

Troy Shelley proposes the following substitute bill:

State Land Access Road Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Troy Shelley

Senate Sponsor:

LONG TITLE

General Description:

This bill amends provisions related to the abandonment and closure of a class D road.

Highlighted Provisions:

This bill:

- ▶ provides a process necessary for a county and the state to abandon a class D road;
- ▶ requires public meetings and notice before abandonment of a class D road;
- ▶ ensures that existing easements and access rights for public utilities and water infrastructure are not impacted by the abandonment of a class D road;
- ▶ amends provisions related to the closure of a class D road due to lack of public use to include roads across property owned by a public entity or an institution of higher education;
- ▶ amends a criminal provision related to discharging a firearm near a class D road; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

23A-6-303, as last amended by Laws of Utah 2025, Chapter 131

53C-2-106, as enacted by Laws of Utah 2025, Chapter 131

63L-11-205, as enacted by Laws of Utah 2025, Chapter 131

72-3-105, as last amended by Laws of Utah 2025, Chapter 131

72-3-108, as last amended by Laws of Utah 2023, Chapter 435

72-5-102, as last amended by Laws of Utah 2023, Chapter 22

29 **72-5-105**, as last amended by Laws of Utah 2024, Chapter 472

30 **76-11-201**, as enacted by Laws of Utah 2025, Chapter 173

31 **76-11-209**, as renumbered and amended by Laws of Utah 2025, Chapters 173, 208

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

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

34 **23A-6-303 . Review and adoption of management plans.**

35 (1) The division shall submit a draft management plan to the Resource Development
36 Coordinating Committee created in Section 63L-11-401 and the Habitat Council created
37 by the division for their review and recommendations.

38 (2) The division shall submit a draft management plan and any recommendations received
39 from the Resource Development Coordinating Committee and the Habitat Council to:
40 (a) the regional advisory council for the wildlife region in which the lands covered by
41 the management plan are located; and
42 (b) the regional advisory council for a wildlife region that may be affected by the
43 management plan.

44 (3) A regional advisory council reviewing a draft management plan may make
45 recommendations to the director.

46 (4) The director may adopt the management plan, adopt the management plan with
47 amendments, or reject the management plan.

48 (5)(a) At the request of the director or a member of the Wildlife Board, the Wildlife
49 Board may review a management plan to determine whether the plan is consistent
50 with Wildlife Board policies.

51 (b) The director may amend a management plan in accordance with recommendations
52 made by the Wildlife Board.

53 (6) Neither the division nor the director may permanently close a road within a wildlife
54 management area as part of a management plan without ~~[e]consent of~~ consultation with
55 the county legislative body within which the wildlife management area is located.

56 (7)(a) The division shall record with the county in which the wildlife management area
57 is located any road on or across the wildlife management area before the sale or
58 exchange of a wildlife management area.

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

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

63 **53C-2-106 . Identification and recording of public roads located on trust lands.**

64 (1) The director shall:

65 (a) subject to Subsection (2), using the State Geographic Information Database created
66 in Section 63A-16-506, and other available information, identify temporary public
67 easements or rights of entry granted pursuant to Section 72-5-203 for roads located
68 on trust lands within each county; and
69 (b) subject to Section 72-5-203, record with the county recorder of the county in which
70 the temporary public easement or right of entry is located a grant or permanent
71 easement as described in Subsection (4) that gives notice of the existence of the
72 public road.

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

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

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

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

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

84 (a) a requirement that the roads remain open for public use; and
85 (b) a legal description, as described in Subsection 57-3-105(4), of the relevant roads
86 sufficient for reasonable identification of the road.

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

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

92 Section 3. Section **63L-11-205** is amended to read:

93 **63L-11-205 . Identification and recording of public roads located on state-owned**
94 **public lands.**

95 (1) As used in this section, "state land" means land owned by:
96 (a) the Department of Natural Resources;

- (b) the Division of Forestry, Fire, and State Lands;
- (c) the Division of State Parks; and
- (d) any other state land management agency.

