

Paul A. Cutler proposes the following substitute bill:

Electric Mobility Device Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul A. Cutler

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill amends provisions regarding electric assisted bicycles and other devices.

Highlighted Provisions:

This bill:

- defines terms;
- clarifies that the definition of motorcycle includes a motorcycle being powered by an electric or combustion engine;
- makes it unlawful to consume alcohol while operating an electric assisted bicycle;
- addresses tampering with or modifying equipment beyond the manufacturer's original settings on an electric assisted bicycle or motorcycle;
- requires an individual under 21 years old to wear a helmet while operating certain devices on a highway;
- allows a peace officer to hold an individual's electric vehicle and release it to a parent if the peace officer observes a violation and the individual is under 18 years old;
- creates a safety course for the operation of certain electric devices on a highway and describes the circumstances under which the course is required; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

13-20-2 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 234

13-35-102 (Effective 05/06/26), as last amended by Laws of Utah 2024, Chapter 507

29 **41-1a-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 285
 30 **41-6a-102 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws
 31 of Utah 2025, Chapters 220, 471
 32 **41-6a-526 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 84
 33 **41-6a-706.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 84
 34 **41-6a-1115 (Effective 05/05/27)**, as last amended by Laws of Utah 2019, Chapter 428
 35 **41-6a-1115.5 (Effective 05/05/27)**, as last amended by Laws of Utah 2024, Chapter 445
 36 **41-6a-1116 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 452
 37 **41-6a-1501 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412
 38 **41-6a-1502 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 74
 39 **41-6a-1503 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412
 40 **41-6a-1504 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412
 41 **41-6a-1505 (Effective 05/06/26)**, as last amended by Laws of Utah 2017, Chapter 369
 42 **41-6a-1506 (Effective 05/06/26)**, as last amended by Laws of Utah 2016, Chapter 40
 43 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws of
 44 Utah 2025, Chapter 285
 45 **41-22-3.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 279
 46 **53-3-202 (Effective 05/05/27)**, as last amended by Laws of Utah 2025, Chapter 229
 47 **63I-1-241 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 277
 48 **79-7-301 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 280

49 ENACTS:

50 **41-6a-1115.6 (Effective 05/06/26)**, Utah Code Annotated 1953
 51 **41-6a-1511 (Effective 05/06/26)**, Utah Code Annotated 1953
 52 **41-6a-1512 (Effective 05/05/27)**, Utah Code Annotated 1953
 53 **41-6a-1513 (Effective 05/06/26)**, Utah Code Annotated 1953

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

56 Section 1. Section **13-20-2** is amended to read:

57 **13-20-2 (Effective 05/06/26). Definitions.**

58 As used in this chapter:

- 59 (1) "Consumer" means an individual who enters into an agreement or contract for the
 60 transfer, lease, purchase of a new motor vehicle other than for purposes of resale, or
 61 sublease during the duration of the period defined under Section 13-20-5.
 62 (2) "Manufacturer" means manufacturer, importer, distributor, or anyone who is named as

- 63 the warrantor on an express written warranty on a motor vehicle.
- 64 (3) "Motor home" means a self-propelled vehicular unit, primarily designed as a temporary
65 dwelling for travel, recreational, and vacation use.
- 66 (4)(a) "Motor vehicle" includes:
- 67 (i) a motor home, as defined in this section, but only the self-propelled vehicle and
68 chassis sold in this state;
 - 69 (ii) a motor vehicle, as defined in Section 41-1a-102, sold in this state; and
 - 70 (iii) a motorcycle, as defined in Section 41-1a-102, sold in this state if the motorcycle
71 is designed primarily for use and operation on paved highways.
- 72 (b) "Motor vehicle" does not include:
- 73 (i) those portions of a motor home designated, used, or maintained primarily as a
74 mobile dwelling, office, or commercial space;
 - 75 (ii) a road tractor or truck tractor as defined in Section 41-1a-102;
 - 76 (iii) a mobile home as defined in Section 41-1a-102;
 - 77 (iv) any motor vehicle with a gross laden weight of over 14,000 pounds, except:
78 (A) a motor home as defined under Subsection (3); and
79 (B) a farm tractor as defined in Section 41-1a-102;
 - 80 (v) a motorcycle, as defined in Section 41-1a-102, if the motorcycle is designed
81 primarily for use or operation over unimproved terrain;
 - 82 (vi) an electric assisted bicycle as defined in Section 41-6a-102;
 - 83 (vii) a moped as defined in Section 41-6a-102; or
 - 84 (viii) a motor assisted scooter as defined in Section 41-6a-102[; or] .
85 [~~(ix) a motor-driven cycle as defined in Section 41-6a-102.~~]
- 86 (5) "Recreational vehicle trailer" means a travel trailer, camping trailer, or fifth wheel
87 trailer.

88 Section 2. Section **13-35-102** is amended to read:

89 **13-35-102 (Effective 05/06/26). Definitions.**

90 As used in this chapter:

- 91 (1) "Dealership" means a site or location in this state:
- 92 (a) at which a franchisee conducts the business of a new powersport vehicle dealer; and
 - 93 (b) that is identified as a new powersport vehicle dealer's principal place of business for
94 registration purposes under Section 13-35-105.
- 95 (2) "Department" means the Department of Commerce.
- 96 (3) "Executive director" means the executive director of the Department of Commerce.

- 97 (4) "Franchise" or "franchise agreement" means a written agreement, for a definite or
98 indefinite period, in which:
- 99 (a) a person grants to another person a license to use a trade name, trademark, service
100 mark, or related characteristic; and
- 101 (b) a community of interest exists in the marketing of new powersport vehicles, new
102 powersport vehicle parts, and services related to the sale or lease of new powersport
103 vehicles at wholesale or retail.
- 104 (5) "Franchisee" means a person with whom a franchisor has agreed or permitted, in writing
105 or in practice, to purchase, sell, or offer for sale new powersport vehicles manufactured,
106 produced, represented, or distributed by the franchisor.
- 107 (6)(a) "Franchisor" means a person who has, in writing or in practice, agreed with or
108 permits a franchisee to purchase, sell, or offer for sale new powersport vehicles
109 manufactured, produced, represented, or distributed by the franchisor, and includes:
- 110 (i) the manufacturer or distributor of the new powersport vehicles;
- 111 (ii) an intermediate distributor;
- 112 (iii) an agent, officer, or field or area representative of the franchisor; and
- 113 (iv) a person who is affiliated with a manufacturer or a representative or who directly
114 or indirectly through an intermediary is controlled by, or is under common control
115 with the manufacturer.
- 116 (b) For purposes of Subsection (6)(a)(iv), a person is controlled by a manufacturer if the
117 manufacturer has the authority directly or indirectly by law or by an agreement of the
118 parties, to direct or influence the management and policies of the person.
- 119 (7) "Lead" means the referral by a franchisor to a franchisee of an actual or potential
120 customer for the purchase or lease of a new powersport vehicle, or for service work
121 related to the franchisor's vehicles.
- 122 (8) "Line-make" means the powersport vehicles that are offered for sale, lease, or
123 distribution under a common name, trademark, service mark, or brand name of the
124 franchisor, or manufacturer of the powersport vehicle.
- 125 (9) "New powersport vehicle dealer" means a person who is engaged in the business of
126 buying, selling, offering for sale, or exchanging new powersport vehicles either outright
127 or on conditional sale, bailment, lease, chattel mortgage, or otherwise who has
128 established a place of business for the sale, lease, trade, or display of powersport
129 vehicles.
- 130 (10) "Notice" or "notify" includes both traditional written communications and all reliable

- 131 forms of electronic communication unless expressly prohibited by statute or rule.
- 132 (11)(a) "Powersport vehicle" means:
- 133 (i) an all-terrain type I, type II, or type III vehicle "ATV" defined in Section 41-22-2;
- 134 (ii) a snowmobile as defined in Section 41-22-2;
- 135 (iii) a motorcycle as defined in Section 41-1a-102;
- 136 (iv) a personal watercraft as defined in Section 73-18-2; or
- 137 [~~(v) except as provided in Subsection (11)(b), a motor-driven cycle as defined in~~
- 138 ~~Section 41-6a-102; or]~~
- 139 [(~~v~~)] (v) a moped as defined in Section 41-6a-102.
- 140 (b) "Powersport vehicle" does not include:
- 141 (i) an electric assisted bicycle defined in Section 41-6a-102;
- 142 (ii) a motor assisted scooter as defined in Section 41-6a-102; or
- 143 (iii) an electric personal assistive mobility device as defined in Section 41-6a-102.
- 144 (12) "Relevant market area" means:
- 145 (a) for a powersport dealership in a county that has a population of less than 225,000:
- 146 (i) the county in which the powersport dealership exists or is to be established or
- 147 relocated; and
- 148 (ii) in addition to the county described in Subsection (12)(a)(i), the area within a
- 149 15-mile radius from the site of the existing, new, or relocated dealership; or
- 150 (b) for a powersport dealership in a county that has a population of 225,000 or more, the
- 151 area within a 10-mile radius from the site of the existing, new, or relocated dealership.
- 152 (13) "Sale, transfer, or assignment" means any disposition of a franchise or an interest in a
- 153 franchise, with or without consideration, including a bequest, inheritance, gift, exchange,
- 154 lease, or license.
- 155 (14) "Serve" or "served," unless expressly indicated otherwise by statute or rule, includes
- 156 any reliable form of communication.
- 157 (15) "Written," "write," "in writing," or other variations of those terms shall include all
- 158 reliable forms of electronic communication.
- 159 Section 3. Section **41-1a-102** is amended to read:
- 160 **41-1a-102 (Effective 05/06/26). Definitions.**
- 161 As used in this chapter:
- 162 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- 163 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
- 164 vehicles as operated and certified to by a weighmaster.

- 165 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
166 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
167 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
168 (6) "Alternative fuel vehicle" means:
169 (a) an electric motor vehicle;
170 (b) a hybrid electric motor vehicle;
171 (c) a plug-in hybrid electric motor vehicle; or
172 (d) a motor vehicle powered exclusively by a fuel other than:
173 (i) motor fuel;
174 (ii) diesel fuel;
175 (iii) natural gas; or
176 (iv) propane.
177 (7) "Amateur radio operator" means a person licensed by the Federal Communications
178 Commission to engage in private and experimental two-way radio operation on the
179 amateur band radio frequencies.
180 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
181 (9) "Automated driving system" means the same as that term is defined in Section
182 41-26-102.1.
183 (10) "Branded title" means a title certificate that is labeled:
184 (a) rebuilt and restored to operation;
185 (b) flooded and restored to operation; or
186 (c) not restored to operation.
187 (11) "Camper" means a structure designed, used, and maintained primarily to be mounted
188 on or affixed to a motor vehicle that contains a floor and is designed to provide a mobile
189 dwelling, sleeping place, commercial space, or facilities for human habitation or for
190 camping.
191 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of
192 ownership between an identified owner and the described vehicle, vessel, or outboard
193 motor.
194 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
195 weighmaster.
196 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained
197 for the transportation of persons or property that operates:
198 (a) as a carrier for hire, compensation, or profit; or

- 199 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
200 owner's commercial enterprise.
- 201 (15) "Commission" means the State Tax Commission.
- 202 (16) "Consumer price index" means the same as that term is defined in Section 59-13-102.
- 203 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
204 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright
205 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an
206 established place of business for the sale, lease, trade, or display of vehicles, vessels, or
207 outboard motors.
- 208 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 209 (19) "Division" means the Motor Vehicle Division of the commission, created in Section
210 41-1a-106.
- 211 (20) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.
- 212 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric
213 motor drawing current from a rechargeable energy storage system.
- 214 (22) "Essential parts" means the integral and body parts of a vehicle of a type required to be
215 registered in this state, the removal, alteration, or substitution of which would tend to
216 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model,
217 type, or mode of operation.
- 218 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
219 implement for drawing plows, mowing machines, and other implements of husbandry.
- 220 (24)(a) "Farm truck" means a truck used by the owner or operator of a farm solely for
221 the owner's or operator's own use in the transportation of:
- 222 (i) farm products, including livestock and its products, poultry and its products,
223 floricultural and horticultural products;
- 224 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
225 agricultural, floricultural, horticultural, livestock, and poultry production; and
- 226 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
227 other purposes connected with the operation of a farm.
- 228 (b) "Farm truck" does not include the operation of trucks by commercial processors of
229 agricultural products.
- 230 (25) "Fleet" means:
- 231 (a) one or more commercial vehicles; or
- 232 (b) for purposes of Section 41-1a-215, one or more personal vehicles.

- 233 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this
234 state from another state, territory, or country other than in the ordinary course of
235 business by or through a manufacturer or dealer, and not registered in this state.
- 236 (27) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles,
237 equipped for operation, to which shall be added the maximum load to be carried.
- 238 (28) "Highway" or "street" means the entire width between property lines of every way or
239 place of whatever nature when any part of it is open to the public, as a matter of right,
240 for purposes of vehicular traffic.
- 241 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy
242 from onboard sources of stored energy that are both:
- 243 (a) an internal combustion engine or heat engine using consumable fuel; and
244 (b) a rechargeable energy storage system where energy for the storage system comes
245 solely from sources onboard the vehicle.
- 246 (30)(a) "Identification number" means the identifying number assigned by the
247 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or
248 outboard motor.
- 249 (b) "Identification number" includes a vehicle identification number, state assigned
250 identification number, hull identification number, and motor serial number.
- 251 (31) "Implement of husbandry" means a vehicle designed or adapted and used exclusively
252 for an agricultural operation and only incidentally operated or moved upon the highways.
- 253 (32)(a) "In-state miles" means the total number of miles operated in this state during the
254 preceding year by fleet power units.
- 255 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
256 total number of miles that those vehicles were towed on Utah highways during the
257 preceding year.
- 258 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
259 province, territory, or possession of the United States or foreign country.
- 260 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
261 possession of the United States or any foreign country.
- 262 (35) "Lienholder" means a person with a security interest in particular property.
- 263 (36) "Manufactured home" means a transportable factory built housing unit constructed on
264 or after June 15, 1976, according to the Federal Home Construction and Safety
265 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling
266 mode, is eight body feet or more in width or 40 body feet or more in length, or when

267 erected on site, is 400 or more square feet, and which is built on a permanent chassis and
 268 designed to be used as a dwelling with or without a permanent foundation when
 269 connected to the required utilities, and includes the plumbing, heating, air-conditioning,
 270 and electrical systems.

271 (37) "Manufacturer" means a person engaged in the business of constructing,
 272 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
 273 outboard motors for the purpose of sale or trade.

274 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured for use
 275 by armed forces and that is maintained in a condition that represents the vehicle's
 276 military design and markings regardless of current ownership or use.

277 (39) "Mobile home" means a transportable factory built housing unit built prior to June 15,
 278 1976, in accordance with a state mobile home code which existed prior to the Federal
 279 Manufactured Housing and Safety Standards Act (HUD Code).

280 (40) "Motor fuel" means the same as that term is defined in Section 59-13-102.

281 (41)(a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
 282 operation on the highways.

283 (b) "Motor vehicle" includes a roadable aircraft and a street-legal all-terrain vehicle.

284 (c) "Motor vehicle" does not include:

285 (i) an off-highway vehicle; or

286 (ii) a motor assisted scooter as defined in Section 41-6a-102.

287 (42) "Motorboat" means the same as that term is defined in Section 73-18c-102.

288 (43) "Motorcycle" means[:]

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

291 ~~[(b) an autoeycle.]~~ the same as that term is defined in Section 41-6a-102.

292 (44) "Natural gas" means a fuel of which the primary constituent is methane.

293 (45)(a) "Nonresident" means a person who is not a resident of this state as defined by
 294 Section 41-1a-202, and who does not engage in intrastate business within this state
 295 and does not operate in that business any motor vehicle, trailer, or semitrailer within
 296 this state.

297 (b) A person who engages in intrastate business within this state and operates in that
 298 business any motor vehicle, trailer, or semitrailer in this state or who, even though
 299 engaging in interstate commerce, maintains a vehicle in this state as the home station
 300 of that vehicle is considered a resident of this state, insofar as that vehicle is

- 301 concerned in administering this chapter.
- 302 (46) "Odometer" means a device for measuring and recording the actual distance a vehicle
303 travels while in operation, but does not include any auxiliary odometer designed to be
304 periodically reset.
- 305 (47) "Off-highway implement of husbandry" means the same as that term is defined in
306 Section 41-22-2.
- 307 (48) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 308 (49)(a) "Operate" means:
- 309 (i) to navigate a vessel; or
- 310 (ii) collectively, the activities performed in order to perform the entire dynamic
311 driving task for a given motor vehicle by:
- 312 (A) a human driver as defined in Section 41-26-102.1; or
- 313 (B) an engaged automated driving system.
- 314 (b) "Operate" includes testing of an automated driving system.
- 315 (50) "Original issue license plate" means a license plate that is of a format and type issued
316 by the state in the same year as the model year of a vehicle that is a model year 1973 or
317 older.
- 318 (51) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel
319 supply, used to propel a vessel.
- 320 (52)(a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
321 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
322 subject to a security interest.
- 323 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale
324 or mortgage of the vehicle with the right of purchase upon performance of the
325 conditions stated in the agreement and with an immediate right of possession vested
326 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security
327 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
328 for the purposes of this chapter.
- 329 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner
330 until the lessee exercises the lessee's option to purchase the vehicle.
- 331 (53) "Park model recreational vehicle" means a unit that:
- 332 (a) is designed and marketed as temporary living quarters for recreational, camping,
333 travel, or seasonal use;
- 334 (b) is not permanently affixed to real property for use as a permanent dwelling;

- 335 (c) requires a special highway movement permit for transit; and
336 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
337 400 square feet in the setup mode.
- 338 (54) "Personal vehicle" means a vehicle that is not a commercial vehicle.
- 339 (55) "Personalized license plate" means a license plate that has displayed on it a
340 combination of letters, numbers, or both as requested by the owner of the vehicle and
341 assigned to the vehicle by the division.
- 342 (56)(a) "Pickup truck" means a two-axle motor vehicle with motive power
343 manufactured, remanufactured, or materially altered to provide an open cargo area.
- 344 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
345 camper, camper shell, tarp, removable top, or similar structure.
- 346 (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has
347 the capability to charge the battery or batteries used for vehicle propulsion from an
348 off-vehicle electric source, such that the off-vehicle source cannot be connected to the
349 vehicle while the vehicle is in motion.
- 350 (58) "Pneumatic tire" means a tire in which compressed air is designed to support the load.
- 351 (59) "Preceding year" means a period of 12 consecutive months fixed by the division that is
352 within 16 months immediately preceding the commencement of the registration or
353 license year in which proportional registration is sought. The division in fixing the
354 period shall conform it to the terms, conditions, and requirements of any applicable
355 agreement or arrangement for the proportional registration of vehicles.
- 356 (60) "Public garage" means a building or other place where vehicles or vessels are kept and
357 stored and where a charge is made for the storage and keeping of vehicles and vessels.
- 358 (61) "Receipt of surrender of ownership documents" means the receipt of surrender of
359 ownership documents described in Section 41-1a-503.
- 360 (62) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state
361 that is materially altered from its original construction by the removal, addition, or
362 substitution of essential parts, new or used.
- 363 (63) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 364 (64) "Registration" means a document issued by a jurisdiction that allows operation of a
365 vehicle or vessel on the highways or waters of this state for the time period for which the
366 registration is valid and that is evidence of compliance with the registration requirements
367 of the jurisdiction.
- 368 (65) "Registration decal" means the decal issued by the division that is evidence of

- 369 compliance with the division's registration requirements.
- 370 (66)(a) "Registration year" means a 12 consecutive month period commencing with the
371 completion of the applicable registration criteria.
- 372 (b) For administration of a multistate agreement for proportional registration the division
373 may prescribe a different 12-month period.
- 374 (67) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors
375 to a sound working condition by substituting any inoperative part of the vehicle, vessel,
376 or outboard motor, or by correcting the inoperative part.
- 377 (68) "Replica vehicle" means:
- 378 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
379 (b) a custom vehicle that meets the requirements under Subsection
380 41-6a-1507(1)(a)(i)(B).
- 381 (69) "Restored-modified vehicle" means a motor vehicle that has been restored and
382 modified with modern parts and technology, including emission control technology and
383 an on-board diagnostic system.
- 384 (70) "Road tractor" means a motor vehicle designed and used for drawing other vehicles
385 and constructed so it does not carry any load either independently or any part of the
386 weight of a vehicle or load that is drawn.
- 387 (71) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 388 (72) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 389 (73) "Security interest" means an interest that is reserved or created by a security agreement
390 to secure the payment or performance of an obligation and that is valid against third
391 parties.
- 392 (74) "Semitrailer" means the same as the term "trailer."
- 393 (75) "Special group license plate" means a type of license plate designed for a particular
394 group of people or a license plate authorized and issued by the division in accordance
395 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.
- 396 (76)(a) "Special interest vehicle" means a vehicle used for general transportation
397 purposes and that is:
- 398 (i) 20 years or older from the current year; or
399 (ii) a make or model of motor vehicle recognized by the division director as having
400 unique interest or historic value.
- 401 (b) In making a determination under Subsection (76)(a), the division director shall give
402 special consideration to:

- 403 (i) a make of motor vehicle that is no longer manufactured;
- 404 (ii) a make or model of motor vehicle produced in limited or token quantities;
- 405 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
- 406 designed exclusively for educational purposes or museum display; or
- 407 (iv) a motor vehicle of any age or make that has not been substantially altered or
- 408 modified from original specifications of the manufacturer and because of its
- 409 significance is being collected, preserved, restored, maintained, or operated by a
- 410 collector or hobbyist as a leisure pursuit.
- 411 (77)(a) "Special mobile equipment" means a vehicle:
- 412 (i) not designed or used primarily for the transportation of persons or property;
- 413 (ii) not designed to operate in traffic; and
- 414 (iii) only incidentally operated or moved over the highways.
- 415 (b) "Special mobile equipment" includes:
- 416 (i) farm tractors;
- 417 (ii) off-road motorized construction or maintenance equipment including backhoes,
- 418 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
- 419 (iii) ditch-digging apparatus.
- 420 (c) "Special mobile equipment" does not include a commercial vehicle as defined under
- 421 Section 72-9-102.
- 422 (78) "Specially constructed vehicle" means a vehicle of a type required to be registered in
- 423 this state, not originally constructed under a distinctive name, make, model, or type by a
- 424 generally recognized manufacturer of vehicles, and not materially altered from its
- 425 original construction.
- 426 (79)(a) "Standard license plate" means a license plate for general issue described in
- 427 Subsection 41-1a-402(1).
- 428 (b) "Standard license plate" includes a license plate for general issue that the division
- 429 issues before January 1, 2024.
- 430 (80) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
- 431 motor that meets the requirements of rules made by the commission as described in
- 432 Subsection 41-1a-1101(7).
- 433 (81) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is
- 434 defined in Section 41-6a-102.
- 435 (82) "Symbol decal" means the decal that is designed to represent a special group and
- 436 displayed on a special group license plate.

- 437 (83) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 438 (84)(a) "Total fleet miles" means the total number of miles operated in all jurisdictions
439 during the preceding year by power units.
- 440 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the
441 number of miles that those vehicles were towed on the highways of all jurisdictions
442 during the preceding year.
- 443 (85) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 444 (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 445 (87) "Trailer" means a vehicle:
- 446 (a) without motive power; and
- 447 (b) designed for:
- 448 (i) carrying persons or property; and
- 449 (ii) being drawn by a motor vehicle.
- 450 (88) "Transferee" means a person to whom the ownership of property is conveyed by sale,
451 gift, or any other means except by the creation of a security interest.
- 452 (89) "Transferor" means a person who transfers the person's ownership in property by sale,
453 gift, or any other means except by creation of a security interest.
- 454 (90) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle
455 without motive power, designed as a temporary dwelling for travel, recreational, or
456 vacation use that does not require a special highway movement permit when drawn by a
457 self-propelled motor vehicle.
- 458 (91) "Truck tractor" means a motor vehicle designed and used primarily for drawing other
459 vehicles and not constructed to carry a load other than a part of the weight of the vehicle
460 and load that is drawn.
- 461 (92) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper,
462 park model recreational vehicle, manufactured home, and mobile home.
- 463 (93) "Vessel" means the same as that term is defined in Section 73-18-2.
- 464 (94) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.
- 465 (95) "Waters of this state" means the same as that term is defined in Section 73-18-2.
- 466 (96) "Weighmaster" means a person, association of persons, or corporation permitted to
467 weigh vehicles under this chapter.

468 Section 4. Section **41-6a-102** is amended to read:

469 **41-6a-102 (Effective 05/06/26) (Partially Repealed 07/01/27). Definitions.**

470 As used in this chapter:

- 471 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots
472 or buildings in urban districts and not intended for through vehicular traffic.
- 473 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 474 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 475 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 476 (5) "Authorized emergency vehicle" includes:
- 477 (a) a fire department vehicle;
- 478 (b) a police vehicle;
- 479 (c) an ambulance; and
- 480 (d) other publicly or privately owned vehicles as designated by the commissioner of the
481 Department of Public Safety.
- 482 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 483 (7)(a) "Bicycle" means a wheeled vehicle:
- 484 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 485 (ii) with a seat or saddle designed for the use of the operator;
- 486 (iii) designed to be operated on the ground; and
- 487 (iv) whose wheels are not less than 14 inches in diameter.
- 488 (b) "Bicycle" includes an electric assisted bicycle.
- 489 (c) "Bicycle" does not include scooters and similar devices.
- 490 (8)(a) "Bicycle lane" means a portion of a highway that has been designated by a
491 highway authority through striping, signage, pavement markings, or barriers for the
492 preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted
493 scooter traffic.
- 494 (b) "Bicycle lane" does not include shared lanes intended for both motor vehicle and
495 bicycle travel.
- 496 (9)(a) "Bus" means a motor vehicle:
- 497 (i) designed for carrying more than 15 passengers and used for the transportation of
498 persons; or
- 499 (ii) designed and used for the transportation of persons for compensation.
- 500 (b) "Bus" does not include a taxicab.
- 501 (10)(a) "Circular intersection" means an intersection that has an island, generally
502 circular in design, located in the center of the intersection where traffic passes to the
503 right of the island.
- 504 (b) "Circular intersection" includes:

- 505 (i) roundabouts;
- 506 (ii) rotaries; and
- 507 (iii) traffic circles.
- 508 (11) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a
- 509 motor or electronics that:
- 510 (a) provides assistance only when the rider is pedaling; and
- 511 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- 512 (12) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a
- 513 motor or electronics that:
- 514 (a) may be used exclusively to propel the bicycle; and
- 515 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
- 516 per hour.
- 517 (13) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a
- 518 motor or electronics that:
- 519 (a) provides assistance only when the rider is pedaling;
- 520 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
- 521 and
- 522 (c) is equipped with a speedometer.
- 523 (14) "Commissioner" means the commissioner of the Department of Public Safety.
- 524 (15) "Controlled-access highway" means a highway, street, or roadway:
- 525 (a) designed primarily for through traffic; and
- 526 (b) to or from which owners or occupants of abutting lands and other persons have no
- 527 legal right of access, except at points as determined by the highway authority having
- 528 jurisdiction over the highway, street, or roadway.
- 529 (16) "Crosswalk" means:
- 530 (a) that part of a roadway at an intersection included within the connections of the lateral
- 531 lines of the sidewalks on opposite sides of the highway measured from:
- 532 (i)(A) the curbs; or
- 533 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 534 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
- 535 included within the extension of the lateral lines of the existing sidewalk at right
- 536 angles to the centerline; or
- 537 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
- 538 pedestrian crossing by lines or other markings on the surface.

- 539 (17) "Department" means the Department of Public Safety.
- 540 (18) "Direct supervision" means oversight at a distance within which:
- 541 (a) visual contact is maintained; and
- 542 (b) advice and assistance can be given and received.
- 543 (19) "Divided highway" means a highway divided into two or more roadways by:
- 544 (a) an unpaved intervening space;
- 545 (b) a physical barrier; or
- 546 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 547 (20) "Echelon formation" means the operation of two or more snowplows arranged
- 548 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
- 549 clear snow from two or more lanes at once.
- 550 (21)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 551 (i) has a power output of not more than 750 watts;
- 552 (ii) has fully operable pedals;
- 553 (iii) has permanently affixed cranks that were installed at the time of the original
- 554 manufacture;
- 555 (iv) is fully operable as a bicycle without the use of the electric motor; and
- 556 (v) is one of the following:
- 557 (A) a class 1 electric assisted bicycle;
- 558 (B) a class 2 electric assisted bicycle;
- 559 (C) a class 3 electric assisted bicycle; or
- 560 (D) a programmable electric assisted bicycle.
- 561 (b) "Electric assisted bicycle" does not include:
- 562 (i) a moped;
- 563 (ii) a motor assisted scooter;
- 564 (iii) an electric motorcycle;
- 565 [~~(iii)~~] (iv) a motorcycle; or
- 566 [~~(iv) a motor-driven cycle; or~~]
- 567 (v) any other vehicle with less than four wheels that is designed, manufactured,
- 568 intended, or advertised by the seller to have any of the following capabilities or
- 569 features, or that is modifiable or is modified to have any of the following
- 570 capabilities or features:
- 571 (A) has the ability to attain the speed of 20 miles per hour or greater on motor
- 572 power alone;

- 573 (B) is equipped with a continuous rated motor power of more than 750 watts~~[or~~
 574 ~~greater]~~;
- 575 (C) is equipped with foot pegs for the operator at the time of manufacture, or
 576 requires installation of a pedal kit to have operable pedals; or
- 577 (D) if equipped with multiple operating modes and a throttle, has one or more
 578 modes that exceed 20 miles per hour on motor power alone.

579 (22)(a) "Electric personal assistive mobility device" means a self-balancing device with:

- 580 (i) two nontandem wheels in contact with the ground;
- 581 (ii) a system capable of steering and stopping the unit under typical operating
 582 conditions;
- 583 (iii) an electric propulsion system with average power of one horsepower or 750
 584 watts;
- 585 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
 586 (v) a deck design for a person to stand while operating the device.

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

588 (23) "Electric motorcycle" means a motorcycle:

- 589 (a) powered by an electric motor of more than 750 watts; or
- 590 (b) capable of exceeding a speed of 20 miles per hour using the power of the electric
 591 motor alone.

592 [~~23~~] (24) "Electric unicycle" means a self-balancing personal transportation device that:

- 593 (a) has a single wheel;
- 594 (b) is powered by an electric motor that utilizes gyroscopes and accelerometers to
 595 stabilize the rider; and
- 596 (c) is designed for the operator to face in the direction of travel while operating the
 597 device.

598 [~~24~~] (25) "Explosives" means a chemical compound or mechanical mixture commonly
 599 used or intended for the purpose of producing an explosion and that contains any
 600 oxidizing and combustive units or other ingredients in proportions, quantities, or
 601 packing so that an ignition by fire, friction, concussion, percussion, or detonator of any
 602 part of the compound or mixture may cause a sudden generation of highly heated gases,
 603 and the resultant gaseous pressures are capable of producing destructive effects on
 604 contiguous objects or of causing death or serious bodily injury.

605 [~~25~~] (26) "Farm tractor" means a motor vehicle designed and used primarily as a farm
 606 implement, for drawing plows, mowing machines, and other implements of husbandry.

607 ~~[(26)]~~ (27) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
608 as determined by a Tagliabue or equivalent closed-cup test device.

609 ~~[(27)]~~ (28) "Freeway" means a controlled-access highway that is part of the interstate system
610 as defined in Section 72-1-102.

611 ~~[(28)]~~ (29)(a) "Golf cart" means a device that:

- 612 (i) is designed for transportation by players on a golf course;
- 613 (ii) has not less than three wheels in contact with the ground;
- 614 (iii) has an unladen weight of less than 1,800 pounds;
- 615 (iv) is designed to operate at low speeds; and
- 616 (v) is designed to carry not more than six persons including the driver.

617 (b) "Golf cart" does not include:

- 618 (i) a low-speed vehicle or an off-highway vehicle;
- 619 (ii) a motorized wheelchair;
- 620 (iii) an electric personal assistive mobility device;
- 621 (iv) an electric assisted bicycle;
- 622 (v) a motor assisted scooter;
- 623 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 624 (vii) a mobile carrier, as defined in Section 41-6a-1120.

625 ~~[(29)]~~ (30) "Gore area" means the area delineated by two solid white lines that is between a
626 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
627 including similar areas between merging or splitting highways.

628 ~~[(30)]~~ (31) "Gross weight" means the weight of a vehicle without a load plus the weight of
629 any load on the vehicle.

630 (32)(a) "High power electric device" means a self-propelled vehicle, other than a motor
631 vehicle subject to the title and registration requirement described in Chapter 1a,
632 Motor Vehicle Act, powered by an electric motor that is capable of traveling more
633 than 20 miles per hour on the power of the electric motor alone.

634 (b) "High power electric device" includes:

- 635 (i) an electric assisted bicycle that has modified or tampered equipment beyond the
636 manufacturer's original settings to change the speed or power output; and
- 637 (ii) an electric assisted bicycle that has been modified to be capable of traveling more
638 than 20 miles per hour on the power of the electric motor alone.

639 ~~[(31)]~~ (33) "Hi-rail vehicle" means a roadway maintenance vehicle that is:

- 640 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and

- 641 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
642 highway or railroad tracks.
- 643 ~~[(32)]~~ (34) "Highway" means the entire width between property lines of every way or place
644 of any nature when any part of it is open to the use of the public as a matter of right for
645 vehicular travel.
- 646 ~~[(33)]~~ (35) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 647 ~~[(34)]~~ (36) "Interdicted person" means the same as that term is defined in Section 32B-1-102.
- 648 ~~[(35)]~~ (37)(a) "Intersection" means the area embraced within the prolongation or
649 connection of the lateral curb lines, or, if none, then the lateral boundary lines of the
650 roadways of two or more highways that join one another.
- 651 (b) Where a highway includes two roadways 30 feet or more apart:
- 652 (i) every crossing of each roadway of the divided highway by an intersecting
653 highway is a separate intersection; and
- 654 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
655 every crossing of two roadways of the highways is a separate intersection.
- 656 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 657 ~~[(36)]~~ (38) "Island" means an area between traffic lanes or at an intersection for control of
658 vehicle movements or for pedestrian refuge designated by:
- 659 (a) pavement markings, which may include an area designated by two solid yellow lines
660 surrounding the perimeter of the area;
- 661 (b) channelizing devices;
- 662 (c) curbs;
- 663 (d) pavement edges; or
- 664 (e) other devices.
- 665 ~~[(37)]~~ (39)(a) "Lane filtering" means, when operating a motorcycle other than an
666 autocytle, the act of overtaking and passing another vehicle that is stopped in the
667 same direction of travel in the same lane.
- 668 (b) "Lane filtering" does not include lane splitting.
- 669 ~~[(38)]~~ (40)(a) "Lane splitting" means, when operating a motorcycle other than an
670 autocytle, the act of riding a motorcycle between clearly marked lanes for traffic
671 traveling in the same direction of travel while traffic is in motion.
- 672 (b) "Lane splitting" does not include lane filtering.
- 673 ~~[(39)]~~ (41) "Law enforcement agency" means the same as that term is as defined in Section
674 53-1-102.

- 675 [(40)] (42) "Limited access highway" means a highway:
- 676 (a) that is designated specifically for through traffic; and
- 677 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
- 678 persons have any right or easement, or have only a limited right or easement of
- 679 access, light, air, or view.
- 680 [(41)] (43) "Local highway authority" means the legislative, executive, or governing body of
- 681 a county, municipal, or other local board or body having authority to enact laws relating
- 682 to traffic under the constitution and laws of the state.
- 683 [(42)] (44)(a) "Low-speed vehicle" means a four wheeled motor vehicle that:
- 684 (i) is designed to be operated at speeds of not more than 25 miles per hour; and
- 685 (ii) has a capacity of not more than six passengers, including a conventional driver or
- 686 fallback-ready user if on board the vehicle, as those terms are defined in Section
- 687 41-26-102.1.
- 688 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 689 [(43)] (45) "Metal tire" means a tire, the surface of which in contact with the highway is
- 690 wholly or partly of metal or other hard nonresilient material.
- 691 [(44)] (46)(a) "Mini-motorcycle" means a motorcycle [~~or motor-driven cycle~~]that has a
- 692 seat or saddle that is less than 24 inches from the ground as measured on a level
- 693 surface with properly inflated tires.
- 694 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 695 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 696 (i) designed for off-highway use; and
- 697 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 698 [(45)] (47) "Mobile home" means:
- 699 (a) a trailer or semitrailer that is:
- 700 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 701 place either permanently or temporarily; and
- 702 (ii) equipped for use as a conveyance on streets and highways; or
- 703 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
- 704 for use as a mobile home, as defined in Subsection [(45)(a),] (47)(a), but that is
- 705 instead used permanently or temporarily for:
- 706 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 707 (ii) any other commercial purpose except the transportation of property for hire or the
- 708 transportation of property for distribution by a private carrier.

709 [(46)] (48) "Mobility disability" means the inability of a person to use one or more of the
710 person's extremities or difficulty with motor skills, that may include limitations with
711 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
712 condition.

713 [(47)] (49)(a) "Moped" means a [~~motor-driven cycle~~] motorcycle having:

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

719 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
720 centimeters and the moped shall have a power drive system that functions directly or
721 automatically without clutching or shifting by the operator after the drive system is
722 engaged.

723 (c) "Moped" does not include:

- 724 (i) an electric assisted bicycle; or
725 (ii) a motor assisted scooter.

726 [(48)] (50)(a) "Motor assisted scooter" means a self-propelled device with:

- 727 (i) at least two wheels in contact with the ground;
728 (ii) a braking system capable of stopping the unit under typical operating conditions;
729 (iii) an electric motor not exceeding 2,000 watts;
730 (iv) either:
731 (A) handlebars and a deck design for a person to stand while operating the device;
732 or
733 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
734 operating the device;
735 (v) a design for the ability to be propelled by human power alone; and
736 (vi) a maximum speed of 20 miles per hour on a paved level surface.

737 (b) "Motor assisted scooter" does not include[:] an electric assisted bicycle.

738 [~~(i) an electric assisted bicycle; or~~]

739 [~~(ii) a motor-driven cycle.~~]

740 [(49)] (51)(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
741 propelled by electric power obtained from overhead trolley wires, but not operated
742 upon rails.

- 743 (b) "Motor vehicle" does not include:
- 744 (i) vehicles moved solely by human power;
- 745 (ii) motorized wheelchairs;
- 746 (iii) an electric personal assistive mobility device;
- 747 (iv) an electric assisted bicycle;
- 748 (v) a motor assisted scooter;
- 749 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 750 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 751 ~~[(50)]~~ (52)(a) "Motorcycle" means:
- 752 ~~[(a)]~~ (i) a motor vehicle, other than a tractor, having a seat or saddle for the use of the
- 753 rider and designed to travel with not more than three wheels in contact with the
- 754 ground;~~[-or]~~
- 755 ~~[(b)]~~ (ii) an auticycle~~[-]~~ ;
- 756 (iii) a moped; or
- 757 (iv) an electric motorcycle.
- 758 (b) "Motorcycle" does not include:
- 759 (i) an electric assisted bicycle; or
- 760 (ii) a motor assisted scooter.
- 761 ~~[(51)(a)]~~ "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
- 762 having:
- 763 ~~[(i)]~~ an engine with less than 150 cubic centimeters displacement; or]
- 764 ~~[(ii)]~~ a motor that produces not more than five horsepower.]
- 765 ~~[(b)]~~ "Motor-driven cycle" does not include:
- 766 ~~[(i)]~~ an electric personal assistive mobility device;]
- 767 ~~[(ii)]~~ a motor assisted scooter; or]
- 768 ~~[(iii)]~~ an electric assisted bicycle.]
- 769 ~~[(52)]~~ (53) "Off-highway implement of husbandry" means the same as that term is defined
- 770 under Section 41-22-2.
- 771 ~~[(53)]~~ (54) "Off-highway motorcycle" means the same as that term is defined in Section
- 772 41-22-2.
- 773 ~~[(54)]~~ (55) "Off-highway vehicle" means the same as that term is defined under Section
- 774 41-22-2.
- 775 ~~[(55)]~~ (56) "Operate" means the same as that term is defined in Section 41-1a-102.
- 776 ~~[(56)]~~ (57) "Operator" means:

- 777 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
778 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
779 vehicle.
- 780 ~~[(57)]~~ (58) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
781 other device operated, alone or coupled with another device, on stationary rails.
- 782 ~~[(58)]~~ (59)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
783 occupied or not.
- 784 (b) "Park" or "parking" does not include:
- 785 (i) the standing of a vehicle temporarily for the purpose of and while actually
786 engaged in loading or unloading property or passengers; or
- 787 (ii) a motor vehicle with an engaged automated driving system that has achieved a
788 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 789 ~~[(59)]~~ (60) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
790 Peace Officer Classifications, to direct or regulate traffic or to make arrests for
791 violations of traffic laws.
- 792 ~~[(60)]~~ (61) "Pedestrian" means a person traveling:
- 793 (a) on foot; or
- 794 (b) in a wheelchair.
- 795 ~~[(61)]~~ (62) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
796 pedestrians.
- 797 ~~[(62)]~~ (63) "Person" means a natural person, firm, copartnership, association, corporation,
798 business trust, estate, trust, partnership, limited liability company, association, joint
799 venture, governmental agency, public corporation, or any other legal or commercial
800 entity.
- 801 ~~[(63)]~~ (64) "Pole trailer" means a vehicle without motive power:
- 802 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
803 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
804 and
- 805 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
806 pipes, or structural members generally capable of sustaining themselves as beams
807 between the supporting connections.
- 808 ~~[(64)]~~ (65) "Private road or driveway" means every way or place in private ownership and
809 used for vehicular travel by the owner and those having express or implied permission
810 from the owner, but not by other persons.

- 811 [(65)] (66) "Programmable electric assisted bicycle" means an electric assisted bicycle with
812 capability to switch or be programmed by a user to function as a class 1 electric assisted
813 bicycle, class 2 electric assisted bicycle, or class 3 electric assisted bicycle, [~~provided~~
814 ~~that~~] if the electric assisted bicycle fully conforms with the respective requirements of
815 each class of electric assisted bicycle when operated in that mode.
- 816 [(66)] (67) "Railroad" means a carrier of persons or property upon cars operated on
817 stationary rails.
- 818 [(67)] (68) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
819 public body or official or by a railroad and intended to give notice of the presence of
820 railroad tracks or the approach of a railroad train.
- 821 [(68)] (69) "Railroad train" means a locomotive propelled by any form of energy, coupled
822 with or operated without cars, and operated upon rails.
- 823 [(69)] (70) "Restored-modified vehicle" means the same as the term defined in Section
824 41-1a-102.
- 825 [(70)] (71) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
826 lawful manner in preference to another vehicle or pedestrian approaching under
827 circumstances of direction, speed, and proximity that give rise to danger of collision
828 unless one grants precedence to the other.
- 829 [(71)] (72)(a) "Roadway" means that portion of highway improved, designed, or
830 ordinarily used for vehicular travel.
- 831 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
832 them are used by persons riding bicycles or other human-powered vehicles.
- 833 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
834 highway includes two or more separate roadways.
- 835 [(72)] (73) "Safety zone" means the area or space officially set apart within a roadway for
836 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
837 signs as to be plainly visible at all times while set apart as a safety zone.
- 838 [(73)] (74)(a) "School bus" means a motor vehicle that:
- 839 (i) complies with the color and identification requirements of the most recent edition
840 of [~~"Minimum Standards for School Buses";~~] "The National School
841 Transportation Specifications and Procedures"; and
- 842 (ii) is used to transport school children to or from school or school activities.
- 843 (b) "School bus" does not include a vehicle operated by a common carrier in
844 transportation of school children to or from school or school activities.

- 845 [~~(74)~~] (75) "Self-balancing electric skateboard" means a device similar to a skateboard that:
- 846 (a) has a single wheel;
- 847 (b) is powered by an electric motor;
- 848 (c) is not capable of exceeding a speed of 20 miles per hour using the power of the
- 849 electric motor alone; and
- 850 [~~(e)~~] (d) is designed for the operator to face perpendicular to the direction of travel while
- 851 operating the device.
- 852 [~~(75)~~] (76)(a) "Semitrailer" means a vehicle with or without motive power:
- 853 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
- 854 and
- 855 (ii) constructed so that some part of its weight and that of its load rests on or is
- 856 carried by another vehicle.
- 857 (b) "Semitrailer" does not include a pole trailer.
- 858 [~~(76)~~] (77) "Shoulder area" means:
- 859 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
- 860 edge line as established in the current approved "Manual on Uniform Traffic Control
- 861 Devices"; or
- 862 (b) that portion of the road contiguous to the roadway for accommodation of stopped
- 863 vehicles, for emergency use, and for lateral support.
- 864 [~~(77)~~] (78) "Sidewalk" means that portion of a street between the curb lines, or the lateral
- 865 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 866 [~~(78)~~] (79)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
- 867 that is designated for the use of a bicycle.
- 868 (b) "Soft-surface trail" does not mean a trail:
- 869 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
- 870 federal law, regulation, or rule; or
- 871 (ii) located in whole or in part on land granted to the state or a political subdivision
- 872 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 873 [~~(79)~~] (80) "Solid rubber tire" means a tire of rubber or other resilient material that does not
- 874 depend on compressed air for the support of the load.
- 875 [~~(80)~~] (81) "Stand" or "standing" means the temporary halting of a vehicle, whether
- 876 occupied or not, for the purpose of and while actually engaged in receiving or
- 877 discharging passengers.
- 878 [~~(81)~~] (82) "Stop" when required means complete cessation from movement.

- 879 ~~[(82)]~~ (83) "Stop" or "stopping" when prohibited means any halting even momentarily of a
880 vehicle, whether occupied or not, except when:
- 881 (a) necessary to avoid conflict with other traffic; or
- 882 (b) in compliance with the directions of a peace officer or traffic-control device.
- 883 ~~[(83)]~~ (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
884 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway
885 motorcycle, that is modified to meet the requirements of Section 41-6a-1509 to operate
886 on highways in the state in accordance with Section 41-6a-1509.
- 887 ~~[(84)]~~ (85) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
888 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
889 operate on highways in the state in accordance with Section 41-6a-1509.
- 890 ~~[(85)]~~ (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 891 ~~[(86)]~~ (87) "Tow truck motor carrier" means the same as that term is defined in Section
892 72-9-102.
- 893 ~~[(87)]~~ (88) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and
894 other conveyances either singly or together while using any highway for the purpose of
895 travel.
- 896 ~~[(88)]~~ (89) "Traffic signal preemption device" means an instrument or mechanism designed,
897 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 898 ~~[(89)]~~ (90) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
899 with this chapter placed or erected by a highway authority for the purpose of regulating,
900 warning, or guiding traffic.
- 901 ~~[(90)]~~ (91) "Traffic-control signal" means a device, whether manually, electrically, or
902 mechanically operated, by which traffic is alternately directed to stop and permitted to
903 proceed.
- 904 ~~[(91)]~~ (92)(a) "Trailer" means a vehicle with or without motive power designed for
905 carrying persons or property and for being drawn by a motor vehicle and constructed
906 so that no part of its weight rests upon the towing vehicle.
- 907 (b) "Trailer" does not include a pole trailer.
- 908 ~~[(92)]~~ (93) "Truck" means a motor vehicle designed, used, or maintained primarily for the
909 transportation of property.
- 910 ~~[(93)]~~ (94) "Truck tractor" means a motor vehicle:
- 911 (a) designed and used primarily for drawing other vehicles; and
- 912 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck

913 tractor.

914 [(94)] (95) "Two-way left turn lane" means a lane:

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

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

917 (c) that has been indicated by a lane traffic-control device that may include lane
918 markings.

919 [(95)] (96) "Urban district" means the territory contiguous to and including any street, in
920 which structures devoted to business, industry, or dwelling houses are situated at
921 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

922 [(96)] (97) "Vehicle" means a device in, on, or by which a person or property is or may be
923 transported or drawn on a highway, except a mobile carrier, as defined in Section
924 41-6a-1120, or a device used exclusively on stationary rails or tracks.

925 [(97)] (98) "Wheelie" means a maneuver performed while operating a motorcycle whereby
926 the front wheel of the motorcycle is raised off of the ground.

927 Section 5. Section **41-6a-526** is amended to read:

928 **41-6a-526 (Effective 05/06/26). Drinking alcoholic beverage and open containers**
929 **in motor vehicle prohibited -- Definitions -- Exceptions.**

930 (1) As used in this section:

931 (a) "Alcoholic beverage" has the same meaning as defined in Section 32B-1-102.

932 (b) "Chartered bus" has the same meaning as defined in Section 32B-1-102.

933 (c) "Limousine" has the same meaning as defined in Section 32B-1-102.

934 (d)(i) "Passenger compartment" means the area of the vehicle normally occupied by
935 the operator and passengers.

936 (ii) "Passenger compartment" includes areas accessible to the operator and passengers
937 while traveling, including a utility or glove compartment.

938 (iii) "Passenger compartment" does not include a separate front or rear trunk
939 compartment or other area of the vehicle not accessible to the operator or
940 passengers while inside the vehicle.

941 (e) "Waters of the state" has the same meaning as defined in Section 73-18-2.

942 (2) A person may not drink an alcoholic beverage while operating a golf cart, a motor
943 vehicle, a motor assisted scooter, or [a class 2] an electric assisted bicycle, or while a
944 passenger in a motor vehicle, whether the vehicle is moving, stopped, or parked on any
945 highway or waters of the state.

946 (3) A person may not keep, carry, possess, transport, or allow another to keep, carry,

947 possess, or transport in the passenger compartment of a motor vehicle, on a golf cart, on
 948 a motor assisted scooter, or on [~~a class 2-~~] an electric assisted bicycle, when the vehicle is
 949 on any highway or waters of the state, any container that contains an alcoholic beverage
 950 if the container has been opened, [~~its~~] the container's seal broken, or the contents of the
 951 container partially consumed.

952 (4) Subsections (2) and (3) do not apply to a passenger:

953 (a) in the living quarters of a motor home or camper;

954 (b) who has carried an alcoholic beverage onto a limousine or chartered bus that is in
 955 compliance with Subsections 32B-4-415(4)(b) and (c); or

956 (c) in a motorboat on the waters of the state.

957 (5) Subsection (3) does not apply to passengers traveling in any licensed taxicab or bus.

958 (6) A violation of Subsection (2) or (3) is a class C misdemeanor.

959 Section 6. Section **41-6a-706.5** is amended to read:

960 **41-6a-706.5 (Effective 05/06/26). Definitions -- Operation of motor vehicle near a**
 961 **vulnerable user of a highway prohibited -- Endangering a vulnerable user of a highway**
 962 **prohibited.**

963 (1) As used in this section, "vulnerable user of a highway" means:

964 (a) a pedestrian, including a person engaged in work upon a highway or upon utilities
 965 facilities along a highway or providing emergency services within the right-of-way of
 966 a highway;

967 (b) a person riding an animal; or

968 (c) a person operating any of the following on a highway:

969 (i) a farm tractor or implement of husbandry, without an enclosed shell;

970 (ii) a skateboard;

971 (iii) roller skates;

972 (iv) in-line skates;

973 (v) a bicycle;

974 (vi) an electric[-] assisted bicycle;

975 (vii) an electric personal assistive mobility device;

976 (viii) a high power electric device;

977 [~~(viii)] (ix) a moped;~~

978 [~~(ix)] (x) a motor assisted scooter;~~

979 [~~(x) a motor-driven cycle;~~

980 (xi) a motorcycle;

- 981 (xii) a manual wheelchair; or
 982 (xiii) a golf cart.
- 983 (2) An operator of a motor vehicle may not knowingly, intentionally, or recklessly:
 984 (a) operate a motor vehicle within three feet of a vulnerable user of a highway;
 985 (b) distract or attempt to distract a vulnerable user of a highway for the purpose of
 986 causing violence or injury to the vulnerable user of a highway;
 987 (c) force or attempt to force a vulnerable user of a highway off of the roadway for a
 988 purpose unrelated to public safety; or
 989 (d) cause a motor vehicle to emit an excessive amount of exhaust in a manner that
 990 distracts or endangers a vulnerable user of a highway.

- 991 (3)(a) Except as provided in Subsection (3)(b), a violation of Subsection (2) is an
 992 infraction.
- 993 (b) A violation of Subsection (2) that results in bodily injury to the vulnerable user of a
 994 highway is a class C misdemeanor.

995 Section 7. Section **41-6a-1115** is amended to read:

996 **41-6a-1115 (Effective 05/05/27). Motor assisted scooters -- Conflicting provisions**
 997 **-- Restrictions -- Penalties.**

- 998 (1)(a) Except as otherwise provided in this section, a motor assisted scooter is subject to
 999 the provisions under this chapter for a bicycle.
- 1000 (b) For ~~[a person]~~ an individual operating a motor assisted scooter, the following
 1001 provisions do not apply:
 1002 (i) seating positions under Section 41-6a-1501;
 1003 (ii) required lights, horns, and mirrors under Section 41-6a-1506;
 1004 (iii) entitlement to full use of a lane under Subsection 41-6a-1502(1); and
 1005 (iv) driver licensing requirements under Section 53-3-202.
- 1006 (c) ~~[A person]~~ An individual may operate a motor assisted scooter across a roadway in a
 1007 crosswalk, except that the ~~[person]~~ individual may not operate the motor assisted
 1008 scooter in a negligent manner in the crosswalk:
 1009 (i) so as to collide with~~[a]~~:
 1010 (A) a pedestrian; or
 1011 (B) ~~[person]~~ an individual operating a bicycle or vehicle or device propelled by
 1012 human power; or
 1013 (ii) at a speed greater than is reasonable and prudent under the existing conditions,
 1014 giving regard to the actual and potential hazards then existing.

- 1015 (2) An individual eight years old or older and younger than 16 years old may operate a
 1016 motor assisted scooter with the motor running on a highway if the individual:
 1017 (a) is under direct supervision of the individual's parent or another responsible adult; or
 1018 (b) has a personal electric vehicle safety certificate as described in Section 41-6a-1512.
 1019 (3) An individual 16 years old or older may operate a motor assisted scooter with the motor
 1020 running on a highway without supervision.
 1021 [~~(2)~~] (4) [~~A person~~] An individual under eight years [~~of age~~] old may not operate a motor
 1022 assisted scooter with the motor running [~~on any public property, highway, path, or~~
 1023 ~~sidewalk~~] on a highway.
 1024 [~~(3)~~] (5) [~~A person~~] An individual may not operate a motor assisted scooter:
 1025 (a) in a public parking structure;
 1025a ~~§~~ → **(b) on a freeway;**
 1026 [~~(b)~~] (c) ← ~~§~~ on public property posted as an area prohibiting bicycles;
 1027 ~~§~~ → [~~(e)~~] (d) ← ~~§~~ while carrying more [~~persons~~] individuals at one time than the
 1027a number for which it is
 1028 designed;
 1029 ~~§~~ → [~~(d)~~] (e) ← ~~§~~ that has been structurally or mechanically altered from the
 1029a original manufacturer's
 1030 design, except for an alteration by, or done at the request of, a person who rents the
 1031 motor assisted scooter to lower the maximum speed for the motor assisted scooter; or
 1032 ~~§~~ → [~~(e)~~] (f) ← ~~§~~ at a speed of greater than 15 miles per hour or in violation of
 1032a Subsection
 1033 41-6a-1115.1(3).
 1034 [~~(4)~~] (6) Except where posted or prohibited by local ordinance, a motor assisted scooter is
 1035 considered a nonmotorized vehicle if it is being used with the motor turned off.
 1036 [~~(5)~~] (7) An owner may not authorize or knowingly permit [~~a person~~] an individual under the
 1037 age of [~~18~~] 16 to operate a motor assisted scooter in violation of this section.
 1038 [~~(6)~~] (8) [~~A person~~] An individual who violates this section is guilty of an infraction.
 1039 Section 8. Section **41-6a-1115.5** is amended to read:
 1040 **41-6a-1115.5 (Effective 05/05/27). Electric assisted bicycles -- Restrictions --**
 1041 **Penalties.**
 1042 (1) Except as otherwise provided in this section, an electric assisted bicycle is subject to the
 1043 provisions under this chapter for a bicycle.
 1044 (2) An individual may operate an electric assisted bicycle on a path or trail designated for

- 1045 the use of a bicycle.
- 1046 (3)(a) A local authority or state agency may adopt an ordinance or rule to regulate or
1047 restrict the use of an electric assisted bicycle, or a specific classification of an electric
1048 assisted bicycle, on a sidewalk, path, or trail within the jurisdiction of the local
1049 authority or state agency.
- 1050 (b) When enacting ordinances or making rules related to the use of a pathway or
1051 soft-surface trail, and during the planning or construction of a pathway or soft-surface
1052 trail, a local authority or state agency shall consider accommodations and increased
1053 trail access by a person with a mobility disability.
- 1054 [~~(4) An individual under 16 years old may not operate a class 3 electric assisted bicycle.~~]
- 1055 [~~(5) An individual under 14 years old may not operate an electric assisted bicycle with the
1056 electric motor engaged on any public property, highway, path, or sidewalk unless the
1057 individual is under the direct supervision of the individual's parent or guardian.~~]
- 1058 (4) An individual eight years old or older and younger than 16 years old may operate an
1059 electric assisted bicycle with the motor engaged on a highway if the individual:
- 1060 (a) is under direct supervision of the individual's parent or another responsible adult; or
1061 (b) has a personal electric vehicle safety certificate as described in Section 41-6a-1512.
- 1062 (5) An individual 16 years old or older may operate an electric assisted bicycle with the
1063 motor engaged on a highway without supervision.
- 1064 (6) An individual under eight years old may not operate an electric assisted bicycle with the
1065 electric motor engaged on [~~any public property, highway, path, or sidewalk~~] a highway.
- 1066 (7) The owner of an electric assisted bicycle may not authorize or knowingly permit an
1067 individual to operate an electric assisted bicycle in violation of this section.
- 1068 (8)(a) [~~Beginning January 1, 2017, each~~] A Utah-based manufacturer of an electric
1069 assisted bicycle and [~~each~~] a distributor of an electric assisted bicycle in Utah shall
1070 permanently affix a label in a prominent location on the electric assisted bicycle.
- 1071 (b) Each manufacturer and each [~~distributor~~] distributor shall ensure that the label is
1072 printed in Arial font, in 9-point type or larger, and includes the:
- 1073 (i) appropriate electric assisted bicycle classification number described in Section
1074 41-6a-102;
- 1075 (ii) top assisted speed; and
- 1076 (iii) wattage of the motor.
- 1077 (c) A Utah-based manufacturer or commercial seller shall ensure that a programmable
1078 electric assisted bicycle is equipped with a conspicuous label indicating the class or

- 1079 classes of electric assisted bicycle of which the programmable electric assisted
 1080 bicycle is capable of operating.
- 1081 (d) [~~Beginning May 1, 2024, a~~] A commercial seller of any new or used vehicle with
 1082 less than four wheels that is powered by an electric motor that is not an electric
 1083 assisted bicycle shall clearly and conspicuously provide the following disclosure to a
 1084 prospective purchaser at the time of sale and in any advertising materials, online
 1085 website, or social media post promoting the vehicle: "THIS VEHICLE IS NOT AN
 1086 "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR VEHICLE
 1087 CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND SUBJECT TO
 1088 APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC ROADS OR
 1089 PUBLIC LANDS. A HELMET MAY BE REQUIRED WHILE OPERATING.
 1090 YOUR INSURANCE POLICIES MAY NOT PROVIDE COVERAGE FOR
 1091 ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO DETERMINE IF
 1092 COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR INSURANCE
 1093 COMPANY OR AGENT."
- 1094 (e) For a disclosure described in Subsection (8)(d), the commercial seller shall ensure
 1095 that the disclosure appears in bold, capital letters at least the same font size as the
 1096 description of the vehicle.
- 1097 (f) A person's actions to knowingly advertise, offer for sale, or sell a vehicle that is not
 1098 an electric assisted bicycle as an electric bicycle, electric assisted bicycle, electric
 1099 bike, or e-bike without making the disclosure described in Subsection (8)(d)
 1100 constitutes prima facie evidence of a deceptive trade practice under Section 13-11a-3.
- 1101 (9)(a) An individual who violates this section is guilty of an infraction.
- 1102 (b) If an individual younger than 18 years old violates a provision of this section, a
 1103 peace officer may hold an electric assisted bicycle involved in a violation of this
 1104 section or for a moving violation under this chapter and release the electric assisted
 1105 bicycle to a parent or guardian of the individual accused of a violation as described in
 1106 Section 41-6a-1115.6.
- 1107 (10) [~~A class 2~~] An electric assisted bicycle is subject to the restrictions of Section
 1108 41-6a-526.
- 1109 Section 9. Section **41-6a-1115.6** is enacted to read:
- 1110 **41-6a-1115.6 (Effective 05/06/26). Electric assisted bicycles -- Law enforcement**
 1111 **hold.**
- 1112 (1) As used in this section:

- 1113 (a) "Hold" means an action by a peace officer to take into custody and retain an
 1114 individual's personal electric device.
- 1115 (b) "Personal electric vehicle" means the same as that term is defined in Section
 1116 41-6a-1512.
- 1117 (c) "Release" means an action by a peace officer to transfer custody of an individual's
 1118 personal electric device to an individual.
- 1119 (2) If a peace officer observes an individual under 18 years old commit a violation of this
 1120 chapter and the violation occurred while the individual was operating a personal electric
 1121 vehicle, the peace officer may hold the personal electric vehicle.
- 1122 (3) If a peace officer holds an individual's personal electric vehicle as described in
 1123 Subsection (2), the peace officer may release the personal electric vehicle to only the
 1124 individual's parent or guardian.

