;

1026 (b) when required by federal law, the motor vehicle:

1027 (i) has been certified as being in compliance with all applicable Federal Motor Vehicle  
1028 Safety Standards and regulations; and

1029 (ii) bears the required certification label including reference to any exemption granted  
1030 under federal law;

1031 (c) a system failure occurs that renders the ADS unable to perform the entire dynamic  
1032 driving task relevant to the intended operational design domain of the ADS, a minimal risk  
1033 condition will be achieved; and

1034 (d) the motor vehicle is titled and registered in compliance with Section [41-26-107](#).

1035 (3) A vehicle being operated by an ADS or a remote driver is not considered  
1036 unattended.

1037 (4) The division may revoke the registration and privilege for a vehicle equipped with  
1038 an ADS to operate on a highway of the state if the Department of Transportation or the  
1039 Department of Public Safety determines and notifies the division that:

1040 (a) the ADS is operating in an unsafe manner; or

1041 (b) the vehicle's ADS is being engaged in an unsafe manner.

1042 (5) Special mobile equipment, as defined in Section [41-1a-102](#), equipped with a level  
1043 three, four, or five ADS, may be moved or operated incidentally over a highway.

1044 (6) Nothing in this chapter prohibits or restricts a human driver from operating a  
1045 vehicle equipped with an ADS and equipped with controls that allow for the human driver to  
1046 perform all or part of the dynamic driving task.

1047 Section 11. Section **41-26-104** is enacted to read:

1048 **41-26-104. Licensing -- Responsibility for compliant operation of ADS-equipped**

1049 **vehicles.**

1050 For the purpose of assessing compliance with applicable traffic or motor vehicle laws:

1051 (1) (a) When an ADS is operating a motor vehicle, the ADS is the operator, and shall  
1052 satisfy electronically all physical acts required by a conventional driver in operation of the  
1053 vehicle.

1054 (b) The ADS is responsible for the compliant operation of the vehicle and is not  
1055 required to be licensed to operate the vehicle.

1056 (2) (a) If a vehicle with an engaged level three ADS issues a request to intervene, the  
1057 ADS is responsible for the compliant operation of the vehicle until disengagement of the ADS.

1058 (b) If a vehicle with an engaged level four or five ADS issues a request to intervene,  
1059 the ADS is responsible for the compliant operation of the vehicle until or unless a human user  
1060 begins to operate the vehicle.

1061 (3) The ADS is responsible for compliant operation of an ADS-dedicated vehicle.

1062 Section 12. Section **41-26-105** is enacted to read:

1063 **41-26-105. Duties following crashes involving motor vehicles equipped with an**  
1064 **automated driving system.**

1065 (1) In the event of a crash involving a vehicle with the ADS engaged:

1066 (a) the ADS-equipped vehicle shall remain on the scene of the crash when required to  
1067 do so under Section [41-6a-401](#), consistent with the vehicle's ability to achieve a minimal risk  
1068 condition as described in Section [41-26-103](#); and

1069 (b) the owner of the ADS-equipped vehicle, or a person on behalf of the vehicle owner,  
1070 shall report any crashes or collisions consistent with Chapter 6a, Part 4, Accident  
1071 Responsibilities.

1072 (2) If the owner or person on behalf of the owner is not on board the vehicle at the time  
1073 of the crash, the owner shall ensure that the following information is immediately  
1074 communicated or made available to the persons involved or to a peace officer upon request:

1075 (a) the contents of the vehicle's registration card; and

1076 (b) the name of the insurance provider for the vehicle, including the phone number of  
1077 the agent or provider.

1078 (3) The department may require that an accident report filed under Section [41-6a-402](#)  
1079 include:

1080 (a) whether a vehicle equipped with an ADS was involved in the accident; and  
1081 (b) whether the ADS was engaged at the time of the accident.

1082 Section 13. Section **41-26-106** is enacted to read:

1083 **41-26-106. On-demand autonomous vehicle network.**

1084 (1) Subject to Subsection (2), an on-demand autonomous vehicle network may only  
1085 operate pursuant to state laws governing the operation of ground transportation for-hire under  
1086 state law, including:

1087 (a) a transportation network company pursuant to Title 13, Chapter 51, Transportation  
1088 Network Company Registration Act;

1089 (b) a public transit district as defined in Section [17B-2a-802](#); or

1090 (c) a private passenger carrier as defined in Section [53-3-102](#).

