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Traffic Safety Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Jake Fitisemanu
Senate Sponsor:

LONG TITLE

General Description:

This bill establishes a red light camera pilot program.

Highlighted Provisions:

This bill:

- creates a red light camera pilot program;
- establishes rules, restrictions, and guidelines for the pilot program;
- sets a repeal date for the pilot program;
- requires the Department of Transportation and the Department of Public Safety to report regarding the pilot program;
- designates the Zero Fatalities initiative as the highway safety initiative of the Department of Transportation; and
- defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 63I-1-241**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5
- 63I-2-278**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5
- 78A-2-301.5**, as last amended by Laws of Utah 2022, Chapter 384
- 78A-7-106**, as last amended by Laws of Utah 2024, Forth Special Session, Chapter 1

ENACTS:

- 41-6a-312**, Utah Code Annotated 1953
- 72-1-218**, Utah Code Annotated 1953

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

31 Section 1. Section **41-6a-312** is enacted to read:

32 **41-6a-312 . Red light camera pilot program.**

33 (1) As used in this section:

34 (a) "Applicable law enforcement agency" means the law enforcement agency with
35 jurisdiction over an identified high-risk intersection.

36 (b) "Department of Transportation" means the Department of Transportation created in
37 Section 72-1-201.

38 (c) "High-risk intersection" means an intersection identified by the Department of
39 Transportation, in consultation with an applicable law enforcement agency, based on:

40 (i) crash data; and

41 (ii) injury and fatality data.

42 (d) "Red light camera" means a camera that is programmed to detect and photograph a
43 vehicle that crosses an intersection when prohibited by a red light on a traffic-control
44 signal.

45 (e) "Red light camera pilot program" means the pilot program established in Subsection
46 (2)(a).

47 (2)(a) The Department of Transportation, in coordination with an applicable law
48 enforcement agency, shall establish a red light camera pilot program to begin no later
49 than January 1, 2026, and end no later than April 30, 2027.

50 (b) The pilot program shall include up to 10 high-risk intersections selected under
51 Subsection (3).

52 (c) The pilot program shall include:

53 (i) an initial data collection phase which shall include at least 30 days of study at each
54 selected high-risk intersection to establish a baseline of data;

55 (ii) a public education phase, for at least 60 days, to notify the public of the upcoming
56 installation of a red light camera and implementation of the pilot program; and

57 (iii) a 12-month red light camera implementation phase.

58 (3)(a) The Department of Transportation shall:

59 (i) identify up to 10 high-risk intersections for inclusion in the pilot program;

60 (ii) install a necessary sign described in Subsection (4);

61 (iii) enter into an agreement or contract to obtain a red light camera from a vendor as
62 described in Subsection (10);

63 (iv) manage the use and maintenance of a red light camera and red light camera
64 notice sign;

- 65 (v) collect and send, or ensure the red light camera vendor collects and sends,
66 necessary data captured by a red light camera to the applicable law enforcement
67 agency for the enforcing agency to send a civil notice of violation or warning as
68 described in Subsection (5); and
- 69 (vi) coordinate with an applicable law enforcement agency for implementation of the
70 pilot program including the placement location of a red light camera.
- 71 (b) An applicable law enforcement agency shall:
- 72 (i) consult with the Department of Transportation for the Department of
73 Transportation to enter into a contract to purchase, lease, or rent a red light camera
74 from a vendor;
- 75 (ii) coordinate with the Department of Transportation or vendor to receive the
76 captured data described in Subsection (5)(a);
- 77 (iii) identify the owner of a vehicle based on the photograph of the violating driver's
78 vehicle's license plate; and
- 79 (iv) send the owner of the vehicle described in Subsection (5)(a) the warning or civil
80 notice of violation described in Subsection (5).
- 81 (4) An applicable law enforcement agency may not use a red light camera in a high-risk
82 intersection unless:
- 83 (a) a prominent sign is posted on the highway providing notice to a motorist that a red
84 light camera is in use; and
- 85 (b) the issuance of a civil notice of violation is accompanied by the photograph produced
86 by the red light camera.
- 87 (5)(a) When an applicable law enforcement agency is notified that a red light camera has
88 captured evidence of an individual violating Subsection 41-6a-305(4), the applicable
89 law enforcement agency shall:
- 90 (i) for a vehicle registered in this state, issue notice by mail with signed receipt or
91 personal service within 30 days after the date of the alleged violation; or
- 92 (ii) for a vehicle registered in any other state, issue notice by mail with signed receipt
93 or personal service within 60 days after the date of the alleged violation.
- 94 (b) For any violation during the public education phase described in Subsection (2)(c),
95 the notice described in Subsection (5)(a) shall:
- 96 (i) provide information and evidence of the alleged violation, including the
97 photograph of the vehicle's license plate; and
- 98 (ii) provide a warning to the owner of the vehicle involved in the alleged violation.