1125 Section 10. Section **41-6a-1116** is amended to read:

1126 **41-6a-1116 (Effective 05/06/26). Electric personal assistive mobility devices --**
 1127 **Conflicting provisions -- Restrictions -- Penalties.**

- 1128 (1)(a) Except as otherwise provided in this section, an electric personal assistive
 1129 mobility device is subject to the provisions under this chapter for a bicycle~~[- moped,~~
 1130 ~~or a motor-driven cycle]~~.
- 1131 (b) For ~~[a person-]~~ an individual operating an electric personal assistive mobility device,
 1132 the following provisions do not apply:
- 1133 (i) seating positions under Section 41-6a-1501;
- 1134 (ii) required lights, horns, and mirrors under Section 41-6a-1506;
- 1135 (iii) entitlement to full use of a lane under Subsection 41-6a-1502(1); and
- 1136 (iv) driver licensing requirements under Section 53-3-202.
- 1137 (2) ~~[A person-]~~ An individual under ~~[15]~~ 16 years old may not operate an electric personal
 1138 assistive mobility device using the motor unless the ~~[person-]~~ individual is under the
 1139 direct supervision of the ~~[person's-]~~ individual's parent or ~~[guardian]~~ a responsible adult.
- 1140 (3) ~~[A person-]~~ An individual may not operate an electric personal assistive mobility device:
 1141 (a) on a highway consisting of a total of four or more lanes designated for regular
 1142 vehicular traffic, except when operating in a lane designated for bicycle traffic;
- 1143 (b) on a highway with a posted speed limit greater than 35 miles per hour, except when
 1144 operating in a lane designated for bicycle traffic; or
- 1145 (c) that has been structurally or mechanically altered from the original manufacturer's
 1146 design.

- 1147 (4) An owner may not authorize or knowingly permit [~~a person~~] an individual to operate an
1148 electric personal assistive mobility device in violation of this section.
- 1149 (5) [~~A person~~] An individual may operate an electric personal assistive mobility device on a
1150 sidewalk if the operation does not:
- 1151 (a) exceed a speed which is greater than is reasonable or prudent having due regard for
1152 weather, visibility, and pedestrians; or
- 1153 (b) endanger the safety of other persons or property.
- 1154 (6) [~~A person~~] An individual operating an electric personal assistive mobility device shall
1155 yield to a pedestrian or other [~~person~~] individual using a mobility aid.
- 1156 (7)(a) An electric personal assistive mobility device may be operated on:
- 1157 (i) a path or trail designed for the use of a bicycle; or
- 1158 (ii) on a highway where a bicycle is allowed, including any lane designated for
1159 bicycle traffic regardless of the posted speed limit or number of general purpose
1160 lanes.
- 1161 (b) [~~A person~~] An individual operating an electric personal assistive mobility device in
1162 an area described in Subsection (7)(a)(i) or (ii) is subject to the laws governing
1163 bicycles.
- 1164 (8) [~~A person~~] An individual may operate an electric personal assistive mobility device at
1165 night if the device is equipped with or the operator is wearing:
- 1166 (a) a lamp pointing to the front that emits a white light visible from a distance of not less
1167 than 300 feet in front of the device; and
- 1168 (b) front, rear, and side reflectors.
- 1169 (9) [~~A person~~] An individual may not operate an electric personal assistive mobility device
1170 while carrying an article that prevents the [~~person~~] individual from keeping both hands
1171 on the handlebars or interferes with the [~~person's~~] individual's ability to safely operate the
1172 electric personal assistive mobility device.
- 1173 (10) Only one [~~person~~] individual may operate an electric personal assistive mobility device
1174 at a time.
- 1175 (11) [~~A person~~] An individual may not park an electric personal assistive mobility device
1176 on a highway or sidewalk in a manner that obstructs vehicular or pedestrian traffic.
- 1177 (12) [~~A person~~] An individual who violates this section is guilty of an infraction.

1178 Section 11. Section **41-6a-1501** is amended to read:

1179 **41-6a-1501 (Effective 05/06/26). Motorcycle-- Place for operator to ride --**

1180 **Passengers.**

- 1181 (1) ~~[A person-]~~ An individual operating a motorcycle ~~[or motor-driven eyele-]~~ shall ride only
 1182 on the permanent and regular seat attached to the motorcycle~~[or motor-driven eyele-]~~.
- 1183 (2)(a) Except as provided in Subsection (2)(b):
- 1184 (i) ~~[a person-]~~ an individual operating a motorcycle ~~[or motor-driven eyele-]~~ may not
 1185 carry any other ~~[person-]~~ individual on the motorcycle~~[or motor-driven eyele-]~~; and
 1186 (ii) a passenger may not ride on a motorcycle~~[or a motor-driven eyele-]~~.
- 1187 (b) If a motorcycle~~[or motor-driven eyele-]~~ is designed to carry more than one ~~[person]~~
 1188 individual, a passenger may ride on:
- 1189 (i) the permanent and regular seat, if designed for two ~~[persons]~~ individuals; or
 1190 (ii) another seat firmly attached to the motorcycle ~~[or motor-driven eyele-]~~ at the rear
 1191 or side of the operator.
- 1192 (3) ~~[A person-]~~ An individual shall ride on a motorcycle ~~[or motor-driven eyele-]~~ only while
 1193 sitting astride the seat, facing forward, with one leg on either side of the motorcycle~~[or~~
 1194 ~~motor-driven eyele-]~~.
- 1195 (4) ~~[A person-]~~ An individual may not operate a motorcycle ~~[or motor-driven eyele-]~~ while
 1196 carrying a package, bundle, or other article ~~[which]~~ that prevents the ~~[person-]~~ operator
 1197 from keeping both hands on the handlebars.
- 1198 (5) An operator of a motorcycle ~~[or motor-driven eyele-]~~ may not carry ~~[a person-]~~ an
 1199 individual and ~~[a person-]~~ an individual may not ride in a position that interferes with:
- 1200 (a) the operation or control of the motorcycle~~[or motor-driven eyele-]~~; or
 1201 (b) the view of the operator.
- 1202 (6) A violation of this section is an infraction.
- 1203 Section 12. Section **41-6a-1502** is amended to read:
- 1204 **41-6a-1502 (Effective 05/06/26). Motorcycles and all-terrain type I vehicles --**
 1205 **Operation on public highways.**
- 1206 (1)(a) A motorcycle ~~[or a motor-driven eyele-]~~ is entitled to full use of a lane.
 1207 (b) An individual may not operate a motor vehicle in a manner that deprives a
 1208 motorcycle ~~[or motor-driven eyele-]~~ of the full use of a lane.
 1209 (c) This Subsection (1) does not apply to motorcycles ~~[or motor-driven eyeles-]~~ operated
 1210 two abreast in a single lane.
- 1211 (2) The operator of a motorcycle ~~[or motor-driven eyele-]~~ may not overtake and pass in the
 1212 same lane occupied by the vehicle being overtaken.
- 1213 (3)(a) Except as described in Subsection (3)(b), an individual may not operate a
 1214 motorcycle ~~[or motor-driven eyele-]~~ between:

- 1215 (i) lanes of traffic; or
 1216 (ii) adjacent lines or rows of vehicles.
 1217 (b) Subsection (3)(a) does not apply to an individual operating a motorcycle engaging in
 1218 lane filtering as described in Section 41-6a-704.
 1219 (4) Motorcycles [~~or motor-driven cycles~~] may not be operated more than two abreast in a
 1220 single lane.
 1221 (5) Subsections (2) and (3)(a) do not apply to peace officers acting in the peace officers'
 1222 official capacities.
 1223 (6) The provisions of this section also apply to all-terrain type I vehicles.
 1224 (7) A violation of this section is an infraction.

1225 Section 13. Section **41-6a-1503** is amended to read:

1226 **41-6a-1503 (Effective 05/06/26). Motorcycle-- Attaching to another vehicle**
 1227 **prohibited.**

- 1228 (1) [~~A person~~] An individual riding on a motorcycle [~~or motor-driven cycle~~] may not attach [
 1229 ~~himself~~] themselves to any other vehicle on a roadway.
 1230 (2) A violation of this section is an infraction.

1231 Section 14. Section **41-6a-1504** is amended to read:

1232 **41-6a-1504 (Effective 05/06/26). Motorcycle-- Footrests for passenger -- Height**
 1233 **of handlebars limited.**

- 1234 (1) A motorcycle [~~or motor-driven vehicle~~] carrying a passenger on a public highway, other
 1235 than in a sidecar or enclosed cab, shall be equipped with footrests for the passenger.
 1236 (2) [~~A person~~] An individual may not operate a motorcycle [~~or motor-driven cycle~~] with
 1237 handlebars above shoulder height.
 1238 (3) A violation of this section is an infraction.

1239 Section 15. Section **41-6a-1505** is amended to read:

1240 **41-6a-1505 (Effective 05/06/26). Motorcycle-- Protective headgear -- Closed cab**
 1241 **excepted -- Electric assisted bicycles, motor assisted scooters, electric personal assistive**
 1242 **mobility devices.**

- 1243 (1) [~~A person~~] An individual under [~~the age of 21~~] 21 years old may not operate or ride [~~any~~
 1244 ~~of~~] the following on a highway unless the [~~person~~] individual is wearing protective
 1245 headgear that complies with specifications adopted under [~~Subsection (3)~~] Subsection (4):
 1246 (a) a motorcycle;
 1247 [~~(b) a motor-driven cycle;~~]
 1248 [~~(c) a class 3 electric assisted bicycle; or~~]

- 1249 (b) an electric assisted bicycle;
- 1250 (c) a motor assisted scooter;
- 1251 (d) a high power electric device; or
- 1252 ~~[(d)]~~ (e) an auticycle that is not fully enclosed.
- 1253 (2) This section does not apply to ~~[persons-]~~ an individual riding within an enclosed cab.
- 1254 (3) This section does not apply to an individual operating a class 1 electric assisted bicycle
- 1255 or a motor assisted scooter rented from a business or corporate entity.
- 1256 ~~[(3)]~~ (4) The following standards and specifications for protective headgear are adopted:
- 1257 (a) 49 C.F.R. Sec. 571.218 related to protective headgear for motorcycles; and
- 1258 (b) 16 C.F.R. Part 1203 related to protective headgear for bicycles, motor assisted
- 1259 scooters, and electric personal assistive mobility devices.
- 1260 ~~[(4)]~~ (5) A court shall waive \$8 of a fine charged to ~~[a person-]~~ an individual operating a
- 1261 vehicle described in Subsection (1) for a moving traffic violation if the ~~[person-]~~
- 1262 individual was:
- 1263 (a) 21 years ~~[of age or older-]~~ old or older at the time of operation; and
- 1264 (b) wearing protective headgear that complies with the specifications adopted under [~~Subsection (3)-]~~
- 1265 Subsection (4) at the time of operation.
- 1266 ~~[(5)]~~ (6) The failure to wear protective headgear:
- 1267 (a) does not constitute contributory or comparative negligence on the part of ~~[a person-]~~
- 1268 an individual seeking recovery for injuries; and
- 1269 (b) may not be introduced as evidence in any civil litigation on the issue of negligence,
- 1270 injuries, or the mitigation of damages.
- 1271 ~~[(6)]~~ (7) Notwithstanding ~~[Subsection (4)]~~ Subsection (5), a court may not waive \$8 of a fine
- 1272 charged to ~~[a person-]~~ an individual operating a motorcycle ~~[or motor-driven cycle-]~~ for a
- 1273 driving under the influence violation of Section 41-6a-502.
- 1274 ~~[(7)]~~ (8)(a) A violation of this section is an infraction.
- 1275 (b) Upon conviction of a violation of this section, a court may not impose a fine
- 1276 exceeding:
- 1277 (i) \$25 for an individual who violates this section while operating an electric assisted
- 1278 bicycle or a motor assisted scooter; and
- 1279 (ii) \$110 for an individual who violates this section while operating a motorcycle or a
- 1280 high power electric device.
- 1281 Section 16. Section **41-6a-1506** is amended to read:
- 1282 **41-6a-1506 (Effective 05/06/26). Motorcycles -- Required equipment -- Brakes.**

