

MOTOR VEHICLE EMISSIONS AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrice M. Arent

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill modifies provisions related to motor vehicle emissions.

Highlighted Provisions:

This bill:

► gives the Division of Motor Vehicles the authority to suspend a vehicle's registration, certificate of title, license plate, or permit if the vehicle does not meet air emission standards.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-110, as last amended by Laws of Utah 2008, Chapter 322

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

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

41-1a-110. Authority of division to suspend or revoke registration, certificate of title, license plate, or permit.

(1) Except as provided in Subsections (3) and (4), the division may suspend or revoke



28 a registration, certificate of title, license plate, or permit if:

29 (a) the division is satisfied that a registration, certificate of title, license plate, or permit
30 was fraudulently procured or erroneously issued;

31 (b) the division [~~determines~~] is notified by the Department of Public Safety or local law
32 enforcement that a registered vehicle is mechanically unfit or unsafe to be operated or moved
33 upon the highways;

34 (c) the division is notified by a county health department that a registered vehicle is
35 unable to meet air emission standards;

36 [~~(d)~~] (d) a registered vehicle has been dismantled;

37 [~~(e)~~] (e) the division determines that the required fee has not been paid and the fee is
38 not paid upon reasonable notice and demand;

39 [~~(f)~~] (f) a registration decal, license plate, or permit is knowingly displayed upon a
40 vehicle other than the one for which issued;

41 [~~(g)~~] (g) the division determines that the owner has committed any offense under this
42 chapter involving the registration, certificate of title, registration card, license plate, registration
43 decal, or permit; or

44 [~~(h)~~] (h) the division receives notification by the Department of Transportation that the
45 owner has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

46 (2) (a) The division shall revoke the registration of a vehicle if the division receives
47 notification by the:

48 (i) Department of Public Safety that a person:

49 (A) has been convicted of operating a registered motor vehicle in violation of Section
50 [41-12a-301](#) or [41-12a-303.2](#); or

51 (B) is under an administrative action taken by the Department of Public Safety for
52 operating a registered motor vehicle in violation of Section [41-12a-301](#); or

53 (ii) designated agent that the owner of a motor vehicle:

54 (A) has failed to provide satisfactory proof of owner's or operator's security to the
55 designated agent after the second notice provided under Section [41-12a-804](#); or

56 (B) provided a false or fraudulent statement to the designated agent.

57 (b) The division shall notify the Driver License Division if the division revokes the
58 registration of a vehicle under Subsection (2)(a)(ii)(A).

59 (3) The division may not suspend or revoke the registration of a vessel or outboard
60 motor unless authorized under Section 73-18-7.3.

61 (4) The division may not suspend or revoke the registration of an off-highway vehicle
62 unless authorized under Section 41-22-17.

63 (5) The division shall charge a registration reinstatement fee under Section 41-1a-1220,
64 if the registration is revoked under Subsection (1)~~(f)~~(g).

Legislative Review Note
as of 1-9-15 5:30 PM

Office of Legislative Research and General Counsel