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### **Title 27: Highways Chapter 01-11 General Provisions to Highway Patrol - 1989 Replacement Volume**

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# TITLE 27

## HIGHWAYS

### Chapter

1. General Provisions [Repealed].
2. State Road Commission [Repealed].
3. Division and Use of Highway Space [Repealed].
4. Road Bond Issues [Repealed].
5. Assent to Federal-aid Road Act [Repealed].
6. Designation of State Roads [Repealed].
7. Livestock Highways [Repealed].
8. Classification of State Highways [Repealed].
9. Limited-access Facilities [Repealed].
10. State Highway Patrol.
11. Highway Patrol Civil Service [Repealed].
12. Highway Code.
13. Collector Road Construction Act [Repealed].
14. Sidewalk Construction.
15. Class D Roads.

## CHAPTER 1

### GENERAL PROVISIONS

(Repealed by Laws 1963, ch. 39, § 160.)

#### 27-1-1 to 27-1-37. Repealed.

**Repeals.** — Sections 27-1-1 to 27-1-37 (R.S. 1898, §§ 1114 to 1122, 1124, 1126 to 1133, 1139 to 1144; L. 1899, ch. 11, § 1; C.L. 1907, §§ 1114 to 1122, 1124, 1126 to 1133, 1139 to 1144; L. 1909, ch. 58, § 1; 1909, ch. 97, §§ 7, 8; 1911, ch. 142, § 1; 1917, ch. 74, § 2; C.L. 1917, §§ 2800 to 2808, 2810, 2812 to 2819, 2840 to 2843, 2845, 2881, 2882; L. 1923, ch. 27, §§ 1, 3; 1931, ch. 49, §§ 77 to 83, 85; R.S. 1933, 36-1-1 to 36-1-20, 36-1-20x, 36-1-21, 36-1-22, 36-1-24, 36-1-27 to 36-1-34, 36-1-36, 36-1-37; L. 1933

(2d S.S.), ch. 8, § 1; 1933 (2d S.S.), ch. 9, § 1; 1935, ch. 48, § 1; C. 1943, 36-1-1 to 36-1-20, 36-1-20x, 36-1-21, 36-1-22, 36-1-24, 36-1-27 to 36-1-34, 36-1-36, 36-1-37; L. 1947, ch. 46, § 1; 1949, ch. 65, § 1; 1951, ch. 48, § 1; 1955, ch. 71, § 1; 1959, ch. 21, §§ 1 to 3; 1959, ch. 44, §§ 1 to 7; 1961, ch. 56, §§ 1 to 6), comprising general provisions relating to highways, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-2 et seq.

## CHAPTER 2

### STATE ROAD COMMISSION

(Repealed by Laws 1963, ch. 39, § 160.)

#### 27-2-1 to 27-2-20. Repealed.

**Repeals.** — Sections 27-2-1 to 27-2-20 (L. 1909, ch. 119, §§ 1 to 3, 10, 59; 1909, ch. 120, §§ 11, 12; 1911, ch. 47, § 1; 1911, ch. 76, § 6; 1913, ch. 47, § 1; 1915, ch. 81, § 1; 1915, ch. 82, § 1; 1917, ch. 46, § 1; 1917, ch. 74, § 1; C.L. 1917, §§ 2850, 2852, 2852[u], 2853, 2859 to 2862, 5513; L. 1919, ch. 57, § 1; 1919, ch. 59, § 9; 1921, ch. 61, § 1; 1923, ch. 65, § 1; 1927, ch. 20, §§ 1 to 3; 1927, ch. 39, § 1; 1931, ch. 49, § 9; R.S. 1933, 36-2-1 to 36-2-6, 36-2-10 to 36-2-15; L. 1933, ch. 28, § 1; 1935, ch. 35, § 1; 1935, ch. 36, § 1; 1937, ch. 39, § 1; 1937, ch. 162, § 2; 1939, ch. 46, § 1; 1941 (1st S.S.), ch. 13, §§ 1, 2, 4, 5; C. 1943, 36-2-1, 36-2-1.10 to 36-2-1.12, 36-2-2 to 36-2-6, 36-2-10, 36-2-11, 36-2-11.10, 36-2-12 to 36-2-15, 36-2-16.10, 36-2-17; L. 1945, ch. 60, § 1; 1947, ch. 47, § 1; 1949, ch. 47, §§ 1, 2; 1951, ch. 47, § 2; 1953, ch. 43, § 1; 1953, ch. 46, § 1; 1955, ch. 41, § 1; 1955, ch. 42, § 1; 1955, ch. 43, § 1; 1957, ch. 52, § 1; 1957, ch. 53, § 1; 1959, ch. 45, §§ 1, 2; 1961, ch. 57, § 1; 1961, ch. 97, § 1), relating to the state road commission, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-7 et seq.