- 1283 (1) A motorcycle [~~and a motor-driven cycle~~] shall be equipped with the following items:
- 1284 (a) one head lamp that, when factory equipped with an automatic lighting ignition
- 1285 system, may not be disconnected;
- 1286 (b) one tail lamp;
- 1287 (c) either a tail lamp or a separate lamp which illuminates the rear license plate with a
- 1288 white light;
- 1289 (d) one red reflector on the rear, either separate or as part of the tail lamp;
- 1290 (e) one stop lamp;
- 1291 (f) a braking system, other than parking brake, in accordance with Section 41-6a-1623;
- 1292 (g) a horn or warning device in accordance with Section 41-6a-1625;
- 1293 (h) a muffler and emission control system in accordance with Section 41-6a-1626;
- 1294 (i) a mirror in accordance with Section 41-6a-1627; and
- 1295 (j) tires in accordance with Section 41-6a-1636.
- 1296 (2) An autocycle shall be equipped with the following items:
- 1297 (a) a seatbelt for each seat installed in the autocycle in accordance with Section
- 1298 41-6a-1628;
- 1299 (b) at least one head lamp that, when factory equipped with an automatic lighting
- 1300 ignition system, may not be disconnected;
- 1301 (c) at least one tail lamp;
- 1302 (d) either a tail lamp or a separate lamp that illuminates the rear license plate with a
- 1303 white light;
- 1304 (e) at least one red reflector, either separate or as part of the tail lamp or tail lamps;
- 1305 (f) at least one stop lamp;
- 1306 (g) a braking system, other than a parking brake, in accordance with Section 41-6a-1623;
- 1307 (h) a horn or warning device in accordance with Section 41-6a-1625;
- 1308 (i) a muffler and emission control system in accordance with Section 41-6a-1626 that,
- 1309 when factory equipped, may not be removed;
- 1310 (j) a mirror in accordance with Section 41-6a-1627; and
- 1311 (k) tires in accordance with Section 41-6a-1636.
- 1312 [~~(3) The department may require an inspection of the braking system on a motor-driven~~
- 1313 ~~cycle and disapprove a braking system that is not designed or constructed as to insure~~
- 1314 ~~reasonable and reliable performance in actual use in accordance with Section 41-6a-1623.]~~
- 1315 [~~(4) A person may not operate a motor-driven cycle on a highway if the department has~~
- 1316 ~~disapproved the braking system on the motor-driven cycle.]~~

1317 [~~(5)(a)~~ Upon notice to the party to whom the motor-driven cycle is registered, the
 1318 department may suspend the registration of a motor-driven cycle if the department
 1319 has disapproved the braking system under this section.]
 1320 [(b) The Motor Vehicle Division shall, under Subsection 41-1a-109(1)(e) or (2), refuse
 1321 to register a motor-driven cycle if it has reason to believe the motor-driven cycle has
 1322 a braking system disapproved under this section.]

1323 [~~(6)~~] (3) A violation of this section is an infraction.

1324 Section 17. Section **41-6a-1511** is enacted to read:

1325 **41-6a-1511** (Effective 05/06/26). **Electric motorcycles and high power electric**
 1326 **devices.**

1327 (1)(a) An individual operating a high power electric device, including an electric
 1328 motorcycle, has all rights and is subject to all provisions of this chapter applicable to
 1329 an operator of a motorcycle.

1330 (b) Notwithstanding Subsection (1)(a), a high power electric device without a vehicle
 1331 identification number that is not a motorcycle is not subject to the requirement to
 1332 maintain liability insurance as described in Section 41-12a-301.

1333 (2)(a) A local authority may adopt an ordinance or a state agency may adopt a rule to
 1334 regulate or restrict the use of a high power electric device on a sidewalk, path, or trail
 1335 within the jurisdiction of the local authority or state agency.

1336 (b) When enacting ordinances or making rules related to the use of a pathway or
 1337 soft-surface trail, and during the planning or construction of a pathway or soft-surface
 1338 trail, a local authority or state agency shall consider accommodations and increased
 1339 trail access by a person with a mobility disability.

1340 (3) An individual younger than 16 years old may not operate a high power electric device
 1341 on a highway.

1342 (4) The owner of a high power electric device may not authorize or knowingly permit an
 1343 individual to operate a high power electric device in violation of this section.

1343a **§→ (5) An individual may not operate a high power electric device on a freeway.**

1344 [~~(5)~~] (6) ←**§** (a) Beginning January 1, 2027, a commercial seller of any new or used
 1344a vehicle shall
 1345 clearly and conspicuously provide the disclosure described in Subsection **§→ [(4)(b)]**
 1345a (6)(b) ←**§** to a
 1346 prospective purchaser at the time of sale and in any advertising materials, online
 1347 website, or social media post promoting the vehicle if the vehicle:

- 1348 (i) has fewer than four wheels;
 1349 (ii) is powered by an electric motor; and
 1350 (iii) is not an electric assisted bicycle.

1351 (b) The disclosure required under Subsection ~~§~~→ [(4)(a)] (6)(a) ←~~§~~ shall state;

1351a "THIS VEHICLE IS

1352 NOT AN "ELECTRIC ASSISTED BICYCLE" AS DEFINED BY UTAH MOTOR

1353 VEHICLE CODE AND IS INSTEAD A TYPE OF MOTOR VEHICLE AND

1354 SUBJECT TO APPLICABLE MOTOR VEHICLE LAWS IF USED ON PUBLIC

1355 ROADS OR PUBLIC LANDS. A HELMET MAY BE REQUIRED WHILE

1356 OPERATING. YOUR INSURANCE POLICIES MAY NOT PROVIDE

1357 COVERAGE FOR ACCIDENTS INVOLVING THE USE OF THIS VEHICLE. TO

1358 DETERMINE IF COVERAGE IS PROVIDED YOU SHOULD CONTACT YOUR

1359 INSURANCE COMPANY OR AGENT."

1360 (c) A commercial seller of a new or used high power electric device shall inform
 1361 prospective purchasers of state law requirements for insurance and registration
 1362 applying to operators of high power electric devices.

1363 ~~§~~→ [(6)] (7) ←~~§~~ Except for offenses otherwise provided under this chapter, an

1363a individual who violates

1364 this section is guilty of an infraction.

1365 Section 18. Section **41-6a-1512** is enacted to read:

1366 **41-6a-1512 (Effective 05/05/27). Safety program -- Personal electric vehicles.**

1367 (1) As used in this section:

1368 (a) "Personal electric vehicle" means an electric assisted bicycle, high power electric
 1369 device, or motor assisted scooter.

1370 (b) "Personal electric vehicle safety certificate" means the personal electric vehicle
 1371 safety certificate issued under Subsection (2)(c).

1372 (c) "Program" means the personal electric vehicle safety education and training program
 1373 described in Subsection (2)(a).

1374 (2) The department shall:

1375 (a) design and administer a personal electric vehicle safety education and training
 1376 program to develop and instill the knowledge, attitudes, habits, and skills necessary
 1377 for the safe and ethical operation of a personal electric vehicle on a highway;

1378 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 1379 make rules that establish curriculum standards for the program;

- 1380 (c) issue a personal electric vehicle safety certificate to an individual who successfully
 1381 completes the program; and
- 1382 (d) ensure that an individual may complete the program online.
- 1383 (3) The department may:
- 1384 (a) contract with another person to implement the program; and
 1385 (b) collect a fee of \$10 or less from each applicant for administration of the program.
- 1386 (4)(a) An individual eight years old or older and younger than 16 years old may not
 1387 operate a personal electric vehicle on a highway in this state unless:
- 1388 (i) the individual obtains a personal electric vehicle safety certificate; or
 1389 (ii) the individual is under direct supervision of a parent or responsible adult while
 1390 operating a personal electric device on a highway.
- 1391 (b) Notwithstanding Subsection (4)(a), an individual who is younger than 16 years old
 1392 may not operate a high power electric device on a highway.
- 1393 (c) An individual who is younger than eight years old may not operate a personal
 1394 electric vehicle on a highway.
- 1394a **§→ (5) An individual younger than 16 years old may not operate a personal electric**
 1394b **vehicle on a freeway.**
- 1395 [~~(5)~~] (6) ←**§** A person may not rent a personal electric vehicle to an individual under 16
 1395a years old
 1396 unless the individual who will operate the personal electric vehicle:
- 1397 (a) presents the certificate described in Subsection (2)(c); or
 1398 (b) is under direct supervision of the individual's parent or a responsible adult.
- 1399 **§→ [~~(6)~~] (7) ←**§**** (a) In addition to the governmental immunity granted in Title
 1399a 63G, Chapter 7,
 1400 Governmental Immunity Act of Utah, the state is immune from suit for any act, or
 1401 failure to act, in any capacity relating to the personal electric vehicle safety education
 1402 and training program.
- 1403 (b) The state is not responsible for any insufficiency or inadequacy in the quality of
 1404 training provided by this program.
- 1405 **§→ [~~(7)~~] (8) ←**§**** A violation of this section by an operator of a personal electric
 1405a vehicle:
- 1406 (a) does not constitute contributory or comparative negligence on the part of a party in
 1407 an action for recovery of damages; and
 1408 (b) may not be introduced as evidence in any civil litigation on the issue of negligence,

1409 injuries, or the mitigation of damages.

1410 §→ [(8)] (9) ←§ A violation of this section is an infraction and a fine associated with

1410a a conviction under

1411 this section may not exceed \$150 per offense.

1412 Section 19. Section **41-6a-1513** is enacted to read:

1413 **41-6a-1513 (Effective 05/06/26). Electric mobility devices -- Law enforcement**

1414 **hold.**

1415 (1) As used in this section:

1416 (a) "Hold" means an action by a peace officer to take into custody and retain an
1417 individual's personal electric device.

1418 (b) "Personal electric vehicle" means the same as that term is defined in Section
1419 41-6a-1512.

1420 (c) "Release" means an action by a peace officer to transfer custody of an individual's
1421 personal electric device to an individual.

1422 (2) If a peace officer observes an individual under 18 years old commit a violation of this
1423 chapter and the violation occurred while the individual was operating a personal electric
1424 vehicle, the peace officer may hold the personal electric vehicle.

1425 (3) If a peace officer holds an individual's personal electric vehicle as described in
1426 Subsection (2), the peace officer may release the personal electric vehicle to only the
1427 individual's parent or guardian.

1428 Section 20. Section **41-22-2** is amended to read:

1429 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27). Definitions.**

1430 As used in this chapter:

1431 (1) "Advisory council" means an advisory council appointed by the Division of Outdoor
1432 Recreation that has within the advisory council's duties advising on policies related to
1433 the use of off-highway vehicles.

1434 (2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width, having
1435 an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure
1436 tires, having a seat designed to be straddled by the operator, and designed for or capable
1437 of travel over unimproved terrain.