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

- (i) subject to Subsection (3), using the State Geographic Information Database created in Section 63A-16-506, and other available information, identify roads located on state land; and
- (ii) subject to Subsection (2)(b), record with the county recorder of the county in which the state land is located a document as described in Subsection (5) that gives notice of the existence of the public road or right-of-way.

(b) The advisor may not record a notice described in Subsection (2)(a)(ii) for a road on state land that is owned by the Division of Wildlife Resources until the land is sold or exchanged as described in Subsection (6).

(a) Subject to Subsection (3)(b), the advisor may complete the requirements of Subsection (2) over time and as resources allow.

(b) For Carbon County, Garfield County, Grand County, Kane County, San Juan County, Uintah County, and Wayne County, the advisor shall complete the requirements described in Subsection (2) on or before January 5, 2026.

(c) For a county not described in Subsection (3)(b), the advisor shall strategically complete the requirements described in Subsection (2) as funding and staffing resources allow to promote and protect access to public lands.

The advisor is not required to identify or record notice of any class A, class B, or class C roads, as those terms are defined in Title 72, Chapter 3, Part 1, Highways in General. The notice required in Subsection (2)(a)(ii) shall include:

- (a) a title identifying the roads as "Public Access"; and
- (b) a legal description, as described in Subsection 57-3-105(4), of the relevant roads or rights-of-way sufficient for reasonable identification of the road.

(a) If a parcel of state land is subject to a sale or an exchange, the advisor shall ensure that the requirements of Subsection (2) are completed before the sale or exchange is finalized.

(b) The sale or exchange of state land is subject to the public access rights existing at the time of the sale or exchange.

(a) ~~The Division of Wildlife Resources shall identify roads within a wildlife management area in the respective property's habitat management plan, as required in~~

131 Section 23A-6-302.]

132 [(b) For any road identified under Subsection (7)(a), the Division of Wildlife Resources
133 may:]

134 [(i) temporarily close a road for the benefit of wildlife; and]

135 [(ii) permanently close roads for the benefit of wildlife only:]

136 [(A) through the habitat management plan review and approval process in Section
137 23A-6-303; and]

138 [(B) beginning on May 7, 2025, with consent of the county legislative body within
139 which the road is located.]

140 [(e) Notwithstanding Subsection (7)(b), the Division of Wildlife Resources may close a
141 road for the benefit of wildlife if:]

142 [(i) there is an alternative road that will remain open that provides reasonable access
143 to the same area;]

144 [(ii) the road to be closed forks from the alternative road that will remain open;]

145 [(iii) the road to be closed is less traveled than the alternative road that will remain
146 open;]

147 [(iv) the road to be closed travels in approximately the same direction as the
148 alternative road that will remain open; and]

149 [(v) the road to be closed intersects with the alternative road that will remain open
150 within 2,000 feet of the location where the road to be closed forks from the road
151 that will remain open.]

152 [(d)(i) The Division of Wildlife Resources shall record with the county in which the
153 wildlife management area property is located, any road on or across the wildlife
154 management area prior to any sale or exchange of any wildlife management area
155 property.]

156 [(ii) The sale or exchange of Division of Wildlife Resources land is subject to the
157 public access rights existing at the time of the sale or exchange.]

158 Section 4. Section 72-3-105 is amended to read:

159 **72-3-105 . Class D roads -- Maps to be prepared by county -- Indication of roads.**

160 (1) As used in this section, "class D road" means any road, way, or other land surface route
161 that has been or is established by use or constructed [and has been maintained] to
162 provide for usage by the public for vehicles with four or more wheels that is not a class
163 A, class B, or class C road under this title, or an R.S. 2477 right-of-way, as that term is
164 defined in Section 72-5-301.

165 (2) Each class D road is part of the highway and road system within the state with the same [
166 ~~force and~~]effect as if the class D road had been included within this system upon [its] the
167 class D road being first established or constructed.

168 (3) The state and county have joint undivided interest in the title to all rights-of-way for
169 class D roads, unless the state or county has vacated and abandoned interest in the class
170 D road.

171 (4)(a) Subject to Subsection (4)(b), the county governing body exercises sole jurisdiction
172 and control of class D roads within the county.

173 (b) If a county vacates or abandons a class D road, the department exercises sole
174 jurisdiction and control of the class D road.

