



30 modifying substantive language

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **41-1a-205**, as last amended by Laws of Utah 2008, Chapters 36 and 210

34 **41-1a-215**, as last amended by Laws of Utah 2010, Chapter 295

35 **41-1a-215.5**, as enacted by Laws of Utah 2006, Chapter 164

36 **41-1a-216**, as last amended by Laws of Utah 1996, Chapter 81

37 **41-1a-1201**, as last amended by Laws of Utah 2011, Chapters 189 and 268

38 **41-1a-1204**, as last amended by Laws of Utah 2007, Chapter 274

39 **41-1a-1206**, as last amended by Laws of Utah 2011, Chapter 268

40 **41-1a-1218**, as last amended by Laws of Utah 2007, Chapter 274

41 **41-1a-1221**, as last amended by Laws of Utah 2011, Chapter 189

42 **41-1a-1222**, as last amended by Laws of Utah 2008, Chapter 286

43 **41-1a-1223**, as enacted by Laws of Utah 2010, Chapter 295

44 **53-3-905**, as last amended by Laws of Utah 2008, Chapter 304

45 **59-2-405.1**, as last amended by Laws of Utah 2008, Chapter 210

46 **59-2-405.2**, as last amended by Laws of Utah 2009, Chapter 169

47 **63J-1-602.2**, as last amended by Laws of Utah 2011, Chapters 189, 284, 303, and 400

48 **72-2-118**, as last amended by Laws of Utah 2011, Chapter 189

49 **72-2-124**, as last amended by Laws of Utah 2011, Chapter 189

50 **Utah Code Sections Affected by Coordination Clause:**

51 **41-1a-1201**, as last amended by Laws of Utah 2011, Chapters 189 and 268

52 **41-1a-1206**, as last amended by Laws of Utah 2011, Chapter 268

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

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

56 **41-1a-205. Safety inspection certificate required for renewal or registration of**  
57 **motor vehicle -- Exemptions.**

58 (1) If required in the current year, a safety inspection certificate, as required by Section  
59 53-8-205, or proof of exemption from safety inspection shall be presented at the time of, and as  
60 a condition of, registration or renewal of registration of a motor vehicle.

61 (2) (a) Except as provided in Subsections (2)(b), (c), and (d), the safety inspection  
62 required under this section may be made no more than two months prior to the renewal of  
63 registration.

64 (b) (i) If the title of a used motor vehicle is being transferred, a safety inspection  
65 certificate issued for the motor vehicle during the previous two months may be used to satisfy  
66 the requirement under Subsection (1).

67 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety  
68 inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle  
69 dealer's name during the previous six months may be used to satisfy the requirement under  
70 Subsection (1).

71 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a  
72 safety inspection certificate issued during the previous six months may be used to satisfy the  
73 requirement under Subsection (1).

74 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the safety inspection  
75 required under this section may be made no more than 11 months prior to the renewal of  
76 registration.

77 (e) If the application for renewal of registration is for a six-month registration period  
78 under Section 41-1a-215.5, a safety inspection certificate issued during the previous eight  
79 months may be used to satisfy the requirement under Subsection (1).

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

81 (i) except as provided in Subsection (3)(b), a new motor vehicle when registered the  
82 first time, if:

83 (A) a new car predelivery inspection has been made by a dealer;

84 (B) the dealer provides a written disclosure statement listing any known deficiency,  
85 existing with the new motor vehicle at the time of delivery, that would cause the motor vehicle

86 to fail a safety inspection given in accordance with Section 53-8-205; and

87 (C) the buyer signs the disclosure statement to acknowledge that the buyer has read and  
88 understands the listed deficiencies;

89 (ii) a motor vehicle required to be registered under this chapter that bears a dealer plate  
90 or other special plate under Title 41, Chapter 3, Part 5, Special Dealer License Plates, except  
91 that if the motor vehicle is propelled by its own power and is not being moved for repair or  
92 dismantling, the motor vehicle shall comply with Section 41-6a-1601 regarding safe  
93 mechanical condition; and

94 (iii) a vintage vehicle as defined in Section 41-21-1.

95 (b) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509  
96 is subject to a safety inspection the first time that a person registers an off-highway vehicle as a  
97 street-legal all-terrain vehicle.

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

99 (i) all registered commercial motor vehicles with a gross vehicle weight rating of  
100 26,000 pounds or more;

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

103 (iii) a combination unit; and

104 (iv) a bus or van for hire.

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

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

110 Section 2. Section **41-1a-215** is amended to read:

111 **41-1a-215. Staggered registration dates -- Exceptions.**

112 (1) (a) Except as provided under Subsections (2) and (3), every vehicle registration,  
113 every registration card, and every registration plate issued under this chapter for the first

114 registration of the vehicle in this state, continues in effect for a period of 12 months beginning  
115 with the first day of the calendar month of registration and does not expire until the last day of  
116 the same month in the following year.

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

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

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

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

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

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

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

126 (f) a six-month registration issued under Section 41-1a-215.5; or

127 (g) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and transporter  
128 under Title 41, Chapter 3, Part 5, Special Dealer License Plates.

129 (3) (a) Upon application of the owner or lessee of a fleet of commercial vehicles not  
130 apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax  
131 Commission may permit the vehicles to be registered for a registration period commencing on  
132 the first day of March, June, September, or December of any year and expiring on the last day  
133 of March, June, September, or December in the following year.

134 (b) Upon application of the owner or lessee of a fleet of commercial vehicles  
135 apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax  
136 Commission may permit the vehicles to be registered for a registration period commencing on  
137 the first day of January, April, July, or October of any year and expiring on the last day of  
138 March, June, September, or December in the following year.

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

141 Section 3. Section **41-1a-215.5** is amended to read:

142 **41-1a-215.5. Six-month registration.**

143 [~~(1) As used in this section:~~]

144 [~~(a) "rental agreement" has the same meaning as defined in Section 31A-22-311;~~]

145 [~~(b) "rental company" has the same meaning as defined in Section 31A-22-311; and]~~

146 [~~(c) "rental fleet" means more than 25 motor vehicles that are:~~]

147 [~~(i) subject to a uniform fee under Section 59-2-405.1;~~]

148 [~~(ii) owned by a rental company;~~]

149 [~~(iii) offered for rental without hired drivers through a rental agreement; and]~~

150 [~~(iv) designated by the registered owner of the motor vehicle as a rental fleet vehicle at~~  
151 ~~the time of registration.]~~

152 [~~(2) (a) Beginning on January 1, 2007, a rental company owning or leasing a rental~~  
153 ~~fleet]~~

154 (1) (a) Subject to the requirements of this section, a person may register a motorcycle  
155 or motor vehicle [in the rental fleet] of 12,000 pounds or less gross laden weight for a  
156 six-month period that begins on the first day of the calendar month of registration and expires  
157 on the last day of the sixth month of registration.

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

161 [~~(3) A motor vehicle registered under this section that remains in the rental fleet at the~~  
162 ~~end of the original registration period shall be registered for 12 months as outlined under~~  
163 ~~Section 41-1a-216.]~~

164 [~~(4)~~] (2) A registration under [~~Subsection (2)~~] this section is subject to this chapter.

165 (3) The option to register a motorcycle or motor vehicle under this section shall be  
166 available to a person when the division:

167 (a) has implemented the division's GenTax system; and

168 (b) at least 30 days before implementing the division's GenTax system as described in  
169 Subsection (3)(a), has provided notice in a conspicuous place on the division's website stating:

- 170 (i) the date the commission will implement the GenTax system; and
- 171 (ii) that, at the time the commission implements the GenTax system, the option to
- 172 register a motorcycle or motor vehicle for a six-month registration period will be available.

173 Section 4. Section **41-1a-216** is amended to read:

174 **41-1a-216. Renewal of registration.**

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

178 (2) (a) ~~[The]~~ Except as provided in Subsections (2)(c) and (3), the new registration  
179 shall retain the same expiration month as recorded on the original registration even if the  
180 registration has expired~~[, except as provided in Subsection (3)].~~

181 (b) ~~[The]~~ Except as provided in Subsection (2)(c), the year of registration expiration  
182 shall be changed to reflect the renewed registration period.

183 (c) If the application for renewal of registration is for a six-month registration period  
184 under Section 41-1a-215.5, the new registration shall be for a six-month registration period that  
185 begins with the first day of the calendar month following the last day of the expiration month  
186 of the previous registration period as recorded on the original registration even if the  
187 registration has expired.

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

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

194 Section 5. Section **41-1a-1201** is amended to read:

195 **41-1a-1201. Disposition of fees.**

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

198 (2) Except as provided in Subsections (3), (6), and (7) and Sections 41-1a-422,  
199 41-1a-1220, 41-1a-1221, and 41-1a-1223 all fees collected under this part shall be deposited in  
200 the Transportation Fund.

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

204 (4) In accordance with Section 63J-1-602.2, all funds available to the commission for  
205 the purchase and distribution of license plates and decals are nonlapsing.

206 (5) (a) Except as provided in [~~Subsection~~] Subsections (3) and (5)(b) and Section  
207 41-1a-1205, the expenses of the commission in enforcing and administering this part shall be  
208 provided for by legislative appropriation from the revenues of the Transportation Fund.

209 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)  
210 and (b) for each vehicle registered for a six-month registration period under Section  
211 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and  
212 administering this part.

213 (6) (a) Except as provided in [~~Subsection~~] Subsections (6)(b) and (c), the following  
214 portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be  
215 deposited in the Centennial Highway Fund Restricted Account created under Section 72-2-118:

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

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

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

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

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

223 (b) When the highway general obligation bonds have been paid off and the highway  
224 projects completed that are intended to be paid from revenues deposited in the Centennial  
225 Highway Fund Restricted Account as determined by the Executive Appropriations Committee

226 under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under  
227 Subsection (6)(a) for each vehicle shall be deposited in the Transportation Investment Fund of  
228 2005 created by Section 72-2-124.

229 (c) (i) Seven dollars and seventy-five cents of the registration fees imposed under  
230 Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration  
231 period under Section 41-1a-215.5 shall be deposited in the Centennial Highway Fund  
232 Restricted Account created under Section 72-2-118.

233 (ii) When the highway general obligation bonds have been paid off and the highway  
234 projects completed that are intended to be paid from revenues deposited in the Centennial  
235 Highway Fund Restricted Account as determined by the Executive Appropriations Committee  
236 under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under  
237 Subsection (6)(c)(i) for each vehicle shall be deposited in the Transportation Investment Fund  
238 of 2005 created by Section 72-2-124.

239 (7) [~~The~~] (a) Except as provided in Subsection (7)(b), the following portions of the  
240 registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited in the  
241 Transportation Investment Fund of 2005 created by Section 72-2-124:

242 [~~(a)~~] (i) \$20 of each registration fee collected under Subsections 41-1a-1206(1)(a),  
243 (1)(b), (1)(c), (1)(d)(i), (1)(e)(i), (1)(f), (2)(a), and (5); and

244 [~~(b)~~] (ii) 50 cents of each registration fee collected under Subsection  
245 41-1a-1206(1)(e)(ii).

246 (b) The following portions of the registration fees collected for each vehicle registered  
247 for a six-month registration period under Section 41-1a-215.5 shall be deposited in the  
248 Transportation Investment Fund of 2005 created by Section 72-2-124:

249 (i) \$15.50 of each registration fee collected under Subsection 41-1a-1206(2)(a); and

250 (ii) \$15.25 of each registration fee collected under Subsection 41-1a-1206(2)(b).

251 Section 6. Section **41-1a-1204** is amended to read:

252 **41-1a-1204. Automobile driver education fee -- Amount -- When paid --**

253 **Exception.**

254 (1) Each year there is levied and shall be paid to the commission the automobile driver  
255 education fee.

256 (2) (a) Except as provided in [~~Subsection~~] Subsections (2)(b) and (c), the fee is \$2.50  
257 upon each motor vehicle to be registered[.] for a one-year registration period.

258 (b) The fee is \$2.00 upon each motor vehicle to be registered under Section  
259 41-1a-215.5 for a six-month registration period.

260 [~~(b)~~] (c) The following registrations are exempt from the fee in Subsection (2)(a) or  
261 (b):

262 (i) a motorcycle registration; and

263 (ii) a registration of a vehicle with a Purple Heart special group license plate issued in  
264 accordance with Section 41-1a-421.

265 Section 7. Section **41-1a-1206** is amended to read:

266 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

267 (1) Except as provided in [~~Subsection~~] Subsections (2) and (3), at the time application  
268 is made for registration or renewal of registration of a vehicle or combination of vehicles under  
269 this chapter, a registration fee shall be paid to the division as follows:

270 (a) \$42.50 for each motorcycle;

271 (b) \$41 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding  
272 motorcycles;

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

275 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

276 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
277 gross unladen weight;

278 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
279 gross laden weight; plus

280 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

281 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm

282 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

283 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight; and

284 (f) \$45 for each vintage vehicle that is less than 40 years old.

285 (2) At the time application is made for registration or renewal of registration of a

286 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a

287 registration fee shall be paid to the division as follows:

288 (a) \$32.75 for each motorcycle; and

289 (b) \$31.75 for each motor vehicle of 12,000 pounds or less gross laden weight,

290 excluding motorcycles.

291 [~~2~~] (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older  
292 is \$40.

293 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of  
294 registration fees under Subsection (1).

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

297 [~~3~~] (4) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
298 motor vehicle shall register for the total gross laden weight of all units of the combination if the  
299 total gross laden weight of the combination exceeds 12,000 pounds.

300 [~~4~~] (5) (a) Registration fee categories under this section are based on the gross laden  
301 weight declared in the licensee's application for registration.

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

304 [~~5~~] (6) The owner of a commercial trailer or commercial semitrailer may, as an  
305 alternative to registering under Subsection (1)(c), apply for and obtain a special registration and  
306 license plate for a fee of \$130.

307 [~~6~~] (7) Except as provided in Section 41-6a-1642, a truck may not be registered as a  
308 farm truck unless:

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

310 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or  
311 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner  
312 submits to the division a certificate of emissions inspection or a waiver in compliance with  
313 Section 41-6a-1642.

314 [~~(7)~~] (8) A violation of Subsection [~~(6)~~] (7) is a class B misdemeanor that shall be  
315 punished by a fine of not less than \$200.

316 [~~(8)~~] (9) Trucks used exclusively to pump cement, bore wells, or perform crane  
317 services with a crane lift capacity of five or more tons, are exempt from 50% of the amount of  
318 the fees required for those vehicles under this section.

319 Section 8. Section **41-1a-1218** is amended to read:

320 **41-1a-1218. Uninsured motorist identification fee for tracking motor vehicle**  
321 **insurance -- Exemption -- Deposit.**

322 (1) (a) Except as provided in [~~Subsection~~] Subsections (1)(b) and (c), at the time  
323 application is made for registration or renewal of registration of a motor vehicle under this  
324 chapter, the applicant shall pay an uninsured motorist identification fee of \$1 on each motor  
325 vehicle.

326 (b) Except as provided in Subsection (1)(c), at the time application is made for  
327 registration or renewal of registration of a motor vehicle for a six-month registration period  
328 under Section 41-1a-215.5, the applicant shall pay an uninsured motorist identification fee of  
329 75 cents on each motor vehicle.

330 [~~(b)~~] (c) The following are exempt from the fee required under Subsection (1)(a) or (b):

331 (i) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or  
332 Section 41-1a-301;

333 (ii) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209  
334 or Subsection 41-1a-419(3); and

335 (iii) a motor vehicle with a Purple Heart special group license plate issued in  
336 accordance with Section 41-1a-421.

