

Representative Katy Hall proposes the following substitute bill:

VEHICLE REGISTRATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Katy Hall

Senate Sponsor: _____

LONG TITLE

General Description:

This bill removes the requirement to display a registration decal on certain vehicles and creates a month-to-month vehicle registration option.

Highlighted Provisions:

This bill:

- ▶ removes the requirement for certain vehicles to display a month or year registration decal on the vehicle's license plate;
- ▶ creates a month-to-month vehicle registration option;
- ▶ describes which vehicles may enroll in the month-to-month vehicle registration program;
- ▶ provides framework and instructions for the month-to-month vehicle registration program within the Motor Vehicle Division;
- ▶ clarifies when and how the Motor Vehicle Division must notify each vehicle owner of vehicle registration expiration; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 This bill provides a special effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **41-1a-102**, as last amended by Laws of Utah 2023, Chapters 33, 532

30 **41-1a-203**, as last amended by Laws of Utah 2021, Chapter 59

31 **41-1a-206**, as last amended by Laws of Utah 2006, Chapter 164

32 **41-1a-209**, as last amended by Laws of Utah 2021, Chapter 135

33 **41-1a-215**, as last amended by Laws of Utah 2012, Chapter 397

34 **41-1a-216**, as last amended by Laws of Utah 2021, Chapter 135

35 **41-1a-222**, as last amended by Laws of Utah 2023, Chapter 33

36 **41-1a-402**, as repealed and reenacted by Laws of Utah 2023, Chapter 33

37 **41-1a-1201**, as last amended by Laws of Utah 2023, Chapters 33, 212, 219, 335, and

38 372

39 **41-6a-1642**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532

40 **41-22-2**, as last amended by Laws of Utah 2022, Chapters 68, 88

41 **59-2-405**, as last amended by Laws of Utah 2008, Chapter 210

42 **59-2-405.1**, as last amended by Laws of Utah 2012, Chapter 397

43 **59-2-405.2**, as last amended by Laws of Utah 2023, Chapter 159

44 **59-2-405.3**, as last amended by Laws of Utah 2018, Chapter 432

45 **59-2-407**, as last amended by Laws of Utah 2023, Chapter 237

46 **73-18-22.3**, as enacted by Laws of Utah 2023, Chapter 159

47 ENACTS:

48 **41-1a-215.4**, Utah Code Annotated 1953



50 *Be it enacted by the Legislature of the state of Utah:*

51 Section 1. Section **41-1a-102** is amended to read:

52 **41-1a-102. Definitions.**

53 As used in this chapter:

54 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

55 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of

56 vehicles as operated and certified to by a weighmaster.

57 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
58 41-22-2.

59 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
60 41-22-2.

61 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
62 41-22-2.

63 (6) "Alternative fuel vehicle" means:

64 (a) an electric motor vehicle;

65 (b) a hybrid electric motor vehicle;

66 (c) a plug-in hybrid electric motor vehicle; or

67 (d) a motor vehicle powered exclusively by a fuel other than:

68 (i) motor fuel;

69 (ii) diesel fuel;

70 (iii) natural gas; or

71 (iv) propane.

72 (7) "Amateur radio operator" means a person licensed by the Federal Communications
73 Commission to engage in private and experimental two-way radio operation on the amateur
74 band radio frequencies.

75 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.

76 (9) "Automated driving system" means the same as that term is defined in Section
77 41-26-102.1.

78 (10) "Branded title" means a title certificate that is labeled:

79 (a) rebuilt and restored to operation;

80 (b) flooded and restored to operation; or

81 (c) not restored to operation.

82 (11) "Camper" means a structure designed, used, and maintained primarily to be
83 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
84 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
85 camping.

86 (12) "Certificate of title" means a document issued by a jurisdiction to establish a
87 record of ownership between an identified owner and the described vehicle, vessel, or outboard

88 motor.

89 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
90 weighmaster.

91 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
92 maintained for the transportation of persons or property that operates:

93 (a) as a carrier for hire, compensation, or profit; or

94 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
95 owner's commercial enterprise.

96 (15) "Commission" means the State Tax Commission.

97 (16) "Consumer price index" means the same as that term is defined in Section
98 [59-13-102](#).

99 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
100 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
101 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
102 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

103 (18) "Diesel fuel" means the same as that term is defined in Section [59-13-102](#).

104 (19) "Division" means the Motor Vehicle Division of the commission, created in
105 Section [41-1a-106](#).

106 (20) "Dynamic driving task" means the same as that term is defined in Section
107 [41-26-102.1](#).

108 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an
109 electric motor drawing current from a rechargeable energy storage system.

110 (22) "Essential parts" means the integral and body parts of a vehicle of a type required
111 to be registered in this state, the removal, alteration, or substitution of which would tend to
112 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,
113 or mode of operation.

114 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
115 implement for drawing plows, mowing machines, and other implements of husbandry.

116 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
117 the owner's or operator's own use in the transportation of:

118 (i) farm products, including livestock and its products, poultry and its products,

119 floricultural and horticultural products;

120 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
121 agricultural, floricultural, horticultural, livestock, and poultry production; and

122 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
123 other purposes connected with the operation of a farm.

124 (b) "Farm truck" does not include the operation of trucks by commercial processors of
125 agricultural products.

126 (25) "Fleet" means one or more commercial vehicles.

127 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into
128 this state from another state, territory, or country other than in the ordinary course of business
129 by or through a manufacturer or dealer, and not registered in this state.

130 (27) "Gross laden weight" means the actual weight of a vehicle or combination of
131 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

132 (28) "Highway" or "street" means the entire width between property lines of every way
133 or place of whatever nature when any part of it is open to the public, as a matter of right, for
134 purposes of vehicular traffic.

135 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion
136 energy from onboard sources of stored energy that are both:

137 (a) an internal combustion engine or heat engine using consumable fuel; and

138 (b) a rechargeable energy storage system where energy for the storage system comes
139 solely from sources onboard the vehicle.

140 (30) (a) "Identification number" means the identifying number assigned by the
141 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
142 motor.

143 (b) "Identification number" includes a vehicle identification number, state assigned
144 identification number, hull identification number, and motor serial number.

145 (31) "Implement of husbandry" means a vehicle designed or adapted and used
146 exclusively for an agricultural operation and only incidentally operated or moved upon the
147 highways.

148 (32) (a) "In-state miles" means the total number of miles operated in this state during
149 the preceding year by fleet power units.

150 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
151 total number of miles that those vehicles were towed on Utah highways during the preceding
152 year.

153 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
154 province, territory, or possession of the United States or foreign country.

155 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
156 possession of the United States or any foreign country.

157 (35) "Lienholder" means a person with a security interest in particular property.

158 (36) "Manufactured home" means a transportable factory built housing unit constructed
159 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards
160 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body
161 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more
162 square feet, and which is built on a permanent chassis and designed to be used as a dwelling
163 with or without a permanent foundation when connected to the required utilities, and includes
164 the plumbing, heating, air-conditioning, and electrical systems.

165 (37) "Manufacturer" means a person engaged in the business of constructing,
166 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
167 outboard motors for the purpose of sale or trade.

168 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured
169 for use by armed forces and that is maintained in a condition that represents the vehicle's
170 military design and markings regardless of current ownership or use.

171 (39) "Mobile home" means a transportable factory built housing unit built prior to June
172 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
173 Manufactured Housing and Safety Standards Act (HUD Code).

174 (40) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).

175 (41) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
176 operation on the highways.

177 (b) "Motor vehicle" does not include:

178 (i) an off-highway vehicle; or

179 (ii) a motor assisted scooter as defined in Section [41-6a-102](#).

180 (42) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

181 (43) "Motorcycle" means:
182 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
183 more than three wheels in contact with the ground; or
184 (b) an autocytle.
185 (44) "Natural gas" means a fuel of which the primary constituent is methane.
186 (45) (a) "Nonresident" means a person who is not a resident of this state as defined by
187 Section [41-1a-202](#), and who does not engage in intrastate business within this state and does
188 not operate in that business any motor vehicle, trailer, or semitrailer within this state.
189 (b) A person who engages in intrastate business within this state and operates in that
190 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
191 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
192 considered a resident of this state, insofar as that vehicle is concerned in administering this
193 chapter.
194 (46) "Odometer" means a device for measuring and recording the actual distance a
195 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
196 periodically reset.
197 (47) "Off-highway implement of husbandry" means the same as that term is defined in
198 Section [41-22-2](#).
199 (48) "Off-highway motorcycle" means the same as that term is defined in Section
200 [41-22-2](#).
201 [~~48~~] (49) "Off-highway vehicle" means the same as that term is defined in Section
202 [41-22-2](#).
203 [~~49~~] (50) (a) "Operate" means:
204 (i) to navigate a vessel; or
205 (ii) collectively, the activities performed in order to perform the entire dynamic driving
206 task for a given motor vehicle by:
207 (A) a human driver as defined in Section [41-26-102.1](#); or
208 (B) an engaged automated driving system.
209 (b) "Operate" includes testing of an automated driving system.
210 [~~50~~] (51) "Original issue license plate" means a license plate that is of a format and
211 type issued by the state in the same year as the model year of a vehicle that is a model year

212 1973 or older.

213 ~~[(51)]~~ (52) "Outboard motor" means a detachable self-contained propulsion unit,
214 excluding fuel supply, used to propel a vessel.

215 ~~[(52)]~~ (53) (a) "Owner" means a person, other than a lienholder, holding title to a
216 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
217 subject to a security interest.

218 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
219 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
220 stated in the agreement and with an immediate right of possession vested in the conditional
221 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
222 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
223 chapter.

224 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
225 owner until the lessee exercises the lessee's option to purchase the vehicle.

226 ~~[(53)]~~ (54) "Park model recreational vehicle" means a unit that:

227 (a) is designed and marketed as temporary living quarters for recreational, camping,
228 travel, or seasonal use;

229 (b) is not permanently affixed to real property for use as a permanent dwelling;

230 (c) requires a special highway movement permit for transit; and

231 (d) is built on a single chassis mounted on wheels with a gross trailer area not
232 exceeding 400 square feet in the setup mode.

233 ~~[(54)]~~ (55) "Personalized license plate" means a license plate that has displayed on it a
234 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
235 to the vehicle by the division.

236 ~~[(55)]~~ (56) (a) "Pickup truck" means a two-axle motor vehicle with motive power
237 manufactured, remanufactured, or materially altered to provide an open cargo area.

238 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
239 camper, camper shell, tarp, removable top, or similar structure.

240 ~~[(56)]~~ (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor
241 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion
242 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the

243 vehicle while the vehicle is in motion.

244 ~~[(57)]~~ (58) "Pneumatic tire" means a tire in which compressed air is designed to
245 support the load.

246 ~~[(58)]~~ (59) "Preceding year" means a period of 12 consecutive months fixed by the
247 division that is within 16 months immediately preceding the commencement of the registration
248 or license year in which proportional registration is sought. The division in fixing the period
249 shall conform it to the terms, conditions, and requirements of any applicable agreement or
250 arrangement for the proportional registration of vehicles.

251 ~~[(59)]~~ (60) "Public garage" means a building or other place where vehicles or vessels
252 are kept and stored and where a charge is made for the storage and keeping of vehicles and
253 vessels.

254 ~~[(60)]~~ (61) "Receipt of surrender of ownership documents" means the receipt of
255 surrender of ownership documents described in Section [41-1a-503](#).

256 ~~[(61)]~~ (62) "Reconstructed vehicle" means a vehicle of a type required to be registered
257 in this state that is materially altered from its original construction by the removal, addition, or
258 substitution of essential parts, new or used.

259 ~~[(62)]~~ (63) "Recreational vehicle" means the same as that term is defined in Section
260 [13-14-102](#).

261 ~~[(63)]~~ (64) "Registration" means a document issued by a jurisdiction that allows
262 operation of a vehicle or vessel on the highways or waters of this state for the time period for
263 which the registration is valid and that is evidence of compliance with the registration
264 requirements of the jurisdiction.

265 ~~[(64)]~~ (65) "Registration decal" means the decal issued by the division that is evidence
266 of compliance with the division's registration requirements.

267 ~~[(65)]~~ (66) (a) "Registration year" means a 12 consecutive month period commencing
268 with the completion of the applicable registration criteria.

269 (b) For administration of a multistate agreement for proportional registration the
270 division may prescribe a different 12-month period.

271 ~~[(66)]~~ (67) "Repair or replacement" means the restoration of vehicles, vessels, or
272 outboard motors to a sound working condition by substituting any inoperative part of the
273 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

274 [~~(67)~~] (68) "Replica vehicle" means:

275 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

276 (b) a custom vehicle that meets the requirements under Subsection

277 41-6a-1507(1)(a)(i)(B).

278 [~~(68)~~] (69) "Restored-modified vehicle" means a motor vehicle that has been restored
279 and modified with modern parts and technology, including emission control technology and an
280 on-board diagnostic system.

