



28        **63L-11-205**, as enacted by Laws of Utah 2025, Chapter 131  
 29        **72-3-105**, as last amended by Laws of Utah 2025, Chapter 131  
 30        **72-3-108**, as last amended by Laws of Utah 2023, Chapter 435  
 31        **72-5-102**, as last amended by Laws of Utah 2023, Chapter 22  
 32        **72-5-105**, as last amended by Laws of Utah 2024, Chapter 472  
 33        **76-11-201**, as enacted by Laws of Utah 2025, Chapter 173  
 34        **76-11-209**, as renumbered and amended by Laws of Utah 2025, Chapters 173, 208

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

37            Section 1. Section **23A-6-303** is amended to read:

38            **23A-6-303 . Review and adoption of management plans.**

- 39        (1) The division shall submit a draft management plan to the Resource Development  
 40            Coordinating Committee created in Section 63L-11-401 and the Habitat Council created  
 41            by the division for their review and recommendations.
- 42        (2) The division shall submit a draft management plan and any recommendations received  
 43            from the Resource Development Coordinating Committee and the Habitat Council to:  
 44            (a) the regional advisory council for the wildlife region in which the lands covered by  
 45            the management plan are located; and  
 46            (b) the regional advisory council for a wildlife region that may be affected by the  
 47            management plan.
- 48        (3) A regional advisory council reviewing a draft management plan may make  
 49            recommendations to the director.
- 50        (4) The director may adopt the management plan, adopt the management plan with  
 51            amendments, or reject the management plan.
- 52        (5)(a) At the request of the director or a member of the Wildlife Board, the Wildlife  
 53            Board may review a management plan to determine whether the plan is consistent  
 54            with Wildlife Board policies.
- 55            (b) The director may amend a management plan in accordance with recommendations  
 56            made by the Wildlife Board.
- 57        (6) Neither the division nor the director may permanently close a road within a wildlife  
 58            management area as part of a management plan without ~~[consent of]~~ coordinating with  
 59            the county legislative body within which the wildlife management area is located.
- 60        (7)(a) The division shall record with the county in which the wildlife management area  
 61            is located any road on or across the wildlife management area before the sale or

62 exchange of a wildlife management area.

63 (b) The sale or exchange of any portion of a wildlife management area is subject to the  
64 public access rights existing at the time of the sale or exchange.

65 Section 2. Section **41-22-10.7** is amended to read:

66 **41-22-10.7 . Vehicle equipment requirements -- Rulemaking -- Exceptions.**

67 (1) Except as provided under Subsection (3), an off-highway vehicle shall be equipped with:

68 (a) brakes adequate to control the movement of and to stop and hold the vehicle under  
69 normal operating conditions;

70 (b) headlights and taillights when operated between sunset and sunrise;

71 (c) a noise control device and except for a snowmobile, a spark arrestor device; and

72 (d) when operated on sand dunes designated by the division, a safety flag that is:

73 [~~(i) red or orange in color;~~]

74 [~~(ii)~~] (i) a minimum of six by 12 inches; and

75 [~~(iii)~~] (ii) attached to:

76 (A) the off-highway vehicle so that the safety flag is at least eight feet above the  
77 surface of level ground; or

78 (B) the protective headgear of a person operating an off-highway motorcycle so  
79 that the safety flag is at least 18 inches above the top of the person's head.

80 (2) A violation of Subsection (1) is an infraction.

81 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
82 division may make rules, after notifying the commission, which set standards for the  
83 equipment and which designate sand dunes where safety flags are required under  
84 Subsection (1).

85 (4) An off-highway implement of husbandry used only in agricultural operations and not  
86 operated on a highway, is exempt from the provisions of this section.