## CHAPTER 3

### DIVISION AND USE OF HIGHWAY SPACE

(Repealed by Laws 1963, ch. 39, § 160.)

#### 27-3-1 to 27-3-4. Repealed.

**Repeals.** — Sections 27-3-1 to 27-3-4 (L. 1909, ch. 97, §§ 1, 4 to 6; C.L. 1917, §§ 2875, 2878 to 2880; L. 1931, ch. 49, § 1[u]; R.S. 1933 & C. 1943, 36-3-1 to 36-3-4), relating to division and use of highway space, were repealed by Laws 1963, ch. 39, § 160.

## CHAPTER 4

### ROAD BOND ISSUES

(Repealed by Laws 1963, ch. 39, § 160.)

#### 27-4-1, 27-4-2. Repealed.

**Repeals.** — Sections 27-4-1 and 27-4-2 (L. 1917, ch. 32, §§ 3, 4; C.L. 1917, §§ 2866, 2867; L. 1919, ch. 59, §§ 3, 4; 1921, ch. 64, §§ 3, 4; R.S. 1933 & C. 1943, 36-4-1, 36-4-2), relating to road bond issues, were repealed by Laws 1963, ch. 39, § 160.

## CHAPTER 5

# ASSENT TO FEDERAL-AID ROAD ACT

(Repealed by Laws 1963, ch. 39, § 160.)

### 27-5-1 to 27-5-4. Repealed.

**Repeals.** — Sections 27-5-1 to 27-5-4 (L. 1917, ch. 76, §§ 1 to 4; C.L. 1917, §§ 2890 to 2893; R.S. 1933, 36-5-1 to 36-5-4; L. 1941 (1st S.S.), ch. 13, § 1; C. 1943, 36-5-1 to 36-5-4), relating to federal-aid road projects, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-121 et seq.

## CHAPTER 6

# DESIGNATION OF STATE ROADS

(Repealed by Laws 1963, ch. 39, § 160.)

### 27-6-1 to 27-6-28. Repealed.

**Repeals.** — Sections 27-6-1 to 27-6-28 (R.S. 1933, 36-6-1 to 36-6-25; L. 1935, ch. 37, § 1; 1939, ch. 47, § 1; 1941, ch. 34, §§ 1, 2; 1941 (2d S.S.), ch. 5, § 1; 1941 (2d S.S.), ch. 6, § 1; C. 1943, 36-6-0, 36-6-1 to 36-6-20, 36-6-20.10, 36-6-21 to 36-6-27; L. 1943, ch. 45, § 1; 1945, ch. 61, § 1; 1947, ch. 48, § 1; 1947, ch. 49, § 1; 1948 (S.S.), ch. 2, § 2; 1949, ch. 48, §§ 1, 2; 1953, ch. 44, § 1; 1953, ch. 45, §§ 1, 2; 1955, ch. 44, § 1; 1957, ch. 54, § 1; 1959, ch. 46, §§ 1 to 10; 1961, ch. 58, § 1), designating state roads, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-27 et seq.

## CHAPTER 7

# LIVESTOCK HIGHWAYS

(Repealed by Laws 1963, ch. 39, § 160.)

### 27-7-1 to 27-7-5. Repealed.

**Repeals.** — Sections 27-7-1 to 27-7-5 (L. 1929, ch. 65, §§ 1 to 6; R.S. 1933, 36-7-1 to 36-7-5; L. 1941 (1st S.S.), ch. 13, § 1; C. 1943, 36-7-1 to 36-7-5), providing for livestock highways, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-117 et seq.

