

MOTOR VEHICLE SAFETY INSPECTION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Kwan

House Sponsor: _____

LONG TITLE

General Description:

This bill amends safety inspection requirements to include a transportation network vehicle.

Highlighted Provisions:

This bill:

- ▶ defines a term;
- ▶ requires a transportation network driver to:
 - ensure the transportation network vehicle passes a safety inspection annually;
- and
 - display the safety inspection certificate in the transportation network vehicle;
- and
 - ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

13-51-102, as last amended by Laws of Utah 2019, Chapter 459

13-51-107, as last amended by Laws of Utah 2020, Chapters 276, 377



28 [41-1a-205](#), as last amended by Laws of Utah 2017, Chapters 149, 406

29 [53-8-205](#), as last amended by Laws of Utah 2017, Chapters 149, 406



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

32 Section 1. Section **13-51-102** is amended to read:

33 **13-51-102. Definitions.**

34 (1) "Division" means the Division of Consumer Protection within the Department of
35 Commerce.

36 (2) "Prearranged ride" means a period of time that:

37 (a) begins when the transportation network driver has accepted a passenger's request
38 for a ride through the transportation network company's software application; and

39 (b) ends when the passenger exits the transportation network driver's vehicle.

40 (3) "Software application" means an Internet-connected software platform, including a
41 mobile application, that a transportation network company uses to:

42 (a) connect a transportation network driver to a passenger; and

43 (b) process passenger requests.

44 (4) "Transportation network company" means an entity that:

45 (a) uses a software application to connect a passenger to a transportation network
46 driver providing transportation network services;

47 (b) is not:

48 (i) a taxicab, as defined in Section [53-3-102](#); or

49 (ii) a motor carrier, as defined in Section [72-9-102](#); and

50 (c) except in certain cases involving a motor vehicle with a level four or five automated
51 driving system, as defined in Section [41-26-102.1](#), does not own, control, operate, or manage
52 the vehicle used to provide the transportation network services.

53 (5) "Transportation network driver" means:

54 (a) an individual who:

55 (i) pays a fee to a transportation network company, and, in exchange, receives a
56 connection to a potential passenger from the transportation network company;

57 (ii) operates a motor vehicle that:

58 (A) the individual owns, leases, or is authorized to use; and

59 (B) the individual uses to provide transportation network services; and
60 (iii) receives, in exchange for providing a passenger a ride, compensation that exceeds
61 the individual's cost to provide the ride; or

62 (b) a level four or five automated driving system, as defined in Section 41-26-102.1,
63 when the automated driving system is operating the vehicle and used to provide a passenger a
64 ride in exchange for compensation.

65 (6) "Transportation network services" means, for a transportation network driver
66 providing services through a transportation network company:

- 67 (a) providing a prearranged ride; or
- 68 (b) being engaged in a waiting period.

69 (7) "Transportation network vehicle" means the vehicle a transportation network driver
70 operates to provide transportation network services.

71 [~~(7)~~] (8) "Waiting period" means a period of time when:

- 72 (a) a transportation network driver is logged into a transportation network company's
73 software application; and
- 74 (b) the transportation network driver is not engaged in a prearranged ride.

75 Section 2. Section 13-51-107 is amended to read:

76 **13-51-107. Driver requirements.**

77 (1) Before a transportation network company allows an individual to use the
78 transportation network company's software application as a transportation network driver, the
79 transportation network company shall:

- 80 (a) require the individual to submit to the transportation network company:
 - 81 (i) the individual's name, address, and age;
 - 82 (ii) a copy of the individual's driver license, including the driver license number; and
 - 83 (iii) proof that the vehicle that the individual will use to provide transportation network
84 services is registered with the Division of Motor Vehicles;
- 85 (b) require the individual to consent to a criminal background check of the individual
86 by the transportation network company or the transportation network company's designee; and
- 87 (c) obtain and review a report that lists the individual's driving history.

88 (2) A transportation company may not allow an individual to provide transportation
89 network services as a transportation network driver if the individual:

90 (a) has committed more than three moving violations in the three years before the day
91 on which the individual applies to become a transportation network driver;

92 (b) has been convicted, in the seven years before the day on which the individual
93 applies to become a transportation network driver, of:

94 (i) driving under the influence of alcohol or drugs;

95 (ii) fraud;

96 (iii) a sexual offense;

97 (iv) a felony involving a motor vehicle;

98 (v) a crime involving property damage;

99 (vi) a crime involving theft;

100 (vii) a crime of violence; or

101 (viii) an act of terror;

102 (c) is required to register as a sex offender in accordance with Title 77, Chapter 41, Sex
103 and Kidnap Offender Registry;

104 (d) does not have a valid Utah driver license; or

105 (e) is not at least 18 years [~~of age~~] old.

106 (3) (a) A transportation network company shall prohibit a transportation network driver
107 from accepting a request for a prearranged ride if the motor vehicle that the transportation
108 network driver uses to provide transportation network services fails to comply with:

109 (i) equipment standards described in Section 41-6a-1601; and

110 (ii) emission requirements adopted by a county under Section 41-6a-1642.

111 (b) (i) If upon visual inspection, a defect relating to the equipment standards described
112 in Section 41-6a-1601 can be reasonably identified, an airport operator may perform a safety
113 inspection of a transportation network driver's vehicle operating within the airport to ensure
114 compliance with equipment standards described in Section 41-6a-1601.

115 (ii) An airport operator shall conduct all inspections under this Subsection (3) in such a
116 manner to minimize impact to the transportation network driver's and transportation network
117 company vehicle's availability to provide prearranged rides.

118 (4) A transportation network driver, while providing transportation network services,
119 shall carry proof, in physical or electronic form, that the transportation network driver is
120 covered by insurance that satisfies the requirements of Section 13-51-108.

121 (5) A transportation network driver shall:

122 (a) ensure the transportation network vehicle passes a safety inspection annually in
123 accordance with Subsection 53-8-205(1)(e); and

124 (b) display the safety inspection certificate described in Subsection (5)(a) in the
125 transportation network vehicle, in accordance with Subsection 41-1a-205(3).

126 Section 3. Section 41-1a-205 is amended to read:

127 **41-1a-205. Safety inspection certificate required for commercial motor vehicles**
128 **and initial registration of street-legal ATVs and salvage vehicles.**

129 (1) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509
130 is subject to a safety inspection the first time that a person registers an off-highway vehicle as a
131 street-legal all-terrain vehicle.

132 (2) A salvage vehicle as defined in Section 41-1a-1001 is subject to a safety inspection
133 when the owner makes the initial application to register the vehicle as a salvage vehicle.

134 (3) A safety inspection certificate shall be displayed on:

135 (a) all registered commercial vehicles as defined in Section 72-9-102;

136 (b) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
137 multiple axles;

138 (c) a combination unit;

139 (d) a bus or van for hire;

140 (e) a taxicab; ~~and~~

141 (f) a transportation network vehicle as defined in Section 13-51-102; and

142 ~~(f)~~ (g) a motor vehicle operated by a ground transportation service provider as
143 defined in Section 72-10-601.

144 (4) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

145 Section 4. Section 53-8-205 is amended to read:

146 **53-8-205. Safety inspection required for certain vehicles -- Out-of-state permits.**

147 (1) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety
148 inspection when an application is made for initial registration as a salvage vehicle.

149 (b) An off-highway vehicle being registered for the first time as a street-legal all-terrain
150 vehicle as described in Section 41-6a-1509 is required to pass a safety inspection when the
151 owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.

- 152 (c) The owner of a commercial vehicle, as defined in Section [72-9-102](#), shall:
- 153 (i) ensure that the commercial vehicle passes a safety inspection annually; or
- 154 (ii) provide evidence of a valid annual federal inspection that complies with the
- 155 requirements of 49 C.F.R. Sec. 396.17.
- 156 (d) The owner of a vehicle operated by a ground transportation service provider as
- 157 defined in Section [72-10-601](#) shall ensure that the vehicle passes a safety inspection annually.
- 158 (e) An owner of one or more of the following types of vehicles shall ensure that the
- 159 vehicle passes a safety inspection annually:
- 160 (i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
- 161 multiple axles;
- 162 (ii) a combination unit;
- 163 (iii) a bus or van for hire; [~~or~~]
- 164 (iv) a taxicab[-]; and
- 165 (v) a transportation network vehicle as defined in Section [13-51-102](#).
- 166 (2) A safety inspection station shall issue two safety inspection certificates to the owner
- 167 of:
- 168 (a) each motor vehicle that passes a safety inspection under this section; and
- 169 (b) a street-legal all-terrain vehicle that meets all the equipment requirements in
- 170 Section [41-6a-1509](#).
- 171 (3) A person operating a motor vehicle required to have an annual safety inspection
- 172 shall have in the person's immediate possession a safety inspection certificate or other evidence
- 173 of compliance.
- 174 (4) The division may authorize the acceptance of a safety inspection certificate issued
- 175 in another state having a safety inspection law similar to Utah's law.
- 176 (5) Subject to Subsection [53-8-209](#)(3), a violation of this section is an infraction.
- 177 **Section 5. Effective date.**
- 178 This bill takes effect on May 1, 2024.