175 (5)(a) Each county shall prepare maps showing to the best of [its] the county's ability the
176 class D roads within [its] the county's boundaries which were in existence as of
177 October 21, 1976.

178 (b) Preparation of [these] the maps described in Subsection (5)(a) may be done by the
179 county [itself] or through any multi-county planning district in which the county
180 participates.

181 (6) Any class D road which is established or constructed after October 21, 1976, shall be
182 reflected on maps prepared as provided in Subsection (5).

183 (7) The county shall provide a copy of any map under Subsection (5) or (6) upon
184 completion to the department.

185 (8)(a) The department shall scribe each road shown on [its] the department's own county
186 map series.

187 (b) The department is not responsible for the validity of any class D road and is not
188 responsible for [its] the class D road being inventoried.

189 (c) The department shall [also-]keep on file an historical map record of the roads as
190 provided by the counties.

191 (9)(a) If a county vacates or abandons the county's class D road interest in a road within
192 the county, the right-of-way remains open for public use unless the department, in
193 consultation with the Public Lands Policy Coordinating Office created in Section
194 63L-11-201, determines that the road or right-of-way:
195 (i) does not provide a benefit to the state in a manner consistent with the principles of
196 multiple use and sustained yield as described in Section 63L-8-103; or
197 (ii) is not used to access public or private land.

198 (b) [Before] Subject to Subsections (9)(c) and (10), before a county may vacate or

199 abandon the county's right-of-way interest in a class D road, the county shall:

200 (i) [-]provide to the department 180 days in advance of taking the action a written
201 notice that includes the following:

202 [(i)] (A) a legal description and map of the portion of the class D road for which
203 the county intends to abandon the county's interest;

204 [(ii)] (B) a statement affirming that all gates and locks, whether [or not]installed or
205 authorized by the county, and all county agreements, have been removed from
206 the portion to be vacated; and

207 [(iii)] (C) documentation that the portion to be vacated is shown as a class D road
208 in the county recorder's office[.];

209 (ii) hold a public hearing giving the public the opportunity to provide written and oral
210 input;

211 (iii) publish notice of the hearing in compliance with the requirements of a class A
212 notice under Section 63G-30-102, for at least four weeks before the day of the
213 hearing; and

214 (iv) mail notice to the department and all owners of property abutting the class D
215 road, at least four weeks before the day of the hearing.

216 (c)(i) A county may not vacate or abandon the county's interest in a class D road if
217 the road provides:

218 (A) a public benefit to the state in a manner consistent with the principles of
219 multiple use and sustained yield as described in Section 63L-8-103;

220 (B) access to public land; or

221 (C) subject to Subsection (9)(c)(ii), access to private land beyond the location
222 where the vacation or abandonment of the class D road is proposed.

223 (ii) If a class D road provides access to private land as described in Subsection
224 (9)(c)(i)(C), the county may vacate or abandon the county's interest in the road if:

225 (A) the class D road does not provide public benefit or access to public land as
226 described in Subsection (9)(c)(i)(A) or (B); and

227 (B) each owner of private land along the class D road beyond where the vacation
228 or abandonment of the county's interest in the road is proposed to end agree in
229 writing to the abandonment of the road.

230 (iii) If a class D road is vacated or abandoned as described in Subsection (9)(c)(ii),
231 the county shall record with the county recorder a document describing the
232 vacation and abandonment.

233 (d) If a county vacates or abandons the county's interest in a class D road, the county
234 shall record with the applicable county recorder a notice of the vacation or
235 abandonment of the county's interest, including the following: "The county's vacation
236 or abandonment of the road does not constitute a vacation or abandonment by the
237 state of Utah of any interest the state may have."

238 [(e)] (e) A county may not vacate or abandon the county's right-of-way interest in a class
239 D road without the approval of the department.

240 [(d)] (f) A person may not place a lock or a gate on a class D road right-of-way [ever
241 ~~which the department exercises sole jurisdiction~~] that provides access to multiple use
242 lands or private property access.