87 Section 3. Section **53C-2-106** is amended to read:

88 **53C-2-106 . Identification and recording of public roads located on trust lands.**

89 (1) The director shall:

90 (a) subject to Subsection (2), using the State Geographic Information Database created  
91 in Section 63A-16-506, and other available information, identify temporary public  
92 easements or rights of entry granted pursuant to Section 72-5-203 for roads located  
93 on trust lands within each county; and

94 (b) subject to Section 72-5-203, record with the county recorder of the county in which  
95 the temporary public easement or right of entry is located a grant or permanent

96 easement as described in Subsection (4) that gives notice of the existence of the  
97 public road.

98 (2)(a) Subject to Subsection (2)(b), the director may complete the requirements of  
99 Subsection (1) over time and as resources allow.

100 (b) For Carbon County, Garfield County, Grand County, Kane County, San Juan  
101 County, Uintah County, and Wayne County, the director shall complete the  
102 requirements described in Subsection (1) on or before January 5, 2026.

103 (c) For a county not described in Subsection (2)(b), the director shall strategically  
104 complete the requirements described in Subsection (1) as funding and staffing  
105 resources allow to promote and protect access to public lands.

106 (3) The director is not required to identify or record notice of any class A, class B, or class  
107 C roads, as those terms are defined in Title 72, Chapter 3, Part 1, Highways in General.

108 (4) The grant of easement required in Subsection (1)(b) shall include:

109 (a) a requirement that the roads remain open for public use; and

110 (b) a legal description, as described in Subsection 57-3-105(4), of the relevant roads  
111 sufficient for reasonable identification of the road.

112 (5)(a) If a parcel of trust lands is subject to a sale or an exchange as provided in this title,  
113 the director shall ensure that the requirements of Subsection (1) are completed before  
114 the sale or exchange is finalized.

115 (b) The sale or exchange of trust lands is subject to the grant of permanent easement  
116 existing at the time of the sale or exchange.

117 Section 4. Section **63L-11-205** is amended to read:

118 **63L-11-205 . Identification and recording of public roads located on state-owned**  
119 **public lands.**

120 (1) As used in this section, "state land" means land owned by:

121 (a) the Department of Natural Resources;

122 (b) the Division of Forestry, Fire, and State Lands;

123 (c) the Division of State Parks; and

124 (d) any other state land management agency.

125 (2)(a) In coordination with the relevant owner, the advisor shall:

126 (i) subject to Subsection (3), using the State Geographic Information Database  
127 created in Section 63A-16-506, and other available information, identify roads  
128 located on state land; and

129 (ii) subject to Subsection (2)(b), record with the county recorder of the county in

- 130 which the state land is located a document as described in Subsection (5) that  
 131 gives notice of the existence of the public road or right-of-way.
- 132 (b) The advisor may not record a notice described in Subsection (2)(a)(ii) for a road on  
 133 state land that is owned by the Division of Wildlife Resources until the land is sold or  
 134 exchanged as described in Subsection (6).
- 135 (3)(a) Subject to Subsection (3)(b), the advisor may complete the requirements of  
 136 Subsection (2) over time and as resources allow.
- 137 (b) For Carbon County, Garfield County, Grand County, Kane County, San Juan  
 138 County, Uintah County, and Wayne County, the advisor shall complete the  
 139 requirements described in Subsection (2) on or before January 5, 2026.
- 140 (c) For a county not described in Subsection (3)(b), the advisor shall strategically  
 141 complete the requirements described in Subsection (2) as funding and staffing  
 142 resources allow to promote and protect access to public lands.
- 143 (4) The advisor is not required to identify or record notice of any class A, class B, or class  
 144 C roads, as those terms are defined in Title 72, Chapter 3, Part 1, Highways in General.
- 145 (5) The notice required in Subsection (2)(a)(ii) shall include:  
 146 (a) a title identifying the roads as "Public Access"; and  
 147 (b) a legal description, as described in Subsection 57-3-105(4), of the relevant roads or  
 148 rights-of-way sufficient for reasonable identification of the road.
- 149 (6)(a) If a parcel of state land is subject to a sale or an exchange, the advisor shall ensure  
 150 that the requirements of Subsection (2) are completed before the sale or exchange is  
 151 finalized.
- 152 (b) The sale or exchange of state land is subject to the public access rights [~~existing at~~  
 153 ~~the time of the sale or exchange~~] in place:  
 154 (i) at the time the state acquired the land; and  
 155 (ii) at any time during the state's ownership of the land.
- 156 [~~(7)(a) The Division of Wildlife Resources shall identify roads within a wildlife~~  
 157 ~~management area in the respective property's habitat management plan, as required in~~  
 158 ~~Section 23A-6-302.]~~
- 159 [~~(b) For any road identified under Subsection (7)(a), the Division of Wildlife Resources~~  
 160 ~~may:]~~  
 161 [~~(i) temporarily close a road for the benefit of wildlife; and]~~  
 162 [~~(ii) permanently close roads for the benefit of wildlife only:]~~  
 163 [~~(A) through the habitat management plan review and approval process in Section~~

- 164                   23A-6-303; and]
- 165                   [(B) beginning on May 7, 2025, with consent of the county legislative body within
- 166                   which the road is located.]
- 167           [(e) Notwithstanding Subsection (7)(b), the Division of Wildlife Resources may close a
- 168           road for the benefit of wildlife if:]
- 169           [(i) there is an alternative road that will remain open that provides reasonable access
- 170           to the same area;]
- 171           [(ii) the road to be closed forks from the alternative road that will remain open;]
- 172           [(iii) the road to be closed is less traveled than the alternative road that will remain
- 173           open;]
- 174           [(iv) the road to be closed travels in approximately the same direction as the
- 175           alternative road that will remain open; and]
- 176           [(v) the road to be closed intersects with the alternative road that will remain open
- 177           within 2,000 feet of the location where the road to be closed forks from the road
- 178           that will remain open.]
- 179           [(d)(i) The Division of Wildlife Resources shall record with the county in which the
- 180           wildlife management area property is located, any road on or across the wildlife
- 181           management area prior to any sale or exchange of any wildlife management area
- 182           property.]
- 183           [(ii) The sale or exchange of Division of Wildlife Resources land is subject to the
- 184           public access rights existing at the time of the sale or exchange.]

185           Section 5. Section **72-3-105** is amended to read:

186           **72-3-105 . Class D roads -- Maps to be prepared by county -- Indication of roads.**

- 187           (1) As used in this section, "class D road" means any road, way, or other land surface route
- 188           that has been or is established by use or constructed [~~and has been maintained~~]to
- 189           provide for usage by the public for vehicles with four or more wheels that is not a class
- 190           A, class B, or class C road under this title, or an R.S. 2477 right-of-way, as that term is
- 191           defined in Section 72-5-301.
- 192           (2) Each class D road is part of the highway and road system within the state with the same [
- 193           ~~force and~~]effect as if the class D road had been included within this system upon [its] the
- 194           class D road being first established or constructed.
- 195           (3) The state and county have joint undivided interest in the title to all rights-of-way for
- 196           class D roads, unless the state or county has vacated and abandoned interest in the class
- 197           D road.

- 198 (4)(a) Subject to Subsection (4)(b), the county governing body exercises sole jurisdiction  
199 and control of class D roads within the county.
- 200 (b) If a county vacates or abandons a class D road, the department exercises sole  
201 jurisdiction and control of the class D road.
- 202 (5)(a) Each county shall prepare maps showing to the best of ~~[its]~~ the county's ability the  
203 class D roads within ~~[its]~~ the county's boundaries which were in existence as of  
204 October 21, 1976.
- 205 (b) Preparation of ~~[these]~~ the maps described in Subsection (5)(a) may be done by the  
206 county ~~[itself]~~ or through any multi-county planning district in which the county  
207 participates.
- 208 (6) Any class D road which is established or constructed after October 21, 1976, shall be  
209 reflected on maps prepared as provided in Subsection (5).
- 210 (7) The county shall provide a copy of any map under Subsection (5) or (6) upon  
211 completion to the department.
- 212 (8)(a) The department shall scribe each road shown on ~~[its]~~ the department's own county  
213 map series.
- 214 (b) The department is not responsible for the validity of any class D road and is not  
215 responsible for ~~[its]~~ the class D road being inventoried.
- 216 (c) The department shall ~~[also]~~ keep on file an historical map record of the roads as  
217 provided by the counties.
- 218 (9)(a) If a county vacates or abandons the county's class D road interest in a road within  
219 the county, the right-of-way remains open for public use unless the department, in  
220 consultation with the Public Lands Policy Coordinating Office created in Section  
221 63L-11-201, determines that the road or right-of-way:
- 222 (i) does not provide a benefit to the state in a manner consistent with the principles of  
223 multiple use and sustained yield as described in Section 63L-8-103; or  
224 (ii) is not used to access public or private land.
- 225 (b) ~~[Before]~~ Subject to Subsections (9)(c) and (10), before a county may vacate or  
226 abandon the county's right-of-way interest in a class D road, the county shall:
- 227 (i) ~~[-]~~ provide to the department 180 days in advance of taking the action a written  
228 notice that includes the following:
- 229 ~~[(i)]~~ (A) a legal description and map of the portion of the class D road for which  
230 the county intends to abandon the county's interest;
- 231 ~~[(ii)]~~ (B) a statement affirming that all gates and locks, whether ~~[or not]~~ installed or

- 232 authorized by the county, and all county agreements, have been removed from  
 233 the portion to be vacated; and
- 234 [(iii)] (C) documentation that the portion to be vacated is shown as a class D road  
 235 in the county recorder's office[-];
- 236 (ii) hold a public hearing giving the public the opportunity to provide written and oral  
 237 input;
- 238 (iii) publish notice of the hearing in compliance with the requirements of a class A  
 239 notice under Section 63G-30-102, for at least four weeks before the day of the  
 240 hearing; and
- 241 (iv) mail notice to the department and all owners of property abutting the class D  
 242 road, at least four weeks before the day of the hearing.
- 243 (c)(i) A county may not vacate or abandon the county's interest in a class D road if  
 244 the road provides:
- 245 (A) a public benefit to the state in a manner consistent with the principles of  
 246 multiple use and sustained yield as described in Section 63L-8-103;
- 247 (B) access to public land; or
- 248 (C) subject to Subsection (9)(c)(ii), access to private land beyond the location  
 249 where the vacation or abandonment of the class D road is proposed.
- 250 (ii) If a class D road provides access to private land as described in Subsection  
 251 (9)(c)(i)(C), the county may vacate or abandon the county's interest in the road if:
- 252 (A) the class D road does not provide public benefit or access to public land as  
 253 described in Subsection (9)(c)(i)(A) or (B); and
- 254 (B) each owner of private land along the class D road beyond where the vacation  
 255 or abandonment of the county's interest in the road is proposed to end agree in  
 256 writing to the abandonment of the road.
- 257 (iii) If a class D road is vacated or abandoned as described in Subsection (9)(c)(ii),  
 258 the county shall record with the county recorder a document describing the  
 259 vacation and abandonment.
- 260 (d) If a county vacates or abandons the county's interest in a class D road, the county  
 261 shall record with the applicable county recorder a notice of the vacation or  
 262 abandonment of the county's interest, including the following: "The county's vacation  
 263 or abandonment of the road does not constitute a vacation or abandonment by the  
 264 state of Utah of any interest the state may have."
- 265 [(e)] (e) A county may not vacate or abandon the county's right-of-way interest in a class

- 266 D road without the approval of the department.
- 267 ~~[(d)]~~ (f) A person may not place a lock or a gate on a class D road right-of-way ~~[over~~  
 268 ~~which the department exercises sole jurisdiction]~~ that provides access to multiple use  
 269 lands or private property access.
- 270 (10)(a) The department may not vacate or abandon a class D road if the road provides:
- 271 (i) a public benefit to the state in a manner consistent with the principles of multiple  
 272 use and sustained yield as described in Section 63L-8-103;
- 273 (ii) access to public land; or
- 274 (iii) access to private land beyond the location where the vacation or abandonment of  
 275 the class D road is proposed.
- 276 (b) If a county legislative body determines that the proposed vacation and abandonment  
 277 of a class D road meets the requirements under Subsections (9)(b) and (10)(a), the  
 278 county shall:
- 279 (i) publish the proposal on an agenda for a public meeting of the county legislative  
 280 body to hear the proposal;
- 281 (ii) publish the proposal on a public notice website of the state government for at  
 282 least 30 days before the public meeting; and
- 283 (iii) after satisfying the requirement under Subsection (10)(b)(ii), and at least 30 days  
 284 after the meeting described in Subsection (10)(b)(i), and subject to Subsection  
 285 (10)(a), the county legislative body may vote to vacate and abandon the county's  
 286 interest in the class D road.
- 287 (c) Any vacation and abandonment of a class D road is subject to reasonable access to  
 288 existing rights-of-way or easements, including those for water infrastructure and  
 289 public utilities.
- 290 ~~[(10)]~~ (11)(a) A county and the department are not required to maintain a class D road.
- 291 (b) An individual who travels on a class D road does so at the individual's own risk.
- 292 Section 6. Section **72-3-108** is amended to read:
- 293 **72-3-108 . County roads -- Vacation and narrowing -- Notice requirements.**
- 294 (1) A county may, by ordinance, vacate, narrow, or change the name of a county road  
 295 without petition or after petition by a property owner.
- 296 (2) A county may not vacate a county road unless notice of the hearing is:
- 297 (a) published for the county, as a class A notice under Section 63G-30-102, for at least  
 298 four weeks before the day of the hearing; and
- 299 (b) mailed to the department and all owners of property abutting the county road.

300 (3) The right-of-way and easements, if any, of a property owner and the franchise rights of  
 301 any public utility may not be impaired by vacating or narrowing a county road.

302 (4) Except as provided in Section 72-3-105 or 72-5-305, if a county vacates a county road,  
 303 the state's right-of-way interest in the county road is also vacated.

304 Section 7. Section **72-5-102** is amended to read:

305 **72-5-102 . Definitions.**

306 As used in this part[, "state transportation purposes" includes:] :

307 (1) "Public entity" means the same as that term is defined in Section 72-2-201.

308 (2) "State institution of higher education" means the same as that term is defined in Section  
 309 53B-3-102.

310 (3) "State transportation purposes" includes:

311 [(1)] (a) highway, public transit facility, and transportation rights-of-way, including those  
 312 necessary within cities and towns;

313 [(2)] (b) the construction, reconstruction, relocation, improvement, maintenance, and  
 314 mitigation from the effects of these activities on state highways and other  
 315 transportation facilities, including parking facilities, under the control of the  
 316 department;

317 [(3)] (c) limited access facilities, including rights of access, air, light, and view and  
 318 frontage and service roads to highways;

319 [(4)] (d) adequate drainage in connection with any highway, cut, fill, or channel change  
 320 and the maintenance of any highway, cut, fill, or channel change;

321 [(5)] (e) weighing stations, shops, offices, storage buildings and yards, and road  
 322 maintenance or construction sites;

323 [(6)] (f) road material sites, sites for the manufacture of road materials, and access roads  
 324 to the sites;

325 [(7)] (g) the maintenance of an unobstructed view of any portion of a highway to  
 326 promote the safety of the traveling public;

327 [(8)] (h) the placement of traffic signals, directional signs, and other signs, fences, curbs,  
 328 barriers, and obstructions for the convenience of the traveling public;

329 [(9)] (i) the construction and maintenance of storm sewers, sidewalks, and highway  
 330 illumination;

331 [(10)] (j) the construction and maintenance of livestock highways;

332 [(11)] (k) the construction and maintenance of roadside rest areas adjacent to or near any  
 333 highway; and

334 [(12)] (1) the mitigation of impacts from transportation projects.

335 Section 8. Section **72-5-105** is amended to read:

336 **72-5-105 . Highways, streets, or roads once established continue until abandoned**  
 337 **-- Temporary closure -- Notice.**

338 (1)(a) Except as provided in Subsections (1)(b), (3), and (7), all public highways, streets,  
 339 or roads once established shall continue to be highways, streets, or roads until  
 340 formally abandoned or vacated by written order, resolution, or ordinance resolution  
 341 of a highway authority having jurisdiction or by court decree, and the written order,  
 342 resolution, ordinance, or court decree has been duly recorded in the office of the  
 343 recorder of the county or counties where the highway, street, or road is located.

344 (b) If public use of a highway, street, or road across private land has been discontinued  
 345 for more than 50 years:

346 (i) the highway, street, or road is not required to be formally abandoned as described  
 347 in Subsection (1)(a); and

348 (ii) ownership of the highway, street, or road is vested in the adjoining record owner  
 349 or owners, with one-half of the width of the highway, street, or road vesting to the  
 350 adjoining owners.

351 (c) Subsection (1)(b) does not apply to a public highway, street, or road:

352 (i) claimed by the state or county under R.S. 2477 or across federal lands[-] ; or

353 (ii) on lands owned by a public entity or state institution of higher education.

354 (2)(a) [~~For~~] Except as provided in Subsections (2)(b) and (c), for purposes of assessment,  
 355 upon the recordation of an order executed by the proper authority with the county  
 356 recorder's office, title to the vacated or abandoned highway, street, or road shall vest  
 357 to the adjoining record owners, with one-half of the width of the highway, street, or  
 358 road assessed to each of the adjoining owners.

359 (b) [~~Provided, however, that should a~~] If the property description of an owner of record [  
 360 extend] extends into the vacated or abandoned highway, street, or road, that portion of  
 361 the vacated or abandoned highway, street, or road shall vest in the record owner, with  
 362 the remainder of the highway, street, or road vested as otherwise provided in [this-]  
 363 Subsection [(2)] (2)(a).

364 (c) Title to a highway, street, or road that a local highway authority closes to vehicular  
 365 traffic under Subsection (3) or (7) remains vested in the city.

366 (3)(a) In accordance with this section, a state or local highway authority may  
 367 temporarily close a class B, C, or D road, an R.S. 2477 right-of-way, or a portion of a

- 368 class B, C, or D road or R.S. 2477 right-of-way.
- 369 (b)(i) A temporary closure authorized under this section is not an abandonment.
- 370 (ii) The erection of a barrier or sign on a highway, street, or road once established is
- 371 not an abandonment.
- 372 (iii) An interruption of the public's continuous use of a highway, street, or road once
- 373 established is not an abandonment even if the interruption is allowed to continue
- 374 unabated.
- 375 (c) A temporary closure under Subsection (3)(a) may be authorized only under the
- 376 following circumstances:
- 377 (i) when a federal authority, or other person, provides an alternate route to an R.S.
- 378 2477 right-of-way or portion of an R.S. 2477 right-of-way if the alternate route is:
- 379 (A) accepted by the highway authority; and
- 380 (B) formalized by a federal permit or a written agreement between the federal
- 381 authority or other person and the highway authority;
- 382 (ii) when a state or local highway authority determines that correction or mitigation
- 383 of injury to private or public land resources is necessary on or near a class B or D
- 384 road or portion of a class B or D road; or
- 385 (iii) when a local highway authority makes a finding that temporary closure of all or
- 386 part of a class C road is necessary to mitigate unsafe conditions.
- 387 (d)(i) If a local highway authority temporarily closes all or part of a class C road
- 388 under Subsection (3)(c)(iii), the local highway authority may convert the closed
- 389 portion of the road to another public use or purpose related to the mitigation of the
- 390 unsafe condition.
- 391 (ii) If a local highway authority temporarily closes all or part of a class C road under
- 392 Subsection (3)(c)(iii), and the closed portion of road is the subject of a lease
- 393 agreement between the local highway authority and another entity, the local
- 394 highway authority may not reopen the closed portion of the road until the lease
- 395 agreement terminates.
- 396 (e) A highway authority shall reopen an R.S. 2477 right-of-way or portion of an R.S.
- 397 2477 right-of-way temporarily closed under this section if the alternate route is
- 398 closed for any reason.
- 399 (f) A temporary closure authorized under Subsection (3)(c)(ii)~~shall~~:
- 400 (i) shall be authorized annually; and
- 401 (ii) may not exceed two years from the date the highway authority first closes the

