

1 **MOTOR VEHICLE REGISTRATION AND**
2 **SAFETY INSPECTION AMENDMENTS**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Bradley M. Daw**

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Vehicle Act to amend provisions for safety inspection
10 certificates.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ provides that a motor vehicle safety and emissions inspection certificate is valid for
14 ~~two~~ **→ [six] three ←** months instead of two months for purposes of registration or renewal of
15 registration of a motor vehicle; and

16 ▶ makes technical changes.

17 **Monies Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 This bill provides an immediate effective date.

21 **Utah Code Sections Affected:**

22 **AMENDS:**

23 **41-1a-205**, as last amended by Chapter 100, Laws of Utah 2002

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

26 Section 1. Section **41-1a-205** is amended to read:

27 **41-1a-205. Safety inspection certificate required for renewal or registration of**



28 **motor vehicle -- Exemptions.**

29 (1) If required in the current year, a valid safety inspection certificate, as required by
 30 Section 53-8-205, or proof of exemption from safety inspection shall be presented at the time
 31 of, and as a condition of, registration or renewal of registration of a motor vehicle.

32 (2) (a) Except as provided in [~~Subsections (2)(b), (c), and (d), the safety inspection~~
 33 ~~required under this section may be made no more than two months prior to the renewal of~~
 34 ~~registration]~~ ~~Ĥ→~~ **[Subsection] subsections** ~~←Ĥ~~ **(2)(b), Ĥ→ (c), and (d), ←Ĥ** for purposes of
 34a registration or renewal of registration of a motor
 35 vehicle, a safety inspection certificate is valid for ~~Ĥ→~~ **[six] three** ~~←Ĥ~~ months.

36 ~~Ĥ→~~ **[f] (b) (i) If the title of a used motor vehicle is being transferred, a safety**
 36a **inspection**
 37 **certificate issued for the motor vehicle during the previous** ~~[two]~~ **three** ~~months may~~
 37a **be used to satisfy**
 38 **the requirement under Subsection (1).** ~~[j] ←Ĥ~~

39 ~~Ĥ→~~ **[f] (ii) If the transferor is a licensed and bonded used motor vehicle dealer, a**
 39a **safety**
 40 **inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle**
 41 **dealer's name during the previous six months may be used to satisfy the requirement under**
 42 **Subsection (1).** ~~[j] ←Ĥ~~

43 ~~Ĥ→~~ **[f] (c) If the title of a leased vehicle is being transferred to the lessee of the**
 43a **vehicle, a**
 44 **safety inspection certificate issued during the previous six months may be used to satisfy the**
 45 **requirement under Subsection (1).** ~~[j] ←Ĥ~~

46 ~~Ĥ→~~ **[f] (d) [j] [~~(b)~~ ←Ĥ** **If the motor vehicle is part of a fleet of 101 or more vehicles,**
 46a **[the safety**
 47 **inspection required under this section may be made no more than 11 months prior to the**
 48 **renewal of registration]** a safety inspection certificate is valid for 11 months.

49 (3) The following motor vehicles are exempt from this section:

50 (a) a new motor vehicle when registered the first time, if:

51 (i) a new car predelivery inspection has been made by a dealer;

52 (ii) the dealer provides a written disclosure statement listing any known deficiency,
 53 existing with the new motor vehicle at the time of delivery, that would cause the motor vehicle
 54 to fail a safety inspection given in accordance with Section 53-8-205; and

55 (iii) the buyer signs the disclosure statement to acknowledge that the buyer has read
 56 and understands the listed deficiencies; and

57 (b) a motor vehicle required to be registered under this chapter that bears a dealer plate
 58 or other special plate under [~~Title 41,~~] Chapter 3, Part 5, Special Dealer License Plates, except

59 that if the motor vehicle is propelled by its own power and is not being moved for repair or
60 dismantling, the motor vehicle shall comply with Section 41-6-155 regarding safe mechanical
61 condition.

62 (4) (a) A safety inspection certificate sticker shall be displayed on:

63 (i) all registered commercial motor vehicles with a gross vehicle weight rating of
64 26,000 pounds or more;

65 (ii) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
66 multiple axles;

67 (iii) a combination unit; and

68 (iv) a bus or van for hire.

69 (b) A commercial vehicle under Subsection (4)(a) is exempt from the requirements of
70 Subsection (1).

71 (5) A motor vehicle may be sold and the title assigned to the new owner without a
72 valid safety inspection, but the motor vehicle may not be registered in the new owner's name
73 until the motor vehicle complies with this section.

74 Section 2. **Effective date.**

75 If approved by two-thirds of all the members elected to each house, this bill takes effect
76 upon approval by the governor, or the day following the constitutional time limit of Utah
77 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
78 the date of veto override.

Legislative Review Note
as of 12-13-04 11:13 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0048

Motor Vehicle Registration and Safety Inspection Amendments

10-Jan-05

3:14 PM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst