

NOTIFICATION OF ENHANCEMENT – NO INSURANCE, NO PROOF OF INSURANCE

Defendant: _____, Phone # _____ Case No. _____

ELEMENTS

No Insurance 41-12a-302: Any owner of a motor vehicle on which insurance is required who operates his or her vehicle or permits it to be operated on a highway in this state without insurance is guilty of a class B misdemeanor. Any other person who operates a motor vehicle upon a highway in Utah with the knowledge that the owner does not have insurance in effect for the motor vehicle is guilty of a class B misdemeanor, unless that person has insurance on a Utah-registered motor vehicle or its equivalent that covers the operation, by the person, of the motor vehicle in question.

Note: 41-12a-301(5): Owner's or operator's security is not required for any of the following: (a) properly-registered off-highway vehicles when operated on legally-designated roads or in a legally-designated manner; (b) off-highway implements of husbandry operated in a legally-designated manner; (c) electric-assisted bicycles, motor-assisted scooters, and personal-motorized-mobility devices (as defined under Section 41-6a-102).

No Proof of Insurance 41-12a-303.2(2)(a)(i): A person operating a motor vehicle shall: (A) have in the person's immediate possession evidence of owner's or operator's security for the motor vehicle the person is operating; and (B) display it upon demand of a peace officer. 41-12a-303.2(5): A violation of this section is a class B misdemeanor.

Note: 41-12a-303.2(2)(a)(ii): A person is exempt from the requirements of Subsection (2)(a)(i) if the person is operating: (A) a government-owned or leased motor vehicle; or (B) an employer-owned or leased motor vehicle and is driving it with the employer's permission.

Note: 41-12a-303.2(3): It is an affirmative defense to a charge under this section that the person had owner's or operator's security in effect for the vehicle the person was operating at the time of the person's citation or arrest.

ENHANCEMENT / PENALTIES

41-12a-302(1): For a conviction of No Insurance or No Proof of Insurance, the fine shall be not less than: (a) \$410 for a first offense; and (b) \$1,000 for a second and subsequent offense within three years of a previous conviction or bail forfeiture.

41-12a-604: For a conviction of No Insurance or No Proof of Insurance, the defendant's operator's license shall be suspended by the Department of Public Safety.

Minimum / Maximum Sentence

Class B Misdemeanor: 0 days to 6 months jail; Amounts listed above to \$1,000 fines and surcharges, plus interest

UTAH DRIVER LICENSE DIVISION

The Utah Driver License Division may also require you to carry SR22 insurance. This is a state requirement that cannot be waived by the court. Direct all questions concerning this requirement to the Utah Driver License Division at 801-965-4437.

I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.

Date Defendant