

**Representative Jim Nielson** proposes the following substitute bill:

**PARK MODEL RECREATIONAL VEHICLES**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jim Nielson**

Senate Sponsor: Kevin T. Van Tassell

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**LONG TITLE**

**General Description:**

This bill modifies the provisions to address the treatment of park model recreational vehicles.

**Highlighted Provisions:**

This bill:

- ▶ modifies the definition provision to address park model recreational vehicles;
- ▶ requires park model recreational vehicles to be registered and to obtain a decal;
- ▶ provides for fees;
- ▶ addresses titling requirements;
- ▶ exempts park model recreation vehicles from certain statutory requirements;
- ▶ exempts park model recreation vehicles from definition of motor vehicles for purposes of dealership regulation;
- ▶ addresses the uniform statewide fee; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on January 1, 2015.

**1st Sub. H.B. 199**



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **41-1a-102**, as last amended by Laws of Utah 2013, Chapter 266

29 **41-1a-201**, as enacted by Laws of Utah 1992, Chapter 1 and last amended by Laws of  
30 Utah 1992, Chapter 218

31 **41-1a-204**, as renumbered and amended by Laws of Utah 1992, Chapter 1

32 **41-1a-229**, as enacted by Laws of Utah 1992, Chapter 1 and last amended by Laws of  
33 Utah 1992, Chapter 54

34 **41-1a-301**, as last amended by Laws of Utah 2009, Chapter 183

35 **41-1a-401**, as renumbered and amended by Laws of Utah 1992, Chapter 1

36 **41-1a-1206**, as last amended by Laws of Utah 2012, Chapters 356, 356, 397 and last  
37 amended by Coordination Clause, Laws of Utah 2012, Chapter 397

38 **41-1a-1212**, as last amended by Laws of Utah 2009, Chapter 183

39 **41-3-102**, as last amended by Laws of Utah 2010, Chapter 393

40 **59-2-405.2**, as last amended by Laws of Utah 2012, Chapter 397

41 ENACTS:

42 **41-1a-506.1**, Utah Code Annotated 1953



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

45 Section 1. Section **41-1a-102** is amended to read:

46 **41-1a-102. Definitions.**

47 As used in this chapter:

48 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

49 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of  
50 vehicles as operated and certified to by a weighmaster.

51 (3) "All-terrain type I vehicle" has the same meaning provided in Section **41-22-2**.

52 (4) "All-terrain type II vehicle" has the same meaning provided in Section **41-22-2**.

53 (5) "Amateur radio operator" means any person licensed by the Federal  
54 Communications Commission to engage in private and experimental two-way radio operation  
55 on the amateur band radio frequencies.

56 (6) "Branded title" means a title certificate that is labeled:

57 (a) rebuilt and restored to operation;

58 (b) flooded and restored to operation; or

59 (c) not restored to operation.

60 (7) "Camper" means any structure designed, used, and maintained primarily to be  
61 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a  
62 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for  
63 camping.

64 (8) "Certificate of title" means a document issued by a jurisdiction to establish a record  
65 of ownership between an identified owner and the described vehicle, vessel, or outboard motor.

66 (9) "Certified scale weigh ticket" means a weigh ticket that has been issued by a  
67 weighmaster.

68 (10) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or  
69 maintained for the transportation of persons or property that operates:

70 (a) as a carrier for hire, compensation, or profit; or

71 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the  
72 owner's commercial enterprise.

73 (11) "Commission" means the State Tax Commission.

74 (12) "Dealer" means a person engaged or licensed to engage in the business of buying,  
75 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on  
76 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established  
77 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

78 (13) "Division" means the Motor Vehicle Division of the commission, created in  
79 Section [41-1a-106](#).

80 (14) "Essential parts" means all integral and body parts of a vehicle of a type required  
81 to be registered in this state, the removal, alteration, or substitution of which would tend to  
82 conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of  
83 operation.

84 (15) "Farm tractor" means every motor vehicle designed and used primarily as a farm  
85 implement for drawing plows, mowing machines, and other implements of husbandry.

86 (16) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for  
87 his own use in the transportation of:

88 (i) farm products, including livestock and its products, poultry and its products,  
89 floricultural and horticultural products;

90 (ii) farm supplies, including tile, fence, and every other thing or commodity used in  
91 agricultural, floricultural, horticultural, livestock, and poultry production; and

92 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or  
93 other purposes connected with the operation of a farm.

94 (b) "Farm truck" does not include the operation of trucks by commercial processors of  
95 agricultural products.

96 (17) "Fleet" means one or more commercial vehicles.

97 (18) "Foreign vehicle" means a vehicle of a type required to be registered, brought into  
98 this state from another state, territory, or country other than in the ordinary course of business  
99 by or through a manufacturer or dealer, and not registered in this state.

100 (19) "Gross laden weight" means the actual weight of a vehicle or combination of  
101 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

102 (20) "Highway" or "street" means the entire width between property lines of every way  
103 or place of whatever nature when any part of it is open to the public, as a matter of right, for  
104 purposes of vehicular traffic.

105 (21) (a) "Identification number" means the identifying number assigned by the  
106 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard  
107 motor.

108 (b) "Identification number" includes a vehicle identification number, state assigned  
109 identification number, hull identification number, and motor serial number.

110 (22) "Implement of husbandry" means every vehicle designed or adapted and used  
111 exclusively for an agricultural operation and only incidentally operated or moved upon the  
112 highways.

113 (23) (a) "In-state miles" means the total number of miles operated in this state during  
114 the preceding year by fleet power units.

115 (b) If fleets are composed entirely of trailers or semitrailers, "in-state miles" means the  
116 total number of miles that those vehicles were towed on Utah highways during the preceding  
117 year.

118 (24) "Interstate vehicle" means any commercial vehicle operated in more than one

119 state, province, territory, or possession of the United States or foreign country.

120 (25) "Jurisdiction" means a state, district, province, political subdivision, territory, or  
121 possession of the United States or any foreign country.

122 (26) "Lienholder" means a person with a security interest in particular property.

123 (27) "Manufactured home" means a transportable factory built housing unit constructed  
124 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards  
125 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body  
126 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more  
127 square feet, and which is built on a permanent chassis and designed to be used as a dwelling  
128 with or without a permanent foundation when connected to the required utilities, and includes  
129 the plumbing, heating, air-conditioning, and electrical systems.

130 (28) "Manufacturer" means a person engaged in the business of constructing,  
131 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or  
132 outboard motors for the purpose of sale or trade.

133 (29) "Mobile home" means a transportable factory built housing unit built prior to June  
134 15, 1976, in accordance with a state mobile home code which existed prior to the Federal  
135 Manufactured Housing and Safety Standards Act (HUD Code).

136 (30) "Motorboat" has the same meaning as provided in Section [73-18-2](#).

137 (31) "Motorcycle" means a motor vehicle having a saddle for the use of the rider and  
138 designed to travel on not more than three wheels in contact with the ground.

139 (32) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and  
140 operation on the highways.

141 (b) "Motor vehicle" does not include an off-highway vehicle.

142 (33) (a) "Nonresident" means a person who is not a resident of this state as defined by  
143 Section [41-1a-202](#), and who does not engage in intrastate business within this state and does  
144 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

145 (b) A person who engages in intrastate business within this state and operates in that  
146 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in  
147 interstate commerce, maintains any vehicle in this state as the home station of that vehicle is  
148 considered a resident of this state, insofar as that vehicle is concerned in administering this  
149 chapter.

150 (34) "Odometer" means a device for measuring and recording the actual distance a  
151 vehicle travels while in operation, but does not include any auxiliary odometer designed to be  
152 periodically reset.