281 [~~(69)~~] (70) "Road tractor" means a motor vehicle designed and used for drawing other
282 vehicles and constructed so it does not carry any load either independently or any part of the
283 weight of a vehicle or load that is drawn.

284 [~~(70)~~] (71) "Sailboat" means the same as that term is defined in Section 73-18-2.

285 [~~(71)~~] (72) "Security interest" means an interest that is reserved or created by a security
286 agreement to secure the payment or performance of an obligation and that is valid against third
287 parties.

288 [~~(72)~~] (73) "Semitrailer" means a vehicle without motive power designed for carrying
289 persons or property and for being drawn by a motor vehicle and constructed so that some part
290 of its weight and its load rests or is carried by another vehicle.

291 [~~(73)~~] (74) "Special group license plate" means a type of license plate designed for a
292 particular group of people or a license plate authorized and issued by the division in accordance
293 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

294 [~~(74)~~] (75) (a) "Special interest vehicle" means a vehicle used for general
295 transportation purposes and that is:

296 (i) 20 years or older from the current year; or

297 (ii) a make or model of motor vehicle recognized by the division director as having
298 unique interest or historic value.

299 (b) In making a determination under Subsection [~~(74)(a)~~] (75)(a), the division director
300 shall give special consideration to:

301 (i) a make of motor vehicle that is no longer manufactured;

302 (ii) a make or model of motor vehicle produced in limited or token quantities;

303 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
304 designed exclusively for educational purposes or museum display; or

305 (iv) a motor vehicle of any age or make that has not been substantially altered or
306 modified from original specifications of the manufacturer and because of its significance is
307 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
308 leisure pursuit.

309 [~~(75)~~] (76) (a) "Special mobile equipment" means a vehicle:

310 (i) not designed or used primarily for the transportation of persons or property;

311 (ii) not designed to operate in traffic; and

312 (iii) only incidentally operated or moved over the highways.

313 (b) "Special mobile equipment" includes:

314 (i) farm tractors;

315 (ii) off-road motorized construction or maintenance equipment including backhoes,
316 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

317 (iii) ditch-digging apparatus.

318 (c) "Special mobile equipment" does not include a commercial vehicle as defined
319 under Section [72-9-102](#).

320 [~~(76)~~] (77) "Specially constructed vehicle" means a vehicle of a type required to be
321 registered in this state, not originally constructed under a distinctive name, make, model, or
322 type by a generally recognized manufacturer of vehicles, and not materially altered from its
323 original construction.

324 [~~(77)~~] (78) (a) "Standard license plate" means a license plate for general issue
325 described in Subsection [41-1a-402](#)(1).

326 (b) "Standard license plate" includes a license plate for general issue that the division
327 issues before January 1, 2024.

328 [~~(78)~~] (79) "State impound yard" means a yard for the storage of a vehicle, vessel, or
329 outboard motor that meets the requirements of rules made by the commission pursuant to
330 Subsection [41-1a-1101](#)(5).

331 [~~(79)~~] (80) "Symbol decal" means the decal that is designed to represent a special
332 group and displayed on a special group license plate.

333 [~~(80)~~] (81) "Title" means the right to or ownership of a vehicle, vessel, or outboard
334 motor.

335 [~~(81)~~] (82) (a) "Total fleet miles" means the total number of miles operated in all

336 jurisdictions during the preceding year by power units.

337 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
338 the number of miles that those vehicles were towed on the highways of all jurisdictions during
339 the preceding year.

340 [~~(82)~~] (83) "Tow truck motor carrier" means the same as that term is defined in Section
341 72-9-102.

342 [~~(83)~~] (84) "Tow truck operator" means the same as that term is defined in Section
343 72-9-102.

344 [~~(84)~~] (85) "Trailer" means a vehicle without motive power designed for carrying
345 persons or property and for being drawn by a motor vehicle and constructed so that no part of
346 its weight rests upon the towing vehicle.

347 [~~(85)~~] (86) "Transferee" means a person to whom the ownership of property is
348 conveyed by sale, gift, or any other means except by the creation of a security interest.

349 [~~(86)~~] (87) "Transferor" means a person who transfers the person's ownership in
350 property by sale, gift, or any other means except by creation of a security interest.

351 [~~(87)~~] (88) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
352 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
353 vacation use that does not require a special highway movement permit when drawn by a
354 self-propelled motor vehicle.

355 [~~(88)~~] (89) "Truck tractor" means a motor vehicle designed and used primarily for
356 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
357 vehicle and load that is drawn.

358 [~~(89)~~] (90) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
359 camper, park model recreational vehicle, manufactured home, and mobile home.

360 [~~(90)~~] (91) "Vessel" means the same as that term is defined in Section 73-18-2.

361 [~~(91)~~] (92) "Vintage vehicle" means the same as that term is defined in Section
362 41-21-1.

363 [~~(92)~~] (93) "Waters of this state" means the same as that term is defined in Section
364 73-18-2.

365 [~~(93)~~] (94) "Weighmaster" means a person, association of persons, or corporation
366 permitted to weigh vehicles under this chapter.

367 Section 2. Section **41-1a-203** is amended to read:

368 **41-1a-203. Prerequisites for registration, transfer of ownership, or registration**
369 **renewal.**

370 (1) (a) (i) Except as provided in Subsection (1)(b), the division shall mail a notification
371 to the owner of a vehicle at least 30 days before the date the vehicle's registration is due to
372 expire.

373 (ii) The division shall ensure that mailing of notifications described in Section (1)(a)(i)
374 begins as soon as practicable.

375 (b) (i) The division shall provide a process for a vehicle owner to choose to receive
376 electronic notification of the pending expiration of a vehicle's registration.

377 (ii) If a vehicle owner chooses electronic notification, the division shall electronically
378 notify [~~by email~~] the owner of a vehicle at least 30 days before the date the vehicle's
379 registration is due to expire.

380 (iii) If a motor vehicle is registered on a month-to-month basis as described in Section
381 41-1a-215.4, in lieu of notification by mail, the division shall notify the motor vehicle owner
382 each month via electronic notification of:

383 (A) the pending expiration and automatic renewal of the vehicle's registration; and

384 (B) whether the fee payment and renewal of the motor vehicle's registration were
385 successfully completed.

386 (2) Except as otherwise provided, before registration of a vehicle, an owner shall:

387 (a) obtain an identification number inspection under Section 41-1a-204;

388 (b) obtain a certificate of emissions inspection, if required in the current year, as
389 provided under Section 41-6a-1642;

390 (c) pay property taxes, the in lieu fee, or receive a property tax clearance under Section
391 41-1a-206 or 41-1a-207;

392 (d) pay the automobile driver education tax required by Section 41-1a-208;

393 (e) pay the applicable registration fee under Part 12, Fee and Tax Requirements;

394 (f) pay the uninsured motorist identification fee under Section 41-1a-1218, if
395 applicable;

396 (g) pay the motor carrier fee under Section 41-1a-1219, if applicable;

397 (h) pay any applicable local emissions compliance fee under Section 41-1a-1223; and

398 (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act.

399 (3) In addition to the requirements in Subsection (1), an owner of a vehicle that has not
400 been previously registered or that is currently registered under a previous owner's name shall
401 apply for a valid certificate of title in the owner's name before registration.

402 (4) The division may not issue a new registration, transfer of ownership, or registration
403 renewal under Section 73-18-7 for a vessel or outboard motor that is subject to this chapter
404 unless a certificate of title has been or is in the process of being issued in the same owner's
405 name.

406 (5) The division may not issue a new registration, transfer of ownership, or registration
407 renewal under Section 41-22-3 for an off-highway vehicle that is subject to this chapter unless
408 a certificate of title has been or is in the process of being issued in the same owner's name.

409 (6) The division may not issue a registration renewal for a motor vehicle if the division
410 has received a hold request for the motor vehicle for which a registration renewal has been
411 requested as described in:

412 (a) Section 72-1-213.1; or

413 (b) Section 72-6-118.

414 Section 3. Section 41-1a-206 is amended to read:

415 **41-1a-206. Payment of property taxes or in lieu fees before registration.**

416 (1) Except as provided in Subsection (2), the division before issuing any registration
417 shall require from every applicant for the registration [~~a certificate from the county assessor in~~
418 ~~which the vehicle has situs for taxation~~] verification that:

419 (a) the property tax or in lieu fee on the vehicle for the current registration period has
420 been paid;

421 (b) in the assessor's opinion the tax or in lieu fee is a lien on real property sufficient to
422 secure the payment of the tax; or

423 (c) the vehicle is exempt by law from payment of property tax or the in lieu fee for the
424 current registration period.

425 (2) The requirements of Subsection (1) do not apply to the registration of ambulances,
426 peace officer patrol vehicles, fire engines, passenger cars and trucks owned and used by the
427 United States government or by the state of Utah or by any of its political subdivisions, and
428 motor vehicles assessed by the commission under Section 59-2-201.

429 Section 4. Section **41-1a-209** is amended to read:

430 **41-1a-209. Application for registration -- Contents.**

431 (1) An owner of a vehicle subject to registration under this part shall apply to the
432 division for registration on forms furnished by the division.

433 (2) The application for registration shall include:

434 (a) the signature of an owner of the vehicle to be registered;

435 (b) the name, bona fide residence and mailing address of the owner, or business
436 address of the owner if the owner is a firm, association, or corporation;

437 (c) a description of the vehicle including the make, model, type of body, the model year
438 as specified by the manufacturer, the number of cylinders, and the identification number of the
439 vehicle;

440 (d) other information required by the division to enable it to determine whether the
441 owner is lawfully entitled to register the vehicle; ~~and~~

442 (e) an indication if the applicant is applying for automatic registration renewal as
443 described in Section [41-1a-216](#)~~[-]~~; and

444 (f) an indication specifying the type of vehicle registration for which the applicant is
445 applying.

446 Section 5. Section **41-1a-215** is amended to read:

447 **41-1a-215. Staggered registration dates -- Exceptions.**

448 (1) (a) Except as provided under Subsections (2) and (3), every vehicle registration,
449 every registration card, and every registration plate issued under this chapter for the first
450 registration of the vehicle in this state, continues in effect for a period of 12 months beginning
451 with the first day of the calendar month of registration and does not expire until the last day of
452 the same month in the following year.

453 (b) If the last day of the registration period falls on a day in which the appropriate state
454 or county offices are not open for business, the registration of the vehicle is extended to
455 midnight of the next business day.

456 (2) The provisions of Subsection (1) do not apply to the following:

457 (a) registration issued to government vehicles under Section [41-1a-221](#);

458 (b) registration issued to apportioned vehicles under Section [41-1a-301](#);

459 (c) multiyear registration issued under Section [41-1a-222](#);

460 (d) lifetime trailer registration issued under Section [41-1a-1206](#);
461 (e) a month-to-month registration issued under Section [41-1a-215.4](#);
462 ~~[(e)]~~ (f) partial year registration issued under Section [41-1a-1207](#);
463 ~~[(f)]~~ (g) a six-month registration issued under Section [41-1a-215.5](#); or
464 ~~[(g)]~~ (h) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and
465 transporter under [~~Title 41, Chapter 3, Part 5, Special Dealer License Plates~~] Chapter 3, Part 5,
466 Special Dealer License Plates.

467 (3) (a) Upon application of the owner or lessee of a fleet of commercial vehicles not
468 apportioned under Section [41-1a-301](#) and required to be registered in this state, the State Tax
469 Commission may permit the vehicles to be registered for a registration period commencing on
470 the first day of March, June, September, or December of any year and expiring on the last day
471 of March, June, September, or December in the following year.

472 (b) Upon application of the owner or lessee of a fleet of commercial vehicles
473 apportioned under Section [41-1a-301](#) and required to be registered in this state, the State Tax
474 Commission may permit the vehicles to be registered for a registration period commencing on
475 the first day of January, April, July, or October of any year and expiring on the last day of
476 March, June, September, or December in the following year.

477 (4) When the expiration of a registration plate is extended by affixing a registration
478 decal to it, the expiration of the decal governs the expiration date of the plate.

479 Section 6. Section [41-1a-215.4](#) is enacted to read:

480 **[41-1a-215.4. Month-to-month vehicle registration.](#)**

481 (1) (a) A person may register a vehicle described in Subsection (1)(b)(i) on a
482 month-to-month basis if the person enrolls in:

483 (i) automatic registration renewal described in Subsection [41-1a-216\(2\)\(d\)](#); and

484 (ii) electronic notification of registration renewal as described in Subsection
485 [41-1a-203\(1\)\(b\)\(iii\)](#).

486 (b) (i) Except as provided in Subsection (1)(b)(ii), all vehicles are eligible for
487 month-to-month registration under this section.

488 (ii) The following vehicles are not eligible for month-to-month registration under this
489 section:

490 (A) a motorboat or sailboat required to be registered under Section [73-18-7](#);

491 (B) a vehicle registered pursuant to Part 3, Proportional Registration;
492 (C) a vehicle registered as part of a fleet;
493 (D) an off-highway vehicle;
494 (E) a street-legal all-terrain vehicle registered in accordance with Section [41-1a-1509](#);
495 and
496 (F) a park model recreational vehicle.
497 (2) A month-to-month registration period begins on the first day of the calendar month
498 and expires on the last day of the same calendar month.
499 (3) (a) A vehicle owner seeking month-to-month registration satisfies the requirements
500 described in Section [41-1a-203](#) by:
501 (i) at the time of registration:
502 (A) obtaining an identification number inspection under Section [41-1a-204](#), if required;
503 and
504 (B) paying the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act, if
505 applicable;
506 (ii) if required, obtaining a certificate of emissions inspection as provided under
507 Section [41-6a-1642](#); and
508 (iii) paying the following fees and taxes each month if applicable for the type of
509 vehicle being registered:
510 (A) property taxes or the in lieu fee described in Section [41-1a-206](#), [41-1a-207](#), or Title
511 59, Chapter 2, Part 4, Assessment of Transitory Personal Property and Interstate Carriers;
512 (B) the automobile driver education fee described in Section [41-1a-1204](#);
513 (C) the relevant registration fees described in Section [41-1a-1206](#);
514 (D) the uninsured motorist identification fee described in Section [41-1a-1218](#);
515 (E) the motor carrier fee described in Section [41-1a-1219](#);
516 (F) the local option highway construction and transportation corridor preservation fee
517 described in Section [41-1a-1222](#); and
518 (G) the local emissions compliance fee described in Section [41-1a-1223](#).
519 (b) In addition to any electronic payment fee charged as described in Section
520 [41-1a-1221](#), the cost of the monthly charge described in Subsection (3)(a)(iii) is equal to 9.25%
521 of the annual cost of the applicable fee or tax for the same vehicle registered for a 12-month

522 period rounded up to the nearest one cent.

523 (c) The first time a vehicle is registered on a month-to-month basis, the person
524 registering the vehicle:

525 (i) shall register directly with the division; and

526 (ii) may not register through a dealer.

527 (4) (a) If a person registers a vehicle on a month-to-month basis, the registration and
528 payment of fees and taxes as provided in this section shall continue each month through an
529 automated transaction, and the person may not cancel or stop payment unless the person
530 electronically notifies the division that:

531 (i) the person has sold the vehicle or returned a leased vehicle;

532 (ii) the vehicle is destroyed;

533 (iii) the person has registered the vehicle in another state; or

534 (iv) the person has registered the vehicle under a different type of vehicle registration.

535 (b) The division may not issue a refund of an automatic payment required for a
536 month-to-month registration as described in this section if a person fails to notify the division
537 of change in registration status as described and required in Subsection (4)(a).

538 (5) For a vehicle registered on a month-to-month basis, the registration is revoked if:

539 (a) the person that registers the vehicle fails to make the monthly payment as required
540 in this section; or

541 (b) the payment method is canceled or declined.

542 (6) If a vehicle registration is revoked under Subsection (5), and the division
543 reasonably determines that the owner of the vehicle has not acted in good faith to ensure timely
544 payment, the division may prohibit the vehicle from being registered on a month-to-month
545 basis by the same owner for one year.

546 Section 7. Section **41-1a-216** is amended to read:

547 **41-1a-216. Renewal of registration.**

548 (1) The division may receive applications for registration renewal and issue new
549 registration cards at any time prior to the expiration of the registration, subject to the
550 availability of renewal materials.

551 (2) (a) Except as provided in Subsections (2)(c), ~~(2)(d)~~, and (3), the new registration
552 shall retain the same expiration month as recorded on the original registration even if the

553 registration has expired.

554 (b) Except as provided in Subsection (2)(c) and (d), the year of registration expiration
555 shall be changed to reflect the renewed registration period.

556 (c) If the application for renewal of registration is for a six-month registration period
557 under Section [41-1a-215.5](#), the new registration shall be for a six-month registration period that
558 begins with the first day of the calendar month following the last day of the expiration month
559 of the previous registration period as recorded on the original registration even if the
560 registration has expired.

561 (d) If a vehicle is registered on a month-to-month basis as described in Section
562 [41-1a-215.4](#), the registration shall:

563 (i) automatically renew each month if:

564 (A) the owner of the vehicle has complied with the requirements under this part;

565 (B) the motor vehicle is in compliance with the emissions inspection requirement
566 described in Section [41-6a-1642](#); and

567 (C) payment under Section [41-1a-1206](#) is made electronically each month; and

568 (ii) be for a one-month registration period that begins with the first day of each
569 calendar month and ends on the last day of each respective calendar month.

570 (3) Subsection (2) does not apply if the owner can verify to the satisfaction of the
571 division that the vehicle registration was not renewed prior to its expiration due to the fact that
572 the vehicle was in storage, inoperable, or otherwise out of service.

573 (4) If the registration renewal application is an application generated by the division
574 through its automated system, the owner need not surrender the last registration card or
575 duplicate.

576 (5) A vehicle with an "EX" or "UHP" license plate, owned by an entity described in
577 Section [41-1a-407](#), is exempt from registration renewal requirements.

578 (6) The division shall establish a process by which an individual may request automatic
579 renewal of registration.

580 (7) An individual may request automatic renewal of registration as provided by the
581 division.

582 (8) If the vehicle is subject to an emissions inspection as described in Section
583 [41-6a-1642](#) for the year for which a vehicle automatic registration is requested, the automatic

584 renewal is not effective until the vehicle has passed an emissions inspection as required in
585 Section 41-6a-1642.

586 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
587 commission may make rules establishing procedures for an individual to apply for and the
588 division to administer automatic renewal of registration and automatic payment of fees as
589 required in this chapter and relevant taxes.

590 Section 8. Section 41-1a-222 is amended to read:

591 **41-1a-222. Application for multiyear registration -- Payment of taxes -- Penalties.**

592 (1) The owner of any intrastate fleet of commercial vehicles which is based in the state
593 may apply to the commission for registration in accordance with this section.

594 (a) The application shall be made on a form prescribed by the commission.

595 (b) Upon payment of required fees and meeting other requirements prescribed by the
596 commission, the division shall issue, to each vehicle for which application has been made, a
597 multiyear license plate and registration card.

598 (i) The [~~registration decal and the~~] registration card shall bear an expiration date fixed
599 by the division and [~~are~~] is valid until ownership of the vehicle to which [~~they are~~] the
600 registration card is issued is transferred by the applicant or until the expiration date, whichever
601 comes first.

602 (ii) An annual renewal application must be made by the owner if registration
603 identification has been issued on an annual installment fee basis and the required fees must be
604 paid on an annual basis.

605 (iii) License plates and registration cards issued pursuant to this section are valid for an
606 eight-year period, commencing with the year of initial application in this state.

607 (c) When application for registration or renewal is made on an installment payment
608 basis, the applicant shall submit acceptable evidence of a surety bond in a form, and with a
609 surety, approved by the commission and in an amount equal to the total annual fees required
610 for all vehicles registered to the applicant in accordance with this section.

611 (2) Each vehicle registered as part of a fleet of commercial vehicles must be titled in
612 the name of the fleet.

613 (3) Each owner who registers fleets pursuant to this section shall pay the taxes or in
614 lieu fees otherwise due pursuant to:

- 615 (a) Section 41-1a-206;
- 616 (b) Section 41-1a-207;
- 617 (c) Subsection 41-1a-301(12);
- 618 (d) Section 59-2-405.1;
- 619 (e) Section 59-2-405.2; or
- 620 (f) Section 59-2-405.3.

621 (4) An owner who fails to comply with the provisions of this section is subject to the
622 penalties in Section 41-1a-1301 and, if the commission so determines, will result in the loss of
623 the privileges granted in this section.

624 Section 9. Section 41-1a-402 is amended to read:

625 **41-1a-402. Standard license plates -- Required colors, numerals, and letters --**
626 **Expiration.**

627 (1) (a) Upon registering a vehicle, the division shall issue to the owner a standard
628 license plate described in Subsection (1)(b) unless the division issues to the owner:

- 629 (i) a special group license plate in accordance with Section 41-1a-418; or
- 630 (ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.

631 (b) The division may offer up to four standard license plate options at one time, each
632 with a different design as follows:

- 633 (i) two designs that incorporate one or more elements that represent the state's
634 economy or geography;
- 635 (ii) one design that represents the state's values or culture; and
- 636 (iii) one design that commemorates a current event relevant to the state or a significant
637 anniversary of a historic event relevant to the state.

638 (c) The division shall offer:

- 639 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and
- 640 (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.

641 (d) The division may not offer more than four standard license plate designs at any one
642 time.

643 (2) Before the division may offer a design described in Subsection (1)(b), the division
644 shall:

- 645 (a) consult with the Utah Department of Cultural and Community Engagement

646 regarding the proposed design;

647 (b) identify which current standard license plate design will be replaced by the
648 proposed design;

649 (c) submit the proposed design to the governor for approval; and

650 (d) if the governor approves the design pursuant to Subsection (2)(c), submit to the
651 Transportation Interim Committee a request for the Legislature to approve the proposed design
652 by concurrent resolution.

653 (3) The division may issue a new standard license plate design only if:

654 (a) the Legislature has by concurrent resolution approved the standard license plate
655 design; and

656 (b) sufficient funds are appropriated for the initial costs of production.

657 (4) (a) Except as provided in Subsection (4)(b), the division may not order or produce a
658 standard license plate that is discontinued under this section.

659 (b) The division may issue a discontinued standard license plate until the division
660 exhausts the discontinued standard license plate's remaining stock.

661 (5) (a) Each license plate shall have displayed on it:

662 ~~[(a)]~~ (i) the registration number assigned to the vehicle for which the license plate is
663 issued; and

664 ~~[(b)]~~ (ii) the name of the state~~[-and]~~.

665 ~~[(c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing
666 the date of expiration displayed in accordance with Subsection (8).]~~

667 (b) In addition to Subsection (5)(a), an off-highway vehicle shall also display a
668 registration decal showing the date of expiration as described in Subsection (8).

669 (c) The division shall issue and the following vehicles shall display a registration decal
670 showing the date of expiration:

671 (i) a motorboat or sailboat required to be registered under Section 73-18-7;

672 (ii) an off-highway vehicle; and

673 (iii) a park model recreational vehicle.

674 (6) If registration is extended by affixing a registration decal to the license plate, the
675 expiration date of the registration decal governs the expiration date of the license plate.

676 (7) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216,

677 license plates shall be renewed annually.

678 (b) For an off-highway vehicle as described in Subsection (5)(b), the division shall
679 issue:

680 (i) [~~The division shall issue the vehicle owner~~] a month registration decal and a year
681 registration decal upon the vehicle's first registration with the division[-]; and

682 (ii) [~~The division shall issue the vehicle owner~~] only a year registration decal upon
683 subsequent renewals of registration to validate registration renewal.

684 (8) Except as otherwise provided by rule:

685 (a) the month registration decal issued in accordance with Subsection (7) shall be
686 displayed on the license plate in the left position; and

687 (b) the year registration decal issued in accordance with Subsection (7) shall be
688 displayed on the license plate in the right position.

689 (9) The current year registration decal issued in accordance with Subsection (7) shall
690 be placed over or in place of the previous year registration decal.

691 (10) If a license plate, month registration decal, or year registration decal is lost or
692 destroyed, a replacement shall be issued upon application and payment of the fees required
693 under Section [41-1a-1211](#) or [41-1a-1212](#).

694 (11) (a) A violation of this section is an infraction.

695 (b) A court shall waive a fine for a violation under this section if:

696 (i) the registration for the vehicle was current at the time of the citation; and

697 (ii) the person to whom the citation was issued provides, within 21 business days,
698 evidence that the license plate and registration decals are properly displayed in compliance with
699 this section.

700 (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
701 the division may make rules regarding the placement and positioning of registration decals on
702 license plates issued by the division.

703 Section 10. Section **41-1a-1201** is amended to read:

704 **41-1a-1201. Disposition of fees.**

705 (1) All fees received and collected under this part shall be transmitted daily to the state
706 treasurer.

707 (2) Except as provided in Subsections (3), (5), (6), (7), (8), and (9) and Sections

708 41-1a-1205, 41-1a-1220, 41-1a-1221, 41-1a-1222, 41-1a-1223, and 41-1a-1603, all fees
709 collected under this part shall be deposited into the Transportation Fund.

710 (3) Funds generated under Subsections 41-1a-1211(1)(b)(ii), (6)(b)(ii), (7), and (9), and
711 Section 41-1a-1212 shall be deposited into the License Plate Restricted Account created in
712 Section 41-1a-122.

713 (4) (a) Except as provided in Subsections (3) and (4)(b) and Section 41-1a-1205, the
714 expenses of the commission in enforcing and administering this part shall be provided for by
715 legislative appropriation from the revenues of the Transportation Fund.

