

VEHICLE TRACKING AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen M. Peterson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prohibits an employer from using location tracking technology on an employer provided vehicle in certain circumstances when the vehicle is used for the employee's personal use.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ allows a private employer to use location tracking technology on a company vehicle in certain circumstances;
- ▶ prohibits a private employer from using location tracking technology for a company vehicle if the company vehicle is being used for personal use; and
- ▶ allows an employer and employee to enter into a vehicle use agreement, and provides requirements for a vehicle user agreement.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

41-27-101, Utah Code Annotated 1953



28 [41-27-102](#), Utah Code Annotated 1953



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

31 Section 1. Section **41-27-101** is enacted to read:

32 **CHAPTER 27. VEHICLE LOCATION PRIVACY**

33 **Part 1. Vehicle Location Privacy**

34 **41-27-101. Definitions.**

35 As used in this chapter:

36 (1) "Company vehicle" means a vehicle provided by a private employer for use by an
37 employee.

38 (2) "Employee" means the same as that term is defined in Section [13-47-102](#).

39 (3) (a) "Location tracking technology" means technology capable of tracking the
40 location of a vehicle.

41 (b) "Location tracking technology" includes global positioning system technology.

42 (4) "Private employer" means the same as that term is defined in Section [13-47-102](#).

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

44 Section 2. Section **41-27-102** is enacted to read:

45 **41-27-102. Prohibition on location tracking.**

46 (1) Except as provided in Subsection (2), if a private employer provides a company
47 vehicle to an employee, the private employer may use location tracking technology to track the
48 location of the company vehicle.

49 (2) Notwithstanding Subsection (1), a private employer may not use location tracking
50 technology to track the location of the company vehicle if the vehicle is being used for personal
51 use.

52 (3) (a) A private employer and an employee may enter into a vehicle use agreement.

53 (b) A vehicle use agreement shall provide:

54 (i) terms regarding the personal use of a company vehicle;

55 (ii) what compensation, if any, the private employer may require the employee to pay
56 for personal use of the company vehicle; and

57 (iii) procedures for deactivating the location tracking technology during personal use of
58 the company vehicle.