153 (35) "Off-highway implement of husbandry" has the same meaning as provided in  
154 Section [41-22-2](#).

155 (36) "Off-highway vehicle" has the same meaning as provided in Section [41-22-2](#).

156 (37) "Operate" means to drive or be in actual physical control of a vehicle or to  
157 navigate a vessel.

158 (38) "Outboard motor" means a detachable self-contained propulsion unit, excluding  
159 fuel supply, used to propel a vessel.

160 (39) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle,  
161 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a  
162 security interest.

163 (b) If a vehicle is the subject of an agreement for the conditional sale or installment  
164 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions  
165 stated in the agreement and with an immediate right of possession vested in the conditional  
166 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the  
167 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this  
168 chapter.

169 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the  
170 owner until the lessee exercises his option to purchase the vehicle.

171 (40) "Park model recreational vehicle" means a unit that:

172 (a) is designed and marketed as temporary living quarters for recreational, camping,  
173 travel, or seasonal use;

174 (b) is not permanently affixed to real property for use as a permanent dwelling;

175 (c) requires a special highway movement permit for transit; and

176 (d) is built on a single chassis mounted on wheels with a gross trailer area not  
177 exceeding 400 square feet in the setup mode.

178 [~~40~~] (41) "Personalized license plate" means a license plate that has displayed on it a  
179 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned  
180 to the vehicle by the division.

181           ~~[(41)]~~ (42) (a) "Pickup truck" means a two-axle motor vehicle with motive power  
182 manufactured, remanufactured, or materially altered to provide an open cargo area.

183           (b) "Pickup truck" includes motor vehicles with the open cargo area covered with a  
184 camper, camper shell, tarp, removable top, or similar structure.

185           ~~[(42)]~~ (43) "Pneumatic tire" means every tire in which compressed air is designed to  
186 support the load.

187           ~~[(43)]~~ (44) "Preceding year" means a period of 12 consecutive months fixed by the  
188 division that is within 16 months immediately preceding the commencement of the registration  
189 or license year in which proportional registration is sought. The division in fixing the period  
190 shall conform it to the terms, conditions, and requirements of any applicable agreement or  
191 arrangement for the proportional registration of vehicles.

192           ~~[(44)]~~ (45) "Public garage" means every building or other place where vehicles or  
193 vessels are kept and stored and where a charge is made for the storage and keeping of vehicles  
194 and vessels.

195           ~~[(45)]~~ (46) "Receipt of surrender of ownership documents" means the receipt of  
196 surrender of ownership documents described in Section [41-1a-503](#).

197           ~~[(46)]~~ (47) "Reconstructed vehicle" means every vehicle of a type required to be  
198 registered in this state that is materially altered from its original construction by the removal,  
199 addition, or substitution of essential parts, new or used.

200           ~~[(47)]~~ (48) "Recreational vehicle" has the same meaning as provided in Section  
201 [13-14-102](#).

202           ~~[(48)]~~ (49) "Registration" means a document issued by a jurisdiction that allows  
203 operation of a vehicle or vessel on the highways or waters of this state for the time period for  
204 which the registration is valid and that is evidence of compliance with the registration  
205 requirements of the jurisdiction.

206           ~~[(49)]~~ (50) (a) "Registration year" means a 12 consecutive month period commencing  
207 with the completion of all applicable registration criteria.

208           (b) For administration of a multistate agreement for proportional registration the  
209 division may prescribe a different 12-month period.

210           ~~[(50)]~~ (51) "Repair or replacement" means the restoration of vehicles, vessels, or  
211 outboard motors to a sound working condition by substituting any inoperative part of the

212 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

213 [~~(51)~~] (52) "Replica vehicle" means:

214 (a) a street rod that meets the requirements under Subsection 41-21-1(1)(a)(i)(B); or

215 (b) a custom vehicle that meets the requirements under Subsection

216 41-6a-1507(1)(a)(i)(B).

217 [~~(52)~~] (53) "Road tractor" means every motor vehicle designed and used for drawing

218 other vehicles and constructed so it does not carry any load either independently or any part of

219 the weight of a vehicle or load that is drawn.

220 [~~(53)~~] (54) "Sailboat" has the same meaning as provided in Section 73-18-2.

221 [~~(54)~~] (55) "Security interest" means an interest that is reserved or created by a security

222 agreement to secure the payment or performance of an obligation and that is valid against third

223 parties.

224 [~~(55)~~] (56) "Semitrailer" means every vehicle without motive power designed for

225 carrying persons or property and for being drawn by a motor vehicle and constructed so that

226 some part of its weight and its load rests or is carried by another vehicle.

227 [~~(56)~~] (57) "Special group license plate" means a type of license plate designed for a

228 particular group of people or a license plate authorized and issued by the division in accordance

229 with Section 41-1a-418.

230 [~~(57)~~] (58) (a) "Special interest vehicle" means a vehicle used for general

231 transportation purposes and that is:

232 (i) 20 years or older from the current year; or

233 (ii) a make or model of motor vehicle recognized by the division director as having

234 unique interest or historic value.

235 (b) In making his determination under Subsection [~~(57)~~] (58)(a), the division director

236 shall give special consideration to:

237 (i) a make of motor vehicle that is no longer manufactured;

238 (ii) a make or model of motor vehicle produced in limited or token quantities;

239 (iii) a make or model of motor vehicle produced as an experimental vehicle or one

240 designed exclusively for educational purposes or museum display; or

241 (iv) a motor vehicle of any age or make that has not been substantially altered or

242 modified from original specifications of the manufacturer and because of its significance is



243 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a  
244 leisure pursuit.

245 ~~[(58)]~~ (59) (a) "Special mobile equipment" means every vehicle:

246 (i) not designed or used primarily for the transportation of persons or property;

247 (ii) not designed to operate in traffic; and

248 (iii) only incidentally operated or moved over the highways.

249 (b) "Special mobile equipment" includes:

250 (i) farm tractors;

251 (ii) off-road motorized construction or maintenance equipment including backhoes,  
252 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

253 (iii) ditch-digging apparatus.

254 (c) "Special mobile equipment" does not include a commercial vehicle as defined  
255 under Section [72-9-102](#).

256 ~~[(59)]~~ (60) "Specially constructed vehicle" means every vehicle of a type required to be  
257 registered in this state, not originally constructed under a distinctive name, make, model, or  
258 type by a generally recognized manufacturer of vehicles, and not materially altered from its  
259 original construction.

260 ~~[(60)]~~ (61) "Title" means the right to or ownership of a vehicle, vessel, or outboard  
261 motor.

262 ~~[(61)]~~ (62) (a) "Total fleet miles" means the total number of miles operated in all  
263 jurisdictions during the preceding year by power units.

264 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means  
265 the number of miles that those vehicles were towed on the highways of all jurisdictions during  
266 the preceding year.

267 ~~[(62)]~~ (63) "Trailer" means a vehicle without motive power designed for carrying  
268 persons or property and for being drawn by a motor vehicle and constructed so that no part of  
269 its weight rests upon the towing vehicle.

270 ~~[(63)]~~ (64) "Transferee" means a person to whom the ownership of property is  
271 conveyed by sale, gift, or any other means except by the creation of a security interest.

272 ~~[(64)]~~ (65) "Transferor" means a person who transfers his ownership in property by  
273 sale, gift, or any other means except by creation of a security interest.

274           ~~[(65)]~~ (66) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable  
275 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or  
276 vacation use that does not require a special highway movement permit when drawn by a  
277 self-propelled motor vehicle.

278           ~~[(66)]~~ (67) "Truck tractor" means a motor vehicle designed and used primarily for  
279 drawing other vehicles and not constructed to carry a load other than a part of the weight of the  
280 vehicle and load that is drawn.

281           ~~[(67)]~~ (68) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,  
282 park model recreational vehicle, manufactured home, and mobile home.

283           ~~[(68)]~~ (69) "Vessel" has the same meaning as provided in Section 73-18-2.

284           ~~[(69)]~~ (70) "Vintage vehicle" has the same meaning as provided in Section 41-21-1.

285           ~~[(70)]~~ (71) "Waters of this state" has the same meaning as provided in Section 73-18-2.

286           ~~[(71)]~~ (72) "Weighmaster" means a person, association of persons, or corporation  
287 permitted to weigh vehicles under this chapter.

288           Section 2. Section **41-1a-201** is amended to read:

289           **41-1a-201. Function of registration -- Registration required.**

290 Unless exempted, a person may not operate and an owner may not give another person  
291 permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage  
292 vehicle, off-highway vehicle, ~~[or]~~ vessel, or park model recreational vehicle in this state unless  
293 it has been registered in accordance with this chapter, Title 41, Chapter 22, Off-Highway  
294 Vehicles, or Title 73, Chapter 18, State Boating Act.

295           Section 3. Section **41-1a-204** is amended to read:

296           **41-1a-204. Identification number inspection.**

297           (1) An application for first registration in this state of any vehicle may not be accepted  
298 by the division unless the identification number of that vehicle, other than new vehicles sold  
299 by dealers licensed in this state, has been inspected by a qualified identification number  
300 inspector under Part 8, Identification Numbers.

301           (2) A park model recreational vehicle is exempt from this section.

302           Section 4. Section **41-1a-229** is amended to read:

303           **41-1a-229. Display of gross laden weight.**

304           (1) Each vehicle registered by gross laden weight and exceeding 12,000 pounds of

305 gross laden weight shall have the gross laden weight for which it is registered painted,  
306 stenciled, or shown by decal upon both the left and right sides of the vehicle, in a conspicuous  
307 place, in letters of a reasonable size as determined by the commission.

308 (2) If vehicles are registered in combination, the gross laden weight for which the  
309 combination of vehicles is registered shall be displayed upon the power unit.

310 (3) An owner or operator of a vehicle or combination of vehicles may not display a  
311 gross laden weight other than that shown on the certificate of registration of the vehicle.

312 (4) A park model recreational vehicle is exempt from this section.

313 Section 5. Section **41-1a-301** is amended to read:

314 **41-1a-301. Apportioned registration and licensing of interstate vehicles.**

315 (1) (a) An owner or operator of a fleet of commercial vehicles based in this state and  
316 operating in two or more jurisdictions may register commercial vehicles for operation under the  
317 International Registration Plan or the Uniform Vehicle Registration Proration and Reciprocity  
318 Agreement by filing an application with the division.

319 (b) The application shall include information that identifies the vehicle owner, the  
320 vehicle, the miles traveled in each jurisdiction, and other information pertinent to the  
321 registration of apportioned vehicles.

322 (c) Vehicles operated exclusively in this state may not be apportioned.

323 (2) (a) If no operations were conducted during the preceding year, the application shall  
324 contain a statement of the proposed operations and an estimate of annual mileage for each  
325 jurisdiction.

326 (b) The division may adjust the estimate if the division is not satisfied with its  
327 correctness.

328 (c) At renewal, the registrant shall use the actual mileage from the preceding year in  
329 computing fees due each jurisdiction.

330 (3) The registration fee for apportioned vehicles shall be determined as follows:

331 (a) divide the in-jurisdiction miles by the total miles generated during the preceding  
332 year;

333 (b) total the fees for each vehicle based on the fees prescribed in Section [41-1a-1206](#);  
334 and

335 (c) multiply the sum obtained under Subsection (3)(b) by the quotient obtained under

336 Subsection (3)(a).

337 (4) Trailers or semitrailers of apportioned fleets may be listed separately as "trailer  
338 fleets" with the fees paid according to the total distance those trailers were towed in all  
339 jurisdictions during the preceding year mileage reporting period.

340 (5) (a) (i) When the proper fees have been paid and the property tax or in lieu fee has  
341 been cleared under Section [41-1a-206](#) or [41-1a-207](#), a registration card, annual decal, and  
342 where necessary, license plate, will be issued for each unit listed on the application.

343 (ii) An original registration must be carried in each vehicle at all times.

344 (b) Original registration cards for trailers or semitrailers may be carried in the power  
345 unit.

346 (c) (i) In lieu of a permanent registration card or license plate, the division may issue  
347 one temporary permit authorizing operation of new or unlicensed vehicles until the permanent  
348 registration is completed.

349 (ii) Once a temporary permit is issued, the registration process may not be cancelled.  
350 Registration must be completed and the fees and any property tax or in lieu fee due must be  
351 paid for the vehicle for which the permit was issued.

352 (iii) Temporary permits may not be issued for renewals.

353 (d) (i) The division shall issue one distinctive license plate that displays the letters APP  
354 for apportioned vehicles.

355 (ii) The plate shall be displayed on the front of an apportioned truck tractor or power  
356 unit or on the rear of any apportioned vehicle.

357 (iii) Distinctive decals displaying the word "apportioned" and the month and year of  
358 expiration shall be issued for each apportioned vehicle.

359 (e) A nonrefundable administrative fee, determined by the commission pursuant to  
360 Section [63J-1-504](#), shall be charged for each temporary permit, registration, or both.

361 (6) Vehicles that are apportionally registered are fully registered for intrastate and  
362 interstate movements, providing the proper interstate and intrastate authority has been secured.

363 (7) (a) Vehicles added to an apportioned fleet after the beginning of the registration  
364 year shall be registered by applying the quotient under Subsection (3)(a) for the original  
365 application to the fees due for the remainder of the registration year.

366 (b) (i) The owner shall maintain and submit complete annual mileage for each vehicle

367 in each jurisdiction, showing all miles operated by the lessor and lessee.

368 (ii) The fiscal mileage reporting period begins July 1, and continues through June 30 of  
369 the year immediately preceding the calendar year in which the registration year begins.

370 (c) (i) An owner-operator, who is a lessor, may be the registrant and the vehicle may be  
371 registered in the name of the owner-operator.

372 (ii) The identification plates and registration card shall be the property of the lessor and  
373 may reflect both the owner-operator's name and that of the carrier as lessee.

374 (iii) The allocation of fees shall be according to the operational records of the  
375 owner-operator.

376 (d) (i) The lessee may be the registrant of a leased vehicle at the option of the lessor.

377 (ii) If a lessee is the registrant of a leased vehicle, both the lessor's and lessee's name  
378 shall appear on the registration.

379 (iii) The allocation of fees shall be according to the records of the carrier.

380 (8) (a) Any registrant whose application for apportioned registration has been accepted  
381 shall preserve the records on which the application is based for a period of three years after the  
382 close of the registration year.

383 (b) The records shall be made available to the division upon request for audit as to  
384 accuracy of computations, payments, and assessments for deficiencies, or allowances for  
385 credits.

386 (c) An assessment for deficiency or claim for credit may not be made for any period for  
387 which records are no longer required.

388 (d) Interest in the amount prescribed by Section 59-1-402 shall be assessed or paid  
389 from the date due until paid on deficiencies found due after audit.

390 (e) Registrants with deficiencies are subject to the penalties under Section 59-1-401.

391 (f) The division may enter into agreements with other International Registration Plan  
392 jurisdictions for joint audits.

