

MOTOR VEHICLE REGISTRATION

AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: David H. Steele

This act modifies the Motor Vehicle Code to allow a court to require proof of proper vehicle registration as part of any sentence imposed for a violation of certain vehicle registration requirements.

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

AMENDS:

41-1a-1303, as last amended by Chapter 269, Laws of Utah 1997

41-1a-1307, as renumbered and amended by Chapter 1, Laws of Utah 1992

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

Section 1. Section **41-1a-1303** is amended to read:

41-1a-1303. Driving without registration or certificate of title -- Class B or C misdemeanor.

(1) ~~(a)~~ Except as provided in Subsection ~~[(3)]~~ (2) or Section 41-1a-211, ~~[it is a class C misdemeanor for]~~ a person ~~[to]~~ may not drive or move, or ~~[for]~~ an owner may not knowingly ~~[to]~~ permit to be driven or moved upon any highway any vehicle of a type required to be registered in this state:

~~[(a)]~~ (i) that is not properly registered or for which a certificate of title has not been issued or applied for; or

~~[(b)]~~ (ii) for which the required fee has not been paid.

(b) A violation of this Subsection (1) is a class C misdemeanor.

~~[(2)(a) Until September 30, 1997, and except as provided in Subsection (2)(b), a violation of Subsection 41-1a-202(3), related to registration of vehicles after establishing residency, has a minimum fine of \$200.]~~



28 ~~[(b) A court may not dismiss an action brought for a violation of Subsection 41-1a-202(3)~~
 29 ~~merely because the defendant has obtained the appropriate registration subsequent to violating the~~
 30 ~~section. Until September 30, 1997, the court may, however, reduce the fine to \$50 if the violator~~
 31 ~~presents evidence of current registration at the time of his hearing.]~~

32 ~~[(3)]~~ (2) (a) ~~[Beginning October 1, 1997, a]~~ A violation of Subsection 41-1a-202(3),
 33 related to registration of vehicles after establishing residency, is a class B misdemeanor and except
 34 as provided in Subsection ~~[(3)]~~ (2)(b), has a minimum fine of \$1000.

35 (b) A court may not dismiss an action brought for a violation of Subsection 41-1a-202(3)
 36 merely because the defendant has obtained the appropriate registration subsequent to violating the
 37 section. ~~[Beginning October 1, 1997, the]~~ The court may, however, reduce the fine to \$200 if the
 38 violator presents evidence at the time of his hearing that:

- 39 (i) the vehicle is currently registered properly; and
- 40 (ii) the violation has not existed for more than one year.

41 (3) A court may require proof of proper motor vehicle registration as part of any sentence
 42 imposed under this section.

43 Section 2. Section **41-1a-1307** is amended to read:

44 **41-1a-1307. Operation of motor vehicles, trailers, or semitrailers without payment**
 45 **of fees -- Class C misdemeanor.**

46 (1) It is a class C misdemeanor for a person to operate a motor vehicle, trailer, or
 47 semitrailer upon the highways without having paid the title and registration or transfer fees and
 48 taxes required by law.

49 (2) In addition to any other penalty, the owner of a motor vehicle, trailer, or semitrailer
 50 operated in violation of this section shall pay a penalty equal to title and registration fees in
 51 addition to any other fee required under this chapter.

52 (3) A court may require proof of proper vehicle registration as part of any sentence
 53 imposed under this section.

Legislative Review Note
as of 11-14-01 5:39 PM

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

Office of Legislative Research and General Counsel

Committee Note

The Transportation Interim Committee recommended this bill.