337 (2) The revenue generated under this section shall be deposited in the Uninsured

338 Motorist Identification Restricted Account created in Section 41-12a-806.

339 Section 9. Section **41-1a-1221** is amended to read:

340 **41-1a-1221. Fees to cover the cost of electronic payments.**

341 (1) As used in this section:

342 (a) "Electronic payment" means use of any form of payment processed through  
343 electronic means, including credit cards, debit cards, and automatic clearinghouse transactions.

344 (b) "Electronic payment fee" means the fee assessed to defray:

345 (i) the charge, discount fee, or processing fee charged by credit card companies or  
346 processing agents to process an electronic payment; or

347 (ii) costs associated with the purchase of equipment necessary for processing electronic  
348 payments.

349 (2) (a) The Motor Vehicle Division may collect an electronic payment fee on all  
350 registrations and renewals of registration under Subsections 41-1a-1206(1)(a), (1)(b), (2)(a),  
351 (2)(b), and [~~(2)~~] (3).

352 (b) The fee described in Subsection (2)(a):

353 (i) shall be imposed regardless of the method of payment for a particular transaction;  
354 and

355 (ii) need not be separately identified from the fees imposed for registration and  
356 renewals of registration under Subsections 41-1a-1206(1)(a), (1)(b), (2)(a), (2)(b), and [~~(2)~~] (3).

357 (3) The division shall establish the fee according to the procedures and requirements of  
358 Section 63J-1-504.

359 (4) A fee imposed under this section:

360 (a) shall be deposited in the Electronic Payment Fee Restricted Account created by  
361 Section 41-1a-121; and

362 (b) is not subject to Subsection 63J-2-202(2).

363 Section 10. Section **41-1a-1222** is amended to read:

364 **41-1a-1222. Local option highway construction and transportation corridor**  
365 **preservation fee -- Exemptions -- Deposit -- Transfer -- County ordinance -- Notice.**

366 (1) (a) (i) [~~A~~] Except as provided in Subsection (1)(a)(ii), a county legislative body  
367 may impose a local option highway construction and transportation corridor preservation fee of  
368 up to \$10 on each motor vehicle registration within the county.

369 (ii) A county legislative body may impose a local option highway construction and  
370 transportation corridor preservation fee of up to \$7.75 on each motor vehicle registration for a  
371 six-month registration period under Section 41-1a-215.5 within the county.

372 [~~(i)~~] (iii) A fee imposed under Subsection (1)(a)(i) or (ii) shall be set in whole dollar  
373 increments.

374 (b) If imposed under Subsection (1)(a), at the time application is made for registration  
375 or renewal of registration of a motor vehicle under this chapter, the applicant shall pay the local  
376 option highway construction and transportation corridor preservation fee established by the  
377 county legislative body.

378 (c) The following are exempt from the fee required under Subsection (1)(a):

379 (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209 or  
380 Subsection 41-1a-419(3);

381 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;  
382 and

383 (iii) a motor vehicle with a Purple Heart special group license plate issued in  
384 accordance with Section 41-1a-421.

385 (2) (a) Except as provided in Subsection (2)(b), the revenue generated under this  
386 section shall be:

387 (i) deposited in the Local Transportation Corridor Preservation Fund created in Section  
388 72-2-117.5;

389 (ii) credited to the county from which it is generated; and

390 (iii) used and distributed in accordance with Section 72-2-117.5.

391 (b) The revenue generated by a fee imposed under this section in a county of the first  
392 class shall be deposited or transferred as follows:

393 (i) 50% of the revenue shall be:

394 (A) deposited in the County of the First Class State Highway Projects Fund created in  
395 Section 72-2-121; and

396 (B) used in accordance with Section 72-2-121;

397 (ii) 20% of the revenue shall be:

398 (A) transferred to the legislative body of a city of the first class:

399 (I) located in a county of the first class; and

400 (II) that has:

401 (Aa) an international airport within its boundaries; and

402 (Bb) a United States customs office on the premises of the international airport

403 described in Subsection (2)(b)(ii)(A)(II)(Aa); and

404 (B) used by the city described in Subsection (2)(b)(ii)(A) for highway construction,  
405 reconstruction, or maintenance projects; and

406 (iii) 30% of the revenue shall be deposited, credited, and used as provided in  
407 Subsection (2)(a).

408 (3) To impose or change the amount of a fee under this section, the county legislative  
409 body shall pass an ordinance:

410 (a) approving the fee;

411 (b) setting the amount of the fee; and

412 (c) providing an effective date for the fee as provided in Subsection (4).

413 (4) (a) If a county legislative body enacts, changes, or repeals a fee under this section,  
414 the enactment, change, or repeal shall take effect on July 1 if the commission receives notice  
415 meeting the requirements of Subsection (4)(b) from the county prior to April 1.

416 (b) The notice described in Subsection (4)(a) shall:

417 (i) state that the county will enact, change, or repeal a fee under this part;

418 (ii) include a copy of the ordinance imposing the fee; and

419 (iii) if the county enacts or changes the fee under this section, state the amount of the  
420 fee.

421 Section 11. Section **41-1a-1223** is amended to read:

422           **41-1a-1223. Local emissions compliance fee -- Exemptions -- Transfer -- County**  
423 **ordinance -- Notice.**

424           (1) (a) (i) A county legislative body of a county that is required to utilize a motor  
425 vehicle emissions inspection and maintenance program or in which an emissions inspection  
426 and maintenance program is necessary to attain or maintain any national ambient air quality  
427 standard in accordance with Section 41-6a-1642 may impose a local emissions compliance fee  
428 of up to:

429           (A) \$3 on each motor vehicle registration within the county[:] for a motor vehicle  
430 registration under Section 41-1a-215; or

431           (B) \$2.25 on each motor vehicle registration within the county for a six-month  
432 registration period under Section 41-1a-215.5.

433           (ii) A fee imposed under Subsection (1)(a)(i) shall be set in whole dollar increments.

434           (b) If imposed under Subsection (1)(a)(i), at the time application is made for  
435 registration or renewal of registration of a motor vehicle under this chapter, the applicant shall  
436 pay the local emissions compliance fee established by the county legislative body.

437           (c) The following are exempt from the fee required under Subsection (1)(a)(i):

438           (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209 or  
439 Subsection 41-1a-419(3); and

440           (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301.

441           (2) The revenue generated from the fees collected under this section shall be  
442 transferred to the county that imposed the fee.

443           (3) To impose or change the amount of a fee under this section, the county legislative  
444 body shall pass an ordinance:

445           (a) approving the fee;

446           (b) setting the amount of the fee; and

447           (c) providing an effective date for the fee as provided in Subsection (4).

448           (4) (a) If a county legislative body enacts, changes, or repeals a fee under this section,  
449 the enactment, change, or repeal shall take effect on July 1 if the commission receives notice

450 meeting the requirements of Subsection (4)(b) from the county prior to April 1.

451 (b) The notice described in Subsection (4)(a) shall:

452 (i) state that the county will enact, change, or repeal a fee under this section;

453 (ii) include a copy of the ordinance imposing the fee; and

454 (iii) if the county enacts or changes the fee under this section, state the amount of the  
455 fee.

456 Section 12. Section **53-3-905** is amended to read:

457 **53-3-905. Dedication of fees.**

458 (1) [~~Five dollars of the annual registration fee imposed under Section 41-1a-1206 for~~  
459 ~~each registered motorcycle and \$2.50 of the fee imposed under Section 53-3-105 for an~~  
460 ~~original, renewal, or extension of a motorcycle endorsement] The following shall be deposited  
461 as dedicated credits in the Transportation Fund to be used by the division for the program[-]:~~

462 (a) \$5 of the annual registration fee imposed for each registered motorcycle under  
463 Subsection 41-1a-1206(1)(a);

464 (b) \$4 of the six-month registration fee imposed for each registered motorcycle under  
465 Subsection 41-1a-1206(2)(a); and

466 (c) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or  
467 extension of a motorcycle endorsement.