393 (9) (a) Except as provided in Subsection (9)(b), all state fees collected under this  
394 section shall be deposited in the Transportation Fund.

395 (b) The following fees may be used by the commission as a dedicated credit to cover  
396 the costs of electronic credentialing as provided in Section 41-1a-303:

397 (i) \$5 of each temporary registration permit fee paid under Subsection (12)(a)(i) for a

398 single unit; and

399 (ii) \$10 of each temporary registration permit fee paid under Subsection (12)(a)(ii) for  
400 multiple units.

401 (10) If registration is for less than a full year, fees for apportioned registration shall be  
402 assessed according to Section 41-1a-1207.

403 (a) (i) If the registrant is replacing a vehicle for one withdrawn from the fleet and the  
404 new vehicle is of the same weight category as the replaced vehicle, the registrant must file a  
405 supplemental application.

406 (ii) A registration card that transfers the license plate to the new vehicle shall be issued.

407 (iii) When a replacement vehicle is of greater weight than the replaced vehicle,  
408 additional registration fees are due.

409 (b) If a vehicle is withdrawn from an apportioned fleet during the period for which it is  
410 registered, the registrant shall notify the division and surrender the registration card and license  
411 plate of the withdrawn vehicle.

412 (11) (a) An out-of-state carrier with an apportionally registered vehicle who has not  
413 presented a certificate of property tax or in lieu fee as required by Section 41-1a-206 or  
414 41-1a-207, shall pay, at the time of registration, a proportional part of an equalized highway  
415 use tax computed as follows:

416 (i) Multiply the number of vehicles or combination vehicles registered in each weight  
417 class by the equivalent tax figure from the following tables:

418 Vehicle or Combination			
	Registered Weight	Age of Vehicle	Equivalent Tax
419	12,000 pounds or less	12 or more years	\$10
420	12,000 pounds or less	9 or more years but less than 12 years	\$50
421	12,000 pounds or less	6 or more years but less than 9 years	\$80
422	12,000 pounds or less	3 or more years but less than 6 years	\$110
423	12,000 pounds or less	Less than 3 years	\$150

424	Vehicle or Combination	Equivalent
	Registered Weight	Tax
425	12,001 - 18,000 pounds	\$150

426	18,001 - 34,000 pounds	200
427	34,001 - 48,000 pounds	300
428	48,001 - 64,000 pounds	450
429	64,001 pounds and over	600

430 (ii) Multiply the equivalent tax value for the total fleet determined under Subsection  
431 (11)(a)(i) by the fraction computed under Subsection (3) for the apportioned fleet for the  
432 registration year.

433 (b) Fees shall be assessed as provided in Section [41-1a-1207](#).

434 (12) (a) Commercial vehicles meeting the registration requirements of another  
435 jurisdiction may, as an alternative to full or apportioned registration, secure a temporary  
436 registration permit for a period not to exceed 96 hours or until they leave the state, whichever is  
437 less, for a fee of:

438 (i) \$25 for a single unit; and

439 (ii) \$50 for multiple units.

440 (b) A state temporary permit or registration fee is not required from nonresident owners  
441 or operators of vehicles or combination of vehicles having a gross laden weight of 26,000  
442 pounds or less for each single unit or combination.

443 (13) A park model recreational vehicle may not be registered under this section.

444 Section 6. Section **41-1a-401** is amended to read:

445 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**  
446 **registration in lieu of or used with plates.**

447 (1) (a) The division upon registering a vehicle shall issue to the owner:

448 (i) one license plate for a motorcycle, trailer, or semitrailer [and];

449 (ii) one decal for a park model recreational vehicle, in lieu of a license plate, which  
450 shall be attached in plain site to the rear of the park model recreational vehicle; and

451 (iii) two identical license plates for every other vehicle.

452 (b) The license plate [~~shall be~~] or decal issued under Subsection (1)(a) is for the  
453 particular vehicle registered and may not be removed during the term for which the license  
454 plate or decal is issued or used upon any other vehicle than the registered vehicle.

455 (2) The division may receive applications for registration renewal, renew registration,

456 and issue new license plates or decals at any time prior to the expiration of registration.

457 (3) (a) All license plates to be manufactured and issued by the division shall be treated  
458 with a fully reflective material on the plate face that provides effective and dependable  
459 reflective brightness during the service period of the license plate.

460 (b) The division shall prescribe all license plate material specifications and establish  
461 and implement procedures for conforming to the specifications.

462 (c) The specifications for the materials used such as the aluminum plate substrate, the  
463 reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may  
464 qualify as suppliers.

465 (d) The granting of contracts for the materials shall be by public bid.

466 (4) (a) The commission may issue, adopt, and require the use of indicia of registration  
467 it considers advisable in lieu of or in conjunction with license plates as provided in this part.

468 (b) All provisions of this part relative to license plates apply to these indicia of  
469 registration, so far as the provisions are applicable.

470 Section 7. Section **41-1a-506.1** is enacted to read:

471 **41-1a-506.1. Exceptions to title requirements for park model recreational vehicles.**

472 (1) A park model recreational vehicle in this state and identified by the manufacturer as  
473 a 2015 year model or newer is subject to the titling provisions of this part.

474 (2) The division may provide title to a park model recreational vehicle identified by the  
475 manufacturer as a 2014 year model or older if requested by the owner of the park model  
476 recreational vehicle.

477 Section 8. Section **41-1a-1206** is amended to read:

478 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

479 (1) Except as provided in Subsections (2) and (3), at the time application is made for  
480 registration or renewal of registration of a vehicle or combination of vehicles under this  
481 chapter, a registration fee shall be paid to the division as follows:

482 (a) \$44.50 for each motorcycle;

483 (b) \$43 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding  
484 motorcycles;

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



- 487 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or  
488 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
489 gross unladen weight;
- 490 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
491 gross laden weight; plus
- 492 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 493 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm  
494 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus
- 495 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight; and
- 496 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not  
497 exceeding 14,000 pounds gross laden weight; plus
- 498 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;  
499 [(f)] (g) \$45 for each vintage vehicle that is less than 40 years old.
- 500 (2) At the time application is made for registration or renewal of registration of a  
501 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a  
502 registration fee shall be paid to the division as follows:
- 503 (a) \$33.50 for each motorcycle; and
- 504 (b) \$32.50 for each motor vehicle of 12,000 pounds or less gross laden weight,  
505 excluding motorcycles.
- 506 (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is  
507 \$40.
- 508 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of  
509 registration fees under Subsection (1).
- 510 (c) A vehicle with a Purple Heart special group license plate issued in accordance with  
511 Section [41-1a-421](#) is exempt from the registration fees under Subsection (1).
- 512 (4) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
513 motor vehicle shall register for the total gross laden weight of all units of the combination if the  
514 total gross laden weight of the combination exceeds 12,000 pounds.
- 515 (5) (a) Registration fee categories under this section are based on the gross laden  
516 weight declared in the licensee's application for registration.
- 517 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part

518 of 2,000 pounds is a full unit.

519 (6) The owner of a commercial trailer or commercial semitrailer may, as an alternative  
520 to registering under Subsection (1)(c), apply for and obtain a special registration and license  
521 plate for a fee of \$130.

522 (7) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm  
523 truck unless:

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

525 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

526 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner  
527 submits to the division a certificate of emissions inspection or a waiver in compliance with  
528 Section 41-6a-1642.

529 (8) A violation of Subsection (7) is a class B misdemeanor that shall be punished by a  
530 fine of not less than \$200.