716 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)
717 and (b) for each vehicle registered for a six-month registration period under Section
718 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and
719 administering this part.

720 (c) Sixty cents of the registration fees imposed under Subsection 41-1a-1206(1) for
721 each vehicle registered on a month-to-month basis under Section 41-1a-215.4 may be used by
722 the commission to cover the costs incurred in enforcing and administering this part.

723 ~~[(e)]~~ (d) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i)
724 for each vintage vehicle that has a model year of 1981 or newer may be used by the
725 commission to cover the costs incurred in enforcing and administering this part.

726 (5) (a) ~~[The]~~ Except as provided in Subsection (5)(c), the following portions of the
727 registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited into the
728 Transportation Investment Fund of 2005 created in Section 72-2-124:

729 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),
730 (1)(f), (4), and (7);

731 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and
732 (1)(c)(ii);

733 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

734 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

735 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

736 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

737 (b) The following portions of the registration fees collected for each vehicle registered
738 for a six-month registration period under Section 41-1a-215.5 shall be deposited into the

739 Transportation Investment Fund of 2005 created in Section [72-2-124](#):

740 (i) \$23.25 of each registration fee collected under Subsection [41-1a-1206\(2\)\(a\)\(i\)](#); and

741 (ii) \$23 of each registration fee collected under Subsection [41-1a-1206\(2\)\(a\)\(ii\)](#).

742 (c) The following portions of the registration fees imposed under Section [41-1a-1206](#)
743 and collected for each vehicle registered on a month-to-month basis under Section [41-1a-215.4](#)
744 shall be deposited into the Transportation Investment Fund of 2005 created in Section
745 [72-2-124](#):

746 (i) \$2.78 of the registration fees imposed under Subsections [41-1a-1206\(1\)\(a\)](#), [\(1\)\(b\)](#),
747 [\(1\)\(f\)](#), [\(4\)](#), and [\(7\)](#);

748 (ii) \$1.94 of the registration fees imposed under Subsections [41-1a-1206\(1\)\(c\)\(i\)](#) and
749 [\(1\)\(c\)\(ii\)](#);

750 (iii) 23 cents of the registration fee imposed under Subsection [41-1a-1206\(1\)\(e\)\(ii\)](#);

751 (iv) \$2.13 of the registration fee imposed under Subsection [41-1a-1206\(1\)\(d\)\(i\)](#);

752 (v) \$2.26 of the registration fee imposed under Subsection [41-1a-1206\(1\)\(e\)\(i\)](#); and

753 (vi) nine cents of the registration fee imposed under Subsection [41-1a-1206\(1\)\(d\)\(ii\)](#).

754 (6) (a) [~~Ninety-four~~] Except as provided in Subsection [\(6\)\(c\)](#), 94 cents of each
755 registration fee imposed under Subsections [41-1a-1206\(1\)\(a\)](#) and [\(b\)](#) for each vehicle shall be
756 deposited into the Public Safety Restricted Account created in Section [53-3-106](#).

757 (b) Seventy-one cents of each registration fee imposed under Subsections
758 [41-1a-1206\(2\)\(a\)](#) and [\(b\)](#) for each vehicle registered for a six-month registration period under
759 Section [41-1a-215.5](#) shall be deposited into the Public Safety Restricted Account created in
760 Section [53-3-106](#).

761 (c) Ten cents of each registration fee imposed under Subsections [41-1a-1206\(1\)\(a\)](#) and
762 [\(b\)](#) for each vehicle registered on a month-to-month basis under Section [41-1a-215.4](#) shall be
763 deposited into the Public Safety Restricted Account created in Section [53-3-106](#).

764 (7) (a) [~~One~~] Except as provided in Subsection [\(7\)\(c\)](#), one dollar of each registration
765 fee imposed under Subsections [41-1a-1206\(1\)\(a\)](#) and [\(b\)](#) for each vehicle shall be deposited
766 into the Motor Vehicle Safety Impact Restricted Account created in Section [53-8-214](#).

767 (b) One dollar of each registration fee imposed under Subsections [41-1a-1206\(2\)\(a\)](#)
768 and [\(b\)](#) for each vehicle registered for a six-month registration period under Section
769 [41-1a-215.5](#) shall be deposited into the Motor Vehicle Safety Impact Restricted Account

770 created in Section [53-8-214](#).

771 (c) Eleven cents of each registration fee imposed under Subsections [41-1a-1206\(1\)\(a\)](#),
772 and (b), for each vehicle registered on a month-to-month basis under Section [41-1a-215.4](#) shall
773 be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section
774 [53-8-214](#).

775 (8) (a) [Fifty] Except as provided in Subsection (8)(b), 50 cents of each registration fee
776 imposed under Subsection [41-1a-1206\(1\)\(a\)](#) for each motorcycle shall be deposited into the
777 Neuro-Rehabilitation Fund created in Section [26B-1-319](#).

778 (b) Five cents of each registration fee imposed under Subsection [41-1a-1206\(1\)\(a\)](#) for
779 each motorcycle registered on a month-to-month basis under Section [41-1a-215.4](#) shall be
780 deposited into the Neuro-Rehabilitation Fund created in Section [26B-1-319](#).

781 (9) (a) (i) [~~Beginning on January 1, 2024,~~] Except as provided in Subsection (9)(a)(ii),
782 subject to Subsection (9)(b), \$2 of each registration fee imposed under Section [41-1a-1206](#)
783 shall be deposited into the Rural Transportation Infrastructure Fund created in Section
784 [72-2-133](#).

785 (ii) For a vehicle registered on a month-to-month basis under Section [41-1a-215.4](#),
786 subject to Subsection (9)(b), 19 cents of each registration fee imposed under Section
787 [41-1a-1206](#) shall be deposited into the Rural Transportation Infrastructure Fund created in
788 Section [72-2-133](#).

789 (b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described
790 in Subsection (9)(a) shall be annually adjusted by taking the amount deposited the previous
791 year and adding an amount equal to the greater of:

792 (i) an amount calculated by multiplying the amount deposited by the previous year by
793 the actual percentage change during the previous fiscal year in the Consumer Price Index; and

794 (ii) 0.

795 (c) The amounts calculated as described in Subsection (9)(b) shall be rounded up to the
796 nearest 1 cent.

797 Section 11. Section **41-6a-1642** is amended to read:

798 **41-6a-1642. Emissions inspection -- County program.**

799 (1) The legislative body of each county required under federal law to utilize a motor
800 vehicle emissions inspection and maintenance program or in which an emissions inspection

801 and maintenance program is necessary to attain or maintain any national ambient air quality
802 standard shall require:

803 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
804 is exempt from emissions inspection and maintenance program requirements be presented:

805 (i) as a condition of registration or renewal of registration; and

806 (ii) at other times as the county legislative body may require to enforce inspection
807 requirements for individual motor vehicles, except that the county legislative body may not
808 routinely require a certificate of emissions inspection, or waiver of the certificate, more often
809 than required under Subsection (9); and

810 (b) compliance with this section for a motor vehicle registered or principally operated
811 in the county and owned by or being used by a department, division, instrumentality, agency, or
812 employee of:

813 (i) the federal government;

814 (ii) the state and any of its agencies; or

815 (iii) a political subdivision of the state, including school districts.

816 (2) (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle
817 emissions inspection and maintenance program certificate of emissions inspection as described
818 in Subsection (1), but the program may not deny vehicle registration based solely on the
819 presence of a defeat device covered in the Volkswagen partial consent decrees or a United
820 States Environmental Protection Agency-approved vehicle modification in the following
821 vehicles:

822 (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions
823 are mitigated in the state pursuant to a partial consent decree, including:

824 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

825 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
826 2014;

827 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

828 (D) Volkswagen Golf Sportwagen, model year 2015;

829 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

830 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;

831 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and

- 832 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
833 (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
834 emissions are mitigated in the state to a settlement, including:
- 835 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
836 2016;
 - 837 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
 - 838 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;
 - 839 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;
 - 840 (E) Audi A8, model years 2014, 2015, and 2016;
 - 841 (F) Audi A8L, model years 2014, 2015, and 2016;
 - 842 (G) Audi Q5, model years 2014, 2015, and 2016; and
 - 843 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 844 (b) (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a
845 motor vehicle emissions inspection and maintenance program certificate of emissions
846 inspection as described in Subsection (1).
- 847 (ii) A county emissions program may not refuse to perform an emissions inspection or
848 indicate a failed emissions test of the vehicle based solely on a modification to the engine or
849 component of the motor vehicle if:
- 850 (A) the modification is not likely to result in the motor vehicle having increased
851 emissions relative to the emissions of the motor vehicle before the modification; and
 - 852 (B) the motor vehicle modification is a change to an engine that is newer than the
853 engine with which the motor vehicle was originally equipped, or the engine includes
854 technology that increases the facility of the administration of an emissions test, such as an
855 on-board diagnostics system.
- 856 (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to
857 registration of a restored-modified vehicle:
- 858 (A) the owner shall present the signed statement described in Subsection [41-1a-226\(4\)](#);
859 and
 - 860 (B) the county emissions program shall perform the emissions test.
- 861 (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration
862 certificate is notated as described in Subsection [41-1a-226\(4\)](#), a county emissions program may

863 not refuse to perform an emissions test based solely on the restored-modified status of the
864 motor vehicle.

865 (3) (a) The legislative body of a county identified in Subsection (1), in consultation
866 with the Air Quality Board created under Section 19-1-106, shall make regulations or
867 ordinances regarding:

868 (i) emissions standards;

869 (ii) test procedures;

870 (iii) inspections stations;

871 (iv) repair requirements and dollar limits for correction of deficiencies; and

872 (v) certificates of emissions inspections.

873 (b) In accordance with Subsection (3)(a), a county legislative body:

874 (i) shall make regulations or ordinances to attain or maintain ambient air quality
875 standards in the county, consistent with the state implementation plan and federal
876 requirements;

877 (ii) may allow for a phase-in of the program by geographical area; and

878 (iii) shall comply with the analyzer design and certification requirements contained in
879 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

880 (c) The county legislative body and the Air Quality Board shall give preference to an
881 inspection and maintenance program that:

882 (i) is decentralized, to the extent the decentralized program will attain and maintain
883 ambient air quality standards and meet federal requirements;

884 (ii) is the most cost effective means to achieve and maintain the maximum benefit with
885 regard to ambient air quality standards and to meet federal air quality requirements as related to
886 vehicle emissions; and

887 (iii) provides a reasonable phase-out period for replacement of air pollution emission
888 testing equipment made obsolete by the program.

889 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

890 (i) may be accomplished in accordance with applicable federal requirements; and

891 (ii) does not otherwise interfere with the attainment and maintenance of ambient air
892 quality standards.

893 (4) The following vehicles are exempt from an emissions inspection program and the

894 provisions of this section:

895 (a) an implement of husbandry as defined in Section 41-1a-102;

896 (b) a motor vehicle that:

897 (i) meets the definition of a farm truck under Section 41-1a-102; and

898 (ii) has a gross vehicle weight rating of 12,001 pounds or more;

899 (c) a vintage vehicle as defined in Section 41-21-1:

900 (i) if the vintage vehicle has a model year of 1982 or older; or

901 (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides

902 proof of vehicle insurance that is a type specific to a vehicle collector;

903 (d) a custom vehicle as defined in Section 41-6a-1507;

904 (e) to the extent allowed under the current federally approved state implementation

905 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor

906 vehicle that is less than two years old on January 1 based on the age of the vehicle as

907 determined by the model year identified by the manufacturer;

908 (f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating

909 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed

910 statement to the legislative body stating the truck is used:

911 (i) by the owner or operator of a farm located on property that qualifies as land in

912 agricultural use under Sections 59-2-502 and 59-2-503; and

913 (ii) exclusively for the following purposes in operating the farm:

914 (A) for the transportation of farm products, including livestock and its products,

915 poultry and its products, floricultural and horticultural products; and

916 (B) in the transportation of farm supplies, including tile, fence, and every other thing or

917 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production

918 and maintenance;

919 (g) a motorcycle as defined in Section 41-1a-102;

920 (h) an electric motor vehicle as defined in Section 41-1a-102; and

921 (i) a motor vehicle with a model year of 1967 or older.

922 (5) The county shall issue to the registered owner who signs and submits a signed

923 statement under Subsection (4)(f) a certificate of exemption from emissions inspection

924 requirements for purposes of registering the exempt vehicle.

925 (6) A legislative body of a county described in Subsection (1) may exempt from an
926 emissions inspection program a diesel-powered motor vehicle with a:

- 927 (a) gross vehicle weight rating of more than 14,000 pounds; or
- 928 (b) model year of 1997 or older.

929 (7) The legislative body of a county required under federal law to utilize a motor
930 vehicle emissions inspection program shall require:

931 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

- 932 (i) a model year of 2007 or newer;
- 933 (ii) a gross vehicle weight rating of 14,000 pounds or less; and
- 934 (iii) a model year that is five years old or older; and

935 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

- 936 (i) with a gross vehicle weight rating of 14,000 pounds or less;
- 937 (ii) that has a model year of 1998 or newer; and
- 938 (iii) that has a model year that is five years old or older.

