

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **41-1a-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 28535 **41-1a-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 29436 **41-1a-213 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 45637 **41-1a-215.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 27938 **41-1a-225 (Effective 05/06/26)**, as last amended by Laws of Utah 1999, Chapter 21739 **41-1a-229 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 23440 **41-1a-233 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 34941 **41-1a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 23442 **41-1a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 24743 **41-1a-504 (Effective 05/06/26)**, as enacted by Laws of Utah 1992, Chapter 144 **41-1a-901 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 1992,
45 Chapter 146 **41-1a-902 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 37747 **41-1a-1201 (Effective 07/01/26) (Partially Repealed 07/01/29)**, as last amended by Laws
48 of Utah 2025, Chapter 27949 **41-1a-1205 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 1992,
50 Chapter 151 **41-1a-1206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 215,
52 27953 **41-1a-1207 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 23454 **41-1a-1219 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 27955 **41-1a-1223 (Effective 07/01/26)**, as last amended by Laws of Utah 2020, Chapter 8356 **41-1a-1304 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 41257 **41-1a-1601 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
58 Session, Chapter 959 **41-3-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 28060 **41-3-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 3661 **41-3-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2019, Chapter 424

62 **41-3-210 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 370
 63 **41-3-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2008, Chapter 382
 64 **41-3-407 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234
 65 **41-3-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2019, Chapter 424
 66 **41-3-802 (Effective 05/06/26)**, as last amended by Laws of Utah 1995, Chapter 7
 67 **41-3-803 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 302
 68 **41-6a-102 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws
 69 of Utah 2025, Chapters 220, 471
 70 **41-6a-1507 (Effective 05/06/26)**, as last amended by Laws of Utah 2009, Chapter 171
 71 **41-6a-1509 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 285
 72 **41-6a-1629 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 459
 73 **41-6a-1633 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapters 412,
 74 454
 75 **41-6a-1636 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412
 76 **41-12a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 294
 77 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws of
 78 Utah 2025, Chapter 285
 79 **53-3-905 (Effective 05/06/26)**, as last amended by Laws of Utah 2012, Chapter 397
 80 **59-2-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234
 81 **59-2-402 (Effective 05/06/26)**, as last amended by Laws of Utah 2007, Chapter 210
 82 **59-12-103 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 285
 83 **59-13-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 275
 84 **72-1-213.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 452

85
 86 *Be it enacted by the Legislature of the state of Utah:*

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

88 **41-1a-102 (Effective 05/06/26). Definitions.**

89 As used in this chapter:

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

91 ~~[(2) "Actual weight" means the actual unladen weight of a vehicle or combination of~~
 92 ~~vehicles as operated and certified to by a weighmaster.]~~

93 ~~[(3)]~~ (2) "All-terrain type I vehicle" means the same as that term is defined in Section
 94 41-22-2.

95 ~~[(4)]~~ (3) "All-terrain type II vehicle" means the same as that term is defined in Section

96 41-22-2.

97 [~~(5)~~] (4) "All-terrain type III vehicle" means the same as that term is defined in Section

98 41-22-2.

99 [~~(6)~~] (5) "Alternative fuel vehicle" means:

100 (a) an electric motor vehicle;

101 (b) a hybrid electric motor vehicle;

102 (c) a plug-in hybrid electric motor vehicle; or

103 (d) a motor vehicle powered exclusively by a fuel other than:

104 (i) motor fuel;

105 (ii) diesel fuel;

106 (iii) natural gas; or

107 (iv) propane.

108 [~~(7)~~] (6) "Amateur radio operator" means a person licensed by the Federal Communications

109 Commission to engage in private and experimental two-way radio operation on the

110 amateur band radio frequencies.

111 [~~(8)~~] (7) "Autocycle" means the same as that term is defined in Section 53-3-102.

112 [~~(9)~~] (8) "Automated driving system" means the same as that term is defined in Section

113 41-26-102.1.

114 [~~(10)~~] (9) "Branded title" means a title certificate that is labeled:

115 (a) rebuilt and restored to operation;

116 (b) flooded and restored to operation; or

117 (c) not restored to operation.

118 [~~(11)~~] (10) "Camper" means a structure designed, used, and maintained primarily to be

119 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide

120 a mobile dwelling, sleeping place, commercial space, or facilities for human habitation

121 or for camping.

122 [~~(12)~~] (11) "Certificate of title" means a document issued by a jurisdiction to establish a

123 record of ownership between an identified owner and the described vehicle, vessel, or

124 outboard motor.

125 [~~(13)~~] (12) "Certified scale weigh ticket" means a weigh ticket that has been issued by a

126 weighmaster.

127 [~~(14)~~] (13) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or

128 maintained for the transportation of persons or property that operates:

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

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

132 [~~(15)~~] (14) "Commission" means the State Tax Commission.

133 [~~(16)~~] (15) "Consumer price index" means the same as that term is defined in Section
134 59-13-102.

135 [~~(17)~~] (16) "Dealer" means a person engaged or licensed to engage in the business of
136 buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either
137 outright or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who
138 has an established place of business for the sale, lease, trade, or display of vehicles,
139 vessels, or outboard motors.

140 [~~(18)~~] (17) "Diesel fuel" means the same as that term is defined in Section 59-13-102.

141 [~~(19)~~] (18) "Division" means the Motor Vehicle Division of the commission, created in
142 Section 41-1a-106.

143 [~~(20)~~] (19) "Dynamic driving task" means the same as that term is defined in Section
144 41-26-102.1.

145 [~~(21)~~] (20) "Electric motor vehicle" means a motor vehicle that is powered solely by an
146 electric motor drawing current from a rechargeable energy storage system.

147 [~~(22)~~] (21) "Essential parts" means the integral and body parts of a vehicle of a type required
148 to be registered in this state, the removal, alteration, or substitution of which would tend
149 to conceal the identity of the vehicle or substantially alter the vehicle's appearance,
150 model, type, or mode of operation.

151 [~~(23)~~] (22) "Farm tractor" means a motor vehicle designed and used primarily as a farm
152 implement for drawing plows, mowing machines, and other implements of husbandry.

153 [~~(24)~~] (23)(a) "Farm truck" means a truck used by the owner or operator of a farm solely
154 for the owner's or operator's own use in the transportation of:

155 (i) farm products, including livestock and its products, poultry and its products,
156 floricultural and horticultural products;

157 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
158 agricultural, floricultural, horticultural, livestock, and poultry production; and

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

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

163 [~~(25)~~] (24) "Fleet" means:

- 164 (a) one or more commercial vehicles; or
- 165 (b) for purposes of Section 41-1a-215, one or more personal vehicles.
- 166 ~~[(26)]~~ (25) "Foreign vehicle" means a vehicle of a type required to be registered, brought
- 167 into this state from another state, territory, or country other than in the ordinary course
- 168 of business by or through a manufacturer or dealer, and not registered in this state.
- 169 ~~[(27) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles,~~
- 170 ~~equipped for operation, to which shall be added the maximum load to be carried.]~~
- 171 (26) "Gross combined weight rating" means the sum of gross vehicle weight rating of a
- 172 vehicle and the weight of any trailer attached to the vehicle and fully loaded.
- 173 (27) "Gross vehicle weight rating" means the same as that term is defined in Section
- 174 59-2-102.
- 175 (28) "Highway" or "street" means the entire width between property lines of every way or
- 176 place of whatever nature when any part of it is open to the public, as a matter of right,
- 177 for purposes of vehicular traffic.
- 178 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy
- 179 from onboard sources of stored energy that are both:
- 180 (a) an internal combustion engine or heat engine using consumable fuel; and
- 181 (b) a rechargeable energy storage system where energy for the storage system comes
- 182 solely from sources onboard the vehicle.
- 183 (30)(a) "Identification number" means the identifying number assigned by the
- 184 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or
- 185 outboard motor.
- 186 (b) "Identification number" includes a vehicle identification number, state assigned
- 187 identification number, hull identification number, and motor serial number.
- 188 (31) "Implement of husbandry" means a vehicle designed or adapted and used exclusively
- 189 for an agricultural operation and only incidentally operated or moved upon the highways.
- 190 (32)(a) "In-state miles" means the total number of miles operated in this state during the
- 191 preceding year by fleet power units.
- 192 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
- 193 total number of miles that those vehicles were towed on Utah highways during the
- 194 preceding year.
- 195 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
- 196 province, territory, or possession of the United States or foreign country.
- 197 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or

- 198 possession of the United States or any foreign country.
- 199 (35) "Lienholder" means a person with a security interest in particular property.
- 200 (36) "Manufactured home" means a transportable factory built housing unit constructed on
201 or after June 15, 1976, according to the Federal Home Construction and Safety
202 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling
203 mode, is eight body feet or more in width or 40 body feet or more in length, or when
204 erected on site, is 400 or more square feet, and which is built on a permanent chassis and
205 designed to be used as a dwelling with or without a permanent foundation when
206 connected to the required utilities, and includes the plumbing, heating, air-conditioning,
207 and electrical systems.
- 208 (37) "Manufacturer" means a person engaged in the business of constructing,
209 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
210 outboard motors for the purpose of sale or trade.
- 211 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured for use
212 by armed forces and that is maintained in a condition that represents the vehicle's
213 military design and markings regardless of current ownership or use.
- 214 (39) "Mobile home" means a transportable factory built housing unit built prior to June 15,
215 1976, in accordance with a state mobile home code which existed prior to the Federal
216 Manufactured Housing and Safety Standards Act (HUD Code).
- 217 (40) "Motor fuel" means the same as that term is defined in Section 59-13-102.
- 218 (41)(a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
219 operation on the highways.
- 220 (b) "Motor vehicle" includes a roadable aircraft and a street-legal all-terrain vehicle.
- 221 (c) "Motor vehicle" does not include:
- 222 (i) an off-highway vehicle; or
- 223 (ii) a motor assisted scooter as defined in Section 41-6a-102.
- 224 (42) "Motorboat" means the same as that term is defined in Section 73-18c-102.
- 225 (43) "Motorcycle" means:
- 226 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
227 more than three wheels in contact with the ground; or
- 228 (b) an autocycle.
- 229 (44) "Natural gas" means a fuel of which the primary constituent is methane.
- 230 (45)(a) "Nonresident" means a person who is not a resident of this state as defined by
231 Section 41-1a-202, and who does not engage in intrastate business within this state

232 and does not operate in that business any motor vehicle, trailer, or semitrailer within
233 this state.

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

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

242 (47) "Off-highway implement of husbandry" means the same as that term is defined in
243 Section 41-22-2.

244 (48) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

245 (49)(a) "Operate" means:

246 (i) to navigate a vessel; or

247 (ii) collectively, the activities performed in order to perform the entire dynamic
248 driving task for a given motor vehicle by:

249 (A) a human driver as defined in Section 41-26-102.1; or

250 (B) an engaged automated driving system.

251 (b) "Operate" includes testing of an automated driving system.

252 (50) "Original issue license plate" means a license plate that is of a format and type issued
253 by the state in the same year as the model year of a vehicle that is a model year 1973 or
254 older.

255 (51) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel
256 supply, used to propel a vessel.

257 (52)(a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
258 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
259 subject to a security interest.

260 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale
261 or mortgage of the vehicle with the right of purchase upon performance of the
262 conditions stated in the agreement and with an immediate right of possession vested
263 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security
264 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
265 for the purposes of this chapter.

- 266 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner
267 until the lessee exercises the lessee's option to purchase the vehicle.
- 268 (53) "Park model recreational vehicle" means a unit that:
- 269 (a) is designed and marketed as temporary living quarters for recreational, camping,
270 travel, or seasonal use;
- 271 (b) is not permanently affixed to real property for use as a permanent dwelling;
- 272 (c) requires a special highway movement permit for transit; and
- 273 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
274 400 square feet in the setup mode.
- 275 (54) "Personal vehicle" means a vehicle that is not a commercial vehicle.
- 276 (55) "Personalized license plate" means a license plate that has displayed on it a
277 combination of letters, numbers, or both as requested by the owner of the vehicle and
278 assigned to the vehicle by the division.
- 279 (56)(a) "Pickup truck" means a two-axle motor vehicle with motive power
280 manufactured, remanufactured, or materially altered to provide an open cargo area.
- 281 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
282 camper, camper shell, tarp, removable top, or similar structure.
- 283 (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has
284 the capability to charge the battery or batteries used for vehicle propulsion from an
285 off-vehicle electric source, such that the off-vehicle source cannot be connected to the
286 vehicle while the vehicle is in motion.
- 287 (58) "Pneumatic tire" means a tire in which compressed air is designed to support the load.
- 288 (59) "Preceding year" means a period of 12 consecutive months fixed by the division that is
289 within 16 months immediately preceding the commencement of the registration or
290 license year in which proportional registration is sought. The division in fixing the
291 period shall conform it to the terms, conditions, and requirements of any applicable
292 agreement or arrangement for the proportional registration of vehicles.
- 293 (60) "Public garage" means a building or other place where vehicles or vessels are kept and
294 stored and where a charge is made for the storage and keeping of vehicles and vessels.
- 295 (61) "Receipt of surrender of ownership documents" means the receipt of surrender of
296 ownership documents described in Section 41-1a-503.
- 297 (62) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state
298 that is materially altered from its original construction by the removal, addition, or
299 substitution of essential parts, new or used.

- 300 (63) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 301 (64) "Registration" means a document issued by a jurisdiction that allows operation of a
302 vehicle or vessel on the highways or waters of this state for the time period for which the
303 registration is valid and that is evidence of compliance with the registration requirements
304 of the jurisdiction.
- 305 (65) "Registration decal" means the decal issued by the division that is evidence of
306 compliance with the division's registration requirements.
- 307 (66)(a) "Registration year" means a 12 consecutive month period commencing with the
308 completion of the applicable registration criteria.
- 309 (b) For administration of a multistate agreement for proportional registration the division
310 may prescribe a different 12-month period.
- 311 (67) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors
312 to a sound working condition by substituting any inoperative part of the vehicle, vessel,
313 or outboard motor, or by correcting the inoperative part.
- 314 (68) "Replica vehicle" means:
- 315 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
316 (b) a custom vehicle that meets the requirements under Subsection
317 41-6a-1507(1)(a)(i)(B).
- 318 (69) "Restored-modified vehicle" means a motor vehicle that has been restored and
319 modified with modern parts and technology, including emission control technology and
320 an on-board diagnostic system.
- 321 (70) "Road tractor" means a motor vehicle designed and used for drawing other vehicles
322 and constructed so it does not carry any load either independently or any part of the
323 weight of a vehicle or load that is drawn.
- 324 (71) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 325 (72) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 326 (73) "Security interest" means an interest that is reserved or created by a security agreement
327 to secure the payment or performance of an obligation and that is valid against third
328 parties.
- 329 (74) "Semitrailer" means the same as the term "trailer."
- 330 (75) "Shipping weight" means the weight of the vehicle when it is built without any
331 optional equipment as reported by the manufacturer, except that if a shipping weight is
332 not reported by the manufacturer of a vehicle, the division may determine the shipping
333 weight using the best information available.

334 ~~[(75)]~~ (76) "Special group license plate" means a type of license plate designed for a
335 particular group of people or a license plate authorized and issued by the division in
336 accordance with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

337 ~~[(76)(a) "Special interest vehicle" means a vehicle used for general transportation
338 purposes and that is:]~~

339 ~~[(i) 20 years or older from the current year; or]~~

340 ~~[(ii) a make or model of motor vehicle recognized by the division director as having
341 unique interest or historic value.]~~

342 ~~[(b) In making a determination under Subsection (76)(a), the division director shall give
343 special consideration to:]~~

344 ~~[(i) a make of motor vehicle that is no longer manufactured;]~~

345 ~~[(ii) a make or model of motor vehicle produced in limited or token quantities;]~~

346 ~~[(iii) a make or model of motor vehicle produced as an experimental vehicle or one
347 designed exclusively for educational purposes or museum display; or]~~

348 ~~[(iv) a motor vehicle of any age or make that has not been substantially altered or
349 modified from original specifications of the manufacturer and because of its
350 significance is being collected, preserved, restored, maintained, or operated by a
351 collector or hobbyist as a leisure pursuit.]~~

352 (77)(a) "Special mobile equipment" means a vehicle:

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

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

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

356 (b) "Special mobile equipment" includes:

357 (i) farm tractors;

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

360 (iii) ditch-digging apparatus.

361 (c) "Special mobile equipment" does not include a commercial vehicle as defined under
362 Section 72-9-102.

363 (78) "Specially constructed vehicle" means a vehicle of a type required to be registered in
364 this state, not originally constructed under a distinctive name, make, model, or type by a
365 generally recognized manufacturer of vehicles, and not materially altered from its
366 original construction.

367 (79)(a) "Standard license plate" means a license plate for general issue described in

- 368 Subsection 41-1a-402(1).
- 369 (b) "Standard license plate" includes a license plate for general issue that the division
370 issues before January 1, 2024.
- 371 (80) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
372 motor that meets the requirements of rules made by the commission as described in
373 Subsection 41-1a-1101(7).
- 374 (81) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is
375 defined in Section 41-6a-102.
- 376 (82) "Symbol decal" means the decal that is designed to represent a special group and
377 displayed on a special group license plate.
- 378 (83) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 379 (84)(a) "Total fleet miles" means the total number of miles operated in all jurisdictions
380 during the preceding year by power units.
- 381 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the
382 number of miles that those vehicles were towed on the highways of all jurisdictions
383 during the preceding year.
- 384 (85) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 385 (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 386 (87) "Trailer" means a vehicle:
- 387 (a) without motive power; and
- 388 (b) designed for:
- 389 (i) carrying persons or property; and
- 390 (ii) being drawn by a motor vehicle.
- 391 (88) "Transferee" means a person to whom the ownership of property is conveyed by sale,
392 gift, or any other means except by the creation of a security interest.
- 393 (89) "Transferor" means a person who transfers the person's ownership in property by sale,
394 gift, or any other means except by creation of a security interest.
- 395 (90) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle
396 without motive power, designed as a temporary dwelling for travel, recreational, or
397 vacation use that does not require a special highway movement permit when drawn by a
398 self-propelled motor vehicle.
- 399 (91) "Truck tractor" means a motor vehicle designed and used primarily for drawing other
400 vehicles and not constructed to carry a load other than a part of the weight of the vehicle
401 and load that is drawn.

402 (92) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper,
403 park model recreational vehicle, manufactured home, and mobile home.

404 (93) "Vessel" means the same as that term is defined in Section 73-18-2.

405 (94) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.

406 (95) "Waters of this state" means the same as that term is defined in Section 73-18-2.

407 (96) "Weighmaster" means a person, association of persons, or corporation permitted to
408 weigh vehicles under this chapter.

409 Section 2. Section **41-1a-202** is amended to read:

410 **41-1a-202 (Effective 05/06/26). Definitions -- Vehicles exempt from registration**
411 **-- Registration of vehicles after establishing residency.**

412 (1) As used in this section:

413 (a) "Designated agent" means the same as that term is defined in Section 41-12a-803.

414 (b) "Domicile" means the place:

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

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

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

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

420 (A) an individual who:

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

422 (II) regardless of domicile, remains in this state for an aggregate period of six
423 months or more during any calendar year;

424 (III) engages in a trade, profession, or occupation in this state or who accepts
425 employment in other than seasonal work in this state and who does not
426 commute into the state;

427 (IV) declares himself to be a resident of this state for the purpose of obtaining a
428 driver license or motor vehicle registration; or

429 (V) declares himself a resident of Utah to obtain privileges not ordinarily
430 extended to nonresidents, including going to school, or placing children in
431 school without paying nonresident tuition or fees; or

432 (B) any individual, partnership, limited liability company, firm, corporation,
433 association, or other entity that:

434 (I) maintains a main office, branch office, or warehouse facility in this state
435 and that bases and operates a motor vehicle in this state; or

- 436 (II) operates a motor vehicle in intrastate transportation for other than seasonal
437 work.
- 438 (ii) "Resident" does not include any of the following:
- 439 (A) a member of the military temporarily stationed in Utah;
- 440 (B) an out-of-state student, as classified by the institution of higher education,
441 enrolled with the equivalent of seven or more quarter hours, regardless of
442 whether the student engages in a trade, profession, or occupation in this state or
443 accepts employment in this state; and
- 444 (C) an individual domiciled in another state or a foreign country that:
- 445 (I) is engaged in public, charitable, educational, or religious services for a
446 government agency or an organization that qualifies for tax-exempt status
447 under Internal Revenue Code Section 501(c)(3);
- 448 (II) is not compensated for services rendered other than expense
449 reimbursements; and
- 450 (III) is temporarily in Utah for a period not to exceed 24 months.
- 451 (iii) Notwithstanding Subsections (1)(c)(i) and (ii), "resident" includes the owner of a
452 vehicle equipped with an automated driving system as defined in Section
453 41-26-102.1 if the vehicle is physically present in the state for more than 30
454 consecutive days in a calendar year.
- 455 (2)(a) Registration under this chapter is not required for any:
- 456 (i) vehicle registered in another state and owned by a nonresident of the state or
457 operating under a temporary registration permit issued by the division or a dealer
458 authorized by this chapter, driven or moved upon a highway in conformance with
459 the provisions of this chapter relating to manufacturers, transporters, dealers, lien
460 holders, or interstate vehicles;
- 461 (ii) vehicle driven or moved upon a highway only for the purpose of crossing the
462 highway from one property to another;
- 463 (iii) implement of husbandry, whether of a type otherwise subject to registration or
464 not, that is only incidentally operated or moved upon a highway;
- 465 (iv) special mobile equipment;
- 466 (v) vehicle owned or leased by the federal government;
- 467 (vi) motor vehicle not designed, used, or maintained for the transportation of
468 passengers for hire or for the transportation of property if the motor vehicle is
469 registered in another state and is owned and operated by a nonresident of this state;

- 470 (vii) vehicle [~~or combination of vehicles~~] designed, used, or maintained for the
471 transportation of persons for hire or for the transportation of property if the vehicle [~~or combination of vehicles~~]
472 is registered in another state and is owned and
473 operated by a nonresident of this state and if the vehicle [~~or combination of~~
474 vehicles] has a gross [~~laden weight~~] vehicle weight rating of 26,000 pounds or less;
- 475 (viii) trailer of 750 pounds or less [~~unladen~~] shipping weight and not designed, used,
476 and maintained for hire for the transportation of property or person;
- 477 (ix) single-axle trailer unless that trailer is:
- 478 (A) a commercial vehicle;
- 479 (B) a trailer designed, used, and maintained for hire for the transportation of
480 property or person; or
- 481 (C) a travel trailer, camping trailer, or fifth wheel trailer of 750 pounds or more [
482 ~~laden weight~~] gross vehicle weight rating;
- 483 (x) manufactured home or mobile home;
- 484 (xi) off-highway vehicle currently registered under Section 41-22-3 if the
485 off-highway vehicle is:
- 486 (A) being towed;
- 487 (B) operated on a street or highway designated as open to off-highway vehicle
488 use; or
- 489 (C) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);
- 490 (xii) off-highway implement of husbandry operated in the manner prescribed in
491 Subsections 41-22-5.5(3) through (5);
- 492 (xiii) modular and prebuilt homes conforming to the uniform building code and
493 presently regulated by the United States Department of Housing and Urban
494 Development that are not constructed on a permanent chassis;
- 495 (xiv) electric assisted bicycle defined under Section 41-6a-102;
- 496 (xv) motor assisted scooter defined under Section 41-6a-102; or
- 497 (xvi) electric personal assistive mobility device defined under Section 41-6a-102.
- 498 (b) For purposes of an implement of husbandry as described in Subsection (2)(a)(iii),
499 incidental operation on a highway includes operation that is:
- 500 (i) transportation of raw agricultural materials or other agricultural related operations;
501 and
- 502 (ii) limited to 100 miles round trip on a highway.
- 503 (3)(a) Unless otherwise exempted under Subsection (2), registration under this chapter is

- 504 required for any motor vehicle, combination of vehicles, trailer, semitrailer, vintage
505 vehicle, or restored-modified vehicle within 60 days of the owner establishing
506 residency in this state.
- 507 (b)(i) The commission may contract with a designated agent described in Chapter
508 12a, Part 8, Uninsured Motorist Identification Database Program, to determine the
509 address for which a contract for owner's or operator's security pertaining to a
510 certain vehicle or vessel is tied.
- 511 (ii) If the information provided by the designated agent under Subsection (3)(b)(i)
512 indicates that the owner of a vehicle or vessel is a resident of this state, the
513 commission may investigate to ensure compliance with this chapter, Chapter 22,
514 Off-highway Vehicles, Title 59, Chapter 12, Sales and Use Tax Act, and Title 73,
515 Chapter 18, State Boating Act.
- 516 (c) If the commission's investigation described in Subsection (3)(b)(ii) determines that
517 the owner of the vehicle or vessel is not in compliance with this chapter, Chapter 22,
518 Off-highway Vehicles, Title 59, Chapter 12, Sales and Use Tax Act, or Title 73,
519 Chapter 18, State Boating Act, the commission:
- 520 (i) may impose a penalty on the owner of the vehicle or vessel of \$150; and
521 (ii) shall provide notice of noncompliance to the owner of the vehicle or vessel and
522 allow 60 days after the date on which the notice was issued for the owner of the
523 vehicle or vessel to comply with the provisions identified in the commission's
524 investigation described in Subsection (3)(b)(ii).
- 525 (d) If the owner of a vehicle or vessel fails to comply as directed within the time period
526 described in Subsection (3)(c), the commission created in Section 41-3-104 may
527 impose on the owner of the vehicle or vessel a penalty equal to the greater of:
- 528 (i) if the commission finds there was an underpayment of tax under Title 59, Chapter
529 12, Sales and Use Tax Act, a penalty as provided in Subsection 59-1-401(7); or
530 (ii) \$500.
- 531 (e) Upon making a record of the commission's actions, and upon reasonable cause
532 shown, the commission may waive, reduce, or compromise any penalty imposed
533 under Subsection (3)(c) or (3)(d).
- 534 (f)(i) The commission shall deposit money from a penalty under Subsections (3)(c)(i)
535 and (3)(d)(ii) for failure to properly register or title a vehicle or vessel pursuant to
536 this chapter, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State
537 Boating Act, into the Uninsured Motorist Identification Restricted Account

- 538 created in Section 41-12a-806.
- 539 (ii) The commission shall deposit money from a penalty under this Subsection
- 540 (3)(d)(i) for failure to pay a sales and use tax under Title 59, Chapter 12, Sales and
- 541 Use Tax Act, into the General Fund.
- 542 (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the
- 543 registration requirements of this part for the time period that the registration under
- 544 Section 41-3-306 is valid.
- 545 (5) A vehicle that has been issued a nonrepairable certificate may not be registered under
- 546 this chapter.
- 547 Section 3. Section **41-1a-213** is amended to read:
- 548 **41-1a-213 (Effective 05/06/26). Contents of registration cards.**
- 549 (1) As used in this section:
- 550 (a) "Health care professional" means the same as that term is defined in Section 53-3-207.
- 551 (b) "Invisible condition" means the same as that term is defined in Section 53-3-207.
- 552 (c) "Invisible condition identification decal" means the decal created by the division that
- 553 incorporates the invisible condition identification symbol.
- 554 (d) "Invisible condition identification symbol" means the same as that term is defined in
- 555 Section 53-3-207.
- 556 (2) The registration card shall be delivered to the owner and shall contain:
- 557 (a) the date issued;
- 558 (b) the name of the owner;
- 559 (c) a description of the vehicle registered including the year, the make, the identification
- 560 number, and the license plate assigned to the vehicle;
- 561 (d) the expiration date; and
- 562 (e) other information as determined by the commission.
- 563 (3) If a vehicle is leased for a period in excess of 45 days, the registration shall contain:
- 564 (a) the owner's name; and
- 565 (b) the name of the lessee.
- 566 (4) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the
- 567 registration card shall also contain the ~~[gross laden weight]~~ gross vehicle weight rating
- 568 as given in the application for registration.
- 569 (5)(a) Except as provided in Subsection (5)(b), a new registration card issued by the
- 570 commission on or after November 1, 2013, may not display the address of the owner
- 571 or the lessee on the registration card.