- 99 (c) For a first violation during the implementation phase described in Subsection (2)(c)
100 involving the vehicle, the notice described in Subsection (5)(a) shall:
101 (i) provide information and evidence of the alleged violation, including the
102 photograph of the vehicle's license plate; and
103 (ii) provide a warning to the owner of the vehicle involved in the alleged violation.
104 (d) For a second or subsequent violation during the pilot program, the notice described
105 in Subsection (5)(a) shall:
106 (i) provide information and evidence of the alleged violation, including the
107 photograph of the vehicle's license plate;
108 (ii) issue a civil notice of violation to the vehicle owner; and
109 (iii) provide information about how the owner of the vehicle may dispute the civil
110 notice of violation.
111 (e)(i) A fine for a violation described in Subsection (5)(d) may not exceed \$130.
112 (ii) A local government entity may not impose a fee in addition to the fee described
113 in Subsection (5)(e)(i).
114 (6)(a) If the applicable law enforcement agency fails to provide the notice described in
115 Subsection (5)(a):
116 (i) the alleged violation may not count toward a first or subsequent violation as
117 described in Subsection (5); and
118 (ii) the applicable law enforcement agency may not issue a civil notice of violation
119 for the alleged violation.
120 (b) If a vehicle owner fails to pay the civil penalty or otherwise resolve the alleged
121 violation within 30 days after receiving the notice described in Subsection (5)(a), the
122 applicable law enforcement agency shall:
123 (i) enter an order of liability against the vehicle owner; and
124 (ii)(A) serve the order of liability to the vehicle owner by personal service; or
125 (B) send the order of liability to the vehicle owner by mail with a signed receipt
126 required.
127 (7)(a) A vehicle owner may contest the order of liability described in Subsection (6)(b)
128 in the justice court that has territorial jurisdiction over the high-risk intersection
129 where the violation occurred.
130 (b) A vehicle owner may only contest whether the order of violation was issued in
131 compliance with the requirements described in Subsections (5) and (6).
132 (c) A vehicle owner must contest the order of violation within 30 days of receiving a

