

**Effective 5/13/2014**

**76-10-508 Discharge of firearm from a vehicle, near a highway, or in direction of any person, building, or vehicle -- Penalties.**

- (1) (a) A person may not discharge any kind of dangerous weapon or firearm:
  - (i) from an automobile or other vehicle;
  - (ii) from, upon, or across any highway;
  - (iii) at any road signs placed upon any highways of the state;
  - (iv) at any communications equipment or property of public utilities including facilities, lines, poles, or devices of transmission or distribution;
  - (v) at railroad equipment or facilities including any sign or signal;
  - (vi) within Utah State Park buildings, designated camp or picnic sites, overlooks, golf courses, boat ramps, and developed beaches; or
  - (vii) without written permission to discharge the dangerous weapon from the owner or person in charge of the property within 600 feet of:
    - (A) a house, dwelling, or any other building; or
    - (B) any structure in which a domestic animal is kept or fed, including a barn, poultry yard, corral, feeding pen, or stockyard.
- (b) It is a defense to any charge for violating this section that the person being accused had actual permission of the owner or person in charge of the property at the time in question.
- (2) A violation of any provision of Subsection (1) is a class B misdemeanor.
- (3) In addition to any other penalties, the court shall:
  - (a) notify the Driver License Division of the conviction for purposes of any revocation, denial, suspension, or disqualification of a driver license under Subsection 53-3-220(1)(a)(xi); and
  - (b) specify in court at the time of sentencing the length of the revocation under Subsection 53-3-225(1)(c).
- (4) This section does not apply to a person who:
  - (a) discharges any kind of firearm when that person is in lawful defense of self or others;
  - (b) is performing official duties as provided in Section 23-20-1.5 and Subsections 76-10-523(1)(a) through (e) and as otherwise provided by law; or
  - (c) discharges a dangerous weapon or firearm from an automobile or other vehicle, if:
    - (i) the discharge occurs at a firing range or training ground;
    - (ii) at no time after the discharge does the projectile that is discharged cross over or stop at a location other than within the boundaries of the firing range or training ground described in Subsection (4)(c)(i);
    - (iii) the discharge is made as practice or training for a lawful purpose;
    - (iv) the discharge and the location, time, and manner of the discharge are approved by the owner or operator of the firing range or training ground prior to the discharge; and
    - (v) the discharge is not made in violation of Subsection (1).

Amended by Chapter 248, 2014 General Session