

Representative Kay J. Christofferson proposes the following substitute bill:

VEHICLE REGISTRATION FEE REVISIONS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill increases vehicle registration fees on electric, hybrid, plug-in hybrid, and other vehicles.

Highlighted Provisions:

This bill:

- ▶ increases annual and six-month vehicle registration fees on electric, hybrid, plug-in hybrid, and other alternative fuel vehicles;
- ▶ for purposes of the road usage charge program, amends the definition of "alternative fuel vehicle" to exclude a hybrid vehicle;
- ▶ provides for a phased-in mileage rate for the road usage charge program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-1206, as last amended by Laws of Utah 2020, Chapter 377



26 [72-1-213.1](#), as last amended by Laws of Utah 2020, Chapter 377



27
28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **41-1a-1206** is amended to read:

30 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

31 (1) Except as provided in Subsections (2) and (3), at the time application is made for
32 registration or renewal of registration of a vehicle or combination of vehicles under this
33 chapter, a registration fee shall be paid to the division as follows:

34 (a) \$46.00 for each motorcycle;

35 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding
36 motorcycles;

37 (c) unless the semitrailer or trailer is exempt from registration under Section [41-1a-202](#)
38 or is registered under Section [41-1a-301](#):

39 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

40 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less
41 gross unladen weight;

42 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds
43 gross laden weight; plus

44 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

45 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm
46 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

47 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

48 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not
49 exceeding 14,000 pounds gross laden weight; plus

50 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

51 (g) \$45 for each vintage vehicle that is less than 40 years old; and

52 (h) in addition to the fee described in Subsection (1)(b):

53 (i) for each electric motor vehicle:

54 (A) \$90 during calendar year 2020; [~~and~~]

55 (B) \$120 beginning January 1, 2021[~~, and thereafter~~];

56 (C) \$180 beginning January 1, 2022;

- 57 (D) \$240 beginning January 1, 2024;
- 58 (E) \$280 beginning January 1, 2025; and
- 59 (F) \$300 beginning January 1, 2026, and thereafter;
- 60 (ii) for each hybrid electric motor vehicle:
- 61 (A) \$15 during calendar year 2020; [~~and~~]
- 62 (B) \$20 beginning January 1, 2021[~~;~~ ~~and thereafter~~]; and
- 63 (C) \$40 beginning January 1, 2022, and thereafter;
- 64 (iii) for each plug-in hybrid electric motor vehicle:
- 65 (A) \$39 during calendar year 2020; [~~and~~]
- 66 (B) \$52 beginning January 1, 2021[~~;~~ ~~and thereafter~~; ~~and~~];
- 67 (C) \$126 beginning January 1, 2022;
- 68 (D) \$200 beginning January 1, 2024;
- 69 (E) \$230 beginning January 1, 2025; and
- 70 (F) \$260 beginning January 1, 2026, and thereafter; and
- 71 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is
- 72 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 73 (A) \$90 during calendar year 2020; [~~and~~]
- 74 (B) \$120 beginning January 1, 2021[~~;~~ ~~and thereafter~~.];
- 75 (C) \$180 beginning January 1, 2022;
- 76 (D) \$240 beginning January 1, 2024;
- 77 (E) \$280 beginning January 1, 2025; and
- 78 (F) \$300 beginning January 1, 2026, and thereafter.
- 79 (2) (a) At the time application is made for registration or renewal of registration of a
- 80 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
- 81 registration fee shall be paid to the division as follows:
- 82 (i) \$34.50 for each motorcycle; and
- 83 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
- 84 excluding motorcycles.
- 85 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
- 86 of registration of a vehicle under this chapter for a six-month registration period under Section
- 87 [41-1a-215.5](#) a registration fee shall be paid to the division as follows:

- 88 (i) for each electric motor vehicle:
- 89 (A) \$69.75 during calendar year 2020; [~~and~~]
- 90 (B) \$93 beginning January 1, 2021[~~, and thereafter~~];
- 91 (C) \$137 beginning January 1, 2022;
- 92 (D) \$182.50 beginning January 1, 2024;
- 93 (E) \$215.75 beginning January 1, 2025; and
- 94 (F) \$231 beginning January 1, 2026, and thereafter;
- 95 (ii) for each hybrid electric motor vehicle:
- 96 (A) \$11.25 during calendar year 2020; [~~and~~]
- 97 (B) \$15 beginning January 1, 2021[~~, and thereafter~~]; and
- 98 (C) \$30.75 beginning January 1, 2022, and thereafter;
- 99 (iii) for each plug-in hybrid electric motor vehicle:
- 100 (A) \$30 during calendar year 2020; [~~and~~]
- 101 (B) \$40 beginning January 1, 2021[~~, and thereafter, and~~];
- 102 (C) \$95.75 beginning January 1, 2022;
- 103 (D) \$152 beginning January 1, 2024;
- 104 (E) \$177 beginning January 1, 2025; and
- 105 (F) \$200 beginning January 1, 2026, and thereafter; and
- 106 (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is
- 107 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 108 (A) \$69.75 during calendar year 2020; [~~and~~]
- 109 (B) \$93 beginning January 1, 2021[~~, and thereafter.~~];
- 110 (C) \$137 beginning January 1, 2022;
- 111 (D) \$182.50 beginning January 1, 2024;
- 112 (E) \$215.75 beginning January 1, 2025; and
- 113 (F) \$231 beginning January 1, 2026, and thereafter.
- 114 (3) (a) (i) Beginning on January 1, 2019, the commission shall, on January 1, annually
- 115 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),
- 116 (1)(e)(i), (1)(f)(i), (1)(g), (2)(a), (4)(a), and (7), by taking the registration fee rate for the
- 117 previous year and adding an amount equal to the greater of:
- 118 (A) an amount calculated by multiplying the registration fee of the previous year by the

119 actual percentage change during the previous fiscal year in the Consumer Price Index; and

120 (B) 0.

121 (ii) Beginning on January 1, [~~2022~~] 2025, the commission shall, on January 1, annually

122 adjust the registration fees described in Subsections [~~(1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),~~

123 ~~(1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B)] (1)(h)(i)(F),~~

124 (1)(h)(ii)(C), (1)(h)(iii)(F), (1)(h)(iv)(F), (2)(b)(i)(F), (2)(b)(ii)(C), (2)(b)(iii)(F), and

125 (2)(b)(iv)(F), by taking the registration fee rate for the previous year and adding an amount

126 equal to the greater of:

127 (A) an amount calculated by multiplying the registration fee of the previous year by the

128 actual percentage change during the previous fiscal year in the Consumer Price Index; and

129 (B) 0.

130 (b) The amounts calculated as described in Subsection (3)(a) shall be rounded up to the

131 nearest 25 cents.

132 (4) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is

133 \$40.

134 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of

135 registration fees under Subsection (1).

136 (c) A vehicle with a Purple Heart special group license plate issued in accordance with

137 Section [41-1a-421](#) is exempt from the registration fees under Subsection (1).

138 (d) A camper is exempt from the registration fees under Subsection (1).

139 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, each

140 motor vehicle shall register for the total gross laden weight of all units of the combination if the

141 total gross laden weight of the combination exceeds 12,000 pounds.

142 (6) (a) Registration fee categories under this section are based on the gross laden

143 weight declared in the licensee's application for registration.

144 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part

145 of 2,000 pounds is a full unit.

146 (7) The owner of a commercial trailer or commercial semitrailer may, as an alternative

147 to registering under Subsection (1)(c), apply for and obtain a special registration and license

148 plate for a fee of \$130.

149 (8) Except as provided in Section [41-6a-1642](#), a truck may not be registered as a farm

150 truck unless:

- 151 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and
- 152 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or
- 153 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
- 154 submits to the division a certificate of emissions inspection or a waiver in compliance with
- 155 Section 41-6a-1642.

156 (9) A violation of Subsection (8) is an infraction that shall be punished by a fine of not

157 less than \$200.

158 (10) Trucks used exclusively to pump cement, bore wells, or perform crane services

159 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees

160 required for those vehicles under this section.

161 Section 2. Section 72-1-213.1 is amended to read:

162 **72-1-213.1. Road usage charge program.**

163 (1) As used in this section:

164 (a) "Account manager" means an entity under contract with the department to

165 administer and manage the road usage charge program.

166 (b) "Alternative fuel vehicle" means ~~[the same as that term is defined in Section~~

167 ~~41-1a-102-];~~

168 (i) an electric motor vehicle;

169 (ii) a plug-in hybrid electric motor vehicle; or

170 (iii) a motor vehicle powered exclusively by a fuel other than:

171 (A) motor fuel;

172 (B) diesel fuel;

173 (C) natural gas; or

174 (D) propane.

175 (c) "Payment period" means the interval during which an owner is required to report

176 mileage and pay the appropriate road usage charge according to the terms of the program.

177 (d) "Program" means the road usage charge program established and described in this

178 section.

179 (2) There is established a road usage charge program as described in this section.

180 (3) (a) The department shall implement and oversee the administration of the program,

181 which shall begin on January 1, 2020.

182 (b) To implement and administer the program, the department may contract with an
183 account manager.

184 (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of
185 the alternative fuel vehicle in the program.

186 (b) If an application for enrollment into the program is approved by the department, the
187 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying
188 the fee described in Subsection 41-1a-1206(1)(h) or (2)(b).

189 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
190 and consistent with this section, the department:

191 (i) shall make rules to establish:

192 (A) processes and terms for enrollment into and withdrawal or removal from the
193 program;

194 (B) payment periods and other payment methods and procedures for the program;

195 (C) standards for mileage reporting mechanisms for an owner or lessee of an
196 alternative fuel vehicle to report mileage as part of participation in the program;

197 (D) standards for program functions for mileage recording, payment processing,
198 account management, and other similar aspects of the program;

199 (E) contractual terms between an owner or lessee of an alternative fuel vehicle owner
200 and an account manager for participation in the program;

201 (F) contractual terms between the department and an account manager, including
202 authority for an account manager to enforce the terms of the program;

203 (G) procedures to provide security and protection of personal information and data
204 connected to the program, and penalties for account managers for violating privacy protection
205 rules;

206 (H) penalty procedures for a program participant's failure to pay a road usage charge or
207 tampering with a device necessary for the program; and

208 (I) department oversight of an account manager, including privacy protection of
209 personal information and access and auditing capability of financial and other records related to
210 administration of the program; and

211 (ii) may make rules to establish:

212 (A) an enrollment cap for certain alternative fuel vehicle types to participate in the
213 program;

214 (B) a process for collection of an unpaid road usage charge or penalty; or

215 (C) integration of the program with other similar programs, such as tolling.

216 ~~[(b) The department shall make recommendations to and consult with the commission~~
217 ~~regarding road usage mileage rates for each type of alternative fuel vehicle.]~~

218 (b) A road usage charge is imposed on each vehicle that enrolls in the program at the
219 following rates:

220 (i) beginning on the date a vehicle is enrolled in the program, and for one year
221 thereafter, 1 cent per mile;

222 (ii) beginning on the first day of the second year that a vehicle is enrolled in the
223 program, and for one year thereafter, 1.1 cents per mile;

224 (iii) beginning on the first day of the third year that a vehicle is enrolled in the program,
225 and for one year thereafter, 1.2 cents per mile;

226 (iv) beginning on the first day of the fourth year that a vehicle is enrolled in the
227 program, and for one year thereafter, 1.3 cents per mile;

228 (v) beginning on the first day of the fifth year that a vehicle is enrolled in the program,
229 and for one year thereafter, 1.4 cents per mile; and

230 (vi) beginning on the first day of the sixth year that a vehicle is enrolled in the
231 program, and thereafter, 1.5 cents per mile.

232 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
233 consistent with this section, the commission shall, after consultation with the department, make
234 rules to establish the road usage charge mileage rate for each type of alternative fuel vehicle.

235 (7) (a) Revenue generated by the road usage charge program and relevant penalties
236 shall be deposited into the Transportation Fund.

237 (b) The department may use revenue generated by the program to cover the costs of
238 administering the program.

239 (8) (a) The department may:

240 (i) (A) impose a penalty for failure to timely pay a road usage charge according to the
241 terms of the program or tampering with a device necessary for the program; and

242 (B) request that the Division of Motor Vehicles place a hold on the registration of the

243 owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge according to
244 the terms of the program;

245 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner
246 or lessee of:

247 (A) the road usage charge program, implementation, and procedures;

248 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to
249 the department;

250 (C) the penalty for failure to pay a road usage charge within the time period described
251 in Subsection (8)(a)(iii); and

252 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel
253 vehicle, if the road usage charge and penalty are not paid within the time period described in
254 Subsection (8)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's
255 registration; and

256 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage
257 charge to the department within 30 days of the date when the department sends written notice
258 of the road usage charge to the owner or lessee.

259 (b) The department shall send the correspondence and notice described in Subsection
260 (8)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

261 (9) (a) The Division of Motor Vehicles and the department shall share and provide
262 access to information pertaining to an alternative fuel vehicle and participation in the program
263 including:

264 (i) registration and ownership information pertaining to an alternative fuel vehicle;

265 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to
266 pay a road usage charge or penalty imposed under this section within the time period described
267 in Subsection (8)(a)(iii); and

268 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

269 (b) If the department requests a hold on the registration in accordance with this section,
270 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title
271 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

272 (10) The owner of an alternative fuel vehicle may apply for enrollment in the program
273 or withdraw from the program according to the terms established by the department pursuant to

274 rules made under Subsection (5).

275 (11) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

276 (a) report mileage driven as required by the department pursuant to Subsection (5);

277 (b) pay the road usage fee for each payment period as set by the department and the

278 commission pursuant to Subsections (5) and (6); and

279 (c) comply with all other provisions of this section and other requirements of the

280 program.

281 (12) (a) On or before June 1, 2021, and except for the vehicles excluded in Subsection

282 (12)(b), the department shall submit to a legislative committee designated by the Legislative

283 Management Committee a written plan to enroll all vehicles registered in the state in the

284 program by December 31, 2031.

285 (b) The plan described in Subsection (12)(a) may exclude authorized carriers described

286 in Subsection [59-12-102\(17\)\(a\)](#).

287 (c) Beginning in 2021, on or before October 1 of each year, the department shall

288 submit annually an electronic report recommending strategies to expand enrollment in the

289 program to meet the deadline provided in Subsection (12)(a).

290 (13) Beginning in 2021, the department shall submit annually, on or before October 1,

291 to the legislative committee that receives the report described in Subsection (12)(a), an

292 electronic report that:

293 (a) states for the preceding fiscal year:

294 (i) the amount of revenue collected from the program;

295 (ii) the participation rate in the program; and

296 (iii) the department's costs to administer the program; and

297 (b) provides for the current fiscal year, an estimate of:

298 (i) the revenue that will be collected from the program;

299 (ii) the participation rate in the program; and

300 (iii) the department's costs to administer the program.