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

534 Section 9. Section 41-1a-1212 is amended to read:

535 **41-1a-1212. Fee for replacement of license plate decals.**

536 A fee established in accordance with Section 63J-1-504 shall be paid to the division for  
537 the replacement of a license plate decal required by Section 41-1a-402 or a decal required by  
538 Section 41-1a-401.

539 Section 10. Section 41-3-102 is amended to read:

540 **41-3-102. Definitions.**

541 As used in this chapter:

542 (1) "Administrator" means the motor vehicle enforcement administrator.

543 (2) "Agent" means a person other than a holder of any dealer's or salesperson's license  
544 issued under this chapter, who for salary, commission, or compensation of any kind, negotiates  
545 in any way for the sale, purchase, order, or exchange of three or more motor vehicles for any  
546 other person in any 12-month period.

547 (3) "Auction" means a dealer engaged in the business of auctioning motor vehicles,  
548 either owned or consigned, to the general public.

- 549 (4) "Board" means the advisory board created in Section [41-3-106](#).
- 550 (5) "Body shop" means a business engaged in rebuilding, restoring, repairing, or  
551 painting primarily the body of motor vehicles damaged by collision or natural disaster.
- 552 (6) "Commission" means the State Tax Commission.
- 553 (7) "Crusher" means a person who crushes or shreds motor vehicles subject to  
554 registration under Title 41, Chapter 1a, Motor Vehicle Act, to reduce the useable materials and  
555 metals to a more compact size for recycling.
- 556 (8) (a) "Dealer" means a person:
- 557 (i) whose business in whole or in part involves selling new, used, or new and used  
558 motor vehicles or off-highway vehicles; and
- 559 (ii) who sells, displays for sale, or offers for sale or exchange three or more new or  
560 used motor vehicles or off-highway vehicles in any 12-month period.
- 561 (b) "Dealer" includes a representative or consignee of any dealer.
- 562 (9) (a) "Dismantler" means a person engaged in the business of dismantling motor  
563 vehicles subject to registration under Title 41, Chapter 1a, Motor Vehicle Act, for the resale of  
564 parts or for salvage.
- 565 (b) "Dismantler" includes a person who dismantles three or more motor vehicles in any  
566 12-month period.
- 567 (10) "Distributor" means a person who has a franchise from a manufacturer of motor  
568 vehicles to distribute motor vehicles within this state and who in whole or in part sells or  
569 distributes new motor vehicles to dealers or who maintains distributor representatives.
- 570 (11) "Distributor branch" means a branch office similarly maintained by a distributor  
571 for the same purposes a factory branch is maintained.
- 572 (12) "Distributor representative" means a person and each officer and employee of the  
573 person engaged as a representative of a distributor or distributor branch of motor vehicles to  
574 make or promote the sale of the distributor or the distributor branch's motor vehicles, or for  
575 supervising or contacting dealers or prospective dealers of the distributor or the distributor  
576 branch.
- 577 (13) "Division" means the Motor Vehicle Enforcement Division created in Section  
578 [41-3-104](#).
- 579 (14) "Factory branch" means a branch office maintained by a person who manufactures

580 or assembles motor vehicles for sale to distributors, motor vehicle dealers, or who directs or  
581 supervises the factory branch's representatives.

582 (15) "Factory representative" means a person and each officer and employee of the  
583 person engaged as a representative of a manufacturer of motor vehicles or by a factory branch  
584 to make or promote the sale of the manufacturer's or factory branch's motor vehicles, or for  
585 supervising or contacting the dealers or prospective dealers of the manufacturer or the factory  
586 branch.

587 (16) "Franchise" means a contract or agreement between a dealer and a manufacturer of  
588 new motor vehicles or its distributor or factory branch by which the dealer is authorized to sell  
589 any specified make or makes of new motor vehicles.

590 (17) "Manufacturer" means a person engaged in the business of constructing or  
591 assembling new motor vehicles, ownership of which is customarily transferred by a  
592 manufacturer's statement or certificate of origin, or a person who constructs three or more new  
593 motor vehicles in any 12-month period.

594 (18) "Motorcycle" has the same meaning as defined in Section [41-1a-102](#).

595 (19) (a) "Motor vehicle" means a vehicle that is:

- 596 (i) self-propelled;
- 597 (ii) a trailer, travel trailer, or semitrailer; or
- 598 (iii) an off-highway vehicle or small trailer.

599 (b) "Motor vehicle" does not include:

- 600 (i) mobile homes as defined in Section [41-1a-102](#);
- 601 (ii) trailers of 750 pounds or less unladen weight; [~~and~~]
- 602 (iii) farm tractors and other machines and tools used in the production, harvesting, and  
603 care of farm products[~~;~~]; and
- 604 (iv) park model recreational vehicles as defined in Section [41-1a-102](#).

605 (20) "New motor vehicle" means a motor vehicle that has never been titled or  
606 registered and has been driven less than 7,500 miles, unless the motor vehicle is an  
607 off-highway vehicle, small trailer, trailer, travel trailer, or semitrailer, in which case the  
608 mileage limit does not apply.

609 (21) "Off-highway vehicle" has the same meaning as provided in Section [41-22-2](#).

610 (22) "Pawnbroker" means a person whose business is to lend money on security of

611 personal property deposited with him.

612 (23) "Principal place of business" means a site or location in this state:

613 (a) devoted exclusively to the business for which the dealer, manufacturer,  
614 remanufacturer, transporter, dismantler, crusher, or body shop is licensed, and businesses  
615 incidental to them;

616 (b) sufficiently bounded by fence, chain, posts, or otherwise marked to definitely  
617 indicate the boundary and to admit a definite description with space adequate to permit the  
618 display of three or more new, or new and used, or used motor vehicles and sufficient parking  
619 for the public; and

620 (c) that includes a permanent enclosed building or structure large enough to  
621 accommodate the office of the establishment and to provide a safe place to keep the books and  
622 other records of the business, at which the principal portion of the business is conducted and  
623 the books and records kept and maintained.

624 (24) "Remanufacturer" means a person who reconstructs used motor vehicles subject to  
625 registration under Title 41, Chapter 1a, Motor Vehicle Act, to change the body style and  
626 appearance of the motor vehicle or who constructs or assembles motor vehicles from used or  
627 new and used motor vehicle parts, or who reconstructs, constructs, or assembles three or more  
628 motor vehicles in any 12-month period.

629 (25) "Salesperson" means an individual who for a salary, commission, or compensation  
630 of any kind, is employed either directly, indirectly, regularly, or occasionally by any new motor  
631 vehicle dealer or used motor vehicle dealer to sell, purchase, or exchange or to negotiate for the  
632 sale, purchase, or exchange of motor vehicles.

633 (26) "Semitrailer" has the same meaning as defined in Section [41-1a-102](#).

634 (27) "Small trailer" means a trailer that has an unladen weight of more than 750  
635 pounds, but less than 2,000 pounds.

636 (28) "Special equipment" includes a truck mounted crane, cherry picker, material lift,  
637 post hole digger, and a utility or service body.

638 (29) "Special equipment dealer" means a new or new and used motor vehicle dealer  
639 engaged in the business of buying new incomplete motor vehicles with a gross vehicle weight  
640 of 12,000 or more pounds and installing special equipment on the incomplete motor vehicle.

641 (30) "Trailer" has the same meaning as defined in Section [41-1a-102](#).

642 (31) "Transporter" means a person engaged in the business of transporting motor  
643 vehicles as described in Section 41-3-202.

644 (32) "Travel trailer" has the same meaning as provided in Section 41-1a-102.

645 (33) "Used motor vehicle" means a vehicle that has been titled and registered to a  
646 purchaser other than a dealer or has been driven 7,500 or more miles, unless the vehicle is a  
647 trailer, or semitrailer, in which case the mileage limit does not apply.

648 (34) "Wholesale motor vehicle auction" means a dealer primarily engaged in the  
649 business of auctioning consigned motor vehicles to dealers or dismantlers who are licensed by  
650 this or any other jurisdiction.

651 Section 11. Section 59-2-405.2 is amended to read:

652 **59-2-405.2. Definitions -- Uniform statewide fee on certain tangible personal**  
653 **property -- Distribution of revenues -- Rulemaking authority -- Determining the length of**  
654 **a vessel.**

655 (1) As used in this section:

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

658 (A) is an:

659 (I) all-terrain type I vehicle as defined in Section 41-22-2; or

660 (II) all-terrain type II vehicle as defined in Section 41-22-2;

661 (B) is required to be registered in accordance with Title 41, Chapter 22, Off-Highway  
662 Vehicles; and

663 (C) has:

664 (I) an engine with more than 150 cubic centimeters displacement;

665 (II) a motor that produces more than five horsepower; or

666 (III) an electric motor; and

667 (ii) notwithstanding Subsection (1)(a)(i), "all-terrain vehicle" does not include a  
668 snowmobile.

669 (b) "Camper" means a camper:

670 (i) as defined in Section 41-1a-102; and

671 (ii) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,  
672 Registration.

- 673 (c) (i) "Canoe" means a vessel that:  
674 (A) is long and narrow;  
675 (B) has curved sides; and  
676 (C) is tapered:  
677 (I) to two pointed ends; or  
678 (II) to one pointed end and is blunt on the other end; and  
679 (ii) "canoe" includes:  
680 (A) a collapsible inflatable canoe;  
681 (B) a kayak;  
682 (C) a racing shell;  
683 (D) a rowing scull; or  
684 (E) notwithstanding the definition of vessel in Subsection (1)[~~(aa)~~](bb), a canoe with  
685 an outboard motor.  
686 (d) "Dealer" is as defined in Section [41-1a-102](#).  
687 (e) "Jon boat" means a vessel that:  
688 (i) has a square bow; and  
689 (ii) has a flat bottom.  
690 (f) "Motor vehicle" is as defined in Section [41-22-2](#).  
691 (g) "Other motorcycle" means a motor vehicle that:  
692 (i) is:  
693 (A) a motorcycle as defined in Section [41-1a-102](#); and  
694 (B) designed primarily for use and operation over unimproved terrain;  
695 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,  
696 Registration; and  
697 (iii) has:  
698 (A) an engine with more than 150 cubic centimeters displacement; or  
699 (B) a motor that produces more than five horsepower.  
700 (h) (i) "Other trailer" means a portable vehicle without motive power that is primarily  
701 used:  
702 (A) to transport tangible personal property; and  
703 (B) for a purpose other than a commercial purpose; and

704 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for  
705 purposes of Subsection (1)(h)(i)(B), the commission may by rule define what constitutes a  
706 purpose other than a commercial purpose.

707 (i) "Outboard motor" is as defined in Section [41-1a-102](#).

708 (j) "Park model recreational vehicle" is as defined in Section [41-1a-102](#).

709 ~~(j)~~ (k) "Personal watercraft" means a personal watercraft:

710 (i) as defined in Section [73-18-2](#); and

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

712 Boating Act.

713 ~~(k)~~ (l) (i) "Pontoon" means a vessel that:

714 (A) is:

715 (I) supported by one or more floats; and

716 (II) propelled by either inboard or outboard power; and

717 (B) is not:

718 (I) a houseboat; or

719 (II) a collapsible inflatable vessel; and

720 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
721 commission may by rule define the term "houseboat."

722 ~~(l)~~ (m) "Qualifying adjustment, exemption, or reduction" means an adjustment,  
723 exemption, or reduction:

724 (i) of all or a portion of a qualifying payment;

725 (ii) granted by a county during the refund period; and

726 (iii) received by a qualifying person.

727 ~~(m)~~ (n) (i) "Qualifying payment" means the payment made:

728 (A) of a uniform statewide fee in accordance with this section:

729 (I) by a qualifying person;

730 (II) to a county; and

731 (III) during the refund period; and

732 (B) on an item of qualifying tangible personal property; and

733 (ii) if a qualifying person received a qualifying adjustment, exemption, or reduction for  
734 an item of qualifying tangible personal property, the qualifying payment for that qualifying



735 tangible personal property is equal to the difference between:

736 (A) the payment described in this Subsection (1)~~(m)~~(n) for that item of qualifying  
737 tangible personal property; and

738 (B) the amount of the qualifying adjustment, exemption, or reduction.

739 ~~(m)~~ (o) "Qualifying person" means a person that paid a uniform statewide fee:

740 (i) during the refund period;

741 (ii) in accordance with this section; and

742 (iii) on an item of qualifying tangible personal property.

743 ~~(o)~~ (p) "Qualifying tangible personal property" means a:

744 (i) qualifying vehicle; or

745 (ii) qualifying watercraft.

746 ~~(p)~~ (q) "Qualifying vehicle" means:

747 (i) an all-terrain vehicle with an engine displacement that is 100 or more cubic  
748 centimeters but 150 or less cubic centimeters;

749 (ii) an other motorcycle with an engine displacement that is 100 or more cubic  
750 centimeters but 150 or less cubic centimeters;

751 (iii) a small motor vehicle with an engine displacement that is 100 or more cubic  
752 centimeters but 150 or less cubic centimeters;

753 (iv) a snowmobile with an engine displacement that is 100 or more cubic centimeters  
754 but 150 or less cubic centimeters; or

755 (v) a street motorcycle with an engine displacement that is 100 or more cubic  
756 centimeters but 150 or less cubic centimeters.

757 ~~(q)~~ (r) "Qualifying watercraft" means a:

758 (i) canoe;

759 (ii) collapsible inflatable vessel;

760 (iii) jon boat;

761 (iv) pontoon;

762 (v) sailboat; or

763 (vi) utility boat.

764 ~~(r)~~ (s) "Refund period" means the time period:

765 (i) beginning on January 1, 2006; and

766 (ii) ending on December 29, 2006.

767 [~~s~~] (t) "Sailboat" means a sailboat as defined in Section 73-18-2.

768 [~~t~~] (u) (i) "Small motor vehicle" means a motor vehicle that:

769 (A) is required to be registered in accordance with Title 41, Motor Vehicles; and

770 (B) has:

771 (I) an engine with 150 or less cubic centimeters displacement; or

772 (II) a motor that produces five or less horsepower; and

773 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

774 commission may by rule develop a process for an owner of a motor vehicle to certify whether

775 the motor vehicle has:

776 (A) an engine with 150 or less cubic centimeters displacement; or

777 (B) a motor that produces five or less horsepower.

778 [~~u~~] (v) "Snowmobile" means a motor vehicle that:

779 (i) is a snowmobile as defined in Section 41-22-2;

780 (ii) is required to be registered in accordance with Title 41, Chapter 22, Off-Highway

781 Vehicles; and

782 (iii) has:

783 (A) an engine with more than 150 cubic centimeters displacement; or

784 (B) a motor that produces more than five horsepower.

785 [~~v~~] (w) "Street motorcycle" means a motor vehicle that:

786 (i) is:

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

788 (B) designed primarily for use and operation on highways;

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

790 Registration; and

791 (iii) has:

792 (A) an engine with more than 150 cubic centimeters displacement; or

793 (B) a motor that produces more than five horsepower.

794 [~~v~~] (x) "Tangible personal property owner" means a person that owns an item of

795 qualifying tangible personal property.