939 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under
940 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
941 which an emissions inspection and maintenance program is necessary to attain or maintain any
942 national ambient air quality standard may require each college or university located in a county
943 subject to this section to require its students and employees who park a motor vehicle not
944 registered in a county subject to this section to provide proof of compliance with an emissions
945 inspection accepted by the county legislative body if the motor vehicle is parked on the college
946 or university campus or property.

947 (b) College or university parking areas that are metered or for which payment is
948 required per use are not subject to the requirements of this Subsection (8).

949 (c) The legislative body of a county shall make the reasons for implementing the
950 provisions of this Subsection (8) part of the record at the time that the county legislative body
951 takes its official action to implement the provisions of this Subsection (8).

952 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection
953 for each motor vehicle that meets the inspection and maintenance program requirements
954 established in regulations or ordinances made under Subsection (3).

955 (b) The frequency of the emissions inspection shall be determined based on the age of

956 the vehicle as determined by model year and shall be required annually subject to the
957 provisions of Subsection (9)(c).

958 (c) (i) To the extent allowed under the current federally approved state implementation
959 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative
960 body of a county identified in Subsection (1) shall only require the emissions inspection every
961 two years for each vehicle.

962 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six
963 years old on January 1.

964 (iii) For a county required to implement a new vehicle emissions inspection and
965 maintenance program on or after December 1, 2012, under Subsection (1), but for which no
966 current federally approved state implementation plan exists, a vehicle shall be tested at a
967 frequency determined by the county legislative body, in consultation with the Air Quality
968 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or
969 maintain any national ambient air quality standard.

970 (iv) If a county legislative body establishes or changes the frequency of a vehicle
971 emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment
972 or change shall take effect on January 1 if the State Tax Commission receives notice meeting
973 the requirements of Subsection (9)(c)(v) from the county before October 1.

974 (v) The notice described in Subsection (9)(c)(iv) shall:

975 (A) state that the county will establish or change the frequency of the vehicle emissions
976 inspection and maintenance program under this section;

977 (B) include a copy of the ordinance establishing or changing the frequency; and

978 (C) if the county establishes or changes the frequency under this section, state how
979 frequently the emissions testing will be required.

980 (d) If an emissions inspection is only required every two years for a vehicle under
981 Subsection (9)(c), the inspection shall be required for the vehicle in:

982 (i) odd-numbered years for vehicles with odd-numbered model years; or

983 (ii) in even-numbered years for vehicles with even-numbered model years.

984 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection
985 required under this section may be made no more than two months before the renewal of
986 registration.

987 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an
988 emissions inspection certificate issued for the motor vehicle during the previous 11 months to
989 satisfy the requirement under this section.

990 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may
991 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded
992 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under
993 this section.

994 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the
995 lessee may use an emissions inspection certificate issued during the previous 11 months to
996 satisfy the requirement under this section.

997 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not
998 use an emissions inspection made more than 11 months before the renewal of registration to
999 satisfy the requirement under this section.

1000 (e) If the application for renewal of registration is for a six-month registration period
1001 under Section [41-1a-215.5](#), the owner may use an emissions inspection certificate issued during
1002 the previous eight months to satisfy the requirement under this section.

1003 (f) If the vehicle is registered on a month-to-month basis as described in Section
1004 [41-1a-215.4](#), the owner may use an emissions inspection certificate issued during the previous
1005 12 months to satisfy the requirement under this section.

1006 (11) (a) A county identified in Subsection (1) shall collect information about and
1007 monitor the program.

1008 (b) A county identified in Subsection (1) shall supply this information to an appropriate
1009 legislative committee, as designated by the Legislative Management Committee, at times
1010 determined by the designated committee to identify program needs, including funding needs.

1011 (12) If approved by the county legislative body, a county that had an established
1012 emissions inspection fee as of January 1, 2002, may increase the established fee that an
1013 emissions inspection station may charge by \$2.50 for each year that is exempted from
1014 emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

1015 (13) (a) Except as provided in Subsection [41-1a-1223\(1\)\(c\)](#), a county identified in
1016 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration
1017 within the county in accordance with the procedures and requirements of Section [41-1a-1223](#).

1018 (b) A county that imposes a local emissions compliance fee may use revenues
1019 generated from the fee for the establishment and enforcement of an emissions inspection and
1020 maintenance program in accordance with the requirements of this section.

1021 (c) A county that imposes a local emissions compliance fee may use revenues
1022 generated from the fee to promote programs to maintain a local, state, or national ambient air
1023 quality standard.

1024 (14) (a) If a county has reason to believe that a vehicle owner has provided an address
1025 as required in Section 41-1a-209 to register or attempt to register a motor vehicle in a county
1026 other than the county of the bona fide residence of the owner in order to avoid an emissions
1027 inspection required under this section, the county may investigate and gather evidence to
1028 determine whether the vehicle owner has used a false address or an address other than the
1029 vehicle owner's bona fide residence or place of business.

1030 (b) If a county conducts an investigation as described in Subsection (14)(a) and
1031 determines that the vehicle owner has used a false or improper address in an effort to avoid an
1032 emissions inspection as required in this section, the county may impose a civil penalty of
1033 \$1,000.

1034 (15) A county legislative body described in Subsection (1) may exempt a motor vehicle
1035 from an emissions inspection if:

1036 (a) the motor vehicle is 30 years old or older;

1037 (b) the county determines that the motor vehicle was driven less than 1,500 miles
1038 during the preceding 12-month period; and

1039 (c) the owner provides to the county legislative body a statement signed by the owner
1040 that states the motor vehicle:

1041 (i) is primarily a collector's item used for:

1042 (A) participation in club activities;

1043 (B) exhibitions;

1044 (C) tours; or

1045 (D) parades; or

1046 (ii) is only used for occasional transportation.

1047 Section 12. Section 41-22-2 is amended to read:

1048 **41-22-2. Definitions.**

1049 As used in this chapter:

1050 (1) "Advisory council" means an advisory council appointed by the Division of
1051 Outdoor Recreation that has within the advisory council's duties advising on policies related to
1052 the use of off-highway vehicles.

1053 (2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width,
1054 having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure
1055 tires, having a seat designed to be straddled by the operator, and designed for or capable of
1056 travel over unimproved terrain.

1057 (3) (a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width,
1058 traveling on four or more low pressure tires, having a steering wheel, non-straddle seating, a
1059 rollover protection system, and designed for or capable of travel over unimproved terrain, and
1060 is:

1061 (i) an electric-powered vehicle; or

1062 (ii) a vehicle powered by an internal combustion engine and has an unladen dry weight
1063 of 3,500 pounds or less.

1064 (b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to
1065 carry a person with a disability, any vehicle not specifically designed for recreational use, or
1066 farm tractors as defined under Section [41-1a-102](#).

1067 (4) (a) "All-terrain type III vehicle" means any other motor vehicle, not defined in
1068 Subsection (2), (3), (12), or [~~(22)~~] (23), designed for or capable of travel over unimproved
1069 terrain.

1070 (b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to
1071 carry a person with a disability, any vehicle not specifically designed for recreational use, or
1072 farm tractors as defined under Section [41-1a-102](#).

1073 (5) "Commission" means the Outdoor Adventure Commission.

1074 (6) "Cross-country" means across natural terrain and off an existing highway, road,
1075 route, or trail.

1076 (7) "Dealer" means a person engaged in the business of selling off-highway vehicles at
1077 wholesale or retail.

1078 (8) "Division" means the Division of Outdoor Recreation.

1079 (9) "Low pressure tire" means any pneumatic tire six inches or more in width designed

1080 for use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure of
1081 10 pounds per square inch or less as recommended by the vehicle manufacturer.

1082 (10) "Manufacturer" means a person engaged in the business of manufacturing
1083 off-highway vehicles.

1084 (11) (a) "Motor vehicle" means every vehicle which is self-propelled.

1085 (b) "Motor vehicle" includes an off-highway vehicle.

1086 (12) "Motorcycle" means every motor vehicle having a saddle for the use of the
1087 operator and designed to travel on not more than two tires.

1088 (13) "Off-highway implement of husbandry" means every all-terrain type I vehicle,
1089 all-terrain type II vehicle, all-terrain type III vehicle, motorcycle, or snowmobile that is used by
1090 the owner or the owner's agent for agricultural operations.

1091 (14) "Off-highway motorcycle" means a motorcycle that is designed primarily to be
1092 operated off-highway and is registered only for off-highway use.

1093 [~~14~~] (15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle,
1094 all-terrain type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.

1095 [~~15~~] (16) "Operate" means to control the movement of or otherwise use an
1096 off-highway vehicle.

1097 [~~16~~] (17) "Operator" means the person who is in actual physical control of an
1098 off-highway vehicle.

1099 [~~17~~] (18) "Organized user group" means an off-highway vehicle organization
1100 incorporated as a nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised
1101 Nonprofit Corporation Act, for the purpose of promoting the interests of off-highway vehicle
1102 recreation.

1103 [~~18~~] (19) "Owner" means a person, other than a person with a security interest,
1104 having a property interest or title to an off-highway vehicle and entitled to the use and
1105 possession of that vehicle.

1106 [~~19~~] (20) "Public land" means land owned or administered by any federal or state
1107 agency or any political subdivision of the state.

1108 [~~20~~] (21) "Register" means the act of assigning a registration number to an
1109 off-highway vehicle.

1110 [~~21~~] (22) "Roadway" is used as defined in Section [41-6a-102](#).

1111 ~~[(22)]~~ (23) "Snowmobile" means any motor vehicle designed for travel on snow or ice
1112 and steered and supported in whole or in part by skis, belts, cleats, runners, or low pressure
1113 tires.

1114 ~~[(23)]~~ (24) "Street or highway" means the entire width between boundary lines of every
1115 way or place of whatever nature, when any part of it is open to the use of the public for
1116 vehicular travel.

1117 ~~[(24)]~~ (25) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same
1118 meaning as defined in Section 41-6a-102.

1119 Section 13. Section 59-2-405 is amended to read:

1120 **59-2-405. Uniform fee on tangible personal property required to be registered**
1121 **with the state -- Distribution of revenues -- Appeals.**

1122 (1) The property described in Subsection (2), except Subsection (2)(b)(ii), is exempt
1123 from ad valorem property taxes pursuant to Utah Constitution Article XIII, Section 2,
1124 Subsection (6).

1125 (2) (a) Except as provided in Subsection (2)(b), there is levied as provided in this part a
1126 statewide uniform fee in lieu of the ad valorem tax on:

1127 (i) motor vehicles required to be registered with the state that weigh 12,001 pounds or
1128 more;

1129 (ii) motorcycles as defined in Section 41-1a-102 that are required to be registered with
1130 the state;

1131 (iii) watercraft required to be registered with the state;

1132 (iv) recreational vehicles required to be registered with the state; and

1133 (v) all other tangible personal property required to be registered with the state before it
1134 is used on a public highway, on a public waterway, on public land, or in the air.

1135 (b) The following tangible personal property is exempt from the statewide uniform fee
1136 imposed by this section:

1137 (i) aircraft;

1138 (ii) state-assessed commercial vehicles;

1139 (iii) tangible personal property subject to a uniform fee imposed by:

1140 (A) Section 59-2-405.1;

1141 (B) Section 59-2-405.2; or

1142 (C) Section 59-2-405.3; and
1143 (iv) personal property that is exempt from state or county ad valorem property taxes
1144 under the laws of this state or of the federal government.

1145 (3) [~~Beginning on January 1, 1999, the uniform fee is 1.5% of the fair market value of~~
1146 ~~the personal property, as established by the commission.~~]

1147 (a) On January 1 of each year, the commission shall establish the uniform fee, which
1148 shall be 1.5% of the fair market value of the personal property.

1149 (b) For a vehicle described in Subsection (2)(a) that is registered on a month-to-month
1150 basis as described in Section 41-1a-215.4, the uniform fee for purposes of this section is 9.25%
1151 of the amount established by the commission in accordance with Subsection (3)(a).

1152 (4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is
1153 brought into the state and is required to be registered in Utah shall, as a condition of
1154 registration, be subject to the uniform fee unless all property taxes or uniform fees imposed by
1155 the state of origin have been paid for the current calendar year.

1156 (5) (a) The revenues collected in each county from the uniform fee shall be distributed
1157 by the county to each taxing entity in which the property described in Subsection (2) is located
1158 in the same proportion in which revenue collected from ad valorem real property tax is
1159 distributed.

1160 (b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in
1161 the same proportion in which revenue collected from ad valorem real property tax is
1162 distributed.

1163 (6) An appeal relating to the uniform fee imposed on the tangible personal property
1164 described in Subsection (2) shall be filed pursuant to Section 59-2-1005.

1165 Section 14. Section 59-2-405.1 is amended to read:

1166 **59-2-405.1. Uniform fee on certain vehicles weighing 12,000 pounds or less --**
1167 **Distribution of revenues -- Appeals.**

1168 (1) The property described in Subsection (2) is exempt from ad valorem property taxes
1169 pursuant to Utah Constitution, Article XIII, Section 2, Subsection (6).

1170 (2) (a) Except as provided in Subsection (2)(b), there is levied as provided in this part a
1171 statewide uniform fee in lieu of the ad valorem tax on:

1172 (i) motor vehicles as defined in Section 41-1a-102 that:

- 1173 (A) are required to be registered with the state; and
- 1174 (B) weigh 12,000 pounds or less; and
- 1175 (ii) state-assessed commercial vehicles required to be registered with the state that
- 1176 weigh 12,000 pounds or less.
- 1177 (b) The following tangible personal property is exempt from the statewide uniform fee
- 1178 imposed by this section:
- 1179 (i) aircraft;
- 1180 (ii) tangible personal property subject to a uniform fee imposed by:
- 1181 (A) Section 59-2-405;
- 1182 (B) Section 59-2-405.2; or
- 1183 (C) Section 59-2-405.3; and
- 1184 (iii) tangible personal property that is exempt from state or county ad valorem property
- 1185 taxes under the laws of this state or of the federal government.
- 1186 (3) (a) Except as provided in Subsections (3)(b) [~~and (c)~~] through (d), beginning on
- 1187 January 1, 1999, the uniform fee for purposes of this section is as follows:

| 1188 | Age of Vehicle | Uniform Fee |
|------|--|-------------|
| 1189 | 12 or more years | \$10 |
| 1190 | 9 or more years but less than 12 years | \$50 |
| 1191 | 6 or more years but less than 9 years | \$80 |
| 1192 | 3 or more years but less than 6 years | \$110 |
| 1193 | Less than 3 years | \$150 |

- 1194 (b) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this
- 1195 section is as follows:

| 1196 | Age of Vehicle | Uniform Fee |
|------|--|-------------|
| 1197 | 12 or more years | \$7.75 |
| 1198 | 9 or more years but less than 12 years | \$38.50 |
| 1199 | 6 or more years but less than 9 years | \$61.50 |
| 1200 | 3 or more years but less than 6 years | \$84.75 |

1201 Less than 3 years \$115.50

1202 (c) For a vehicle registered on a month-to-month basis as described in Section
1203 41-1a-215.4, the uniform fee for purposes of this section is 9.25% of the amount stated in
1204 Subsection (3)(a).

1205 [~~(c)~~] (d) Notwithstanding Subsections (3)(a) [~~and (b)~~] through (c), beginning on
1206 September 1, 2001, for a motor vehicle issued a temporary sports event registration certificate
1207 in accordance with Section 41-3-306, the uniform fee for purposes of this section is \$5 for the
1208 event period specified on the temporary sports event registration certificate regardless of the
1209 age of the motor vehicle.

1210 (4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is
1211 brought into the state and is required to be registered in Utah shall, as a condition of
1212 registration, be subject to the uniform fee unless all property taxes or uniform fees imposed by
1213 the state of origin have been paid for the current calendar year.

1214 (5) (a) The revenues collected in each county from the uniform fee shall be distributed
1215 by the county to each taxing entity in which the property described in Subsection (2) is located
1216 in the same proportion in which revenue collected from ad valorem real property tax is
1217 distributed.

1218 (b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in
1219 the same proportion in which revenue collected from ad valorem real property tax is
1220 distributed.

1221 Section 15. Section 59-2-405.2 is amended to read:

1222 **59-2-405.2. Definitions -- Uniform statewide fee on certain tangible personal**
1223 **property -- Distribution of revenues -- Rulemaking authority -- Determining the length of**
1224 **a vessel.**

1225 (1) As used in this section:

1226 (a) (i) Except as provided in Subsection (1)(a)(ii), "all-terrain vehicle" means a motor
1227 vehicle that:

1228 (A) is an:

1229 (I) all-terrain type I vehicle as defined in Section 41-22-2;

1230 (II) all-terrain type II vehicle as defined in Section 41-22-2; or

- 1231 (III) all-terrain type III vehicle as defined in Section [41-22-2](#);
- 1232 (B) is required to be registered in accordance with Title 41, Chapter 22, Off-highway
- 1233 Vehicles; and
- 1234 (C) has:
 - 1235 (I) an engine with more than 150 cubic centimeters displacement;
 - 1236 (II) a motor that produces more than five horsepower; or
 - 1237 (III) an electric motor; and
- 1238 (ii) notwithstanding Subsection (1)(a)(i), "all-terrain vehicle" does not include a
- 1239 snowmobile.
- 1240 (b) "Camper" means a camper:
 - 1241 (i) as defined in Section [41-1a-102](#); and
 - 1242 (ii) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
 - 1243 Registration.
- 1244 (c) (i) "Canoe" means a vessel that:
 - 1245 (A) is long and narrow;
 - 1246 (B) has curved sides; and
 - 1247 (C) is tapered:
 - 1248 (I) to two pointed ends; or
 - 1249 (II) to one pointed end and is blunt on the other end; and
 - 1250 (ii) "canoe" includes:
 - 1251 (A) a collapsible inflatable canoe;
 - 1252 (B) a kayak;
 - 1253 (C) a racing shell;
 - 1254 (D) a rowing scull; or
 - 1255 (E) notwithstanding the definition of vessel in Subsection (1)(cc), a canoe with an
 - 1256 outboard motor.
- 1257 (d) "Dealer" is as defined in Section [41-1a-102](#).
- 1258 (e) "Jon boat" means a vessel that:
 - 1259 (i) has a square bow; and
 - 1260 (ii) has a flat bottom.
- 1261 (f) "Motor vehicle" is as defined in Section [41-22-2](#).

1262 (g) "Other motorcycle" means a motor vehicle that:
1263 (i) is:
1264 (A) a motorcycle as defined in Section 41-1a-102; and
1265 (B) designed primarily for use and operation over unimproved terrain;
1266 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
1267 Registration; and
1268 (iii) has:
1269 (A) an engine with more than 150 cubic centimeters displacement; or
1270 (B) a motor that produces more than five horsepower.
1271 (h) (i) "Other trailer" means a portable vehicle without motive power that is primarily
1272 used:
1273 (A) to transport tangible personal property; and
1274 (B) for a purpose other than a commercial purpose; and
1275 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for
1276 purposes of Subsection (1)(h)(i)(B), the commission may by rule define what constitutes a
1277 purpose other than a commercial purpose.
1278 (i) "Outboard motor" is as defined in Section 41-1a-102.
1279 (j) "Park model recreational vehicle" is as defined in Section 41-1a-102.
1280 (k) "Personal watercraft" means a personal watercraft:
1281 (i) as defined in Section 73-18-2; and
1282 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State
1283 Boating Act.
1284 (l) (i) "Pontoon" means a vessel that:
1285 (A) is:
1286 (I) supported by one or more floats; and
1287 (II) propelled by either inboard or outboard power; and
1288 (B) is not:
1289 (I) a houseboat; or
1290 (II) a collapsible inflatable vessel; and
1291 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1292 commission may by rule define the term "houseboat."

- 1293 (m) "Qualifying adjustment, exemption, or reduction" means an adjustment,
1294 exemption, or reduction:
- 1295 (i) of all or a portion of a qualifying payment;
 - 1296 (ii) granted by a county during the refund period; and
 - 1297 (iii) received by a qualifying person.
- 1298 (n) (i) "Qualifying payment" means the payment made:
- 1299 (A) of a uniform statewide fee in accordance with this section:
 - 1300 (I) by a qualifying person;
 - 1301 (II) to a county; and
 - 1302 (III) during the refund period; and
 - 1303 (B) on an item of qualifying tangible personal property; and
- 1304 (ii) if a qualifying person received a qualifying adjustment, exemption, or reduction for
1305 an item of qualifying tangible personal property, the qualifying payment for that qualifying
1306 tangible personal property is equal to the difference between:
- 1307 (A) the payment described in this Subsection (1)(n) for that item of qualifying tangible
1308 personal property; and
 - 1309 (B) the amount of the qualifying adjustment, exemption, or reduction.
- 1310 (o) "Qualifying person" means a person that paid a uniform statewide fee:
- 1311 (i) during the refund period;
 - 1312 (ii) in accordance with this section; and
 - 1313 (iii) on an item of qualifying tangible personal property.
- 1314 (p) "Qualifying tangible personal property" means a:
- 1315 (i) qualifying vehicle; or
 - 1316 (ii) qualifying watercraft.
- 1317 (q) "Qualifying vehicle" means:
- 1318 (i) an all-terrain vehicle with an engine displacement that is 100 or more cubic
1319 centimeters but 150 or less cubic centimeters;
 - 1320 (ii) an other motorcycle with an engine displacement that is 100 or more cubic
1321 centimeters but 150 or less cubic centimeters;
 - 1322 (iii) a small motor vehicle with an engine displacement that is 100 or more cubic
1323 centimeters but 150 or less cubic centimeters;

1324 (iv) a snowmobile with an engine displacement that is 100 or more cubic centimeters
1325 but 150 or less cubic centimeters; or

1326 (v) a street motorcycle with an engine displacement that is 100 or more cubic
1327 centimeters but 150 or less cubic centimeters.

1328 (r) "Qualifying watercraft" means a:

1329 (i) canoe;

1330 (ii) collapsible inflatable vessel;

1331 (iii) jon boat;

1332 (iv) pontoon;

1333 (v) sailboat; or

1334 (vi) utility boat.

1335 (s) "Refund period" means the time period:

1336 (i) beginning on January 1, 2006; and

1337 (ii) ending on December 29, 2006.

1338 (t) "Sailboat" means a sailboat as defined in Section [73-18-2](#).

1339 (u) (i) "Small motor vehicle" means a motor vehicle that:

1340 (A) is required to be registered in accordance with Title 41, Motor Vehicles; and

1341 (B) has:

1342 (I) an engine with 150 or less cubic centimeters displacement; or

1343 (II) a motor that produces five or less horsepower; and

1344 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1345 commission may by rule develop a process for an owner of a motor vehicle to certify whether
1346 the motor vehicle has:

1347 (A) an engine with 150 or less cubic centimeters displacement; or

1348 (B) a motor that produces five or less horsepower.

1349 (v) "Snowmobile" means a motor vehicle that:

1350 (i) is a snowmobile as defined in Section [41-22-2](#);

1351 (ii) is required to be registered in accordance with Title 41, Chapter 22, Off-highway
1352 Vehicles; and

1353 (iii) has:

1354 (A) an engine with more than 150 cubic centimeters displacement; or

- 1355 (B) a motor that produces more than five horsepower.
- 1356 (w) "Street-legal all-terrain vehicle" means the same as that term is defined in Section
- 1357 41-6a-102.
- 1358 (x) "Street motorcycle" means a motor vehicle that:
- 1359 (i) is:
- 1360 (A) a motorcycle as defined in Section 41-1a-102; and
- 1361 (B) designed primarily for use and operation on highways;
- 1362 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
- 1363 Registration; and
- 1364 (iii) has:
- 1365 (A) an engine with more than 150 cubic centimeters displacement; or
- 1366 (B) a motor that produces more than five horsepower.
- 1367 (y) "Tangible personal property owner" means a person that owns an item of qualifying
- 1368 tangible personal property.
- 1369 (z) "Tent trailer" means a portable vehicle without motive power that:
- 1370 (i) is constructed with collapsible side walls that:
- 1371 (A) fold for towing by a motor vehicle; and
- 1372 (B) unfold at a campsite;
- 1373 (ii) is designed as a temporary dwelling for travel, recreational, or vacation use;
- 1374 (iii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
- 1375 Registration; and
- 1376 (iv) does not require a special highway movement permit when drawn by a
- 1377 self-propelled motor vehicle.
- 1378 (aa) (i) Except as provided in Subsection (1)(aa)(ii), "travel trailer" means a travel
- 1379 trailer:
- 1380 (A) as defined in Section 41-1a-102; and
- 1381 (B) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
- 1382 Registration; and
- 1383 (ii) notwithstanding Subsection (1)(aa)(i), "travel trailer" does not include:
- 1384 (A) a camper; or
- 1385 (B) a tent trailer.

