

**AIRPORT LAW ENFORCEMENT AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Gricius**

Senate Sponsor: John D. Johnson

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**LONG TITLE**

**Committee Note:**

The Judiciary Interim Committee recommended this bill.

Legislative Vote: 13 voting for 0 voting against 4 absent

**General Description:**

This bill concerns the provision of law enforcement services by the Department of Public Safety and the Utah Highway Patrol at certain airports.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides that the Department of Public Safety and the Utah Highway Patrol will provide law enforcement services for certain airports under certain conditions;
- ▶ requires the Utah Highway Patrol, when assuming law enforcement services for an airport, to allow peace officers working at the airport to apply to work for the Utah Highway Patrol;
- ▶ requires a city of the first class with an airport with greater than 10 million annual passengers to contract with and pay the Department of Public Safety and Utah Highway Patrol for law enforcement services at the airport; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53-1-106**, as last amended by Laws of Utah 2023, Chapters 328, 447

33 **53-8-105**, as last amended by Laws of Utah 2023, Chapter 432

34 **72-10-207**, as last amended by Laws of Utah 2020, Chapter 377

35 **72-10-211**, as last amended by Laws of Utah 2019, Chapter 431

36 **72-10-601**, as last amended by Laws of Utah 2011, Chapter 366

37 ENACTS:

38 **53-8-108**, Utah Code Annotated 1953

39 **72-10-605**, Utah Code Annotated 1953

40 REPEALS:

41 **53-8-101**, as enacted by Laws of Utah 1993, Chapter 234



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

44 Section 1. Section **53-1-106** is amended to read:

45 **53-1-106. Department duties -- Powers.**

46 (1) In addition to the responsibilities contained in this title, the department shall:

47 (a) make rules and perform the functions specified in Title 41, Chapter 6a, Traffic  
48 Code, including:

49 (i) setting performance standards for towing companies to be used by the department,  
50 as required by Section **41-6a-1406**; and

51 (ii) advising the Department of Transportation regarding the safe design and operation  
52 of school buses, as required by Section **41-6a-1304**;

53 (b) make rules to establish and clarify standards pertaining to the curriculum and  
54 teaching methods of a motor vehicle accident prevention course under Section **31A-19a-211**;

55 (c) aid in enforcement efforts to combat drug trafficking;

56 (d) meet with the Division of Technology Services to formulate contracts, establish  
57 priorities, and develop funding mechanisms for dispatch and telecommunications operations;

58 (e) provide assistance to the Crime Victim Reparations Board and the Utah Office for

59 Victims of Crime in conducting research or monitoring victims' programs, as required by  
60 Section [63M-7-505](#);

61 (f) develop sexual assault exam protocol standards in conjunction with the Utah  
62 Hospital Association;

63 (g) engage in emergency planning activities, including preparation of policy and  
64 procedure and rulemaking necessary for implementation of the federal Emergency Planning  
65 and Community Right to Know Act of 1986, as required by Section [53-2a-702](#);

66 (h) implement the provisions of Section [53-2a-402](#), the Emergency Management  
67 Assistance Compact;

68 (i) ensure that any training or certification required of a public official or public  
69 employee, as those terms are defined in Section [63G-22-102](#), complies with Title 63G, Chapter  
70 22, State Training and Certification Requirements, if the training or certification is required:

71 (i) under this title;

72 (ii) by the department; or

73 (iii) by an agency or division within the department;

74 (j) employ a law enforcement officer as a public safety liaison to be housed at the State  
75 Board of Education who shall work with the State Board of Education to:

76 (i) support training with relevant state agencies for school resource officers as  
77 described in Section [53G-8-702](#);

78 (ii) coordinate the creation of model policies and memorandums of understanding for a  
79 local education agency and a local law enforcement agency; and

80 (iii) ensure cooperation between relevant state agencies, a local education agency, and  
81 a local law enforcement agency to foster compliance with disciplinary related statutory  
82 provisions, including Sections [53E-3-516](#) and [53G-8-211](#);

83 (k) provide for the security and protection of public officials, public officials' staff, and  
84 the capitol hill complex in accordance with the provisions of this part; [~~and~~]

85 (l) fulfill the duties described in Sections [77-36-2.1](#) and [78B-7-120](#) related to lethality  
86 assessments[-]; and

87 (m) provide law enforcement services as provided in Section [53-8-108](#).

88 (2) (a) The department shall establish a schedule of fees as required or allowed in this  
89 title for services provided by the department.

90 (b) All fees not established in statute shall be established in accordance with Section  
91 [63J-1-504](#).

92 (3) The department may establish or contract for the establishment of an Organ  
93 Procurement Donor Registry in accordance with Section [26B-8-319](#).

94 Section 2. Section **53-8-105** is amended to read:

95 **53-8-105. Duties of Highway Patrol.**

96 (1) In addition to the duties in this chapter, the Highway Patrol shall:

97 (a) enforce the state laws and rules governing use of the state highways;

98 (b) regulate traffic on all highways and roads of the state;

99 (c) assist the governor in an emergency or at other times at ~~[his]~~ the governor's  
100 discretion;

101 (d) in cooperation with federal, state, and local agencies, enforce and assist in the  
102 enforcement of all state and federal laws related to the operation of a motor carrier on a  
103 highway, including all state and federal rules and regulations;

104 (e) inspect certain vehicles to determine road worthiness and safe condition as  
105 provided in Section [41-6a-1630](#);

106 (f) upon request, assist with any condition of unrest existing or developing on a campus  
107 or related facility of an institution of higher education;

108 (g) assist the Alcoholic Beverage Services Commission in an emergency to enforce the  
109 state liquor laws;

110 (h) provide law enforcement services for certain airports as provided in Section  
111 [53-8-108](#);

112 ~~[(h)]~~ (i) provide security and protection for both houses of the Legislature while in  
113 session as the speaker of the House of Representatives and the president of the Senate find  
114 necessary;

115 ~~[(i)]~~ (j) enforce the state laws and rules governing use of the capitol hill complex as  
116 defined in Section [63C-9-102](#); and

117 ~~[(j)]~~ (k) carry out the following for the Supreme Court and the Court of Appeals:

118 (i) provide security and protection to those courts when in session in the capital city of  
119 the state;

120 (ii) execute orders issued by the courts; and

- 121 (iii) carry out duties as directed by the courts.
- 122 (2) (a) The division and the department shall annually:
- 123 (i) evaluate the inventory of new and existing state highways, in coordination with
- 124 relevant local law enforcement agencies, to determine which law enforcement agency is best
- 125 suited to patrol and enforce state laws and regulate traffic on each state highway; and
- 126 (ii) before October 1 of each year, report to the Transportation Interim Committee and
- 127 the Executive Offices and Criminal Justice Appropriations Subcommittee regarding:
- 128 (A) significant changes to the patrol and enforcement responsibilities resulting from
- 129 the evaluation described in Subsection (2)(a)(i); and
- 130 (B) any budget request necessary to accommodate additional patrol and enforcement
- 131 responsibilities.
- 132 (b) The division and the department shall, before July 1 of each year, coordinate with
- 133 the Department of Transportation created in Section 72-1-201 regarding patrol and
- 134 enforcement responsibilities described in Subsection (2)(a) and incident management services
- 135 on state highways.

136 Section 3. Section 53-8-108 is enacted to read:

137 **53-8-108. Law enforcement services for certain airports.**

138 (1) As used in this section, "city" means the same as that term is defined in Section

139 72-10-601.

140 (2) The division and the department shall contract with a city to provide all law

141 enforcement services for an airport described in Section 72-10-605.

142 (3) (a) In accordance with Section 72-10-605, the division and the department may not

143 enter into a contract described under this section unless the contract provides that all costs of

144 the law enforcement services are paid by the city.

145 (b) Costs for law enforcement services include operational and administrative costs as

146 determined by the division and the department.

147 (4) When assuming law enforcement services for an airport under this section, the

148 division shall allow peace officers working at the airport to apply to work in the division.

149 Section 4. Section 72-10-207 is amended to read:

150 **72-10-207. Powers of department and political subdivisions over airports --**

151 **Security unit.**

152 (1) The department, and counties, municipalities, or other political subdivisions of this  
153 state that have established or may establish airports or that acquire, lease, or set apart real  
154 property for those purposes, may:

155 (a) construct, equip, improve, maintain, and operate the airports or may vest the  
156 authority for their construction, equipment, improvement, maintenance, and operation in an  
157 officer of the department or in an officer, board, or body of the political subdivision;

158 (b) adopt rules, establish charges, fees, and tolls for the use of airports and landing  
159 fields, fix penalties for the violation of the rules, and establish liens to enforce payment of the  
160 charges, fees, and tolls, subject to approval by the commission;

161 (c) lease the airports to private parties for operation for a term not exceeding 50 years,  
162 as long as the public is not deprived of its rightful, equal, and uniform use of the facility;

163 (d) lease or assign space, area, improvements, equipment, buildings, and facilities on  
164 the airports to private parties for operation for a term not exceeding 50 years;

165 (e) lease or assign real property comprising all or any part of the airports to private  
166 parties for the construction and operation of hangars, shop buildings, or office buildings for a  
167 term not exceeding 50 years, if the projected construction cost of the hangar, shop building, or  
168 office building is \$100,000 or more; and

169 (f) subject to Section 72-10-605, establish, maintain, operate, and staff a security unit  
170 for the purpose of enforcing state and local laws at any airport that is subject to federal airport  
171 security regulations.