1438 (3)(a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width,
1439 traveling on four or more low pressure tires, having a steering wheel, non-straddle
1440 seating, a rollover protection system, and designed for or capable of travel over
1441 unimproved terrain, and is:

- 1442 (i) an electric-powered vehicle; or
1443 (ii) a vehicle powered by an internal combustion engine and has an unladen dry
1444 weight of 3,500 pounds or less.
- 1445 (b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry
1446 a person with a disability, any vehicle not specifically designed or modified primarily
1447 for recreational use on unimproved terrain, or farm tractors as defined under Section
1448 41-1a-102.
- 1449 (4)(a) "All-terrain type III vehicle" means any other motor vehicle, not defined in
1450 Subsection (2), (3), (13), or (24), designed for or capable of travel over unimproved
1451 terrain.
- 1452 (b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to
1453 carry a person with a disability, any vehicle not specifically designed or modified
1454 primarily for recreational use on unimproved terrain, or farm tractors as defined
1455 under Section 41-1a-102.
- 1456 (5) "Commission" means the Outdoor Adventure Commission.
- 1457 (6) "Cross-country" means across natural terrain and off an existing highway, road, route,
1458 or trail.
- 1459 (7) "Dealer" means a person engaged in the business of selling off-highway vehicles at
1460 wholesale or retail.
- 1461 (8) "Division" means the Division of Outdoor Recreation.
- 1462 (9) "Low pressure tire" means any pneumatic tire six inches or more in width designed for
1463 use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure
1464 of 10 pounds per square inch or less as recommended by the vehicle manufacturer.
- 1465 (10) "Manufacturer" means a person engaged in the business of manufacturing off-highway
1466 vehicles.
- 1467 (11)(a) "Motor vehicle" means every vehicle which is self-propelled.
- 1468 (b) "Motor vehicle" includes an off-highway vehicle.
- 1469 (12) "Motorcycle" means ~~[every motor vehicle having a saddle for the use of the operator~~
1470 ~~and designed to travel on not more than two tires.] the same as that term is defined in~~
1471 Section 41-6a-102.
- 1472 (13) "Off-highway implement of husbandry" means every all-terrain type I vehicle,
1473 all-terrain type II vehicle, all-terrain type III vehicle, off-highway motorcycle, or
1474 snowmobile that is used by the owner or the owner's agent for agricultural operations.
- 1475 (14) "Off-highway motorcycle" means an off-highway vehicle that is a motorcycle and is

- 1476 designed for use primarily off-highway.
- 1477 (15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain
1478 type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.
- 1479 (16)(a) "Off-highway vehicle facility" means a facility or area designated for use by an
1480 off-highway vehicle.
- 1481 (b) "Off-highway vehicle facility" includes a trail, trailhead, storage shed, water and
1482 electric infrastructure, or other infrastructure that provides or increases access to an
1483 area designated for use by an off-highway vehicle.
- 1484 (17) "Operate" means to control the movement of or otherwise use an off-highway vehicle.
- 1485 (18) "Operator" means the person who is in actual physical control of an off-highway
1486 vehicle.
- 1487 (19) "Organized user group" means an off-highway vehicle organization incorporated as a
1488 nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised Nonprofit
1489 Corporation Act, for the purpose of promoting the interests of off-highway vehicle
1490 recreation.
- 1491 (20) "Owner" means a person, other than a person with a security interest, having a
1492 property interest or title to an off-highway vehicle and entitled to the use and possession
1493 of that vehicle.
- 1494 (21) "Public land" means land owned or administered by any federal or state agency or any
1495 political subdivision of the state.
- 1496 (22) "Register" means the act of assigning a registration number to an off-highway vehicle.
- 1497 (23) "Roadway" is used as defined in Section 41-6a-102.
- 1498 (24) "Snowmobile" means any motor vehicle designed for travel on snow or ice and steered
1499 and supported in whole or in part by skis, belts, cleats, runners, or low pressure tires, and
1500 equipped with a saddle or seat for the use of the rider.
- 1501 (25) "Street or highway" means the entire width between boundary lines of every way or
1502 place of whatever nature, when any part of it is open to the use of the public for
1503 vehicular travel.
- 1504 (26) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as
1505 defined in Section 41-6a-102.
- 1506 Section 21. Section **41-22-3.5** is amended to read:
- 1507 **41-22-3.5 (Effective 05/06/26). Staggered registration dates -- Registration**
1508 **renewal.**
- 1509 (1) Unless exempted under Section 41-22-9, or unless the off-highway vehicle or

1510 street-legal all-terrain vehicle is registered for a 24-month period as provided in Section
1511 41-1a-215.5, ~~every~~ an off-highway vehicle registration, ~~every~~ a registration card, and [
1512 ~~every~~ a registration sticker issued under this chapter for the first registration of the
1513 off-highway vehicle in this state, continues in effect for a period of 12 months beginning
1514 with the first day of the calendar month of registration and does not expire until the last
1515 day of the same month in the following year.

1516 (2) If the last day of the registration period falls on a day in which the appropriate state or
1517 county offices are not open for business, the registration of the off-highway vehicle is
1518 extended to ~~[12-]~~midnight of the next business day.

1519 (3)(a) The ~~[division]~~ Motor Vehicle Division may receive applications for registration
1520 renewal and issue new registration cards at any time ~~[prior to]~~ before the expiration of
1521 the registration, subject to the availability of renewal materials.

1522 (b) ~~[Applications-]~~ An application for registration renewal shall be made in accordance
1523 with Section 41-22-3.

1524 (4)(a) The new registration shall retain the same expiration month as recorded on the
1525 original registration even if the registration has expired.

1526 (b) The year of registration expiration shall be changed to reflect the renewed
1527 registration period.

1528 (5) If the registration renewal application is an application generated by the ~~[division]~~ Motor
1529 Vehicle Division through its automated system, the owner need not surrender the last
1530 registration card or duplicate.

1531 Section 22. Section **53-3-202** is amended to read:

1532 **53-3-202 (Effective 05/05/27). Drivers shall be licensed -- Violation.**

1533 (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state
1534 unless the human driver is:

1535 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the
1536 division under this chapter;

1537 (b) driving an official United States Government class D motor vehicle with a valid
1538 United States Government driver permit or license for that type of vehicle;

1539 (c)(i) driving a road roller, road machinery, or any farm tractor or implement of
1540 husbandry temporarily drawn, moved, or propelled on the highways; and

1541 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a
1542 construction or agricultural activity;

1543 (d) a nonresident who is at least 16 years old and younger than 18 years old who has in

- 1544 the nonresident's immediate possession a valid license certificate issued to the
1545 nonresident in the nonresident's home state or country and is driving in the class or
1546 classes identified on the home state license certificate, except those persons referred
1547 to in Part 6, Drivers' License Compact, of this chapter;
- 1548 (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate
1549 possession a valid license certificate issued to the nonresident in the nonresident's
1550 home state or country if driving in the class or classes identified on the home state
1551 license certificate, except those persons referred to in Part 6, Drivers' License
1552 Compact, of this chapter;
- 1553 (f) driving under a learner permit in accordance with Section 53-3-210.5;
- 1554 (g) driving with a temporary license certificate issued in accordance with Section
1555 53-3-207; or
- 1556 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.
- 1557 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle
1558 motion control for a vehicle being towed by another motor vehicle upon a highway
1559 unless the human driver:
- 1560 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor
1561 vehicle being towed; or
- 1562 (b) is exempted under either Subsection (1)(b) or (1)(c).
- 1563 (3)(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this
1564 state unless the ~~[person]~~ individual has a valid class D driver license issued by the
1565 division.
- 1566 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a
1567 highway of this state unless the human driver has:
- 1568 (i) a taxicab endorsement issued by the division on the human driver's license
1569 certificate; or
- 1570 (ii) a commercial driver license with:
- 1571 (A) a taxicab endorsement;
- 1572 (B) a passenger endorsement; or
- 1573 (C) a school bus endorsement.
- 1574 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor
1575 vehicle as a private passenger carrier from regulation under other statutory and
1576 regulatory schemes, including:
- 1577 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

1578 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor
 1579 Commission in accordance with Title 63G, Chapter 3, Utah Administrative
 1580 Rulemaking Act; and

1581 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor
 1582 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative
 1583 Rulemaking Act.

1584 (4)(a) [~~Except as provided in Subsections (4)(b), (c), (d), and (e), a~~] A human driver may
 1585 not operate:

1586 (i) a motorcycle, including an electric motorcycle, unless the human driver has a
 1587 valid class D driver license and a motorcycle endorsement issued under this
 1588 chapter; or

1589 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver
 1590 license[~~; or~~] .

1591 [~~(iii) a motor-driven cycle unless the human driver has a valid class D driver license
 1592 and a motorcycle endorsement issued under this chapter.~~]

1593 (b) [~~A~~] Notwithstanding Subsection (4)(a), a human driver operating a moped, as
 1594 defined in Section 41-6a-102, is not required to have a motorcycle endorsement
 1595 issued under this chapter.

1596 [~~(c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102,
 1597 is not required to have a valid class D driver license or a motorcycle endorsement
 1598 issued under this chapter.~~]

1599 [~~(d)~~] (c) An individual is not required to have a valid class D driver license if the person
 1600 is:

1601 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance
 1602 with Section 41-6a-1115; or

1603 (ii) operating an electric personal assistive mobility device, as defined in Section
 1604 41-6a-102, in accordance with Section 41-6a-1116.

1605 [~~(e)~~] (d) A human driver operating an autocycle is not required to have a motorcycle
 1606 endorsement issued under this chapter.

1607 (5)(a) As used in this Subsection (5), "personal electric vehicle safety certificate" means
 1608 the same as that term is defined in Section 41-6a-1512.

1609 (b) An individual under 16 years old:

1610 (i) is not required to hold a class D driver license or a motorcycle endorsement to
 1611 operate an electric assisted bicycle on a highway; and

- 1612 (ii) may not operate an electric assisted bicycle on a highway unless:
- 1613 (A) the individual obtains a personal electric vehicle safety certificate; or
- 1614 (B) the individual is under direct supervision of the individual's parent or another
- 1615 responsible adult.
- 1616 (c) An individual who is 16 years old or older may operate an electric assisted bicycle or
- 1617 a motor assisted scooter on a highway without:
- 1618 (i) a class D driver license;
- 1619 (ii) a motorcycle endorsement; or
- 1620 (iii) a personal electric vehicle safety certificate.
- 1621 (d) Notwithstanding the requirement described in Subsection (4)(a)(i), an individual who
- 1622 is 16 years old or older may operate a high power electric device on a highway if the
- 1623 individual has a class D driver license.
- 1624 (6) A peace officer may not stop an individual under suspicion of that individual violating
- 1625 Subsection (5) unless the peace officer observes the individual violate another provision
- 1626 of law.
- 1627 ~~(5)~~ (7) An automated driving system as defined in Section 41-26-102.1 is not required to
- 1628 have a driver license.
- 1629 ~~(6)~~ (8)(a) A person who violates this section is guilty of an infraction.
- 1630 (b) Except as provided in Subsection ~~(6)(d)~~ (8)(d), [a person] an individual who violates
- 1631 Subsection (4)(a)(i) ~~[or (4)(a)(iii)] is subject to a minimum fine of \$350.~~
- 1632 (c) The fine described in Subsection ~~(6)(b)~~ (8)(b) is in addition to any other fine for a
- 1633 violation of Title 41, Chapter 6a, Traffic Code, or a local ordinance related to the
- 1634 operation of the motorcycle.
- 1635 (d)(i) A court shall waive the fine imposed under Subsection ~~(6)(b)~~ (8)(b) if the [
- 1636 person] individual provides to the court within 30 days of the date of the entry of a
- 1637 plea or sentencing, whichever is later, proof that the [person] individual has been
- 1638 issued a motorcycle endorsement as provided in this chapter.
- 1639 (ii) A court may extend the 30-day time period described in Subsection ~~(6)(d)(i)~~
- 1640 (8)(d)(i) for a reasonable time period for the person to obtain a motorcycle
- 1641 endorsement for good cause shown.

1642 Section 23. Section **63I-1-241** is amended to read:

1643 **63I-1-241 (Effective 05/06/26). Repeal dates: Title 41.**

- 1644 (1) Subsection 41-1a-1201(8), regarding the Brain and Spinal Cord Injury Fund, is repealed
- 1645 July 1, 2029.

- 1646 (2) Subsection [41-6a-102(34)] 41-6a-102(39), regarding lane filtering, is repealed July 1,
 1647 2027.
- 1648 (3) Subsection 41-6a-704(6), regarding lane filtering, is repealed July 1, 2027.
- 1649 (4) Subsection 41-6a-710(1)(c), regarding lane filtering, is repealed July 1, 2027.
- 1650 (5) Subsection 41-6a-1406(7)(b)(iii), regarding the Brain and Spinal Cord Injury Fund, is
 1651 repealed July 1, 2029.
- 1652 (6) Subsection 41-22-2(1), regarding an advisory council addressing off-highway vehicle
 1653 issues, is repealed July 1, 2027.
- 1654 (7) Subsection 41-22-10(1), regarding an advisory council addressing off-highway vehicle
 1655 issues, is repealed July 1, 2027.
- 1656 (8) Subsection 41-22-8(3)(b), regarding the Brain and Spinal Cord Injury Fund, is repealed
 1657 July 1, 2029.

1658 Section 24. Section **79-7-301** is amended to read:

1659 **79-7-301 (Effective 05/06/26). Money to be appropriated -- Boating account**
 1660 **expenses.**

1661 [(4)] The Legislature shall appropriate the money from time to time necessary to carry out
 1662 the purposes of this chapter to the division to be used by the division in the
 1663 administration of the powers and duties and in carrying out the objective and purposes [
 1664 ~~prescribed by~~] described in this chapter.

1665 [~~2~~] ~~Departmental operating and administrative expenses for the administration of the~~
 1666 ~~boating account of the division shall be charged against that account.]~~

1667 Section 25. **Effective Date.**

1668 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

1669 (2) The actions affecting the following sections take effect on May 5, 2027:

1670 (a) Section 41-6a-1115 (Effective 05/05/27);

1671 (b) Section 41-6a-1115.5 (Effective 05/05/27);

1672 (c) Section 41-6a-1512 (Effective 05/05/27); and

1673 (d) Section 53-3-202 (Effective 05/05/27).