- 572 (b) A new registration card issued by the commission under one of the following
573 provisions shall display the address of the owner or the lessee on the registration
574 card:
- 575 (i) Section 41-1a-301 for a vehicle; or
576 (ii) Section 73-18-7 for a vessel.
- 577 (6)(a) Except as provided in Subsection (6)(d)(ii), the division shall include on a vehicle
578 owner's vehicle registration database record in the division's vehicle registration
579 database an invisible condition identification symbol if:
- 580 (i)(A) the vehicle owner or an individual who is a regular driver of or passenger in
581 the vehicle owner's vehicle has an invisible condition; or
582 (B) an individual with an invisible condition resides at the vehicle driver's
583 residence; and
584 (ii) the vehicle owner submits to the commission a request on a form prescribed by
585 the commission.
- 586 (b) A vehicle owner shall include in a request described in Subsection (6)(a):
- 587 (i) if the request is for an individual other than the vehicle owner, a declaration that
588 the individual is:
589 (A) a regular driver of or passenger in the vehicle; or
590 (B) a resident at the vehicle driver's residence;
- 591 (ii) written verification from a health care professional that the vehicle owner or other
592 individual described in Subsection (6)(a)(i) has an invisible condition; and
593 (iii) a waiver of liability signed by the individual with the invisible condition or the
594 individual's legal representative for the release of any medical information to:
595 (A) the commission;
596 (B) any person who has access to the individual's medical information as recorded
597 on the vehicle owner's vehicle registration database record or the Utah
598 Criminal Justice Information System; and
599 (C) any other person who may view or receive notice of the individual's medical
600 information by seeing the vehicle owner's vehicle registration database record
601 or the individual's information in the Utah Criminal Justice Information System.
- 602 (c) As part of the form described in Subsection (6)(a) and (b), the commission shall
603 advise the individual signing the waiver of liability that by submitting the signed
604 waiver, the individual consents to the release of the individual with an invisible
605 condition's medical information to any person described in Subsections (6)(b)(iii)(A)

606 through (C), even if the person is otherwise ineligible to access the individual with an
607 invisible condition's medical information under state or federal law.

608 (d)(i) The division:

609 (A) may not charge a fee to include an invisible condition identification symbol
610 on a vehicle owner's vehicle registration database record; and

611 (B) shall confirm with the Division of Professional Licensing that the health care
612 professional described in Subsection (6)(b)(ii) holds a current state license.

613 (ii) If the division is unable to confirm that the health care professional described in
614 Subsection (6)(b)(ii) holds a current state license, the division shall deny the
615 request described in Subsection (6)(a).

616 (e) The inclusion of an invisible condition identification symbol on a vehicle owner's
617 vehicle registration database record in accordance with this section does not confer
618 any legal rights or privileges on the vehicle owner or the individual with an invisible
619 condition, including parking privileges for individuals with disabilities under Section
620 41-1a-414.

621 (7)(a) For each individual who qualifies under this section to include an invisible
622 condition identification symbol in a vehicle owner's vehicle registration database
623 record, the division shall:

624 (i) include in the division's vehicle registration database a brief description of the
625 nature of the individual's invisible condition linked to the vehicle owner's vehicle
626 registration database record; and

627 (ii) provide an invisible condition identification decal that may be affixed to the
628 vehicle owner's vehicle, and instructions on where the invisible condition
629 identification decal may be placed on the vehicle, which the vehicle owner may
630 affix to the vehicle at the vehicle owner's discretion.

631 (b) The division shall provide the brief description described in Subsection (7)(a)(i) to
632 the Utah Criminal Justice Information System.

633 (c) Except as provided in Subsection (7)(b), the division may not release the information
634 described in Subsection (7)(a)(i).

635 (8) Within 30 days after the day on which the division receives a vehicle owner's written
636 request, the division shall:

637 (a) remove the invisible condition identification symbol and brief description described
638 in Subsection (7) from a vehicle owner's vehicle registration database record in the
639 division's vehicle registration database; and

640 (b) provide the updated vehicle registration database record to the Utah Criminal Justice
641 Information System.

642 (9) As provided in Section 63G-2-302, the information described in Subsection (6)(a) is a
643 private record for purposes of Title 63G, Chapter 2, Government Records Access and
644 Management Act.

645 Section 4. Section **41-1a-215.5** is amended to read:

646 **41-1a-215.5 (Effective 05/06/26). Alternative term registration.**

647 (1) Subject to the requirements of this section, a person may register a motorcycle or motor
648 vehicle of 14,000 pounds or less gross [~~laden weight~~] vehicle weight rating for a
649 six-month period that begins on the first day of the calendar month of registration and
650 expires on the last day of the sixth month of registration.

651 (2)(a) A person may register the following types of vehicles for a 24-month period that
652 begins the first day of the calendar month of registration and expires on the last day
653 of the 24th month of registration:

654 (i) a trailer;

655 (ii) an electric motor vehicle;

656 (iii) an off-highway vehicle as described in Section 41-22-3; or

657 (iv) a street-legal all-terrain vehicle as described in Section 41-6a-1509 and Section
658 41-22-3.

659 (b) An interstate apportioned vehicle registered in accordance with Section 41-1a-301 is
660 not eligible for a 24-month registration.

661 (c) To register a vehicle for a 24-month period as provided in this Subsection (2), the
662 person is required to pay double the amount of any tax or fee that would be due for
663 the same vehicle registered for a 12-month period.

664 (3) If the last day of the registration period falls on a day in which the appropriate state or
665 county offices are not open for business, the registration of the vehicle is extended to
666 midnight of the next business day.

667 (4) A registration under this section is subject to this chapter.

668 Section 5. Section **41-1a-225** is amended to read:

669 **41-1a-225 (Effective 05/06/26). Foreign vehicle compliance with federal law --**
670 **English translation -- Temporary permit.**

671 (1) Before a vehicle with a gross vehicle weight rating of less than 6,000 pounds that was
672 not originally manufactured for sale in the United States may be registered in this state,
673 the applicant shall provide at the time of registration, a signed statement certifying that

- 674 the vehicle complies with all federal laws and regulations applicable to the vehicle.
- 675 (2) If the certificate of title, manufacturer's certificate of origin, or other document
676 purported to evidence ownership is not printed in the English language, the applicant
677 shall obtain a certified translation of that document in the English language and provide
678 it to the division at the time of registration.
- 679 (3) The division may issue the applicant a temporary permit, not to exceed 120 days, as
680 provided in Section 41-1a-211, pending compliance with federal emission and safety
681 standards.

682 Section 6. Section **41-1a-229** is amended to read:

683 **41-1a-229 (Effective 05/06/26). Display of vehicle weight rating.**

- 684 (1) Each vehicle registered by gross [~~laden weight~~] vehicle weight rating and exceeding
685 14,000 pounds of gross [~~laden weight~~] vehicle weight rating shall have the gross [~~laden~~
686 ~~weight~~] vehicle weight rating for which it is registered painted, stenciled, or shown by
687 decal upon both the left and right sides of the vehicle, in a conspicuous place, in letters
688 of a reasonable size as determined by the commission.
- 689 (2) If vehicles are registered in combination, the gross [~~laden weight~~] combined weight
690 rating for which the combination of vehicles is registered shall be displayed upon the
691 power unit.
- 692 [~~(3) An owner or operator of a vehicle or combination of vehicles may not display a gross~~
693 ~~laden weight other than that shown on the certificate of registration of the vehicle.]~~
- 694 [(4)] (3) A park model recreational vehicle is exempt from this section.
- 695 [(5)] (4) A violation of this section is an infraction.

696 Section 7. Section **41-1a-233** is amended to read:

697 **41-1a-233 (Effective 05/06/26). Conditional registration for new commercial**
698 **motor vehicles.**

- 699 (1) As used in this part:
- 700 (a) "Manufacturer's statement of origin" means a statement or certificate from the motor
701 vehicle manufacturer that shows:
- 702 (i) the date of sale from the manufacturer to the first purchaser;
- 703 (ii) the name of the first purchaser;
- 704 (iii) a description of the motor vehicle, including the year, make, model, and vehicle
705 identification number; and
- 706 (iv) a certification that the motor vehicle was new when sold to the first purchaser.
- 707 (b) "Passenger rental car establishment" means an establishment described in NAICS

- 708 subsector 532111 of the 2022 North American Industry Classification System of the
709 federal Executive Office of the President, Office of Management and Budget.
- 710 (c) "Qualified identification number inspector" means the same as it is described in
711 Section 41-1a-802.
- 712 (2) The division may issue a conditional registration for a new motor vehicle that is a
713 commercial vehicle if:
- 714 (a) the owner:
- 715 (i) is a passenger rental car establishment;
- 716 (ii) has not received a manufacturer statement of origin;
- 717 (iii) is entitled to a manufacturer statement of origin;
- 718 (iv) has physical possession of the vehicle; and
- 719 (v) has paid all applicable taxes and fees for the vehicle; and
- 720 (b) a qualified identification number inspector has:
- 721 (i) physically inspected the identification number of the motor vehicle; and
- 722 (ii) made a record of the identification number inspection on a form approved by the
723 division.
- 724 (3)(a) A conditional registration issued under Subsection (2) shall be in effect:
- 725 (i) for a period of 12 months beginning with the first day of the calendar month of
726 registration and does not expire until the last day of the same month in the
727 following year[-] ; or
- 728 (ii) for a vehicle registered for an alternative registration period described in Section
729 41-1a-215.5, for a period corresponding with the term of an alternative
730 registration and does not expire until the last day of the final month of the
731 registration term.
- 732 (b) An owner of a vehicle with a conditional registration may not renew the registration
733 until a Utah title is obtained for the vehicle.
- 734 (c) A vehicle with a conditional registration under this section may not be sold or
735 transferred without first obtaining a Utah title.
- 736 (4) If a Utah title is not issued for a vehicle within 10 months of the beginning of the month
737 in which a conditional registration is issued for the vehicle, the division shall:
- 738 (a) revoke the conditional registration for the vehicle; and
- 739 (b) not allow the vehicle to be registered in the state until a Utah title is obtained for the
740 vehicle.
- 741 (5) A commercial vehicle that is issued a conditional registration as provided in this section

742 is subject to the same fees that would apply to the commercial vehicle if the registration
743 was not a conditional registration.

744 (6) A person shall submit a request for a conditional registration in a form prescribed by the
745 division.

746 (7) A conditional registration under this section may not be issued to a vehicle subject to
747 apportioned registration under Section 41-1a-301.

748 Section 8. Section **41-1a-301** is amended to read:

749 **41-1a-301 (Effective 05/06/26). Apportioned registration and licensing of**
750 **interstate vehicles.**

751 (1) For purposes of this section, "registrant" means an owner or operator of one or more
752 commercial vehicles operating in two or more jurisdictions applying for apportioned
753 registration and licensing of a commercial vehicle.

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

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

761 (c) The division may not grant apportioned registration for vehicles operated exclusively
762 in this state.

763 (3)(a) If no operations were conducted during the preceding year, in computing fees due:

764 (i) the application shall contain a statement of the proposed operations; and

765 (ii) the division shall determine fees based on average per vehicle distance
766 requirements under the International Registration Plan.

767 (b) At renewal, the registrant shall use the actual mileage from the preceding year in
768 computing fees due each jurisdiction.

769 (4) The division shall determine the registration fee for apportioned vehicles as follows:

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

771 (b) total the fees for each vehicle based on the fees prescribed in Section 41-1a-1206; and

772 (c) multiply the sum obtained under Subsection (4)(b) by the quotient obtained under
773 Subsection (4)(a).

774 (5) The registrant may list trailers or semitrailers of apportioned fleets separately as "trailer
775 fleets" on the application, with the fees paid according to the total distance those trailers

- 776 were towed in all jurisdictions during the preceding year mileage reporting period.
- 777 (6)(a)(i) When the registrant has paid the proper fees and cleared the property tax or
778 in lieu fee under Section 41-1a-206 or 41-1a-207, the division shall issue a
779 registration card and license plate for each unit listed on the application.
- 780 (ii) The owner or operator shall carry an original registration in each vehicle at all
781 times.
- 782 (b) The owner or operator may carry original registration cards for trailers or semitrailers
783 in the power unit.
- 784 (c)(i) In lieu of a permanent registration card or license plate, the division may issue
785 one temporary permit authorizing operation of new or unlicensed vehicles until
786 the permanent registration is completed.
- 787 (ii) Once a temporary permit is issued:
- 788 (A) neither the registrant nor the division may cancel the registration process; and
789 (B) the division shall complete registration and the registrant shall pay the fees
790 and any property tax or in lieu fee due for the vehicle for which the permit was
791 issued.
- 792 (iii) The division may not issue temporary permits for renewals.
- 793 (d)(i) The division shall issue one distinctive license plate for apportioned vehicles.
- 794 (ii) The owner or operator shall display the plate on the front of an apportioned truck
795 tractor or power unit or on the rear of any other apportioned vehicle.
- 796 (iii)(A) The division shall issue distinctive decals or a distinctive license plate
797 displaying the word "apportioned" or the abbreviation "APP" for each
798 apportioned vehicle.
- 799 (B) A registrant of an apportioned vehicle is not required to display a registration
800 decal.
- 801 (iv) At the request of a registrant of an apportioned vehicle, the division may issue a
802 second license plate, for a total of two, to display on both the front and rear of the
803 apportioned vehicle.
- 804 (e) The division shall charge a nonrefundable administrative fee, determined by the
805 commission pursuant to Section 63J-1-504, for each temporary permit, registration,
806 or both.
- 807 (7) Vehicles that are apportionally registered are fully registered for intrastate and interstate
808 movements, providing the registrant has secured proper interstate and intrastate
809 authority.

- 810 (8)(a) The division shall register vehicles added to an apportioned fleet after the
811 beginning of the registration year by applying the quotient under Subsection (4)(a)
812 for the original application to the fees due for the remainder of the registration year.
- 813 (b)(i) The owner shall maintain and submit complete annual mileage for each vehicle
814 in each jurisdiction, showing all miles operated by the lessor and lessee.
- 815 (ii) The fiscal mileage reporting period begins July 1, and continues through June 30
816 of the year immediately preceding the calendar year in which the registration year
817 begins.
- 818 (c)(i) An owner-operator, who is a lessor, may register the vehicle in the name of the
819 owner-operator.
- 820 (ii) The identification plates and registration card shall be the property of the lessor
821 and may reflect both the owner-operator's name and that of the carrier as lessee.
- 822 (iii) The division shall allocate the fees according to the operational records of the
823 owner-operator.
- 824 (d)(i) At the option of the lessor, the lessee may register a leased vehicle.
- 825 (ii) If a lessee is the registrant of a leased vehicle, both the lessor's and lessee's name
826 shall appear on the registration.
- 827 (iii) The division shall allocate the fees according to the records of the carrier.
- 828 (9)(a) When the division has accepted an application for apportioned registration, the
829 registrant shall preserve the records on which the application is based for a period of
830 three years after the close of the registration year.
- 831 (b) Upon request for audit as to accuracy of computations, payments, and assessments
832 for deficiencies, or allowances for credits, the registrant shall provide the records to
833 the division.
- 834 (c) The division may not make an assessment for deficiency or claim for credit for any
835 period for which records are no longer required.
- 836 (d) The division may assess interest in the amount prescribed by Section 59-1-402 from
837 the date due until paid on deficiencies found due after audit.
- 838 (e) Registrants with deficiencies are subject to the penalties under Section 59-1-401.
- 839 (f) The division may enter into agreements with other International Registration Plan
840 jurisdictions for joint audits.
- 841 (10)(a) Except as provided in Subsection (10)(b), the division shall deposit all state fees
842 collected under this section in the Transportation Fund.
- 843 (b) The commission may use the following fees as a dedicated credit to cover the costs

- 844 of electronic credentialing as provided in Section 41-1a-303:
- 845 (i) \$5 of each temporary registration permit fee paid under Subsection (13)(a)(i) for a
- 846 single unit; and
- 847 (ii) \$10 of each temporary registration permit fee paid under Subsection (13)(a)(ii)
- 848 for multiple units.

849 (11) If registration is for less than a full year, the division shall assess fees for apportioned

850 registration according to Section 41-1a-1207.

- 851 (a)(i) If the registrant is replacing a vehicle for one withdrawn from the fleet and the
- 852 new vehicle is of the same [~~weight~~] gross vehicle weight rating category as the
- 853 replaced vehicle, the registrant shall file a supplemental application.
- 854 (ii) If the registrant is replacing a vehicle for one withdrawn from the fleet and the
- 855 new vehicle is heavier than the replaced vehicle, the division shall assess
- 856 additional registration fees.
- 857 (iii) If the registrant is replacing a vehicle for one withdrawn from the fleet, the
- 858 division shall issue a new registration card.

859 (b) If a vehicle is withdrawn from an apportioned fleet during the period for which it is

860 registered, the registrant shall notify the division and surrender the registration card

861 and license plate of the withdrawn vehicle.

862 (12)(a) An out-of-state carrier with an apportionally registered vehicle who has not

863 presented a certificate of property tax or in lieu fee as required by Section 41-1a-206

864 or 41-1a-207, shall pay, at the time of registration, a proportional part of an equalized

865 highway use tax computed as follows:

- 866 (i) Multiply the number of vehicles or combination of vehicles registered in each [
- 867 ~~weight~~] gross combined weight rating class by the equivalent tax figure from the
- 868 following tables:

[Vehicle or Combination Registered Weight] <u>Gross Combined Weight Rating</u>	Age of Vehicle	Equivalent Tax
14,000 pounds or less	12 or more years	\$10
14,000 pounds or less	9 or more years but less than 12 years	\$50
14,000 pounds or less	6 or more years but less than 9 years	\$80

873	14,000 pounds or less	3 or more years but less than 6 years	\$110
874	14,000 pounds or less	Less than 3 years	\$150
875	[Vehicle or Combination Registered Weight] Gross Combined Weight Rating		Equivalent Tax
876	14,001 - 18,000 pounds		\$150
877	18,001 - 34,000 pounds		200
878	34,001 - 48,000 pounds		300
879	48,001 - 64,000 pounds		450
880	64,001 pounds and over		600

881 (ii) Multiply the equivalent tax value for the total fleet determined under Subsection
 882 (12)(a)(i) by the fraction computed under Subsection (4) for the apportioned fleet
 883 for the registration year.

884 (b) For registration described in Subsection (12)(a), the division shall assess fees as
 885 provided in Section 41-1a-1207.

886 (13)(a) Commercial vehicles meeting the registration requirements of another
 887 jurisdiction may, as an alternative to full or apportioned registration, secure a
 888 temporary registration permit for a period not to exceed 96 hours or until they leave
 889 the state, whichever is less, for a fee of:

- 890 (i) \$25 for a single unit; and
- 891 (ii) \$50 for multiple units.

892 (b) A state temporary permit or registration fee is not required from nonresident owners
 893 or operators of vehicles or combination of vehicles having a gross ~~[laden weight]~~
 894 combined weight rating of 26,000 pounds or less for each single unit or combination.

895 (14) The division may not register a park model recreational vehicle under this section.

896 (15) A violation of this section is an infraction.

897 Section 9. Section **41-1a-401** is amended to read:

898 **41-1a-401 (Effective 05/06/26). License plates -- Number of plates --**
 899 **Reflectorization -- Indicia of registration in lieu of or used with plates.**

900 (1)(a) Except as provided in Subsections (1)(c), (d), and (e), the division upon
 901 registering a vehicle shall issue to the owner:

- 902 (i) one license plate for a motorcycle, trailer, or semitrailer;

- 903 (ii) one registration decal for a park model recreational vehicle, in lieu of a license
904 plate, which shall be attached in plain sight to the rear of the park model
905 recreational vehicle;
- 906 (iii) one registration decal for a camper, in lieu of a license plate, which shall be
907 attached in plain sight to the rear of the camper; and
- 908 (iv) one license plate for every other vehicle.
- 909 (b) The license plate or registration decal issued under Subsection (1)(a) is for the
910 particular vehicle registered and may not be removed during the term for which the
911 license plate or registration decal is issued or used upon any other vehicle than the
912 registered vehicle.
- 913 (c)(i) Notwithstanding Subsections (1)(a) and (b) and except as provided in
914 Subsection (1)(c)(ii), the division, upon registering a motor vehicle that has been
915 sold, traded, or the ownership of which has been otherwise released, shall transfer
916 the license plate issued to the person applying to register the vehicle if:
- 917 (A) the previous registered owner has included the license plate as part of the sale,
918 trade, or ownership release; and
- 919 (B) the person applying to register the vehicle applies to transfer the license plate
920 to the new registered owner of the vehicle.
- 921 (ii) The division may not transfer a personalized or special group license plate to a
922 new registered owner under this Subsection (1)(c) if the new registered owner
923 does not meet the qualification or eligibility requirements for that personalized or
924 special group license plate under this part or Part 16, Sponsored Special Group
925 License Plates.
- 926 (d)(i) For a vehicle described in Section 41-1a-301, the division upon registering a
927 vehicle shall issue a license plate or set of license plates as provided in that section.
- 928 (ii) ~~[For]~~ Except for a street-legal all-terrain vehicle, a motorcycle, or a trailer, for any
929 vehicle not described in Subsection (1)(d)(i), at the request of the registrant, the
930 division upon registering a vehicle may issue two license plates, for display on
931 both the front and rear of the vehicle.
- 932 (e) The division upon registering a vehicle may, until inventory of license plate sets is
933 exhausted, but no later than December 31, 2025, issue a set of two plates.
- 934 (f) The division shall ensure that license plates are distributed from a central location as
935 soon as practicable, but no later than July 1, 2025.
- 936 (2) The division may receive applications for registration renewal, renew registration, and

937 issue a new license plate or registration decal at any time prior to the expiration of
938 registration.

939 (3)(a)(i) Except as provided in Subsection (3)(a)(ii), all license plates to be
940 manufactured and issued by the division shall be treated with a fully reflective
941 material on the plate face that provides effective and dependable reflective
942 brightness during the service period of the license plate.

943 (ii) Notwithstanding Subsection (3)(a)(i), a historical support special group license
944 plate may be treated with a plate face that is partially reflective and provides
945 effective and dependable reflective brightness during the service period of the
946 license plate.

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

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

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

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

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

958 (5) A violation of this section is an infraction.

959 Section 10. Section **41-1a-504** is amended to read:

960 **41-1a-504 (Effective 05/06/26). Exceptions to title requirements for vehicles.**

961 Each vehicle operated in this state is subject to the titling provisions of this part except:

962 (1) special mobile equipment;

963 (2) a vehicle owned or leased by the federal government;

964 (3) a trailer of 750 pounds or less [~~unladen~~] shipping weight and not designed, used, and
965 maintained for hire for the transportation of property or persons; and

966 (4) modular and prebuilt homes conforming to the Uniform Building Code and presently
967 regulated by the United States Department of Housing and Urban Development that are
968 not constructed on a permanent chassis.

969 Section 11. Section **41-1a-901** is amended to read:

970 **41-1a-901 (Effective 07/01/26). Odometer required.**

- 971 (1) [~~Each~~] Except as provided in Subsection (2), each motor vehicle required to be
 972 registered under this chapter shall be equipped with a properly functioning odometer.
 973 (2) Subsection (1) does not apply to a street-legal all-terrain vehicle that was not equipped
 974 with an odometer by the manufacturer.

975 Section 12. Section **41-1a-902** is amended to read:

976 **41-1a-902 (Effective 05/06/26). Odometer disclosure statement -- Contents --**
 977 **Receipt -- Exceptions.**

- 978 (1) Each motor vehicle certificate of title, at the time it is issued to the transferee, shall
 979 contain:
 980 (a) the mileage disclosed by the transferor when ownership of the motor vehicle was
 981 transferred; and
 982 (b) a space for the information required to be disclosed under this section at the time of
 983 future transfer of ownership.
- 984 (2) At the time of any sale or transfer of a motor vehicle, the transferor shall furnish to the
 985 transferee a written odometer disclosure statement in a form prescribed by the division.
 986 This statement shall be signed and certified as to its truthfulness by the transferor,
 987 stating:
 988 (a) the date of transfer;
 989 (b) the transferor's name and address;
 990 (c) the transferee's name and address;
 991 (d) the identity of the motor vehicle, including its make, model, year, body type, and
 992 identification number;
 993 (e) the odometer reading at the time of transfer, not including tenths of miles or tenths of
 994 kilometers;
 995 (f)(i) that to the best of the transferor's knowledge, the odometer reading reflects the
 996 amount of miles or kilometers the motor vehicle has actually been driven;
 997 (ii) that the odometer reading reflects the amount of miles or kilometers in excess of
 998 the designed mechanical odometer limit; or
 999 (iii) that the odometer reading is not the actual amount of miles or kilometers; and
 1000 (g) a warning to alert the transferee if a discrepancy exists between the odometer reading
 1001 and the actual mileage.
- 1002 (3)(a) Each transferee of a motor vehicle shall acknowledge receipt of the odometer
 1003 disclosure statement required by Subsection (2) by signing it, and the transferor shall
 1004 deliver to the transferee the original odometer disclosure statement. Both the

- 1005 transferor and the transferee shall retain a legible copy of the odometer disclosure
 1006 statement for not less than four years.
- 1007 (b) A dealer who is required under Section 41-3-301 to title and register a motor vehicle
 1008 sold to a customer shall surrender the original odometer disclosure statement to the
 1009 division and deliver a copy to the transferee.
- 1010 (4) Notwithstanding the requirements of this section, the odometer mileage need not be
 1011 disclosed by a transferor of:
- 1012 (a) a single motor vehicle having a manufacturer specified gross [~~laden~~] vehicle weight
 1013 rating of more than 16,000 pounds, or a motor vehicle registered in this state for a
 1014 gross [~~laden weight~~] vehicle weight rating of 18,000 pounds or more;
- 1015 (b) a motor vehicle that is 20 years old or older;
- 1016 (c) a motor vehicle sold directly by the manufacturer to any agency of the United States
 1017 in conformity with contractual specifications; or
- 1018 (d) a new motor vehicle prior to its first transfer for purposes other than resale.
- 1019 (5) If the motor vehicle has not been titled or if the certificate of title does not contain a
 1020 space for the information required, the written disclosure shall be executed as a separate
 1021 document.
- 1022 (6) A person may not sign an odometer disclosure statement as both the transferor and the
 1023 transferee in the same transaction.

1024 Section 13. Section **41-1a-1201** is amended to read:

1025 **41-1a-1201 (Effective 07/01/26) (Partially Repealed 07/01/29). Disposition of fees.**

- 1026 (1) All fees received and collected under this part shall be transmitted daily to the state
 1027 treasurer.
- 1028 (2) [~~Except as provided in Subsections (3), (5), (6), (7), (8), and (9) and Sections 41-1a-1205,~~
 1029 ~~41-1a-1220, 41-1a-1221, 41-1a-1222, 41-1a-1223, and 41-1a-1603,~~] Except as otherwise
 1030 specified, all fees collected under this part shall be deposited into the Transportation
 1031 Fund.
- 1032 (3) Funds generated under Subsections [~~41-1a-1211(1)(b)(ii), (6)(b)(ii)]~~
 1033 41-1a-1211(1)(b)(iii), (6)(b)(iii), (7), and (9), and Section 41-1a-1212 shall be deposited
 1034 into the License Plate Restricted Account created in Section 41-1a-122.
- 1035 (4)(a) Except as provided in Subsections (3) and (4)(b) and Section 41-1a-1205, the
 1036 expenses of the commission in enforcing and administering this part shall be
 1037 provided for by legislative appropriation from the revenues of the Transportation
 1038 Fund.

- 1039 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)
1040 and (b) for each vehicle registered for a six-month registration period under Section
1041 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing
1042 and administering this part.
- 1043 (c) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i) for
1044 each vintage vehicle that has a model year of 1983 or newer may be used by the
1045 commission to cover the costs incurred in enforcing and administering this part.
- 1046 (5)(a) The following portions of the registration fees imposed under Section 41-1a-1206
1047 for each vehicle shall be deposited into the Transportation Investment Fund of 2005
1048 created in Section 72-2-124:
- 1049 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),
1050 (1)(f), (4), and (7);
- 1051 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and
1052 (1)(c)(ii);
- 1053 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);
- 1054 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);
- 1055 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i);
- 1056 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii); and
- 1057 (vii) \$17 of the registration fee imposed under Subsection 41-1a-1206(1)(j).
- 1058 (b) The following portions of the registration fees collected for each vehicle registered
1059 for a six-month registration period under Section 41-1a-215.5 shall be deposited into
1060 the Transportation Investment Fund of 2005 created in Section 72-2-124:
- 1061 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and
- 1062 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).
- 1063 (6)(a) Ninety-four cents of each registration fee imposed under Subsections
1064 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Public Safety
1065 Restricted Account created in Section 53-3-106.
- 1066 (b) Seventy-one cents of each registration fee imposed under Subsections
1067 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration
1068 period under Section 41-1a-215.5 shall be deposited into the Public Safety Restricted
1069 Account created in Section 53-3-106.
- 1070 (7)(a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)
1071 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact
1072 Restricted Account created in Section 53-8-214.

- 1073 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a) and
1074 (b) for each vehicle registered for a six-month registration period under Section
1075 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted
1076 Account created in Section 53-8-214.
- 1077 (8) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for each
1078 motorcycle shall be deposited into the Brain and Spinal Cord Injury Fund created in
1079 Section 26B-1-318.
- 1080 (9)(a) Beginning on January 1, 2024, subject to Subsection (9)(b), \$2 of each registration
1081 fee imposed under Section 41-1a-1206 shall be deposited into the Rural
1082 Transportation Infrastructure Fund created in Section 72-2-133.
- 1083 (b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described
1084 in Subsection (9)(a) shall be annually adjusted by taking the amount deposited the
1085 previous year and adding an amount equal to the greater of:
- 1086 (i) an amount calculated by multiplying the amount deposited by the previous year by
1087 the actual percentage change during the previous fiscal year in the Consumer Price
1088 Index; and
1089 (ii) 0.
- 1090 (c) The amounts calculated as described in Subsection (9)(b) shall be rounded up to the
1091 nearest 1 cent.
- 1092 (10) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the
1093 deposits under this section are double the amounts due for a 12-month registration of the
1094 same vehicle.
- 1095 (11) The following amounts shall be deposited as dedicated credits into the Transportation
1096 Fund to be used by the Driver License Division for the Motorcycle Rider Education
1097 Program described in Title 53, Chapter 3, Part 9, Motorcycle Rider Education Program:
- 1098 (a) \$5 of the annual registration fee imposed for each registered motorcycle under
1099 Subsection 41-1a-1206(1)(a); and
- 1100 (b) \$4 of the six-month registration fee imposed for each registered motorcycle under
1101 Subsection 41-1a-1206(2)(a).
- 1102 Section 14. Section **41-1a-1205** is amended to read:
- 1103 **41-1a-1205 (Effective 05/06/26). Disposition of driver education fee -- Expense**
1104 **appropriation.**
- 1105 (1) The automobile driver education [tax] fee collected under Section 41-1a-1204 shall be
1106 placed to the credit of the Automobile Driver Education Tax Account within the

1107 Uniform School Fund.

1108 (2) The necessary expenses of the commission incurred in the administration and collection
 1109 of the ~~[tax]~~ fee shall be paid from its legislative appropriation in the General Fund, which
 1110 fund shall be reimbursed by a transfer for the expenses from the legislative appropriation
 1111 of the Uniform School Fund.

1112 Section 15. Section **41-1a-1206** is amended to read:

1113 **41-1a-1206 (Effective 05/06/26). Registration fees -- Fees by weight rating.**

1114 (1) Except as provided in Subsections (2) and (3), at the time application is made for
 1115 registration or renewal of registration of a vehicle or combination of vehicles under this
 1116 chapter, a registration fee shall be paid to the division as follows:

1117 (a) \$46.00 for each motorcycle;

1118 (b) \$44 for each motor vehicle of 14,000 pounds or less gross ~~[laden weight]~~ combined
 1119 weight rating, excluding motorcycles;

1120 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202
 1121 or is registered under Section 41-1a-301:

1122 (i) \$31 for each trailer or semitrailer over 750 pounds ~~[gross unladen]~~ shipping
 1123 weight; or

1124 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or
 1125 less ~~[gross unladen]~~ shipping weight;

1126 (d)(i) \$53 for each farm truck over 14,000 pounds, but not exceeding 16,000 pounds
 1127 gross ~~[laden weight]~~ combined weight rating; plus

1128 (ii) \$9 for each 2,000 pounds over 16,000 pounds gross ~~[laden weight]~~ combined
 1129 weight rating;

1130 (e)(i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding
 1131 farm trucks, over 14,000 pounds, but not exceeding 16,000 pounds gross ~~[laden~~
 1132 ~~weight]~~ combined weight rating; plus

1133 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross ~~[laden weight]~~ combined
 1134 weight rating;

1135 (f)(i) \$69.50 for each park model recreational vehicle over 14,000 pounds, but not
 1136 exceeding 16,000 pounds gross ~~[laden weight]~~ combined weight rating; plus

1137 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross ~~[laden weight]~~ combined
 1138 weight rating;

1139 (g) \$45 for each vintage vehicle that has a model year of 1983 or newer;

1140 (h) in addition to the fee described in Subsection (1)(b):

- 1141 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:
1142 (A) each electric motor vehicle; and
1143 (B) Each motor vehicle not described in this Subsection (1)(h) that is fueled
1144 exclusively by a source other than motor fuel, diesel fuel, natural gas, or
1145 propane;
- 1146 (ii) \$21.75 for each hybrid electric motor vehicle; and
1147 (iii) \$56.50 for each plug-in hybrid electric motor vehicle;
- 1148 (i) in addition to the fee described in Subsection (1)(g), for a vintage vehicle that has a
1149 model year of 1983 or newer, 50 cents; and
- 1150 (j) \$28.50 for each roadable aircraft.
- 1151 (2)(a) At the time application is made for registration or renewal of registration of a
1152 vehicle under this chapter for a six-month registration period under Section
1153 41-1a-215.5, a registration fee shall be paid to the division as follows:
- 1154 (i) \$34.50 for each motorcycle; and
1155 (ii) \$33.50 for each motor vehicle of 14,000 pounds or less gross [~~laden weight~~
1156 combined weight rating, excluding motorcycles.
- 1157 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal of
1158 registration of a vehicle under this chapter for a six-month registration period under
1159 Section 41-1a-215.5 a registration fee shall be paid to the division as follows:
- 1160 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:
1161 (A) each electric motor vehicle; and
1162 (B) each motor vehicle not described in this Subsection (2)(b) that is fueled
1163 exclusively by a source other than motor fuel, diesel fuel, natural gas, or
1164 propane;
- 1165 (ii) \$16.50 for each hybrid electric motor vehicle; and
1166 (iii) \$43.50 for each plug-in hybrid electric motor vehicle.
- 1167 (3)(a) Beginning on January 1, 2024, at the time of registration:
- 1168 (i) in addition to the amounts described in Subsections (1)(a), (1)(b), (1)(c)(i),
1169 (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), (1)(h), (4)(a), and (7), the individual
1170 shall also pay an additional \$7 as part of the registration fee; and
1171 (ii) in addition to the amounts described in Subsection (2)(a), the individual shall also
1172 pay an additional \$5 as part of the registration fee.
- 1173 (b)(i) Beginning on January 1, 2019, the commission shall, on January 1, annually
1174 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i),

- 1175 (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), (1)(j), (2)(a), (3)(a), (4)(a), and (7),
1176 by taking the registration fee rate for the previous year and adding an amount
1177 equal to the greater of:
- 1178 (A) an amount calculated by multiplying the registration fee of the previous year
1179 by the actual percentage change during the previous fiscal year in the
1180 Consumer Price Index; and
- 1181 (B) 0.
- 1182 (ii) Beginning on January 1, 2024, the commission shall, on January 1, annually
1183 adjust the registration fees described in Subsections (1)(h)(ii) and (iii) and
1184 (2)(b)(ii) and (iii) by taking the registration fee rate for the previous year and
1185 adding an amount equal to the greater of:
- 1186 (A) an amount calculated by multiplying the registration fee of the previous year
1187 by the actual percentage change during the previous fiscal year in the
1188 Consumer Price Index; and
- 1189 (B) 0.
- 1190 (c) The amounts calculated as described in Subsection (3)(b) shall be rounded up to the
1191 nearest 25 cents.
- 1192 (4)(a) The initial registration fee for a vintage vehicle that has a model year of 1982 or
1193 older is \$40.
- 1194 (b) A vintage vehicle that has a model year of 1982 or older is exempt from the renewal
1195 of registration fees under Subsection (1).
- 1196 (c) A vehicle with a Purple Heart special group license plate issued on or before
1197 December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group
1198 License Plates, is exempt from the registration fees under Subsection (1).
- 1199 (d) A camper is exempt from the registration fees under Subsection (1).
- 1200 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, [~~each~~] a motor
1201 vehicle shall register for the total gross [~~laden weight~~] combined weight rating of all
1202 units of the combination if the total gross [~~laden weight~~] combined weight rating of the
1203 combination exceeds 14,000 pounds.
- 1204 (6)(a) Registration fee categories under this section are based on the gross [~~laden weight~~]
1205 combined weight rating declared in the licensee's application for registration.
- 1206 (b)(i) Gross [~~laden weight~~] combined weight rating shall be computed in units of
1207 2,000 pounds.
- 1208 (ii) [~~A~~] For purposes of Subsection (6)(b)(i), a fractional part of 2,000 pounds is a full

- 1209 unit.
- 1210 (7) The owner of a trailer described in Section 41-1a-228 may, as an alternative to
1211 registering under Subsection (1)(c), apply for and obtain a special registration and
1212 license plate, as provided in Section 41-1a-228, for a fee of \$130.
- 1213 (8) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the
1214 fee amounts are double the amounts due for a 12-month registration of the same vehicle.
- 1215 (9) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm truck
1216 unless:
- 1217 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and
1218 (b)(i) the truck has a gross vehicle weight rating of more than 14,000 pounds; or
1219 (ii) the truck has a gross vehicle weight rating of 14,000 pounds or less and the owner
1220 submits to the division a certificate of emissions inspection or a waiver in
1221 compliance with Section 41-6a-1642.
- 1222 (10) A violation of Subsection (9) is an infraction that shall be punished by a fine of not
1223 less than \$200.
- 1224 (11) A motor vehicle registered as a street-legal all-terrain vehicle is:
- 1225 (a) subject to the registration and other fees described in Section 41-22-9; and
1226 (b) not required to pay an additional registration fee under this section.
- 1227 (12) Trucks used exclusively to pump cement, bore wells, or perform crane services with a
1228 crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees
1229 required for those vehicles under this section.

1230 Section 16. Section **41-1a-1207** is amended to read:

1231 **41-1a-1207 (Effective 05/06/26). Reduced fees for portion of year.**

1232 If a motor vehicle exceeding 14,000 pounds gross [~~laden weight~~] vehicle weight rating is
1233 registered for less than a 12-month registration period, the registration fees are:

- 1234 (1) for not more than three months, 30% of the regular registration fee;
1235 (2) for in excess of three months but not more than six months, 60% of the regular
1236 registration fee;
1237 (3) for in excess of six months and not more than nine months, 90% of the regular
1238 registration fee; and
1239 (4) for anything in excess of nine months but not more than 12 months, the entire
1240 registration fee.

1241 Section 17. Section **41-1a-1219** is amended to read:

1242 **41-1a-1219 (Effective 05/06/26). Motor carrier fee.**

- 1243 (1) At the time application is made for registration or renewal of registration of a motor
 1244 vehicle or combination of motor vehicles over 14,000 pounds gross [~~laden weight~~
 1245 combined weight rating, the applicant shall pay a motor carrier fee of \$6 for each motor
 1246 vehicle or combination of motor vehicles.
- 1247 (2) This fee is in addition to the registration fees under Subsections 41-1a-1206(1)(d) and (e).
- 1248 (3) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the
 1249 fee amounts under this section are double the amounts due for the same vehicle
 1250 registered for a 12-month period.

1251 Section 18. Section **41-1a-1223** is amended to read:

1252 **41-1a-1223 (Effective 07/01/26). Local emissions compliance fee -- Exemptions --**
 1253 **Transfer -- County ordinance -- Notice.**

- 1254 (1)(a)(i) A county legislative body of a county that is required to utilize a motor
 1255 vehicle emissions inspection and maintenance program or in which an emissions
 1256 inspection and maintenance program is necessary to attain or maintain any
 1257 national ambient air quality standard in accordance with Section 41-6a-1642 may
 1258 impose a local emissions compliance fee of up to:
- 1259 (A) \$3 on each motor vehicle registration within the county for a motor vehicle
 1260 registration under Section 41-1a-215; or
- 1261 (B) \$2.25 on each motor vehicle registration within the county for a six-month
 1262 registration period under Section 41-1a-215.5.
- 1263 (ii) A fee imposed under Subsection (1)(a)(i) shall be set in [~~whole dollar~~] \$0.25
 1264 increments.
- 1265 (b) If imposed under Subsection (1)(a)(i), at the time application is made for registration
 1266 or renewal of registration of a motor vehicle under this chapter, the applicant shall
 1267 pay the local emissions compliance fee established by the county legislative body.
- 1268 (c) The following are exempt from the fee required under Subsection (1)(a)(i):
- 1269 (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209
 1270 or Subsection 41-1a-419(3);
- 1271 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301; [
 1272 ~~and~~]
- 1273 (iii) an electric motor vehicle[~~-~~] ; and
- 1274 (iv) a street-legal all-terrain vehicle.
- 1275 (2) The revenue generated from the fees collected under this section shall be transferred to
 1276 the county that imposed the fee.

- 1277 (3) To impose or change the amount of a fee under this section, the county legislative body
 1278 shall pass an ordinance:
 1279 (a) approving the fee;
 1280 (b) setting the amount of the fee; and
 1281 (c) providing an effective date for the fee as provided in Subsection (4).

1282 (4)(a) If a county legislative body enacts, changes, or repeals a fee under this section, the
 1283 enactment, change, or repeal shall take effect on January 1 if the commission receives
 1284 notice meeting the requirements of Subsection (4)(b) from the county prior to
 1285 October 1.

- 1286 (b) The notice described in Subsection (4)(a) shall:
 1287 (i) state that the county will enact, change, or repeal a fee under this section;
 1288 (ii) include a copy of the ordinance imposing the fee; and
 1289 (iii) if the county enacts or changes the fee under this section, state the amount of the
 1290 fee.

1291 Section 19. Section **41-1a-1304** is amended to read:

1292 **41-1a-1304 (Effective 05/06/26). Operating motor vehicle, trailer, or semitrailer**
 1293 **in excess of registered gross combined weight rating -- Infraction.**

1294 It is an infraction for a person to operate, or cause to be operated, a motor vehicle,
 1295 trailer, or semitrailer, or combination of them the gross [~~laden weight~~] combined weight rating
 1296 of which is in excess of the gross [~~laden weight~~] combined weight rating for which the motor
 1297 vehicle, trailer, or semitrailer, or combination of vehicles is registered.

1298 Section 20. Section **41-1a-1601** is amended to read:

1299 **41-1a-1601 (Effective 05/06/26). Definitions.**

1300 As used in this part:

1301 (1) "Applicant" means a registered owner who submits an application to obtain or renew a
 1302 sponsored special group license plate in accordance with this part.

1303 (2)(a) "Charitable purpose" means:

- 1304 (i) relief of the poor, the distressed, or the underprivileged;
 1305 (ii) advancement of religion;
 1306 (iii) advancement of education or science;
 1307 (iv) erecting or maintaining a public building, monument, or work;
 1308 (v) reducing the burdens of government;
 1309 (vi) reducing neighborhood tensions;
 1310 (vii) eliminating prejudice and discrimination;

- 1311 (viii) defending human rights and civil rights secured by law; or
1312 (ix) combating community deterioration and juvenile delinquency.
- 1313 (b) "Charitable purpose" does not include providing, encouraging, or paying for the
1314 costs of obtaining an abortion.
- 1315 (3) "Collegiate special group license plate" means a sponsored special group license plate
1316 issued to a contributor to an institution.
- 1317 (4) "Contributor" means an applicant who contributes the required contribution to a
1318 sponsoring organization for a sponsored special group license plate.
- 1319 (5) "Corporate brand sponsored special group license plate" means a sponsored special
1320 group license plate with a sponsoring organization that is a private business.
- 1321 (6)(a) "Existing special group license plate" means a special group license plate that the
1322 division issues before January 1, 2024.
- 1323 (b) "Existing special group license plate" does not include a special group license plate
1324 described in Subsection 41-1a-418(1)(a) or (b).
- 1325 (7) "Existing state agency recognition special group license plate" means an existing special
1326 group license plate issued to a registered owner who:
- 1327 (a) has a special license that supports or furthers a government purpose;
1328 (b) has received an honor that supports or furthers a government purpose;
1329 (c) has achieved an accomplishment that supports or furthers a government purpose; or
1330 (d) holds an elected office.
- 1331 (8) "Institution" means:
- 1332 (a) an institution of higher education as defined in Section 53H-1-101; or
1333 (b) a private postsecondary educational institution as defined in Section 53H-1-101.
- 1334 (9) "Major league sport" means the same as that term is defined in Section 11-70-101.
- 1335 (10)(a) "Private nonprofit organization" means a private nonprofit organization that:
- 1336 (i) qualifies as being tax exempt under Section 501(c)(3) of the Internal Revenue
1337 Code; and
1338 (ii) has a charitable purpose.
- 1339 (b) "Private nonprofit organization" does not include an organization that provides,
1340 encourages, or pays for the costs of obtaining an abortion.
- 1341 (11) "Private nonprofit special group license plate" means a sponsored special group license
1342 plate issued to a contributor to a private nonprofit organization.
- 1343 (12) "Required contribution" means:
- 1344 (a) the minimum annual contribution amount established under Subsection

- 1345 41-1a-1603(4)(a)(iii); or
- 1346 (b) if the sponsoring organization establishes a minimum annual contribution amount in
- 1347 accordance with Subsection 41-1a-1603(4)(b) that is greater than the minimum
- 1348 required contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the
- 1349 amount the sponsoring organization establishes.
- 1350 (13) "Special group license plate" means:
- 1351 (a) a collegiate special group license plate;
- 1352 (b) a private nonprofit special group license plate;
- 1353 (c) a corporate brand sponsored special group license plate;
- 1354 (d) a major league sports team sponsored special group license plate;
- 1355 (e) a sponsored special group license plate;
- 1356 (f) a state agency recognition special group license plate; or
- 1357 (g) a state agency support special group license plate.
- 1358 (14) "Sponsored special group license plate" means a license plate:
- 1359 (a) designed for and associated with a sponsoring organization; and
- 1360 (b) issued to an applicant in accordance with this part.
- 1361 (15) "Sponsoring organization" means an institution, a private nonprofit organization, a
- 1362 private business, or a state agency that is or seeks to be associated with a sponsored
- 1363 special group license plate created under this part.
- 1364 (16) "State agency recognition special group license plate" means a sponsored special group
- 1365 license plate issued to an applicant who:
- 1366 (a) has a special license that supports or furthers a government purpose;
- 1367 (b) has received an honor that supports or furthers a government purpose;
- 1368 (c) has achieved an accomplishment that supports or furthers a government purpose; or
- 1369 (d) holds an elected office.
- 1370 (17)(a) "State agency support special group license plate" means[;]
- 1371 [(i)] a sponsored special group license plate issued to a contributor to a state agency
- 1372 to support a specific state agency program[; or] .
- 1373 [(ii) an existing special group license plate issued for a special interest vehicle.]
- 1374 (b) "State agency support special group license plate" includes a cancer support license
- 1375 plate created by an act of the Legislature before December 31, 2022.
- 1376 Section 21. Section **41-3-102** is amended to read:
- 1377 **41-3-102 (Effective 05/06/26). Definitions.**
- 1378 As used in this chapter:

- 1379 (1) "Administrator" means the motor vehicle enforcement administrator.
- 1380 (2)(a) "Affiliate" means a person that:
- 1381 (i) manufactures, distributes, sells, or leases new motor vehicles; and
- 1382 (ii) directly or indirectly, through one or more intermediaries:
- 1383 (A) possesses control over a person specified;
- 1384 (B) is controlled by a person specified; or
- 1385 (C) shares common control with a person specified.
- 1386 (b) As used in this Subsection (2), "control" includes the power to direct or cause the
- 1387 direction of the management and policies of any person through ownership,
- 1388 contractual rights, or other means.
- 1389 (3) "Agent" means a person other than a holder of any dealer's or salesperson's license
- 1390 issued under this chapter, that for salary, commission, or compensation of any kind,
- 1391 negotiates in any way for the sale, purchase, order, or exchange of three or more motor
- 1392 vehicles for any other person in any 12-month period.
- 1393 (4) "Auction" means a dealer engaged in the business of auctioning motor vehicles, either
- 1394 owned or consigned, to the general public.
- 1395 (5) "Authorized service center" means an entity that:
- 1396 (a) is in the business of repairing exclusively the motor vehicles of the same line-make
- 1397 as the motor vehicles a single direct-sale manufacturer manufactures;
- 1398 (b) the direct-sale manufacturer described in Subsection (5)(a) authorizes to complete
- 1399 warranty repair work for motor vehicles that the direct-sale manufacturer sells,
- 1400 displays for sale, or offers for sale or exchange; and
- 1401 (c) conducts business primarily from an enclosed commercial repair facility that is
- 1402 permanently located in the state.
- 1403 (6) "Body shop" means a person engaged in rebuilding, restoring, repairing, or painting the
- 1404 body of motor vehicles for compensation.
- 1405 (7) "Commission" means the State Tax Commission.
- 1406 (8) "Crusher" means a person that crushes or shreds motor vehicles subject to registration
- 1407 under Chapter 1a, Motor Vehicle Act, to reduce the useable materials and metals to a
- 1408 more compact size for recycling.
- 1409 (9)(a) "Dealer" means a person:
- 1410 (i) for which the business in whole or in part involves selling new, used, or new and
- 1411 used motor vehicles or off-highway vehicles; and
- 1412 (ii) that sells, displays for sale, or offers for sale or exchange three or more new or

- 1413 used motor vehicles or off-highway vehicles in any 12-month period.
- 1414 (b) "Dealer" includes a representative or consignee of any dealer.
- 1415 (10) "Direct-sale manufacturer" means a person:
- 1416 (a) that is both a manufacturer and a dealer;
- 1417 (b) that is:
- 1418 (i) an electric vehicle manufacturer; or
- 1419 (ii) a low-volume manufacturer;
- 1420 (c) that is not a franchise holder;
- 1421 (d) that is domiciled in the United States; and
- 1422 (e) whose chief officers direct, control, and coordinate the person's activities as a
- 1423 direct-sale manufacturer from a physical location in the United States.
- 1424 (11) "Direct-sale manufacturer salesperson" means an individual who for a salary,
- 1425 commission, or compensation of any kind, is employed either directly, indirectly,
- 1426 regularly, or occasionally by a direct-sale manufacturer to sell, purchase, or exchange or
- 1427 to negotiate for the sale, purchase, or exchange of a motor vehicle manufactured by the
- 1428 direct-sale manufacturer who employs the individual.
- 1429 (12)(a) "Dismantler" means a person engaged in the business of dismantling motor
- 1430 vehicles subject to registration under Chapter 1a, Motor Vehicle Act, for the resale of
- 1431 parts or for salvage.
- 1432 (b) "Dismantler" includes a person that dismantles three or more motor vehicles in any
- 1433 12-month period.
- 1434 (13) "Distributor" means a person that has a franchise from a manufacturer of motor
- 1435 vehicles to distribute motor vehicles within this state and that in whole or in part sells or
- 1436 distributes new motor vehicles to dealers or that maintains distributor representatives.
- 1437 (14) "Distributor branch" means a branch office similarly maintained by a distributor for
- 1438 the same purposes a factory branch is maintained.
- 1439 (15) "Distributor representative" means a person and each officer and employee of the
- 1440 person engaged as a representative of a distributor or distributor branch of motor
- 1441 vehicles to make or promote the sale of the distributor or the distributor branch's motor
- 1442 vehicles, or for supervising or contacting dealers or prospective dealers of the distributor
- 1443 or the distributor branch.
- 1444 (16) "Division" means the Motor Vehicle Enforcement Division created in Section 41-3-104.
- 1445 (17) "Electric vehicle manufacturer" means a person that, in this state, sells, displays for
- 1446 sale, or offers for sale or exchange only new motor vehicles of the person's own

- 1447 line-make that are:
- 1448 (a) exclusively propelled through the use of electricity, a hydrogen fuel cell, or another
1449 non-fossil fuel source;
- 1450 (b)(i) passenger vehicles with a gross vehicle weight rating of 14,000 pounds or less;
1451 or
- 1452 (ii) trucks with a gross vehicle weight rating of 14,000 pounds or less; and
- 1453 (c) manufactured by the person.
- 1454 (18) "Factory branch" means a branch office maintained by a person that manufactures or
1455 assembles motor vehicles for sale to distributors, motor vehicle dealers, or that directs or
1456 supervises the factory branch's representatives.
- 1457 (19) "Factory representative" means a person and each officer and employee of the person
1458 engaged as a representative of a manufacturer of motor vehicles or by a factory branch
1459 to make or promote the sale of the manufacturer's or factory branch's motor vehicles, or
1460 for supervising or contacting the dealers or prospective dealers of the manufacturer or
1461 the factory branch.
- 1462 (20) "Fleet transaction" means a licensee's sale of one or more motor vehicles to a
1463 manufacturer-approved current fleet customer under the manufacturer's fleet program.
- 1464 (21)(a) "Franchise" means a contract or agreement between a dealer and a manufacturer
1465 of new motor vehicles or a manufacturer's distributor or factory branch by which the
1466 dealer is authorized to sell any specified make or makes of new motor vehicles.
- 1467 (b) "Franchise" includes a contract or agreement described in Subsection (21)(a)
1468 regardless of whether the contract or agreement is subject to Title 13, Chapter 14,
1469 New Automobile Franchise Act, Title 13, Chapter 35, Powersport Vehicle Franchise
1470 Act, or neither.
- 1471 (22)(a) "Franchise holder" means a manufacturer that:
- 1472 (i) previously had a franchised dealer in the United States;
- 1473 (ii) currently has a franchised dealer in the United States;
- 1474 (iii) is a successor to another manufacturer that previously had or currently has a
1475 franchised dealer in the United States;
- 1476 (iv) that is a material owner of, is an affiliate of, or has any ownership by:
- 1477 (A) another manufacturer that previously or currently has a franchised dealer; or
1478 (B) another franchise holder;
- 1479 (v) is under legal or common ownership, or practical control, with another
1480 manufacturer that previously had or currently has a franchised dealer in the United

- 1481 States;
- 1482 (vi) is in a partnership, joint venture, or similar arrangement for production of a
 1483 commonly owned line-make with another manufacturer that previously had or
 1484 currently has a franchised dealer in the United States; or
- 1485 (vii) is a manufacturer otherwise described in Subsection (22)(b) if, after July 1,
 1486 2018, the manufacturer, or the manufacturer through an affiliate, acquires or
 1487 expands an interest in:
- 1488 (A) any other manufacturer that is not exclusively an electric vehicle
 1489 manufacturer; or
- 1490 (B) a dealership that deals exclusively in electric vehicles manufactured by any
 1491 other manufacturer.
- 1492 (b) "Franchise holder" does not include a manufacturer described in Subsection (22)(a),
 1493 if as of July 1, 2018, the manufacturer had legal or practical common ownership or
 1494 common control of:
- 1495 (i) a dealership of the manufacturer's line-make in this state; or
 1496 (ii) a franchised dealer of the manufacturer's line-make in this state.
- 1497 (23) "Gross vehicle weight rating" means the same as that term is defined in Section
 1498 59-2-102.
- 1499 [~~(23)~~] (24) "Low-volume manufacturer" means a manufacturer who:
- 1500 (a) in this state, sells, displays for sale, or offers for sale or exchange only new motor
 1501 vehicles of the person's own line make that are:
- 1502 (i)(A) passenger vehicles with a gross vehicle weight rating of 14,000 pounds or
 1503 less; or
- 1504 (B) trucks with a gross vehicle weight rating of 14,000 pounds or less; and
 1505 (ii) manufactured by the person; and
- 1506 (b) constructs no more than 325 new motor vehicles in any 12-month period.
- 1507 [~~(24)~~] (25) "Line-make" means motor vehicles that are offered for sale, lease, or distribution
 1508 under a common name, trademark, service mark, or brand name of the manufacturer.
- 1509 [~~(25)~~] (26) "Manufacturer" means a person engaged in the business of constructing or
 1510 assembling new motor vehicles, ownership of which is customarily transferred by a
 1511 manufacturer's statement or certificate of origin, or a person that constructs three or
 1512 more new motor vehicles in any 12-month period.
- 1513 [~~(26)~~] (27) "Material owner" means a person that possesses, directly or indirectly, the power
 1514 to direct, or cause the direction of, the management, policies, or activities of another

- 1515 person:
- 1516 (a) through ownership of voting securities;
- 1517 (b) by contract or credit arrangement; or
- 1518 (c) in another way not described in Subsections [~~(26)~~(a)] (27)(a) and (b).
- 1519 [~~(27)~~] (28)(a) "Motor vehicle" means a vehicle that is:
- 1520 (i) self-propelled;
- 1521 (ii) a trailer;
- 1522 (iii) a travel trailer;
- 1523 (iv) a semitrailer;
- 1524 (v) an off-highway vehicle; or
- 1525 (vi) a small trailer.
- 1526 (b) "Motor vehicle" does not include:
- 1527 (i) mobile homes as defined in Section 41-1a-102;
- 1528 (ii) trailers of 750 pounds or less [~~unladen~~] shipping weight;
- 1529 (iii) a farm tractor or other machine or tool used in the production, harvesting, or care
- 1530 of a farm product; and
- 1531 (iv) park model recreational vehicles as defined in Section 41-1a-102.
- 1532 [~~(28)~~] (29) "Motorcycle" means the same as that term is defined in Section 41-1a-102.
- 1533 [~~(29)~~] (30) "New motor vehicle" means a motor vehicle that:
- 1534 (a) has never been titled or registered; and
- 1535 (b) for a motor vehicle that is not a trailer, travel trailer, or semitrailer, has been driven
- 1536 less than 7,500 miles.
- 1537 [~~(30)~~] (31) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 1538 [~~(31)~~] (32) "Pawnbroker" means a person whose business is to lend money on security of
- 1539 personal property deposited with the pawnbroker.
- 1540 [~~(32)~~] (33)(a) "Principal place of business" means a site or location in this state:
- 1541 (i) devoted exclusively to the business for which the dealer, manufacturer,
- 1542 remanufacturer, transporter, dismantler, crusher, or body shop is licensed, and
- 1543 businesses incidental to the dealer, manufacturer, remanufacturer, transporter,
- 1544 dismantler, crusher, or body shop;
- 1545 (ii) sufficiently bounded by fence, chain, posts, or otherwise marked to definitely
- 1546 indicate the boundary and to admit a definite description with space adequate to
- 1547 permit the display of three or more new, or new and used, or used motor vehicles
- 1548 and sufficient parking for the public; and

1549 (iii) that includes a permanent enclosed building or structure large enough to
1550 accommodate the office of the establishment and to provide a safe place to keep
1551 the books and other records of the business, at which the principal portion of the
1552 business is conducted and the books and records kept and maintained.

1553 (b) "Principal place of business" means, with respect to a direct-sale manufacturer, the
1554 direct-sale manufacturer's showroom, which shall comply with the requirements of
1555 Subsection (32)(a).

1556 ~~[(33)]~~ (34) "Remanufacturer" means a person that:

1557 (a) reconstructs used motor vehicles subject to registration under Chapter 1a, Motor
1558 Vehicle Act, to change the body style and appearance of the motor vehicle;

1559 (b) constructs or assembles motor vehicles from used or new and used motor vehicle
1560 parts; or

1561 (c) reconstructs, constructs, or assembles three or more motor vehicles in any 12-month
1562 period.

1563 ~~[(34)]~~ (35) "Salesperson" means an individual who for a salary, commission, or
1564 compensation of any kind, is employed either directly, indirectly, regularly, or
1565 occasionally by any new motor vehicle dealer or used motor vehicle dealer to sell,
1566 purchase, or exchange or to negotiate for the sale, purchase, or exchange of motor
1567 vehicles.

1568 ~~[(35)]~~ (36) "Semitrailer" means the same as that term is defined in Section 41-1a-102.

1569 (37) "Shipping weight" means the same as that term is defined in Section 41-1a-102.

1570 ~~[(36)]~~ (38) "Showroom" means a site or location in the state that a direct-sale manufacturer
1571 uses for the direct-sale manufacturer's business, including the display and demonstration
1572 of new motor vehicles that are exclusively of the same line-make that the direct-sale
1573 manufacturer manufactures.

1574 ~~[(37)]~~ (39) "Small trailer" means a trailer that has ~~[an unladen]~~ a shipping weight of:

1575 (a) more than 750 pounds; and

1576 (b) less than 2,000 pounds.

1577 ~~[(38)]~~ (40) "Special equipment" includes a truck mounted crane, cherry picker, material lift,
1578 post hole digger, and a utility or service body.

1579 ~~[(39)]~~ (41) "Special equipment dealer" means a new or new and used motor vehicle dealer
1580 engaged in the business of buying new incomplete motor vehicles with a gross vehicle
1581 weight rating of 12,000 or more pounds and installing special equipment on the
1582 incomplete motor vehicle.

- 1583 [~~(40)~~] (42) "Trailer" means the same as that term is defined in Section 41-1a-102.
- 1584 [~~(41)~~] (43) "Transporter" means a person engaged in the business of transporting motor
1585 vehicles as described in Section 41-3-202.
- 1586 [~~(42)~~] (44) "Travel trailer" means the same as that term is defined in Section 41-1a-102.
- 1587 [~~(43)~~] (45) "Used motor vehicle" means a vehicle that:
- 1588 (a) has been titled and registered to a purchaser other than a dealer; or
- 1589 (b) for a motor vehicle that is not a trailer, travel trailer, or semitrailer, has been driven
1590 7,500 or more miles.
- 1591 [~~(44)~~] (46) "Wholesale motor vehicle auction" means a dealer primarily engaged in the
1592 business of auctioning consigned motor vehicles to dealers or dismantlers that are
1593 licensed by this or any other jurisdiction.
- 1594 Section 22. Section **41-3-201** is amended to read:
- 1595 **41-3-201 (Effective 05/06/26). Licenses required -- Restitution -- Education.**
- 1596 (1) As used in this section, "new applicant" means a person who is applying for a license
1597 that the person has not been issued during the previous licensing year.
- 1598 (2) A person may not act as any of the following without having procured a license issued
1599 by the administrator:
- 1600 (a) [~~a~~]dealer;
- 1601 (b) salvage vehicle buyer;
- 1602 (c) salesperson;
- 1603 (d) manufacturer;
- 1604 (e) transporter;
- 1605 (f) dismantler;
- 1606 (g) distributor;
- 1607 (h) factory branch and representative;
- 1608 (i) distributor branch and representative;
- 1609 (j) crusher;
- 1610 (k) remanufacturer; [~~or~~]
- 1611 (l) body shop[~~-~~] ; or
- 1612 (m) motor vehicle auction.
- 1613 (3)(a) Except as provided in Subsection (3)(c), a person may not bid on or purchase a
1614 vehicle with a nonrepairable or salvage certificate as defined in Section 41-1a-1001 at
1615 or through a motor vehicle auction unless the person is a licensed salvage vehicle
1616 buyer.

- 1617 (b) Except as provided in Subsection (3)(c), a person may not offer for sale, sell, or
1618 exchange a vehicle with a nonrepairable or salvage certificate as defined in Section
1619 41-1a-1001 at or through a motor vehicle auction except to a licensed salvage vehicle
1620 buyer.
- 1621 (c) A person may offer for sale, sell, or exchange a vehicle with a nonrepairable or
1622 salvage certificate as defined in Section 41-1a-1001 at or through a motor vehicle
1623 auction:
- 1624 (i) to an out-of-state or out-of-country purchaser not licensed under this section, but
1625 that is authorized to do business in the domestic or foreign jurisdiction in which
1626 the person is domiciled or registered to do business;
- 1627 (ii) subject to the restrictions in Subsection (3)(d), to an in-state purchaser not
1628 licensed under this section that:
- 1629 (A) has a valid business license in Utah; and
1630 (B) has a Utah sales tax license; and
- 1631 (iii) to a crusher.
- 1632 (d)(i) An operator of a motor vehicle auction shall verify that an in-state purchaser
1633 not licensed under this section has the licenses required in Subsection (3)(c)(ii).
- 1634 (ii) An operator of a motor vehicle auction may only offer for sale, sell, or exchange
1635 five vehicles with a salvage certificate as defined in Section 41-1a-1001 at or
1636 through a motor vehicle auction in any 12-month period to an in-state purchaser
1637 that does not have a salvage vehicle buyer license issued in accordance with
1638 Subsection [~~41-3-202(17)~~] 41-3-202(18).
- 1639 (iii) The five vehicle limitation under this Subsection (3)(d) applies to each Utah
1640 sales tax license and not to each person with the authority to use a sales tax license.
- 1641 (iv) An operator of a motor vehicle auction may not sell a vehicle with a
1642 nonrepairable certificate as defined in Section 41-1a-1001 to a purchaser
1643 otherwise allowed to purchase a vehicle under Subsection (3)(c)(ii).
- 1644 (e) For a vehicle with a salvage certificate purchased under Subsection (3)(c)(ii), an
1645 operator of a motor vehicle auction shall:
- 1646 (i)(A) until Subsection (3)(e)(i)(B) applies, make application for a salvage
1647 certificate of title on behalf of the Utah purchaser within seven days of the
1648 purchase if the purchaser does not have a salvage vehicle buyer license, dealer
1649 license, body shop license, or dismantler license issued in accordance with
1650 Section 41-3-202; or

1651 (B) beginning on or after the date that the Motor Vehicle Division has
 1652 implemented the Motor Vehicle Division's GenTax system, make application
 1653 electronically, in a form and time period approved by the Motor Vehicle
 1654 Division, for a salvage certificate of title to be issued in the name of the
 1655 purchaser;

1656 (ii) give to the purchaser a disclosure printed on a separate piece of paper that states:

1657 "THIS DISCLOSURE STATEMENT MUST BE GIVEN BY THE SELLER TO THE
 1658 BUYER EVERY TIME THIS VEHICLE IS RESOLD WITH A SALVAGE CERTIFICATE
 1659 Vehicle Identification Number (VIN)

1660 Year: Make: Model:

1661 SALVAGE VEHICLE--NOT FOR RESALE WITHOUT DISCLOSURE

1662 WARNING: THIS SALVAGE VEHICLE MAY NOT BE SAFE FOR OPERATION

1663 UNLESS PROPERLY REPAIRED. SOME STATES MAY REQUIRE AN INSPECTION

1664 BEFORE THIS VEHICLE MAY BE REGISTERED. THE STATE OF UTAH MAY

1665 REQUIRE THIS VEHICLE TO BE PERMANENTLY BRANDED AS A REBUILT

1666 SALVAGE VEHICLE. OTHER STATES MAY ALSO PERMANENTLY BRAND THE

1667 CERTIFICATE OF TITLE.

1668

1669 _____
 Signature of Purchaser Date"; and

1670 (iii) if applicable, provide evidence to the Motor Vehicle Division of:

1671 (A) payment of sales taxes on taxable sales in accordance with Section 41-1a-510;

1672 (B) the identification number inspection required under Section 41-1a-511; and

1673 (C) the odometer disclosure statement required under Section 41-1a-902.

1674 (f) The Motor Vehicle Division shall include a link to the disclosure statement described
 1675 in Subsection (3)(e)(ii) on its website.

1676 (g) The commission may impose an administrative entrance fee established in
 1677 accordance with the procedures and requirements of Section 63J-1-504 not to exceed
 1678 \$10 on a person not holding a license described in Subsection (3)(e)(i) that enters the
 1679 physical premises of a motor vehicle auction for the purpose of viewing available
 1680 salvage vehicles prior to an auction.

1681 (h) A vehicle sold at or through a motor vehicle auction to an out-of-state purchaser with
 1682 a nonrepairable or salvage certificate may not be certificated in Utah until the vehicle
 1683 has been certificated out-of-state.

1684 (4)(a) An operator of a motor vehicle auction shall keep a record of the sale of each

- 1685 salvage vehicle.
- 1686 (b) A record described under Subsection (4)(a) shall contain:
- 1687 (i) the purchaser's name and address; and
- 1688 (ii) the year, make, and vehicle identification number for each salvage vehicle sold.
- 1689 (c) An operator of a motor vehicle auction shall:
- 1690 (i) provide the record described in Subsection (4)(a) electronically in a method
- 1691 approved by the division to the division within two business days of the
- 1692 completion of the motor vehicle auction;
- 1693 (ii) retain the record described in this Subsection (4) for five years from the date of
- 1694 sale; and
- 1695 (iii) make a record described in this Subsection (4) available for inspection by the
- 1696 division at the location of the motor vehicle auction during normal business hours.
- 1697 (5)(a) An operator of a motor vehicle auction shall store a salvage vehicle sold at auction
- 1698 in a secure facility until the salvage vehicle is claimed as provided in this section.
- 1699 (b) Beginning at the time of purchase and until the salvage vehicle is claimed, the motor
- 1700 vehicle auction operator may collect a daily storage fee for the secure storage of each
- 1701 salvage vehicle sold at auction.
- 1702 (c) Except as provided in Subsection (5)(d), before releasing possession of a salvage
- 1703 vehicle purchased at a motor vehicle auction to a person not licensed under this part
- 1704 or certified as a tow truck operator under Title 72, Chapter 9, Part 6, Tow Truck
- 1705 Provisions, and if the person claiming the vehicle is a person other than the purchaser
- 1706 of the vehicle, the motor vehicle auction operator shall create a record that shall
- 1707 contain:
- 1708 (i) the name and address, as verified by government issued identification, of the
- 1709 person claiming the vehicle;
- 1710 (ii) the year, make, and vehicle identification number of the claimed vehicle;
- 1711 (iii) a written statement from the person claiming the vehicle indicating the location
- 1712 where the salvage vehicle will be delivered; and
- 1713 (iv) verification that the claimant has authorization from the purchaser to claim the
- 1714 vehicle.
- 1715 (d) If the salvage vehicle is claimed by a transporter or a tow truck operator, the
- 1716 transporter or the tow truck operator shall submit to the motor vehicle auction
- 1717 operator a written record on any release forms indicating the location where the
- 1718 salvage vehicle will be delivered if delivered within the state.