## CHAPTER 8

# CLASSIFICATION OF STATE HIGHWAYS

(Repealed by Laws 1963, ch. 39, § 160.)

### 27-8-1 to 27-8-9. Repealed.

**Repeals.** — Sections 27-8-1 to 27-8-9 (L. 1937, ch. 40, §§ 1 to 6; 1939, ch. 48, § 1; C. 1943, 36-6-27 to 36-6-31 and Supp., 36-6-27A, 36-6-41 to 36-6-43; L. 1945, ch. 62, § 1; 1949,

ch. 48, § 3; 1949, ch. 49, §§ 1 to 3), relating to classification of state highways, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-21 et seq.

## CHAPTER 9

# LIMITED-ACCESS FACILITIES

(Repealed by Laws 1955, ch. 71, § 2; 1963, ch. 39, § 160.)

### 27-9-1 through 27-9-11. Repealed.

**Repeals.** — Sections 27-9-1 to 27-9-7 (L. 1945, ch. 63, §§ 1 to 7; C. 1943, 36-10-1 to 36-10-7), defining limited-access highways and relating to the establishment and powers of highway authorities, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-111 et seq.

Section 27-9-8 (L. 1945, ch. 63, § 8; C. 1943, Supp., 36-10-8), relating to rules of the road on limited-access facilities, was repealed by Laws

1955, ch. 71, § 2. For present provisions, see § 41-6-64.

Sections 27-9-9 to 27-9-11 (L. 1951 (1st S.S.), ch. 7, §§ 1 to 3), relating to permits for the construction of facilities or appurtenances on limited-access highways, were repealed by Laws 1963, ch. 39, § 160. For present provisions, see § 27-12-111 et seq.

## CHAPTER 10

# STATE HIGHWAY PATROL

Section  
27-10-1. Supervision and control of state highway patrol.  
27-10-2. Commissioner's powers over patrol.  
27-10-3. State purchasing agent to purchase supplies.  
27-10-4. Duties of Utah Highway Patrol.

Section  
27-10-5. Vested with powers of peace officers.  
27-10-6. Cooperation with other officers.  
27-10-7. Operation and maintenance of inspection and checking at ports of entry — Port personnel.  
27-10-8. Field strength of highway patrol.

### 27-10-1. Supervision and control of state highway patrol.

There shall be a state highway patrol under the supervision and control of the commissioner of public safety.

**History:** L. 1941 (1st S.S.), ch. 14, § 1; C. 1943, 36-8-1; L. 1951 (1st S.S.), ch. 8, § 1.

**Cross-References.** — Civil service system of highway patrol merged with state personnel management system, § 67-19-28.

Commissioner of public safety, § 41-13-2.

Department of Public Safety, highway patrol part of, §§ 41-13-4, 41-13-5.

Disability leave for highway patrol members, § 67-19-27.

Peace officer training, Chapter 15 of Title 67.

Retirement system for public safety employees, Chapter 4 of Title 49.

## 27-10-2. Commissioner's powers over patrol.

The commissioner of public safety shall:

(a) Divide the state highways into sections for the purpose of patrolling and policing the same and employ persons to patrol or police said highways, such persons shall be known as patrols.

(b) Establish ranks, grades and positions in the state highway patrol and designate the authority and responsibility in each rank, grade and position.

(c) Establish for the state highway patrol standards and qualifications and fix prerequisites of training, education and experience for each rank, grade and position, and shall fix salaries for each rank, grade and position in accordance with salary standards adopted by the Department of Finance.

(d) Appoint such personnel to each rank, grade and position as are deemed by him to be necessary for the efficient operation and administration of the state highway patrol and devise and administer examinations, designed to test applicants for the positions, and any persons applying shall be required to meet the prescribed standards and prerequisites.

(e) Formulate such rules and regulations governing the state highway patrol as from time to time appear to him advisable.

(f) Discharge, demote or temporarily suspend any employee in the state highway patrol.

(g) Prescribe the uniforms to be worn and the equipment to be used by employees of the state highway patrol.

(h) Charge against each employee of the state highway patrol the value of any property of the state lost or destroyed through the carelessness of such employee.

(i) Establish, with the approval of the state Department of Finance, the terms and conditions under which expense allowance should be paid to any employee of the state highway patrol while away from his station.