- 133 copy of the order from the applicable law enforcement agency under Subsection (5).
- 134 (8)(a) Except as provided in Subsection (8)(b), any data or evidence captured by a red
- 135 light camera, other than evidence of an individual violating Subsection 41-6a-305(4),
- 136 may not be used as evidence in a criminal or civil proceeding or investigation.
- 137 (b) A law enforcement agency may access and use data or evidence captured by a red
- 138 light camera pursuant to a warrant issued under the Utah Rules of Criminal Procedure
- 139 or an equivalent federal warrant.
- 140 (9) For a civil fine and forfeiture collected as described in this section, an applicable law
- 141 enforcement agency shall:
- 142 (a) if the vehicle owner voluntarily remits the civil fine under this section, allocate 100%
- 143 of the fine to the Department of Transportation's Zero Fatalities initiative described in
- 144 Section 72-1-218; or
- 145 (b) in all other instances, allocate:
- 146 (i) 40% to the treasurer of the state or local government entity responsible for
- 147 enforcing the moving traffic violation; and
- 148 (ii) 60% to the Department of Transportation's Zero Fatalities initiative described in
- 149 Section 72-1-218.
- 150 (10)(a) Subject to Subsection (3)(a), the Department of Transportation shall enter into a
- 151 contract regarding the purchase, lease, or rental of a red light camera for use by the
- 152 department or a local highway authority.
- 153 (b) The contract described in Subsection (10)(a) may not require any condition for
- 154 issuing a citation.
- 155 (c) The Department of Transportation shall use existing Department of Transportation
- 156 funds to purchase, lease, or rent a red light camera for the pilot program.
- 157 (11) The Department of Transportation and the department shall make the following
- 158 information available for public inspection on the respective websites of the Department
- 159 of Transportation or the department:
- 160 (a) the terms of any vendor contract regarding the purchase, lease, rental, or use of a red
- 161 light camera;
- 162 (b) the total fine revenue generated by using a red light camera;
- 163 (c) the number of civil notices of violations issued by the use of a red light camera; and
- 164 (d) the amount paid to the vendor providing a red light camera unit.
- 165 (12) On or before October 1, 2027, the Department of Transportation and the department
- 166 shall provide a report to the Transportation Interim Committee that summarizes:

- 167 (a) the effectiveness of red light camera enforcement at each high-risk intersection
 168 described in Subsection (2);
 169 (b) if available, the crash rates before and after implementation; and
 170 (c) other relevant data.
- 171 (13) A moving traffic violation enforced through the use of a red light camera is not a
 172 reportable violation as defined under Section 53-3-102, and the Driver License Division
 173 may not assess points under Section 53-3-221 against the driving record of an individual
 174 for the violation.
- 175 (14) Notwithstanding Subsection (13), the restrictions on the use of a red light camera do
 176 not apply when the information gathered is used for highway safety research or to issue
 177 warning citations that do not involve a fine, court appearance, or an individual's driving
 178 record.

179 Section 2. Section **63I-1-241** is amended to read:

180 **63I-1-241 . Repeal dates: Title 41.**

- 181 (1) Subsection 41-1a-1201(8), regarding the Brain and Spinal Cord Injury Fund, is repealed
 182 July 1, 2029.
- 183 (2) Subsection 41-6a-102(34), regarding lane filtering, is repealed July 1, 2027.
- 184 (3) Section 41-6a-312, red light camera pilot program, is repealed October 1, 2027.
- 185 ~~(3)~~ (4) Subsection 41-6a-704(6), regarding lane filtering, is repealed July 1, 2027.
- 186 ~~(4)~~ (5) Subsection 41-6a-710(1)(c), regarding lane filtering, is repealed July 1, 2027.
- 187 ~~(5)~~ (6) Subsection 41-6a-1406(6)(b)(iii), regarding the Brain and Spinal Cord Injury Fund,
 188 is repealed July 1, 2029.
- 189 ~~(6)~~ (7) Subsection 41-22-2(1), regarding an advisory council addressing off-highway
 190 vehicle issues, is repealed July 1, 2027.
- 191 ~~(7)~~ (8) Subsection 41-22-10(1), regarding an advisory council addressing off-highway
 192 vehicle issues, is repealed July 1, 2027.
- 193 ~~(8)~~ (9) Subsection 41-22-8(3)(b), regarding the Brain and Spinal Cord Injury Fund, is
 194 repealed July 1, 2029.

195 Section 3. Section **63I-2-278** is amended to read:

196 **63I-2-278 . Repeal dates: Titles 78A through 78B.**

- 197 (1) Section 78A-2-804, Guardian Ad Litem Services Account established -- Funding, is
 198 repealed July 1, 2024.
- 199 (2) Subsection 78A-7-106(4)(c), regarding jurisdiction of a justice court, is repealed
 200 October 1, 2027.

201 Section 4. Section **72-1-218** is enacted to read:

202 **72-1-218 . Zero Fatalities initiative.**

- 203 (1) The "Zero Fatalities" initiative is designated as the highway safety initiative of the
204 department in the state.
- 205 (2) The department shall develop or maintain the policies related to the Zero Fatalities
206 initiative that promote safety on highways for pedestrians, cyclists, and vehicle
207 passengers, mitigate vehicle crash severity, and reduce the number of lives lost in the
208 state.