172 (2) The department or political subdivision shall pay the construction, equipment,  
173 improvement, maintenance, and operations expenses of any airport established by them under  
174 Subsection (1).

175 (3) (a) [~~ff~~] Subject to Section 72-10-605, if the department or political subdivision  
176 establishes a security unit under Subsection (1)(f), the department head or the governing body  
177 of the political subdivision shall appoint persons qualified as peace officers under Title 53,  
178 Chapter 13, Peace Officer Classifications, to staff the security unit.

179 (b) A security unit appointed by the department or political subdivision is exempt from  
180 civil service regulations.

181 (c) If the department or political subdivision establishes a security unit under  
182 Subsection (1)(f), the department head or the governing body of the political subdivision:

183 (i) may allow peace officers or other workers to assist with airport operations and  
184 vehicle and traffic flow; and

185 (ii) may not allow peace officers or other workers to:

186 (A) unreasonably impede or obstruct traffic;

187 (B) create unsafe traffic situations; or

188 (C) intimidate vehicle drivers or airport passengers.

189 Section 5. Section **72-10-211** is amended to read:

190 **72-10-211. Police regulations.**

191 [~~The~~] Except as provided by Section [72-10-605](#), the department and a county,  
192 municipality, or airport authority acquiring, establishing, developing, operating, maintaining, or  
193 controlling airports outside the geographical limits of the subdivisions, under this chapter may  
194 amend and enforce police regulations for the airports.

195 Section 6. Section **72-10-601** is amended to read:

196 **Part 6. Airport Facility and Ground Transportation Security**

197 **72-10-601. Definitions.**

198 As used in this part:

199 (1) "City" means a municipality of the first class, as defined under Section [10-2-301](#),  
200 that:

201 (a) is authorized by statute to operate an airport; and

202 (b) operates an airport with greater than 10 million annual passengers.

203 (2) "Division" means the Criminal Investigation and Technical Services Division of the  
204 Department of Public Safety, established in Section [53-10-103](#).

205 (3) "Ground transportation service" means transporting passengers for hire or as a  
206 courtesy in connection with a business over public streets pursuant to a license with the city.

207 (4) (a) "Ground transportation service provider" means a driver who provides ground  
208 transportation service where the pickup or drop-off of a passenger occurs at an airport under a  
209 city's authority.

210 (b) "Ground transportation service provider" includes:

211 (i) a taxicab driver;

212 (ii) a limousine or luxury car driver;

213 (iii) a bus or minibus driver, except a driver of a transit vehicle, as defined in Section

214 [17B-2a-802](#);

215 (iv) a courtesy vehicle or hotel vehicle driver;

216 (v) a special transportation vehicle driver who transports persons with a disability; and

217 (vi) a van driver.

218 (5) "Highway Patrol Division" means the Utah Highway Patrol Division created in

219 Section [53-8-103](#).

220 Section 7. Section **72-10-605** is enacted to read:

221 **72-10-605. Certain airport law enforcement services provided by Department of**

222 **Public Safety and Highway Patrol Division.**

223 (1) On or before July 1, 2025, a city shall:

224 (a) require that all law enforcement services for an airport with greater than 10 million

225 annual passengers be performed by the Department of Public Safety and the Highway Patrol

226 Division; and

227 (b) contract with and pay the Department of Public Safety and Highway Patrol

228 Division to provide the law enforcement services described in Subsection (1)(a).

229 (2) (a) The city shall ensure that all costs of the law enforcement services described in

230 Subsection (1) are the responsibility of the city and not the Department of Public Safety or

231 Highway Patrol Division.

232 (b) Costs for law enforcement services include operational and administrative costs as

233 determined by the Department of Public Safety and Highway Patrol Division.

234 (3) In accordance with Section [53-8-108](#), the Highway Patrol Division shall allow

235 peace officers working at an airport described in Subsection (1) to apply to work in the

236 Highway Patrol Division.

237 Section 8. **Repealer.**

238 This bill repeals:

239 Section [53-8-101](#), **Short title.**

240 Section 9. **Effective date.**

241 This bill takes effect on May 1, 2024.