

TRANSPORTATION AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill modifies provisions relating to transportation.

Highlighted Provisions:

This bill:

- ▶ provides that ~~§~~ **beginning on the date that the Motor Vehicle Division has implemented the Motor Vehicle Division's GenTax system,** ~~§~~ the requirement to pass a safety inspection annually or obtain a valid annual federal inspection only applies to a motor vehicle with a gross vehicle weight rating of 10,001 pounds or more if the motor vehicle is a commercial vehicle; and

- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-8-205, as last amended by Laws of Utah 2012, Chapter 356 and last amended by Coordination Clause, Laws of Utah 2012, Chapter 64

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

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



28 **53-8-205. Safety inspection required -- Frequency of safety inspection -- Safety**
29 **inspection certificate required -- Out-of-state permits.**

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

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

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

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

37 (iii) a vintage vehicle as defined in Section 41-21-1;

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

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

40 (B) has a valid annual federal inspection that complies with the requirements of 49
41 C.F.R. Sec. 396.17; and

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

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

47 (a) be required each year for a vehicle that is 10 or more years old on January 1; or

48 (b) for each vehicle that is less than 10 years old on January 1, be required in the fourth
49 year and the eighth year;

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

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

54 (e) include an inspection for the display of license plates in accordance with Section
55 41-1a-404.

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

58 (ii) After initial registration as a salvage vehicle, the frequency of the safety inspection

59 shall correspond with the model year, as provided in Subsection (2).

60 (b) ~~§~~ ~~[A]~~ ~~←~~ ~~§~~ ~~[motor vehicle]~~ ~~§~~ ~~→~~ Beginning on the date that the Motor Vehicle
 60a Division has implemented the Motor Vehicle Division's GenTax system, a ~~←~~ ~~§~~ commercial
 60b vehicle as defined in Section 41-1a-102 with a gross
 61 vehicle weight rating of 10,001 pounds or more is required to pass a safety inspection annually
 62 or comply with Subsection (1)(b)(iv)(B).

63 (4) (a) A safety inspection station shall issue two safety inspection certificates to the
 64 owner of:

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

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

68 (b) A safety inspection station shall use one safety inspection certificate issued under
 69 this Subsection (4) for processing the vehicle registration.

70 (c) A person operating a motor vehicle shall have in the person's immediate possession
 71 a safety inspection certificate or other evidence of compliance with the requirement to obtain a
 72 safety inspection under this section.

73 (5) The division may:

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

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

Legislative Review Note
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Office of Legislative Research and General Counsel