

OFF-HIGHWAY VEHICLE REVISIONS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrick Painter

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies the Off-Highway Vehicles code by amending provisions relating to off-highway husbandry vehicles.

Highlighted Provisions:

This bill:

► provides that an off-highway vehicle for which an off-highway implement of husbandry sticker has been issued is exempt from certain registration requirements;

and

► makes conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-22-3, as last amended by Laws of Utah 2004, Chapter 159

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

Section 1. Section **41-22-3** is amended to read:

41-22-3. Registration of vehicles -- Application -- Issuance of sticker and card --

Proof of property tax payment -- Records.

(1) (a) Unless exempted under Section 41-22-9, a person may not operate or transport

30 and an owner may not give another person permission to operate or transport any off-highway
31 vehicle on any public land, trail, street, or highway in this state unless the off-highway vehicle
32 is registered under this chapter for the current year.

33 (b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway
34 vehicle which can be used or transported on any public land, trail, street, or highway in this
35 state, unless the off-highway vehicle is registered or is in the process of being registered under
36 this chapter for the current year.

37 (2) The owner of an off-highway vehicle subject to registration under this chapter shall
38 apply to the Motor Vehicle Division for registration on forms approved by the Motor Vehicle
39 Division.

40 (3) Each application for registration of an off-highway vehicle shall be accompanied
41 by:

42 (a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of
43 sale showing ownership, make, model, horsepower or displacement, and serial number;

44 (b) the past registration card; or

45 (c) the fee for a duplicate.

46 (4) (a) Upon each annual registration, the Motor Vehicle Division shall issue a
47 registration sticker and a registration card for each off-highway vehicle registered.

48 (b) The registration sticker shall:

49 (i) contain a unique number using numbers, letters, or combination of numbers and
50 letters to identify the off-highway vehicle for which it is issued;

51 (ii) be affixed to the off-highway vehicle for which it is issued in a plainly visible
52 position as prescribed by rule of the board under Section 41-22-5.1; and

53 (iii) be maintained free of foreign materials and in a condition to be clearly legible.

54 (c) At all times, a registration card shall be kept with the off-highway vehicle and shall
55 be available for inspection by a law enforcement officer.

56 (5) (a) ~~Am~~ Except as provided by Subsection (5)(c), an applicant for a registration
57 card and registration sticker shall provide the Motor Vehicle Division a certificate, described

58 under Subsection (5)(b), from the county assessor of the county in which the off-highway
59 vehicle has situs for taxation.

60 (b) The certificate required under Subsection (5)(a) shall state one of the following:

61 (i) the property tax on the off-highway vehicle for the current year has been paid;

62 (ii) in the county assessor's opinion, the tax is a lien on real property sufficient to
63 secure the payment of the tax; or

64 (iii) the off-highway vehicle is exempt by law from payment of property tax for the
65 current year.

66 (c) An off-highway vehicle for which an off-highway implement of husbandry sticker
67 has been issued in accordance with Section 41-22-5.5 is exempt from the requirement under
68 this Subsection (5).

69 (6) (a) All records of the division made or kept under this section shall be classified by
70 the Motor Vehicle Division in the same manner as motor vehicle records are classified under
71 Section 41-1a-116.

72 (b) Division records are available for inspection in the same manner as motor vehicle
73 records under Section 41-1a-116.