

REPLICA VEHICLE PROVISIONS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Ed P. Mayne

AN ACT RELATING TO MOTOR VEHICLES; PROVIDING DEFINITIONS AND LIMITATIONS OF REPLICA VEHICLES; PROVIDING EXCEPTIONS FOR REPLICA VEHICLES FOR CERTAIN SAFETY AND EMISSIONS REQUIREMENTS; AND PROVIDING FOR CERTIFICATION OF REPLICA VEHICLE STATUS PRIOR TO INSPECTIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-6-150.10, as last amended by Chapter 13, Laws of Utah 1992

ENACTS:

41-6-155.5, Utah Code Annotated 1953

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

Section 1. Section **41-6-150.10** is amended to read:

41-6-150.10. Mudguards or flaps at rear wheels of trucks, trailers, truck tractors, or altered motor vehicles -- Exemptions.

(1) The definitions in Section 41-6-148.29 apply to this section.

(2) (a) Except as provided in Subsections (3) and (4), when operated on a highway, a motor vehicle that has been altered from the original manufacturer's frame height or in any other manner so that the motor vehicle's wheels may throw dirt, water, or other materials on other vehicles; any truck with a gross vehicle weight rating of 10,500 pounds or more; any truck tractor; and any trailer or semitrailer with an unladen weight of 750 pounds or more shall be equipped with wheel covers, mudguards, flaps, or splash aprons behind the rearmost wheels to prevent, as far as practicable, the wheels from throwing dirt, water, or other materials on other vehicles.

(b) The wheel covers, mudguards, flaps, or splash aprons shall:

- 28 (i) be at least as wide as the tires they are protecting;
- 29 (ii) be directly in line with the tires; and
- 30 (iii) have a ground clearance of not more than 50% of the diameter of a rear-axle wheel,
- 31 under any conditions of loading of the motor vehicle.
- 32 (3) Wheel covers, mudguards, flaps, or splash aprons are not required if the motor vehicle,
- 33 trailer, or semitrailer is designed and constructed so that the requirements of Subsection (1) are
- 34 accomplished by means of fenders, body construction, or other means of enclosure.
- 35 (4) Wheel covers, mudguards, flaps, or splash aprons are not required on a vehicle
- 36 operated or driven during fair weather on well-maintained, hard-surfaced roads if the motor
- 37 vehicle:
- 38 (a) was made in America prior to 1935;
- 39 (b) ~~[is any identifiable vintage or replica of a vintage that]~~ is ~~[titled]~~ registered as a vintage
- 40 vehicle; or
- 41 (c) is a ~~[street rod, which means a motor]~~ replica vehicle ~~[with a body that is or resembles~~
- 42 ~~the body of a motor vehicle made prior to 1949 for its original sale and which has a significant~~
- 43 ~~drive train update]~~ as defined under Section 41-6-155.5.
- 44 (5) ~~[Rear]~~ Except as provided in Subsection (4), rear wheels not covered at the top by
- 45 fenders, bodies, or other parts of the vehicle shall be covered at the top by protective means
- 46 extending rearward at least to the center line of the rearmost axle.
- 47 Section 2. Section **41-6-155.5** is enacted to read:
- 48 **41-6-155.5. Replica vehicles -- Defined -- Compliance with all laws and standards --**
- 49 **Exceptions -- Revocation -- Signed statement required.**
- 50 (1) As used in this section, "replica vehicle" means a motor vehicle with a body that is or
- 51 resembles the body of a motor vehicle with a model year prior to 1969 and that may have a
- 52 significant drive train or equipment upgrade. A replica vehicle is for occasional pleasure rides and
- 53 is not used for general daily transportation. A replica vehicle does not include a vintage vehicle
- 54 as defined in Section 41-21-1, nor a special interest vehicle as defined in Section 41-1a-102.
- 55 (2) Except as specified under this section, a replica vehicle shall meet all safety, emissions,
- 56 registration, insurance, fees, and taxes required under this title.
- 57 (3) (a) Except as provided in Subsections (3)(b), all safety equipment of a replica vehicle
- 58 shall at least meet the safety standards applicable to the model year of the vehicle being replicated.

59 Any replacement equipment shall comply with the design standards of the replacement equipment's
60 manufacture.

61 (b) A replica vehicle shall comply with current vehicle brake and stopping standards.

62 (c) A replica vehicle shall comply with emissions standards applicable to the model year
63 of the engine of the replica vehicle.

64 (4) The tax commission may revoke the registration of a replica vehicle for failure to
65 comply with this section.

66 (5) The owner of a replica vehicle shall provide a signed statement certifying that the
67 replica vehicle is owned and operated for the purposes enumerated in this section to the safety
68 inspection and emissions inspection station in order to qualify for the exceptions provided under
69 this section.

Legislative Review Note

as of 1-10-00 12:40 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel