

**MOTOR VEHICLE REGISTRATION
AMENDMENTS**

2006 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Sheldon L. Killpack

House Sponsor: _____

LONG TITLE

General Description:

This bill amends the Motor Vehicles Code and Revenue and Taxation Code by creating an optional six-month motor vehicle registration for certain motor vehicles.

Highlighted Provisions:

This bill:

- ▶ exempts a six-month motor vehicle registration from selected twelve-month motor vehicle registration provisions;
- ▶ creates an optional six-month motor vehicle registration for certain motor vehicles;
- ▶ makes a six-month motor vehicle registration subject to the Motor Vehicles Act;
- ▶ addresses six-month motor vehicle registration renewals;
- ▶ creates a uniform fee schedule for motor vehicles registered under the six-month registration period; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on January 1, 2007.

Utah Code Sections Affected:

AMENDS:



- 28 **41-1a-206**, as renumbered and amended by Chapter 1, Laws of Utah 1992
- 29 **41-1a-208**, as last amended by Chapter 81, Laws of Utah 1996
- 30 **41-1a-215**, as last amended by Chapter 238, Laws of Utah 1999
- 31 **41-1a-216**, as last amended by Chapter 81, Laws of Utah 1996
- 32 **59-2-405.1**, as last amended by Chapters 217 and 244, Laws of Utah 2005

33 ENACTS:

34 **41-1a-215.5**, Utah Code Annotated 1953



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

37 Section 1. Section **41-1a-206** is amended to read:

38 **41-1a-206. Payment of property taxes or in lieu fees before registration.**

39 (1) Except as provided in Subsection (2), the division before issuing any registration
40 shall require from every applicant for the registration a certificate from the county assessor in
41 which the vehicle has situs for taxation that:

42 (a) the property tax or in lieu fee on the vehicle for the current [year] registration period
43 has been paid;

44 (b) in the assessor's opinion the tax or in lieu fee is a lien on real property sufficient to
45 secure the payment of the tax; or

46 (c) the vehicle is exempt by law from payment of property tax or the in lieu fee for the
47 current [year] registration period.

48 (2) The requirements of Subsection (1) do not apply to the registration of ambulances,
49 peace officer patrol vehicles, fire engines, passenger cars and trucks owned and used by the
50 United States government or by the state of Utah or by any of its political subdivisions, and
51 motor vehicles assessed by the commission under Section 59-2-201.

52 Section 2. Section **41-1a-208** is amended to read:

53 **41-1a-208. Payment of automobile driver education tax prerequisite to**
54 **registration of motor vehicle.**

55 (1) The collection and payment of the automobile driver education tax is a prerequisite
56 to the registration of any motor vehicle.

57 (2) Except as provided under Subsection (3), the automobile driver education tax
58 accrues and is collectible upon each motor vehicle, subject to the same exemptions, and

59 payable in the same manner and time as motor vehicle registration fees under Section
60 41-1a-1206.

61 (3) The automobile driver education tax:

62 (a) shall be paid in full at the time the motor vehicle is ~~[first]~~ registered ~~[in a calendar~~
63 ~~year]~~; and

64 (b) is not collectible or payable upon the transfers of registration, issuance, reissuance
65 of certificates of registration, titles, or plates contemplated by Sections 41-1a-301, 41-1a-1207,
66 41-1a-1210, and 41-1a-1211.

67 Section 3. Section **41-1a-215** is amended to read:

68 **41-1a-215. Staggered registration dates -- Exceptions.**

69 (1) (a) Except as provided under Subsections (2) and (3), every vehicle registration,
70 every registration card, and every registration plate issued under this chapter for the first
71 registration of the vehicle in this state, continues in effect for a period of 12 months beginning
72 with the first day of the calendar month of registration and does not expire until the last day of
73 the same month in the following year.

74 (b) If the last day of the registration period falls on a day in which the appropriate state
75 or county offices are not open for business, the registration of the vehicle is extended to
76 midnight of the next business day.

77 (2) The provisions of Subsection (1) do not apply to the following:

78 (a) registration issued to government vehicles under Section 41-1a-221;

79 (b) registration issued to apportioned vehicles under Section 41-1a-301;

80 (c) multiyear registration issued under Section 41-1a-222;

81 (d) lifetime trailer registration issued under Section 41-1a-1206;

82 (e) partial year registration issued under Section 41-1a-1207;

83 (f) registration issued under Section 41-1a-215.5;

84 ~~[(f)]~~ (g) vintage vehicle registration issued under Section 41-1a-226; or

85 ~~[(g)]~~ (h) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and
86 transporter under Title 41, Chapter 3, Part 5, Special Dealer License Plates.

87 (3) Upon application of the owner or lessee of a fleet of commercial vehicles not
88 apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax
89 Commission may permit the vehicles to be registered for a registration period commencing on

90 the first day of March, June, September, or December of any year and expiring on the last day
91 of March, June, September, or December in the following year.

92 (4) When the expiration of a registration plate is extended by affixing a registration
93 decal to it, the expiration of the decal governs the expiration date of the plate.

94 Section 4. Section **41-1a-215.5** is enacted to read:

95 **41-1a-215.5. Six-month registration.**

96 (1) (a) A person may register a motor vehicle that is subject to a uniform fee under
97 Section 59-2-405.1 for a six-month period that begins on the first day of the calendar month of
98 registration and expires on the last day of the sixth month of registration.

99 (b) If the last day of the registration period falls on a day in which the appropriate state
100 or county offices are not open for business, the registration of the vehicle is extended to
101 midnight of the next business day.

102 (2) A registration under Subsection (1) is subject to this chapter.

103 Section 5. Section **41-1a-216** is amended to read:

104 **41-1a-216. Renewal of registration.**

105 (1) The division may receive applications for registration renewal and issue new
106 registration cards at any time prior to the expiration of the registration, subject to the
107 availability of renewal materials.

108 (2) (a) For registrations under Section 41-1a-215:

109 ~~[(2) (a) The]~~ (i) the new registration shall retain the same expiration month as recorded
110 on the original registration even if the registration has expired, except as provided in
111 Subsection (3)[-]; and

112 ~~[(b) The]~~ (ii) the year of registration expiration shall be changed to reflect the renewed
113 registration period.

114 (b) For registrations under Section 41-1a-215.5:

115 (i) the new registration shall retain the same registration period as recorded on the
116 original registration even if the registration has expired, except as provided in Subsection (3);

117 (ii) the month of the registration expiration shall be changed to reflect the renewed
118 registration period; and

119 (iii) the year of the registration expiration shall be changed to reflect the renewed
120 registration period if the renewed expiration month is in a different year than the expiration

121 month recorded on the original registration.

122 (3) Subsection (2) does not apply if the owner can verify to the satisfaction of the
123 division that the vehicle registration was not renewed prior to its expiration due to the fact that
124 the vehicle was in storage, inoperable, or otherwise out of service.

125 (4) If the registration renewal application is an application generated by the division
126 through its automated system, the owner need not surrender the last registration card or
127 duplicate.

128 Section 6. Section **59-2-405.1** is amended to read:

129 **59-2-405.1. Uniform fee on certain vehicles weighing 12,000 pounds or less --**
130 **Distribution of revenues -- Appeals.**

131 (1) The property described in Subsection (2), except Subsection (2)(b)(ii), is exempt
132 from ad valorem property taxes pursuant to Utah Constitution Article XIII, Section 2,
133 Subsection (6).

134 (2) (a) Except as provided in Subsection (2)(b), there is levied as provided in this part a
135 statewide uniform fee in lieu of the ad valorem tax on:

136 (i) motor vehicles as defined in Section 41-1a-102 that:

137 (A) are required to be registered with the state; and

138 (B) weigh 12,000 pounds or less; and

139 (ii) state-assessed commercial vehicles required to be registered with the state that
140 weigh 12,000 pounds or less.

141 (b) The following tangible personal property is exempt from the statewide uniform fee
142 imposed by this section:

143 (i) aircraft;

144 (ii) vintage vehicles as defined in Section 41-21-1;

145 (iii) tangible personal property subject to a uniform fee imposed by:

146 (A) Section 59-2-405;

147 (B) Section 59-2-405.2; or

148 (C) Section 59-2-405.3; and

149 (iv) tangible personal property that is exempt from state or county ad valorem property
150 taxes under the laws of this state or of the federal government.

151 (3) (a) Except as provided in ~~Subsection~~ Subsections (3)(b) and (c), beginning on

152 January 1, 1999, the uniform fee for purposes of this section is as follows:

	Age of Vehicle	Uniform Fee
154	12 or more years	\$10
155	9 or more years but less than 12 years	\$50
156	6 or more years but less than 9 years	\$80
157	3 or more years but less than 6 years	\$110
158	Less than 3 years	\$150

159 (b) For registrations under Section 41-1a-215.5, beginning on July 1, 2006, the uniform
160 fee for purposes of this section is as follows:

	<u>Age of Vehicle</u>	<u>Uniform Fee</u>
162	<u>12 or more years</u>	<u>\$5</u>
163	<u>9 or more years but less that 12 years</u>	<u>\$25</u>
164	<u>6 or more years but less than 9 years</u>	<u>\$40</u>
165	<u>3 or more years but less than 6 years</u>	<u>\$55</u>
166	<u>Less than 3 years</u>	<u>\$75</u>

167 ~~(b)~~ (c) Notwithstanding ~~[Subsection]~~ Subsections (3)(a) and (b), beginning on
168 September 1, 2001, for a motor vehicle issued a temporary sports event registration certificate
169 in accordance with Section 41-3-306, the uniform fee for purposes of this section is \$5 for the
170 event period specified on the temporary sports event registration certificate regardless of the
171 age of the motor vehicle.

172 (4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is
173 brought into the state and is required to be registered in Utah shall, as a condition of
174 registration, be subject to the uniform fee unless all property taxes or uniform fees imposed by
175 the state of origin have been paid for the current calendar year.

176 (5) (a) The revenues collected in each county from the uniform fee shall be distributed
177 by the county to each taxing entity in which the property described in Subsection (2) is located
178 in the same proportion in which revenue collected from ad valorem real property tax is
179 distributed.

180 (b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in
181 the same proportion in which revenue collected from ad valorem real property tax is
182 distributed.

183 Section 7. **Effective date.**

184 This bill takes effect on January 1, 2007.

Legislative Review Note
as of 1-11-06 10:33 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