243 (10)(a) The department may not vacate or abandon a class D road if the road provides:
244 (i) a public benefit to the state in a manner consistent with the principles of multiple
245 use and sustained yield as described in Section 63L-8-103;
246 (ii) access to public land; or
247 (iii) access to private land beyond the location where the vacation or abandonment of
248 the class D road is proposed.

249 (b) If a county legislative body determines that proposed vacation and abandonment of a
250 class D road meets the requirements under Subsections (9)(b) and (10)(a), the county
251 shall:

252 (i) publish the proposal on an agenda for a public meeting of the county legislative
253 body to hear the proposal;
254 (ii) publish the proposal on a public notice website of the state government for at
255 least 30 days before the public meeting; and
256 (iii) after satisfying the requirement under Subsection (10)(b)(ii), and at least 30 days
257 after the meeting described in Subsection (10)(b)(ii), and subject to Subsection
258 (10)(a), the county legislative body may vote to vacate and abandon the county's
259 interest in the class D road.

260 (c) Any vacation and abandonment of a class D road is subject to reasonable access to
261 existing rights-of-way or easements, including those for water infrastructure and
262 public utilities.

263 [(10)] (11)(a) A county and the department are not required to maintain a class D road.

264 (b) An individual who travels on a class D road does so at the individual's own risk.

265 Section 5. Section **72-3-108** is amended to read:

266 **72-3-108 . County roads -- Vacation and narrowing -- Notice requirements.**

267 (1) A county may, by ordinance, vacate, narrow, or change the name of a county road
268 without petition or after petition by a property owner.
269 (2) A county may not vacate a county road unless notice of the hearing is:
270 (a) published for the county, as a class A notice under Section 63G-30-102, for at least
271 four weeks before the day of the hearing; and
272 (b) mailed to the department and all owners of property abutting the county road.
273 (3) The right-of-way and easements, if any, of a property owner and the franchise rights of
274 any public utility may not be impaired by vacating or narrowing a county road.
275 (4) Except as provided in Section 72-3-105 or 72-5-305, if a county vacates a county road,
276 the state's right-of-way interest in the county road is also vacated.

277 Section 6. Section **72-5-102** is amended to read:

278 **72-5-102 . Definitions.**

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

280 (1) "Public entity" means the same as that term is defined in Section 72-2-201.
281 (2) "State institution of higher education" means the same as that term is defined in Section
282 53B-3-102.
283 (3) "State transportation purposes" includes:
284 [(1)] (a) highway, public transit facility, and transportation rights-of-way, including those
285 necessary within cities and towns;
286 [(2)] (b) the construction, reconstruction, relocation, improvement, maintenance, and
287 mitigation from the effects of these activities on state highways and other
288 transportation facilities, including parking facilities, under the control of the
289 department;
290 [(3)] (c) limited access facilities, including rights of access, air, light, and view and
291 frontage and service roads to highways;
292 [(4)] (d) adequate drainage in connection with any highway, cut, fill, or channel change
293 and the maintenance of any highway, cut, fill, or channel change;
294 [(5)] (e) weighing stations, shops, offices, storage buildings and yards, and road
295 maintenance or construction sites;
296 [(6)] (f) road material sites, sites for the manufacture of road materials, and access roads
297 to the sites;
298 [(7)] (g) the maintenance of an unobstructed view of any portion of a highway to
299 promote the safety of the traveling public;
300 [(8)] (h) the placement of traffic signals, directional signs, and other signs, fences, curbs,

barriers, and obstructions for the convenience of the traveling public;

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

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

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

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

Section 7. Section **72-5-105** is amended to read:

72-5-105 . Highways, streets, or roads once established continue until abandoned

-- Temporary closure -- Notice.

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

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

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

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

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

(i) claimed by the state or county under R.S. 2477 or across federal lands[-] ; or
(ii) on lands owned by a public entity or state institution of higher education.

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

(b) [Provided, however, that should a] If the property description of an owner of record [extend] extends into the vacated or abandoned highway, street, or road, that portion of the vacated or abandoned highway, street, or road shall vest in the record owner, with

335 the remainder of the highway, street, or road vested as otherwise provided in [this-]
336 Subsection [f2] (2)(a).

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

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

342 (b)(i) A temporary closure authorized under this section is not an abandonment.

343 (ii) The erection of a barrier or sign on a highway, street, or road once established is
344 not an abandonment.

345 (iii) An interruption of the public's continuous use of a highway, street, or road once
346 established is not an abandonment even if the interruption is allowed to continue
347 unabated.

348 (c) A temporary closure under Subsection (3)(a) may be authorized only under the
349 following circumstances:

350 (i) when a federal authority, or other person, provides an alternate route to an R.S.
351 2477 right-of-way or portion of an R.S. 2477 right-of-way if the alternate route is:
352 (A) accepted by the highway authority; and
353 (B) formalized by a federal permit or a written agreement between the federal
354 authority or other person and the highway authority;

355 (ii) when a state or local highway authority determines that correction or mitigation
356 of injury to private or public land resources is necessary on or near a class B or D
357 road or portion of a class B or D road; or

358 (iii) when a local highway authority makes a finding that temporary closure of all or
359 part of a class C road is necessary to mitigate unsafe conditions.

360 (d)(i) If a local highway authority temporarily closes all or part of a class C road
361 under Subsection (3)(c)(iii), the local highway authority may convert the closed
362 portion of the road to another public use or purpose related to the mitigation of the
363 unsafe condition.

364 (ii) If a local highway authority temporarily closes all or part of a class C road under
365 Subsection (3)(c)(iii), and the closed portion of road is the subject of a lease
366 agreement between the local highway authority and another entity, the local
367 highway authority may not reopen the closed portion of the road until the lease
368 agreement terminates.

369 (e) A highway authority shall reopen an R.S. 2477 right-of-way or portion of an R.S.
370 2477 right-of-way temporarily closed under this section if the alternate route is
371 closed for any reason.

372 (f) A temporary closure authorized under Subsection (3)(c)(ii)[-shall]:
373 (i) shall be authorized annually; and
374 (ii) may not exceed two years from the date the highway authority first closes the
375 highway, or the time it takes to complete the correction or mitigation, whichever
376 is less.

377 (4) To authorize a closure of a road under Subsection (3) or (7), a local highway authority
378 shall pass an ordinance to temporarily or indefinitely close the road.

379 (5) Before authorizing a temporary or indefinite closure as described in Subsection (4), a
380 highway authority shall:
381 (a) hold a hearing on the proposed temporary or indefinite closure;
382 (b) provide notice of the hearing by mailing a notice to the Department of
383 Transportation; and
384 (c) except for a closure under Subsection (3)(c)(iii), provide notice to the owners of the
385 properties abutting the highway, as a class B notice under Section 63G-30-102, [for-]
386 at least four weeks before the day of the hearing.

387 (6) The right-of-way and easements, if any, of a property owner and the franchise rights of
388 any public utility may not be impaired by a temporary or indefinite closure authorized
389 under this section.

390 (7)(a) A local highway authority may close to vehicular travel and convert to another
391 public use or purpose a highway, road, or street over which the local highway
392 authority has jurisdiction, for an indefinite period of time, if the local highway
393 authority makes a finding that:
394 (i) the closed highway, road, or street is not necessary for vehicular travel;
395 (ii) the closure of the highway, road, or street is necessary to correct or mitigate
396 injury to private or public land resources on or near the highway, road, or street; or
397 (iii) the closure of the highway, road, or street is necessary to mitigate unsafe
398 conditions.
399 (b) If a local highway authority indefinitely closes all or part of a highway, road, or
400 street under Subsection (7)(a)(iii), and the closed portion of road is the subject of a
401 lease agreement between the local highway authority and another entity, the local
402 highway authority may not reopen the closed portion of the road until the lease

403 agreement terminates.

404 (c) An indefinite closure authorized under this Subsection (7) is not an abandonment.

405 Section 8. Section **76-11-201** is amended to read:

406 **76-11-201 . Definitions.**

407 As used in this part:

408 (1) "Class D road" means the same as that term is defined in Section 72-3-105.

409 [41] (2) "Enter" means intrusion of the entire body.

410 [42] (3) "Fully automatic weapon" means a firearm that fires, is designed to fire, or can be
411 readily restored to fire, automatically more than one shot without manual reloading by a
412 single function of the trigger.

