

30 amended by Laws of Utah 2005, Chapter 2
31 [41-22-2](#), as last amended by Laws of Utah 2012, Chapter 125



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

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

35 **41-1a-205. Safety inspection certificate required for renewal or registration of**
36 **motor vehicle -- Exemptions.**

37 (1) If required in the current year, a safety inspection certificate, as required by Section
38 [53-8-205](#), or proof of exemption from safety inspection shall be presented at the time of, and as
39 a condition of, registration or renewal of registration of a motor vehicle.

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

43 (b) (i) If the title of a used motor vehicle is being transferred, a safety inspection
44 certificate issued for the motor vehicle during the previous 11 months may be used to satisfy
45 the requirement under Subsection (1).

46 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety
47 inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle
48 dealer's name during the previous 11 months may be used to satisfy the requirement under
49 Subsection (1).

50 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a
51 safety inspection certificate issued during the previous 11 months may be used to satisfy the
52 requirement under Subsection (1).

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

56 (e) If the application for renewal of registration is for a six-month registration period
57 under Section [41-1a-215.5](#), a safety inspection certificate issued during the previous eight

58 months may be used to satisfy the requirement under Subsection (1).

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

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

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

63 (B) the dealer provides a written disclosure statement listing any known deficiency,
64 existing with the new motor vehicle at the time of delivery, that would cause the motor vehicle
65 to fail a safety inspection given in accordance with Section 53-8-205; and

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

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

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

74 (b) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509
75 is subject to a safety inspection;

76 (i) the first time that a person registers an off-highway vehicle as a street-legal
77 all-terrain vehicle[-]; and

78 (ii) subsequently, on the same frequency as described in Subsection 53-8-205(2) based
79 on the age of the vehicle as determined by the model year identified by the manufacturer.

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

81 (i) all registered commercial motor vehicles with a gross vehicle weight rating of
82 26,000 pounds or more;

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

85 (iii) a combination unit; and

86 (iv) a bus or van for hire.

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

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

92 Section 2. Section **41-6a-102** is amended to read:

93 **41-6a-102. Definitions.**

94 As used in this chapter:

95 (1) "Alley" means a street or highway intended to provide access to the rear or side of
96 lots or buildings in urban districts and not intended for through vehicular traffic.

97 (2) "All-terrain type I vehicle" has the same meaning as defined in Section [41-22-2](#).

98 (3) "Authorized emergency vehicle" includes:

99 (a) fire department vehicles;

100 (b) police vehicles;

101 (c) ambulances; and

102 (d) other publicly or privately owned vehicles as designated by the commissioner of the
103 Department of Public Safety.

104 (4) (a) "Bicycle" means a wheeled vehicle:

105 (i) propelled by human power by feet or hands acting upon pedals or cranks;

106 (ii) with a seat or saddle designed for the use of the operator;

107 (iii) designed to be operated on the ground; and

108 (iv) whose wheels are not less than 14 inches in diameter.

109 (b) "Bicycle" includes an electric assisted bicycle.

110 (c) "Bicycle" does not include scooters and similar devices.

111 (5) (a) "Bus" means a motor vehicle:

112 (i) designed for carrying more than 15 passengers and used for the transportation of
113 persons; or

- 114 (ii) designed and used for the transportation of persons for compensation.
- 115 (b) "Bus" does not include a taxicab.
- 116 (6) (a) "Circular intersection" means an intersection that has an island, generally
- 117 circular in design, located in the center of the intersection where traffic passes to the right of
- 118 the island.
- 119 (b) "Circular intersection" includes:
- 120 (i) roundabouts;
- 121 (ii) rotaries; and
- 122 (iii) traffic circles.
- 123 (7) "Commissioner" means the commissioner of the Department of Public Safety.
- 124 (8) "Controlled-access highway" means a highway, street, or roadway:
- 125 (a) designed primarily for through traffic; and
- 126 (b) to or from which owners or occupants of abutting lands and other persons have no
- 127 legal right of access, except at points as determined by the highway authority having
- 128 jurisdiction over the highway, street, or roadway.
- 129 (9) "Crosswalk" means:
- 130 (a) that part of a roadway at an intersection included within the connections of the
- 131 lateral lines of the sidewalks on opposite sides of the highway measured from:
- 132 (i) (A) the curbs; or
- 133 (B) in the absence of curbs, from the edges of the traversable roadway; and
- 134 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
- 135 included within the extension of the lateral lines of the existing sidewalk at right angles to the
- 136 centerline; or
- 137 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
- 138 pedestrian crossing by lines or other markings on the surface.
- 139 (10) "Department" means the Department of Public Safety.
- 140 (11) "Direct supervision" means oversight at a distance within which:
- 141 (a) visual contact is maintained; and

