

Utah bill would create legal defense for drivers who hit protesters

by Kyle Harvey, KUTV

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SALT LAKE CITY (KUTV) — A legislative committee on law enforcement Monday passed [a bill](#) by a Utah County Republican that would create a legal defense for drivers who hit protesters in the process of escaping a riot situation.

“We’re trying to strike a delicate balance between riots and protests to make sure that people are safe,” said John Hawkins, who represents District 57 in Pleasant Grove.

Because the bill didn’t pass unanimously, it would start again in committee at the start of the legislative session in January. If it again passes out of committee, it would still require approval from the full House and Senate, and the governor.



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The driver’s defense would only apply under a certain set of circumstances: “the injury or death occurs while the motor vehicle operator is fleeing from a riot, under a reasonable belief that fleeing is necessary to protect the motor vehicle operator from serious injury or death; and the motor vehicle driver exercises due care at the time of the death of injury.”

Download bill: https://www.scribd.com/document/484779926/00004501#download&from_embed

A group of protesters in June surrounded a vehicle in Provo. The driver of the SUV continued to move slowly as the demonstrators crowded his vehicle.



A group of protesters in June surrounded a vehicle in Provo. The driver of the SUV continued to move slowly as the demonstrators crowded his vehicle. (KUTV File)

One of the protesters shot the man, who then sped away. A woman in the crowd alleged he struck her. The driver was not charged.

Rae Duckworth, of Black Lives Matter Utah, thinks the law would give license to people with evil intent.

Protecting someone who wants to hurt somebody else — that's what it comes down to in plain Jane terms," she said. "I'm almost embarrassed that this is even a topic of conversation."



Rae Duckworth, of Black Lives Matter Utah, thinks the law would give license to people with evil intent. (Photo: KUTV)

The ACLU of Utah takes issue with the law as well, noting that Utah's definition of a riot — two or more people engaging in tumultuous or violent conduct — is too vague.

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Hawkins says street protests — even those blocking streets — are allowed. Legal, peaceful protests wouldn't give rise to a situation where his bill would take effect.

I don't think that purposefully using your vehicle to cause bodily injury is a normal situation that falls into this bill," he said. "That's vehicular homicide."