

41-6a-1644 Diesel emissions program -- Implementation -- Monitoring -- Exemptions.

- (1) The legislative body of each county required by the comprehensive plan for air pollution control developed by the director of the Division of Air Quality in accordance with Subsection 19-2-107(2)(a)(i) to use an emissions opacity inspection and maintenance program for diesel-powered motor vehicles shall:
 - (a) make regulations or ordinances to implement and enforce the requirement established by the Air Quality Board;
 - (b) collect information about and monitor the program; and
 - (c) by August 1 of each year, supply written information to the Department of Environmental Quality to identify program status.
- (2) The following vehicles are exempt from an emissions opacity inspection and maintenance program for diesel-powered motor vehicles established by a legislative body of a county under Subsection (1):
 - (a) an implement of husbandry; and
 - (b) a motor vehicle that:
 - (i) meets the definition of a farm truck under Section 41-1a-102; and
 - (ii) has a gross vehicle weight rating of 12,001 pounds or more.
- (3)
 - (a) The legislative body of a county identified in Subsection (1) shall exempt a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds or less from the emissions opacity inspection and maintenance program requirements of this section, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used:
 - (i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under Sections 59-2-502 and 59-2-503; and
 - (ii) exclusively for the following purposes in operating the farm:
 - (A) for the transportation of farm products, including livestock and its products, poultry and its products, and floricultural and horticultural products; and
 - (B) for the transportation of farm supplies, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance.
 - (b) The county shall provide to the registered owner who signs and submits a signed statement under this section a certificate of exemption from emissions opacity inspection and maintenance program requirements for purposes of registering the exempt vehicle.

Amended by Chapter 360, 2012 General Session