796 [~~x~~] (y) "Tent trailer" means a portable vehicle without motive power that:

- 797 (i) is constructed with collapsible side walls that:  
798 (A) fold for towing by a motor vehicle; and  
799 (B) unfold at a campsite;
- 800 (ii) is designed as a temporary dwelling for travel, recreational, or vacation use;  
801 (iii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,  
802 Registration; and
- 803 (iv) does not require a special highway movement permit when drawn by a  
804 self-propelled motor vehicle.
- 805 ~~(y)~~ (z) (i) Except as provided in Subsection (1)~~(y)~~(z)(ii), "travel trailer" means a  
806 travel trailer:
- 807 (A) as defined in Section 41-1a-102; and  
808 (B) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,  
809 Registration; and
- 810 (ii) notwithstanding Subsection (1)~~(y)~~(z)(i), "travel trailer" does not include:  
811 (A) a camper; or  
812 (B) a tent trailer.
- 813 ~~(z)~~ (aa) (i) "Utility boat" means a vessel that:  
814 (A) has:  
815 (I) two or three bench seating;  
816 (II) an outboard motor; and  
817 (III) a hull made of aluminum, fiberglass, or wood; and  
818 (B) does not have:  
819 (I) decking;  
820 (II) a permanent canopy; or  
821 (III) a floor other than the hull; and
- 822 (ii) notwithstanding Subsection (1)~~(z)~~(aa)(i), "utility boat" does not include a  
823 collapsible inflatable vessel.
- 824 ~~(aa)~~ (bb) "Vessel" means a vessel:  
825 (i) as defined in Section 73-18-2, including an outboard motor of the vessel; and  
826 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State  
827 Boating Act.

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

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

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

- 835 (i) an all-terrain vehicle;
- 836 (ii) a camper;
- 837 (iii) an other motorcycle;
- 838 (iv) an other trailer;
- 839 (v) a personal watercraft;
- 840 (vi) a small motor vehicle;
- 841 (vii) a snowmobile;
- 842 (viii) a street motorcycle;
- 843 (ix) a tent trailer;
- 844 (x) a travel trailer; [~~and~~]
- 845 (xi) a park model recreational vehicle; and
- 846 [~~(xi)~~] (xii) a vessel if that vessel is less than 31 feet in length as determined under
- 847 Subsection (6).

848 (3) Except as provided in Subsection (4) and for purposes of this section, the uniform  
 849 statewide fees are:

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

851 Age of All-Terrain Vehicle, Other Motorcycle, or Snowmobile	Uniform Statewide Fee
852 12 or more years	\$10
853 9 or more years but less than 12 years	\$20
854 6 or more years but less than 9 years	\$30
855 3 or more years but less than 6 years	\$35
856 Less than 3 years	\$45

857 (b) for a camper or a tent trailer:

	Age of Camper or Tent Trailer	Uniform Statewide Fee
858		
859	12 or more years	\$10
860	9 or more years but less than 12 years	\$25
861	6 or more years but less than 9 years	\$35
862	3 or more years but less than 6 years	\$50
863	Less than 3 years	\$70

864 (c) for an other trailer:

	Age of Other Trailer	Uniform Statewide Fee
865		
866	12 or more years	\$10
867	9 or more years but less than 12 years	\$15
868	6 or more years but less than 9 years	\$20
869	3 or more years but less than 6 years	\$25
870	Less than 3 years	\$30

871 (d) for a personal watercraft:

	Age of Personal Watercraft	Uniform Statewide Fee
872		
873	12 or more years	\$10
874	9 or more years but less than 12 years	\$25
875	6 or more years but less than 9 years	\$35
876	3 or more years but less than 6 years	\$45
877	Less than 3 years	\$55

878 (e) for a small motor vehicle:

	Age of Small Motor Vehicle	Uniform Statewide Fee
879		
880	6 or more years	\$10
881	3 or more years but less than 6 years	\$15
882	Less than 3 years	\$25

883 (f) for a street motorcycle:

	Age of Street Motorcycle	Uniform Statewide Fee
884		

885	12 or more years	\$10
886	9 or more years but less than 12 years	\$35
887	6 or more years but less than 9 years	\$50
888	3 or more years but less than 6 years	\$70
889	Less than 3 years	\$95

890 (g) for a travel trailer or park model recreational vehicle:

891	Age of Travel Trailer <u>or Park Model Recreational Vehicle</u>	Uniform Statewide Fee
892	12 or more years	\$20
893	9 or more years but less than 12 years	\$65
894	6 or more years but less than 9 years	\$90
895	3 or more years but less than 6 years	\$135
896	Less than 3 years	\$175

897 (h) \$10 regardless of the age of the vessel if the vessel is:

898 (i) less than 15 feet in length;

899 (ii) a canoe;

900 (iii) a jon boat; or

901 (iv) a utility boat;

902 (i) for a collapsible inflatable vessel, pontoon, or sailboat, regardless of age:

903	Length of Vessel	Uniform Statewide Fee
904	15 feet or more in length but less than 19 feet in length	\$15
905	19 feet or more in length but less than 23 feet in length	\$25
906	23 feet or more in length but less than 27 feet in length	\$40
907	27 feet or more in length but less than 31 feet in length	\$75

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

910	Age of Vessel	Uniform Statewide Fee
911	12 or more years	\$25
912	9 or more years but less than 12 years	\$65

913	6 or more years but less than 9 years	\$80
914	3 or more years but less than 6 years	\$110
915	Less than 3 years	\$150

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

918	Age of Vessel	Uniform Statewide Fee
919	12 or more years	\$50
920	9 or more years but less than 12 years	\$120
921	6 or more years but less than 9 years	\$175
922	3 or more years but less than 6 years	\$220
923	Less than 3 years	\$275

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

926	Age of Vessel	Uniform Statewide Fee
927	12 or more years	\$100
928	9 or more years but less than 12 years	\$180
929	6 or more years but less than 9 years	\$240
930	3 or more years but less than 6 years	\$310
931	Less than 3 years	\$400

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

934	Age of Vessel	Uniform Statewide Fee
935	12 or more years	\$120
936	9 or more years but less than 12 years	\$250
937	6 or more years but less than 9 years	\$350
938	3 or more years but less than 6 years	\$500
939	Less than 3 years	\$700

940 (4) For registrations under Section [41-1a-215.5](#), the uniform fee for purposes of this

941 section is as follows:

942 (a) for a street motorcycle:

943	Age of Street Motorcycle	Uniform Statewide Fee
944	12 or more years	\$7.75
945	9 or more years but less than 12 years	\$27
946	6 or more years but less than 9 years	\$38.50
947	3 or more years but less than 6 years	\$54
948	Less than 3 years	\$73

949 (b) for a small motor vehicle:

950	Age of Small Motor Vehicle	Uniform Statewide Fee
951	6 or more years	\$7.75
952	3 or more years but less than 6 years	\$11.50
953	Less than 3 years	\$19.25

954 (5) Notwithstanding Section 59-2-407, tangible personal property subject to the  
 955 uniform statewide fees imposed by this section that is brought into the state shall, as a  
 956 condition of registration, be subject to the uniform statewide fees unless all property taxes or  
 957 uniform fees imposed by the state of origin have been paid for the current calendar year.

958 (6) (a) The revenues collected in each county from the uniform statewide fees imposed  
 959 by this section shall be distributed by the county to each taxing entity in which each item of  
 960 tangible personal property subject to the uniform statewide fees is located in the same  
 961 proportion in which revenues collected from the ad valorem property tax are distributed.