1091 (2) Any provision of state law described in Subsection (1) that reasonably applies only  
1092 to a human driver, including Subsection [13-51-105\(5\)\(b\)](#), shall not apply to the operation of a  
1093 vehicle by an engaged level four or five ADS that is part of an on-demand autonomous vehicle  
1094 network.

1095 Section 14. Section **41-26-107** is enacted to read:

1096 **41-26-107. Registration, title, and insurance of motor vehicles equipped with an**  
1097 **automated driving system.**

1098 (1) If the owner of a vehicle equipped with an ADS is a resident of this state, the owner  
1099 shall properly register the vehicle in accordance with Title 41, Chapter 1a, Part 2, Registration.

1100 (2) If the owner of a vehicle equipped with an ADS is a resident of this state, the owner  
1101 shall properly title the vehicle in accordance with Title 41, Chapter 1a, Part 5, Titling  
1102 Requirement.

1103 (3) Before an ADS may operate a vehicle on a highway in this state, the owner of the  
1104 vehicle shall ensure that the vehicle complies with Title 41, Chapter 12a, Financial  
1105 Responsibility of Motor Vehicle Owners and Operators Act.

1106 Section 15. Section **41-26-108** is enacted to read:

1107 **41-26-108. Controlling authority.**

1108 No local agency, political subdivision, or other entity may prohibit the operation of a  
1109 vehicle equipped with a driving automation system, an ADS, or an on-demand autonomous  
1110 vehicle network, or otherwise enact or keep in force a rule or ordinance that would impose a

1111 tax, fee, performance standard, or other requirement specific to the operation of a vehicle  
1112 equipped with a driving automation system, an ADS, or an on-demand autonomous vehicle  
1113 network in addition to the requirements of this title.

1114 Section 16. Section **53-3-102** is amended to read:

1115 **53-3-102. Definitions.**

1116 As used in this chapter:

1117 (1) "Autocycle" means a motor vehicle that:

1118 (a) is designed to travel with three or fewer wheels in contact with the ground;

1119 (b) is equipped with a steering wheel; and

1120 (c) is equipped with seating that does not require the operator to straddle or sit astride  
1121 the vehicle.

1122 (2) "Cancellation" means the termination by the division of a license issued through  
1123 error or fraud or for which consent under Section 53-3-211 has been withdrawn.

1124 (3) "Class D license" means the class of license issued to drive motor vehicles not  
1125 defined as commercial motor vehicles or motorcycles under this chapter.

1126 (4) "Commercial driver instruction permit" or "CDIP" means a commercial learner  
1127 permit:

1128 (a) issued under Section 53-3-408; or

1129 (b) issued by a state or other jurisdiction of domicile in compliance with the standards  
1130 contained in 49 C.F.R. Part 383.

1131 (5) "Commercial driver license" or "CDL" means a license:

1132 (a) issued substantially in accordance with the requirements of Title XII, Pub. L.  
1133 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,  
1134 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of  
1135 commercial motor vehicle; and

1136 (b) that was obtained by providing evidence of lawful presence in the United States  
1137 with one of the document requirements described in Subsection 53-3-410(1)(i)(i).

1138 (6) (a) "Commercial driver license motor vehicle record" or "CDL MVR" means a  
1139 driving record that:

1140 (i) applies to a person who holds or is required to hold a commercial driver instruction  
1141 permit or a CDL license; and

1142 (ii) contains the following:

1143 (A) information contained in the driver history, including convictions, pleas held in  
1144 abeyance, disqualifications, and other licensing actions for violations of any state or local law  
1145 relating to motor vehicle traffic control, committed in any type of vehicle;

1146 (B) driver self-certification status information under Section 53-3-410.1; and

1147 (C) information from medical certification record keeping in accordance with 49  
1148 C.F.R. Sec. 383.73(o).

1149 (b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a  
1150 motor vehicle record described in Subsection [~~(30)~~] (29).