(j) Station the state highway patrol in such localities as he shall deem advisable for the enforcement of the laws of this state.

(k) Conduct in conjunction with the department of education in and through all state schools a definite educational campaign in highway safety and work in conjunction with civic organizations, churches, local units of government and other organizations which may function in accomplishing the purposes of reducing highway accidents.

**History:** L. 1941 (1st S.S.), ch. 14, § 3; C. 1943, 36-8-3; L. 1951 (1st S.S.), ch. 8, § 1.

**Cross-References.** — Commissioner of public safety, § 41-13-2.

Division of Finance, § 63-1-12 et seq.

Public school curriculum, Chapter 13 of Title 53A.

## NOTES TO DECISIONS

**Determination of suspended officer's rank upon reinstatement.**

It was proper, under the terms of this section, for the Highway Patrol Civil Service Commission to order, upon suspension of an officer, that he should be reinstated if he could show his rehabilitation from alcoholism and

that his rank upon reinstatement should be determined by the commissioner of public safety; it was not necessary that the commission itself make the determination of rank. *Helm v. Utah State Hwy. Patrol Civil Serv. Comm'n*, 556 P.2d 210 (Utah 1976).

## COLLATERAL REFERENCES

**C.J.S.** — 39A C.J.S. Highways § 161 et seq.  
**Key Numbers.** — Highways ⇌ 93 et seq.

**27-10-3. State purchasing agent to purchase supplies.**

The state through the state purchasing agent of the Department of Finance shall purchase or otherwise obtain and furnish to the state highway patrol upon the requisition of the commissioner of public safety uniforms and supplies necessary for the efficient performance of the duties of the state highway patrol.

**History:** L. 1941 (1st S.S.), ch. 14, § 4; C. 1943, 36-8-4; L. 1951 (1st S.S.), ch. 8, § 1.  
**Cross-References.** — Division of Finance, § 63-1-12 et seq.

Powers and duties assigned to executive director of Department of Administrative Services, § 63-1-10.  
 Procurement Code, § 63-56-1 et seq.

**27-10-4. Duties of Utah Highway Patrol.**

(1) The Utah Highway Patrol shall:

- (a) enforce the state laws and rules governing use of the state highways;
- (b) regulate traffic on all highways and roads of the state;
- (c) respond to the call of the governor for emergency or other purposes at his discretion, and to the call of the Alcoholic Beverage Control Commission in an emergency to enforce the state liquor laws;
- (d) provide security and protection for both houses of the Legislature while in session as the speaker of the House of Representatives and the president of the Senate finds necessary.

(2) The Department of Public Safety shall carry out the following for the Supreme Court and the Court of Appeals:

- (a) provide security and protection to those courts when in session in the capital city of the state;
- (b) execute orders issued by the courts; and
- (c) carry out duties as directed by the courts.

**History:** L. 1941 (1st S.S.), ch. 14, § 5; C. 1943, 36-8-5; L. 1975, ch. 72, § 1; 1983, ch. 329, § 1; 1988, ch. 152, § 13.

**Amendment Notes.** — The 1988 amendment, effective April 25, 1988, added the subsection designation (1) at the beginning of the section; substituted "Alcoholic Beverage Control Commission" for "liquor control commis-

sion" in Subsection (1)(c); made minor stylistic changes in Subsection (1); and added Subsection (2).

**Cross-References.** — Regulations for enforcement of vehicle size, weight and load regulations, adoption by highway patrol, § 27-12-156.

State Boating Act enforcement, § 73-18-20.

## COLLATERAL REFERENCES

**Utah Law Review.** — The State University's Place Among Overlapping Police Jurisdictions During a Student Mass Disturbance, 1971 Utah L. Rev. 474.

**C.J.S.** — 39A C.J.S. Highways § 170.  
**Key Numbers.** — Highways ⇌ 96(1).

**27-10-5. Vested with powers of peace officers.**

The commissioner of public safety and each member of the state highway patrol is vested with the powers of peace officers throughout the several counties of the state with the exception of the power to serve civil process. They may serve criminal process and arrest and prosecute violators of any law of this state and shall have the same right as other peace officers to require aid in executing their duties. The powers and duties hereby conferred upon the commissioner of public safety and members of the highway patrol shall be supplementary to and in no way a limitation on the powers and duties of other peace officers in the state.