962 (b) Each taxing entity described in Subsection (6)(a) that receives revenues from the  
 963 uniform statewide fees imposed by this section shall distribute the revenues in the same  
 964 proportion in which revenues collected from the ad valorem property tax are distributed.

965 (7) (a) For purposes of the uniform statewide fee imposed by this section, the length of  
 966 a vessel shall be determined as provided in this Subsection (7).

967 (b) (i) Except as provided in Subsection (7)(b)(ii), the length of a vessel shall be  
 968 measured as follows:

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

970 (B) the length of a vessel is equal to the distance between the bow of the vessel and the



971 stern of the vessel.

972 (ii) Notwithstanding Subsection (7)(b)(i), the length of a vessel may not include the  
973 length of:

974 (A) a swim deck;

975 (B) a ladder;

976 (C) an outboard motor; or

977 (D) an appurtenance or attachment similar to Subsections (7)(b)(ii)(A) through (C) as  
978 determined by the commission by rule.

979 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
980 the commission may by rule define what constitutes an appurtenance or attachment similar to  
981 Subsections (7)(b)(ii)(A) through (C).

982 (c) The length of a vessel:

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

984 (I) listed on the manufacturer's statement of origin if the length of the vessel measured  
985 under Subsection (7)(b) is equal to the length of the vessel listed on the manufacturer's  
986 statement of origin; or

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

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

991 (I) corresponding to the model number if the length of the vessel measured under  
992 Subsection (7)(b) is equal to the length of the vessel determined by reference to the model  
993 number; or

994 (II) listed on a form submitted to the commission by an owner of the vessel in  
995 accordance with Subsection (7)(d) if the length of the vessel measured under Subsection (7)(b)  
996 is not equal to the length of the vessel determined by reference to the model number; and

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

998 (I) first registration as defined in Section [41-1a-102](#) that occurs on or after January 1,  
999 2006; or

1000 (II) first renewal of registration that occurs on or after January 1, 2006; and

1001 (B) may be determined after the time described in Subsection (7)(c)(ii)(A) only if the

1002 commission requests that a dealer or an owner submit a form to the commission in accordance  
1003 with Subsection (7)(d).

1004 (d) (i) A form under Subsection (7)(c) shall:

1005 (A) be developed by the commission;

1006 (B) be provided by the commission to:

1007 (I) a dealer; or

1008 (II) an owner of a vessel;

1009 (C) provide for the reporting of the length of a vessel;

1010 (D) be submitted to the commission at the time the length of the vessel is determined in  
1011 accordance with Subsection (7)(c)(ii);

1012 (E) be signed by:

1013 (I) if the form is submitted by a dealer, that dealer; or

1014 (II) if the form is submitted by an owner of the vessel, an owner of the vessel; and

1015 (F) include a certification that the information set forth in the form is true.

1016 (ii) A certification made under Subsection (7)(d)(i)(F) is considered as if made under  
1017 oath and subject to the same penalties as provided by law for perjury.

1018 (iii) (A) A dealer or an owner that submits a form to the commission under Subsection  
1019 (7)(c) is considered to have given the dealer's or owner's consent to an audit or review by:

1020 (I) the commission;

1021 (II) the county assessor; or

1022 (III) the commission and the county assessor.

1023 (B) The consent described in Subsection (7)(d)(iii)(A) is a condition to the acceptance  
1024 of any form.

1025 (8) (a) A county that collected a qualifying payment from a qualifying person during  
1026 the refund period shall issue a refund to the qualifying person as described in Subsection (8)(b)  
1027 if:

1028 (i) the difference described in Subsection (8)(b) is \$1 or more; and

1029 (ii) the qualifying person submitted a form in accordance with Subsections (8)(c) and

1030 (d).

1031 (b) The refund amount shall be calculated as follows:

1032 (i) for a qualifying vehicle, the refund amount is equal to the difference between:

- 1033 (A) the qualifying payment the qualifying person paid on the qualifying vehicle during
- 1034 the refund period; and
- 1035 (B) the amount of the statewide uniform fee:
- 1036 (I) for that qualifying vehicle; and
- 1037 (II) that the qualifying person would have been required to pay:
- 1038 (Aa) during the refund period; and
- 1039 (Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session,
- 1040 Chapter 3, Section 1, been in effect during the refund period; and
- 1041 (ii) for a qualifying watercraft, the refund amount is equal to the difference between:
- 1042 (A) the qualifying payment the qualifying person paid on the qualifying watercraft
- 1043 during the refund period; and
- 1044 (B) the amount of the statewide uniform fee:
- 1045 (I) for that qualifying watercraft;
- 1046 (II) that the qualifying person would have been required to pay:
- 1047 (Aa) during the refund period; and
- 1048 (Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session,
- 1049 Chapter 3, Section 1, been in effect during the refund period.
- 1050 (c) Before the county issues a refund to the qualifying person in accordance with
- 1051 Subsection (8)(a) the qualifying person shall submit a form to the county to verify the
- 1052 qualifying person is entitled to the refund.
- 1053 (d) (i) A form under Subsection (8)(c) or (9) shall:
- 1054 (A) be developed by the commission;
- 1055 (B) be provided by the commission to the counties;
- 1056 (C) be provided by the county to the qualifying person or tangible personal property
- 1057 owner;
- 1058 (D) provide for the reporting of the following:
- 1059 (I) for a qualifying vehicle:
- 1060 (Aa) the type of qualifying vehicle; and
- 1061 (Bb) the amount of cubic centimeters displacement;
- 1062 (II) for a qualifying watercraft:
- 1063 (Aa) the length of the qualifying watercraft;

1064 (Bb) the age of the qualifying watercraft; and  
1065 (Cc) the type of qualifying watercraft;  
1066 (E) be signed by the qualifying person or tangible personal property owner; and  
1067 (F) include a certification that the information set forth in the form is true.  
1068 (ii) A certification made under Subsection (8)(d)(i)(F) is considered as if made under  
1069 oath and subject to the same penalties as provided by law for perjury.  
1070 (iii) (A) A qualifying person or tangible personal property owner that submits a form to  
1071 a county under Subsection (8)(c) or (9) is considered to have given the qualifying person's  
1072 consent to an audit or review by:  
1073 (I) the commission;  
1074 (II) the county assessor; or  
1075 (III) the commission and the county assessor.  
1076 (B) The consent described in Subsection (8)(d)(iii)(A) is a condition to the acceptance  
1077 of any form.  
1078 (e) The county shall make changes to the commission's records with the information  
1079 received by the county from the form submitted in accordance with Subsection (8)(c).  
1080 (9) A county shall change its records regarding an item of qualifying tangible personal  
1081 property if the tangible personal property owner submits a form to the county in accordance  
1082 with Subsection (8)(d).  
1083 (10) (a) For purposes of this Subsection (10), "owner of tangible personal property"  
1084 means a person that was required to pay a uniform statewide fee:  
1085 (i) during the refund period;  
1086 (ii) in accordance with this section; and  
1087 (iii) on an item of tangible personal property subject to the uniform statewide fees  
1088 imposed by this section.  
1089 (b) A county that collected revenues from uniform statewide fees imposed by this  
1090 section during the refund period shall notify an owner of tangible personal property:  
1091 (i) of the tangible personal property classification changes made to this section  
1092 pursuant to Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1;  
1093 (ii) that the owner of tangible personal property may obtain and file a form to modify  
1094 the county's records regarding the owner's tangible personal property; and

1095 (iii) that the owner may be entitled to a refund pursuant to Subsection (8).

1096 Section 12. **Effective date.**

1097 This bill takes effect on January 1, 2015.