468 (2) Appropriations to the program are nonlapsing.

469 (3) Appropriations may not be used for assistance to, advocacy of, or lobbying for any  
470 legislation unless the legislation would enhance or affect the financial status of the program or  
471 the program's continuation.

472 Section 13. Section **59-2-405.1** is amended to read:

473 **59-2-405.1. Uniform fee on certain vehicles weighing 12,000 pounds or less --**  
474 **Distribution of revenues -- Appeals.**

475 (1) The property described in Subsection (2) is exempt from ad valorem property taxes  
476 pursuant to Utah Constitution Article XIII, Section 2, Subsection (6).

477 (2) (a) Except as provided in Subsection (2)(b), there is levied as provided in this part a

478 statewide uniform fee in lieu of the ad valorem tax on:

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

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

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

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

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

486 (i) aircraft;

487 (ii) tangible personal property subject to a uniform fee imposed by:

488 (A) Section 59-2-405;

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

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

491 (iii) tangible personal property that is exempt from state or county ad valorem property  
492 taxes under the laws of this state or of the federal government.

493 (3) (a) Except as provided in Subsections (3)(b) and (c), beginning on January 1, 1999,  
494 the uniform fee for purposes of this section is as follows:

| 495 | Age of Vehicle                         | Uniform Fee |
|-----|--|-------------|
| 496 | 12 or more years                       | \$10        |
| 497 | 9 or more years but less than 12 years | \$50        |
| 498 | 6 or more years but less than 9 years  | \$80        |
| 499 | 3 or more years but less than 6 years  | \$110       |
| 500 | Less than 3 years                      | \$150       |

501 (b) For registrations under Section 41-1a-215.5, [~~beginning on January 1, 2007;~~] the  
502 uniform fee for purposes of this section is as follows:

| 503 | Age of Vehicle   | Uniform Fee                    |
|-----|------------------|--------------------------------|
| 504 | 12 or more years | <del>[\$5]</del> <u>\$7.75</u> |

|     |  |                                     |
|-----|--|-------------------------------------|
| 505 | 9 or more years but less than 12 years | [ <del>\$25</del> ] <u>\$38.50</u>  |
| 506 | 6 or more years but less than 9 years  | [ <del>\$40</del> ] <u>\$61.50</u>  |
| 507 | 3 or more years but less than 6 years  | [ <del>\$55</del> ] <u>\$84.75</u>  |
| 508 | Less than 3 years                      | [ <del>\$75</del> ] <u>\$115.50</u> |

509 (c) Notwithstanding Subsections (3)(a) and (b), beginning on September 1, 2001, for a  
510 motor vehicle issued a temporary sports event registration certificate in accordance with  
511 Section 41-3-306, the uniform fee for purposes of this section is \$5 for the event period  
512 specified on the temporary sports event registration certificate regardless of the age of the  
513 motor vehicle.

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

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

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

525 Section 14. Section **59-2-405.2** is amended to read:

526 **59-2-405.2. Definitions -- Uniform statewide fee on certain tangible personal**  
527 **property -- Distribution of revenues -- Rulemaking authority -- Determining the length of**  
528 **a vessel.**

529 (1) As used in this section:

530 (a) (i) Except as provided in Subsection (1)(a)(ii), "all-terrain vehicle" means a motor  
531 vehicle that:

- 532 (A) is an:
- 533 (I) all-terrain type I vehicle as defined in Section 41-22-2; or
- 534 (II) all-terrain type II vehicle as defined in Section 41-22-2;
- 535 (B) is required to be registered in accordance with Title 41, Chapter 22, Off-Highway
- 536 Vehicles; and
- 537 (C) has:
- 538 (I) an engine with more than 150 cubic centimeters displacement;
- 539 (II) a motor that produces more than five horsepower; or
- 540 (III) an electric motor; and
- 541 (ii) notwithstanding Subsection (1)(a)(i), "all-terrain vehicle" does not include a
- 542 snowmobile.
- 543 (b) "Camper" means a camper:
- 544 (i) as defined in Section 41-1a-102; and
- 545 (ii) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
- 546 Registration.
- 547 (c) (i) "Canoe" means a vessel that:
- 548 (A) is long and narrow;
- 549 (B) has curved sides; and
- 550 (C) is tapered:
- 551 (I) to two pointed ends; or
- 552 (II) to one pointed end and is blunt on the other end; and
- 553 (ii) "canoe" includes:
- 554 (A) a collapsible inflatable canoe;
- 555 (B) a kayak;
- 556 (C) a racing shell;
- 557 (D) a rowing scull; or
- 558 (E) notwithstanding the definition of vessel in Subsection (1)(aa), a canoe with an
- 559 outboard motor.

- 560 (d) "Dealer" is as defined in Section 41-1a-102.
- 561 (e) "Jon boat" means a vessel that:
  - 562 (i) has a square bow; and
  - 563 (ii) has a flat bottom.
- 564 (f) "Motor vehicle" is as defined in Section 41-22-2.
- 565 (g) "Other motorcycle" means a motor vehicle that:
  - 566 (i) is:
    - 567 (A) a motorcycle as defined in Section 41-1a-102; and
    - 568 (B) designed primarily for use and operation over unimproved terrain;
  - 569 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
  - 570 Registration; and
    - 571 (iii) has:
      - 572 (A) an engine with more than 150 cubic centimeters displacement; or
      - 573 (B) a motor that produces more than five horsepower.
- 574 (h) (i) "Other trailer" means a portable vehicle without motive power that is primarily  
575 used:
  - 576 (A) to transport tangible personal property; and
  - 577 (B) for a purpose other than a commercial purpose; and
  - 578 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for  
579 purposes of Subsection (1)(h)(i)(B), the commission may by rule define what constitutes a  
580 purpose other than a commercial purpose.
    - 581 (i) "Outboard motor" is as defined in Section 41-1a-102.
    - 582 (j) "Personal watercraft" means a personal watercraft:
      - 583 (i) as defined in Section 73-18-2; and
      - 584 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State  
585 Boating Act.
    - 586 (k) (i) "Pontoon" means a vessel that:
      - 587 (A) is:

588 (I) supported by one or more floats; and  
589 (II) propelled by either inboard or outboard power; and  
590 (B) is not:  
591 (I) a houseboat; or  
592 (II) a collapsible inflatable vessel; and  
593 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
594 commission may by rule define the term "houseboat."  
595 (l) "Qualifying adjustment, exemption, or reduction" means an adjustment, exemption,  
596 or reduction:  
597 (i) of all or a portion of a qualifying payment;  
598 (ii) granted by a county during the refund period; and  
599 (iii) received by a qualifying person.  
600 (m) (i) "Qualifying payment" means the payment made:  
601 (A) of a uniform statewide fee in accordance with this section:  
602 (I) by a qualifying person;  
603 (II) to a county; and  
604 (III) during the refund period; and  
605 (B) on an item of qualifying tangible personal property; and  
606 (ii) if a qualifying person received a qualifying adjustment, exemption, or reduction for  
607 an item of qualifying tangible personal property, the qualifying payment for that qualifying  
608 tangible personal property is equal to the difference between:  
609 (A) the payment described in this Subsection (1)(m) for that item of qualifying tangible  
610 personal property; and  
611 (B) the amount of the qualifying adjustment, exemption, or reduction.  
612 (n) "Qualifying person" means a person that paid a uniform statewide fee:  
613 (i) during the refund period;  
614 (ii) in accordance with this section; and  
615 (iii) on an item of qualifying tangible personal property.

- 616 (o) "Qualifying tangible personal property" means a:  
617 (i) qualifying vehicle; or  
618 (ii) qualifying watercraft.
- 619 (p) "Qualifying vehicle" means:  
620 (i) an all-terrain vehicle with an engine displacement that is 100 or more cubic  
621 centimeters but 150 or less cubic centimeters;  
622 (ii) an other motorcycle with an engine displacement that is 100 or more cubic  
623 centimeters but 150 or less cubic centimeters;  
624 (iii) a small motor vehicle with an engine displacement that is 100 or more cubic  
625 centimeters but 150 or less cubic centimeters;  
626 (iv) a snowmobile with an engine displacement that is 100 or more cubic centimeters  
627 but 150 or less cubic centimeters; or  
628 (v) a street motorcycle with an engine displacement that is 100 or more cubic  
629 centimeters but 150 or less cubic centimeters.
- 630 (q) "Qualifying watercraft" means a:  
631 (i) canoe;  
632 (ii) collapsible inflatable vessel;  
633 (iii) jon boat;  
634 (iv) pontoon;  
635 (v) sailboat; or  
636 (vi) utility boat.
- 637 (r) "Refund period" means the time period:  
638 (i) beginning on January 1, 2006; and  
639 (ii) ending on December 29, 2006.
- 640 (s) "Sailboat" means a sailboat as defined in Section 73-18-2.
- 641 (t) (i) "Small motor vehicle" means a motor vehicle that:  
642 (A) is required to be registered in accordance with Title 41, Motor Vehicles; and  
643 (B) has:

- 644 (I) an engine with 150 or less cubic centimeters displacement; or
- 645 (II) a motor that produces five or less horsepower; and
- 646 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 647 commission may by rule develop a process for an owner of a motor vehicle to certify whether
- 648 the motor vehicle has:
  - 649 (A) an engine with 150 or less cubic centimeters displacement; or
  - 650 (B) a motor that produces five or less horsepower.
- 651 (u) "Snowmobile" means a motor vehicle that:
  - 652 (i) is a snowmobile as defined in Section 41-22-2;
  - 653 (ii) is required to be registered in accordance with Title 41, Chapter 22, Off-Highway
  - 654 Vehicles; and
- 655 (iii) has:
  - 656 (A) an engine with more than 150 cubic centimeters displacement; or
  - 657 (B) a motor that produces more than five horsepower.
- 658 (v) "Street motorcycle" means a motor vehicle that:
  - 659 (i) is:
    - 660 (A) a motorcycle as defined in Section 41-1a-102; and
    - 661 (B) designed primarily for use and operation on highways;
  - 662 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
  - 663 Registration; and
- 664 (iii) has:
  - 665 (A) an engine with more than 150 cubic centimeters displacement; or
  - 666 (B) a motor that produces more than five horsepower.
- 667 (w) "Tangible personal property owner" means a person that owns an item of
- 668 qualifying tangible personal property.
- 669 (x) "Tent trailer" means a portable vehicle without motive power that:
  - 670 (i) is constructed with collapsible side walls that:
    - 671 (A) fold for towing by a motor vehicle; and

672 (B) unfold at a campsite;

673 (ii) is designed as a temporary dwelling for travel, recreational, or vacation use;

674 (iii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,

675 Registration; and

676 (iv) does not require a special highway movement permit when drawn by a

677 self-propelled motor vehicle.

678 (y) (i) Except as provided in Subsection (1)(y)(ii), "travel trailer" means a travel trailer:

679 (A) as defined in Section 41-1a-102; and

680 (B) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,

681 Registration; and

682 (ii) notwithstanding Subsection (1)(y)(i), "travel trailer" does not include:

683 (A) a camper; or

684 (B) a tent trailer.

685 (z) (i) "Utility boat" means a vessel that:

686 (A) has:

687 (I) two or three bench seating;

688 (II) an outboard motor; and

689 (III) a hull made of aluminum, fiberglass, or wood; and

690 (B) does not have:

691 (I) decking;

692 (II) a permanent canopy; or

693 (III) a floor other than the hull; and

694 (ii) notwithstanding Subsection (1)(z)(i), "utility boat" does not include a collapsible

695 inflatable vessel.

696 (aa) "Vessel" means a vessel:

697 (i) as defined in Section 73-18-2, including an outboard motor of the vessel; and

698 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State

699 Boating Act.

700 (2) (a) In accordance with Utah Constitution Article XIII, Section 2, Subsection (6),  
701 beginning on January 1, 2006, the tangible personal property described in Subsection (2)(b) is:

- 702 (i) exempt from the tax imposed by Section 59-2-103; and
- 703 (ii) in lieu of the tax imposed by Section 59-2-103, subject to uniform statewide fees as
- 704 provided in this section.

705 (b) The following tangible personal property applies to Subsection (2)(a) if that  
706 tangible personal property is required to be registered with the state:

- 707 (i) an all-terrain vehicle;
- 708 (ii) a camper;
- 709 (iii) an other motorcycle;
- 710 (iv) an other trailer;
- 711 (v) a personal watercraft;
- 712 (vi) a small motor vehicle;
- 713 (vii) a snowmobile;
- 714 (viii) a street motorcycle;
- 715 (ix) a tent trailer;
- 716 (x) a travel trailer; and
- 717 (xi) a vessel if that vessel is less than 31 feet in length as determined under Subsection
- 718 (6).

719 (3) ~~For~~ Except as provided in Subsection (4) and for purposes of this section, the  
720 uniform statewide fees are:

721 (a) for an all-terrain vehicle, an other motorcycle, or a snowmobile:

| 722 Age of All-Terrain Vehicle, Other Motorcycle, or Snowmobile | Uniform Statewide Fee |
|---|-----------------------|
| 723 12 or more years  | \$10                  |
| 724 9 or more years but less than 12 years                      | \$20                  |
| 725 6 or more years but less than 9 years                       | \$30                  |
| 726 3 or more years but less than 6 years                       | \$35                  |

|     |  |                       |
|-----|--|-----------------------|
| 727 | Less than 3 years                      | \$45                  |
| 728 | (b) for a camper or a tent trailer:    |                       |
| 729 | Age of Camper or Tent Trailer          | Uniform Statewide Fee |
| 730 | 12 or more years                       | \$10                  |
| 731 | 9 or more years but less than 12 years | \$25                  |
| 732 | 6 or more years but less than 9 years  | \$35                  |
| 733 | 3 or more years but less than 6 years  | \$50                  |
| 734 | Less than 3 years                      | \$70                  |
| 735 | (c) for an other trailer:              |                       |
| 736 | Age of Other Trailer                   | Uniform Statewide Fee |
| 737 | 12 or more years                       | \$10                  |
| 738 | 9 or more years but less than 12 years | \$15                  |
| 739 | 6 or more years but less than 9 years  | \$20                  |
| 740 | 3 or more years but less than 6 years  | \$25                  |
| 741 | Less than 3 years                      | \$30                  |
| 742 | (d) for a personal watercraft:         |                       |
| 743 | Age of Personal Watercraft             | Uniform Statewide Fee |
| 744 | 12 or more years                       | \$10                  |
| 745 | 9 or more years but less than 12 years | \$25                  |
| 746 | 6 or more years but less than 9 years  | \$35                  |
| 747 | 3 or more years but less than 6 years  | \$45                  |
| 748 | Less than 3 years                      | \$55                  |
| 749 | (e) for a small motor vehicle:         |                       |
| 750 | Age of Small Motor Vehicle             | Uniform Statewide Fee |
| 751 | 6 or more years                        | \$10                  |