209 Section 5. Section **78A-2-301.5** is amended to read:

210 **78A-2-301.5 . Civil fees for justice courts.**

- 211 (1) The fee for filing a small claims affidavit is:
- 212 (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court
213 costs, interest, and attorney fees is \$2,000 or less;
- 214 (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court
215 costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
- 216 (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court
217 costs, interest, and attorney fees is \$7,500 or more.
- 218 (2) The fee for filing a small claims counter affidavit is:
- 219 (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees
220 is \$2,000 or less;
- 221 (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees
222 is greater than \$2,000, but less than \$7,500; and
- 223 (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees
224 is \$7,500 or more.
- 225 (3) The fee for filing a petition for expungement is \$135.
- 226 (4) The fee for a petition to open a sealed record is \$35.
- 227 (5) The filing fee for contesting an order of liability under Section 41-6a-312 is \$40.
- 228 [~~5~~] (6) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in
229 addition to any fee for a complaint or petition.
- 230 [~~6~~] (7) The fee for filing a notice of appeal to a court of record is \$10. This fee covers all
231 services of the justice court on appeal but does not satisfy the trial de novo filing fee in
232 the court of record.
- 233 [~~7~~] (8) The fee for a certified copy of a document is \$4 per document plus 50 cents per
234 page.

235 [~~(8)~~] (9) The fee for an exemplified copy of a document is \$6 per document plus 50 cents
 236 per page.

237 [~~(9)~~] (10) The fee schedule adopted by the Judicial Council for copies of documents and
 238 forms and for the search and retrieval of records under Title 63G, Chapter 2,
 239 Government Records Access and Management Act, shall apply.

240 [~~(10)~~] (11) There is no fee for services or the filing of documents not listed in this section or
 241 otherwise provided by law.

242 [~~(11)~~] (12) The filing fees under this section may not be charged to the state, its agencies, or
 243 political subdivisions filing or defending any action. In judgments awarded in favor of
 244 the state, its agencies, or political subdivisions, except the Office of Recovery Services,
 245 the court shall order the filing fees and collection costs to be paid by the judgment
 246 debtor. The sums collected under this Subsection [~~(11)~~] (12) shall be applied to the fees
 247 after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by
 248 law.

249 Section 6. Section **78A-7-106** is amended to read:

250 **78A-7-106 . Original jurisdiction of a justice court -- Territorial jurisdiction --**

251 **Transfer of a domestic violence case.**

252 (1) A justice court has original jurisdiction over class B and C misdemeanors, violations of
 253 ordinances, and infractions committed within the justice court's territorial jurisdiction by
 254 an individual who is 18 years old or older.

255 (2) A justice court has original jurisdiction over the following offenses committed within
 256 the justice court's territorial jurisdiction by a minor or an adult high school student:

257 (a) class C misdemeanor and infraction violations described in Title 53, Chapter 3, Part
 258 2, Driver Licensing Act; and

259 (b) class B and C misdemeanor and infraction violations described in:

260 (i) Title 23A, Wildlife Resources Act;

261 (ii) Title 41, Chapter 1a, Motor Vehicle Act;

262 (iii) Title 41, Chapter 6a, Traffic Code;

263 (iv) Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and
 264 Operators Act;

265 (v) Title 41, Chapter 22, Off-highway Vehicles;

266 (vi) Title 73, Chapter 18, State Boating Act;

267 (vii) Title 73, Chapter 18a, Boating - Litter and Pollution Control;