1151 (7) (a) "Commercial motor vehicle" means a motor vehicle or combination of motor  
1152 vehicles designed or used to transport passengers or property if the motor vehicle:

1153 (i) has a gross vehicle weight rating of 26,001 or more pounds or a lesser rating as  
1154 determined by federal regulation;

1155 (ii) is designed to transport 16 or more passengers, including the driver; or

1156 (iii) is transporting hazardous materials and is required to be placarded in accordance  
1157 with 49 C.F.R. Part 172, Subpart F.

1158 (b) The following vehicles are not considered a commercial motor vehicle for purposes  
1159 of Part 4, Uniform Commercial Driver License Act:

1160 (i) equipment owned and operated by the United States Department of Defense when  
1161 driven by any active duty military personnel and members of the reserves and national guard on  
1162 active duty including personnel on full-time national guard duty, personnel on part-time  
1163 training, and national guard military technicians and civilians who are required to wear military  
1164 uniforms and are subject to the code of military justice;

1165 (ii) vehicles controlled and driven by a farmer to transport agricultural products, farm  
1166 machinery, or farm supplies to or from a farm within 150 miles of his farm but not in operation  
1167 as a motor carrier for hire;

1168 (iii) firefighting and emergency vehicles;

1169 (iv) recreational vehicles that are not used in commerce and are driven solely as family  
1170 or personal conveyances for recreational purposes; and

1171 (v) vehicles used to provide transportation network services, as defined in Section  
1172 13-51-102.

- 1173 (8) "Conviction" means any of the following:
- 1174 (a) an unvacated adjudication of guilt or a determination that a person has violated or  
1175 failed to comply with the law in a court of original jurisdiction or an administrative proceeding;
- 1176 (b) an unvacated forfeiture of bail or collateral deposited to secure a person's  
1177 appearance in court;
- 1178 (c) a plea of guilty or nolo contendere accepted by the court;
- 1179 (d) the payment of a fine or court costs; or
- 1180 (e) violation of a condition of release without bail, regardless of whether the penalty is  
1181 rebated, suspended, or probated.
- 1182 (9) "Denial" or "denied" means the withdrawal of a driving privilege by the division to  
1183 which the provisions of Title 41, Chapter 12a, Part 4, Proof of Owner's or Operator's Security,  
1184 do not apply.
- 1185 (10) "Director" means the division director appointed under Section [53-3-103](#).
- 1186 (11) "Disqualification" means either:
- 1187 (a) the suspension, revocation, cancellation, denial, or any other withdrawal by a state  
1188 of a person's privileges to drive a commercial motor vehicle;
- 1189 (b) a determination by the Federal Highway Administration, under 49 C.F.R. Part 386,  
1190 that a person is no longer qualified to drive a commercial motor vehicle under 49 C.F.R. Part  
1191 391; or
- 1192 (c) the loss of qualification that automatically follows conviction of an offense listed in  
1193 49 C.F.R. Part 383.51.
- 1194 (12) "Division" means the Driver License Division of the department created in  
1195 Section [53-3-103](#).
- 1196 (13) "Downgrade" means to obtain a lower license class than what was originally  
1197 issued during an existing license cycle.
- 1198 (14) "Drive" means:
- 1199 (a) to operate or be in physical control of a motor vehicle upon a highway; and
- 1200 (b) in Subsections [53-3-414](#)(1) through (3), Subsection [53-3-414](#)(5), and Sections  
1201 [53-3-417](#) and [53-3-418](#), the operation or physical control of a motor vehicle at any place within  
1202 the state.
- 1203 (15) (a) "Driver" means ~~[any person]~~ an individual who drives, or is in actual physical

1204 control of a motor vehicle in any location open to the general public for purposes of vehicular  
1205 traffic.

1206 (b) In Part 4, Uniform Commercial Driver License Act, "driver" includes any person  
1207 who is required to hold a CDL under Part 4, Uniform Commercial Driver License Act, or  
1208 federal law.

1209 (16) "Driving privilege card" means the evidence of the privilege granted and issued  
1210 under this chapter to drive a motor vehicle to a person whose privilege was obtained without  
1211 providing evidence of lawful presence in the United States.