- 402                    highway, or the time it takes to complete the correction or mitigation, whichever  
403                    is less.
- 404        (4) To authorize a closure of a road under Subsection (3) or (7), a local highway authority  
405                    shall pass an ordinance to temporarily or indefinitely close the road.
- 406        (5) Before authorizing a temporary or indefinite closure as described in Subsection (4), a  
407                    highway authority shall:
- 408                    (a) hold a hearing on the proposed temporary or indefinite closure;
- 409                    (b) provide notice of the hearing by mailing a notice to the Department of  
410                    Transportation; and
- 411                    (c) except for a closure under Subsection (3)(c)(iii), provide notice to the owners of the  
412                    properties abutting the highway, as a class B notice under Section 63G-30-102, [~~for~~]  
413                    at least four weeks before the day of the hearing.
- 414        (6) The right-of-way and easements, if any, of a property owner and the franchise rights of  
415                    any public utility may not be impaired by a temporary or indefinite closure authorized  
416                    under this section.
- 417        (7)(a) A local highway authority may close to vehicular travel and convert to another  
418                    public use or purpose a highway, road, or street over which the local highway  
419                    authority has jurisdiction, for an indefinite period of time, if the local highway  
420                    authority makes a finding that:
- 421                    (i) the closed highway, road, or street is not necessary for vehicular travel;
- 422                    (ii) the closure of the highway, road, or street is necessary to correct or mitigate  
423                    injury to private or public land resources on or near the highway, road, or street; or
- 424                    (iii) the closure of the highway, road, or street is necessary to mitigate unsafe  
425                    conditions.
- 426        (b) If a local highway authority indefinitely closes all or part of a highway, road, or  
427                    street under Subsection (7)(a)(iii), and the closed portion of road is the subject of a  
428                    lease agreement between the local highway authority and another entity, the local  
429                    highway authority may not reopen the closed portion of the road until the lease  
430                    agreement terminates.
- 431        (c) An indefinite closure authorized under this Subsection (7) is not an abandonment.
- 432                    Section 9. Section **76-11-201** is amended to read:
- 433                    **76-11-201 . Definitions.**
- 434                    As used in this part:
- 435        (1) "Class D road" means the same as that term is defined in Section 72-3-105.

