

1 **MOTOR VEHICLE REGISTRATION AND INSURANCE**

2 **AMENDMENTS**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Stephen G. Handy**

6 Senate Sponsor: Evan J. Vickers

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies provisions relating to motor vehicle registration and insurance.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ provides that ~~H→~~ [a] certain ~~←H~~ new registration ~~H→~~ [card] cards ~~←H~~ issued by
13a the Tax Commission on or after
14 November 1, 2013, may not display the address of the owner or the lessee on the
15 registration card;

16 ▶ provides that a card issued by an insurance company as evidence of owner's or
17 operator's security on or after July 1, ~~H→~~ [2013] 2014 ~~←H~~, may not display the owner's or
17a operator's
18 address on the card; and

19 ▶ makes technical corrections.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 This bill takes effect on July 1, 2013.

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **31A-22-302**, as last amended by Laws of Utah 2012, Chapter 283

27 **41-1a-213**, as last amended by Laws of Utah 2006, Chapter 252

H.B. 79



28 **41-1a-218**, as renumbered and amended by Laws of Utah 1992, Chapter 1
 29 **41-12a-303.2**, as last amended by Laws of Utah 2010, Chapter 260

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

32 Section 1. Section **31A-22-302** is amended to read:

33 **31A-22-302. Required components of motor vehicle insurance --**

34 **Exceptions.**

35 (1) Every policy of insurance or combination of policies purchased to satisfy the
 36 owner's or operator's security requirement of Section 41-12a-301 shall include:

37 (a) motor vehicle liability coverage under Sections 31A-22-303 and 31A-22-304;

38 (b) uninsured motorist coverage under Section 31A-22-305, unless affirmatively
 39 waived under Subsection 31A-22-305(5);

40 (c) underinsured motorist coverage under Section 31A-22-305.3, unless affirmatively
 41 waived under Subsection 31A-22-305.3(3); and

42 (d) except as provided in Subsection (2) and subject to Subsection [~~(3)~~] (4), personal
 43 injury protection under Sections 31A-22-306 through 31A-22-309.

44 (2) A policy of insurance or combination of policies, purchased to satisfy the owner's
 45 or operator's security requirement of Section 41-12a-301 for a motorcycle, off-highway vehicle,
 46 street-legal all-terrain vehicle, trailer, or semitrailer is not required to have personal injury
 47 protection under Sections 31A-22-306 through 31A-22-309.

48 (3) A card issued by an insurance company as evidence of owner's or operator's
 49 security under Section 41-12a-303.2 on or after July 1, ~~H~~→ [2013] 2014 ←~~H~~ , may not display
 49a the owner's or
 50 operator's address on the card.

51 [~~(3)~~] (4) (a) First party medical coverages may be offered or included in policies issued
 52 to motorcycle, off-highway vehicle, street-legal all-terrain vehicle, trailer, and semitrailer
 53 owners or operators.

54 (b) Owners and operators of motorcycles, off-highway vehicles, street-legal all-terrain
 55 vehicles, trailers, and semitrailers are not covered by personal injury protection coverages in
 56 connection with injuries incurred while operating any of these vehicles.

57 [~~(4)~~] (5) First party medical coverage expenses shall be governed by the relative value
 58 study provisions under Subsections 31A-22-307(2) and (3).

59 Section 2. Section **41-1a-213** is amended to read:

60 **41-1a-213. Contents of registration cards.**

61 (1) The registration card shall be delivered to the owner and shall contain:

62 (a) the date issued;

63 (b) the name [~~and address~~] of the owner;

64 (c) a description of the vehicle registered including the year, the make, the
65 identification number, and the license plate assigned to the vehicle;

66 (d) the expiration date; and

67 (e) other information as determined by the commission.

68 (2) If a vehicle is leased for a period in excess of 45 days, the registration shall contain:

69 (a) the owner's name; and

70 (b) the name of the lessee[~~; and~~].

71 [~~(c) the bona fide residence address of the lessee.~~]

72 (3) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the
73 registration card shall also contain the gross laden weight as given in the application for
74 registration.

75 (4) ~~H~~→ [A] (a) Except as provided in Subsection (4)(b), a ~~←H~~ new registration card
75a issued by the commission on or after November 1, 2013,
76 may not display the address of the owner or the lessee on the registration card.

76a ~~H~~→ (b) A new registration card issued by the commission for a vehicle registered
76b under Section 41-1a-301 shall display the address of the owner or the lessee on the
76c registration card. ~~←H~~

77 Section 3. Section **41-1a-218** is amended to read:

78 **41-1a-218. Notice of change of address.**

79 If a person after making application for or obtaining a vehicle registration moves from
80 the address named in the application [~~or shown upon a registration card~~], the person shall
81 within 10 days of moving notify the division of his old and new addresses.

