

trying to sell junk willfully makes a false statement or gives untrue information, shall be guilty of a class B misdemeanor.

PART

13-76-10-1000. TRADEMARKS, TRADE NAMES AND DEVICES.

13-76-10-1001. DEFINITIONS. For the purpose of this part:

1. "Forged trademark," "forged trade name," "forged trade device," and "counterfeited trademark," "counterfeited trade name," "counterfeited trade device," or their equivalents as used in this part, include every alteration or imitation of any trademark, trade name, or trade device so resembling the original as to be likely to deceive.
2. "Trademark" or "trade name" or "trade device," as used in this part, includes every trademark registrable with the secretary of state.

13-76-10-1002. FORGING OR COUNTERFEITING TRADEMARK, TRADE NAME, OR TRADE DEVICE. Every person who willfully forges or counterfeits, or procures to be forged or counterfeited any trademark, trade name, or trade device, usually affixed by any person, or by any association or union of workingmen, to his or its goods, which has been filed in the office of the secretary of state, with intent to pass off any goods to which the forged or counterfeited trademark, trade name, or trade device is affixed or intended to be affixed, as the goods of the person or association or union of workingmen, is guilty of a class B misdemeanor.

13-76-10-1003. SELLING GOODS UNDER COUNTERFEITED TRADEMARK, TRADE NAME OR TRADE DEVICE. Every person who sells or keeps for sale any goods upon or to which any counterfeited trademark, trade name, or trade device has been affixed, after it has been filed in the office of the secretary of state, intending to represent the goods as the genuine goods of another, knowing it to be counterfeited, is guilty of a class B misdemeanor.

13-76-10-1004. SALES IN CONTAINERS BEARING REGISTERED TRADEMARK OF SUBSTITUTED ARTICLES. Every person who has or uses any container or similar article bearing or having in any way connected with it the registered trademark of another for the purpose of disposing, with intent to deceive or defraud any article or substance other than that which the container of similar article originally contained or was connected with by the owner of such trademark is guilty of a class B misdemeanor.

13-76-10-1005. USING, DESTROYING, CONCEALING OR POSSESSING ARTICLES WITH REGISTERED TRADEMARK OR SERVICE MARK TO DEPRIVE OWNER OF USE OR POSSESSION - EXCEPTION. Every person who, without the consent of the owner of an article bearing the owner's validly registered trademark or service mark, uses, destroys, conceals, or possesses the article or who defaces or otherwise conceals the trademark or service mark upon the article with intent to deprive the owner of the use of possession of that article is guilty of a class B misdemeanor; provided, however, that nothing contained in this part shall be construed to apply to or restrict the transfer or use of wooden boxes or the reuse of burlap or cotton bags or sacks when those bags or sacks have been reversed inside out or the markings thereon have been concealed or obliterated to effectively demonstrate that the products contained therein do not purport to be the products of the owner of the registered trademark or service mark theretofore put upon those bags.

13-76-10-1006. SELLING OR DEALING WITH ARTICLES BEARING REGISTERED TRADEMARK OR SERVICE MARK WITH INTENT TO DEFRAUD. Every person who, without the consent of the owner of an article bearing the owner's validly registered trademark or service mark, knowingly sells or traffics in the articles or who withholds the

articles from the owner thereof with intent to defraud the owner thereof, is guilty of a class B misdemeanor.

13-76-10-1007. USE OF REGISTERED TRADEMARK WITHOUT CONSENT. Every person who adopts or in any way uses the registered trademark of another, without the consent of the owner thereof, is guilty of a class B misdemeanor.

PART

13-76-10-1100. GAMBLING.

13-76-10-1101. DEFINITIONS. For the purpose of this part:

1. "Gambling" means risking anything of value for a return or risking anything of value upon the outcome of a contest, game, gaming scheme, or gaming device when the return or outcome is based upon an element of chance and is in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome, and gambling includes a lottery; gambling does not include:
 - a. A lawful business transaction, or
 - b. Playing an amusement device that confers only an immediate and unrecorded right of replay not exchangeable for value.
2. "Lottery" means any scheme for the disposal or distribution of property by chance among persons who have paid or promised to pay any valuable consideration for the chance of obtaining property or portion of it, or for any share or any interest in property upon any agreement, understanding, or expectation that it is to be distributed or disposed of by lot or chance, whether called a lottery, raffle, or gift enterprise, or by whatever name it may be known.
3. "Gambling bet" means money, checks credit, or any other representation of value.
4. "Gambling device or record" means anything specifically designed for use in gambling or used primarily for gambling.
5. "Gambling proceeds" means anything of value used in gambling.