- 142 (b) advice and assistance can be given and received.
- 143 (12) "Divided highway" means a highway divided into two or more roadways by:
- 144 (a) an unpaved intervening space;
- 145 (b) a physical barrier; or
- 146 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 147 (13) "Electric assisted bicycle" means a moped:
- 148 (a) with an electric motor with a power output of not more than 1,000 watts; and
- 149 (b) which is not capable of:
- 150 (i) propelling the device at a speed of more than 20 miles per hour on level ground
- 151 when:
- 152 (A) powered solely by the electric motor; and
- 153 (B) operated by a person who weighs 170 pounds; and
- 154 (ii) increasing the speed of the device when human power is used to propel the device
- 155 at more than 20 miles per hour;
- 156 (c) has fully operable pedals on permanently affixed cranks; and
- 157 (d) weighs less than 75 pounds.
- 158 (14) (a) "Electric personal assistive mobility device" means a self-balancing device
- 159 with:
- 160 (i) two nontandem wheels in contact with the ground;
- 161 (ii) a system capable of steering and stopping the unit under typical operating
- 162 conditions;
- 163 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
- 164 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 165 (v) a deck design for a person to stand while operating the device.
- 166 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 167 (15) "Explosives" means any chemical compound or mechanical mixture commonly
- 168 used or intended for the purpose of producing an explosion and that contains any oxidizing and
- 169 combusive units or other ingredients in proportions, quantities, or packing so that an ignition

170 by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture
171 may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are
172 capable of producing destructive effects on contiguous objects or of causing death or serious
173 bodily injury.

174 (16) "Farm tractor" means a motor vehicle designed and used primarily as a farm
175 implement, for drawing plows, mowing machines, and other implements of husbandry.

176 (17) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
177 as determined by a tagliabue or equivalent closed-cup test device.

178 (18) "Freeway" means a controlled-access highway that is part of the interstate system
179 as defined in Section [72-1-102](#).

180 (19) (a) "Full-sized all-terrain vehicle" means any recreational vehicle designed for and
181 capable of travel over unimproved terrain:

182 (i) traveling on four or more tires;

183 (ii) having a width that, when measured at the widest point of the vehicle:

184 (A) is not less than 55 inches; or

185 (B) does not exceed 92 inches;

186 (iii) having an unladen dry weight of 6,500 pounds or less;

187 (iv) having a maximum seat height of 50 inches when measured at the forward edge of
188 the seat bottom; and

189 (v) having a steering wheel for control.

190 (b) "Full-sized all-terrain vehicle" does not include:

191 (i) all-terrain type I vehicle;

192 (ii) a utility type vehicle;

193 (iii) a motorcycle; or

194 (iv) a snowmobile as defined in Section [41-22-2](#).

195 ~~[(19)]~~ (20) "Gore area" means the area delineated by two solid white lines that is
196 between a continuing lane of a through roadway and a lane used to enter or exit the continuing
197 lane including similar areas between merging or splitting highways.

198 [~~(20)~~] (21) "Gross weight" means the weight of a vehicle without a load plus the
199 weight of any load on the vehicle.

200 [~~(21)~~] (22) "Highway" means the entire width between property lines of every way or
201 place of any nature when any part of it is open to the use of the public as a matter of right for
202 vehicular travel.

203 [~~(22)~~] (23) "Highway authority" has the same meaning as defined in Section 72-1-102.

204 [~~(23)~~] (24) (a) "Intersection" means the area embraced within the prolongation or
205 connection of the lateral curblines, or, if none, then the lateral boundary lines of the roadways
206 of two or more highways which join one another.

207 (b) Where a highway includes two roadways 30 feet or more apart:

208 (i) every crossing of each roadway of the divided highway by an intersecting highway
209 is a separate intersection; and

210 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
211 every crossing of two roadways of the highways is a separate intersection.

212 (c) "Intersection" does not include the junction of an alley with a street or highway.

213 [~~(24)~~] (25) "Island" means an area between traffic lanes or at an intersection for control
214 of vehicle movements or for pedestrian refuge designated by:

215 (a) pavement markings, which may include an area designated by two solid yellow
216 lines surrounding the perimeter of the area;

217 (b) channelizing devices;

218 (c) curbs;

219 (d) pavement edges; or

220 (e) other devices.

221 [~~(25)~~] (26) "Law enforcement agency" has the same meaning as defined in Section
222 53-1-102.

223 [~~(26)~~] (27) "Limited access highway" means a highway:

224 (a) that is designated specifically for through traffic; and

225 (b) over, from, or to which neither owners nor occupants of abutting lands nor other

226 persons have any right or easement, or have only a limited right or easement of access, light,
227 air, or view.

228 ~~[(27)]~~ (28) "Local highway authority" means the legislative, executive, or governing
229 body of a county, municipal, or other local board or body having authority to enact laws
230 relating to traffic under the constitution and laws of the state.

231 ~~[(28)]~~ (29) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

232 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

233 (ii) has a capacity of not more than four passengers, including the driver.

234 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

235 ~~[(29)]~~ (30) "Metal tire" means a tire, the surface of which in contact with the highway
236 is wholly or partly of metal or other hard nonresilient material.

237 ~~[(30)]~~ (31) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a
238 seat or saddle that is less than 24 inches from the ground as measured on a level surface with
239 properly inflated tires.

240 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

241 (c) "Mini-motorcycle" does not include a motorcycle that is:

242 (i) designed for off-highway use; and

243 (ii) registered as an off-highway vehicle under Section [41-22-3](#).

244 ~~[(31)]~~ (32) "Mobile home" means:

245 (a) a trailer or semitrailer that is:

246 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
247 place either permanently or temporarily; and

248 (ii) equipped for use as a conveyance on streets and highways; or

249 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and

250 constructed for use as a mobile home, as defined in Subsection ~~[(31)]~~ (32)(a), but that is

251 instead used permanently or temporarily for:

252 (i) the advertising, sale, display, or promotion of merchandise or services; or

253 (ii) any other commercial purpose except the transportation of property for hire or the

254 transportation of property for distribution by a private carrier.

255 [~~(32)~~] (33) (a) "Moped" means a motor-driven cycle having:

256 (i) pedals to permit propulsion by human power; and

257 (ii) a motor that:

258 (A) produces not more than two brake horsepower; and

259 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
260 level ground.

261 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
262 centimeters and the moped shall have a power drive system that functions directly or
263 automatically without clutching or shifting by the operator after the drive system is engaged.

264 (c) "Moped" includes an electric assisted bicycle and a motor assisted scooter.

265 [~~(33)~~] (34) "Motor assisted scooter" means a self-propelled device with:

266 (a) at least two wheels in contact with the ground;

267 (b) a braking system capable of stopping the unit under typical operating conditions;

268 (c) a gas or electric motor not exceeding 40 cubic centimeters;

269 (d) either:

270 (i) a deck design for a person to stand while operating the device; or

271 (ii) a deck and seat designed for a person to sit, straddle, or stand while operating the
272 device; and

273 (e) a design for the ability to be propelled by human power alone.

274 [~~(35)~~] (35) "Motorcycle" means a motor vehicle, other than a tractor, having a seat or
275 saddle for the use of the rider and designed to travel with not more than three wheels in contact
276 with the ground.

277 [~~(36)~~] (36) (a) "Motor-driven cycle" means every motorcycle, motor scooter, moped,
278 electric assisted bicycle, motor assisted scooter, and every motorized bicycle having:

279 (i) an engine with less than 150 cubic centimeters displacement; or

280 (ii) a motor that produces not more than five horsepower.

281 (b) "Motor-driven cycle" does not include an electric personal assistive mobility

282 device.

283 ~~[(34)]~~ (37) (a) "Motor vehicle" means a vehicle that is self-propelled and every vehicle
284 which is propelled by electric power obtained from overhead trolley wires, but not operated
285 upon rails.

286 (b) "Motor vehicle" does not include vehicles moved solely by human power,
287 motorized wheelchairs, or an electric personal assistive mobility device.

288 ~~[(37)]~~ (38) "Off-highway implement of husbandry" has the same meaning as defined
289 under Section 41-22-2.

290 ~~[(38)]~~ (39) "Off-highway vehicle" has the same meaning as defined under Section
291 41-22-2.

292 ~~[(39)]~~ (40) "Operator" means a person who is in actual physical control of a vehicle.

293 ~~[(40)]~~ (41) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle
294 is occupied or not.

295 (b) "Park" or "parking" does not include the standing of a vehicle temporarily for the
296 purpose of and while actually engaged in loading or unloading property or passengers.

297 ~~[(41)]~~ (42) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
298 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of
299 traffic laws.

300 ~~[(42)]~~ (43) "Pedestrian" means a person traveling:

301 (a) on foot; or

302 (b) in a wheelchair.

303 ~~[(43)]~~ (44) "Pedestrian traffic-control signal" means a traffic-control signal used to
304 regulate pedestrians.

305 ~~[(44)]~~ (45) "Person" means every natural person, firm, copartnership, association, or
306 corporation.

307 ~~[(45)]~~ (46) "Pole trailer" means every vehicle without motive power:

308 (a) designed to be drawn by another vehicle and attached to the towing vehicle by
309 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

310 (b) that is ordinarily used for transporting long or irregular shaped loads including
311 poles, pipes, or structural members generally capable of sustaining themselves as beams
312 between the supporting connections.

313 [~~(46)~~] (47) "Private road or driveway" means every way or place in private ownership
314 and used for vehicular travel by the owner and those having express or implied permission
315 from the owner, but not by other persons.

316 [~~(47)~~] (48) "Railroad" means a carrier of persons or property upon cars operated on
317 stationary rails.

318 [~~(48)~~] (49) "Railroad sign or signal" means a sign, signal, or device erected by
319 authority of a public body or official or by a railroad and intended to give notice of the presence
320 of railroad tracks or the approach of a railroad train.

321 [~~(49)~~] (50) "Railroad train" means a locomotive propelled by any form of energy,
322 coupled with or operated without cars, and operated upon rails.

323 [~~(50)~~] (51) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
324 lawful manner in preference to another vehicle or pedestrian approaching under circumstances
325 of direction, speed, and proximity that give rise to danger of collision unless one grants
326 precedence to the other.

327 [~~(51)~~] (52) (a) "Roadway" means that portion of highway improved, designed, or
328 ordinarily used for vehicular travel.

329 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
330 them are used by persons riding bicycles or other human-powered vehicles.

331 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
332 a highway includes two or more separate roadways.

333 [~~(52)~~] (53) "Safety zone" means the area or space officially set apart within a roadway
334 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
335 signs as to be plainly visible at all times while set apart as a safety zone.

336 [~~(53)~~] (54) (a) "School bus" means a motor vehicle that:

337 (i) complies with the color and identification requirements of the most recent edition of

338 "Minimum Standards for School Buses"; and

339 (ii) is used to transport school children to or from school or school activities.

340 (b) "School bus" does not include a vehicle operated by a common carrier in
341 transportation of school children to or from school or school activities.

342 [~~54~~] (55) (a) "Semitrailer" means a vehicle with or without motive power:

343 (i) designed for carrying persons or property and for being drawn by a motor vehicle;

344 and

345 (ii) constructed so that some part of its weight and that of its load rests on or is carried
346 by another vehicle.

347 (b) "Semitrailer" does not include a pole trailer.

348 [~~55~~] (56) "Shoulder area" means:

349 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
350 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
351 or

352 (b) that portion of the road contiguous to the roadway for accommodation of stopped
353 vehicles, for emergency use, and for lateral support.

354 [~~56~~] (57) "Sidewalk" means that portion of a street between the curb lines, or the
355 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

356 [~~57~~] (58) "Solid rubber tire" means a tire of rubber or other resilient material that
357 does not depend on compressed air for the support of the load.

