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**LICENSURE OF MOTOR VEHICLES**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Ed P. Mayne**

**This act modifies the Motor Vehicle Code by requiring applicants for new vehicle registration or a temporary permit to show a valid driver license.**

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

AMENDS:

**41-1a-211**, as last amended by Chapter 125, Laws of Utah 1998

**41-3-303**, as last amended by Chapter 234, Laws of Utah 1993

ENACTS:

**41-1a-210.5**, Utah Code Annotated 1953

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

Section 1. Section **41-1a-210.5** is enacted to read:

**41-1a-210.5. Driver license required on new registrations.**

The division, before issuing any new registration, shall require the person making the application to show proof of a valid driver license.

Section 2. Section **41-1a-211** is amended to read:

**41-1a-211. Temporary permits -- Other laws applied.**

(1) (a) The division may grant a temporary permit to operate a vehicle for which:

(i) application for registration has been made, or, in the case of a newly purchased vehicle, will be made;

(ii) evidence of ownership is provided; [~~and~~]

(iii) the proper fees have been paid[-]; and

(iv) the person making the application has shown proof of a valid driver license.

(b) The temporary permit allows the vehicle to be operated pending complete registration by displaying:

- 28 (i) the temporary permit; or
- 29 (ii) other evidence of the application under rules made by the commission.

30 (2) If a vehicle is operated on a temporary permit issued under this section or Section  
31 41-3-302, that vehicle is subject to all other statutes, rules, and regulations intended to control the  
32 use and operation of vehicles on the highways.

33 Section 3. Section **41-3-303** is amended to read:

34 **41-3-303. Temporary permits -- Inspections required before issuance.**

35 (1) A dealer licensed in accordance with this chapter may not issue a temporary permit  
36 under Section 41-3-302 unless:

37 (a) (i) the motor vehicle for which the temporary permit is issued has received and passed  
38 the safety inspection required by Section 53-8-205 within the previous six months;

39 (ii) the safety inspection certificate was issued in the name of a licensed and bonded  
40 dealer; and

41 (iii) a copy of the safety inspection certificate is given to the customer; [~~and~~]

42 (b) the motor vehicle passed the emission inspection test required by Section  
43 41-6-163.6[-]; and

44 (c) the person making the application for the temporary permit has shown evidence of a  
45 valid driver license.

46 (2) Notwithstanding Subsection (1)(a), a dealer may issue a temporary permit without a  
47 safety inspection certificate if the motor vehicle complies with the safety inspection as provided  
48 in Section 41-1a-205.

49 (3) Notwithstanding Subsection (1)(b), a dealer may issue a temporary permit without  
50 proof of an emission inspection if:

51 (a) the motor vehicle is exempt from emission inspection as provided in Section  
52 41-6-163.6;

53 (b) the purchaser is a resident of a county that does not require emission inspections; or

54 (c) the motor vehicle is otherwise exempt from emission inspections.

55 (4) Notwithstanding Subsection (1), a dealer may sell a motor vehicle as is without having  
56 it safety or emission inspected provided that no temporary permit is issued.

**Legislative Review Note**

**as of 1-9-01 2:58 PM**

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

**Office of Legislative Research and General Counsel**