- 1719 (e) An operator of a motor vehicle auction shall:
- 1720 (i) retain the record described in Subsection (5)(c) for five years from the date of sale;
- 1721 and
- 1722 (ii) make the record available for inspection by the division at the location of the
- 1723 motor vehicle auction during normal business hours.
- 1724 (6)(a) If applicable, an operator of a motor vehicle auction shall comply with the
- 1725 reporting requirements of the National Motor Vehicle Title Information System
- 1726 overseen by the United States Department of Justice if the person sells a vehicle with
- 1727 a salvage certificate to an in-state purchaser under Subsection (3)(c)(ii).
- 1728 (b) The Motor Vehicle Division shall include a link to the National Motor Vehicle Title
- 1729 Information System on its website.
- 1730 (7)(a) An operator of a motor vehicle auction that sells a salvage vehicle to a person that
- 1731 is an out-of-country buyer shall:
- 1732 (i) stamp on the face of the title so as not to obscure the name, date, or mileage
- 1733 statement the words "FOR EXPORT ONLY" in all capital, black letters; and
- 1734 (ii) stamp in each unused reassignment space on the back of the title the words "FOR
- 1735 EXPORT ONLY."
- 1736 (b) The words "FOR EXPORT ONLY" shall be:
- 1737 (i) at least two inches wide; and
- 1738 (ii) clearly legible.
- 1739 (8) A dealer, manufacturer, remanufacturer, transporter, dismantler, crusher, or body shop
- 1740 shall obtain a supplemental license, in accordance with Section 41-3-201.7 for each
- 1741 additional place of business maintained by the licensee.
- 1742 (9)(a) A person who has been convicted of any law relating to motor vehicle commerce
- 1743 or motor vehicle fraud may not be issued a license or purchase a vehicle with a
- 1744 salvage or nonrepairable certificate unless full restitution regarding those convictions
- 1745 has been made.
- 1746 (b) An operator of a motor vehicle auction, a dealer, or a consignor may not sell a
- 1747 vehicle with a nonrepairable or salvage certificate to a buyer described in Subsection
- 1748 (9)(a) if the division has informed the operator of the motor vehicle auction, the
- 1749 dealer, or the consignor in writing that the buyer is prohibited from purchasing a
- 1750 vehicle with a nonrepairable or salvage certificate under Subsection (9)(a).
- 1751 (10)(a) The division may not issue a license to a new applicant for a new or used motor
- 1752 vehicle dealer license, a direct-sale manufacturer license, a new or used motorcycle

- 1753 dealer license, or a small trailer dealer license unless the new applicant completes an
1754 eight-hour orientation class approved by the division that includes education on
1755 motor vehicle laws and rules.
- 1756 (b) The approved costs of the orientation class shall be paid by the new applicant.
- 1757 (c) The class shall be completed by the new applicant and the applicant's partners,
1758 corporate officers, bond indemnitors, and managers.
- 1759 (d)(i) The division shall approve:
- 1760 (A) providers of the orientation class; and
1761 (B) costs of the orientation class.
- 1762 (ii) A provider of an orientation class shall submit the orientation class curriculum to
1763 the division for approval prior to teaching the orientation class.
- 1764 (iii) A provider of an orientation class shall include in the orientation materials:
- 1765 (A) ethics training;
1766 (B) motor vehicle title and registration processes;
1767 (C) Department of Insurance requirements relating to motor vehicles;
1768 (D) Department of Public Safety requirements relating to motor vehicles;
1769 (E) federal requirements related to motor vehicles as determined by the division;
1770 and
1771 (F) any required disclosure compliance forms as determined by the division.
- 1772 (11) A person or purchaser described in Subsection (3)(c)(ii):
- 1773 (a) may not purchase more than five salvage vehicles with a nonrepairable or salvage
1774 certificate as defined in Section 41-1a-1001 in any 12-month period;
- 1775 (b) may not, without first complying with Section 41-1a-705, offer for sale, sell, or
1776 exchange more than two vehicles with a salvage certificate as defined in Section
1777 41-1a-1001 in any 12-month period to a person not licensed under this section; and
- 1778 (c) may not, without first complying with Section 41-1a-705, offer for sale, sell, or
1779 exchange a vehicle with a nonrepairable certificate as defined in Section 41-1a-1001
1780 to a person not licensed under this section.
- 1781 (12) An operator of a motor vehicle auction, a dealer, or a consignor may not sell a vehicle
1782 with a nonrepairable or salvage certificate to a buyer described in Subsection (11)(a) if
1783 the division has informed the operator of the motor vehicle auction, the dealer, or the
1784 consignor in writing that the buyer is prohibited from purchasing a vehicle with a
1785 nonrepairable or salvage certificate under Subsection (11)(a).
- 1786 Section 23. Section **41-3-202** is amended to read:

1787 **41-3-202 (Effective 05/06/26). Licenses -- Classes and scope.**

- 1788 (1) A new motor vehicle dealer's license permits the licensee to:
- 1789 (a) offer for sale, sell, or exchange new motor vehicles if the licensee possesses a
- 1790 franchise from the manufacturer of the motor vehicle offered for sale, sold, or
- 1791 exchanged by the licensee;
- 1792 (b) offer for sale, sell, or exchange used motor vehicles;
- 1793 (c) operate as a body shop; and
- 1794 (d) dismantle motor vehicles.
- 1795 (2) A used motor vehicle dealer's license permits the licensee to:
- 1796 (a) offer for sale, sell, or exchange used motor vehicles;
- 1797 (b) operate as a body shop; and
- 1798 (c) dismantle motor vehicles.
- 1799 (3) A direct-sale manufacturer's license permits the licensee to:
- 1800 (a) offer for sale, sell, or exchange new motor vehicles of the same line-make that the
- 1801 direct-sale manufacturer manufactures;
- 1802 (b) offer for sale, sell, or exchange used motor vehicles;
- 1803 (c) operate as a body shop; and
- 1804 (d) dismantle motor vehicles.
- 1805 (4) A new motorcycle, off-highway vehicle, and small trailer dealer's license permits the
- 1806 licensee to:
- 1807 (a) offer for sale, sell, or exchange new motorcycles, off-highway vehicles, or small
- 1808 trailers if the licensee possesses a franchise from the manufacturer of the motorcycle,
- 1809 off-highway vehicle, or small trailer offered for sale, sold, or exchanged by the
- 1810 licensee;
- 1811 (b) offer for sale, sell, or exchange used motorcycles, off-highway vehicles, or small
- 1812 trailers; and
- 1813 (c) dismantle motorcycles, off-highway vehicles, or small trailers.
- 1814 (5) A used motorcycle, off-highway vehicle, and small trailer dealer's license permits the
- 1815 licensee to:
- 1816 (a) offer for sale, sell, or exchange used motorcycles, off-highway vehicles, and small
- 1817 trailers; and
- 1818 (b) dismantle motorcycles, off-highway vehicles, or small trailers.
- 1819 (6)(a) Except as provided in Subsection (6)(b), a salesperson's license permits the
- 1820 licensee to act as a motor vehicle salesperson and is valid for employment with only

- 1821 one dealer at a time.
- 1822 (b) A licensee that has been issued a salesperson's license and that is employed by a
1823 dealer that operates as a wholesale motor vehicle auction may be employed by more
1824 than one dealer that operates as a wholesale motor vehicle auction at a time.
- 1825 (7)(a) A direct-sale manufacturer salesperson's license permits the licensee to act as a
1826 direct-sale manufacturer salesperson for one direct-sales manufacturer.
- 1827 (b) A direct-sale manufacturer salesperson licensee may not simultaneously hold a
1828 salesperson's license.
- 1829 (8)(a) A manufacturer's license permits the licensee to construct or assemble motor
1830 vehicles subject to registration under Title 41, Chapter 1a, Motor Vehicle Act, at an
1831 established place of business and to remanufacture motor vehicles.
- 1832 (b) Under rules the administrator makes, the licensee may issue and install vehicle
1833 identification numbers on manufactured motor vehicles.
- 1834 (c) The licensee may franchise and appoint dealers to sell manufactured motor vehicles
1835 by notifying the division of the franchise or appointment.
- 1836 (9)(a) A transporter's license permits the licensee to transport or deliver motor vehicles
1837 subject to registration under Title 41, Chapter 1a, Motor Vehicle Act, from a
1838 manufacturing, assembling, or distributing point or from a dealer, to dealers,
1839 distributors, or sales agents of a manufacturer or remanufacturer, to or from detail or
1840 repair shops, and to financial institutions or places of storage from points of
1841 repossession.
- 1842 (b) The division may not issue or renew a transporter license to an applicant who is not:
1843 (i) licensed under this chapter as a body shop;
1844 (ii) a detail or repair shop;
1845 (iii) a tow truck motor carrier subject to Title 72, Chapter 9, Motor Carrier Safety Act;
1846 (iv) a repossession company;
1847 (v) licensed under this chapter as a dealer or an auction; or
1848 (vi) a finance company.
- 1849 (c) The division may not issue or renew a transporter license unless the applicant
1850 provides proof of insurance or other form of security meeting the minimum
1851 requirements of Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle
1852 Owners and Operators Act.
- 1853 (10) A motor vehicle auction license permits the licensee to:
- 1854 (a) offer for sale, sell, or exchange used motor vehicles;

- 1855 (b) operate as a body shop;
 1856 (c) dismantle motor vehicles; and
 1857 (d) operate a motor vehicle auction.
- 1858 ~~[(10)]~~ (11) A dismantler's license permits the licensee to dismantle motor vehicles subject to
 1859 registration under Title 41, Chapter 1a, Motor Vehicle Act, for the purpose of reselling
 1860 parts or for salvage, or selling dismantled or salvage vehicles to a crusher or other
 1861 dismantler.
- 1862 ~~[(11)]~~ (12) A distributor or factory branch and distributor branch's license permits the
 1863 licensee to sell and distribute new motor vehicles, parts, and accessories to their
 1864 franchised dealers.
- 1865 ~~[(12)]~~ (13) A representative's license, for factory representatives or distributor
 1866 representatives permits the licensee to contact the licensee's authorized dealers for the
 1867 purpose of making or promoting the sale of motor vehicles, parts, and accessories.
- 1868 ~~[(13)]~~ (14)(a)(i) A remanufacturer's license permits the licensee to construct,
 1869 reconstruct, assemble, or reassemble motor vehicles subject to registration under
 1870 Title 41, Chapter 1a, Motor Vehicle Act, from used or new motor vehicles or parts.
 1871 (ii) Evidence of ownership of parts and motor vehicles used in remanufacture shall be
 1872 available to the division upon demand.
- 1873 (b) Under rules the administrator makes, the licensee may issue and install vehicle
 1874 identification numbers on remanufactured motor vehicles.
- 1875 ~~[(14)]~~ (15) A crusher's license permits the licensee to engage in the business of crushing or
 1876 shredding motor vehicles subject to registration under Title 41, Chapter 1a, Motor
 1877 Vehicle Act, for the purpose of reducing the useable materials and metals to a more
 1878 compact size for recycling.
- 1879 ~~[(15)]~~ (16) A body shop's license permits the licensee:
 1880 (a) to rebuild, restore, repair, or paint the body of motor vehicles; and
 1881 (b) to dismantle motor vehicles.
- 1882 ~~[(16)]~~ (17) A special equipment dealer's license permits the licensee to:
 1883 (a) buy incomplete new motor vehicles with a gross vehicle weight rating of 12,000 or
 1884 more pounds from a new motor vehicle dealer and sell the new vehicle with the
 1885 special equipment installed without a franchise from the manufacturer;
 1886 (b) offer for sale, sell, or exchange used motor vehicles;
 1887 (c) operate as a body shop; and
 1888 (d) dismantle motor vehicles.

- 1889 [(17)] (18)(a) A salvage vehicle buyer license permits the licensee to bid on or purchase a
1890 vehicle with a salvage certificate as defined in Section 41-1a-1001 at any motor
1891 vehicle auction.
- 1892 (b) The division may only issue a salvage vehicle buyer license to a motor vehicle
1893 dealer, dismantler, or body shop who qualifies under rules made by the division and
1894 is licensed in any state as a motor vehicle dealer, dismantler, or body shop.
- 1895 (c) The division may not issue more than two salvage vehicle buyer licenses to any one
1896 dealer, dismantler, or body shop.
- 1897 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1898 administrator shall make rules establishing qualifications of an applicant for a salvage
1899 vehicle buyer license. The criteria shall include:
- 1900 (i) business history;
- 1901 (ii) salvage vehicle qualifications;
- 1902 (iii) ability to properly handle and dispose of environmental hazardous materials
1903 associated with salvage vehicles; and
- 1904 (iv) record in demonstrating compliance with the provisions of this chapter.
- 1905 Section 24. Section **41-3-210** is amended to read:
- 1906 **41-3-210 (Effective 05/06/26). License holders -- Prohibitions, allowances, and**
1907 **requirements.**
- 1908 (1) The holder of any license issued under this chapter may not:
- 1909 (a) intentionally publish, display, or circulate any advertising that is misleading or
1910 inaccurate in any material fact or that misrepresents any of the products sold,
1911 manufactured, remanufactured, handled, or furnished by a licensee;
- 1912 (b) intentionally publish, display, or circulate any advertising without identifying the
1913 seller as the licensee by including in the advertisement the full name under which the
1914 licensee is licensed or the licensee's number assigned by the division;
- 1915 (c) violate this chapter or the rules made by the administrator;
- 1916 (d) violate any law of the state respecting commerce in motor vehicles or any rule
1917 respecting commerce in motor vehicles made by any licensing or regulating authority
1918 of the state;
- 1919 (e) engage in business as a new motor vehicle dealer, special equipment dealer, used
1920 motor vehicle dealer, motor vehicle crusher, or body shop without having in effect a
1921 bond as required in this chapter;
- 1922 (f) act as a dealer, dismantler, crusher, manufacturer, transporter, remanufacturer, or

- 1923 body shop without maintaining a principal place of business;
- 1924 (g) unless the licensee is a special equipment dealer who sells a new special equipment
1925 motor vehicle with a gross vehicle weight rating of 12,000 or more pounds after
1926 installing special equipment on the motor vehicle:
- 1927 (i) engage in a business respecting the selling or exchanging of new or new and used
1928 motor vehicles for which the licensee is not licensed; and
- 1929 (ii) unless the licensee is a direct-sale manufacturer, sell or exchange a new motor
1930 vehicle for which the licensee does not have a franchise;
- 1931 (h) dismantle or transport to a crusher for crushing or other disposition any motor
1932 vehicle without first obtaining a dismantling or junk permit under Section 41-1a-1009,
1933 41-1a-1010, or 41-1a-1011;
- 1934 (i) as a new motor vehicle dealer, special equipment dealer, or used motor vehicle dealer
1935 fail to give notice of sales or transfers as required in Section 41-3-301;
- 1936 (j) advertise or otherwise represent, or knowingly allow to be advertised or represented
1937 on the licensee's behalf or at the licensee's place of business, that no down payment is
1938 required in connection with the sale of a motor vehicle when a down payment is
1939 required and the buyer is advised or induced to finance a down payment by a loan in
1940 addition to any other loan financing the remainder of the purchase price of the motor
1941 vehicle;
- 1942 (k) as a crusher, crush or shred a motor vehicle brought to the crusher without obtaining
1943 proper evidence of ownership of the motor vehicle; proper evidence of ownership is a
1944 certificate of title endorsed according to law or a dismantling or junk permit issued
1945 under Section 41-1a-1009, 41-1a-1010, or 41-1a-1011;
- 1946 (l) as a manufacturer or remanufacturer assemble a motor vehicle that does not comply
1947 with construction, safety, or vehicle identification number standards fixed by law or
1948 rule of any licensing or regulating authority;
- 1949 (m) as anyone other than a salesperson or a direct-sale manufacturer salesperson
1950 licensed under this chapter, be present on a dealer display space and contact
1951 prospective customers to promote the sale of the dealer's vehicles;
- 1952 (n) subject to Subsection (14), sell, display for sale, or offer for sale motor vehicles at
1953 any location other than the principal place of business, or additional places of
1954 business licensed under this chapter;
- 1955 (o)(i) as a dealer, dismantler, body shop, or manufacturer, maintain a principal place
1956 of business or additional place of business that shares any common area with a

- 1957 business or activity not directly related to motor vehicle commerce; or
- 1958 (ii) maintain any places of business that share any common area with another dealer,
- 1959 dismantler, body shop, or manufacturer;
- 1960 (p) withhold delivery of license plates obtained by the licensee on behalf of a customer
- 1961 for any reason, including nonpayment of any portion of the vehicle purchase price or
- 1962 down payment;
- 1963 (q) issue a temporary permit for any vehicle that has not been sold by the licensee;
- 1964 (r) alter a temporary permit in any manner;
- 1965 (s) operate any principal place of business or additional place of business in a location
- 1966 that does not comply with local ordinances, including zoning ordinances;
- 1967 (t) sell, display for sale, offer for sale, or exchange any new motor vehicle if the licensee
- 1968 does not:
- 1969 (i) have a new motor vehicle dealer's license or a direct-sale manufacturer's license
- 1970 under Section 41-3-202; and
- 1971 (ii) unless the licensee is a direct-sale manufacturer, possess a franchise from the
- 1972 manufacturer of the new motor vehicle sold, displayed for sale, offered for sale, or
- 1973 exchanged by the licensee;
- 1974 (u) as a new motor vehicle dealer or used motor vehicle dealer, encourage or conspire
- 1975 with any person who has not obtained a salesperson's or a direct-sale manufacturer
- 1976 salesperson's license to solicit for prospective purchasers;
- 1977 (v) as a direct-sale manufacturer, engage in business as a direct-sale manufacturer
- 1978 without having:
- 1979 (i) an authorized service center; or
- 1980 (ii) a principal place of business; or
- 1981 (w) possess a franchise that is not expressed in writing, if the franchise allows the sale or
- 1982 exchange of a new trailer that:
- 1983 (i) is not designed for human habitation;
- 1984 (ii) has a gross vehicle weight rating of less than 26,000 pounds; and
- 1985 (iii) is not designed to carry a motorboat as defined in Section 73-18-2.
- 1986 (2)(a) If a new motor vehicle is constructed in more than one stage, such as a motor
- 1987 home, ambulance, or van conversion, the licensee shall advertise, represent, sell, and
- 1988 exchange the vehicle as the make designated by the final stage manufacturer, except
- 1989 in those specific situations where the licensee:
- 1990 (i) possesses a franchise from the initial or first stage manufacturer, presumably the

- 1991 manufacturer of the motor vehicle's chassis; or
- 1992 (ii) manufactured the initial or first stage of the motor vehicle.
- 1993 (b) Sales of multiple stage manufactured motor vehicles shall include the transfer to the
- 1994 purchaser of a valid manufacturer's statement or certificate of origin from each
- 1995 manufacturer under Section 41-3-301.
- 1996 (3) Each licensee, except salespersons, shall maintain and make available for inspection by
- 1997 peace officers and employees of the division:
- 1998 (a) a record of every motor vehicle bought, or exchanged by the licensee or received or
- 1999 accepted by the licensee for sale or exchange;
- 2000 (b) a record of every used part or used accessory bought or otherwise acquired;
- 2001 (c) a record of every motor vehicle bought or otherwise acquired and wrecked or
- 2002 dismantled by the licensee;
- 2003 (d) all buyers' orders, contracts, odometer statements, temporary permit records,
- 2004 financing records, and all other documents related to the purchase, sale, or
- 2005 consignment of motor vehicles; and
- 2006 (e) a record of the name and address of the person to whom any motor vehicle or motor
- 2007 vehicle body, chassis, or motor vehicle engine is sold or otherwise disposed of and a
- 2008 description of the motor vehicle by year, make, and vehicle identification number.
- 2009 (4) Each licensee required by this chapter to keep records shall:
- 2010 (a) be kept by the licensee at least for five years; and
- 2011 (b) furnish copies of those records upon request to any peace officer or employee of the
- 2012 division during reasonable business hours.
- 2013 (5)(a) A manufacturer, distributor, distributor representative, or factory representative
- 2014 may not induce or attempt to induce by means of coercion, intimidation, or
- 2015 discrimination any dealer to:
- 2016 (i) accept delivery of any motor vehicle, parts, or accessories or any other commodity
- 2017 or commodities, including advertising material not ordered by the dealer;
- 2018 (ii) order or accept delivery of any motor vehicle with special features, appliances,
- 2019 accessories, or equipment not included in the list price of the motor vehicle as
- 2020 publicly advertised by the manufacturer;
- 2021 (iii) order from any person any parts, accessories, equipment, machinery, tools,
- 2022 appliances, or any other commodity;
- 2023 (iv) enter into an agreement with the manufacturer, distributor, distributor
- 2024 representative, or factory representative of any of them, or to do any other act

- 2025 unfair to the dealer by threatening to cancel any franchise or contractual
2026 agreement between the manufacturer, distributor, distributor branch, or factory
2027 branch and the dealer;
- 2028 (v) refuse to deliver to any dealer having a franchise or contractual arrangement for
2029 the retail sale of new and unused motor vehicles sold or distributed by the
2030 manufacturer, distributor, distributor branch or factory branch, any motor vehicle,
2031 publicly advertised for immediate delivery within 60 days after the dealer's order
2032 is received;
- 2033 (vi) unfairly, without regard to the equities of the dealer, cancel the franchise of any
2034 motor vehicle dealer; the nonrenewal of a franchise or selling agreement without
2035 cause and written notice is a violation of this subsection and is an unfair
2036 cancellation; or
- 2037 (vii) waive or forbear the right of the dealer, if the dealer offers for sale, sells, or
2038 exchanges cargo/utility trailers, to protest the establishment or relocation of a
2039 dealer who offers for sale, sells, or exchanges cargo/utility trailers of the same
2040 line-make in the relevant market area of the established dealer.
- 2041 (b) For the purpose of Subsection (5)(a)(vii):
- 2042 (i) "Cargo/utility trailer" means a trailer that:
- 2043 (A) is not designed for human habitation;
- 2044 (B) has a gross vehicle weight rating of less than 26,000 pounds; and
- 2045 (C) is not designed to carry a motorboat as defined in Section 73-18-2.
- 2046 (ii) "Relevant market area" means:
- 2047 (A) for a dealership located in a county that has a population of less than 225,000,
2048 the county in which the dealership is located and the area within a 15-mile
2049 radius of the dealership; or
- 2050 (B) for a dealership located in a county that has a population of 225,000 or more,
2051 the area within a 10-mile radius of the dealership.
- 2052 (6) A dealer may not assist an unlicensed dealer or salesperson in unlawful activity through
2053 active or passive participation in sales, or by allowing use of his facilities or dealer
2054 license number, or by any other means.
- 2055 (7)(a) The holder of any new motor vehicle dealer or direct-sale manufacturer license
2056 issued under this chapter may not sell any new motor vehicle to:
- 2057 (i) another dealer licensed under this chapter who does not hold a valid franchise for
2058 the make of new motor vehicles sold, unless the selling dealer licenses and titles

- 2059 the new motor vehicle to the purchasing dealer; or
- 2060 (ii) any motor vehicle leasing or rental company located within this state, or who has
- 2061 any branch office within this state, unless the dealer licenses and titles the new
- 2062 motor vehicle to the purchasing, leasing, or rental company.
- 2063 (b) Subsection (7)(a)(i) does not apply to the sale of a new incomplete motor vehicle
- 2064 with a gross vehicle weight rating of 12,000 or more pounds to a special equipment
- 2065 dealer licensed under this chapter.
- 2066 (8) A dealer licensed under this chapter may not take on consignment any new motor
- 2067 vehicle from anyone other than a new motor vehicle dealer, factory, or distributor who is
- 2068 licensed and, if required, franchised to distribute or sell that make of motor vehicle in
- 2069 this or any other state.
- 2070 (9) A body shop licensed under this chapter may not assist an unlicensed body shop in
- 2071 unlawful activity through active or passive means or by allowing use of its facilities,
- 2072 name, body shop number, or by any other means.
- 2073 (10) A used motor vehicle dealer licensed under this chapter may not advertise, offer for
- 2074 sale, or sell a new motor vehicle that has been driven less than 7,500 miles by obtaining
- 2075 a title only to the vehicle and representing it as a used motor vehicle.
- 2076 (11)(a) Except as provided in Subsection (11)(c), or in cases of undue hardship or
- 2077 emergency as provided by rule by the division, a dealer or salesperson licensed under
- 2078 this chapter may not, on consecutive days of Saturday and Sunday, sell, offer for sale,
- 2079 lease, or offer for lease a motor vehicle.
- 2080 (b) Each day a motor vehicle is sold, offered for sale, leased, or offered for lease in
- 2081 violation of Subsection (11)(a) and each motor vehicle sold, offered for sale, leased,
- 2082 or offered for lease in violation of Subsection (11)(a) shall constitute a separate
- 2083 offense.
- 2084 (c) The provisions of Subsection (11)(a) shall not apply to a dealer participating in a
- 2085 trade show or exhibition if:
- 2086 (i) there are five or more dealers participating in the trade show or exhibition; and
- 2087 (ii) the trade show or exhibition takes place at a location other than the principal
- 2088 place of business of one of the dealers participating in the trade show or exhibition.
- 2089 (12) For purposes of imposing the sales and use tax under Title 59, Chapter 12, Sales and
- 2090 Use Tax Act, a licensee issuing a temporary permit under Section 41-3-302 shall
- 2091 separately identify the fees required by [~~Title 41, Chapter 1a, Motor Vehicle Act~~]
- 2092 Chapter 1a, Motor Vehicle Act.

- 2093 (13)(a) A dismantler or dealer engaged in the business of dismantling motor vehicles for
2094 the sale of parts or salvage shall identify any vehicles or equipment used by the
2095 dismantler or dealer for transporting parts or salvage on the highways.
- 2096 (b) The identification required under Subsection (13)(a) shall:
- 2097 (i) include the name, address, and license number of the dismantler or dealer; and
- 2098 (ii) be conspicuously displayed on both sides of the vehicle or equipment in clearly
2099 legible letters and numerals not less than two inches in height.
- 2100 (14)(a) Subject to Subsection (14)(b), a licensed vehicle dealer may:
- 2101 (i) sell a vehicle to a buyer without the buyer being required to appear in person at
2102 one of the dealer's licensed places of business;
- 2103 (ii) collect a buyer's signature or electronic signature on a purchase contract and
2104 related purchase documents;
- 2105 (iii) collect payment electronically; and
- 2106 (iv) deliver:
- 2107 (A) a new motor vehicle to a buyer at the buyer's home or place of business, or at
2108 one of the dealer's licensed places of business; or
- 2109 (B) a used motor vehicle to a buyer at a location mutually agreed upon by the
2110 buyer and the dealer.
- 2111 (b) A vehicle purchase contract is not executed until the contract is countersigned by the
2112 licensed dealer at one of the dealer's licensed places of business.
- 2113 (c) Except as provided in this Subsection (14), Subsection (1)(n) is construed to prevent
2114 a dealer, salesperson, or any other representative of a dealership from selling,
2115 displaying, or offering a motor vehicle for sale from the dealer's, salesperson's, or any
2116 other representative's home or other unlicensed location.
- 2117 Section 25. Section **41-3-301** is amended to read:
- 2118 **41-3-301 (Effective 05/06/26). Sale by dealer, sale by auction -- Temporary**
2119 **permit -- Delivery of certificate of title or origin -- Notice to division.**
- 2120 (1)(a) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of any
2121 motor vehicle for which a temporary permit is issued under Section 41-3-302 shall
2122 within 45 days submit a certificate of title or manufacturer's certificate of origin for
2123 that motor vehicle, endorsed according to law, to the Motor Vehicle Division,
2124 accompanied by all documents required to obtain a new certificate of title and
2125 registration in the new owner's name.
- 2126 (b) If a temporary permit is not issued, the certificate of title or manufacturer's certificate

2127 of origin shall be delivered to the vendee, endorsed according to law, within 48
 2128 hours, unless the vendee is a dealer or dismantler in which case the title or
 2129 manufacturer's certificate of origin shall be delivered within 21 days.

2130 (c)(i) A motor vehicle consigned to an auction and sold is considered sold by the
 2131 consignor to the auction and then sold by the auction to the consignee.

2132 (ii) Both the consignor and auction are subject to this section.

2133 (d)(i)(A) A motor vehicle consigned to a [~~wholesale~~]motor vehicle auction and
 2134 sold to a licensed dealer or dismantler is considered sold by the consignor to
 2135 the licensed dealer or dismantler.

2136 (B) Both the consignor and the [~~wholesale~~]motor vehicle auction are subject to
 2137 the title delivery requirements of Subsection (1)(b).

2138 (C) The consignor, or the [~~wholesale~~]motor vehicle auction as the consignor's
 2139 agent, shall endorse the certificate of title according to law.

2140 (D) By endorsing the certificate of title as agent of the consignor as described in
 2141 Subsection (1)(d)(i)(C), the [~~wholesale~~]motor vehicle auction does not
 2142 become the owner, seller, or assignor of title.

2143 (ii)(A) A [~~wholesale~~]motor vehicle auction may purchase or sell motor vehicles
 2144 in its own name.

2145 (B) If a [~~wholesale~~]motor vehicle auction purchases or sells a motor vehicle in its
 2146 own name, the [~~wholesale~~]motor vehicle auction is subject to Subsections
 2147 (1)(a) and (1)(b).

2148 (2)(a)(i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of a
 2149 motor vehicle for which a temporary permit is issued under Section 41-3-302,
 2150 shall within 45 days give written notice of the sale to the Motor Vehicle Division
 2151 upon a form provided by the Motor Vehicle Division.

2152 (ii) The notice shall contain:

2153 (A) the date of the sale;

2154 (B) the names and addresses of the dealer and the purchaser;

2155 (C) a description of the motor vehicle;

2156 (D) the motor vehicle's odometer reading at the time of the sale; and

2157 (E) other information required by the division.

2158 (b) If no temporary permit is issued, the notice shall be filed with the division within 45
 2159 days after the sale, and a duplicate copy shall be given to the purchaser at the time of
 2160 sale, unless the purchaser is a dealer or dismantler.

2161 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah
2162 Administrative Rulemaking Act, providing that the notice required under Subsections
2163 (2)(a) and (2)(b) may be filed in electronic form or on magnetic media.

2164 Section 26. Section **41-3-407** is amended to read:

2165 **41-3-407 (Effective 05/06/26). Definitions.**

2166 As used in Sections 41-3-406 through 41-3-414:

2167 (1) "Buyback vehicle" means a motor vehicle with an alleged nonconformity that has been
2168 replaced or repurchased by a manufacturer as the result of a court judgment, arbitration,
2169 or any voluntary agreement entered into between the manufacturer or its agent and a
2170 consumer.

2171 (2) "Consumer" means an individual who has entered into an agreement or contract for the
2172 transfer, lease, or purchase of a new motor vehicle other than for the purposes of resale,
2173 or sublease, during the duration of the period defined under Section 13-20-5.

2174 (3) "Manufacturer" means any manufacturer, importer, distributor, or anyone who is named
2175 as the warrantor on an express written warranty on a motor vehicle.

2176 (4)(a) "Motor vehicle" includes:

2177 (i) a motor home, as defined in Section 13-20-2, but only the self-propelled vehicle
2178 and chassis; and

2179 (ii) a motor vehicle, as defined in Section 41-1a-102.

2180 (b) "Motor vehicle" does not include:

2181 (i) those portions of a motor home designated, used, or maintained primarily as a
2182 mobile dwelling, office, or commercial space;

2183 (ii) farm tractor, motorcycle, road tractor, or truck tractor as defined in Section
2184 41-1a-102;

2185 (iii) mobile home as defined in Section 41-1a-102; or

2186 (iv) any motor vehicle with a gross [~~laden weight~~] vehicle weight rating of over
2187 14,000 pounds, except a motor home as defined under Subsection (4)(a)(i).

2188 (5) "Nonconforming vehicle" means a buyback vehicle that has been investigated and
2189 evaluated pursuant to Title 13, Chapter 20, New Motor Vehicle Warranties Act, or a
2190 similar law of another state or federal government.

2191 (6)(a) "Nonconformity" means a defect, malfunction, or condition that fails to conform
2192 to the express warranty, or substantially impairs the use, safety, or value of a motor
2193 vehicle.

2194 (b) "Nonconformity" does not include a defect, malfunction, or condition that results

2195 from an accident, abuse, neglect, modification, or alteration of a motor vehicle by a
 2196 person other than the manufacturer, its authorized agent, or a dealer.

2197 (7) "Seller" means any person selling, auctioning, leasing, or exchanging a motor vehicle.

2198 (8) "Violation" means each failure to comply with the obligations imposed by Sections
 2199 41-3-406 through 41-3-413. In the case of multiple failures to comply resulting from a
 2200 single transaction, each failure to comply is a separate violation.

2201 Section 27. Section **41-3-501** is amended to read:

2202 **41-3-501 (Effective 05/06/26). Special plates -- Dealers -- Dismantlers --**

2203 **Manufacturers -- Remanufacturers -- Transporters -- Restrictions on use.**

2204 (1) Except as provided under this chapter, a dealer may operate or move a motor vehicle
 2205 displaying a dealer plate issued by the division upon the highways without registering it
 2206 under Title 41, Chapter 1a, Motor Vehicle Act, if the dealer owns or possesses the motor
 2207 vehicle by consignment for resale.

2208 (2) A dismantler may operate or move a motor vehicle displaying a dismantler plate issued
 2209 by the division without registering the motor vehicle as required under Title 41, Chapter
 2210 1a, Motor Vehicle Act, upon the highways solely to transport the motor vehicle:

2211 (a) from the place of purchase or legal acquisition to the place of business for
 2212 dismantling; or

2213 (b) to the place of business of a licensed crusher for disposal.

2214 (3) A manufacturer or remanufacturer may operate or move a manufactured or
 2215 remanufactured motor vehicle displaying a manufacturer plate issued by the division
 2216 upon the highways without registering the motor vehicle as required under Title 41,
 2217 Chapter 1a, Motor Vehicle Act, solely to:

2218 (a) deliver the motor vehicle to a dealer;

2219 (b) demonstrate a motor vehicle to a dealer or prospective dealer; or

2220 (c) conduct manufacturer tests of a motor vehicle.

2221 (4)(a) A transporter may operate or move a motor vehicle displaying a transporter plate
 2222 issued by the division upon the highways without registering the motor vehicle as
 2223 required under Title 41, Chapter 1a, Motor Vehicle Act, solely:

2224 (i) from the point of repossession to a financial institution or to the place of storage,
 2225 so that a financial institution may provide for operation of a repossessed motor
 2226 vehicle by a prospective purchaser;

2227 (ii) to and from a detail or repair shop for the purpose of detailing or repairing the
 2228 motor vehicle; or

- 2229 (iii) to a delivery point in, out, or through the state.
- 2230 (b) This subsection does not include loaded motor vehicles subject to the gross [~~laden~~
- 2231 ~~weight~~] vehicle weight rating provision of Title 41, Chapter 1a, Motor Vehicle Act.
- 2232 (5) Dealer plates may not be used:
- 2233 (a) on a motor vehicle leased or rented for compensation;
- 2234 (b) in lieu of registration, on a motor vehicle sold by the dealer; or
- 2235 (c) on a loaded commercial vehicle over 26,000 pounds gross [~~laden-weight~~] vehicle
- 2236 weight rating unless a special loaded demonstration permit is obtained from the
- 2237 division in accordance with Section 41-3-502.

2238 Section 28. Section **41-3-802** is amended to read:

2239 **41-3-802 (Effective 05/06/26). Definitions.**

2240 As used in this part:

- 2241 (1)(a) "Consignee" means a dealer who accepts vehicles for sale under an agreement that
- 2242 the dealer will pay the consignor for any sold vehicle and will return any unsold
- 2243 vehicles.
- 2244 (b) "Consignee" does not include a [~~wholesale-~~]motor vehicle auction licensee except
- 2245 when the consignor is an individual who enters into a consignment transaction
- 2246 primarily for personal, family, or household purposes.
- 2247 (2) "Consignor" means a person who places a vehicle with a consignee for consignment
- 2248 sale.

2249 Section 29. Section **41-3-803** is amended to read:

2250 **41-3-803 (Effective 05/06/26). Consignment sales.**

- 2251 (1) A consignor may take possession of the consignor's consigned vehicle at any time the
- 2252 consigned vehicle is in the possession of a consignee, provided that the consignor:
- 2253 (a) has notified the consignee in writing that the consignor will take possession of the
- 2254 consigned vehicle; and
- 2255 (b) has paid all outstanding charges owing to the consignee that have been agreed to by
- 2256 the consignor in accordance with Subsection (2).
- 2257 (2) The agreed upon charges under Subsection (1)(b) shall be:
- 2258 (a) stated on a form designed by the department; [~~and~~] or
- 2259 (b) included [~~with the~~] in a written consignment agreement.
- 2260 (3) A consignee who sells a consigned vehicle shall report to the consignor in writing the
- 2261 exact selling price of the consigned vehicle under either of the following circumstances:
- 2262 (a) the consignor and consignee agree in writing that the consignor shall receive a

- 2263 percentage of the selling price upon the sale of the vehicle; or
- 2264 (b) the consignor and consignee renegotiate in writing the selling price of the vehicle.
- 2265 (4) When a consignee sells a consigned vehicle:
- 2266 (a) the consignee, within seven calendar days of the date of sale, must give written
- 2267 notice to the consignor that the consigned vehicle has been sold; and
- 2268 (b) the consignee, within 21 calendar days of the date of sale, or within 15 calendar days
- 2269 of receiving payment in full for the consigned vehicle, whichever date is earlier, shall
- 2270 remit the payment received to the consignor, unless the agreement to purchase the
- 2271 consigned vehicle has been rescinded before expiration of the 21 days.
- 2272 (5) If the agreement to purchase the consigned vehicle has for any reason been rescinded
- 2273 before the expiration of 21 calendar days of the date of sale, the consignee shall within
- 2274 five calendar days thereafter give written notice to the consignor that the agreement to
- 2275 purchase has been rescinded.
- 2276 (6) Vehicles on consignment shall be driven with the consignee's dealer plates. All other
- 2277 license plates or registration indicia must be removed from the vehicle.
- 2278 (7) Prior to driving a consigned vehicle on the consignee's dealer plates, the consignee and
- 2279 the consignor shall execute a written consignment agreement that states:
- 2280 (a) the party responsible for damage or misuse to a consigned vehicle; and
- 2281 (b) the permitted uses a consignee may make of a consigned vehicle.
- 2282 (8) The consignee shall keep the written consignment agreement on file at the consignee's
- 2283 principal place of business.

2284 Section 30. Section **41-6a-102** is amended to read:

2285 **41-6a-102 (Effective 05/06/26) (Partially Repealed 07/01/27). Definitions.**

2286 As used in this chapter:

- 2287 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots
- 2288 or buildings in urban districts and not intended for through vehicular traffic.
- 2289 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 2290 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 2291 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 2292 (5) "Authorized emergency vehicle" includes:
- 2293 (a) a fire department vehicle;
- 2294 (b) a police vehicle;
- 2295 (c) an ambulance; and
- 2296 (d) other publicly or privately owned vehicles as designated by the commissioner of the

- 2297 Department of Public Safety.
- 2298 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 2299 (7)(a) "Bicycle" means a wheeled vehicle:
- 2300 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 2301 (ii) with a seat or saddle designed for the use of the operator;
- 2302 (iii) designed to be operated on the ground; and
- 2303 (iv) whose wheels are not less than 14 inches in diameter.
- 2304 (b) "Bicycle" includes an electric assisted bicycle.
- 2305 (c) "Bicycle" does not include scooters and similar devices.
- 2306 (8)(a) "Bicycle lane" means a portion of a highway that has been designated by a
- 2307 highway authority through striping, signage, pavement markings, or barriers for the
- 2308 preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted
- 2309 scooter traffic.
- 2310 (b) "Bicycle lane" does not include shared lanes intended for both motor vehicle and
- 2311 bicycle travel.
- 2312 (9)(a) "Bus" means a motor vehicle:
- 2313 (i) designed for carrying more than 15 passengers and used for the transportation of
- 2314 persons; or
- 2315 (ii) designed and used for the transportation of persons for compensation.
- 2316 (b) "Bus" does not include a taxicab.
- 2317 (10)(a) "Circular intersection" means an intersection that has an island, generally
- 2318 circular in design, located in the center of the intersection where traffic passes to the
- 2319 right of the island.
- 2320 (b) "Circular intersection" includes:
- 2321 (i) roundabouts;
- 2322 (ii) rotaries; and
- 2323 (iii) traffic circles.
- 2324 (11) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a
- 2325 motor or electronics that:
- 2326 (a) provides assistance only when the rider is pedaling; and
- 2327 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- 2328 (12) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a
- 2329 motor or electronics that:
- 2330 (a) may be used exclusively to propel the bicycle; and

- 2331 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
2332 per hour.
- 2333 (13) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a
2334 motor or electronics that:
- 2335 (a) provides assistance only when the rider is pedaling;
2336 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
2337 and
2338 (c) is equipped with a speedometer.
- 2339 (14) "Commissioner" means the commissioner of the Department of Public Safety.
- 2340 (15) "Controlled-access highway" means a highway, street, or roadway:
- 2341 (a) designed primarily for through traffic; and
2342 (b) to or from which owners or occupants of abutting lands and other persons have no
2343 legal right of access, except at points as determined by the highway authority having
2344 jurisdiction over the highway, street, or roadway.
- 2345 (16) "Crosswalk" means:
- 2346 (a) that part of a roadway at an intersection included within the connections of the lateral
2347 lines of the sidewalks on opposite sides of the highway measured from:
2348 (i)(A) the curbs; or
2349 (B) in the absence of curbs, from the edges of the traversable roadway; and
2350 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
2351 included within the extension of the lateral lines of the existing sidewalk at right
2352 angles to the centerline; or
2353 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
2354 pedestrian crossing by lines or other markings on the surface.
- 2355 (17) "Department" means the Department of Public Safety.
- 2356 (18) "Direct supervision" means oversight at a distance within which:
- 2357 (a) visual contact is maintained; and
2358 (b) advice and assistance can be given and received.
- 2359 (19) "Divided highway" means a highway divided into two or more roadways by:
- 2360 (a) an unpaved intervening space;
2361 (b) a physical barrier; or
2362 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 2363 (20) "Echelon formation" means the operation of two or more snowplows arranged
2364 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to

- 2365 clear snow from two or more lanes at once.
- 2366 (21)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 2367 (i) has a power output of not more than 750 watts;
- 2368 (ii) has fully operable pedals;
- 2369 (iii) has permanently affixed cranks that were installed at the time of the original
- 2370 manufacture;
- 2371 (iv) is fully operable as a bicycle without the use of the electric motor; and
- 2372 (v) is one of the following:
- 2373 (A) a class 1 electric assisted bicycle;
- 2374 (B) a class 2 electric assisted bicycle;
- 2375 (C) a class 3 electric assisted bicycle; or
- 2376 (D) a programmable electric assisted bicycle.
- 2377 (b) "Electric assisted bicycle" does not include:
- 2378 (i) a moped;
- 2379 (ii) a motor assisted scooter;
- 2380 (iii) a motorcycle;
- 2381 (iv) a motor-driven cycle; or
- 2382 (v) any other vehicle with less than four wheels that is designed, manufactured,
- 2383 intended, or advertised by the seller to have any of the following capabilities or
- 2384 features, or that is modifiable or is modified to have any of the following
- 2385 capabilities or features:
- 2386 (A) has the ability to attain the speed of 20 miles per hour or greater on motor
- 2387 power alone;
- 2388 (B) is equipped with a continuous rated motor power of 750 watts or greater;
- 2389 (C) is equipped with foot pegs for the operator at the time of manufacture, or
- 2390 requires installation of a pedal kit to have operable pedals; or
- 2391 (D) if equipped with multiple operating modes and a throttle, has one or more
- 2392 modes that exceed 20 miles per hour on motor power alone.
- 2393 (22)(a) "Electric personal assistive mobility device" means a self-balancing device with:
- 2394 (i) two nontandem wheels in contact with the ground;
- 2395 (ii) a system capable of steering and stopping the unit under typical operating
- 2396 conditions;
- 2397 (iii) an electric propulsion system with average power of one horsepower or 750
- 2398 watts;

- 2399 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
2400 (v) a deck design for a person to stand while operating the device.
- 2401 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 2402 (23) "Electric unicycle" means a self-balancing personal transportation device that:
- 2403 (a) has a single wheel;
- 2404 (b) is powered by an electric motor that utilizes gyroscopes and accelerometers to
2405 stabilize the rider; and
- 2406 (c) is designed for the operator to face in the direction of travel while operating the
2407 device.
- 2408 (24) "Explosives" means a chemical compound or mechanical mixture commonly used or
2409 intended for the purpose of producing an explosion and that contains any oxidizing and
2410 combustive units or other ingredients in proportions, quantities, or packing so that an
2411 ignition by fire, friction, concussion, percussion, or detonator of any part of the
2412 compound or mixture may cause a sudden generation of highly heated gases, and the
2413 resultant gaseous pressures are capable of producing destructive effects on contiguous
2414 objects or of causing death or serious bodily injury.
- 2415 (25) "Farm tractor" means a motor vehicle designed and used primarily as a farm
2416 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 2417 (26) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as
2418 determined by a Tagliabue or equivalent closed-cup test device.
- 2419 (27) "Freeway" means a controlled-access highway that is part of the interstate system as
2420 defined in Section 72-1-102.
- 2421 (28)(a) "Golf cart" means a device that:
- 2422 (i) is designed for transportation by players on a golf course;
- 2423 (ii) has not less than three wheels in contact with the ground;
- 2424 (iii) has [~~an unladen~~] a shipping weight of less than 1,800 pounds;
- 2425 (iv) is designed to operate at low speeds; and
- 2426 (v) is designed to carry not more than six persons including the driver.
- 2427 (b) "Golf cart" does not include:
- 2428 (i) a low-speed vehicle or an off-highway vehicle;
- 2429 (ii) a motorized wheelchair;
- 2430 (iii) an electric personal assistive mobility device;
- 2431 (iv) an electric assisted bicycle;
- 2432 (v) a motor assisted scooter;

- 2433 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 2434 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 2435 (29) "Gore area" means the area delineated by two solid white lines that is between a
- 2436 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
- 2437 including similar areas between merging or splitting highways.
- 2438 [~~(30) "Gross weight" means the weight of a vehicle without a load plus the weight of any~~
- 2439 ~~load on the vehicle.]~~
- 2440 (30) "Gross vehicle weight rating" means the same as that term is defined in Section
- 2441 59-2-102.
- 2442 (31) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 2443 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 2444 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
- 2445 highway or railroad tracks.
- 2446 (32) "Highway" means the entire width between property lines of every way or place of any
- 2447 nature when any part of it is open to the use of the public as a matter of right for
- 2448 vehicular travel.
- 2449 (33) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 2450 (34) "Interdicted person" means the same as that term is defined in Section 32B-1-102.
- 2451 (35)(a) "Intersection" means the area embraced within the prolongation or connection of
- 2452 the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of
- 2453 two or more highways that join one another.
- 2454 (b) Where a highway includes two roadways 30 feet or more apart:
- 2455 (i) every crossing of each roadway of the divided highway by an intersecting
- 2456 highway is a separate intersection; and
- 2457 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
- 2458 every crossing of two roadways of the highways is a separate intersection.
- 2459 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 2460 (36) "Island" means an area between traffic lanes or at an intersection for control of vehicle
- 2461 movements or for pedestrian refuge designated by:
- 2462 (a) pavement markings, which may include an area designated by two solid yellow lines
- 2463 surrounding the perimeter of the area;
- 2464 (b) channelizing devices;
- 2465 (c) curbs;
- 2466 (d) pavement edges; or

- 2467 (e) other devices.
- 2468 (37)(a) "Lane filtering" means, when operating a motorcycle other than an autocycle, the
2469 act of overtaking and passing another vehicle that is stopped in the same direction of
2470 travel in the same lane.
- 2471 (b) "Lane filtering" does not include lane splitting.
- 2472 (38)(a) "Lane splitting" means, when operating a motorcycle other than an autocycle, the
2473 act of riding a motorcycle between clearly marked lanes for traffic traveling in the
2474 same direction of travel while traffic is in motion.
- 2475 (b) "Lane splitting" does not include lane filtering.
- 2476 (39) "Law enforcement agency" means the same as that term is as defined in Section
2477 53-1-102.
- 2478 (40) "Limited access highway" means a highway:
- 2479 (a) that is designated specifically for through traffic; and
- 2480 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
2481 persons have any right or easement, or have only a limited right or easement of
2482 access, light, air, or view.
- 2483 (41) "Local highway authority" means the legislative, executive, or governing body of a
2484 county, municipal, or other local board or body having authority to enact laws relating to
2485 traffic under the constitution and laws of the state.
- 2486 (42)(a) "Low-speed vehicle" means a four wheeled motor vehicle that:
- 2487 (i) is designed to be operated at speeds of not more than 25 miles per hour; and
- 2488 (ii) has a capacity of not more than six passengers, including a conventional driver or
2489 fallback-ready user if on board the vehicle, as those terms are defined in Section
2490 41-26-102.1.
- 2491 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 2492 (43) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or
2493 partly of metal or other hard nonresilient material.
- 2494 (44)(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
2495 saddle that is less than 24 inches from the ground as measured on a level surface with
2496 properly inflated tires.
- 2497 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 2498 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 2499 (i) designed for off-highway use; and
- 2500 (ii) registered as an off-highway vehicle under Section 41-22-3.

- 2501 (45) "Mobile home" means:
- 2502 (a) a trailer or semitrailer that is:
- 2503 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
- 2504 place either permanently or temporarily; and
- 2505 (ii) equipped for use as a conveyance on streets and highways; or
- 2506 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
- 2507 for use as a mobile home, as defined in Subsection (45)(a), but that is instead used
- 2508 permanently or temporarily for:
- 2509 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 2510 (ii) any other commercial purpose except the transportation of property for hire or the
- 2511 transportation of property for distribution by a private carrier.
- 2512 (46) "Mobility disability" means the inability of a person to use one or more of the person's
- 2513 extremities or difficulty with motor skills, that may include limitations with walking,
- 2514 grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other condition.
- 2515 (47)(a) "Moped" means a motor-driven cycle having:
- 2516 (i) pedals to permit propulsion by human power; and
- 2517 (ii) a motor that:
- 2518 (A) produces not more than two brake horsepower; and
- 2519 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
- 2520 on level ground.
- 2521 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 2522 centimeters and the moped shall have a power drive system that functions directly or
- 2523 automatically without clutching or shifting by the operator after the drive system is
- 2524 engaged.
- 2525 (c) "Moped" does not include:
- 2526 (i) an electric assisted bicycle; or
- 2527 (ii) a motor assisted scooter.
- 2528 (48)(a) "Motor assisted scooter" means a self-propelled device with:
- 2529 (i) at least two wheels in contact with the ground;
- 2530 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 2531 (iii) an electric motor not exceeding 2,000 watts;
- 2532 (iv) either:
- 2533 (A) handlebars and a deck design for a person to stand while operating the device;
- 2534 or

- 2535 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
 2536 operating the device;
- 2537 (v) a design for the ability to be propelled by human power alone; and
 2538 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 2539 (b) "Motor assisted scooter" does not include:
 2540 (i) an electric assisted bicycle; or
 2541 (ii) a motor-driven cycle.
- 2542 (49)(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
 2543 propelled by electric power obtained from overhead trolley wires, but not operated
 2544 upon rails.
- 2545 (b) "Motor vehicle" does not include:
 2546 (i) vehicles moved solely by human power;
 2547 (ii) motorized wheelchairs;
 2548 (iii) an electric personal assistive mobility device;
 2549 (iv) an electric assisted bicycle;
 2550 (v) a motor assisted scooter;
 2551 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
 2552 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 2553 (50) "Motorcycle" means:
 2554 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
 2555 and designed to travel with not more than three wheels in contact with the ground; or
 2556 (b) an auticycle.
- 2557 (51)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
 2558 having:
 2559 (i) an engine with less than 150 cubic centimeters displacement; or
 2560 (ii) a motor that produces not more than five horsepower.
- 2561 (b) "Motor-driven cycle" does not include:
 2562 (i) an electric personal assistive mobility device;
 2563 (ii) a motor assisted scooter; or
 2564 (iii) an electric assisted bicycle.
- 2565 (52) "Off-highway implement of husbandry" means the same as that term is defined under
 2566 Section 41-22-2.
- 2567 (53) "Off-highway motorcycle" means the same as that term is defined in Section 41-22-2.
- 2568 (54) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.