358 [~~58~~] (59) "Stand" or "standing" means the temporary halting of a vehicle, whether
359 occupied or not, for the purpose of and while actually engaged in receiving or discharging
360 passengers.

361 [~~59~~] (60) "Stop" when required means complete cessation from movement.

362 [~~60~~] (61) "Stop" or "stopping" when prohibited means any halting even momentarily
363 of a vehicle, whether occupied or not, except when:

364 (a) necessary to avoid conflict with other traffic; or

365 (b) in compliance with the directions of a peace officer or traffic-control device.

366 [~~(61)~~] (62) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain
367 type I vehicle [~~or~~], utility type vehicle, or full-sized all-terrain vehicle that is modified to meet
368 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with
369 Section 41-6a-1509.

370 [~~(62)~~] (63) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
371 conveyances either singly or together while using any highway for the purpose of travel.

372 [~~(63)~~] (64) "Traffic-control device" means a sign, signal, marking, or device not
373 inconsistent with this chapter placed or erected by a highway authority for the purpose of
374 regulating, warning, or guiding traffic.

375 [~~(64)~~] (65) "Traffic-control signal" means a device, whether manually, electrically, or
376 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

377 [~~(65)~~] (66) "Traffic signal preemption device" means an instrument or mechanism
378 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

379 [~~(66)~~] (67) (a) "Trailer" means a vehicle with or without motive power designed for
380 carrying persons or property and for being drawn by a motor vehicle and constructed so that no
381 part of its weight rests upon the towing vehicle.

382 (b) "Trailer" does not include a pole trailer.

383 [~~(67)~~] (68) "Truck" means a motor vehicle designed, used, or maintained primarily for
384 the transportation of property.

385 [~~(68)~~] (69) "Truck tractor" means a motor vehicle:

386 (a) designed and used primarily for drawing other vehicles; and

387 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
388 tractor.

389 [~~(69)~~] (70) "Two-way left turn lane" means a lane:

390 (a) provided for vehicle operators making left turns in either direction;

391 (b) that is not used for passing, overtaking, or through travel; and

392 (c) that has been indicated by a lane traffic-control device that may include lane
393 markings.

394 ~~[(70)]~~ (71) "Urban district" means the territory contiguous to and including any street,
 395 in which structures devoted to business, industry, or dwelling houses are situated at intervals of
 396 less than 100 feet, for a distance of a quarter of a mile or more.

397 ~~[(71)]~~ (72) (a) "Utility type vehicle" means any recreational vehicle designed for and
 398 capable of travel over unimproved terrain:

399 (i) traveling on four or more tires;
 400 (ii) having a width ~~[of 30 to 70 inches;]~~ that, when measured at the widest point of the
 401 vehicle:

402 (A) is not less than 30 inches; or

403 (B) does not exceed 70 inches;

404 (iii) having an unladen dry weight of 2,200 pounds or less;

405 (iv) having a seat height of ~~[25]~~ 20 to 40 inches when measured at the forward edge of
 406 the seat bottom; and

407 (v) having side-by-side seating with a steering wheel for control.

408 (b) "Utility type vehicle" does not include:

409 (i) an all-terrain type I vehicle;

410 ~~[(ii) an all-terrain type II vehicle;]~~

411 ~~[(iii)]~~ (ii) a motorcycle; or

412 ~~[(iv)]~~ (iii) a snowmobile as defined in Section [41-22-2](#).

413 ~~[(72)]~~ (73) "Vehicle" means a device in, on, or by which a person or property is or may
 414 be transported or drawn on a highway, except devices used exclusively on stationary rails or
 415 tracks.

416 Section 3. Section **41-6a-1509** is amended to read:

417 **41-6a-1509. Street-legal all-terrain vehicle -- Operation on highways --**
 418 **Registration and licensing requirements -- Equipment requirements.**

419 (1) (a) Except as provided in Subsection (1)(b), an all-terrain type I ~~[or] vehicle,~~ utility
 420 type vehicle, or full-sized all-terrain vehicle that meets the requirements of this section may be
 421 operated as a street-legal ATV on a street or highway unless the highway is an interstate

422 freeway or a limited access highway as defined in Section 41-6a-102.