- 1386 (bb) (i) "Utility boat" means a vessel that:
1387 (A) has:
1388 (I) two or three bench seating;
1389 (II) an outboard motor; and
1390 (III) a hull made of aluminum, fiberglass, or wood; and
1391 (B) does not have:
1392 (I) decking;
1393 (II) a permanent canopy; or
1394 (III) a floor other than the hull; and
1395 (ii) notwithstanding Subsection (1)(bb)(i), "utility boat" does not include a collapsible
1396 inflatable vessel.
- 1397 (cc) "Vessel" means a vessel:
1398 (i) as defined in Section 73-18-2, including an outboard motor of the vessel; and
1399 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State
1400 Boating Act.
- 1401 (2) (a) In accordance with Utah Constitution Article XIII, Section 2, Subsection (6),
1402 [~~beginning on January 1, 2006,~~] the tangible personal property described in Subsection (2)(b)
1403 is:
1404 (i) exempt from the tax imposed by Section 59-2-103; and
1405 (ii) in lieu of the tax imposed by Section 59-2-103, subject to uniform statewide fees as
1406 provided in this section.
- 1407 (b) The following tangible personal property applies to Subsection (2)(a) if that
1408 tangible personal property is required to be registered with the state:
1409 (i) an all-terrain vehicle;
1410 (ii) a camper;
1411 (iii) an other motorcycle;
1412 (iv) an other trailer;
1413 (v) a personal watercraft;
1414 (vi) a small motor vehicle;
1415 (vii) a snowmobile;
1416 (viii) a street motorcycle;

- 1417 (ix) a tent trailer;
- 1418 (x) a travel trailer;
- 1419 (xi) a park model recreational vehicle; and
- 1420 (xii) a vessel if that vessel is less than 31 feet in length as determined under Subsection
- 1421 [~~(8)~~] (9).
- 1422 (3) Except as provided in Subsection (4) or (5), and for purposes of this section, the
- 1423 uniform statewide fees are:
- 1424 (a) for a snowmobile:

| 1425 Age of Snowmobile | Uniform Statewide Fee |
|---|-----------------------|
| 1426 12 or more years | \$10 |
| 1427 9 or more years but less than 12 years | \$20 |
| 1428 6 or more years but less than 9 years | \$30 |
| 1429 3 or more years but less than 6 years | \$35 |
| 1430 Less than 3 years | \$45 |

- 1431 (b) for an all-terrain vehicle that is not a street-legal all-terrain vehicle or another
- 1432 motorcycle:

| 1433 Age of All-Terrain Vehicle or Other Motorcycle Uniform Statewide Fee | Uniform Statewide Fee |
|--|-----------------------|
| 1434 12 or more years | \$4 |
| 1435 9 or more years but less than 12 years | \$8 |
| 1436 6 or more years but less than 9 years | \$12 |
| 1437 3 or more years but less than 6 years | \$14 |
| 1438 Less than 3 years | \$18 |

- 1439 (c) for a street-legal all-terrain vehicle:

| 1440 Age of Street-Legal All-Terrain Vehicle | Uniform Statewide Fee |
|--|-----------------------|
| 1441 12 or more years | \$4 |

| | | |
|------|--|------|
| 1442 | 9 or more years but less than 12 years | \$14 |
| 1443 | 6 or more years but less than 9 years | \$20 |
| 1444 | 3 or more years but less than 6 years | \$28 |
| 1445 | Less than 3 years | \$38 |

1446 (d) for a camper or a tent trailer:

| 1447 | Age of Camper or Tent Trailer | Uniform Statewide Fee |
|------|--|-----------------------|
| 1448 | 12 or more years | \$10 |
| 1449 | 9 or more years but less than 12 years | \$25 |
| 1450 | 6 or more years but less than 9 years | \$35 |
| 1451 | 3 or more years but less than 6 years | \$50 |
| 1452 | Less than 3 years | \$70 |

1453 (e) for an other trailer:

| 1454 | Age of Other Trailer | Uniform Statewide Fee |
|------|--|-----------------------|
| 1455 | 12 or more years | \$10 |
| 1456 | 9 or more years but less than 12 years | \$15 |
| 1457 | 6 or more years but less than 9 years | \$20 |
| 1458 | 3 or more years but less than 6 years | \$25 |
| 1459 | Less than 3 years | \$30 |

1460 (f) for a personal watercraft:

| 1461 | Age of Personal Watercraft | Uniform Statewide Fee |
|------|--|-----------------------|
| 1462 | 12 or more years | \$10 |
| 1463 | 9 or more years but less than 12 years | \$25 |
| 1464 | 6 or more years but less than 9 years | \$35 |
| 1465 | 3 or more years but less than 6 years | \$45 |
| 1466 | Less than 3 years | \$55 |

1467 (g) for a small motor vehicle:

| 1468 | Age of Small Motor Vehicle | Uniform Statewide Fee |
|------|---------------------------------------|-----------------------|
| 1469 | 6 or more years | \$10 |
| 1470 | 3 or more years but less than 6 years | \$15 |
| 1471 | Less than 3 years | \$25 |

1472 (h) for a street motorcycle:

| 1473 | Age of Street Motorcycle | Uniform Statewide Fee |
|------|--|-----------------------|
| 1474 | 12 or more years | \$10 |
| 1475 | 9 or more years but less than 12 years | \$35 |
| 1476 | 6 or more years but less than 9 years | \$50 |
| 1477 | 3 or more years but less than 6 years | \$70 |
| 1478 | Less than 3 years | \$95 |

1479 (i) for a travel trailer or park model recreational vehicle:

| 1480 | Age of Travel Trailer or Park Model Recreational Vehicle | Uniform Statewide Fee |
|------|--|-----------------------|
| 1481 | 12 or more years | \$20 |
| 1482 | 9 or more years but less than 12 years | \$65 |
| 1483 | 6 or more years but less than 9 years | \$90 |
| 1484 | 3 or more years but less than 6 years | \$135 |
| 1485 | Less than 3 years | \$175 |

1486 (j) \$10 regardless of the age of the vessel if the vessel is:

1487 (i) less than 15 feet in length;

1488 (ii) a canoe;

1489 (iii) a jon boat; or

1490 (iv) a utility boat;

1491 (k) for a collapsible inflatable vessel, pontoon, or sailboat, regardless of age:

| 1492 | Length of Vessel | Uniform Statewide Fee |
|------|---|-----------------------|
| 1493 | 15 feet or more in length but less than 19 feet in length | \$15 |
| 1494 | 19 feet or more in length but less than 23 feet in length | \$25 |
| 1495 | 23 feet or more in length but less than 27 feet in length | \$40 |
| 1496 | 27 feet or more in length but less than 31 feet in length | \$75 |

1497 (l) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 1498 sailboat, or utility boat, that is 15 feet or more in length but less than 19 feet in length:

| 1499 | Age of Vessel | Uniform Statewide Fee |
|------|--|-----------------------|
| 1500 | 12 or more years | \$25 |
| 1501 | 9 or more years but less than 12 years | \$65 |
| 1502 | 6 or more years but less than 9 years | \$80 |
| 1503 | 3 or more years but less than 6 years | \$110 |
| 1504 | Less than 3 years | \$150 |

1505 (m) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 1506 sailboat, or utility boat, that is 19 feet or more in length but less than 23 feet in length:

| 1507 | Age of Vessel | Uniform Statewide Fee |
|------|--|-----------------------|
| 1508 | 12 or more years | \$50 |
| 1509 | 9 or more years but less than 12 years | \$120 |
| 1510 | 6 or more years but less than 9 years | \$175 |
| 1511 | 3 or more years but less than 6 years | \$220 |
| 1512 | Less than 3 years | \$275 |

1513 (n) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 1514 sailboat, or utility boat, that is 23 feet or more in length but less than 27 feet in length:

| 1515 | Age of Vessel | Uniform Statewide Fee |
|------|------------------|-----------------------|
| 1516 | 12 or more years | \$100 |

| | | |
|------|--|-------|
| 1517 | 9 or more years but less than 12 years | \$180 |
| 1518 | 6 or more years but less than 9 years | \$240 |
| 1519 | 3 or more years but less than 6 years | \$310 |
| 1520 | Less than 3 years | \$400 |

1521 (o) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 1522 sailboat, or utility boat, that is 27 feet or more in length but less than 31 feet in length:

| 1523 | Age of Vessel | Uniform Statewide Fee |
|------|--|-----------------------|
| 1524 | 12 or more years | \$120 |
| 1525 | 9 or more years but less than 12 years | \$250 |
| 1526 | 6 or more years but less than 9 years | \$350 |
| 1527 | 3 or more years but less than 6 years | \$500 |
| 1528 | Less than 3 years | \$700 |

1529 (4) For registrations under Section [41-1a-215.5](#), the uniform fee for purposes of this
 1530 section is as follows:

1531 (a) for a street motorcycle:

| 1532 | Age of Street Motorcycle | Uniform Statewide Fee |
|------|--|-----------------------|
| 1533 | 12 or more years | \$7.75 |
| 1534 | 9 or more years but less than 12 years | \$27 |
| 1535 | 6 or more years but less than 9 years | \$38.50 |
| 1536 | 3 or more years but less than 6 years | \$54 |
| 1537 | Less than 3 years | \$73 |

1538 (b) for a small motor vehicle:

| 1539 | Age of Small Motor Vehicle | Uniform Statewide Fee |
|------|---------------------------------------|-----------------------|
| 1540 | 6 or more years | \$7.75 |
| 1541 | 3 or more years but less than 6 years | \$11.50 |

1542 Less than 3 years \$19.25

1543 (5) For a vehicle registered on a month-to-month basis as described in Section
1544 41-1a-215.4, the uniform statewide fee for purposes of this section is 9.25% of the amount
1545 stated in Subsection (3) or (4).

1546 [(5)] (6) Notwithstanding Section 59-2-407, tangible personal property subject to the
1547 uniform statewide fees imposed by this section that is brought into the state shall, as a
1548 condition of registration, be subject to the uniform statewide fees unless all property taxes or
1549 uniform fees imposed by the state of origin have been paid for the current calendar year.

1550 [(6)] (7) (a) Except as provided in Subsection [(7)] (8), the revenues collected in each
1551 county from the uniform statewide fees imposed by this section shall be distributed by the
1552 county to each taxing entity in which each item of tangible personal property subject to the
1553 uniform statewide fees is located in the same proportion in which revenues collected from the
1554 ad valorem property tax are distributed.

1555 (b) Each taxing entity described in Subsection [(6)(a)] (7)(a) that receives revenues
1556 from the uniform statewide fees imposed by this section shall distribute the revenues in the
1557 same proportion in which revenues collected from the ad valorem property tax are distributed.

1558 [(7)] (8) The commission shall deposit 50% of the revenue collected from the
1559 statewide uniform fee on a vessel that is imposed under this section into the Utah Boating
1560 Grant Account created in Section 73-18-22.3. The remaining 50% is subject to the
1561 requirements of Subsection [(6)] (7).

1562 [(8)] (9) (a) For purposes of the uniform statewide fee imposed by this section, the
1563 length of a vessel shall be determined as provided in this Subsection [(8)] (9).

1564 (b) (i) Except as provided in Subsection [(8)(b)(ii)] (9)(b)(ii), the length of a vessel
1565 shall be measured as follows:

- 1566 (A) the length of a vessel shall be measured in a straight line; and
- 1567 (B) the length of a vessel is equal to the distance between the bow of the vessel and the
1568 stern of the vessel.

1569 (ii) Notwithstanding Subsection [(8)(b)(i)] (9)(b)(i), the length of a vessel may not
1570 include the length of:

- 1571 (A) a swim deck;

- 1572 (B) a ladder;
- 1573 (C) an outboard motor; or
- 1574 (D) an appurtenance or attachment similar to Subsections ~~[(8)(b)(ii)(A)]~~ (9)(b)(ii)(A)
- 1575 through (C) as determined by the commission by rule.
- 1576 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 1577 the commission may by rule define what constitutes an appurtenance or attachment similar to
- 1578 Subsections ~~[(8)(b)(ii)(A)]~~ (9)(b)(ii)(A) through (C).
- 1579 (c) The length of a vessel:
- 1580 (i) (A) for a new vessel, is the length:
- 1581 (I) listed on the manufacturer's statement of origin if the length of the vessel measured
- 1582 under Subsection ~~[(8)(b)]~~ (9)(b) is equal to the length of the vessel listed on the manufacturer's
- 1583 statement of origin; or
- 1584 (II) listed on a form submitted to the commission by a dealer in accordance with
- 1585 Subsection ~~[(8)(d)]~~ (9)(d) if the length of the vessel measured under Subsection ~~[(8)(b)]~~ (9)(d)
- 1586 is not equal to the length of the vessel listed on the manufacturer's statement of origin; or
- 1587 (B) for a vessel other than a new vessel, is the length:
- 1588 (I) corresponding to the model number if the length of the vessel measured under
- 1589 Subsection ~~[(8)(b)]~~ (9)(b) is equal to the length of the vessel determined by reference to the
- 1590 model number; or
- 1591 (II) listed on a form submitted to the commission by an owner of the vessel in
- 1592 accordance with Subsection ~~[(8)(d)]~~ (9)(d) if the length of the vessel measured under
- 1593 Subsection ~~[(8)(b)]~~ (9)(b) is not equal to the length of the vessel determined by reference to the
- 1594 model number; and
- 1595 (ii) (A) is determined at the time of the:
- 1596 (I) first registration as defined in Section [41-1a-102](#) that occurs on or after January 1,
- 1597 2006; or
- 1598 (II) first renewal of registration that occurs on or after January 1, 2006; and
- 1599 (B) may be determined after the time described in Subsection ~~[(8)(e)(ii)(A)]~~
- 1600 (9)(c)(ii)(A) only if the commission requests that a dealer or an owner submit a form to the
- 1601 commission in accordance with Subsection ~~[(8)(d)]~~ (9)(d).
- 1602 (d) (i) A form under Subsection ~~[(8)(e)]~~ (9)(c) shall:

- 1603 (A) be developed by the commission;
- 1604 (B) be provided by the commission to:
- 1605 (I) a dealer; or
- 1606 (II) an owner of a vessel;
- 1607 (C) provide for the reporting of the length of a vessel;
- 1608 (D) be submitted to the commission at the time the length of the vessel is determined in
- 1609 accordance with Subsection [~~(8)(c)(ii)~~] (9)(c)(ii);
- 1610 (E) be signed by:
- 1611 (I) if the form is submitted by a dealer, that dealer; or
- 1612 (II) if the form is submitted by an owner of the vessel, an owner of the vessel; and
- 1613 (F) include a certification that the information set forth in the form is true.
- 1614 (ii) A certification made under Subsection [~~(8)(d)(i)(F)~~] (9)(d)(i)(F) is considered as if
- 1615 made under oath and subject to the same penalties as provided by law for perjury.
- 1616 (iii) (A) A dealer or an owner that submits a form to the commission under Subsection
- 1617 [~~(8)(e)~~] (9)(c) is considered to have given the dealer's or owner's consent to an audit or review
- 1618 by:
- 1619 (I) the commission;
- 1620 (II) the county assessor; or
- 1621 (III) the commission and the county assessor.
- 1622 (B) The consent described in Subsection [~~(8)(d)(iii)(A)~~] (9)(d)(iii)(A) is a condition to
- 1623 the acceptance of any form.
- 1624 [~~(9)~~] (10) (a) A county that collected a qualifying payment from a qualifying person
- 1625 during the refund period shall issue a refund to the qualifying person as described in Subsection
- 1626 [~~(9)(b)~~] (10)(b) if:
- 1627 (i) the difference described in Subsection [~~(9)(b)~~] (10)(b) is \$1 or more; and
- 1628 (ii) the qualifying person submitted a form in accordance with Subsections [~~(9)(e)~~]
- 1629 (10)(c) and (d).
- 1630 (b) The refund amount shall be calculated as follows:
- 1631 (i) for a qualifying vehicle, the refund amount is equal to the difference between:
- 1632 (A) the qualifying payment the qualifying person paid on the qualifying vehicle during
- 1633 the refund period; and

- 1634 (B) the amount of the statewide uniform fee:
- 1635 (I) for that qualifying vehicle; and
- 1636 (II) that the qualifying person would have been required to pay:
- 1637 (Aa) during the refund period; and
- 1638 (Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session,
- 1639 Chapter 3, Section 1, been in effect during the refund period; and
- 1640 (ii) for a qualifying watercraft, the refund amount is equal to the difference between:
- 1641 (A) the qualifying payment the qualifying person paid on the qualifying watercraft
- 1642 during the refund period; and
- 1643 (B) the amount of the statewide uniform fee:
- 1644 (I) for that qualifying watercraft;
- 1645 (II) that the qualifying person would have been required to pay:
- 1646 (Aa) during the refund period; and
- 1647 (Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session,
- 1648 Chapter 3, Section 1, been in effect during the refund period.
- 1649 (c) Before the county issues a refund to the qualifying person in accordance with
- 1650 Subsection ~~[(9)(a)]~~ (10)(a) the qualifying person shall submit a form to the county to verify the
- 1651 qualifying person is entitled to the refund.
- 1652 (d) (i) A form under Subsection ~~[(9)(c) or (10)]~~ (10)(c) or (11) shall:
- 1653 (A) be developed by the commission;
- 1654 (B) be provided by the commission to the counties;
- 1655 (C) be provided by the county to the qualifying person or tangible personal property
- 1656 owner;
- 1657 (D) provide for the reporting of the following:
- 1658 (I) for a qualifying vehicle:
- 1659 (Aa) the type of qualifying vehicle; and
- 1660 (Bb) the amount of cubic centimeters displacement;
- 1661 (II) for a qualifying watercraft:
- 1662 (Aa) the length of the qualifying watercraft;
- 1663 (Bb) the age of the qualifying watercraft; and
- 1664 (Cc) the type of qualifying watercraft;

1665 (E) be signed by the qualifying person or tangible personal property owner; and
1666 (F) include a certification that the information set forth in the form is true.
1667 (ii) A certification made under Subsection [~~(9)(d)(i)(F)~~] (10)(d)(i)(F) is considered as if
1668 made under oath and subject to the same penalties as provided by law for perjury.
1669 (iii) (A) A qualifying person or tangible personal property owner that submits a form to
1670 a county under Subsection [~~(9)(c) or (10)~~] (10)(c) or (11) is considered to have given the
1671 qualifying person's consent to an audit or review by:
1672 (I) the commission;
1673 (II) the county assessor; or
1674 (III) the commission and the county assessor.
1675 (B) The consent described in Subsection [~~(9)(d)(iii)(A)~~] (10)(d)(iii)(A) is a condition to
1676 the acceptance of any form.
1677 (e) The county shall make changes to the commission's records with the information
1678 received by the county from the form submitted in accordance with Subsection [~~(9)(c)~~] (10)(c).
1679 [~~(10)~~] (11) A county shall change its records regarding an item of qualifying tangible
1680 personal property if the tangible personal property owner submits a form to the county in
1681 accordance with Subsection [~~(9)(d)~~] (10)(d).
1682 [~~(11)~~] (12) (a) For purposes of this Subsection [~~(11)~~] (12), "owner of tangible personal
1683 property" means a person that was required to pay a uniform statewide fee:
1684 (i) during the refund period;
1685 (ii) in accordance with this section; and
1686 (iii) on an item of tangible personal property subject to the uniform statewide fees
1687 imposed by this section.
1688 (b) A county that collected revenues from uniform statewide fees imposed by this
1689 section during the refund period shall notify an owner of tangible personal property:
1690 (i) of the tangible personal property classification changes made to this section
1691 pursuant to Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1;
1692 (ii) that the owner of tangible personal property may obtain and file a form to modify
1693 the county's records regarding the owner's tangible personal property; and
1694 (iii) that the owner may be entitled to a refund pursuant to Subsection [~~(9)~~] (10).
1695 Section 16. Section **59-2-405.3** is amended to read:

1696 **59-2-405.3. Uniform statewide fee on motor homes -- Distribution of revenues.**

1697 (1) For purposes of this section, "motor home" means:

1698 (a) a motor home, as defined in Section 13-14-102, that is required to be registered
1699 with the state; or

1700 (b) a self-propelled vehicle that is:

1701 (i) modified for primary use as a temporary dwelling for travel, recreational, or
1702 vacation use; and

1703 (ii) required to be registered with the state.

1704 (2) In accordance with Utah Constitution Article XIII, Section 2, Subsection (6), a
1705 motor home is:

1706 (a) exempt from the tax imposed by Section 59-2-103; and

1707 (b) in lieu of the tax imposed by Section 59-2-103, subject to a uniform statewide fee
1708 described in Subsection (3).

1709 (3) (a) ~~The~~ Except as provided in Subsection (3)(b), the uniform statewide fee for a
1710 motor home is:

| 1711 | Age of Motor Home | Uniform Statewide Fee |
|------|---|-----------------------|
| 1712 | 15 or more years | \$90 |
| 1713 | 12 or more years but less than 15 years | \$180 |
| 1714 | 9 or more years but less than 12 years | \$315 |
| 1715 | 6 or more years but less than 9 years | \$425 |
| 1716 | 3 or more years but less than 6 years | \$540 |
| 1717 | Less than 3 years | \$690 |

1718 (b) For a vehicle registered on a month-to-month basis as described in Section
1719 41-1a-215.4, the uniform statewide fee for purposes of this section is 9.25% of the amount
1720 stated in Subsection (3)(a).

1721 (4) Notwithstanding Section 59-2-407, a motor home subject to the uniform statewide
1722 fee imposed by this section that is brought into the state shall, as a condition of registration, be
1723 subject to the uniform statewide fee unless all property taxes or uniform fees imposed by the
1724 state of origin have been paid for the current calendar year.

1725 (5) (a) Each county shall distribute the revenue collected by the county from the
1726 uniform statewide fee imposed by this section to each taxing entity in which each motor home
1727 subject to the uniform statewide fee is located in the same proportion in which revenue
1728 collected from the ad valorem property tax is distributed.

1729 (b) Each taxing entity described in Subsection (5)(a) that receives revenue from the
1730 uniform statewide fee imposed by this section shall distribute the revenue in the same
1731 proportion in which revenue collected from the ad valorem property tax is distributed.

1732 (6) An appeal relating to the uniform statewide fee imposed on a motor home by this
1733 section shall be filed pursuant to Section 59-2-1005.

1734 Section 17. Section 59-2-407 is amended to read:

1735 **59-2-407. Administration of uniform fees.**

1736 (1) (a) Except as provided in Subsection 59-2-405(4) or 59-2-405.3(4), the uniform fee
1737 authorized in Sections 59-2-405, 59-2-405.3, and 72-10-110.5 shall be assessed at the same
1738 time and in the same manner as ad valorem personal property taxes under Chapter 2, Part 13,
1739 Collection of Taxes, except that in listing personal property subject to the uniform fee with real
1740 property as permitted by Section 59-2-1302, the assessor or, if this duty has been reassigned in
1741 an ordinance under Section 17-16-5.5, the treasurer shall list only the amount of the uniform
1742 fee due, and not the taxable value of the property subject to the uniform fee.

1743 (b) Except as provided in Subsections 59-2-405.1(4), [59-2-405.2(5)] 59-2-405.2(6),
1744 and 59-2-405.3(4), the uniform fee imposed by Section 59-2-405.1, 59-2-405.2, or 59-2-405.3
1745 shall be assessed at the time of:

- 1746 (i) registration as defined in Section 41-1a-102; and
- 1747 (ii) renewal of registration.

1748 (2) The remedies for nonpayment of the uniform fees authorized by Sections 59-2-405,
1749 59-2-405.1, 59-2-405.2, 59-2-405.3, and 72-10-110.5 shall be the same as those provided in
1750 Chapter 2, Part 13, Collection of Taxes, for nonpayment of ad valorem personal property taxes.

1751 (3) Any disclosure of information to a county for purposes of distributing a uniform fee
1752 under this part is not subject to Title 77, Chapter 38, Part 6, Safe at Home Program.

1753 Section 18. Section 73-18-22.3 is amended to read:

1754 **73-18-22.3. Utah Boating Grant Account -- Grant program administered by the**
1755 **Division of Outdoor Recreation.**

- 1756 (1) There is created within the General Fund a restricted account known as the "Utah
1757 Boating Grant Account."
- 1758 (2) The Utah Boating Grant Account shall consist of:
- 1759 (a) revenue deposited into the Utah Boating Grant Account under Subsection
1760 ~~[59-2-405.2(7)]~~ [59-2-405.2\(8\)](#) from the statewide uniform fee on a vessel that is less than 31
1761 feet in length and required to be registered with the state;
- 1762 (b) legislative appropriations;
- 1763 (c) contributions, grants, gifts, transfers, bequests, and donations specifically directed
1764 to the Utah Boating Grant Account; and
- 1765 (d) interest and earnings on the Utah Boating Grant Account.
- 1766 (3) An entity eligible for a grant funded through the Utah Boating Grant Account is:
- 1767 (a) a water conservancy district;
- 1768 (b) a state agency;
- 1769 (c) a county; or
- 1770 (d) a municipality, as defined in Section [10-1-104](#).
- 1771 (4) Subject to appropriation, money in the Utah Boating Grant Account may be used
1772 for:
- 1773 (a) construction, repair, and replacement of a publicly owned boating facility, including
1774 a boat ramp, courtesy dock, or parking lot;
- 1775 (b) resource protection of waterway shorelines to prevent or minimize erosion created
1776 by vessel wave action;
- 1777 (c) drought access mitigation;
- 1778 (d) alternative access development for non-motorized vessels to decrease conflicts,
1779 congestion, and safety concerns on existing motorboat access ramps;
- 1780 (e) search and rescue equipment; and
- 1781 (f) the payment of the administrative costs of the Division of Outdoor Recreation in
1782 administering a grant under this section.
- 1783 (5) The Division of Outdoor Recreation shall administer the grants under this section
1784 pursuant to rules made, after notifying the Outdoor Adventure Commission, in accordance with
1785 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 1786 (6) The Division of Outdoor Recreation shall consult with the advisory committee

1787 described in Section [73-18-3.5](#) before issuing a grant under this section.

1788 Section 19. **Effective date.**

1789 This bill takes effect on January 1, 2025.