- 436 [(1)] (2) "Enter" means intrusion of the entire body.
- 437 [(2)] (3) "Fully automatic weapon" means a firearm that fires, is designed to fire, or can be  
 438 readily restored to fire, automatically more than one shot without manual reloading by a  
 439 single function of the trigger.
- 440 (4) "Highway" means the same as that term is defined in Section 72-1-102.
- 441 [(3)] (5) "House of worship" means a church, temple, synagogue, mosque, or other building  
 442 set apart primarily for the purpose of worship in which religious services are held and  
 443 the main body of which is kept for that use and not put to any other use inconsistent with  
 444 the building's primary purpose.
- 445 [(4)] (6) "Machinegun firearm attachment" means any part or combination of parts added to  
 446 a semiautomatic firearm that allows the firearm to fire as a fully automatic weapon.
- 447 [(5)] (7)(a) "Readily accessible for immediate use" means that a firearm or other  
 448 dangerous weapon is carried on an individual's person or within such close proximity  
 449 and in such a manner that it can be retrieved and used as readily as if carried on the  
 450 individual's person.
- 451 (b) "Readily accessible for immediate use" does not include a securely encased firearm.
- 452 [(6)] (8)(a) "Securely encased firearm" means a firearm that is not readily accessible for  
 453 immediate use.
- 454 (b) "Securely encased firearm" includes a loaded or unloaded firearm located in a gun  
 455 rack, in a closed locked or unlocked case or container, or in a trunk or other storage  
 456 area of a motor vehicle.
- 457 (c) "Securely encased firearm" does not include a firearm in a glove box or console box  
 458 unless the firearm is also in a holster or other case which covers the trigger  
 459 mechanism.
- 460 Section 10. Section **76-11-209** is amended to read:
- 461 **76-11-209 . Improper discharging of a dangerous weapon.**
- 462 (1) Terms defined in Sections 76-1-101.5, 76-11-101, and 76-11-201 apply to this section.
- 463 (2) An actor commits improper discharging of a dangerous weapon if the actor discharges a  
 464 dangerous weapon:
- 465 (a) from a vehicle;
- 466 (b) from, upon, or across a highway other than a class D road;
- 467 (c) at a road sign placed on a [state-]highway;
- 468 (d) at communications equipment or property of public utilities including facilities,  
 469 lines, poles, or devices of transmission or distribution;

- 470 (e) at railroad equipment or facilities including a sign or signal;
- 471 (f) within a Utah State Park building, designated camp or picnic sites, overlooks, golf  
472 courses, boat ramps, and developed beaches; or
- 473 (g) without written permission to discharge the dangerous weapon from the owner or  
474 person in charge of the property within 600 feet of:
- 475 (i) a house, dwelling, or other building; or
- 476 (ii) a structure in which a domestic animal is kept or fed, including a barn, poultry  
477 yard, corral, feeding pen, or stockyard.
- 478 (3) A violation of Subsection (2) is a class B misdemeanor.
- 479 (4) In addition to any other penalties, the court shall:
- 480 (a) notify the Driver License Division of the conviction for purposes of any revocation,  
481 denial, suspension, or disqualification of a driver license under Subsection  
482 53-3-220(1)(a)(xi); and
- 483 (b) specify in court at the time of sentencing the length of the revocation under  
484 Subsection 53-3-225(1)(c).
- 485 (5) This section does not apply to an actor who:
- 486 (a) discharges a dangerous weapon in the lawful defense of the actor or another  
487 individual;
- 488 (b) is an individual listed in Subsections 53-5a-108(1)(a) through (f) and is performing  
489 official duties as provided in Section 23A-2-207 or 79-2-704 or as otherwise  
490 provided by law;
- 491 (c) discharges a dangerous weapon from an automobile or other vehicle, if:
- 492 (i) the discharge occurs at a firing range or training ground;
- 493 (ii) at no time after the discharge does the projectile that is discharged cross over or  
494 stop at a location other than within the boundaries of the firing range or training  
495 ground described in Subsection (5)(c)(i);
- 496 (iii) the discharge is made as practice or training for a lawful purpose;
- 497 (iv) the discharge and the location, time, and manner of the discharge are approved  
498 by the owner or operator of the firing range or training ground before the  
499 discharge; and
- 500 (v) the discharge is not made in violation of Subsection (2); or
- 501 (d) acting under a farm custom slaughter license, discharges a firearm or other  
502 dangerous weapon in accordance with Subsection 4-32-108(3).
- 503 (6) It is a defense to a charge for violating this section that the actor had actual permission

504 of the person in charge of the property at the time the actor discharged the dangerous  
505 weapon as described in Subsection (2).

506 Section 11. **Effective Date.**

507 This bill takes effect on May 6, 2026.