423 (b) Unless a street or highway is designated as open for street-legal ATV use by the
424 controlling highway authority in accordance with Section 41-22-10.5, a person may not operate
425 a street-legal ATV on a street or highway in accordance with Subsection (1)(a) if the highway
426 is under the jurisdiction of:

427 (i) a county of the first class;

428 (ii) a municipality that is within a county of the first class; or

429 (iii) a municipality with a population of 7,500 or more people.

430 (2) A street-legal ATV shall comply with the same requirements as:

431 (a) a motorcycle for:

432 (i) traffic rules under Title 41, Chapter 6a, Traffic Code;

433 (ii) registration, titling, odometer statement, vehicle identification, license plates, and
434 registration fees under Title 41, Chapter 1a, Motor Vehicle Act;

435 (iii) fees in lieu of property taxes or in lieu of fees under Section 59-2-405.2; and

436 (iv) the county motor vehicle emissions inspection and maintenance programs under
437 Section 41-6a-1642;

438 (b) a motor vehicle for:

439 (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;

440 (ii) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of
441 Motor Vehicle Owners and Operators Act; and

442 (iii) safety inspection requirements under Title 53, Chapter 8, Part 2, Motor Vehicle
443 Safety Inspection Act, except that a street-legal ATV shall be subject to a safety inspection;

444 (A) when registered for the first time; and

445 (B) subsequently, on the same frequency as described in Subsection 53-8-205(2) based
446 on the age of the vehicle as determined by the model year identified by the manufacturer; and

447 (c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under Title
448 41, Chapter 22, Off-Highway Vehicles, and Title 41, Chapter 3, Motor Vehicle Business
449 Regulation Act, unless otherwise specified in this section.

- 450 (3) (a) [~~A~~] An all-terrain type I vehicle and a utility type vehicle being operated as a
451 street-legal ATV shall be equipped with:
- 452 [~~(a)~~] (i) one or more headlamps that meet the requirements of Section 41-6a-1603;
453 [~~(b)~~] (ii) one or more tail lamps;
454 [~~(c)~~] (iii) a tail lamp or other lamp constructed and placed to illuminate the registration
455 plate with a white light;
- 456 [~~(d)~~] (iv) one or more red reflectors on the rear;
457 [~~(e)~~] (v) one or more stop lamps on the rear;
458 [~~(f)~~] (vi) amber or red electric turn signals, one on each side of the front and rear;
459 [~~(g)~~] (vii) a braking system, other than a parking brake, that meets the requirements of
460 Section 41-6a-1623;
461 [~~(h)~~] (viii) a horn or other warning device that meets the requirements of Section
462 41-6a-1625;
463 [~~(i)~~] (ix) a muffler and emission control system that meets the requirements of Section
464 41-6a-1626;
465 [~~(j)~~] (x) rearview mirrors on the right and left side of the driver in accordance with
466 Section 41-6a-1627;
467 [~~(k)~~] (xi) a windshield, unless the operator wears eye protection while operating the
468 vehicle;
469 [~~(l)~~] (xii) a speedometer, illuminated for nighttime operation;
470 [~~(m)~~] (xiii) for vehicles designed by the manufacturer for carrying one or more
471 passengers, a seat designed for passengers, including a footrest and handhold for each
472 passenger;
473 [~~(n)~~] (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant;
474 and
475 [~~(o)~~] (xv) tires that:
476 [~~(i)~~] (A) do not exceed 26 inches in height;
477 [~~(ii)~~] (B) are not larger than the tires that the all-terrain vehicle manufacturer made

478 available for the all-terrain vehicle model; and
479 ~~[(iii)]~~ (C) have at least 2/32 inches or greater tire tread.
480 (b) A full-sized all-terrain vehicle being operated as a street-legal all-terrain vehicle
481 shall be equipped with:
482 (i) two headlamps that meet the requirements of Section [41-6a-1603](#);
483 (ii) two tail lamps;
484 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
485 with a white light;
486 (iv) one or more red reflectors on the rear;
487 (v) two stop lamps on the rear;
488 (vi) amber or red electric turn signals, one on each side of the front and rear;
489 (vii) a braking system, other than a parking brake, that meets the requirements of
490 Section [41-6a-1623](#);
491 (viii) a horn or other warning device that meets the requirements of Section
492 [41-6a-1625](#);
493 (ix) a muffler and emission control system that meets the requirements of Section
494 [41-6a-1626](#);
495 (x) rearview mirrors on the right and left side of the driver in accordance with Section
496 [41-6a-1627](#);
497 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
498 (xii) a speedometer, illuminated for nighttime operation;
499 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
500 seat designed for passengers, including a footrest and handhold for each passenger;
501 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and
502 (xv) tires that:
503 (A) do not exceed 44 inches in height; and
504 (B) have at least 2/32 inches or greater tire tread.
505 (4) (a) Subject to the requirement in Subsection (4)(b), an operator of a street-legal

506 all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway in accordance
507 with this section, may not exceed the lesser of:

508 (i) the posted speed limit; or

509 (ii) 45 miles per hour.

510 (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal
511 all-terrain vehicle on a highway with a posted speed limit higher than 45 miles per hour, shall:

512 (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
513 roadway; and

514 (ii) ~~shall~~ equip the street-legal all-terrain vehicle with a reflector or reflective tape to
515 the front and back of both sides of the vehicle.

516 (5) (a) A nonresident operator of an off-highway vehicle that is authorized to be
517 operated on the highways of another state has the same rights and privileges as a street-legal
518 ATV that is granted operating privileges on the highways of this state, subject to the
519 restrictions under this section and rules made by the Board of Parks and Recreation, if the other
520 state offers reciprocal operating privileges to Utah residents.

521 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
522 Board of Parks and Recreation shall establish eligibility requirements for reciprocal operating
523 privileges for nonresident users granted under Subsection (5)(a).

524 (6) Nothing in this chapter shall restrict the operation of an off-highway vehicle in
525 accordance with Section [41-22-10.5](#).

526 Section 4. Section **41-6a-1629** is amended to read:

527 **41-6a-1629. Vehicles subject to Sections 41-6a-1629 through 41-6a-1633 --**

528 **Definitions.**

529 (1) As used in Sections [41-6a-1629](#) through [41-6a-1633](#):

530 (a) "Frame" means the main longitudinal structural members of the chassis of the
531 vehicle or, for vehicles with unitized body construction, the lowest longitudinal structural
532 member of the body of the vehicle.

533 (b) "Frame height" means the vertical distance between the ground and the lowest point

534 on the frame. The distance is measured when the vehicle is unladen and on a level surface.

535 (c) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross
536 vehicle weight rating, whether or not the vehicle is modified by use of parts not originally
537 installed by the original manufacturer.

538 (d) "Manufacturer" means any person engaged in manufacturing or assembling new
539 motor vehicles utilizing new parts or components, or a person defined as a manufacturer in
540 current applicable Federal Motor Vehicle Safety Standards and Regulations.

541 (e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the
542 axles, chassis, suspension, or body by any means, including tires and wheels, and excluding
543 any load, which affects the frame height of the motor vehicle.

544 (f) "O.E.M." means original equipment manufacturer.

545 (g) "Original equipment" means an item of motor vehicle equipment, including tires,
546 which were installed in or on a motor vehicle or available as an option for the particular vehicle
547 from the original manufacturer at the time of its delivery to the first purchaser.

548 (h) "Wheel track" means the shortest distance between the center of the tire treads on
549 the same axle. On vehicles having dissimilar axle widths, the axle with the widest distance is
550 used for all calculations.

551 (2) (a) Except as provided in [~~Subsection~~] Subsections (2)(b) and (c), the provisions of
552 Sections [41-6a-1629](#) through [41-6a-1633](#) apply to all motor vehicles operated or parked on a
553 highway.

554 (b) The provisions of Sections [41-6a-1629](#) through [41-6a-1633](#) do not apply to the
555 following vehicles:

556 (i) implements of husbandry;

557 (ii) farm tractors;

558 (iii) road machinery;

559 (iv) road rollers; and

560 (v) historical vehicles or horseless carriages that have been restored as near to original
561 condition as is reasonably possible.