1212 (17) "Extension" means a renewal completed in a manner specified by the division.

1213 (18) "Farm tractor" means every motor vehicle designed and used primarily as a farm  
1214 implement for drawing plows, mowing machines, and other implements of husbandry.

1215 (19) "Highway" means the entire width between property lines of every way or place of  
1216 any nature when any part of it is open to the use of the public, as a matter of right, for traffic.

1217 (20) "Human driver" means the same as that term is defined in Section [41-26-102.1](#).

1218 [~~(20)~~] (21) "Identification card" means a card issued under Part 8, Identification Card  
1219 Act, to a person for identification purposes.

1220 [~~(21)~~] (22) "Indigent" means that a person's income falls below the federal poverty  
1221 guideline issued annually by the U.S. Department of Health and Human Services in the Federal  
1222 Register.

1223 [~~(22)~~] (23) "License" means the privilege to drive a motor vehicle.

1224 [~~(23)~~] (24) (a) "License certificate" means the evidence of the privilege issued under  
1225 this chapter to drive a motor vehicle.

1226 (b) "License certificate" evidence includes a:

1227 (i) regular license certificate;

1228 (ii) limited-term license certificate;

1229 (iii) driving privilege card;

1230 (iv) CDL license certificate;

1231 (v) limited-term CDL license certificate;

1232 (vi) temporary regular license certificate; and

1233 (vii) temporary limited-term license certificate.

1234 [~~(24)~~] (25) "Limited-term commercial driver license" or "limited-term CDL" means a



1235 license:

1236 (a) issued substantially in accordance with the requirements of Title XII, Pub. L. No.  
1237 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,  
1238 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of  
1239 commercial motor vehicle; and

1240 (b) that was obtained by providing evidence of lawful presence in the United States  
1241 with one of the document requirements described in Subsection [53-3-410\(1\)\(i\)\(ii\)](#).

1242 ~~[(25)]~~ (26) "Limited-term identification card" means an identification card issued under  
1243 this chapter to a person whose card was obtained by providing evidence of lawful presence in  
1244 the United States with one of the document requirements described in Subsection  
1245 [53-3-804\(2\)\(i\)\(ii\)](#).

1246 ~~[(26)]~~ (27) "Limited-term license certificate" means the evidence of the privilege  
1247 granted and issued under this chapter to drive a motor vehicle to a person whose privilege was  
1248 obtained providing evidence of lawful presence in the United States with one of the document  
1249 requirements described in Subsection [53-3-205\(8\)\(a\)\(ii\)\(B\)](#).

1250 ~~[(27) "Motorboat" means the same as that term is defined in Section [73-18-2](#).]~~

1251 ~~[(28) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or  
1252 saddle for the use of the rider and designed to travel with not more than three wheels in contact  
1253 with the ground.]~~

1254 ~~[(29) "Motor vehicle" means the same as that term is defined in Section [41-1a-102](#).]~~

1255 ~~[(30) "Motor vehicle record" or "MVR" means a driving record under Subsection  
1256 [53-3-109\(6\)\(a\)](#).]~~

1257 (28) "Motor vehicle" means the same as that term is defined in Section [41-1a-102](#).

1258 (29) "Motor vehicle record" or "MVR" means a driving record under Subsection  
1259 [53-3-109\(6\)\(a\)](#).

1260 (30) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

1261 (31) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or  
1262 saddle for the use of the rider and designed to travel with not more than three wheels in contact  
1263 with the ground.

1264 ~~[(31)]~~ (32) "Office of Recovery Services" means the Office of Recovery Services,  
1265 created in Section [62A-11-102](#).

1266            (33) "Operate" means the same as that term is defined in Section [41-1a-102](#).

1267            [~~(32)~~] (34) (a) "Owner" means a person other than a lien holder having an interest in  
1268 the property or title to a vehicle.

1269            (b) "Owner" includes a person entitled to the use and possession of a vehicle subject to  
1270 a security interest in another person but excludes a lessee under a lease not intended as security.

1271            [~~(33)~~] (35) (a) "Private passenger carrier" means any motor vehicle for hire that is:  
1272            (i) designed to transport 15 or fewer passengers, including the driver; and  
1273            (ii) operated to transport an employee of the person that hires the motor vehicle.