**History:** L. 1941 (1st S.S.), ch. 14, § 6; C. 1943, 36-8-6; L. 1951 (1st S.S.), ch. 8, § 1.

**Cross-References.** — Peace officers, Chapter 1a of Title 77.

## COLLATERAL REFERENCES

**C.J.S.** — 39A C.J.S. Highways § 157.  
**Key Numbers.** — Highways ⇌ 95(1).

**27-10-6. Cooperation with other officers.**

The state highway patrol shall cooperate and exchange information with any other departments of the state or with other police forces, both within and outside this state, and with federal police forces, to secure information in order to achieve greater success in prevention and detection of crime and apprehension of criminals.

**History:** L. 1941 (1st S.S.), ch. 14, § 7; C. 1943, 36-8-7.

**Cross-References.** — Peace officers, Chapter 1a of Title 77.

**27-10-7. Operation and maintenance of inspection and checking at ports of entry — Port personnel.**

(1) The inspection and checking ports of entry constructed, in process of construction, or to be constructed by the Transportation Commission shall be operated and maintained by the state highway patrol. Personnel employed to operate the ports of entry and the maintenance of physical plants are the responsibility of the state highway patrol.

(2) In the operation of inspection and checking ports of entry, the highway patrol shall employ special function officers under Section 77-1a-4 or civilian clerks, as determined necessary by the commissioner of public safety.



**History:** L. 1953, ch. 46, § 2; 1987, ch. 203, § 1.

**Amendment Notes.** — The 1987 amendment added the subsection designations; in Subsection (1), substituted "ports of entry" for "stations now" and "Transportation Commission" for "State Road Commission" in the first sentence and "the ports of entry" for "said stations" and "are" for "shall be" in the second sentence; and substituted the present provisions of Subsection (2) for "In the operation of inspection and checking stations, the Highway Patrol is authorized to adopt special classifica-

tion for the station personnel as distinguished from regular highway patrolmen. Such personnel shall be properly deputized by the highway patrol."

Laws 1987, ch. 203, § 3 provides: "It is understood that a normal transition period shall be allowed to effect the transfers [of the operation of ports of entry to the highway patrol]."

**Cross-References.** — Ports of entry along state borders, authority of commissioner of public safety, § 41-13-11.

Traffic inspection and checking stations, authority of State Road Commission, § 27-12-19.

**27-10-8. Field strength of highway patrol.**

The Department of Public Safety is hereby directed to provide on or after July 1 of each calendar year one highway patrolman in the field, including field supervisors, for each 3,800 vehicles registered in the state as shown on the records of the state tax commission as of December 31 of each preceding calendar year. The vehicle registration is to be computed by deducting all transfers of registration from the gross registration.

**History:** L. 1967, ch. 101, § 1; 1974, ch. 7, § 1.

**Cross-References.** — List of registered vehicles, §§ 41-1-60, 41-1-61.

**CHAPTER 11**

**HIGHWAY PATROL CIVIL SERVICE**

(Repealed by Laws 1979, ch. 139, § 36.)

**27-11-1 to 27-11-27. Repealed.**

**Repeals.** — Sections 27-11-1 to 27-11-27 (L. 1945, ch. 118, §§ 1 to 26, 28; C. 1943, Supp., 36-9-1 to 36-9-26, 36-9-28; L. 1973, ch. 44, §§ 1, 2; L. 1977, ch. 120, § 1; L. 1977, ch. 283, § 1),

relating to the highway patrol civil service, were repealed by Laws 1979, ch. 139, § 36, effective January 1, 1980. For present provisions, see Chapter 19 of Title 67.

**CHAPTER 12**

**HIGHWAY CODE**

**Sunset Act.** — See Section 63-55-7 for the termination date of Chapter 12 of Title 27.

**Article 1**

**Legislative Intent and Definitions**

Section  
27-12-1. Repealed.  
27-12-2. Definitions.

**Article 2**

**State Road Commission**

Section  
27-12-3 to 27-12-6. Repealed.  
27-12-7. General powers and duties of commission.  
27-12-8. Repealed.