13-76-10-1102. GAMBLING.

1. A person is guilty of gambling if he:
 - a. Participates in gambling, or
 - b. Knowingly permits any gambling to be played, conducted, or dealt upon or in any real or personal property owned, rented or under the control of the actor, whether in whole or in part.
2. Gambling is a class B misdemeanor.

13-76-10-1103. GAMBLING FRAUD.

1. A person is guilty of gambling fraud if he participates in gambling and wins or acquires to himself or another any gambling proceeds when he knows he has a lesser risk of losing or greater chance of winning than one or more of the other participants, and the risk is not known to all participants.

2. A person convicted of gambling fraud shall be punished as in the case of theft of property of like value, provided that the penalty shall not exceed a class B misdemeanor.

13-76-10-1104. GAMBLING PROMOTION.

1. A person is guilty of gambling promotion if he derives or intends to derive an economic benefit other than personal winnings from gambling and:
 - a. He induces or aids another to engage in gambling; or
 - b. He knowingly invests in, finances, owns, controls, supervises, manages, or participates in any gambling.
2. Gambling promotion is a class B misdemeanor.

13-76-10-1105. POSSESSING A GAMBLING DEVICE OR RECORD.

1. A person is guilty of possessing a gambling device or record if he knowingly possesses it with intent to use it in gambling.
2. Possession of a gambling device or record is a class B misdemeanor.

13-76-10-1106. FAILURE OF PROSECUTING ATTORNEY OR LAW ENFORCEMENT OFFICER TO PROSECUTE OFFENSES. Any prosecuting attorney or police officer who has reasonable cause to believe that any person has violated any provision of this part and shall thereafter fail or refuse to diligently prosecute such persons is guilty of a class B misdemeanor.

13-76-10-1107. SEIZURE AND SALE OF DEVICES OR EQUIPMENT USED FOR GAMBLING.

1. Whenever the justice of the peace shall determine that any devices or equipment is used or kept for the purpose of being used for gambling, he may notify the city council and/or the chief of police and may authorize the chief of police to seize such devices and to hold them for sale at the best price obtainable pending a hearing before the justice of the peace. After the hearing has been properly scheduled and all parties having an interest in the devices have been notified of the hearing, the justice of the peace may order the devices seized and declare them to be the property of this city. The Court may then order the devices sold for the best price obtainable. The sale shall be made to a person of good character and repute who is a bona fide resident of the state wherein it is lawful to use such equipment. The officials conducting the sale shall place the equipment on a public carrier, properly co-signed to the purchaser at his place of residence.
2. The proceeds of any sale shall be paid to the city treasury.
3. If no sale is consummated within ninety (90) days after authorization therefore, the devices or equipment shall be destroyed under the direction of the justice of the peace.

13-76-10-1108. SEIZURE AND DISPOSITION OF GAMBLING DEBTS OR PROCEEDS.

1. At the commencement of any prosecution for a violation of this part any gambling bets or gambling proceeds which are reasonably identifiable as having been used or obtained in violation of this part may be seized and they shall be held pending the

disposition of the proceedings. At the conclusion of the proceedings, any person who is found guilty of a violation of this part shall forfeit any sums held by the Court which were acquired or being used in violation of this part. Any sums not identifiable, or in the event the individual is found not guilty, the sums shall be returned to him.

2. A commencement of prosecution shall occur upon arrest, or issuance of a complaint, or citation, which ever occurs first.
3. All sums forfeited under this section shall be paid into the treasury of the city conducting the prosecution.

13-76-10-1109. CONFIDENCE GAME - PUNISHMENT AS FOR THEFT - DESCRIPTION IN CHARGE.

1. Any person who obtains or attempts to obtain from any other person any money or property by any means, instrument or device commonly called a confidence game shall be punished as in the case of theft of property of like value.
2. In every complaint or citation under this section, it shall be deemed and held a sufficient description of the offense to charge that the accused did, on _____ (insert the date) unlawfully and knowingly obtain or attempt to obtain (as the case may be) from _____ (insert name of the person or persons defrauded or attempted to be defrauded) his money or property (as the case may be) by means and by use of a confidence game.

PART

13-76-10-1200. PORNOGRAPHIC AND HARMFUL MATERIALS AND PERFORMANCES.

13-76-10-1201. DEFINITIONS. For the purpose of this part:

1. "Material" means anything printed or written or any picture, drawing, photograph, motion picture, or pictorial representation, or any statue or other figure, or any recording or transcription, or any mechanical, chemical or electrical reproduction, or anything which is or may be used as a means of communication. Material includes undeveloped photographs, molds, printing plates, and other latent representational objects.
2. "Performance" means any physical human bodily activity, whether engaged in alone or with other persons, including but not limited to singing, speaking, dancing, acting, simulating, or pantomiming.
3. "Distribute" means to transfer possession of materials whether with or without consideration.
4. "Knowingly" means an awareness, whether actual or constructive, of the character of material or of a performance. A person has constructive knowledge if a reasonable inspection or observation under the circumstances would have disclosed the nature of the subject matter and if a failure to inspect or observe is for the purpose of avoiding the disclosure or is criminally negligent.
5. "Exhibit" means to show.
6. "Nudity" means the showing of the human male or female genitals, pubic area, or buttocks, with less than a full, opaque covering, or the showing of a female breast with less than a full, opaque covering, or any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernably turgid state.

7. "Sexual conduct" means acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or, if the person is a female, breast, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent or actual sexual stimulation or gratification.
8. "Sexual excitement" means a condition of human male or female genitals when in a state of sexual stimulation or arousal, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.
9. "Sado-masochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask, or in a revealing or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed.
10. "Minor" means any person less than 18 years of age.
11. "Harmful to minors" means that quality of any description or representation, in whatsoever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse when it:
 - (i) Taken as a whole, appeals to the prurient interest in sex of minors;
 - (ii) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
 - (iii) Taken as a whole, does not have serious value for minors. Serious value includes only serious literary, artistic political or scientific value for minors.
12. "Contemporary community standards" means those current standards in the vicinage where an offense alleged under this act has occurred, is occurring, or will occur.
13. "Public place" includes a place to which admission is gained by payment of a membership or admission fee, however designated, notwithstanding its being designated a private club or by words of like import.

13-76-10-1202. MATERIAL HARMFUL TO MINORS - NO EXPERT WITNESS REQUIRED.

1. In any prosecution dealing with an offense relating to harmful material to minors, the question whether the predominant appeal of the material is to the prurient interest shall be determined with reference to average minors.
2. Neither the prosecution nor the defense shall be required to introduce expert witness testimony concerning the harmful character of the material or performance which is the subject of a prosecution.

13-76-10-1203. PORNOGRAPHIC MATERIAL OR PERFORMANCE - DETERMINATION OF PREDOMINANT APPEAL TO PRURIENT INTEREST - EXPERT TESTIMONY NOT REQUIRED.

1. Any material or performance is pornographic if:
 - a. The average person, applying contemporary community standards finds that, taken as a whole, it appeals to prurient interest in sex;
 - b. It is patently offensive in the description or depiction of nudity, sexual contact, sexual excitement, sado-masochistic abuse, or excretion; and

- c. Taken as a whole it does not have serious literary, artistic, political or scientific value.
2. In prosecutions under this part, where circumstances of production, presentation, sale, dissemination, distribution, exhibition, or publicity indicate that the matter is being commercially exploited by the defendant for the sake of its prurient appeal, this evidence is probative with respect to the nature of the matter and can justify the conclusion that, in the context in which it is used, the matter has no serious literary, artistic, political, or scientific value.
3. Neither the prosecution nor the defense shall be required to introduce expert witness testimony as to whether the material or performance is or is not harmful to adults or minors or is not pornographic, or as to any element of the definition of pornographic, including contemporary community standards.

13-76-10-1204. DISTRIBUTING PORNOGRAPHIC MATERIAL.

1. A person is guilty of distributing pornographic material when he knowingly:
 - a. Sends or brings any pornographic material into this municipality with intent to distribute or exhibit it to others; or
 - b. Prepares, publishes, prints, or possesses any pornographic material with intent to distribute or exhibit it to others; or
 - c. Distributes or offers to distribute, exhibits or offers to exhibit, any pornographic material to others; or
 - d. Writes, creates, or solicits the publication or advertising of pornographic material; or
 - e. Promotes the distribution or exhibition of material which he represents to be pornographic; or
 - f. Presents or directs a pornographic performance in any public place or any place exposed to public view or participates in that portion thereof which makes it pornographic. Each distributing of pornographic material, as defined in this subsection 1 is a separate offense under this section. A separate offense shall be regarded as having been committed for each day's exhibition of any pornographic motion picture film and for each day in which any pornographic publication is displayed or exhibited in a public place with intent to distribute or exhibit it to others.
2. Each separate offense under this section is a class B misdemeanor punishable by a minimum mandatory fine of not less than \$100 plus \$10.00 for each article exhibited up to a maximum of \$299.00 and by incarceration, without suspension of sentence in any way, for a term of not less than seven days.

13-76-10-1205. INDUCING ACCEPTANCE OF PORNOGRAPHIC MATERIAL.

1. A person is guilty of inducing acceptance of pornographic material when he knowingly requires or demands as a condition to a sale, allocation, consignment, or delivery for resale of any newspaper, magazine, periodical, book, publication, or other merchandise that the purchaser or consignee receive any pornographic material or material reasonably believed by the purchaser or consignee to be pornographic

material or material reasonably believed by the purchaser or consignee to be pornographic.

- * 2. A violation of this section is a class B misdemeanor punishable by a fine of not less than \$_____ and by incarceration, without suspension of sentence in any way, for a term of not less than 14 days.

13-76-10-1206. DEALING IN HARMFUL MATERIAL TO A MINOR.

FINE RATES

- 1. A person is guilty of dealing in harmful material when, knowing that a person is a minor, or having failed to exercise reasonable care in ascertaining the proper age of a minor, he;
 - a. Knowingly distributes or offers to distribute, exhibits or offers to exhibit, any harmful material to a minor; or
 - b. Produces, presents, or directs any performance before a minor, harmful to minors, or participates in any performance before a minor, harmful to minors; or
 - c. Falsely pretends to be the parent or legal guardian of a minor and thereby causes the minor to be admitted to an exhibition of any harmful material.
- 2. This section does not prohibit any parent or legal guardian from distributing any harmful material to his minor child or ward or for permitting his minor child or ward to attend an exhibition of any harmful material if the minor child or ward is accompanied by him. This section does not prohibit a person from exhibiting any harmful material to a minor child who is accompanied by his parent or legal guardian or by any person whom he reasonably believes to be the parent or legal guardian of that child.
- * 3. Each separate offense under this section is a class B misdemeanor punishable by a minimum mandatory fine of not less than \$_____ plus \$10 for each article exhibited up to a maximum \$_____ and by incarceration, without suspension of sentence in any way, for a term of not less than 14 days.

13-76-10-1207. ALLOWING PROPERTY OR LAND TO BE USED FOR LEWDNESS OR OBSCENITY. It shall be unlawful for a landlord or landowner to willfully or knowingly allow his property or land to be used for the commercial exploitation of lewdness or obscenity.

- 1. If a tenant or occupant of real property uses this property for an activity for which he or his employee is convicted under any provision of this part, the conviction makes void the lease or other title under which he holds at the option of the fee owner or any intermediate lessor; and ten days after the fee owner or any intermediate lessor gives notice in writing to the tenant or occupant that he is exercising the option, the right of possession to the property reverts to the person exercising the option. This option does not arise until all avenues of direct appeal from the conviction have been exhausted or abandoned by the tenant or occupants, or his employee.
- 2. It shall be unlawful for a fee owner or intermediate lessor of real property to knowingly allow this property to be used for the purpose of distributing or exhibiting pornographic materials, or for pornographic performances, by a tenant or occupant if the tenant or occupant, or his employee, has been convicted under any provision of this part of an offense occurring on the same property and all avenues of direct appeal from the conviction have been exhausted or abandoned.

- a. "Allow" under this subsection B means a failure to exercise the option arising under subsection A within ten days after the fee owner or lessor receives notice in writing from the count attorney of the county where the property is situated, or if situated in a city of the first or second class, from the city attorney of that city, that the property is being used for a purpose prohibited by this subsection B.
 - b. A willful violation of this subsection B is a class A misdemeanor and any fine assessed, if not paid within 30 days after judgment, shall become a lien upon the property.
3. Anytenant or occupant who receives a notice in writing that the fee owner or intermediate lessor is exercising the option provided by subsection A and who does not quit the premises within ten days after the giving of that notice is guilty of a class A misdemeanor.

13-76-10-1208. AFFIRMATIVE DEFENSES. The following shall be affirmative defenses to prosecution under this part:

1. It is an affirmative defense to prosecution under this part that the distribuion of pornographic material was restricted to institutions or persons having scientific, educational, governmental, or other similar justification for possessing pornographic material.
2. It is not a defense to prosecution under this part that the actor was a motion picture projectionist, usher, ticket-taker, bookstore employee, or otherwise was required to violate any provision of this part incident to his employment.

13-76-10-1209 through 13-76-10-1226. Reserved.

13-76-10-1227. INDECENT PUBLIC DISPLAYS - DEFINITIONS. For purposes of this part:

1. "Description or depictions of illicit sex or sexual immorality" means:
 - a. Human genitals in a state of sexual stimulation or arousal;
 - b. Acts of human masturbation, sexual intercourse, or sodomy; or
 - c. Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.
2. "Nude or partially denuded figures" means less than completely covered:
 - (i) human genitals;
 - (ii) pubic regions;
 - (iii) buttock; and
 - (iv) female breasts below a point immediately above the top of the areola; and
 - (v) Human male genitals in a discernibly turgid state, even if completely covered.

13-76-10-1228. INDECENT PUBLIC DISPLAYS - PROHIBITIONS - PENALTY. Every person who shall willfully or knowingly engage in the business of selling, lending, giving away, showing, advertising for sale or distributing to any person under the age of 18 or

has in his possession with intent to engage in the business or to otherwise offer for sale or commercial distribution to any individual under the age of 18 or who shall publicly display at news stands or any other establishment frequented by minors under the age of 18 or where the minors are or may be invited as a part of the general public, any motion picture, or any live, taped, or recorded performance, or any still picture or photograph or any book, pocket book, pamphlet or magazine the cover or content of which exploits, is devoted to, or is principally made up of indecent descriptions or depictions of illicit sex or sexual immorality or which consists of pictures of nude or partially denuded figures posed or presented in a manner to provoke or arouse lust or passion or to exploit lust or perversion for commercial gain is guilty of a class B misdemeanor punishable by a minimum mandatory fine of not less than \$299.00 and by incarceration, without suspension of sentence in any way for a term of not less than 30 days, notwithstanding any provision of section 77-35-17, *Utah Code Annotated 1953*.

13-76-10-1229. DISTRIBUTION OF PORNOGRAPHIC MATERIAL THROUGH CABLE TELEVISION PROHIBITED - DEFINITIONS - PROSECUTION OF VIOLATIONS.

1. No person including a franchisee shall knowingly distribute by wire or cable any pornographic or indecent materials to its subscribers.
2. For purposes of this section "material" means any visual display shown on a cable television whether or not accompanied by sound, or any sound recording played on a cable television system.
3. For purposes of this section "pornographic materials" are any material defined as pornographic in sections 13-76-10-1201 and 13-76-10-1203.
4. For purposes of this section "indecent material" means any material described in 13-76-10-1227.
5. For purposes of this section "distribute" means to send, transmit, retransmit, or otherwise pass through a cable television system.
6. Any person who violates this section is guilty of a class B misdemeanor.

PART

13-76-10-1300. PROSTITUTION.

13-76-10-1301. DEFINITIONS. For the purposes of this part:

1. "Sexual activity" means intercourse or any sexual act involving the genitals of one person and the mouth or anus of another person, regardless of the sex of either participant.
2. "House of prostitution" means a place where prostitution or promotion of prostitution is regularly carried on by one or more persons under the control, management, or supervision of another.
3. "Inmate" means a person who engages in prostitution in or through the agency of a house of prostitution.
4. "Public place" means any place to which the public or any substantial group thereof has access.

13-76-10-1302. PROSTITUTION.

1. A person is guilty of prostitution when:
 - a. He engages or offers or agrees to engage in any sexual activity with another person for a fee; or
 - b. Is an inmate of a house of prostitution; or
 - c. Loiters in or within view of any public place for the purpose of being hired to engage in sexual activity.
2. Prostitution is a class B misdemeanor.

13-76-10-1303. PATRONIZING A PROSTITUTE.

1. A person is guilty of patronizing a prostitute when:
 - a. He pays or offers or agrees to pay another person a fee for the purpose of engaging in an act of sexual activity; or
 - b. He enters or remains in a house of prostitution for the purpose of engaging in sexual activity.
2. Patronizing a prostitute is a class C misdemeanor.

13-76-10-1304. Reserved.

13-76-10-1305. EXPLOITING PROSTITUTION.

1. A person is guilty of exploiting prostitution if he:
 - a. Procures an inmate for a house of prostitution or place in a house of prostitution for one who would be an inmate; or
 - b. Encourages, induces or otherwise purposely causes another to become or remain a prostitute; or
 - c. Transports a person into or within this city with a purpose to promote that person's engaging in prostitution or procuring or paying for transportation with that purpose; or
 - d. Not being a child or legal dependent of a prostitute, shares the proceeds of prostitution with a prostitute pursuant to their understanding that he is to share therein.
 - e. Owns, controls, manages, supervises, or otherwise keeps alone or in association with another a house of prostitution or a prostitute business.
2. Exploiting prostitution is a class B misdemeanor.

13-76-10-1306. Reserved.

13-76-10-1307. PERVERSION. It shall be a class B misdemeanor for any person to:

1. Commit or offer or agree to commit a lewd act or an act of moral perversion.

2. Secure or offer another for the purpose of committing a lewd act or an act of moral perversion.
3. Be in or near any place frequented by the public, or any public place, for the purpose of inducing, enticing, or procuring another to commit a lewd act or an act of prostitution or moral perversion.
4. Make a meretricious display in or near any public place, any place frequented by the public, or any place open to the public view.
5. Knowingly transport any person to any place for the purpose of committing a lewd act or an act of moral perversion.
6. Knowingly receive, or offer to agree to receive any person into any place or building for the purpose of performing a lewd act, or an act of moral perversion, or to knowingly permit any person to remain in any place or building for any such purpose.
7. Direct or offer to direct any person to any place or building for the purpose of committing any lewd act or act of prostitution or moral perversion.
8. Aid, abet, allow, permit, or participate in the commission of any of the acts prohibited in subsections 1 through 7 above.

13-76-10-1400. Reserved.

PART

13-76-10-1500. BUS PASSENGER SAFETY.

13-76-10-1501 Through 13-76-10-1502. Reserved.

13-76-10-1503. DEFINITIONS. As used in this part:

1. "Bus" means any passenger bus or coach or any other motor vehicle having a seating capacity of 15 or more passengers operated by a bus company for the purpose of carry passengers or cargo for hire.
2. "Bus Company" or "Company" means any person, group of persons or corporation providing for-hire transportation to passengers or cargo by bus on highways or street in this city, including passengers and cargo interstate or intrastate travel. The terms also includes local public bodies, public transit districts, municipalities, public corporations, boards and commissions established under the laws of this state providing transportation to passengers or cargo by bus on highways or streets in this city whether or not for hire.
3. "Charter" means a group of persons pursuant to a common purpose and under a single contract, and at a fixed charge in accordance with a bus company's tariff, which has acquired the exclusive used of a bus to travel together to a specified destination, or destinations.
4. "Passenger" means any person transported or served by a bus company, including persons accompanying or meeting another being transported, any person shipping or receiving cargo and any person purchasing a ticket or receiving a pass.
5. "Terminal" means a bus station or depot or any other facility operated or leased by or operated on behalf of a bus company. This term includes a reasonable area immediately adjacent to any designated stop along the route traveled by any bus operated by a bus company in parking lots or areas adjacent to terminals.

13-76-10-1504. Through 13-76-10-1505. Reserved.

13-76-10-1506. THREATENING BREACH OF PEACE - DISORDERLY CONDUCT - FOUL LANGUAGE - REFUSING REQUEST - USE OF CONTROLLED SUBSTANCE, LIQUOR OR TOBACCO - EJECTION OF PASSENGER:

- a. Threatens a breach of the peace, is disorderly, or uses obscene, profane, or vulgar language on a bus; or
- b. Is in or upon any bus while unlawfully under the influence of a controlled substance as defined in section 58-37-2, *Utah Code Annotated 1953*; or
- c. Fails to obey a reasonable request or order of a bus driver, bus company representative or other person in charge or control of a bus or terminal; or
- d. Ingest any controlled substance, unless prescribed by a physician or medical facility, in or upon any bus, or drinks intoxicating liquor in or upon any bus, except a chartered bus; or
- e. Smokes tobacco or other products in or upon any bus, except a chartered bus.

13-76-10-1507. Reserved.

13-76-10-1508. THEFT OF BAGGAGE OR CARGO. Any person who removes any baggage, cargo or other item transported upon a bus or stored in a terminal without consent of the owner of the property or the bus company, or its duly authorized representative is guilty of theft and shall be punished pursuant to section 13-76-6-412.

13-76-10-1509. OBSTRUCTING OPERATION OF BUS. Any person who unlawfully obstruct or impedes by force or violence, or any means of intimidation, the regular operation of a bus in guilty of a class C misdemeanor.

13-76-10-1510. OBSTRUCTING OPERATION OF BUS - CONSPIRACY. Two or more persons who willfully or maliciously combine or conspire to violate section 13-76-10-1509 shall be guilty of a class C misdemeanor.