1274            (b) "Private passenger carrier" does not include:  
1275            (i) a taxicab;  
1276            (ii) a motor vehicle driven by a transportation network driver as defined in Section  
1277 [13-51-102](#);

1278            (iii) a motor vehicle driven for transportation network services as defined in Section  
1279 [13-51-102](#); and

1280            (iv) a motor vehicle driven for a transportation network company as defined in Section  
1281 [13-51-102](#) and registered with the Division of Consumer Protection as described in Section  
1282 [13-51-104](#).

1283            [~~(34)~~] (36) "Regular identification card" means an identification card issued under this  
1284 chapter to a person whose card was obtained by providing evidence of lawful presence in the  
1285 United States with one of the document requirements described in Subsection [53-3-804\(2\)\(i\)\(i\)](#).

1286            [~~(35)~~] (37) "Regular license certificate" means the evidence of the privilege issued  
1287 under this chapter to drive a motor vehicle whose privilege was obtained by providing evidence  
1288 of lawful presence in the United States with one of the document requirements described in  
1289 Subsection [53-3-205\(8\)\(a\)\(ii\)\(A\)](#).

1290            [~~(36)~~] (38) "Renewal" means to validate a license certificate so that it expires at a later  
1291 date.

1292            [~~(37)~~] (39) "Reportable violation" means an offense required to be reported to the  
1293 division as determined by the division and includes those offenses against which points are  
1294 assessed under Section [53-3-221](#).

1295            [~~(38)~~] (40) (a) "Resident" means an individual who:  
1296            (i) has established a domicile in this state, as defined in Section [41-1a-202](#), or

1297 regardless of domicile, remains in this state for an aggregate period of six months or more  
1298 during any calendar year;

1299 (ii) engages in a trade, profession, or occupation in this state, or who accepts  
1300 employment in other than seasonal work in this state, and who does not commute into the state;

1301 (iii) declares himself to be a resident of this state by obtaining a valid Utah driver  
1302 license certificate or motor vehicle registration; or

1303 (iv) declares himself a resident of this state to obtain privileges not ordinarily extended  
1304 to nonresidents, including going to school, or placing children in school without paying  
1305 nonresident tuition or fees.

1306 (b) "Resident" does not include any of the following:

1307 (i) a member of the military, temporarily stationed in this state;

1308 (ii) an out-of-state student, as classified by an institution of higher education,  
1309 regardless of whether the student engages in any type of employment in this state;

1310 (iii) a person domiciled in another state or country, who is temporarily assigned in this  
1311 state, assigned by or representing an employer, religious or private organization, or a  
1312 governmental entity; or

1313 (iv) an immediate family member who resides with or a household member of a person  
1314 listed in Subsections [~~(38)~~] (40)(b)(i) through (iii).

1315 [~~(39)~~] (41) "Revocation" means the termination by action of the division of a licensee's  
1316 privilege to drive a motor vehicle.

1317 [~~(40)~~] (42) (a) "School bus" means a commercial motor vehicle used to transport  
1318 pre-primary, primary, or secondary school students to and from home and school, or to and  
1319 from school sponsored events.

1320 (b) "School bus" does not include a bus used as a common carrier as defined in Section  
1321 59-12-102.

1322 [~~(41)~~] (43) "Suspension" means the temporary withdrawal by action of the division of a  
1323 licensee's privilege to drive a motor vehicle.

1324 [~~(42)~~] (44) "Taxicab" means any class D motor vehicle transporting any number of  
1325 passengers for hire and that is subject to state or federal regulation as a taxi.

