

1 **MOTOR VEHICLE REGISTRATION FEE**

2 **AMENDMENTS**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Craig A. Frank**

6 Senate Sponsor: John L. Valentine

7
8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions relating to motor vehicle registration fees.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ increases certain motor vehicle registration fees by \$2;
- 14 ▶ provides that \$2 of certain motor vehicle registration fees shall be deposited in the

15 Public Safety Restricted Account;

- 16 ▶ provides that the Legislature shall appropriate certain motor vehicle registration fees
- 17 from the Public Safety Restricted Account to the Department of Public Safety to pay
- 18 a portion of the costs to employ highway patrol officers to police or patrol the
- 19 highways within this state; and

- 20 ▶ makes technical changes.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 This bill takes effect on July 1, 2009.

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **41-1a-1201**, as last amended by Laws of Utah 2008, Chapter 143



28 **41-1a-1206**, as last amended by Laws of Utah 2008, Chapter 210
29 **53-3-106**, as last amended by Laws of Utah 2008, Chapters 304 and 382



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

32 Section 1. Section **41-1a-1201** is amended to read:

33 **41-1a-1201. Disposition of fees.**

34 (1) All fees received and collected under this part shall be transmitted daily to the state
35 treasurer.

36 (2) Except as provided in Subsections (3), (4), ~~and~~ (6), and (7), and Sections
37 41-1a-422, 41-1a-1220, and 41-1a-1221, all fees collected under this part shall be deposited in
38 the Transportation Fund.

39 (3) (a) Funds generated under Subsections 41-1a-1211(1)(b)(i), (6)(b)(i), and (7) and
40 Section 41-1a-1212 may be used by the commission as a dedicated credit to cover the costs
41 incurred in issuing license plates under Part 4, License Plates and Registration Indicia.

42 (b) Fees for statehood centennial license plates shall be collected and deposited in the
43 Transportation Fund, less production and administrative costs incurred by the commission.

44 (4) All funds available to the commission for purchase and distribution of license
45 plates and decals are nonlapsing.

46 (5) Except as provided in Subsection (3) and Section 41-1a-1205, the expenses of the
47 commission in enforcing and administering this part shall be provided for by legislative
48 appropriation from the revenues of the Transportation Fund.

49 (6) (a) Except as provided in Subsection (6)(b), the following portions of the
50 registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited in the
51 Centennial Highway Fund Restricted Account created under Section 72-2-118:

52 (i) \$10 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (2),
53 and (5);

54 (ii) \$1 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i),
55 (1)(c)(ii), and (1)(d)(ii);

56 (iii) \$2 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

57 (iv) \$3 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i); and

58 (v) \$4.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i).

59 (b) When the highway general obligation bonds have been paid off and the highway
 60 projects completed that are intended to be paid from revenues deposited in the Centennial
 61 Highway Fund Restricted Account as determined by the Executive Appropriations Committee
 62 under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under
 63 Subsection (6)(a) for each vehicle shall be deposited in the Transportation Investment Fund of
 64 2005 created by Section 72-2-124.

65 (7) Two dollars of the registration fees imposed under Section 41-1a-1206 for each
 66 vehicle shall be deposited in the Public Safety Restricted Account created in Section 53-3-106.

67 Section 2. Section **41-1a-1206** is amended to read:

68 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

69 (1) Except as provided in Subsection (2), at the time application is made for
 70 registration or renewal of registration of a vehicle or combination of vehicles under this
 71 chapter, a registration fee shall be paid to the division as follows:

72 (a) [~~\$22.50~~] \$24.50 for each motorcycle;

73 (b) [~~\$21~~] \$23 for each motor vehicle of 12,000 pounds or less gross laden weight,
 74 excluding motorcycles;

75 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202
 76 or is registered under Section 41-1a-301:

77 (i) [~~\$11~~] \$13 for each trailer or semitrailer over 750 pounds gross unladen weight; or

78 (ii) [~~\$8.50~~] \$10.50 for each commercial trailer or commercial semitrailer of 750
 79 pounds or less gross unladen weight;

80 (d) (i) [~~\$33~~] \$35 for each farm truck over 12,000 pounds, but not exceeding 14,000
 81 pounds gross laden weight; plus

82 (ii) [~~\$9~~] \$11 for each 2,000 pounds over 14,000 pounds gross laden weight; and

83 (e) (i) [~~\$49.50~~] \$51.50 for each motor vehicle or combination of motor vehicles,
 84 excluding farm trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden
 85 weight; plus

86 (ii) [~~\$18.50~~] \$20.50 for each 2,000 pounds over 14,000 pounds gross laden weight.

87 (2) (a) The initial registration fee for a vintage vehicle is [~~\$20~~] \$22.

88 (b) A vintage vehicle is exempt from the renewal of registration fees under Subsection

89 (1).

90 (c) A vehicle with a Purple Heart special group license plate issued in accordance with
91 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

92 (3) If a motor vehicle is operated in combination with a semitrailer or trailer, each
93 motor vehicle shall register for the total gross laden weight of all units of the combination if the
94 total gross laden weight of the combination exceeds 12,000 pounds.

95 (4) (a) Registration fee categories under this section are based on the gross laden
96 weight declared in the licensee's application for registration.

97 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part
98 of 2,000 pounds is a full unit.

99 (5) The owner of a commercial trailer or commercial semitrailer may, as an alternative
100 to registering under Subsection (1)(c), apply for and obtain a special registration and license
101 plate for a fee of [~~\$110~~] \$112.

102 (6) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
103 truck unless:

104 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and

105 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

106 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
107 submits to the division a certificate of emissions inspection or a waiver in compliance with
108 Section 41-6a-1642.

109 (7) A violation of Subsection (6) is a class B misdemeanor that shall be punished by a
110 fine of not less than \$200.

111 (8) Trucks used exclusively to pump cement, bore wells, or perform crane services
112 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees
113 required for those vehicles under this section.

114 Section 3. Section **53-3-106** is amended to read:

115 **53-3-106. Disposition of revenues under this chapter -- Restricted account created**
116 **-- Uses as provided by appropriation -- Nonlapsing.**

117 (1) There is created within the Transportation Fund a restricted account known as the
118 "Department of Public Safety Restricted Account."

119 (2) The account consists of monies generated from the following revenue sources:

120 (a) all monies received under this chapter;

121 (b) administrative fees received according to the fee schedule authorized under this
122 chapter and Section 63J-1-303; and

123 (c) any appropriations made to the account by the Legislature.

124 (3) (a) The account shall earn interest.

125 (b) All interest earned on account monies shall be deposited in the account.

126 (4) The expenses of the department in carrying out this chapter shall be provided for by
127 legislative appropriation from this account.

128 (5) The amount in excess of \$45 of the fees collected under Subsection 53-3-105(24)
129 shall be appropriated by the Legislature from this account to the department to implement the
130 provisions of Section 53-1-117, except that of the amount in excess of \$45, \$40 shall be
131 deposited in the State Laboratory Drug Testing Account created in Section 26-1-34.

132 (6) All monies received under Subsection 41-6a-1406(6)(b)(ii) shall be appropriated by
133 the Legislature from this account to the department to implement the provisions of Section
134 53-1-117.

135 (7) All monies received under Subsection 41-1a-1201(7) shall be appropriated by the
136 Legislature from this account to the department to pay a portion of the costs to employ highway
137 patrol officers to police or patrol the highways within this state.

138 [~~7~~] (8) Appropriations to the department from the account are nonlapsing.

139 Section 4. **Effective date.**

140 This bill takes effect on July 1, 2009.

Legislative Review Note
as of 1-27-09 5:10 PM

Office of Legislative Research and General Counsel

H.B. 140 - Motor Vehicle Registration Fee Amendments

Fiscal Note

2009 General Session

State of Utah

State Impact

Enactment of this bill increases the registration fees on vehicles by \$2. These fees increase revenue to the Public Safety Restricted Account by \$5,240,000 in FY 2010 and \$5,351,000 in FY 2011. The bill requires the Legislature to appropriate all proceeds to pay a portion of the costs of employing highway patrol officers.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
Transportation Fund Restricted	\$0	\$5,240,000	\$5,351,000	\$0	\$5,240,000	\$5,351,000
Total	\$0	\$5,240,000	\$5,351,000	\$0	\$5,240,000	\$5,351,000

Individual, Business and/or Local Impact

Registration fees charged individuals and businesses will increase by \$2 each. Local taxing entities are unaffected.