

HB0525S01 compared with HB0525

~~{Omitted text}~~ shows text that was in HB0525 but was omitted in HB0525S01

inserted text shows text that was not in HB0525 but was inserted into HB0525S01

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Clean Truck Amendments
2025 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Paul A. Cutler
Senate Sponsor: Kirk A. Cullimore

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses issues related to heavy duty vehicles.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ ~~{ prohibits the Division of Motor Vehicles (division) from accepting new registrations for a motor vehicle in certain counties if the motor vehicle meets certain criteria; }~~

11 ▶ ~~{ prohibits the division, beginning on January 1, 2030, from registering any motor }~~ creates a first-time registration fee for a high emissions heavy duty vehicle that has a gross vehicle weight rating of more than 14,000 pounds and ~~{ was manufactured before 2010, with exceptions for certain owners }~~ a model year of 2009 or older;

12 ▶ creates an ongoing registration in certain counties for a high emissions heavy duty vehicle that has a gross vehicle weight rating of more than 14,000 pounds and a model year of 2009 or older;

15 ▶

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provides that the revenue from the new registration fees be deposited into the Clean Fuels and Emission Reduction Technology Fund;

14 ▶ ~~{addresses}~~ expands a tax ~~{credits}~~ credit for a purchase of a qualified heavy duty vehicle if certain conditions are met; and

16 ▶ makes technical and conforming changes.

20 Money Appropriated in this Bill:

21 None

22 Other Special Clauses:

23 None

25 AMENDS:

26 **19-1-403** , as last amended by Laws of Utah 2022, Chapter 100 , as last amended by Laws of Utah 2022, Chapter 100

27 **41-1a-102** , as last amended by Laws of Utah 2024, Chapter 483 , as last amended by Laws of Utah 2024, Chapter 483

23 ~~**{41-1a-202}** , as last amended by Laws of Utah 2023, Chapters 81, 532 , as last amended by Laws of Utah 2023, Chapters 81, 532}~~

28 **59-7-618.1** , as enacted by Laws of Utah 2021, Chapter 371 , as enacted by Laws of Utah 2021, Chapter 371

29 **59-10-1033.1** , as enacted by Laws of Utah 2021, Chapter 371 , as enacted by Laws of Utah 2021, Chapter 371

30 ENACTS:

31 **41-1a-1226** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

34 Section 1. Section 19-1-403 is amended to read:

35 **19-1-403. Clean Fuels and Emission Reduction Technology Program -- Contents -- Loans or grants made with fund money.**

37 (1)

(a) There is created a revolving fund known as the Clean Fuels and Emission Reduction Technology Fund.

39 (b) The fund consists of:

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- 40 (i) appropriations to the fund;
- 41 (ii) other public and private contributions made under Subsection (1)(c);
- 42 (iii) money collected from the heavy duty emissions compliance fee described in Subsection
43 41-1a-1226(1);
- 44 [~~(iii)~~] (iv) interest earnings on cash balances; and
- 45 [~~(iv)~~] (v) money collected for loan repayments and interest on loans.
- 46 (c) The department may accept contributions from other public and private sources for deposit into the
47 fund.
- 48 (2) The department may accept federal money, including from the Infrastructure Investment and Jobs
49 Act, P.L. 117-58, toward making:
- 50 (a) a loan or grant for the cost of a new clean vehicle or refueling equipment; or
- 51 (b) a grant for:
- 52 (i) the installation of energy-efficient building envelope improvements at a dwelling; or
- 53 (ii) construction of a qualified energy-efficient residential dwelling.
- 54
- 55 (3)
- 56 (a) The department may make a loan or a grant:
- 57 (i) with money available in the fund for:
- 58 (A) the conversion of a private sector business vehicle, a government vehicle, or a fleet of private sector
59 business vehicles or government vehicles to use a clean fuel, if certified by the Air Quality Board
60 under Subsection 19-1-405(1)(a); or
- 61 (B) the purchase of a clean vehicle for use as a private sector business vehicle, a government vehicle, or
62 a fleet of private sector business vehicles or government vehicles; and
- 63 (ii) with federal money available under Subsection (2) for the cost of a new clean vehicle or clean
64 vehicle refueling equipment.
- 65 (b) The amount of a loan for any vehicle under Subsection (3)(a) may not exceed:
- 66 (i) the actual cost of the vehicle conversion;
- 67 (ii) the incremental cost of purchasing the clean vehicle; or
- 68 (iii) the cost of purchasing the clean vehicle if there is no documented incremental cost.
- 69 (c) The amount of a grant for any vehicle under Subsection (3)(a) may not exceed:
- 70 (i) 50% of the actual cost of the vehicle conversion for the vehicle for which a grant is requested; or
- 71 (ii) 100% of the cost of purchasing the vehicle for the vehicle for which a grant is requested.
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- 75 (d)
- (i) Subject to the availability of money in the fund or the federal money described in Subsection (2), the department may:
- 77 (A) make a loan or grant for the purchase of refueling equipment for a private sector business vehicle, a government vehicle, or a fleet of private sector business vehicles or government vehicles[-] ; and
- 80 (B) in coordination with the State Tax Commission, created in Section 59-1-201, use money in the fund for the tax credit for heavy duty vehicles described in Sections 59-7-618.1 and 59-10-1033.1.
- 83 (ii) The maximum amount loaned or granted per installation of refueling equipment may not exceed the actual cost of the refueling equipment.
- 85 (4) The department may:
- 86 (a) establish an application fee for a loan or grant under this section by following Section 63J-1-504; and
- 88 (b) reimburse itself for the costs incurred in administering the fund and federal money described in Subsection (2) from:
- 90 (i) the fund; or
- 91 (ii) application fees established under Subsection (4)(a).
- 92 (5)
- (a) A loan made from money in the fund or federal money described in Subsection (2) shall be supported by loan documents evidencing the intent of the borrower to repay the loan.
- 95 (b) The original loan documents described in this Subsection (5) shall be filed with the Division of Finance and a copy shall be filed with the department.
- 97 (6)
- (a) The department may make grants to a person or government agency from the fund for the following:
- 99 (i) installation of energy-efficient building envelope improvements at a dwelling; and
- 100 (ii) construction of a qualified energy-efficient residential dwelling.
- 101 (b) The size of a grant under this Subsection (6) shall be commensurate with the square footage of a dwelling, but may not exceed \$5,000 per dwelling.
- 103 (c) The department shall determine grant allocation under this Subsection (6).
- 104 (d) The department may not issue a loan from the fund for the purposes outlined in Subsection (6)(a).

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106 Section 2. Section 41-1a-102 is amended to read:

107 **41-1a-102. Definitions.**

As used in this chapter:

- 109 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- 110 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of vehicles as
operated and certified to by a weighmaster.
- 112 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 113 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 114 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 115 (6) "Alternative fuel vehicle" means:
- 116 (a) an electric motor vehicle;
- 117 (b) a hybrid electric motor vehicle;
- 118 (c) a plug-in hybrid electric motor vehicle; or
- 119 (d) a motor vehicle powered exclusively by a fuel other than:
- 120 (i) motor fuel;
- 121 (ii) diesel fuel;
- 122 (iii) natural gas; or
- 123 (iv) propane.
- 124 (7) "Amateur radio operator" means a person licensed by the Federal Communications Commission to
engage in private and experimental two-way radio operation on the amateur band radio frequencies.
- 127 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 128 (9) "Automated driving system" means the same as that term is defined in Section 41-26-102.1.
- 130 (10) "Branded title" means a title certificate that is labeled:
- 131 (a) rebuilt and restored to operation;
- 132 (b) flooded and restored to operation; or
- 133 (c) not restored to operation.
- 134 (11) "Camper" means a structure designed, used, and maintained primarily to be mounted on or affixed
to a motor vehicle that contains a floor and is designed to provide a mobile dwelling, sleeping place,
commercial space, or facilities for human habitation or for camping.
- 138 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of ownership
between an identified owner and the described vehicle, vessel, or outboard motor.

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- 141 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a weighmaster.
- 143 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained for the transportation of persons or property that operates:
- 145 (a) as a carrier for hire, compensation, or profit; or
- 146 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the owner's commercial enterprise.
- 148 (15) "Commission" means the State Tax Commission.
- 149 (16) "Consumer price index" means the same as that term is defined in Section 59-13-102.
- 150 (17) "Dealer" means a person engaged or licensed to engage in the business of buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.
- 155 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 156 (19) "Division" means the Motor Vehicle Division of the commission, created in Section 41-1a-106.
- 158 (20) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.
- 159 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric motor drawing current from a rechargeable energy storage system.
- 161 (22) "Essential parts" means the integral and body parts of a vehicle of a type required to be registered in this state, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type, or mode of operation.
- 165 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.
- 167 (24)
- (a) "Farm truck" means a truck used by the owner or operator of a farm solely for the owner's or operator's own use in the transportation of:
- 169 (i) farm products, including livestock and its products, poultry and its products, floricultural and horticultural products;
- 171 (ii) farm supplies, including tile, fence, and any other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production; and
- 173 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of a farm.

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- 175 (b) "Farm truck" does not include the operation of trucks by commercial processors of agricultural
products.
- 177 (25) "Fleet" means one or more commercial vehicles.
- 178 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this state from
another state, territory, or country other than in the ordinary course of business by or through a
manufacturer or dealer, and not registered in this state.
- 181 (27) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles, equipped
for operation, to which shall be added the maximum load to be carried.
- 183 (28)
- (a) "High emissions heavy duty vehicle" means a motor vehicle that has:
- 184 (i) a gross vehicle weight rating of more than 14,000 pounds; and
- 185 (ii) a model year of 2009 or older.
- 186 (b) "High emissions heavy duty vehicle" does not include:
- 187 (i) a farm tractor;
- 188 (ii) a farm truck; or
- 189 (iii) an implement of husbandry.
- 190 [~~28~~] (29) "Highway" or "street" means the entire width between property lines of every way or place
of whatever nature when any part of it is open to the public, as a matter of right, for purposes of
vehicular traffic.
- 193 [~~29~~] (30) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy from
onboard sources of stored energy that are both:
- 195 (a) an internal combustion engine or heat engine using consumable fuel; and
- 196 (b) a rechargeable energy storage system where energy for the storage system comes solely from
sources onboard the vehicle.
- 198 [~~30~~] (31)
- (a) "Identification number" means the identifying number assigned by the manufacturer or by the
division for the purpose of identifying the vehicle, vessel, or outboard motor.
- 201 (b) "Identification number" includes a vehicle identification number, state assigned identification
number, hull identification number, and motor serial number.
- 203 [~~31~~] (32) "Implement of husbandry" means a vehicle designed or adapted and used exclusively for an
agricultural operation and only incidentally operated or moved upon the highways.

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- 206 ~~[(32)]~~ (33)
- (a) "In-state miles" means the total number of miles operated in this state during the preceding year by fleet power units.
- 208 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the total number of miles that those vehicles were towed on Utah highways during the preceding year.
- 211 ~~[(33)]~~ (34) "Interstate vehicle" means a commercial vehicle operated in more than one state, province, territory, or possession of the United States or foreign country.
- 213 ~~[(34)]~~ (35) "Jurisdiction" means a state, district, province, political subdivision, territory, or possession of the United States or any foreign country.
- 215 ~~[(35)]~~ (36) "Lienholder" means a person with a security interest in particular property.
- 216 (37)
- (a) "Major nonattainment county" means a county of the first or second class in an ozone nonattainment area.
- 218 (b) "Major nonattainment county" includes:
- 219 (i) Davis County;
- 220 (ii) Salt Lake County;
- 221 (iii) Utah County; and
- 222 (iv) Weber County.
- 223 ~~[(36)]~~ (38) "Manufactured home" means a transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.
- 231 ~~[(37)]~~ (39) "Manufacturer" means a person engaged in the business of constructing, manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or outboard motors for the purpose of sale or trade.
- 234 ~~[(38)]~~ (40) "Military vehicle" means a vehicle of any size or weight that was manufactured for use by armed forces and that is maintained in a condition that represents the vehicle's military design and markings regardless of current ownership or use.

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- 237 [~~(39)~~] (41) "Mobile home" means a transportable factory built housing unit built prior to June 15, 1976,
in accordance with a state mobile home code which existed prior to the Federal Manufactured
Housing and Safety Standards Act (HUD Code).
- 240 [~~(40)~~] (42) "Motor fuel" means the same as that term is defined in Section 59-13-102.
- 241 [~~(41)~~] (43)
- (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and operation on the
highways.
- 243 (b) "Motor vehicle" includes a roadable aircraft.
- 244 (c) "Motor vehicle" does not include:
- 245 (i) an off-highway vehicle; or
- 246 (ii) a motor assisted scooter as defined in Section 41-6a-102.
- 247 [~~(42)~~] (44) "Motorboat" means the same as that term is defined in Section 73-18-2.
- 248 [~~(43)~~] (45) "Motorcycle" means:
- 249 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not more than three
wheels in contact with the ground; or
- 251 (b) an autocytle.
- 252 [~~(44)~~] (46) "Natural gas" means a fuel of which the primary constituent is methane.
- 253 [~~(45)~~] (47)
- (a) "Nonresident" means a person who is not a resident of this state as defined by Section 41-1a-202,
and who does not engage in intrastate business within this state and does not operate in that business
any motor vehicle, trailer, or semitrailer within this state.
- 257 (b) A person who engages in intrastate business within this state and operates in that business any motor
vehicle, trailer, or semitrailer in this state or who, even though engaging in interstate commerce,
maintains a vehicle in this state as the home station of that vehicle is considered a resident of this
state, insofar as that vehicle is concerned in administering this chapter.
- 262 [~~(46)~~] (48) "Odometer" means a device for measuring and recording the actual distance a vehicle travels
while in operation, but does not include any auxiliary odometer designed to be periodically reset.
- 265 [~~(47)~~] (49) "Off-highway implement of husbandry" means the same as that term is defined in Section
41-22-2.
- 267 [~~(48)~~] (50) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 268 [~~(49)~~] (51)

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- (a) "Operate" means:
- 269 (i) to navigate a vessel; or
- 270 (ii) collectively, the activities performed in order to perform the entire dynamic driving task for a
given motor vehicle by:
- 272 (A) a human driver as defined in Section 41-26-102.1; or
- 273 (B) an engaged automated driving system.
- 274 (b) "Operate" includes testing of an automated driving system.
- 275 [~~(50)~~] (52) "Original issue license plate" means a license plate that is of a format and type issued by the
state in the same year as the model year of a vehicle that is a model year 1973 or older.
- 278 [~~(51)~~] (53) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel supply,
used to propel a vessel.
- 280 [~~(52)~~] (54)
- (a) "Owner" means a person, other than a lienholder, holding title to a vehicle, vessel, or outboard
motor whether or not the vehicle, vessel, or outboard motor is subject to a security interest.
- 283 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale or mortgage of
the vehicle with the right of purchase upon performance of the conditions stated in the agreement
and with an immediate right of possession vested in the conditional vendee or mortgagor, or if the
vehicle is the subject of a security agreement, then the conditional vendee, mortgagor, or debtor is
considered the owner for the purposes of this chapter.
- 289 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner until the lessee
exercises the lessee's option to purchase the vehicle.
- 291 [~~(53)~~] (55) "Park model recreational vehicle" means a unit that:
- 292 (a) is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal
use;
- 294 (b) is not permanently affixed to real property for use as a permanent dwelling;
- 295 (c) requires a special highway movement permit for transit; and
- 296 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding 400 square feet
in the setup mode.
- 298 [~~(54)~~] (56) "Personalized license plate" means a license plate that has displayed on it a combination of
letters, numbers, or both as requested by the owner of the vehicle and assigned to the vehicle by the
division.

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- 301 [~~(55)~~] (57)
- (a) "Pickup truck" means a two-axle motor vehicle with motive power manufactured, remanufactured, or materially altered to provide an open cargo area.
- 303 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a camper, camper shell, tarp, removable top, or similar structure.
- 305 [~~(56)~~] (58) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has the capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle while the vehicle is in motion.
- 309 [~~(57)~~] (59) "Pneumatic tire" means a tire in which compressed air is designed to support the load.
- 311 [~~(58)~~] (60) "Preceding year" means a period of 12 consecutive months fixed by the division that is within 16 months immediately preceding the commencement of the registration or license year in which proportional registration is sought. The division in fixing the period shall conform it to the terms, conditions, and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.
- 316 [~~(59)~~] (61) "Public garage" means a building or other place where vehicles or vessels are kept and stored and where a charge is made for the storage and keeping of vehicles and vessels.
- 319 [~~(60)~~] (62) "Receipt of surrender of ownership documents" means the receipt of surrender of ownership documents described in Section 41-1a-503.
- 321 [~~(61)~~] (63) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state that is materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.
- 324 [~~(62)~~] (64) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 326 [~~(63)~~] (65) "Registration" means a document issued by a jurisdiction that allows operation of a vehicle or vessel on the highways or waters of this state for the time period for which the registration is valid and that is evidence of compliance with the registration requirements of the jurisdiction.
- 330 [~~(64)~~] (66) "Registration decal" means the decal issued by the division that is evidence of compliance with the division's registration requirements.
- 332 [~~(65)~~] (67)
- (a) "Registration year" means a 12 consecutive month period commencing with the completion of the applicable registration criteria.

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- 334 (b) For administration of a multistate agreement for proportional registration the division may prescribe
a different 12-month period.
- 336 [(66)] (68) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors to
a sound working condition by substituting any inoperative part of the vehicle, vessel, or outboard
motor, or by correcting the inoperative part.
- 339 [(67)] (69) "Replica vehicle" means:
- 340 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
- 341 (b) a custom vehicle that meets the requirements under Subsection 41-6a-1507(1)(a)(i)(B).
- 343 [(68)] (70) "Restored-modified vehicle" means a motor vehicle that has been restored and modified
with modern parts and technology, including emission control technology and an on-board
diagnostic system.
- 346 [(69)] (71) "Road tractor" means a motor vehicle designed and used for drawing other vehicles and
constructed so it does not carry any load either independently or any part of the weight of a vehicle
or load that is drawn.
- 349 [(70)] (72) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 350 [(71)] (73) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 351 [(72)] (74) "Security interest" means an interest that is reserved or created by a security agreement to
secure the payment or performance of an obligation and that is valid against third parties.
- 354 [(73)] (75) "Semitrailer" means a vehicle without motive power designed for carrying persons or
property and for being drawn by a motor vehicle and constructed so that some part of its weight and
its load rests or is carried by another vehicle.
- 357 [(74)] (76) "Special group license plate" means a type of license plate designed for a particular group of
people or a license plate authorized and issued by the division in accordance with Section 41-1a-418
or Part 16, Sponsored Special Group License Plates.
- 360 [(75)] (77)
- (a) "Special interest vehicle" means a vehicle used for general transportation purposes and that is:
- 362 (i) 20 years or older from the current year; or
- 363 (ii) a make or model of motor vehicle recognized by the division director as having unique interest
or historic value.
- 365 (b) In making a determination under Subsection [(75)(a)] (77)(a), the division director shall give special
consideration to:

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- 367 (i) a make of motor vehicle that is no longer manufactured;
- 368 (ii) a make or model of motor vehicle produced in limited or token quantities;
- 369 (iii) a make or model of motor vehicle produced as an experimental vehicle or one designed exclusively
for educational purposes or museum display; or
- 371 (iv) a motor vehicle of any age or make that has not been substantially altered or modified from original
specifications of the manufacturer and because of its significance is being collected, preserved,
restored, maintained, or operated by a collector or hobbyist as a leisure pursuit.
- 375 ~~[(76)]~~ (78)
- (a) "Special mobile equipment" means a vehicle:
- 376 (i) not designed or used primarily for the transportation of persons or property;
- 377 (ii) not designed to operate in traffic; and
- 378 (iii) only incidentally operated or moved over the highways.
- 379 (b) "Special mobile equipment" includes:
- 380 (i) farm tractors;
- 381 (ii) off-road motorized construction or maintenance equipment including backhoes, bulldozers,
compactors, graders, loaders, road rollers, tractors, and trenchers; and
- 383 (iii) ditch-digging apparatus.
- 384 (c) "Special mobile equipment" does not include a commercial vehicle as defined under Section
72-9-102.
- 386 ~~[(77)]~~ (79) "Specially constructed vehicle" means a vehicle of a type required to be registered in this
state, not originally constructed under a distinctive name, make, model, or type by a generally
recognized manufacturer of vehicles, and not materially altered from its original construction.
- 390 ~~[(78)]~~ (80)
- (a) "Standard license plate" means a license plate for general issue described in Subsection
41-1a-402(1).
- 392 (b) "Standard license plate" includes a license plate for general issue that the division issues before
January 1, 2024.
- 394 ~~[(79)]~~ (81) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
motor that meets the requirements of rules made by the commission as described in Subsection
41-1a-1101(7).
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- 399 [(80)] (82) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is defined in Section 41-6a-102.
- 401 [(81)] (83) "Symbol decal" means the decal that is designed to represent a special group and displayed on a special group license plate.
- 402 [(82)] (84) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 403 [(83)] (85)
- (a) "Total fleet miles" means the total number of miles operated in all jurisdictions during the preceding year by power units.
- 404 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the number of miles that those vehicles were towed on the highways of all jurisdictions during the preceding year.
- 407 [(84)] (86) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 409 [(85)] (87) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 410 [(86)] (88) "Trailer" means a vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.
- 413 [(87)] (89) "Transferee" means a person to whom the ownership of property is conveyed by sale, gift, or any other means except by the creation of a security interest.
- 415 [(88)] (90) "Transferor" means a person who transfers the person's ownership in property by sale, gift, or any other means except by creation of a security interest.
- 417 [(89)] (91) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.
- 421 [(90)] (92) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load that is drawn.
- 424 [(91)] (93) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper, park model recreational vehicle, manufactured home, and mobile home.
- 426 [(92)] (94) "Vessel" means the same as that term is defined in Section 73-18-2.
- 427 [(93)] (95) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.
- 428 [(94)] (96) "Waters of this state" means the same as that term is defined in Section 73-18-2.
- 429

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[(95)] (97) "Weighmaster" means a person, association of persons, or corporation permitted to weigh vehicles under this chapter.

28 ~~{Section 1. Section 41-1a-202 is amended to read: }~~

29 **41-1a-202. Definitions -- Vehicles exempt from registration -- Registration of vehicles after establishing residency -- Vehicles prohibited from registration.**

31 (1) In this section:

32 (a) "Brake horsepower" means the horsepower of an engine, measured by a brake attached to the drive shaft and recorded on a dynamometer.

34 (b) "Brake horsepower hour" means the total amount of power measured in brake horsepower used by an engine during a period of time.

36 [(a)] (c) "Domicile" means the place:

37 (i) where an individual has a fixed permanent home and principal establishment;

38 (ii) to which the individual if absent, intends to return; and

39 (iii) in which the individual and his family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home.

41 (d)

(i) "Major nonattainment county" means a county of the first or second class in an ozone nonattainment area.

43 (ii) "Major nonattainment county" includes:

44 (A) Davis County;

45 (B) Salt Lake County;

46 (C) Utah County; and

47 (D) Weber County.

48 (e) "Prohibited heavy duty vehicle" means a heavy duty vehicle that has:

49 (i) a gross vehicle weight rating of more than 14,000 pounds; and

50 (ii) a model year of 2009 or older.

51 [(b)] (f)

(i) "Resident" means any of the following:

52 (A) an individual who:

53 (I) has established a domicile in this state;

54

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- (II) regardless of domicile, remains in this state for an aggregate period of six months or more during any calendar year;
- 56 (III) engages in a trade, profession, or occupation in this state or who accepts employment in other than seasonal work in this state and who does not commute into the state;
- 59 (IV) declares himself to be a resident of this state for the purpose of obtaining a driver license or motor vehicle registration; or
- 61 (V) declares himself a resident of Utah to obtain privileges not ordinarily extended to nonresidents, including going to school, or placing children in school without paying nonresident tuition or fees; or
- 64 (B) any individual, partnership, limited liability company, firm, corporation, association, or other entity that:
- 66 (I) maintains a main office, branch office, or warehouse facility in this state and that bases and operates a motor vehicle in this state; or
- 68 (II) operates a motor vehicle in intrastate transportation for other than seasonal work.
- 70 (ii) "Resident" does not include any of the following:
- 71 (A) a member of the military temporarily stationed in Utah;
- 72 (B) an out-of-state student, as classified by the institution of higher education, enrolled with the equivalent of seven or more quarter hours, regardless of whether the student engages in a trade, profession, or occupation in this state or accepts employment in this state; and
- 76 (C) an individual domiciled in another state or a foreign country that:
- 77 (I) is engaged in public, charitable, educational, or religious services for a government agency or an organization that qualifies for tax-exempt status under Internal Revenue Code Section 501(c)(3);
- 80 (II) is not compensated for services rendered other than expense reimbursements; and
- 82 (III) is temporarily in Utah for a period not to exceed 24 months.
- 83 (iii) Notwithstanding Subsections [~~(1)(b)(i)~~] (1)(f)(i) and (ii), "resident" includes the owner of a vehicle equipped with an automated driving system as defined in Section 41-26-102.1 if the vehicle is physically present in the state for more than 30 consecutive days in a calendar year.
- 87 (2)
- (a) Registration under this chapter is not required for any:
- 88 (i) vehicle registered in another state and owned by a nonresident of the state or operating under a temporary registration permit issued by the division or a dealer authorized by this chapter,

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- driven or moved upon a highway in conformance with the provisions of this chapter relating to manufacturers, transporters, dealers, lien holders, or interstate vehicles;
- 93 (ii) vehicle driven or moved upon a highway only for the purpose of crossing the highway from one property to another;
- 95 (iii) implement of husbandry, whether of a type otherwise subject to registration or not, that is only incidentally operated or moved upon a highway;
- 97 (iv) special mobile equipment;
- 98 (v) vehicle owned or leased by the federal government;
- 99 (vi) motor vehicle not designed, used, or maintained for the transportation of passengers for hire or for the transportation of property if the motor vehicle is registered in another state and is owned and operated by a nonresident of this state;
- 102 (vii) vehicle or combination of vehicles designed, used, or maintained for the transportation of persons for hire or for the transportation of property if the vehicle or combination of vehicles is registered in another state and is owned and operated by a nonresident of this state and if the vehicle or combination of vehicles has a gross laden weight of 26,000 pounds or less;
- 107 (viii) trailer of 750 pounds or less unladen weight and not designed, used, and maintained for hire for the transportation of property or person;
- 109 (ix) single-axle trailer unless that trailer is:
- 110 (A) a commercial vehicle;
- 111 (B) a trailer designed, used, and maintained for hire for the transportation of property or person; or
- 113 (C) a travel trailer, camping trailer, or fifth wheel trailer of 750 pounds or more laden weight;
- 115 (x) manufactured home or mobile home;
- 116 (xi) off-highway vehicle currently registered under Section 41-22-3 if the off-highway vehicle is:
- 118 (A) being towed;
- 119 (B) operated on a street or highway designated as open to off-highway vehicle use; or
- 121 (C) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);
- 122 (xii) off-highway implement of husbandry operated in the manner prescribed in Subsections 41-22-5.5(3) through (5);
- 124 (xiii) modular and prebuilt homes conforming to the uniform building code and presently regulated by the United States Department of Housing and Urban Development that are not constructed on a permanent chassis;

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- 127 (xiv) electric assisted bicycle defined under Section 41-6a-102;
- 128 (xv) motor assisted scooter defined under Section 41-6a-102; or
- 129 (xvi) electric personal assistive mobility device defined under Section 41-6a-102.
- 130 (b) For purposes of an implement of husbandry as described in Subsection (2)(a)(iii), incidental operation on a highway includes operation that is:
- 132 (i) transportation of raw agricultural materials or other agricultural related operations; and
- 134 (ii) limited to 100 miles round trip on a highway.
- 135 (3) Unless otherwise exempted under Subsection (2), registration under this chapter is required for any motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, or restored-modified vehicle within 60 days of the owner establishing residency in this state.
- 139 (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the registration requirements of this part for the time period that the registration under Section 41-3-306 is valid.
- 142 (5) A vehicle that has been issued a nonrepairable certificate may not be registered under this chapter.
- 144 (6)
- (a) Beginning on May 7, 2025, and ending on December 31, 2029, the division may not register a prohibited heavy duty vehicle in a major nonattainment county unless the prohibited heavy duty vehicle was registered with the division on or before May 7, 2025.
- 148 (b) Except as provided in Subsection (6)(c), on and after January 1, 2030, the division may not register a prohibited heavy duty vehicle in a major nonattainment county.
- 150 (c) Notwithstanding Subsection (6)(b), the division may register a prohibited heavy duty vehicle if the owner of the prohibited heavy duty vehicle certifies on a form provided by the division that the owner:
- 153 (i) owns the prohibited heavy duty vehicle as a sole proprietor or as the only member of a business entity;
- 155 (ii) owns no more than one prohibited heavy duty vehicle; and
- 156 (iii) uses the prohibited heavy duty vehicle for activities related to construction.
- 157 (d) The division shall provide a link on the division's website to a list of prohibited heavy duty vehicles.

431 Section 3. Section 3 is enacted to read:

432 **41-1a-1226. Heavy duty emissions compliance fee -- Exemptions -- Disposition.**

433 (1)

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- (a) Beginning on January 1, 2026, an applicant shall pay a heavy duty emissions compliance fee in an amount of \$250 at the time an application is made for new registration of a motor vehicle:
- 436 (i) over 14,000 pounds gross vehicle weight; and
437 (ii) with a model year of 2009 or older.
- 438 (b) Beginning on January 1, 2026, an applicant shall pay a heavy duty emissions compliance fee in an amount of \$45 at the time an application is made for registration or renewal of a motor vehicle:
- 441 (i) over 14,000 pounds gross vehicle weight;
442 (ii) with a model year of 2009 or older; and
443 (iii) registered or renewed in a major nonattainment county.
- 444 (c) The following are exempt from the fee required under this Subsection (1):
- 445 (i) a farm truck or farm tractor; and
446 (ii) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209.
- 447 (2) Revenue generated under Subsection (1) shall be deposited into the Clean Fuels and Emission Reduction Technology Fund created in Section 19-1-403.
- 449 Section 4. Section **59-7-618.1** is amended to read:
- 450 **59-7-618.1. {Tax} Nonrefundable tax credit {~~related to alternative fuel~~} for heavy duty vehicles.**
- 161 (1) As used in this section:
- 162 (a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air Conservation Act.
- 164 (b) "Director" means the director of the Division of Air Quality appointed under Section 19-2-107.
- 166 (c) "Heavy duty vehicle" means a commercial category 7 or 8 vehicle, according to vehicle classifications established by the Federal Highway Administration.
- 458 (d) "High emissions heavy duty vehicle" means the same as that term is defined in Section 41-1a-102.
- 168 ~~{(d)}~~ (e) "Natural gas" includes compressed natural gas and liquified natural gas.
- 169 ~~{(e)}~~ (f) {~~"Prohibited heavy duty vehicle"~~ "Qualified county" means the same as that term is defined in Section {~~41-1a-202~~} 41-1a-102.
- 171 ~~{(f)}~~ }
- 462 ~~{(e)}~~ (g) {~~"Qualified county" means a county of the first or second class in an ozone nonattainment area.~~}
- 173 ~~{(ii)}~~ {~~"Qualified county" includes:~~}
- 174 ~~{(A)}~~ {~~Davis County:~~}

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- 175 ~~{(B)}~~ ~~{Salt Lake County.}~~
- 176 ~~{(C)}~~ ~~{Utah County; and}~~
- 177 ~~{(D)}~~ ~~{Weber County.}~~
- 178 ~~{(e)}~~~~(g)~~ "Qualified heavy duty vehicle" means:
- 179 (i) a heavy duty vehicle that:
- 180 ~~{(i)}~~ ~~(A)~~ has never been titled or registered and has been driven less than 7,500 miles; and
- 182 ~~{(ii)}~~ ~~(B)~~ is fueled by natural gas, has a 100% electric drivetrain, or has a hydrogen-electric drivetrain~~[-]~~; or
- 184 (ii) ~~{for a purchase of a heavy duty vehicle to replace a prohibited}~~ a heavy duty vehicle~~{, the heavy duty vehicle that is the subject of the purchase}~~ that:
- 186 (A) ~~{is}~~ has a ~~{2010 model year or newer}~~ gross vehicle weight rating of more than 14,000 pounds;
{and}
- 187 (B) is ~~{registered by the purchaser within a qualified county.}~~ a model year of 2010 or newer; and
- 188 ~~{(f)}~~~~(h)~~ is registered by the purchaser within a qualified county.
- 472 ~~{(f)}~~ ~~(h)~~ "Qualified purchase" means the purchase of a qualified heavy duty vehicle.
- 189 ~~{(g)}~~ (i) "Qualified taxpayer" means a taxpayer that:
- 190 (i) purchases a qualified heavy duty vehicle; and
- 191 (ii) receives a tax credit certificate from the director.
- 192 ~~{(h)}~~ (j) "Small fleet" means ~~[40]~~ 10 or fewer heavy duty vehicles registered in the state and owned by a single taxpayer.
- 194 ~~{(i)}~~ (k) "Tax credit certificate" means a certificate issued by the director certifying that a taxpayer is entitled to a tax credit as provided in this section and stating the amount of the tax credit.
- 197 (2) A qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act:
- 200 (a) in an amount equal to:
- 201 [(i)] \$15,000, if the qualified purchase occurs during calendar year 2021;
- 202 [(ii)] \$13,500, if the qualified purchase occurs during calendar year 2022;
- 203 [(iii)] \$12,000, if the qualified purchase occurs during calendar year 2023;
- 204 [(iv)] \$10,500, if the qualified purchase occurs during calendar year 2024;
- 205 [(v)] (i) \$9,000, if the qualified purchase occurs during calendar year 2025;

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- 206 ~~[(vi)]~~ (ii) [\$7,500] {~~\$8,000~~} \$15,000, if the qualified purchase occurs during calendar year 2026;
- 207 ~~[(vii)]~~ (iii) [\$6,000] {~~\$7,000~~} \$13,000, if the qualified purchase occurs during calendar year 2027;
- 208 ~~[(viii)]~~ (iv) [\$4,500] {~~\$6,000~~} \$11,000, if the qualified purchase occurs during calendar year 2028;
- 209 ~~[(ix)]~~ (v) [\$3,000] {~~\$5,000~~} \$9,000, if the qualified purchase occurs during calendar year 2029; and
- 210 ~~[(x)]~~ (vi) [\$1,500] {~~\$4,000~~} \$7,000, if the qualified purchase occurs during calendar year 2030; and
- 211 (b) if the qualified taxpayer:
- 212 (i)
- (A) certifies under oath that over 50% of the miles that the heavy duty vehicle that is the subject of the qualified purchase will travel annually will be within the state[-] ; and
- 215 (B) provides the director proof that the heavy duty vehicle that is the subject of the qualified purchase is a qualified heavy duty vehicle under Subsection (1)(g)(i); or
- 218 (ii)
- (A) certifies under oath that over 50% of the miles that the heavy duty vehicle that is the subject of the qualified purchase will travel annually will be within the state; {and}
- 509 (B) provides the director proof that the heavy duty vehicle that is the subject of the qualified purchase is a qualified heavy duty vehicle under Subsection (1)(g)(ii); and
- 221 ~~{(B)}~~ (C) provides the director proof of a bill of sale showing that the ~~{prohibited}~~ qualified taxpayer sold a high emissions heavy duty vehicle ~~{was sold}~~ to a person residing outside the qualified county or proof of the ~~{prohibited}~~ high emissions heavy duty vehicle's permanent disability.
- 224 (3)
- (a) Except as provided in Subsection (3)(b), a taxpayer may not submit an application for, and the director may not issue to the taxpayer, a tax credit certificate under this section in any taxable year for a qualified purchase if the director has already issued tax credit certificates to the taxpayer for 10 qualified purchases in the same taxable year.
- 229 (b) If, by May 1 of any year, more than 30% of the aggregate annual total amount of tax credits under Subsection (5) has not been claimed, a taxpayer may submit an application for, and the director may issue to the taxpayer, one or more tax credit certificates for up to eight additional qualified purchases, even if the director has already issued to that taxpayer tax credit certificates for the maximum number of qualified purchases allowed under Subsection (3)(a).
- 235 (4)

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- (a) Subject to Subsection (4)(b), the director shall reserve 25% of all tax credits available under this section for qualified taxpayers with a small fleet.
- 237 (b) Subsection (4)(a) does not prevent a taxpayer from submitting an application for, or the director from issuing, a tax credit certificate if, before October 1, qualified taxpayers with a small fleet have not reserved under Subsection (5)(b) tax credits for the full amount reserved under Subsection (4)
- (a).
- 241 (5)
- (a) The aggregate annual total amount of tax credits represented by tax credit certificates that the director issues under this section and Section 59-10-1033.1 may not exceed \$500,000.
- 244 (b) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to establish a process under which a taxpayer may reserve a potential tax credit under this section for a limited time to allow the taxpayer to make a qualified purchase with the assurance that the aggregate limit under Subsection (5)(a) will not be met before the taxpayer is able to submit an application for a tax credit certificate.
- 250 (6)
- (a)
- (i) A taxpayer wishing to claim a tax credit under this section shall, using forms the board requires by rule:
- 252 (A) submit to the director an application for a tax credit;
- 253 (B) provide the director proof of a qualified purchase; and
- 254 (C) submit to the director the certification under oath required under Subsection (2)(b).
- 256 (ii) Upon receiving the application, proof, and certification required under Subsection (6)(a)(i), the director shall provide the taxpayer a written statement from the director acknowledging receipt of the proof.
- 259 (b) If the director determines that a taxpayer qualifies for a tax credit under this section, the director shall:
- 261 (i) determine the amount of tax credit the taxpayer is allowed under this section; and
- 262 (ii) provide the taxpayer with a written tax credit certificate:
- 263 (A) stating that the taxpayer has qualified for a tax credit; and
- 264 (B) showing the amount of tax credit for which the taxpayer has qualified under this section.
- 266 (c) A qualified taxpayer shall retain the tax credit certificate.

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- 267 (d) The director shall at least annually submit to the commission a list of all qualified taxpayers to
which the director has issued a tax credit certificate and the amount of each tax credit represented by
the tax credit certificates.
- 270 (7) The tax credit under this section is allowed only:
- 271 (a) against a tax owed under this chapter or Chapter 8, Gross Receipts Tax on Certain Corporations
Not Required to Pay Corporate Franchise or Income Tax Act, in the taxable year by the qualified
taxpayer;
- 274 (b) for the taxable year in which the qualified purchase occurs; and
- 275 (c) once per vehicle.
- 276 (8) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this section to
another person.
- 278 (9) If the qualified taxpayer receives a tax credit certificate under this section that allows a tax credit in
an amount that exceeds the qualified taxpayer's tax liability under this chapter or Chapter 8, Gross
Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act,
for a taxable year, the qualified taxpayer may carry forward the amount of the tax credit that exceeds
the tax liability for a period that does not exceed the next five taxable years.

576 Section 5. Section **59-10-1033.1** is amended to read:

577 **59-10-1033.1. {Tax} Nonrefundable tax credit {~~related to alternative fuel~~} for heavy duty
vehicles.**

286 (1) As used in this section:

- 287 (a) "Board" means the Air Quality Board created under Title 19, Chapter 2, Air Conservation Act.
- 289 (b) "Director" means the director of the Division of Air Quality appointed under Section 19-2-107.
- 291 (c) "Heavy duty vehicle" means a commercial category 7 or 8 vehicle, according to vehicle
classifications established by the Federal Highway Administration.

585 (d) "High emissions heavy duty vehicle" means the same as that term is defined in Section 41-1a-102.

293 ~~(d)~~ (e) "Natural gas" includes compressed natural gas and liquified natural gas.

294 ~~(e)~~ (f) ~~{"Prohibited heavy duty vehicle"}~~ "Qualified county" means the same as that term is defined in
Section ~~{41-1a-202}~~ 41-1a-102.

296 ~~(f)~~ }

589 ~~(e)~~ (g) ~~{"Qualified county" means a county of the first or second class in an ozone nonattainment
area.~~

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- 298 ~~{(ii)}~~ { "Qualified county" includes: }
- 299 ~~{(A)}~~ { Davis County; }
- 300 ~~{(B)}~~ { Salt Lake County; }
- 301 ~~{(C)}~~ { Utah County; and }
- 302 ~~{(D)}~~ { Weber County. }
- 303 ~~{(e)}~~{(g)} "Qualified heavy duty vehicle" means:
- 304 (i) a heavy duty vehicle that:
- 305 ~~{(i)}~~ (A) has never been titled or registered and has been driven less than 7,500 miles; and
- 307 ~~{(ii)}~~ (B) is fueled by natural gas, has a 100% electric drivetrain, or has a hydrogen-electric drivetrain[.]; or
- 309 (ii) ~~{ for a purchase of a heavy duty vehicle to replace a prohibited }~~ a heavy duty vehicle {, the heavy duty vehicle that is the subject of the purchase} that:
- 311 (A) ~~{ is }~~ has a ~~{ 2010 model year or newer }~~ gross vehicle weight rating of more than 14,000 pounds;
{ and }
- 312 (B) is ~~{ registered by the purchaser within a qualified county. }~~ a model year of 2010 or newer; and
- 313 ~~{(f)}~~{(h)} is registered by the purchaser within a qualified county.
- 599 {(f)} (h) "Qualified purchase" means the purchase of a qualified heavy duty vehicle.
- 314 ~~{(g)}~~ (i) "Qualified taxpayer" means a claimant, estate, or trust that:
- 315 (i) purchases a qualified heavy duty vehicle; and
- 316 (ii) receives a tax credit certificate from the director.
- 317 ~~{(h)}~~ (j) "Small fleet" means ~~[40]~~ 10 or fewer heavy duty vehicles registered in the state and owned by a single claimant, estate, or trust.
- 319 ~~{(i)}~~ (k) "Tax credit certificate" means a certificate issued by the director certifying that a claimant, estate, or trust is entitled to a tax credit as provided in this section and stating the amount of the tax credit.
- 322 (2) A qualified taxpayer may claim a nonrefundable tax credit against tax otherwise due under this chapter:
- 324 (a) in an amount equal to:
- 325 {(i)} \$15,000, if the qualified purchase occurs during calendar year 2021;]
- 326 {(ii)} \$13,500, if the qualified purchase occurs during calendar year 2022;]
- 327 {(iii)} \$12,000, if the qualified purchase occurs during calendar year 2023;]

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- 328 ~~[(iv) \$10,500, if the qualified purchase occurs during calendar year 2024;]~~
329 ~~[(v)]~~ (i) \$9,000, if the qualified purchase occurs during calendar year 2025;
330 ~~[(vi)]~~ (ii) [\$7,500] ~~[\$8,000]~~ \$15,000, if the qualified purchase occurs during calendar year 2026;
331 ~~[(vii)]~~ (iii) [\$6,000] ~~[\$7,000]~~ \$13,000, if the qualified purchase occurs during calendar year 2027;
332 ~~[(viii)]~~ (iv) [\$4,500] ~~[\$6,000]~~ \$11,000, if the qualified purchase occurs during calendar year 2028;
333 ~~[(ix)]~~ (v) [\$3,000] ~~[\$5,000]~~ \$9,000, if the qualified purchase occurs during calendar year 2029; and
334 ~~[(x)]~~ (vi) [\$1,500] ~~[\$4,000]~~ \$7,000, if the qualified purchase occurs during calendar year 2030; and
335 (b) if the qualified taxpayer:
336 (i)
(A) certifies under oath that over 50% of the miles that the heavy duty vehicle that is the subject of the qualified purchase will travel annually will be within the state[-] ; and
339 (B) provides the director proof that the heavy duty vehicle that is the subject of the qualified purchase is a qualified heavy duty vehicle under Subsection (1)(g)(i); or
342 (ii)
(A) certifies under oath that over 50% of the miles that the heavy duty vehicle that is the subject of the qualified purchase will travel annually will be within the state; {and}
635 (B) provides the director proof that the heavy duty vehicle that is the subject of the qualified purchase is a qualified heavy duty vehicle under Subsection (1)(g)(ii); and
345 ~~{(B)}~~ (C) provides the director proof of a bill of sale showing that the ~~{prohibited}~~ qualified taxpayer sold a high emissions heavy duty vehicle ~~{was sold}~~ to a person residing outside the qualified county or proof of the ~~{prohibited}~~ high emissions heavy duty vehicle's permanent disability.
348 (3)
(a) Except as provided in Subsection (3)(b), a claimant, estate, or trust may not submit an application for, and the director may not issue to the claimant, estate, or trust, a tax credit certificate under this section in any taxable year for a qualified purchase if the director has already issued tax credit certificates to the claimant, estate, or trust for 10 qualified purchases in the same taxable year.
353 (b) If, by May 1 of any year, more than 30% of the aggregate annual total amount of tax credits under Subsection (5) has not been claimed, a claimant, estate, or trust may submit an application for, and the director may issue to the claimant, estate, or trust, one or more tax credit certificates for up to eight additional qualified purchases, even if the director has already issued to that claimant,

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estate, or trust tax credit certificates for the maximum number of qualified purchases allowed under Subsection (3)(a).

359 (4)

(a) Subject to Subsection (4)(b), the director shall reserve 25% of all tax credits available under this section for qualified taxpayers with a small fleet.

361 (b) Subsection (4)(a) does not prevent a claimant, estate, or trust from submitting an application for, or the director from issuing, a tax credit certificate if, before October 1, qualified taxpayers with a small fleet have not reserved under Subsection (5)(b) tax credits for the full amount reserved under Subsection (4)(a).

365 (5)

(a) The aggregate annual total amount of tax credits represented by tax credit certificates that the director issues under this section and Section 59-7-618.1 may not exceed \$500,000.

368 (b) The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules to establish a process under which a claimant, estate, or trust may reserve a potential tax credit under this section for a limited time to allow the claimant, estate, or trust to make a qualified purchase with the assurance that the aggregate limit under Subsection (5)(a) will not be met before the claimant, estate, or trust is able to submit an application for a tax credit certificate.

374 (6)

(a)

(i) A claimant, estate, or trust wishing to claim a tax credit under this section shall, using forms the board requires by rule:

376 (A) submit to the director an application for a tax credit;

377 (B) provide the director proof of a qualified purchase; and

378 (C) submit to the director the certification under oath required under Subsection (2)(b).

380 (ii) Upon receiving the application, proof, and certification required under Subsection (6)(a)(i), the director shall provide the claimant, estate, or trust a written statement from the director acknowledging receipt of the proof.

383 (b) If the director determines that a claimant, estate, or trust qualifies for a tax credit under this section, the director shall:

385 (i) determine the amount of tax credit the claimant, estate, or trust is allowed under this section; and

387 (ii) provide the claimant, estate, or trust with a written tax credit certificate:

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- 388 (A) stating that the claimant, estate, or trust has qualified for a tax credit; and
389 (B) showing the amount of tax credit for which the claimant, estate, or trust has qualified under this
section.
- 391 (c) A qualified taxpayer shall retain the tax credit certificate.
392 (d) The director shall at least annually submit to the commission a list of all qualified taxpayers to
which the director has issued a tax credit certificate and the amount of each tax credit represented by
the tax credit certificates.
- 395 (7) The tax credit under this section is allowed only:
396 (a) against a tax owed under this chapter in the taxable year by the qualified taxpayer;
397 (b) for the taxable year in which the qualified purchase occurs; and
398 (c) once per vehicle.
- 399 (8) A qualified taxpayer may not assign a tax credit or a tax credit certificate under this section to
another person.
- 401 (9) If the qualified taxpayer receives a tax credit certificate under this section that allows a tax credit in
an amount that exceeds the qualified taxpayer's tax liability under this chapter for a taxable year, the
qualified taxpayer may carry forward the amount of the tax credit that exceeds the tax liability for a
period that does not exceed the next five taxable years.

700 Section 6. **Effective date.**

This bill takes effect on May 7, 2025.

2-26-25 7:53 AM