268 (viii) Title 73, Chapter 18b, Water Safety; and

- 269 (ix) Title 73, Chapter 18c, Financial Responsibility of Motorboat Owners and
270 Operators Act.
- 271 (3) Notwithstanding Subsection (1) or (2), a justice court does not have original jurisdiction
272 over:
- 273 (a) an offense described in Subsection (1) or (2) if:
- 274 (i) the district court has exclusive jurisdiction over the offense in accordance with
275 Subsection 78A-5-102(8) or Section 78A-5-102.5; or
- 276 (ii) the juvenile court has exclusive jurisdiction over the offense in accordance with
277 Section 78A-6-103.5; or
- 278 (b) the following offenses committed within the justice court's territorial jurisdiction by
279 a minor or an adult high school student:
- 280 (i) class B and C misdemeanor violations described in Title 41, Chapter 6a, Part 5,
281 Driving Under the Influence and Reckless Driving; and
- 282 (ii) a class B misdemeanor violation described in Section 73-18-12.
- 283 (4) A justice court has jurisdiction over:
- 284 (a) a small claims case under Chapter 8, Small Claims Courts, if a defendant resides in
285 or the debt arose within the territorial jurisdiction of the justice court;[~~and~~]
- 286 (b) a petition for expungement as described in Title 77, Chapter 40a, Expungement of
287 Criminal Records[-] ; and
- 288 (c) a contested order of liability issued under the red light camera pilot program as
289 described in Subsection 41-6a-312(7).
- 290 (5) An offense is committed within the territorial jurisdiction of a justice court if:
- 291 (a) conduct constituting an element of the offense or a result constituting an element of
292 the offense occurs within the court's jurisdiction, regardless of whether the conduct or
293 result is itself unlawful;
- 294 (b) either an individual committing an offense or a victim of an offense is located within
295 the court's jurisdiction at the time the offense is committed;
- 296 (c) either a cause of injury occurs within the court's jurisdiction or the injury occurs
297 within the court's jurisdiction;
- 298 (d) an individual commits any act constituting an element of an inchoate offense within
299 the court's jurisdiction, including an agreement in a conspiracy;
- 300 (e) an individual solicits, aids, or abets, or attempts to solicit, aid, or abet another
301 individual in the planning or commission of an offense within the court's jurisdiction;
- 302 (f) the investigation of the offense does not readily indicate in which court's jurisdiction

- 303 the offense occurred, and:
- 304 (i) the offense is committed upon or in any railroad car, vehicle, watercraft, or aircraft
- 305 passing within the court's jurisdiction;
- 306 (ii) the offense is committed on or in any body of water bordering on or within this
- 307 state if the territorial limits of the justice court are adjacent to the body of water;
- 308 (iii) an individual who commits theft exercises control over the affected property
- 309 within the court's jurisdiction; or
- 310 (iv) the offense is committed on or near the boundary of the court's jurisdiction;
- 311 (g) the offense consists of an unlawful communication that was initiated or received
- 312 within the court's jurisdiction; or
- 313 (h) jurisdiction is otherwise specifically provided by law.
- 314 (6) If a defendant in a criminal case before a justice court is a minor, the justice court may
- 315 transfer the case to the juvenile court for further proceedings if the justice court
- 316 determines and the juvenile court concurs that the best interests of the defendant would
- 317 be served by the continuing jurisdiction of the juvenile court.
- 318 (7)(a) If a justice court has jurisdiction over a criminal action involving a domestic
- 319 violence offense and the criminal action is set for trial, the prosecuting attorney or the
- 320 defendant may file a notice of transfer in the justice court to transfer the criminal
- 321 action from the justice court to the district court.
- 322 (b) If a prosecuting attorney files a notice of transfer, the prosecuting attorney shall
- 323 certify in the notice of transfer that the prosecuting attorney, or a representative from
- 324 the prosecuting attorney's office, has consulted with, or notified, all of the alleged
- 325 victims about transferring the criminal action to the district court.
- 326 (c) The justice court shall transfer a criminal action to the district court if the justice
- 327 court receives a notice of transfer from:
- 328 (i) the defendant as described in Subsection [~~(7)(b)~~] (7)(a); or
- 329 (ii) the prosecuting attorney as described in Subsection (7)(b) and the prosecuting
- 330 attorney's notice of intent complies with Subsection (7)(c).

331 **Section 7. Effective Date.**

332 This bill takes effect on July 1, 2025.