413 (4) "Highway" means the same as that term is defined in Section 72-1-102.

414 [43] (5) "House of worship" means a church, temple, synagogue, mosque, or other building
415 set apart primarily for the purpose of worship in which religious services are held and
416 the main body of which is kept for that use and not put to any other use inconsistent with
417 the building's primary purpose.

418 [44] (6) "Machinegun firearm attachment" means any part or combination of parts added to
419 a semiautomatic firearm that allows the firearm to fire as a fully automatic weapon.

420 [45] (7)(a) "Readily accessible for immediate use" means that a firearm or other
421 dangerous weapon is carried on an individual's person or within such close proximity
422 and in such a manner that it can be retrieved and used as readily as if carried on the
423 individual's person.

424 (b) "Readily accessible for immediate use" does not include a securely encased firearm.

425 [46] (8)(a) "Securely encased firearm" means a firearm that is not readily accessible for
426 immediate use.

427 (b) "Securely encased firearm" includes a loaded or unloaded firearm located in a gun
428 rack, in a closed locked or unlocked case or container, or in a trunk or other storage
429 area of a motor vehicle.

430 (c) "Securely encased firearm" does not include a firearm in a glove box or console box
431 unless the firearm is also in a holster or other case which covers the trigger
432 mechanism.

433 Section 9. Section **76-11-209** is amended to read:

434 **76-11-209 . Improper discharging of a dangerous weapon.**

435 (1) Terms defined in Sections 76-1-101.5, 76-11-101, and 76-11-201 apply to this section.

436 (2) An actor commits improper discharging of a dangerous weapon if the actor discharges a

437 dangerous weapon:

438 (a) from a vehicle;

439 (b) from, upon, or across a highway other than a class D road;

440 (c) at a road sign placed on a [state]highway;

441 (d) at communications equipment or property of public utilities including facilities,

442 lines, poles, or devices of transmission or distribution;

443 (e) at railroad equipment or facilities including a sign or signal;

444 (f) within a Utah State Park building, designated camp or picnic sites, overlooks, golf

445 courses, boat ramps, and developed beaches; or

446 (g) without written permission to discharge the dangerous weapon from the owner or

447 person in charge of the property within 600 feet of:

448 (i) a house, dwelling, or other building; or

449 (ii) a structure in which a domestic animal is kept or fed, including a barn, poultry

450 yard, corral, feeding pen, or stockyard.

451 (3) A violation of Subsection (2) is a class B misdemeanor.

452 (4) In addition to any other penalties, the court shall:

453 (a) notify the Driver License Division of the conviction for purposes of any revocation,

454 denial, suspension, or disqualification of a driver license under Subsection

455 53-3-220(1)(a)(xi); and

456 (b) specify in court at the time of sentencing the length of the revocation under

457 Subsection 53-3-225(1)(c).

458 (5) This section does not apply to an actor who:

459 (a) discharges a dangerous weapon in the lawful defense of the actor or another

460 individual;

461 (b) is an individual listed in Subsections 53-5a-108(1)(a) through (f) and is performing

462 official duties as provided in Section 23A-2-207 or 79-2-704 or as otherwise

463 provided by law;

464 (c) discharges a dangerous weapon from an automobile or other vehicle, if:

465 (i) the discharge occurs at a firing range or training ground;

466 (ii) at no time after the discharge does the projectile that is discharged cross over or

467 stop at a location other than within the boundaries of the firing range or training

468 ground described in Subsection (5)(c)(i);

469 (iii) the discharge is made as practice or training for a lawful purpose;

470 (iv) the discharge and the location, time, and manner of the discharge are approved

471 by the owner or operator of the firing range or training ground before the
472 discharge; and

473 (v) the discharge is not made in violation of Subsection (2); or
474 (d) acting under a farm custom slaughter license, discharges a firearm or other
475 dangerous weapon in accordance with Subsection 4-32-108(3).

476 (6) It is a defense to a charge for violating this section that the actor had actual permission
477 of the person in charge of the property at the time the actor discharged the dangerous
478 weapon as described in Subsection (2).

479 **Section 10. Effective Date.**

480 This bill takes effect on May 6, 2026.