

72-10-602 Criminal background check authorized -- Written notice required.

- (1) A city may by ordinance require a ground transportation service provider to submit to a criminal background check as a condition of providing ground transportation service to an airport under the city's authority.
- (2)
 - (a) Each ground transportation service provider, if required to submit a background check under Subsection (1), shall:
 - (i) submit a fingerprint card in a form acceptable to the division; and
 - (ii) consent to a fingerprint background check by:
 - (A) the Utah Bureau of Criminal Identification; and
 - (B) the Federal Bureau of Investigation.
 - (b) If requested by a city that has adopted an ordinance in accordance with Subsection (1), the division shall request the Department of Public Safety to complete a Federal Bureau of Investigation criminal background check through a national criminal history system for each background check requested by a city under this section.
 - (c)
 - (i) If a city has adopted an ordinance in accordance with Subsection (1), the city may make a ground transportation service provider's access to provide ground transportation service to an airport conditional pending completion of a criminal background check under this section.
 - (ii) If a criminal background check discloses that a ground transportation service provider failed to disclose accurately a criminal history, the city may deny or, if conditionally given, immediately terminate the ground transportation service provider's right to provide ground transportation service to an airport.
 - (iii) If a ground transportation service provider accurately disclosed the relevant criminal history and the criminal background check discloses that the ground transportation service provider has been convicted of a crime that indicates a potential risk for the safety or well-being of the patrons or employees of the airport under the city's authority, the city may deny or, if conditionally given, immediately terminate the ground transportation service provider's right to provide ground transportation service to an airport.
- (3) Each city that requests a criminal background check under Subsection (1) shall prepare criteria for which criminal activity will preclude ground transportation service to the airport and shall provide written notice to the ground transportation service provider who is the subject of the criminal background check that the background check has been requested.
- (4) The legislative body of a city may by a majority vote of its members overrule a decision made by the mayor or a city employee establishing the criteria for precluding the right of a ground transportation service provider under Subsection (3).

Enacted by Chapter 137, 2006 General Session