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|     |   |                       |
|-----|---|-----------------------|
| 752 | 3 or more years but less than 6 years   | \$15                  |
| 753 | Less than 3 years   | \$25                  |
| 754 | (f) for a street motorcycle:  |                       |
| 755 | Age of Street Motorcycle  | Uniform Statewide Fee |
| 756 | 12 or more years  | \$10                  |
| 757 | 9 or more years but less than 12 years  | \$35                  |
| 758 | 6 or more years but less than 9 years   | \$50                  |
| 759 | 3 or more years but less than 6 years   | \$70                  |
| 760 | Less than 3 years   | \$95                  |
| 761 | (g) for a travel trailer:   |                       |
| 762 | Age of Travel Trailer   | Uniform Statewide Fee |
| 763 | 12 or more years  | \$20                  |
| 764 | 9 or more years but less than 12 years  | \$65                  |
| 765 | 6 or more years but less than 9 years   | \$90                  |
| 766 | 3 or more years but less than 6 years   | \$135                 |
| 767 | Less than 3 years   | \$175                 |
| 768 | (h) \$10 regardless of the age of the vessel if the vessel is:                    |                       |
| 769 | (i) less than 15 feet in length;  |                       |
| 770 | (ii) a canoe;   |                       |
| 771 | (iii) a jon boat; or  |                       |
| 772 | (iv) a utility boat;  |                       |
| 773 | (i) for a collapsible inflatable vessel, pontoon, or sailboat, regardless of age: |                       |
| 774 | Length of Vessel  | Uniform Statewide Fee |
| 775 | 15 feet or more in length but less than 19 feet in length                         | \$15                  |
| 776 | 19 feet or more in length but less than 23 feet in length                         | \$25                  |

777 23 feet or more in length but less than 27 feet in length \$40

778 27 feet or more in length but less than 31 feet in length \$75

779 (j) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,  
780 sailboat, or utility boat, that is 15 feet or more in length but less than 19 feet in length:

| 781 | Age of Vessel                          | Uniform Statewide Fee |
|-----|--|-----------------------|
| 782 | 12 or more years                       | \$25                  |
| 783 | 9 or more years but less than 12 years | \$65                  |
| 784 | 6 or more years but less than 9 years  | \$80                  |
| 785 | 3 or more years but less than 6 years  | \$110                 |
| 786 | Less than 3 years                      | \$150                 |

787 (k) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,  
788 sailboat, or utility boat, that is 19 feet or more in length but less than 23 feet in length:

| 789 | Age of Vessel                          | Uniform Statewide Fee |
|-----|--|-----------------------|
| 790 | 12 or more years                       | \$50                  |
| 791 | 9 or more years but less than 12 years | \$120                 |
| 792 | 6 or more years but less than 9 years  | \$175                 |
| 793 | 3 or more years but less than 6 years  | \$220                 |
| 794 | Less than 3 years                      | \$275                 |

795 (l) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,  
796 sailboat, or utility boat, that is 23 feet or more in length but less than 27 feet in length:

| 797 | Age of Vessel                          | Uniform Statewide Fee |
|-----|--|-----------------------|
| 798 | 12 or more years                       | \$100                 |
| 799 | 9 or more years but less than 12 years | \$180                 |
| 800 | 6 or more years but less than 9 years  | \$240                 |
| 801 | 3 or more years but less than 6 years  | \$310                 |

802 Less than 3 years \$400

803 (m) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,  
804 sailboat, or utility boat, that is 27 feet or more in length but less than 31 feet in length:

| 805 | Age of Vessel                          | Uniform Statewide Fee |
|-----|--|-----------------------|
| 806 | 12 or more years                       | \$120                 |
| 807 | 9 or more years but less than 12 years | \$250                 |
| 808 | 6 or more years but less than 9 years  | \$350                 |
| 809 | 3 or more years but less than 6 years  | \$500                 |
| 810 | Less than 3 years                      | \$700                 |

811 (4) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this  
812 section is as follows:

813 (a) for a street motorcycle:

| 814 | <u>Age of Street Motorcycle</u>               | <u>Uniform Statewide Fee</u> |
|-----|---|------------------------------|
| 815 | <u>12 or more years</u>                       | <u>\$7.75</u>                |
| 816 | <u>9 or more years but less than 12 years</u> | <u>\$27</u>                  |
| 817 | <u>6 or more years but less than 9 years</u>  | <u>\$38.50</u>               |
| 818 | <u>3 or more years but less than 6 years</u>  | <u>\$54</u>                  |
| 819 | <u>Less than 3 years</u>                      | <u>\$73</u>                  |

820 (b) for a small motor vehicle:

| 821 | <u>Age of Small Motor Vehicle</u>            | <u>Uniform Statewide Fee</u> |
|-----|--|------------------------------|
| 822 | <u>6 or more years</u>                       | <u>\$7.75</u>                |
| 823 | <u>3 or more years but less than 6 years</u> | <u>\$11.50</u>               |
| 824 | <u>Less than 3 years</u>                     | <u>\$19.25</u>               |

825 [~~4~~] (5) Notwithstanding Section 59-2-407, tangible personal property subject to the  
826 uniform statewide fees imposed by this section that is brought into the state shall, as a

827 condition of registration, be subject to the uniform statewide fees unless all property taxes or  
828 uniform fees imposed by the state of origin have been paid for the current calendar year.

829       ~~[(5)]~~ (6) (a) The revenues collected in each county from the uniform statewide fees  
830 imposed by this section shall be distributed by the county to each taxing entity in which each  
831 item of tangible personal property subject to the uniform statewide fees is located in the same  
832 proportion in which revenues collected from the ad valorem property tax are distributed.

833       (b) Each taxing entity described in Subsection ~~[(5)]~~ (6)(a) that receives revenues from  
834 the uniform statewide fees imposed by this section shall distribute the revenues in the same  
835 proportion in which revenues collected from the ad valorem property tax are distributed.

836       ~~[(6)]~~ (7) (a) For purposes of the uniform statewide fee imposed by this section, the  
837 length of a vessel shall be determined as provided in this Subsection ~~[(6)]~~ (7).

838       (b) (i) Except as provided in Subsection ~~[(6)]~~ (7)(b)(ii), the length of a vessel shall be  
839 measured as follows:

840           (A) the length of a vessel shall be measured in a straight line; and

841           (B) the length of a vessel is equal to the distance between the bow of the vessel and the  
842 stern of the vessel.

843       (ii) Notwithstanding Subsection ~~[(6)]~~ (7)(b)(i), the length of a vessel may not include  
844 the length of:

845           (A) a swim deck;

846           (B) a ladder;

847           (C) an outboard motor; or

848           (D) an appurtenance or attachment similar to Subsections ~~[(6)]~~ (7)(b)(ii)(A) through  
849 (C) as determined by the commission by rule.

850       (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
851 the commission may by rule define what constitutes an appurtenance or attachment similar to  
852 Subsections ~~[(6)]~~ (7)(b)(ii)(A) through (C).

853       (c) The length of a vessel:

854           (i) (A) for a new vessel, is the length:

855 (I) listed on the manufacturer's statement of origin if the length of the vessel measured  
856 under Subsection [(6)] (7)(b) is equal to the length of the vessel listed on the manufacturer's  
857 statement of origin; or

858 (II) listed on a form submitted to the commission by a dealer in accordance with  
859 Subsection [(6)] (7)(d) if the length of the vessel measured under Subsection [(6)] (7)(b) is not  
860 equal to the length of the vessel listed on the manufacturer's statement of origin; or

861 (B) for a vessel other than a new vessel, is the length:

862 (I) corresponding to the model number if the length of the vessel measured under  
863 Subsection [(6)] (7)(b) is equal to the length of the vessel determined by reference to the model  
864 number; or

865 (II) listed on a form submitted to the commission by an owner of the vessel in  
866 accordance with Subsection [(6)] (7)(d) if the length of the vessel measured under Subsection  
867 [(6)] (7)(b) is not equal to the length of the vessel determined by reference to the model  
868 number; and

869 (ii) (A) is determined at the time of the:

870 (I) first registration as defined in Section 41-1a-102 that occurs on or after January 1,  
871 2006; or

872 (II) first renewal of registration that occurs on or after January 1, 2006; and

873 (B) may be determined after the time described in Subsection [(6)] (7)(c)(ii)(A) only if  
874 the commission requests that a dealer or an owner submit a form to the commission in  
875 accordance with Subsection [(6)] (7)(d).