1326 Section 17. Section 53-3-104 is amended to read:

1327 **53-3-104. Division duties.**

1328 The division shall:

1329 (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1330 make rules:

1331 (a) for examining applicants for a license, as necessary for the safety and welfare of the  
1332 traveling public;

1333 (b) for acceptable documentation of an applicant's identity, Social Security number,  
1334 Utah resident status, Utah residence address, proof of legal presence, proof of citizenship in the  
1335 United States, honorable or general discharge from the United States military, and other proof  
1336 or documentation required under this chapter;

1337 (c) regarding the restrictions to be imposed on [~~a person~~] an individual driving a motor  
1338 vehicle with a temporary learner permit or learner permit;

1339 (d) for exemptions from licensing requirements as authorized in this chapter;

1340 (e) establishing procedures for the storage and maintenance of applicant information  
1341 provided in accordance with Section [53-3-205](#), [53-3-410](#), or [53-3-804](#); and

1342 (f) to provide educational information to each applicant for a license, which  
1343 information shall be based on data provided by the Division of Air Quality, including:

1344 (i) ways drivers can improve air quality; and

1345 (ii) the harmful effects of vehicle emissions;

1346 (2) examine each applicant according to the class of license applied for;

1347 (3) license motor vehicle drivers;

1348 (4) file every application for a license received by [~~it~~] the division and shall maintain  
1349 indices containing:

1350 (a) all applications denied and the reason each was denied;

1351 (b) all applications granted; and

1352 (c) the name of every licensee whose license has been suspended, disqualified, or  
1353 revoked by the division and the reasons for the action;

1354 (5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with  
1355 this chapter;

1356 (6) file all accident reports and abstracts of court records of convictions received by [~~it~~]  
1357 the division under state law;

1358 (7) maintain a record of each licensee showing the licensee's convictions and the traffic

1359 accidents in which the licensee has been involved where a conviction has resulted;  
1360 (8) consider the record of a licensee upon an application for renewal of a license and at  
1361 other appropriate times;  
1362 (9) search the license files, compile, and furnish a report on the driving record of any  
1363 ~~[person]~~ individual licensed in the state in accordance with Section 53-3-109;  
1364 (10) develop and implement a record system as required by Section 41-6a-604;  
1365 (11) in accordance with Section 53G-10-507, establish:  
1366 (a) procedures and standards to certify teachers of driver education classes to  
1367 administer knowledge and skills tests;  
1368 (b) minimal standards for the tests; and  
1369 (c) procedures to enable school districts to administer or process any tests for students  
1370 to receive a class D operator's license;  
1371 (12) in accordance with Section 53-3-510, establish:  
1372 (a) procedures and standards to certify licensed instructors of commercial driver  
1373 training school courses to administer the skills test;  
1374 (b) minimal standards for the test; and  
1375 (c) procedures to enable licensed commercial driver training schools to administer or  
1376 process skills tests for students to receive a class D operator's license;  
1377 (13) provide administrative support to the Driver License Medical Advisory Board  
1378 created in Section 53-3-303;  
1379 (14) upon request by the lieutenant governor, provide the lieutenant governor with a  
1380 digital copy of the driver license or identification card signature of ~~[a person]~~ an individual  
1381 who is an applicant for voter registration under Section 20A-2-206; and  
1382 (15) in accordance with Section 53-3-407.1, establish:  
1383 (a) procedures and standards to license a commercial driver license third party tester or  
1384 commercial driver license third party examiner to administer the commercial driver license  
1385 skills tests;  
1386 (b) minimum standards for the commercial driver license skills test; and  
1387 (c) procedures to enable a licensed commercial driver license third party tester or  
1388 commercial driver license third party examiner to administer a commercial driver license skills  
1389 test for an applicant to receive a commercial driver license.

1390 Section 18. Section **53-3-202** is amended to read:

1391 **53-3-202. Drivers must be licensed -- Violation.**

1392 (1) A ~~[person]~~ human driver may not drive a motor vehicle or an autocycle on a  
1393 highway in this state unless the ~~[person]~~ human driver is:

1394 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the  
1395 division under this chapter;

1396 (b) driving an official United States Government class D motor vehicle with a valid  
1397 United States Government driver permit or license for that type of vehicle;

1398 (c) (i) driving a road roller, road machinery, or any farm tractor or implement of  
1399 husbandry temporarily drawn, moved, or propelled on the highways; and

1400 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a  
1401 construction or agricultural activity;

1402 (d) a nonresident who is at least 16 years of age and younger than 18 years of age who  
1403 has in the nonresident's immediate possession a valid license certificate issued to the  
1404 nonresident in the nonresident's home state or country and is driving in the class or classes  
1405 identified on the home state license certificate, except those persons referred to in Part 6,  
1406 Drivers' License Compact, of this chapter;

1407 (e) a nonresident who is at least 18 years of age and who has in the nonresident's  
1408 immediate possession a valid license certificate issued to the nonresident in the nonresident's  
1409 home state or country if driving in the class or classes identified on the home state license  
1410 certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;

1411 (f) driving under a learner permit in accordance with Section [53-3-210.5](#);

1412 (g) driving with a temporary license certificate issued in accordance with Section  
1413 [53-3-207](#); or

1414 (h) exempt under Title 41, Chapter 22, Off-Highway Vehicles.

1415 ~~[(2) A person may not drive or, while within the passenger compartment of a motor  
1416 vehicle, exercise any degree or form of physical control of a motor vehicle being towed by a  
1417 motor vehicle upon a highway unless the person:]~~

1418 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal  
1419 vehicle motion control for a vehicle being towed by another motor vehicle upon a highway  
1420 unless the human driver:

1421 (a) ~~[holds a valid license issued under this chapter for]~~ is licensed under this chapter to  
1422 drive a motor vehicle of the type or class of motor vehicle being towed; or

1423 (b) is exempted under either Subsection (1)(b) or (1)(c).

1424 (3) (a) A ~~[person]~~ human driver may not drive a motor vehicle as a taxicab on a  
1425 highway of this state unless the person has a valid class D driver license issued by the division.

1426 (b) A ~~[person]~~ human driver may not drive a motor vehicle as a private passenger  
1427 carrier on a highway of this state unless the ~~[person]~~ human driver has:

1428 (i) a taxicab endorsement issued by the division on the ~~[person's]~~ human driver's  
1429 license certificate; or

1430 (ii) a commercial driver license with:

1431 (A) a taxicab endorsement;

1432 (B) a passenger endorsement; or

1433 (C) a school bus endorsement.

1434 (c) Nothing in Subsection (3)(b) is intended to exempt a ~~[person]~~ human driver driving  
1435 a motor vehicle as a private passenger carrier from regulation under other statutory and  
1436 regulatory schemes, including:

1437 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

1438 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor  
1439 Commission in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
1440 and

1441 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor  
1442 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
1443 Act.

1444 (4) (a) Except as provided in Subsections (4)(b), (c), (d), and (e), a ~~[person]~~ human  
1445 driver may not operate:

1446 (i) a motorcycle unless the ~~[person]~~ human driver has a valid class D driver license and  
1447 a motorcycle endorsement issued under this chapter;

1448 (ii) a street legal all-terrain vehicle unless the ~~[person]~~ human driver has a valid class D  
1449 driver license; or

1450 (iii) a motor-driven cycle unless the ~~[person]~~ human driver has a valid class D driver  
1451 license and a motorcycle endorsement issued under this chapter.

1452 (b) A ~~[person]~~ human driver operating a moped, as defined in Section [41-6a-102](#), is not  
1453 required to have a motorcycle endorsement issued under this chapter.

1454 (c) ~~[A person]~~ An individual operating an electric assisted bicycle, as defined in  
1455 Section [41-6a-102](#), is not required to have a valid class D driver license or a motorcycle  
1456 endorsement issued under this chapter.

1457 (d) ~~[A person]~~ An individual is not required to have a valid class D driver license if the  
1458 person is:

1459 (i) operating a motor assisted scooter, as defined in Section [41-6a-102](#), in accordance  
1460 with Section [41-6a-1115](#); or

1461 (ii) operating an electric personal assistive mobility device, as defined in Section  
1462 [41-6a-102](#), in accordance with Section [41-6a-1116](#).

1463 (e) A ~~[person]~~ human driver operating an autocycle is not required to have a  
1464 motorcycle endorsement issued under this chapter.

1465 (5) An automated driving system as defined in Section [41-26-102.1](#) is not required to  
1466 have a driver license.

1467 ~~[(5)]~~ (6) A person who violates this section is guilty of an infraction.

1468 Section 19. **Repealer.**

1469 This bill repeals:

1470 Section [41-26-102](#), **Autonomous motor vehicle study.**