Understanding House Bill 48: Wildland Urban Interface Modifications

House Bill 48 was enacted to enhance public safety, protect property, and reduce the risk of catastrophic wildfires in Utah's WUI areas.

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What is the Wildland Urban Interface (WUI)?

The Wildland Urban Interface (WUI) refers to the zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. These areas are particularly susceptible to wildfires, posing risks to both homes and natural resources.

Key Provisions of House Bill 48

The bill introduces several key provisions designed to improve wildfire preparedness:

- **High Risk WUI Boundary:** Requires the Division of Forestry, Fire and State Lands (FFSL) to develop a High Risk WUI Boundary.
- **Lot Assessments:** Requires FFSL to perform lot assessments on properties within the High Risk WUI Boundary, evaluating the preventive measures property owners can take to reduce their wildfire risk. Counties and municipalities may collaborate with FFSL in completing lot assessments.
- **Building Code Amendments:** Requires municipalities to adopt and enforce building codes that require the use of fire-resistant materials and construction methods for new development in local WUI zones. Counties are under the same requirement.
- **Fees:** Property owners in the High Risk WUI Boundary will be assessed a fee based on the square footage of the structure. This fee will be determined by FFSL and collected by the counties.
- **Insurance Requirements:** Property and casualty insurers are required to use FFSL's High Risk WUI Boundary to determine which properties are labelled as "high risk WUI", and requires them to provide transparent rationale if increasing rates more than 20% or dropping coverage because of wildfire risk.

Where can I learn more about HB 48?

Full text of House Bill 48

FFSL's FAQ with additional information on HB 48

Learn more on reducing your wildfire risk at Firewise USA

Common Questions and Concerns on HB 48

How will HB 48 impact my property?

- If you have property within the High Risk WUI Boundary developed by FFSL, you'll be assessed a fee and will be able to request a lot assessment.
- Property owners within the local municipal or county WUI boundary (or zone) will need to abide by the WUI code adopted by the local jurisdiction.

What will the fees be?

- For 2026 and 2027, FFSL will set a flat fee based on square footage of structures for all properties within the High Risk WUI Boundary.
- Beginning in 2028, the fee will be based on the lot assessment score of the property and the square footage of the structure.
- The counties collect the fees, which are intended to fund the implementation of this law, especially the lot assessment effort.
- Starting in 2028, fee amounts will be adjusted annually to reflect the costs of the program.

How will this impact my insurance?

- This requires insurance carriers to use FFSL's High Risk WUI Boundary when identifying a property as "High Risk" for wildfire. Beyond that, insurance carriers are not restricted in the data or methods they use to assess wildfire risk, actuarial risk, rate determination or coverage.
- This bill also requires property and casualty insurance carriers to provide transparent rationale if increasing rates more than 20% or dropping/discontinuing coverage.
- The bill enables property owners to file complaints with the Utah Insurance Department, who may investigate if a property and casualty insurer is in violation of the law.

Will I be required to make expensive renovations to my home?

- This law does NOT require home renovations.
- Instead, lot assessments will inform property owners on materials and aspects of their home and property that are more susceptible to wildfire, and optional actions the property owner may take to reduce their wildfire risk.

When can I receive a lot assessment?

- As part of HB 48, FFSL is required to perform lot assessments on all applicable properties within the High Risk WUI.
- These lot assessments must conform to the Utah WUI Code and provide recommendations to homeowners on actions they can take to reduce their wildfire risk.
- FFSL is currently developing the exact criteria and methodology for these lot assessments and expects to begin assessments in the summer of 2026.
- A submission form will be released at that time where property owners can submit their request for an assessment.

Understanding the Different WUI Areas

House Bill 48 specifies two separate WUI areas: the local WUI area and the state's High Risk WUI area.

What is the local WUI area?

- This is the area where the county or municipality enforce the WUI building code.
- In order to enforce the WUI code, they must draw and adopt a local WUI boundary (or zone) where the code will apply.
- Counties were already required to adopt and enforce the WUI building code prior to HB 48.
- Municipalities are now also required to adopt the WUI code by January 1, 2026.
- New construction in the local WUI area must comply with the Utah WUI code.
- Property owners with existing structures are only required to comply with the landscaping requirements of the Utah WUI code, otherwise known as "defensible space".

What is the State High Risk WUI area?

- This is the highest risk WUI area in the state as determined through scientific assessment of fuels, weather, topography, fire occurrence, ember production as it relates to fuels, and structure density.
- This is the area where the High Risk WUI fee is assessed.
- Property owners in this area may request a lot assessment to identify actions they can take to potentially reduce their wildfire risk.
- Property and casualty insurance carriers are required to use this boundary when labelling a property as "High Risk WUI".
- The exact area is still in development by FFSL and expected to be completed by January 1, 2026.

Where can I find out if my property is in a WUI area?

- **Local WUI Area:** Speak to your local county or municipality.
- **State High Risk WUI Area:** Once the map is completed, property owners, local government and insurance carriers will be able to see if a specific property is within the boundary by going to the Utah Wildfire Risk Assessment Portal.