876 (d) (i) A form under Subsection [(6)] (7)(c) shall:

877 (A) be developed by the commission;

878 (B) be provided by the commission to:

879 (I) a dealer; or

880 (II) an owner of a vessel;

881 (C) provide for the reporting of the length of a vessel;

882 (D) be submitted to the commission at the time the length of the vessel is determined in

883 accordance with Subsection [~~6~~] (7)(c)(ii);

884 (E) be signed by:

885 (I) if the form is submitted by a dealer, that dealer; or

886 (II) if the form is submitted by an owner of the vessel, an owner of the vessel; and

887 (F) include a certification that the information set forth in the form is true.

888 (ii) A certification made under Subsection [~~6~~] (7)(d)(i)(F) is considered as if made  
889 under oath and subject to the same penalties as provided by law for perjury.

890 (iii) (A) A dealer or an owner that submits a form to the commission under Subsection  
891 [~~6~~] (7)(c) is considered to have given the dealer's or owner's consent to an audit or review by:

892 (I) the commission;

893 (II) the county assessor; or

894 (III) the commission and the county assessor.

895 (B) The consent described in Subsection [~~6~~] (7)(d)(iii)(A) is a condition to the  
896 acceptance of any form.

897 [~~7~~] (8) (a) A county that collected a qualifying payment from a qualifying person  
898 during the refund period shall issue a refund to the qualifying person as described in Subsection  
899 [~~7~~] (8)(b) if:

900 (i) the difference described in Subsection [~~7~~] (8)(b) is \$1 or more; and

901 (ii) the qualifying person submitted a form in accordance with Subsections [~~7~~] (8)(c)  
902 and (d).

903 (b) The refund amount shall be calculated as follows:

904 (i) for a qualifying vehicle, the refund amount is equal to the difference between:

905 (A) the qualifying payment the qualifying person paid on the qualifying vehicle during  
906 the refund period; and

907 (B) the amount of the statewide uniform fee:

908 (I) for that qualifying vehicle; and

909 (II) that the qualifying person would have been required to pay:

910 (Aa) during the refund period; and

911 (Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session,  
912 Chapter 3, Section 1, been in effect during the refund period; and

913 (ii) for a qualifying watercraft, the refund amount is equal to the difference between:  
914 (A) the qualifying payment the qualifying person paid on the qualifying watercraft  
915 during the refund period; and

916 (B) the amount of the statewide uniform fee:  
917 (I) for that qualifying watercraft;  
918 (II) that the qualifying person would have been required to pay:  
919 (Aa) during the refund period; and

920 (Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session,  
921 Chapter 3, Section 1, been in effect during the refund period.

922 (c) Before the county issues a refund to the qualifying person in accordance with  
923 Subsection [~~(7)~~] (8)(a) the qualifying person shall submit a form to the county to verify the  
924 qualifying person is entitled to the refund.

925 (d) (i) A form under Subsection [~~(7)~~] (8)(c) or [~~(8)~~] (9) shall:  
926 (A) be developed by the commission;  
927 (B) be provided by the commission to the counties;  
928 (C) be provided by the county to the qualifying person or tangible personal property  
929 owner;

930 (D) provide for the reporting of the following:  
931 (I) for a qualifying vehicle:  
932 (Aa) the type of qualifying vehicle; and  
933 (Bb) the amount of cubic centimeters displacement;  
934 (II) for a qualifying watercraft:  
935 (Aa) the length of the qualifying watercraft;  
936 (Bb) the age of the qualifying watercraft; and  
937 (Cc) the type of qualifying watercraft;  
938 (E) be signed by the qualifying person or tangible personal property owner; and

939 (F) include a certification that the information set forth in the form is true.

940 (ii) A certification made under Subsection [~~(7)~~] (8)(d)(i)(F) is considered as if made  
941 under oath and subject to the same penalties as provided by law for perjury.

942 (iii) (A) A qualifying person or tangible personal property owner that submits a form to  
943 a county under Subsection [~~(7)~~] (8)(c) or [~~(8)~~] (9) is considered to have given the qualifying  
944 person's consent to an audit or review by:

945 (I) the commission;

946 (II) the county assessor; or

947 (III) the commission and the county assessor.

948 (B) The consent described in Subsection [~~(7)~~] (8)(d)(iii)(A) is a condition to the  
949 acceptance of any form.

950 (e) The county shall make changes to the commission's records with the information  
951 received by the county from the form submitted in accordance with Subsection [~~(7)~~] (8)(c).

952 [~~(8)~~] (9) A county shall change its records regarding an item of qualifying tangible  
953 personal property if the tangible personal property owner submits a form to the county in  
954 accordance with Subsection [~~(7)~~] (8)(d).

955 [~~(9)~~] (10) (a) For purposes of this Subsection [~~(9)~~] (10), "owner of tangible personal  
956 property" means a person that was required to pay a uniform statewide fee:

957 (i) during the refund period;

958 (ii) in accordance with this section; and

959 (iii) on an item of tangible personal property subject to the uniform statewide fees  
960 imposed by this section.

961 (b) A county that collected revenues from uniform statewide fees imposed by this  
962 section during the refund period shall notify an owner of tangible personal property:

963 (i) of the tangible personal property classification changes made to this section  
964 pursuant to Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1;

965 (ii) that the owner of tangible personal property may obtain and file a form to modify  
966 the county's records regarding the owner's tangible personal property; and

967 (iii) that the owner may be entitled to a refund pursuant to Subsection [(7)] (8).

968 Section 15. Section **63J-1-602.2** is amended to read:

969 **63J-1-602.2. List of nonlapsing funds and accounts -- Title 31 through Title 45.**

970 (1) Appropriations from the Technology Development Restricted Account created in  
971 Section 31A-3-104.

972 (2) Appropriations from the Criminal Background Check Restricted Account created in  
973 Section 31A-3-105.

974 (3) Appropriations from the Captive Insurance Restricted Account created in Section  
975 31A-3-304, except to the extent that Section 31A-3-304 makes the money received under that  
976 section free revenue.

977 (4) Appropriations from the Title Licensee Enforcement Restricted Account created in  
978 Section 31A-23a-415.

979 (5) Appropriations from the Health Insurance Actuarial Review Restricted Account  
980 created in Section 31A-30-115.

981 (6) Appropriations from the Insurance Fraud Investigation Restricted Account created  
982 in Section 31A-31-108.

983 (7) Funding for a new program or agency that is designated as nonlapsing under  
984 Section 36-24-101.

985 (8) Appropriations from the Oil and Gas Conservation Account created in Section  
986 40-6-14.5.

987 (9) Appropriations from the Electronic Payment Fee Restricted Account created by  
988 Section 41-1a-121 to the Motor Vehicle Division.

989 (10) Funds available to the Tax Commission under Section 41-1a-1201 for the:

990 (a) purchase and distribution of license plates and decals[-]; and

991 (b) administration and enforcement of motor vehicle registration requirements.

992 Section 16. Section **72-2-118** is amended to read:

993 **72-2-118. Centennial Highway Fund Restricted Account.**

994 (1) There is created a restricted account entitled the Centennial Highway Fund

995 Restricted Account within the Transportation Investment Fund of 2005 created by Section  
996 72-2-124.

997 (2) The account consists of money generated from the following revenue sources:

998 (a) any voluntary contributions received for the construction, major reconstruction, or  
999 major renovation of state or federal highways;

1000 (b) appropriations made to the fund by the Legislature;

1001 (c) registration fees designated under [~~Subsection~~] Section 41-1a-1201[~~(6)(a)~~]; and

1002 (d) the sales and use tax amounts provided for in Section 59-12-103.

1003 (3) (a) The account shall earn interest.

1004 (b) All interest earned on account money shall be deposited into the account.

1005 (4) The executive director may use account money, as prioritized by the Transportation  
1006 Commission, only to pay the costs of construction, major reconstruction, or major renovation  
1007 to state and federal highways.

1008 (5) When the highway general obligation bonds have been paid off and the highway  
1009 projects completed that are intended to be paid from revenues deposited in the account as  
1010 determined by the Executive Appropriations Committee under Subsection (6)(d), the Division  
1011 of Finance shall transfer any existing balance in the account into the Transportation Investment  
1012 Fund of 2005 created by Section 72-2-124.

1013 (6) (a) The Division of Finance shall monitor the highway general obligation bonds  
1014 that are being paid from revenues deposited in the account.

1015 (b) The department shall monitor the highway construction, major reconstruction, or  
1016 major renovation projects that are being paid from revenues deposited in the account.

1017 (c) Upon request by the Executive Appropriations Committee of the Legislature:

1018 (i) the Division of Finance shall report to the committee the status of all highway  
1019 general obligation bonds that are being paid from revenues deposited in the account; and

1020 (ii) the department shall report to the committee the status of all highway construction,  
1021 major reconstruction, or major renovation projects that are being paid from revenues deposited  
1022 in the account.

1023 (d) The Executive Appropriations Committee of the Legislature shall notify the State  
1024 Tax Commission, the department, and the Division of Finance when:

1025 (i) all highway general obligation bonds that are intended to be paid from revenues  
1026 deposited in the account have been paid off; and

1027 (ii) all highway projects that are intended to be paid from revenues deposited in the  
1028 account have been completed.

1029 (7) (a) The Division of Finance shall, from funds that are deposited into the Centennial  
1030 Highway Fund Restricted Account, transfer into the Transportation Investment Fund of 2005  
1031 created by Section 72-2-124 the amount of funds certified by the Transportation Commission  
1032 in accordance with Subsection (7)(b) that are not required to pay:

1033 (i) principal, interest, and issuance costs of bonds issued for projects in the Centennial  
1034 Highway Program in the current fiscal year; or

1035 (ii) construction or reconstruction costs for projects in the Centennial Highway  
1036 Program in the current fiscal year.

1037 (b) The Division of Finance shall transfer the amount under Subsection (7)(a) when the  
1038 Division of Finance receives a written letter from the Transportation Commission certifying the  
1039 amount of funds available under Subsection (7)(a).

1040 Section 17. Section **72-2-124** is amended to read:

1041 **72-2-124. Transportation Investment Fund of 2005.**

1042 (1) There is created a special revenue fund entitled the Transportation Investment Fund  
1043 of 2005.

1044 (2) The fund consists of money generated from the following sources:

1045 (a) any voluntary contributions received for the maintenance, construction,  
1046 reconstruction, or renovation of state and federal highways;

1047 (b) appropriations made to the fund by the Legislature;

1048 (c) the sales and use tax revenues deposited into the fund in accordance with Section  
1049 59-12-103; and

1050 (d) registration fees designated under [~~Subsection~~] Section 41-1a-1201[~~(7)~~].

1051           ~~[(3) When the highway general obligation bonds have been paid off and the highway~~  
1052 ~~projects completed that are intended to be paid from revenues deposited in the Centennial~~  
1053 ~~Highway Fund Restricted Account as determined by the Executive Appropriations Committee~~  
1054 ~~under Subsection 72-2-118(6)(d), the fund shall also consist of money generated from the~~  
1055 ~~following sources:]~~

1056           ~~[(a) registration fees designated under Subsection 41-1a-1201(6)(a); and]~~

1057           ~~[(b) the sales and use tax amounts provided for in Section 59-12-103.]~~

1058           ~~[(4)]~~ (3) (a) The fund shall earn interest.

1059           (b) All interest earned on fund money shall be deposited into the fund.

1060           ~~[(5)]~~ (4) (a) Except as provided in Subsection ~~[(5)]~~ (4)(b), the executive director may  
1061 use fund money only to pay:

1062           (i) the costs of maintenance, construction, reconstruction, or renovation to state and  
1063 federal highways prioritized by the Transportation Commission through the prioritization  
1064 process for new transportation capacity projects adopted under Section 72-1-304;

1065           (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway  
1066 projects described in Subsection 63B-18-401(2); and

1067           (iii) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401.

1068           (b) The executive director may use fund money to exchange for an equal or greater  
1069 amount of federal transportation funds to be used as provided in Subsection ~~[(5)]~~ (4)(a).

1070           ~~[(6)]~~ (5) (a) Before bonds authorized by Section 63B-18-401 may be issued in any  
1071 fiscal year, the department and the commission shall appear before the Executive  
1072 Appropriations Committee of the Legislature and present the amount of bond proceeds that the  
1073 department needs to provide funding for the projects identified in Subsection 63B-18-401(2)  
1074 for the next fiscal year.

1075           (b) The Executive Appropriations Committee of the Legislature shall review and  
1076 comment on the amount of bond proceeds needed to fund the projects.

1077           ~~[(7)]~~ (6) The Division of Finance shall, from money deposited into the fund, transfer  
1078 the amount of funds necessary to pay principal, interest, and issuance costs of bonds authorized

1079 by Section 63B-18-401 in the current fiscal year to the appropriate debt service or sinking fund.

1080 Section 18. **Effective date.**

1081 This bill takes effect on July 1, 2013.

1082 Section 19. **Coordinating H.B. 133 with S.B. 225 -- Modifying substantive**  
1083 **language and omitting substantive changes.**

1084 If this H.B. 133 and S.B. 225, Transportation Revisions, both pass and become law, the  
1085 Legislature intends that the Office of Legislative Research and General Counsel, in preparing  
1086 the Utah Code database for publication as of July 1, 2013:

1087 (1) modify Subsection 41-1a-1201(6) to read as follows:

1088 "(6) (a) The following portions of the registration fees imposed under Section  
1089 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005  
1090 created under Section 72-2-124:

1091 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),  
1092 (1)(f), (2), and (5);

1093 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and  
1094 (1)(c)(ii);

1095 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

1096 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

1097 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

1098 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

1099 (b) The following portions of the registration fees collected for each vehicle registered  
1100 for a six-month registration period under Section 41-1a-215.5 shall be deposited in the  
1101 Transportation Investment Fund of 2005 created by Section 72-2-124:

1102 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a); and

1103 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(b)."; and

1104 (2) not make the changes in H.B. 133 to Subsection 41-1a-1201(7).

1105 Section 20. **Coordinating H.B. 133 with H.B. 298 -- Modifying substantive**  
1106 **language.**

1107 If this H.B. 133 and H.B. 298, Motor Vehicle Safety Inspection Amendments, both pass  
1108 and become law, the Legislature intends that the Office of Legislative Research and General  
1109 Counsel, in preparing the Utah Code database for publication as of July 1, 2013:

1110 (1) modify Subsection 41-1a-1201(8) as enacted in H.B. 298 to read as follows:

1111 "(8) (a) Ninety-four cents of each registration fee imposed under Subsections  
1112 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted  
1113 Account created in Section 53-3-106.

1114 (b) Seventy-one cents of each registration fee imposed under Subsections  
1115 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under  
1116 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in  
1117 Section 53-3-106."; and

1118 (2) modify Subsection 41-1a-1206(2) as enacted in H.B. 133 to read as follows:

1119 "(2) At the time application is made for registration or renewal of registration of a  
1120 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a  
1121 registration fee shall be paid to the division as follows:

1122 (a) \$33.50 for each motorcycle; and

1123 (b) \$32.50 for each motor vehicle of 12,000 pounds or less gross laden weight,  
1124 excluding motorcycles."