

## H.B. 30

# COMMERCIAL MOTOR VEHICLE AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 2, 2009 5:31 PM

Senator **Kevin T. Van Tassell** proposes the following amendments:

1. *Page 1, Lines 10 through 11:*

10 General Description:

11 This bill modifies the Public Safety Code and Transportation Code by amending provisions relating to

2. *Page 1, Lines 15 through 16:*

15 ▶ provides definitions;

= ▶ provides that a commercial motor vehicle with a gross vehicle weight rating over 26,000 pounds is exempt from a safety inspection if the vehicle has an apportioned registration and a valid annual federal inspection;

▶ provides that a trailer, semitrailer, or trailering equipment attached to a certain commercial motor vehicle is exempt from a safety inspection if the vehicle has a valid annual federal inspection;

▶ provides that a commercial motor vehicle with a gross vehicle weight rating of 10,001 pounds or more is required to pass an annual safety inspection;

16 ▶ requires a motor carrier to have lettered on both sides of a vehicle the location of

3. *Page 2, Line 39:*

39 AMENDS:

= 53-8-205, as last amended by Laws of Utah 2008, Chapters 36 and 210

4. *Page , Lines 46 through 47:*

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

= Section 1. Section 53-8-205 is amended to read:

**53-8-205. Safety inspection required -- Frequency of safety inspection -- Safety inspection certificate required -- Out-of-state permits.**

(1) (a) Except as provided in Subsection (1)(b), a person may not operate on a highway a motor vehicle required to be registered in this state unless the motor vehicle has passed a safety inspection.

(b) Subsection (1)(a) does not apply to:

(i) a vehicle that is exempt from registration under Section 41-1a-205;

(ii) an off-highway vehicle, unless the off-highway vehicle is being registered as a street-legal all-terrain vehicle in accordance with Section 41-6a-1509; ~~{and}~~

(iii) a vintage vehicle as defined in Section 41-21-1 ~~{-}~~ ;

(iv) a commercial vehicle with a gross vehicle weight rating over 26,000 pounds that:

(A) is operating with an apportioned registration under Section 41-1a-301; and

(B) has a valid annual federal inspection that complies with the requirements of 49 C.F.R.

396.17; and

(v) a trailer, semitrailer, or trailering equipment attached to a commercial motor vehicle described in Subsection (1)(a)(iv) that has a valid annual federal inspection that complies with the requirements of 49 C.F.R. 396.17.

(2) Except as provided in Subsection (3), the frequency of the safety inspection shall be determined based on the age of the vehicle determined by model year and shall:

(a) be required each year for a vehicle that is eight or more years old on January 1; or

(b) every two years for each vehicle that is less than eight years old on January 1 as follows:

(i) in odd-numbered years for a vehicle with an odd-numbered model year; and

(ii) in even-numbered years for a vehicle with an even-numbered model year;

(c) be made by a safety inspector certified by the division at a safety inspection station authorized by the division;

(d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to ensure proper adjustment and condition as required by department rules; and

(e) include an inspection for the display of license plates in accordance with Section 41-1a-404.

(3) (a) (i) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety inspection when an application is made for initial registration as a salvage vehicle.

~~{(b)}~~ (ii) After initial registration as a salvage vehicle, the frequency of the safety inspection shall correspond with the model year, as provided in Subsection (2).

(b) A commercial motor vehicle with a gross vehicle weight rating of 10,001 pounds or more is required to pass a safety inspection annually.

(4) A safety inspection station shall issue a safety inspection certificate to the owner of:

(a) each motor vehicle that passes a safety inspection under this section; and

(b) a street-legal all-terrain vehicle that meets all the equipment requirements in Section 41-6a-1509.

(5) The division may:

(a) authorize the acceptance in this state of a safety inspection certificate issued in another state having a safety inspection law similar to this state; and

(b) extend the time within which a safety inspection certificate must be obtained by the resident owner of a vehicle that was not in this state during the time a safety inspection was required.

**Renumber remaining sections accordingly.**