82 Section 4. Section **41-12a-303.2** is amended to read:

83 **41-12a-303.2. Evidence of owner's or operator's security to be carried when**
84 **operating motor vehicle -- Defense -- Penalties.**

85 (1) As used in this section:

86 (a) "Division" means the Motor Vehicle Division of the State Tax Commission.

87 (b) "Registration materials" means the evidences of motor vehicle registration,
88 including all registration cards, license plates, temporary permits, and nonresident temporary
89 permits.

90 (2) (a) (i) A person operating a motor vehicle shall:

91 (A) have in the person's immediate possession evidence of owner's or operator's
92 security for the motor vehicle the person is operating; and

93 (B) display it upon demand of a peace officer.

94 (ii) A person is exempt from the requirements of Subsection (2)(a)(i) if the person is
95 operating:

96 (A) a government-owned or leased motor vehicle; or

97 (B) an employer-owned or leased motor vehicle and is driving it with the employer's
98 permission.

99 (b) Evidence of owner's or operator's security includes any one of the following:

100 (i) a copy of the operator's valid:

101 (A) insurance policy;

102 (B) insurance policy declaration page;

103 (C) binder notice;

104 (D) renewal notice; or

105 (E) card issued by an insurance company as evidence of insurance;

106 (ii) a certificate of insurance issued under Section 41-12a-402;

107 (iii) a certified copy of a surety bond issued under Section 41-12a-405;

108 (iv) a certificate of the state treasurer issued under Section 41-12a-406;

109 (v) a certificate of self-funded coverage issued under Section 41-12a-407; or

110 (vi) information that the vehicle or driver is insured from the Uninsured Motorist
111 Identification Database Program created under Title 41, Chapter 12a, Part 8.

112 (c) A card issued by an insurance company as evidence of owner's or operator's
113 security under Subsection (2)(b)(i)(E) on or after July 1, ~~H~~→ [2013] 2014 ←~~H~~ , may not display
113a the owner's or
114 operator's address on the card.

115 [~~c~~] (d) (i) Evidence of owner's or operator's security from the Uninsured Motorist
116 Identification Database Program described under Subsection (2)(b)(vi) supercedes any
117 evidence of owner's or operator's security described under Subsection (2)(b)(i)(D) or (E).

118 (ii) A peace officer may not cite or arrest a person for a violation of Subsection (2)(a) if
119 the Uninsured Motorist Identification Database Program created under Title 41, Chapter 12a,
120 Part 8, information indicates that the vehicle or driver is insured.

121 (3) It is an affirmative defense to a charge under this section that the person had
122 owner's or operator's security in effect for the vehicle the person was operating at the time of
123 the person's citation or arrest.

124 (4) (a) Evidence of owner's or operator's security as defined under Subsection (2)(b) or
125 a written statement from an insurance producer or company verifying that the person had the
126 required motor vehicle insurance coverage on the date specified is considered proof of owner's
127 or operator's security for purposes of Subsection (3) and Section 41-12a-804.

128 (b) The court considering a citation issued under this section shall allow the evidence
129 or a written statement under Subsection (4)(a) and a copy of the citation to be faxed or mailed
130 to the clerk of the court to satisfy Subsection (3).

131 (c) The notice under Section 41-12a-804 shall specify that the written statement under
132 Subsection (4)(a) and a copy of the notice shall be faxed or mailed to the designated agent to
133 satisfy the proof of owner's or operator's security required under Section 41-12a-804.

134 (5) A violation of this section is a class B misdemeanor, and the fine shall be not less
135 than:

136 (a) \$400 for a first offense; and

137 (b) \$1,000 for a second and subsequent offense within three years of a previous
138 conviction or bail forfeiture.

139 (6) Upon receiving notification from a court of a conviction for a violation of this
140 section, the department:

141 (a) shall suspend the person's driver license; and

142 (b) may not renew the person's driver license or issue a driver license to the person
143 until the person gives the department proof of owner's or operator's security.

144 (i) This proof of owner's or operator's security shall be given by any of the ways
145 required under Section 41-12a-401.

146 (ii) This proof of owner's or operator's security shall be maintained with the department
147 for a three-year period.

148 (iii) An insurer that provides a certificate of insurance as provided under Section
149 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of termination
150 is filed with the department no later than 10 days after termination as required under Section
151 41-12a-404.

152 (iv) If a person who has canceled the certificate of insurance applies for a license
153 within three years from the date proof of owner's or operator's security was originally required,
154 the department shall refuse the application unless the person reestablishes proof of owner's or
155 operator's security and maintains the proof for the remainder of the three-year period.

156 Section 5. **Effective date.**

157 This bill takes effect on July 1, 2013.

Legislative Review Note
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Office of Legislative Research and General Counsel