562 (c) The provisions of Subsection [41-6a-1631\(2\)](#) and Sections [41-6a-1632](#) and
563 [41-6a-1633](#) do not apply to a street-legal all-terrain vehicle operated in accordance with
564 [Section 41-6a-1509](#).

565 Section 5. Section **41-22-2** is amended to read:

566 **41-22-2. Definitions.**

567 As used in this chapter:

568 (1) "Advisory council" means the Off-highway Vehicle Advisory Council appointed by
569 the Board of Parks and Recreation.

570 (2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width,
571 having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure
572 tires, having a seat designed to be straddled by the operator, and designed for or capable of
573 travel over unimproved terrain.

574 (3) (a) "All-terrain type II vehicle" means any other motor vehicle, not defined in
575 Subsection (2), (11), or (22), designed for or capable of travel over unimproved terrain.

576 ~~[(b) "All-terrain type II vehicle" includes a class A side-by-side vehicle.]~~

577 ~~[(c)]~~ (b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed
578 to carry a person with a disability, any vehicle not specifically designed for recreational use, or
579 farm tractors as defined under Section [41-1a-102](#).

580 (4) "Board" means the Board of Parks and Recreation.

581 ~~[(5) "Class A side-by-side vehicle" means any motor vehicle 65 inches or less in width,
582 having an unladen dry weight of 2,000 pounds or less, traveling on four or more non-highway
583 tires, and designed for or capable of travel over unimproved terrain.]~~

584 ~~[(6)]~~ (5) "Cross-country" means across natural terrain and off an existing highway,
585 road, route, or trail.

586 ~~[(7)]~~ (6) "Dealer" means a person engaged in the business of selling off-highway
587 vehicles at wholesale or retail.

588 ~~[(8)]~~ (7) "Division" means the Division of Parks and Recreation.

589 ~~[(9)]~~ (8) "Low pressure tire" means any pneumatic tire six inches or more in width

590 designed for use on wheels with rim diameter of 14 inches or less and utilizing an operating
591 pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

592 ~~[(10)]~~ (9) "Manufacturer" means a person engaged in the business of manufacturing
593 off-highway vehicles.

594 ~~[(11)]~~ (10) "Motorcycle" means every motor vehicle having a saddle for the use of the
595 operator and designed to travel on not more than two tires.

596 ~~[(12)]~~ (11) (a) "Motor vehicle" means every vehicle which is self-propelled.

597 (b) "Motor vehicle" includes an off-highway vehicle.

598 ~~[(13)]~~ (12) "Off-highway implement of husbandry" means every all-terrain type I
599 vehicle, motorcycle, or snowmobile that is used by the owner or the owner's agent for
600 agricultural operations.

601 ~~[(14)]~~ (13) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle,
602 all-terrain type II vehicle, or motorcycle.

603 ~~[(15)]~~ (14) "Operate" means to control the movement of or otherwise use an
604 off-highway vehicle.

605 ~~[(16)]~~ (15) "Operator" means the person who is in actual physical control of an
606 off-highway vehicle.

607 ~~[(17)]~~ (16) "Organized user group" means an off-highway vehicle organization
608 incorporated as a nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised
609 Nonprofit Corporation Act, for the purpose of promoting the interests of off-highway vehicle
610 recreation.

611 ~~[(18)]~~ (17) "Owner" means a person, other than a person with a security interest,
612 having a property interest or title to an off-highway vehicle and entitled to the use and
613 possession of that vehicle.

614 ~~[(19)]~~ (18) "Public land" means land owned or administered by any federal or state
615 agency or any political subdivision of the state.

616 ~~[(20)]~~ (19) "Register" means the act of assigning a registration number to an
617 off-highway vehicle.

618 [~~(21)~~] (20) "Roadway" is used as defined in Section [41-6a-102](#).

619 [~~(22)~~] (21) "Snowmobile" means any motor vehicle designed for travel on snow or ice
620 and steered and supported in whole or in part by skis, belts, cleats, runners, or low pressure
621 tires.

622 [~~(23)~~] (22) "Street or highway" means the entire width between boundary lines of every
623 way or place of whatever nature, when any part of it is open to the use of the public for
624 vehicular travel.

625 [~~(24)~~] (23) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same
626 meaning as defined in Section [41-6a-102](#).