- 2569 (55) "Operate" means the same as that term is defined in Section 41-1a-102.
- 2570 (56) "Operator" means:
- 2571 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
- 2572 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
- 2573 vehicle.
- 2574 (57) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other
- 2575 device operated, alone or coupled with another device, on stationary rails.
- 2576 (58)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
- 2577 occupied or not.
- 2578 (b) "Park" or "parking" does not include:
- 2579 (i) the standing of a vehicle temporarily for the purpose of and while actually
- 2580 engaged in loading or unloading property or passengers; or
- 2581 (ii) a motor vehicle with an engaged automated driving system that has achieved a
- 2582 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 2583 (59) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
- 2584 Officer Classifications, to direct or regulate traffic or to make arrests for violations of
- 2585 traffic laws.
- 2586 (60) "Pedestrian" means a person traveling:
- 2587 (a) on foot; or
- 2588 (b) in a wheelchair.
- 2589 (61) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
- 2590 pedestrians.
- 2591 (62) "Person" means a natural person, firm, copartnership, association, corporation,
- 2592 business trust, estate, trust, partnership, limited liability company, association, joint
- 2593 venture, governmental agency, public corporation, or any other legal or commercial
- 2594 entity.
- 2595 (63) "Pole trailer" means a vehicle without motive power:
- 2596 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
- 2597 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
- 2598 and
- 2599 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
- 2600 pipes, or structural members generally capable of sustaining themselves as beams
- 2601 between the supporting connections.
- 2602 (64) "Private road or driveway" means every way or place in private ownership and used

- 2603 for vehicular travel by the owner and those having express or implied permission from
2604 the owner, but not by other persons.
- 2605 (65) "Programmable electric assisted bicycle" means an electric assisted bicycle with
2606 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
2607 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
2608 electric assisted bicycle fully conforms with the respective requirements of each class of
2609 electric assisted bicycle when operated in that mode.
- 2610 (66) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.
- 2611 (67) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
2612 public body or official or by a railroad and intended to give notice of the presence of
2613 railroad tracks or the approach of a railroad train.
- 2614 (68) "Railroad train" means a locomotive propelled by any form of energy, coupled with or
2615 operated without cars, and operated upon rails.
- 2616 (69) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.
- 2617 (70) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful
2618 manner in preference to another vehicle or pedestrian approaching under circumstances
2619 of direction, speed, and proximity that give rise to danger of collision unless one grants
2620 precedence to the other.
- 2621 (71)(a) "Roadway" means that portion of highway improved, designed, or ordinarily
2622 used for vehicular travel.
- 2623 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
2624 them are used by persons riding bicycles or other human-powered vehicles.
- 2625 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
2626 highway includes two or more separate roadways.
- 2627 (72) "Safety zone" means the area or space officially set apart within a roadway for the
2628 exclusive use of pedestrians and that is protected, marked, or indicated by adequate
2629 signs as to be plainly visible at all times while set apart as a safety zone.
- 2630 (73)(a) "School bus" means a motor vehicle that:
- 2631 (i) complies with the color and identification requirements of the most recent edition
2632 of "Minimum Standards for School Buses"; and
- 2633 (ii) is used to transport school children to or from school or school activities.
- 2634 (b) "School bus" does not include a vehicle operated by a common carrier in
2635 transportation of school children to or from school or school activities.
- 2636 (74) "Self-balancing electric skateboard" means a device similar to a skateboard that:

- 2637 (a) has a single wheel;
- 2638 (b) is powered by an electric motor; and
- 2639 (c) is designed for the operator to face perpendicular to the direction of travel while
- 2640 operating the device.
- 2641 (75)(a) "Semitrailer" means a vehicle with or without motive power:
- 2642 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
- 2643 and
- 2644 (ii) constructed so that some part of its weight and that of its load rests on or is
- 2645 carried by another vehicle.
- 2646 (b) "Semitrailer" does not include a pole trailer.
- 2647 (76) "Shipping weight" means the same as that term is defined in Section 41-1a-102.
- 2648 [~~76~~] (77) "Shoulder area" means:
- 2649 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
- 2650 edge line as established in the current approved "Manual on Uniform Traffic Control
- 2651 Devices"; or
- 2652 (b) that portion of the road contiguous to the roadway for accommodation of stopped
- 2653 vehicles, for emergency use, and for lateral support.
- 2654 [~~77~~] (78) "Sidewalk" means that portion of a street between the curb lines, or the lateral
- 2655 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 2656 [~~78~~] (79)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
- 2657 that is designated for the use of a bicycle.
- 2658 (b) "Soft-surface trail" does not mean a trail:
- 2659 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
- 2660 federal law, regulation, or rule; or
- 2661 (ii) located in whole or in part on land granted to the state or a political subdivision
- 2662 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 2663 [~~79~~] (80) "Solid rubber tire" means a tire of rubber or other resilient material that does not
- 2664 depend on compressed air for the support of the load.
- 2665 [~~80~~] (81) "Stand" or "standing" means the temporary halting of a vehicle, whether
- 2666 occupied or not, for the purpose of and while actually engaged in receiving or
- 2667 discharging passengers.
- 2668 [~~81~~] (82) "Stop" when required means complete cessation from movement.
- 2669 [~~82~~] (83) "Stop" or "stopping" when prohibited means any halting even momentarily of a
- 2670 vehicle, whether occupied or not, except when:

- 2671 (a) necessary to avoid conflict with other traffic; or
2672 (b) in compliance with the directions of a peace officer or traffic-control device.
- 2673 ~~[(83)]~~ (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
2674 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway
2675 motorcycle, that is modified to meet the requirements of Section 41-6a-1509 to operate
2676 on highways in the state in accordance with Section 41-6a-1509.
- 2677 ~~[(84)]~~ (85) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
2678 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
2679 operate on highways in the state in accordance with Section 41-6a-1509.
- 2680 ~~[(85)]~~ (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
2681 ~~[(86)]~~ (87) "Tow truck motor carrier" means the same as that term is defined in Section
2682 72-9-102.
- 2683 ~~[(87)]~~ (88) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and
2684 other conveyances either singly or together while using any highway for the purpose of
2685 travel.
- 2686 ~~[(88)]~~ (89) "Traffic signal preemption device" means an instrument or mechanism designed,
2687 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 2688 ~~[(89)]~~ (90) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
2689 with this chapter placed or erected by a highway authority for the purpose of regulating,
2690 warning, or guiding traffic.
- 2691 ~~[(90)]~~ (91) "Traffic-control signal" means a device, whether manually, electrically, or
2692 mechanically operated, by which traffic is alternately directed to stop and permitted to
2693 proceed.
- 2694 ~~[(91)]~~ (92)(a) "Trailer" means a vehicle with or without motive power designed for
2695 carrying persons or property and for being drawn by a motor vehicle and constructed
2696 so that no part of its weight rests upon the towing vehicle.
- 2697 (b) "Trailer" does not include a pole trailer.
- 2698 ~~[(92)]~~ (93) "Truck" means a motor vehicle designed, used, or maintained primarily for the
2699 transportation of property.
- 2700 ~~[(93)]~~ (94) "Truck tractor" means a motor vehicle:
2701 (a) designed and used primarily for drawing other vehicles; and
2702 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
2703 tractor.
- 2704 ~~[(94)]~~ (95) "Two-way left turn lane" means a lane:

- 2705 (a) provided for vehicle operators making left turns in either direction;
 2706 (b) that is not used for passing, overtaking, or through travel; and
 2707 (c) that has been indicated by a lane traffic-control device that may include lane
 2708 markings.

2709 ~~[(95)]~~ (96) "Urban district" means the territory contiguous to and including any street, in
 2710 which structures devoted to business, industry, or dwelling houses are situated at
 2711 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

2712 ~~[(96)]~~ (97) "Vehicle" means a device in, on, or by which a person or property is or may be
 2713 transported or drawn on a highway, except a mobile carrier, as defined in Section
 2714 41-6a-1120, or a device used exclusively on stationary rails or tracks.

2715 ~~[(97)]~~ (98) "Wheelie" means a maneuver performed while operating a motorcycle whereby
 2716 the front wheel of the motorcycle is raised off of the ground.

2717 Section 31. Section **41-6a-1507** is amended to read:

2718 **41-6a-1507 (Effective 05/06/26). Custom vehicles -- Defined -- Compliance with**
 2719 **all laws and standards -- Exceptions -- Revocation -- Signed statement required.**

2720 (1)(a) As used in this section, "custom vehicle" means a motor vehicle that:

- 2721 (i)(A) is at least 25 years old and of a model year after 1948; or
 2722 (B)(I) was manufactured to resemble a vehicle that is at least 25 years old and
 2723 of a model year after 1948; and
 2724 (II)(Aa) has been altered from the manufacturer's original design; or
 2725 (Bb) has a body constructed of non-original materials; and
 2726 (ii) is primarily a collector's item that is used for:
 2727 (A) club activities;
 2728 (B) exhibitions;
 2729 (C) tours;
 2730 (D) parades;
 2731 (E) occasional transportation; and
 2732 (F) other similar uses.

2733 (b) A custom vehicle does not include:

- 2734 (i) a motor vehicle that is used for general, daily transportation; or
 2735 (ii) a vintage vehicle as defined in Section 41-21-1~~[-or]~~ .
 2736 ~~[(iii) a special interest vehicle as defined in Section 41-1a-102.]~~

2737 (2) Except as specified under this section, a custom vehicle shall meet all safety,
 2738 registration, insurance, fees, and taxes required under this title.

2739 (3)(a) Except as provided in Subsection (3)(b), all safety equipment of a custom vehicle
2740 shall at least meet the safety standards applicable to the model year of the vehicle
2741 being replicated. Any replacement equipment shall comply with the design standards
2742 of the replacement equipment's manufacture.

2743 (b) A custom vehicle shall comply with current vehicle brake and stopping standards.

2744 (4) A custom vehicle is exempt from motor vehicle emissions inspection and maintenance
2745 program requirements under Section 41-6a-1642.

2746 (5) The tax commission may revoke or deny the registration of a custom vehicle for failure
2747 to comply with this section.

2748 (6) The owner of a custom vehicle shall provide a signed statement certifying that the
2749 custom vehicle is owned and operated for the purposes enumerated in this section to the
2750 safety inspection station in order to qualify for the exceptions provided under this
2751 section.

2752 Section 32. Section **41-6a-1509** is amended to read:

2753 **41-6a-1509 (Effective 07/01/26). Street-legal all-terrain vehicle -- Operation on**
2754 **highways -- Registration and licensing requirements -- Equipment requirements.**

2755 (1)(a) Except as provided in Subsection (1)(b), an individual may operate an all-terrain
2756 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an
2757 off-highway motorcycle, that meets the requirements of this section as a street-legal
2758 ATV on a street or highway.

2759 (b) An individual may not operate an all-terrain type I vehicle, all-terrain type II vehicle,
2760 or all-terrain type III vehicle, or an off-highway motorcycle, as a street-legal ATV on
2761 a highway if:

2762 (i) the highway is an interstate system as defined in Section 72-1-102; or

2763 (ii) the highway is in a county of the first class and both of the following criterion is
2764 met:

2765 (A) the highway is near a grade separated portion of the highway; and

2766 (B) the highway has a posted speed limit higher than 50 miles per hour.

2767 (c) Nothing in this section authorizes the operation of a street-legal ATV in an area that
2768 is not open to motor vehicle use.

2769 (2)(a) Except as provided in Subsection (2)(b), an individual may operate a vehicle that
2770 is registered as a novel vehicle on a street or highway, if the vehicle meets the
2771 requirements of this section as a street-legal novel vehicle.

2772 (b) An individual may not operate a vehicle registered as a novel vehicle as a street-legal

- 2773 novel vehicle on a highway if:
- 2774 (i) the highway is an interstate system as defined in Section 72-1-102; or
- 2775 (ii) the highway is in a county of the first class and both of the following criterion are
- 2776 met:
- 2777 (A) the highway is near a grade separated portion of the highway; and
- 2778 (B) the highway has a posted speed limit higher than 50 miles per hour.
- 2779 (c) Nothing in this section authorizes the operation of a street-legal novel vehicle in an
- 2780 area that is not open to motor vehicle use.
- 2781 (3) A street-legal ATV shall comply with Section 59-2-405.2, Subsection 41-1a-205(1),
- 2782 Subsection 53-8-205(1)(b), and the same requirements as:
- 2783 (a) a motorcycle for:
- 2784 (i) traffic rules under this chapter;
- 2785 (ii) titling, [~~odometer statement,~~]vehicle identification, license plates, and
- 2786 registration, excluding registration fees, under Chapter 1a, Motor Vehicle Act; and
- 2787 (iii) the county motor vehicle emissions inspection and maintenance programs under
- 2788 Section 41-6a-1642;
- 2789 (b) a motor vehicle for:
- 2790 (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and
- 2791 (ii) motor vehicle insurance under Chapter 12a, Financial Responsibility of Motor
- 2792 Vehicle Owners and Operators Act; and
- 2793 (c) an all-terrain type I or type II vehicle, or an off-highway motorcycle, for off-highway
- 2794 vehicle provisions under Chapter 22, Off-highway Vehicles, and Chapter 3, Motor
- 2795 Vehicle Business Regulation Act, unless otherwise specified in this section.
- 2796 (4) A street-legal novel vehicle shall comply with Subsection 41-1a-205(1), Subsection
- 2797 53-8-205(1)(b), and the requirements for registration as a novel vehicle under Section
- 2798 41-27-201.
- 2799 (5)(a) The owner of an all-terrain type I vehicle or an off-highway motorcycle being
- 2800 operated as a street-legal ATV shall ensure that the vehicle is equipped with:
- 2801 (i) one or more headlamps that meet the requirements of Section 41-6a-1603;
- 2802 (ii) one or more tail lamps;
- 2803 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration
- 2804 plate with a white light;
- 2805 (iv) one or more red reflectors on the rear;
- 2806 (v) one or more stop lamps on the rear;

- 2807 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 2808 (vii) a braking system, other than a parking brake, that meets the requirements of
- 2809 Section 41-6a-1623;
- 2810 (viii) a horn or other warning device that meets the requirements of Section
- 2811 41-6a-1625;
- 2812 (ix) a muffler and emission control system that meets the requirements of Section
- 2813 41-6a-1626;
- 2814 (x) rearview mirrors on the right and left side of the driver in accordance with Section
- 2815 41-6a-1627;
- 2816 (xi) a windshield, unless the operator wears eye protection while operating the
- 2817 vehicle;
- 2818 (xii) a speedometer, illuminated for nighttime operation;
- 2819 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers,
- 2820 a seat designed for passengers; and
- 2821 (xiv) tires that:
- 2822 (A) are not larger than the tires that the all-terrain vehicle manufacturer made
- 2823 available for the all-terrain vehicle model; and
- 2824 (B) have at least 2/32 inches or greater tire tread.
- 2825 (b) The owner of an all-terrain type II vehicle or all-terrain type III vehicle being
- 2826 operated as a street-legal all-terrain vehicle or of a vehicle registered as a novel
- 2827 vehicle being operated as a street-legal novel vehicle shall ensure that the vehicle is
- 2828 equipped with:
- 2829 (i) two headlamps that meet the requirements of Section 41-6a-1603;
- 2830 (ii) two tail lamps;
- 2831 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration
- 2832 plate with a white light;
- 2833 (iv) one or more red reflectors on the rear;
- 2834 (v) two stop lamps on the rear;
- 2835 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 2836 (vii) a braking system, other than a parking brake, that meets the requirements of
- 2837 Section 41-6a-1623;
- 2838 (viii) a horn or other warning device that meets the requirements of Section
- 2839 41-6a-1625;
- 2840 (ix) a muffler and emission control system that meets the requirements of Section

- 2841 41-6a-1626;
- 2842 (x) rearview mirrors on the right and left side of the driver in accordance with Section
- 2843 41-6a-1627;
- 2844 (xi) a windshield, unless the operator wears eye protection while operating the
- 2845 vehicle;
- 2846 (xii) a speedometer, illuminated for nighttime operation;
- 2847 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers,
- 2848 a seat designed for passengers;
- 2849 (xiv) for vehicles with side-by-side or tandem seating, seatbelts for each vehicle
- 2850 occupant;
- 2851 (xv) a seat with a height between 20 and 40 inches when measured at the forward
- 2852 edge of the seat bottom; and
- 2853 (xvi) tires that:
- 2854 (A) do not exceed 44 inches in height; and
- 2855 (B) have at least 2/32 inches or greater tire tread.
- 2856 (c) The owner of a street-legal all-terrain vehicle is not required to equip the vehicle with
- 2857 wheel covers, mudguards, flaps, or splash aprons.
- 2858 (6)(a) Subject to the requirements of Subsection (6)(b), an operator of a street-legal
- 2859 all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway, may
- 2860 not exceed the lesser of:
- 2861 (i) the posted speed limit; or
- 2862 (ii) 50 miles per hour.
- 2863 (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal
- 2864 all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per
- 2865 hour, shall:
- 2866 (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
- 2867 roadway; and
- 2868 (ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the
- 2869 front and back of both sides of the vehicle.
- 2870 (7)(a) Subject to the requirements of Subsection (7)(b), an operator of a street-legal
- 2871 novel vehicle, when operating as a street-legal novel vehicle on a highway, may not
- 2872 exceed the lesser of:
- 2873 (i) the posted speed limit; or
- 2874 (ii) 50 miles per hour.

- 2875 (b) An operator of a street-legal novel vehicle, when operating a street-legal novel
 2876 vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:
 2877 (i) operate the street-legal novel vehicle on the extreme right hand side of the
 2878 roadway; and
 2879 (ii) equip the street-legal novel vehicle with a reflector or reflective tape to the front
 2880 and back of both sides of the vehicle.
- 2881 (8)(a) A nonresident operator of an off-highway vehicle that is authorized to be operated
 2882 on the highways of another state has the same rights and privileges as a street-legal
 2883 ATV or street-legal novel vehicle that is granted operating privileges on the
 2884 highways of this state, subject to the restrictions under this section and rules made by
 2885 the Division of Outdoor Recreation, after notifying the Outdoor Adventure
 2886 Commission, if the other state offers reciprocal operating privileges to Utah residents.
- 2887 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 2888 Division of Outdoor Recreation, after notifying the Outdoor Adventure Commission,
 2889 shall establish eligibility requirements for reciprocal operating privileges for
 2890 nonresident users granted under Subsection (8)(a).
- 2891 (9) Nothing in this chapter restricts the owner of an off-highway vehicle from operating the
 2892 off-highway vehicle in accordance with Section 41-22-10.5.
- 2893 (10) A violation of this section is an infraction.
- 2894 Section 33. Section **41-6a-1629** is amended to read:
 2895 **41-6a-1629 (Effective 05/06/26). Vehicles subject to Sections 41-6a-1629 through**
 2896 **41-6a-1633 -- Definitions.**
- 2897 (1) As used in Sections 41-6a-1629 through 41-6a-1633:
 2898 (a) "Frame" means the main longitudinal structural members of the chassis of the vehicle
 2899 or, for vehicles with unitized body construction, the lowest longitudinal structural
 2900 member of the body of the vehicle.
- 2901 (b) "Frame height" means the vertical distance between the ground and the lowest point
 2902 on the frame[.—The distance is] , measured when the vehicle is unladen and on a level
 2903 surface.
- 2904 (c) "Gross vehicle weight rating" means the same as that term is defined in Section
 2905 59-2-102.
- 2906 [~~(e) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross~~
 2907 ~~vehicle weight rating, whether or not the vehicle is modified by use of parts not~~
 2908 ~~originally installed by the original manufacturer.]~~

- 2909 (d) "Manufacturer" means any person engaged in manufacturing or assembling new
2910 motor vehicles utilizing new parts or components, or a person defined as a
2911 manufacturer in current applicable Federal Motor Vehicle Safety Standards and
2912 Regulations.
- 2913 (e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the
2914 axles, chassis, suspension, or body by any means, including tires and wheels, and
2915 excluding any load, which affects the frame height of the motor vehicle.
- 2916 (f) "O.E.M." means original equipment manufacturer.
- 2917 (g) "Original equipment" means an item of motor vehicle equipment, including tires,
2918 which were installed in or on a motor vehicle or available as an option for the
2919 particular vehicle from the original manufacturer at the time of its delivery to the first
2920 purchaser.
- 2921 (h)(i) "Wheel track" means the shortest distance between the center of the tire treads
2922 on the same axle. On vehicles having dissimilar axle widths, the axle with the
2923 widest distance is used for all calculations.
- 2924 (ii) "Wheel track" on a vehicle having dissimilar axle widths, means the shortest
2925 distance between the center of the tire treads on the same axle measured on the
2926 axle with the widest distance.
- 2927 (2)(a) Except as provided in Subsections (2)(b) and (c), the provisions of Sections
2928 41-6a-1629 through 41-6a-1633 apply to all motor vehicles operated or parked on a
2929 highway.
- 2930 (b) The provisions of Sections 41-6a-1629 through 41-6a-1633 do not apply to the
2931 following vehicles:
- 2932 (i) implements of husbandry;
- 2933 (ii) farm tractors;
- 2934 (iii) road machinery;
- 2935 (iv) road rollers; and
- 2936 (v) historical vehicles or horseless carriages that have been restored as near to
2937 original condition as is reasonably possible.
- 2938 (c) The provisions of Subsection 41-6a-1631(2) and Sections 41-6a-1632 and 41-6a-1633
2939 do not apply to a street-legal all-terrain vehicle or a street-legal novel vehicle
2940 operated in accordance with Section 41-6a-1509.
- 2941 Section 34. Section **41-6a-1633** is amended to read:
- 2942 **41-6a-1633 (Effective 05/06/26). Mudguards or flaps at rear wheels of trucks,**

2943 **trailers, truck tractors, or altered motor vehicles -- Exemptions.**

- 2944 (1)(a) Except as provided in Subsection (2), when operated on a highway, the following
 2945 vehicles shall be equipped with wheel covers, mudguards, flaps, or splash aprons
 2946 behind the rearmost wheels to prevent, as far as practicable, the wheels from
 2947 throwing dirt, water, or other materials on other vehicles:
- 2948 (i) a vehicle that has been altered:
 - 2949 (A) from the original manufacturer's frame height; or
 - 2950 (B) in any other manner so that the motor vehicle's wheels may throw dirt, water,
 2951 or other materials on other vehicles;
 - 2952 (ii) any truck with a gross vehicle weight rating of 10,500 pounds or more;
 - 2953 (iii) any truck tractor; and
 - 2954 (iv) any trailer or semitrailer with [~~an unladen~~] a shipping weight of 750 pounds or
 2955 more.
- 2956 (b) The wheel covers, mudguards, flaps, or splash aprons shall:
- 2957 (i) be at least as wide as the tires they are protecting;
 - 2958 (ii) be directly in line with the tires; and
 - 2959 (iii) have a ground clearance of not more than 50% of the diameter of a rear-axle
 2960 wheel, under any conditions of loading of the motor vehicle.
- 2961 (2) Wheel covers, mudguards, flaps, or splash aprons are not required:
- 2962 (a) if the motor vehicle, trailer, or semitrailer is designed and constructed so that the
 2963 requirements of Subsection (1) are accomplished by means of fenders, body
 2964 construction, or other means of enclosure;
 - 2965 (b) on a vehicle operated or driven during fair weather on well-maintained,
 2966 hard-surfaced roads if the motor vehicle:
 - 2967 (i) was made in America prior to 1935;
 - 2968 (ii) is registered as a vintage vehicle; or
 - 2969 (iii) is a custom vehicle as defined under Section 41-6a-1507; or
 - 2970 (c) on a street-legal all-terrain vehicle.
- 2971 (3) Except as provided in Subsection (2)(b), rear wheels not covered at the top by fenders,
 2972 bodies, or other parts of the vehicle shall be covered at the top by protective means
 2973 extending rearward at least to the center line of the rearmost axle.
- 2974 (4) A violation of this section is an infraction.

2975 Section 35. Section **41-6a-1636** is amended to read:

2976 **41-6a-1636 (Effective 05/06/26). Tires which are prohibited -- Regulatory powers**

2977 **of state transportation department -- Winter use of studs -- Special permits -- Tread**
2978 **depth.**

- 2979 (1) A solid rubber tire on a vehicle shall have rubber on its entire traction surface at least
2980 one inch thick above the edge of the flange of the entire periphery.
- 2981 (2) A person may not operate or move on a highway a motor vehicle, trailer, or semitrailer
2982 having a metal tire in contact with the roadway.
- 2983 (3) Except as otherwise provided in this section, a person may not have a tire on a vehicle
2984 that is moved on a highway that has on the tire's periphery a block, stud, flange, cleat, or
2985 spike or any other protuberances of any material other than rubber which projects
2986 beyond the tread of the traction surface of the tire.
- 2987 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2988 Department of Transportation may make rules to permit the use of tires on a vehicle
2989 having protuberances other than rubber, if the department concludes that protuberances
2990 do not:
- 2991 (a) damage the highway significantly; or
2992 (b) constitute a hazard to life, health, or property.
- 2993 (5) Notwithstanding any other provision of this section, a person may use:
- 2994 (a) a tire with protuberances consisting of tungsten carbide studs on a vehicle if the studs:
2995 (i) are only used during the winter periods of October 15 through December 31 and
2996 January 1 through March 31 of each year;
2997 (ii) do not project beyond the tread of the traction surface of the tire more than .050
2998 inches; and
2999 (iii) are not used on a vehicle with a maximum gross ~~weight~~ vehicle weight rating in
3000 excess of 9,000 pounds unless the vehicle is an emergency vehicle or school bus;
- 3001 (b) farm machinery with tires having protuberances which will not injure the highway;
3002 and
- 3003 (c) tire chains of reasonable proportions on a vehicle when required for safety because of
3004 snow, ice, or other conditions tending to cause a vehicle to skid.
- 3005 (6) Notwithstanding any other provision of this chapter, a highway authority, for a highway
3006 under its jurisdiction, may issue special permits authorizing the operation on a highway
3007 of:
- 3008 (a) farm tractors;
3009 (b) other farm machinery; or
3010 (c) traction engines or tractors having movable tracks with transverse corrugations on

3011 the periphery of the movable tracks.

3012 (7)(a) A person may not operate a vehicle if one or more of the tires in use on the
3013 vehicle:

3014 (i) is in an unsafe operating condition; or

3015 (ii) has a tread depth less than $\frac{2}{32}$ inch measured in any two adjacent tread grooves
3016 at three equally spaced intervals around the circumference of the tire.

3017 (b) The measurement under Subsection (7)(a) may not be made at the location of any
3018 tread wear indicator, tie bar, hump, or fillet.

3019 (8) A person in the business of selling tires may not sell or offer for sale for highway use
3020 any tire prohibited for use under Subsection (7).

3021 (9) A violation of this section is an infraction.

3022 Section 36. Section **41-12a-301** is amended to read:

3023 **41-12a-301 (Effective 05/06/26). Definitions -- Requirement of owner's or**
3024 **operator's security -- Exceptions.**

3025 (1) As used in this section:

3026 (a) "Highway" means the same as that term is defined in Section 41-1a-102.

3027 (b) "Local education agency" or "LEA" means the same as that term is defined in
3028 Section 53E-1-102.

3029 (c) "Quasi-public road or parking area" means the same as that term is defined in Section
3030 41-6a-214.

3031 (2) Except as provided in Subsection (5):

3032 (a) every resident owner of a motor vehicle shall maintain owner's or operator's security
3033 in effect at any time that the motor vehicle is operated on a highway or on a
3034 quasi-public road or parking area [~~or registered~~] within the state; and

3035 (b) every nonresident owner of a motor vehicle that has been physically present in this
3036 state for:

3037 (i) 90 or fewer days during the preceding 365 days shall maintain the type and
3038 amount of owner's or operator's security required in his place of residence, in
3039 effect continuously throughout the period the motor vehicle remains within Utah;
3040 or

3041 (ii) more than 90 days during the preceding 365 days shall thereafter maintain
3042 owner's or operator's security in effect continuously throughout the period the
3043 motor vehicle remains within Utah.

3044 (3)(a) Except as provided in Subsection (5), the state and all of its political subdivisions

- 3045 and their respective departments, institutions, or agencies shall maintain owner's or
3046 operator's security in effect continuously for their motor vehicles.
- 3047 (b) Any other state is considered a nonresident owner of its motor vehicles and is subject
3048 to Subsection (2)(b).
- 3049 (4) The United States, any political subdivision of it, or any of its agencies may maintain
3050 owner's or operator's security in effect for their motor vehicles.
- 3051 (5) Owner's or operator's security is not required for any of the following:
- 3052 (a) off-highway vehicles registered under Section 41-22-3 when operated either:
- 3053 (i) on a highway designated as open for off-highway vehicle use; or
- 3054 (ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3);
- 3055 (b) off-highway implements of husbandry operated in the manner prescribed by
3056 Subsections 41-22-5.5(3) through (5);
- 3057 (c) electric assisted bicycles as defined under Section 41-6a-102;
- 3058 (d) motor assisted scooters as defined under Section 41-6a-102;
- 3059 (e) electric personal assistive mobility devices as defined under Section 41-6a-102; or
- 3060 (f) an LEA, for a school bus that the LEA authorizes a state entity or political
3061 subdivision of the state to use.
- 3062 (6) If an LEA authorizes a state entity or political subdivision of the state to use a school
3063 bus:
- 3064 (a) the state entity or political subdivision shall maintain owner's or operator's security
3065 during the term of the school bus use in an amount that is greater than or equal to any
3066 governmental immunity liability limit;
- 3067 (b) the state entity or the political subdivision shall indemnify and defend the LEA for
3068 any claim that arises from the school bus use including a claim directed at the LEA,
3069 unless the claim arises from the sole negligence of the LEA; and
- 3070 (c) if the school district maintains owner's or operator's security for the school bus
3071 during the term of school bus use, the owner's and operator's security maintained by
3072 the state entity or political subdivision of the state is primary to the owner's and
3073 operator's security maintained by the LEA.

3074 Section 37. Section **41-22-2** is amended to read:

3075 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27). Definitions.**

3076 As used in this chapter:

- 3077 (1) "Advisory council" means an advisory council appointed by the Division of Outdoor
3078 Recreation that has within the advisory council's duties advising on policies related to

- 3079 the use of off-highway vehicles.
- 3080 (2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width, having [
3081 ~~an unladen dry~~] a shipping weight of 1,500 pounds or less, traveling on three or more
3082 low pressure tires, having a seat designed to be straddled by the operator, and designed
3083 for or capable of travel over unimproved terrain.
- 3084 (3)(a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width,
3085 traveling on four or more low pressure tires, having a steering wheel, non-straddle
3086 seating, a rollover protection system, and designed for or capable of travel over
3087 unimproved terrain, and is:
- 3088 (i) an electric-powered vehicle; or
- 3089 (ii) a vehicle powered by an internal combustion engine and has [~~an unladen dry~~] a
3090 shipping weight of 3,500 pounds or less.
- 3091 (b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry
3092 a person with a disability, any vehicle not specifically designed or modified primarily
3093 for recreational use on unimproved terrain, or farm tractors as defined under Section
3094 41-1a-102.
- 3095 (4)(a) "All-terrain type III vehicle" means any other motor vehicle, not defined in
3096 Subsection (2), (3), (13), or (24), designed for or capable of travel over unimproved
3097 terrain.
- 3098 (b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to
3099 carry a person with a disability, any vehicle not specifically designed or modified
3100 primarily for recreational use on unimproved terrain, or farm tractors as defined
3101 under Section 41-1a-102.
- 3102 (5) "Commission" means the Outdoor Adventure Commission.
- 3103 (6) "Cross-country" means across natural terrain and off an existing highway, road, route,
3104 or trail.
- 3105 (7) "Dealer" means a person engaged in the business of selling off-highway vehicles at
3106 wholesale or retail.
- 3107 (8) "Division" means the Division of Outdoor Recreation.
- 3108 (9) "Low pressure tire" means any pneumatic tire six inches or more in width designed for
3109 use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure
3110 of 10 pounds per square inch or less as recommended by the vehicle manufacturer.
- 3111 (10) "Manufacturer" means a person engaged in the business of manufacturing off-highway
3112 vehicles.

- 3113 (11)(a) "Motor vehicle" means every vehicle which is self-propelled.
3114 (b) "Motor vehicle" includes an off-highway vehicle.
- 3115 (12) "Motorcycle" means every motor vehicle having a saddle for the use of the operator
3116 and designed to travel on not more than two tires.
- 3117 (13) "Off-highway implement of husbandry" means every all-terrain type I vehicle,
3118 all-terrain type II vehicle, all-terrain type III vehicle, off-highway motorcycle, or
3119 snowmobile that is used by the owner or the owner's agent for agricultural operations.
- 3120 (14) "Off-highway motorcycle" means an off-highway vehicle that is a motorcycle and is
3121 designed for use primarily off-highway.
- 3122 (15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain
3123 type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.
- 3124 (16)(a) "Off-highway vehicle facility" means a facility or area designated for use by an
3125 off-highway vehicle.
- 3126 (b) "Off-highway vehicle facility" includes a trail, trailhead, storage shed, water and
3127 electric infrastructure, or other infrastructure that provides or increases access to an
3128 area designated for use by an off-highway vehicle.
- 3129 (17) "Operate" means to control the movement of or otherwise use an off-highway vehicle.
- 3130 (18) "Operator" means the person who is in actual physical control of an off-highway
3131 vehicle.
- 3132 (19) "Organized user group" means an off-highway vehicle organization incorporated as a
3133 nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised Nonprofit
3134 Corporation Act, for the purpose of promoting the interests of off-highway vehicle
3135 recreation.
- 3136 (20) "Owner" means a person, other than a person with a security interest, having a
3137 property interest or title to an off-highway vehicle and entitled to the use and possession
3138 of that vehicle.
- 3139 (21) "Public land" means land owned or administered by any federal or state agency or any
3140 political subdivision of the state.
- 3141 (22) "Register" means the act of assigning a registration number to an off-highway vehicle.
- 3142 (23) "Roadway" is used as defined in Section 41-6a-102.
- 3143 (24) "Snowmobile" means any motor vehicle designed for travel on snow or ice and steered
3144 and supported in whole or in part by skis, belts, cleats, runners, or low pressure tires, and
3145 equipped with a saddle or seat for the use of the rider.
- 3146 (25) "Street or highway" means the entire width between boundary lines of every way or

3147 place of whatever nature, when any part of it is open to the use of the public for
3148 vehicular travel.

3149 (26) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as
3150 defined in Section 41-6a-102.

3151 Section 38. Section **53-3-905** is amended to read:

3152 **53-3-905 (Effective 05/06/26). Dedication of fees.**

3153 [~~(1) The following shall be deposited as dedicated credits in the Transportation Fund to be~~
3154 ~~used by the division for the program:]~~

3155 [~~(a) \$5 of the annual registration fee imposed for each registered motorcycle under~~
3156 ~~Subsection 41-1a-1206(1)(a);]~~

3157 [~~(b) \$4 of the six-month registration fee imposed for each registered motorcycle under~~
3158 ~~Subsection 41-1a-1206(2)(a); and]~~

3159 [~~(c) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or~~
3160 ~~extension of a motorcycle endorsement.]~~

3161 (1) The division may use the following dedicated credits for the program:

3162 (a) the portion of registration fees deposited into the Transportation Fund as described in
3163 Subsection 41-1a-1201(11); and

3164 (b) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or
3165 extension of a motorcycle endorsement.

3166 (2) Appropriations to the program are nonlapsing.

3167 (3) Appropriations may not be used for assistance to, advocacy of, or lobbying for any
3168 legislation unless the legislation would enhance or affect the financial status of the
3169 program or the program's continuation.

3170 Section 39. Section **59-2-102** is amended to read:

3171 **59-2-102 (Effective 05/06/26). Definitions.**

3172 As used in this chapter:

3173 (1)(a) "Acquisition cost" means any cost required to put an item of tangible personal
3174 property into service.

3175 (b) "Acquisition cost" includes:

3176 (i) the purchase price of a new or used item;

3177 (ii) the cost of freight, shipping, loading at origin, unloading at destination, crating,
3178 skidding, or any other applicable cost of shipping;

3179 (iii) the cost of installation, engineering, rigging, erection, or assembly, including
3180 foundations, pilings, utility connections, or similar costs; and

- 3181 (iv) sales and use taxes.
- 3182 (2) "Aerial applicator" means aircraft or rotorcraft used exclusively for the purpose of
3183 engaging in dispensing activities directly affecting agriculture or horticulture with an
3184 airworthiness certificate from the Federal Aviation Administration certifying the aircraft
3185 or rotorcraft's use for agricultural and pest control purposes.
- 3186 (3) "Air charter service" means an air carrier operation that requires the customer to hire an
3187 entire aircraft rather than book passage in whatever capacity is available on a scheduled
3188 trip.
- 3189 (4) "Air contract service" means an air carrier operation available only to customers that
3190 engage the services of the carrier through a contractual agreement and excess capacity
3191 on any trip and is not available to the public at large.
- 3192 (5) "Aircraft" means the same as that term is defined in Section 72-10-102.
- 3193 (6)(a) Except as provided in Subsection (6)(b), "airline" means an air carrier that:
- 3194 (i) operates:
- 3195 (A) on an interstate route; and
- 3196 (B) on a scheduled basis; and
- 3197 (ii) offers to fly one or more passengers or cargo on the basis of available capacity on
3198 a regularly scheduled route.
- 3199 (b) "Airline" does not include an:
- 3200 (i) air charter service; or
- 3201 (ii) air contract service.
- 3202 (7) "Assessment roll" or "assessment book" means a permanent record of the assessment of
3203 property as assessed by the county assessor and the commission and may be maintained
3204 manually or as a computerized file as a consolidated record or as multiple records by
3205 type, classification, or categories.
- 3206 (8) "Base parcel" means a parcel of property that was legally:
- 3207 (a) subdivided into two or more lots, parcels, or other divisions of land; or
- 3208 (b)(i) combined with one or more other parcels of property; and
- 3209 (ii) subdivided into two or more lots, parcels, or other divisions of land.
- 3210 (9)(a) "Certified revenue levy" means a property tax levy that provides an amount of ad
3211 valorem property tax revenue equal to the sum of:
- 3212 (i) the amount of ad valorem property tax revenue to be generated statewide in the
3213 previous year from imposing a multicounty assessing and collecting levy, as
3214 specified in Section 59-2-1602; and

- 3215 (ii) the product of:
- 3216 (A) eligible new growth, as defined in Section 59-2-924; and
- 3217 (B) the multicounty assessing and collecting levy certified by the commission for
- 3218 the previous year.
- 3219 (b) For purposes of this Subsection (9), "ad valorem property tax revenue" does not
- 3220 include property tax revenue received by a taxing entity from personal property that
- 3221 is:
- 3222 (i) assessed by a county assessor in accordance with Part 3, County Assessment; and
- 3223 (ii) semiconductor manufacturing equipment.
- 3224 (c) For purposes of calculating the certified revenue levy described in this Subsection (9),
- 3225 the commission shall use:
- 3226 (i) the taxable value of real property assessed by a county assessor contained on the
- 3227 assessment roll;
- 3228 (ii) the taxable value of real and personal property assessed by the commission; and
- 3229 (iii) the taxable year end value of personal property assessed by a county assessor
- 3230 contained on the prior year's assessment roll.
- 3231 (10) "County-assessed commercial vehicle" means:
- 3232 (a) any commercial vehicle, trailer, or semitrailer that is not apportioned under Section
- 3233 41-1a-301 and is not operated interstate to transport the vehicle owner's goods or
- 3234 property in furtherance of the owner's commercial enterprise;
- 3235 (b) any passenger vehicle owned by a business and used by its employees for
- 3236 transportation as a company car or vanpool vehicle; and
- 3237 (c) vehicles that are:
- 3238 (i) especially constructed for towing or wrecking, and that are not otherwise used to
- 3239 transport goods, merchandise, or people for compensation;
- 3240 (ii) used or licensed as taxicabs or limousines;
- 3241 (iii) used as rental passenger cars, travel trailers, or motor homes;
- 3242 (iv) used or licensed in this state for use as ambulances or hearses;
- 3243 (v) especially designed and used for garbage and rubbish collection; or
- 3244 (vi) used exclusively to transport students or their instructors to or from any private,
- 3245 public, or religious school or school activities.
- 3246 (11) "Eligible judgment" means a final and unappealable judgment or order under Section
- 3247 59-2-1330:
- 3248 (a) that became a final and unappealable judgment or order no more than 14 months

3249 before the day on which the notice described in Section 59-2-919.1 is required to be
3250 provided; and

3251 (b) for which a taxing entity's share of the final and unappealable judgment or order is
3252 greater than or equal to the lesser of:

3253 (i) \$5,000; or

3254 (ii) 2.5% of the total ad valorem property taxes collected by the taxing entity in the
3255 previous fiscal year.

3256 (12)(a) "Escaped property" means any property, whether personal, land, or any
3257 improvements to the property, that is subject to taxation and is:

3258 (i) inadvertently omitted from the tax rolls, assigned to the incorrect parcel, or
3259 assessed to the wrong taxpayer by the assessing authority;

3260 (ii) undervalued or omitted from the tax rolls because of the failure of the taxpayer to
3261 comply with the reporting requirements of this chapter; or

3262 (iii) undervalued because of errors made by the assessing authority based upon
3263 incomplete or erroneous information furnished by the taxpayer.

3264 (b) "Escaped property" does not include property that is undervalued because of the use
3265 of a different valuation methodology or because of a different application of the same
3266 valuation methodology.

3267 (13)(a) "Fair market value" means the amount at which property would change hands
3268 between a willing buyer and a willing seller, neither being under any compulsion to
3269 buy or sell and both having reasonable knowledge of the relevant facts.

3270 (b) For purposes of taxation, "fair market value" shall be determined using the current
3271 zoning laws applicable to the property in question, except in cases where there is a
3272 reasonable probability of a change in the zoning laws affecting that property in the
3273 tax year in question and the change would have an appreciable influence upon the
3274 value.

3275 (14) "Geothermal fluid" means water in any form at temperatures greater than 120 degrees
3276 centigrade naturally present in a geothermal system.

3277 (15) "Geothermal resource" means:

3278 (a) the natural heat of the earth at temperatures greater than 120 degrees centigrade; and

3279 (b) the energy, in whatever form, including pressure, present in, resulting from, created
3280 by, or which may be extracted from that natural heat, directly or through a material
3281 medium.

3282 (16)(a) "Goodwill" means:

- 3283 (i) acquired goodwill that is reported as goodwill on the books and records that a
3284 taxpayer maintains for financial reporting purposes; or
3285 (ii) the ability of a business to:
3286 (A) generate income that exceeds a normal rate of return on assets and that results
3287 from a factor described in Subsection (16)(b); or
3288 (B) obtain an economic or competitive advantage resulting from a factor described
3289 in Subsection (16)(b).
- 3290 (b) The following factors apply to Subsection (16)(a)(ii):
3291 (i) superior management skills;
3292 (ii) reputation;
3293 (iii) customer relationships;
3294 (iv) patronage; or
3295 (v) a factor similar to Subsections (16)(b)(i) through (iv).
- 3296 (c) "Goodwill" does not include:
3297 (i) the intangible property described in Subsection (20)(a) or (b);
3298 (ii) locational attributes of real property, including:
3299 (A) zoning;
3300 (B) location;
3301 (C) view;
3302 (D) a geographic feature;
3303 (E) an easement;
3304 (F) a covenant;
3305 (G) proximity to raw materials;
3306 (H) the condition of surrounding property; or
3307 (I) proximity to markets;
3308 (iii) value attributable to the identification of an improvement to real property,
3309 including:
3310 (A) reputation of the designer, builder, or architect of the improvement;
3311 (B) a name given to, or associated with, the improvement; or
3312 (C) the historic significance of an improvement; or
3313 (iv) the enhancement or assemblage value specifically attributable to the interrelation
3314 of the existing tangible property in place working together as a unit.
- 3315 (17) "Governing body" means:
3316 (a) for a county, city, or town, the legislative body of the county, city, or town;

- 3317 (b) for a special district under Title 17B, Limited Purpose Local Government Entities -
 3318 Special Districts, the special district's board of trustees;
 3319 (c) for a school district, the local board of education;
 3320 (d) for a special service district under Title 17D, Chapter 1, Special Service District Act:
 3321 (i) the legislative body of the county or municipality that created the special service
 3322 district, to the extent that the county or municipal legislative body has not
 3323 delegated authority to an administrative control board established under Section
 3324 17D-1-301; or
 3325 (ii) the administrative control board, to the extent that the county or municipal
 3326 legislative body has delegated authority to an administrative control board
 3327 established under Section 17D-1-301; or
 3328 (e) for a public infrastructure district under Title 17D, Chapter 4, Public Infrastructure
 3329 District Act, the public infrastructure district's board of trustees.

3330 [~~(18) "Gross vehicle weight rating" means the maximum gross vehicle weight rating as~~
 3331 ~~reported by the manufacturer of the motor vehicle for the vehicle identification number.]~~

3332 (18) "Gross vehicle weight rating" means the maximum weight a vehicle can carry,
 3333 including the weight of the vehicle itself, passengers, cargo, fuel, and trailer tongue
 3334 weight as reported by the manufacturer, except that if a gross vehicle weight rating is not
 3335 reported by the vehicle's manufacturer, the division may determine the gross vehicle
 3336 weight rating using the best available information.

3337 (19)(a) Except as provided in Subsection (19)(c), "improvement" means a building,
 3338 structure, fixture, fence, or other item that is permanently attached to land, regardless
 3339 of whether the title has been acquired to the land, if:

3340 (i)(A) attachment to land is essential to the operation or use of the item; and
 3341 (B) the manner of attachment to land suggests that the item will remain attached to
 3342 the land in the same place over the useful life of the item; or

3343 (ii) removal of the item would:

3344 (A) cause substantial damage to the item; or

3345 (B) require substantial alteration or repair of a structure to which the item is
 3346 attached.

3347 (b) "Improvement" includes:

3348 (i) an accessory to an item described in Subsection (19)(a) if the accessory is:

3349 (A) essential to the operation of the item described in Subsection (19)(a); and

3350 (B) installed solely to serve the operation of the item described in Subsection

- 3351 (19)(a); and
- 3352 (ii) an item described in Subsection (19)(a) that is temporarily detached from the land
- 3353 for repairs and remains located on the land.
- 3354 (c) "Improvement" does not include:
- 3355 (i) an item considered to be personal property pursuant to rules made in accordance
- 3356 with Section 59-2-107;
- 3357 (ii) a moveable item that is attached to land for stability only or for an obvious
- 3358 temporary purpose;
- 3359 (iii)(A) manufacturing equipment and machinery; or
- 3360 (B) essential accessories to manufacturing equipment and machinery;
- 3361 (iv) an item attached to the land in a manner that facilitates removal without
- 3362 substantial damage to the land or the item; or
- 3363 (v) a transportable factory-built housing unit as defined in Section 59-2-1502 if that
- 3364 transportable factory-built housing unit is considered to be personal property
- 3365 under Section 59-2-1503.
- 3366 (20) "Intangible property" means:
- 3367 (a) property that is capable of private ownership separate from tangible property,
- 3368 including:
- 3369 (i) money;
- 3370 (ii) credits;
- 3371 (iii) bonds;
- 3372 (iv) stocks;
- 3373 (v) representative property;
- 3374 (vi) franchises;
- 3375 (vii) licenses;
- 3376 (viii) trade names;
- 3377 (ix) copyrights; and
- 3378 (x) patents;
- 3379 (b) a low-income housing tax credit;
- 3380 (c) goodwill; or
- 3381 (d) a clean or renewable energy tax credit or incentive, including:
- 3382 (i) a federal renewable energy production tax credit under Section 45, Internal
- 3383 Revenue Code;
- 3384 (ii) a federal energy credit for qualified renewable electricity production facilities

- 3385 under Section 48, Internal Revenue Code;
- 3386 (iii) a federal grant for a renewable energy property under American Recovery and
3387 Reinvestment Act of 2009, Pub. L. No. 111-5, Section 1603; and
- 3388 (iv) a tax credit under Subsection 59-7-614(5).
- 3389 (21) "Livestock" means:
- 3390 (a) a domestic animal;
- 3391 (b) a fish;
- 3392 (c) a fur-bearing animal;
- 3393 (d) a honeybee; or
- 3394 (e) poultry.
- 3395 (22) "Low-income housing tax credit" means:
- 3396 (a) a federal low-income housing tax credit under Section 42, Internal Revenue Code; or
- 3397 (b) a low-income housing tax credit under Section 59-7-607 or Section 59-10-1010.
- 3398 (23) "Metalliferous minerals" includes gold, silver, copper, lead, zinc, and uranium.
- 3399 (24) "Mine" means a natural deposit of either metalliferous or nonmetalliferous valuable
3400 mineral.
- 3401 (25) "Mining" means the process of producing, extracting, leaching, evaporating, or
3402 otherwise removing a mineral from a mine.
- 3403 (26)(a) "Mobile flight equipment" means tangible personal property that is owned or
3404 operated by an air charter service, air contract service, or airline and:
- 3405 (i) is capable of flight or is attached to an aircraft that is capable of flight; or
- 3406 (ii) is contained in an aircraft that is capable of flight if the tangible personal property
3407 is intended to be used:
- 3408 (A) during multiple flights;
- 3409 (B) during a takeoff, flight, or landing; and
- 3410 (C) as a service provided by an air charter service, air contract service, or airline.
- 3411 (b)(i) "Mobile flight equipment" does not include a spare part other than a spare
3412 engine that is rotated at regular intervals with an engine that is attached to the
3413 aircraft.
- 3414 (ii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
3415 the commission may make rules defining the term "regular intervals."
- 3416 (27) "Nonmetalliferous minerals" includes, but is not limited to, oil, gas, coal, salts, sand,
3417 rock, gravel, and all carboniferous materials.
- 3418 (28) "Part-year residential property" means property that is not residential property on

3419 January 1 of a calendar year but becomes residential property after January 1 of the
3420 calendar year.

3421 (29) "Personal property" includes:

3422 (a) every class of property as defined in Subsection (30) that is the subject of ownership
3423 and is not real estate or an improvement;

3424 (b) any pipe laid in or affixed to land whether or not the ownership of the pipe is
3425 separate from the ownership of the underlying land, even if the pipe meets the
3426 definition of an improvement;

3427 (c) bridges and ferries;

3428 (d) livestock; and

3429 (e) outdoor advertising structures as defined in Section 72-7-502.

3430 (30)(a) "Property" means property that is subject to assessment and taxation according to
3431 its value.

3432 (b) "Property" does not include intangible property as defined in this section.

3433 (31)(a) "Public utility" means:

3434 (i) the operating property of a railroad, gas corporation, oil or gas transportation or
3435 pipeline company, coal slurry pipeline company, electrical corporation, sewerage
3436 corporation, or heat corporation where the company performs the service for, or
3437 delivers the commodity to, the public generally or companies serving the public
3438 generally, or in the case of a gas corporation or an electrical corporation, where
3439 the gas or electricity is sold or furnished to any member or consumers within the
3440 state for domestic, commercial, or industrial use; and

3441 (ii) the operating property of any entity or person defined under Section 54-2-1
3442 except water corporations.

3443 (b) "Public utility" does not include the operating property of a telecommunications
3444 service provider.

3445 (32)(a) Subject to Subsection (32)(b), "qualifying exempt primary residential rental
3446 personal property" means household furnishings, furniture, and equipment that:

3447 (i) are used exclusively within a dwelling unit that is the primary residence of a
3448 tenant;

3449 (ii) are owned by the owner of the dwelling unit that is the primary residence of a
3450 tenant; and

3451 (iii) after applying the residential exemption described in Section 59-2-103, are
3452 exempt from taxation under this chapter in accordance with Subsection

- 3453 59-2-1115(2).
- 3454 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
3455 commission may by rule define the term "dwelling unit" for purposes of this
3456 Subsection (32) and Subsection (35).
- 3457 (33) "Real estate" or "real property" includes:
- 3458 (a) the possession of, claim to, ownership of, or right to the possession of land;
- 3459 (b) all mines, minerals, and quarries in and under the land, all timber belonging to
3460 individuals or corporations growing or being on the lands of this state or the United
3461 States, and all rights and privileges appertaining to these; and
- 3462 (c) improvements.
- 3463 (34)(a) "Relationship with an owner of the property's land surface rights" means a
3464 relationship described in Subsection 267(b), Internal Revenue Code, except that the
3465 term 25% shall be substituted for the term 50% in Subsection 267(b), Internal
3466 Revenue Code.
- 3467 (b) For purposes of determining if a relationship described in Subsection 267(b), Internal
3468 Revenue Code, exists, the ownership of stock shall be determined using the
3469 ownership rules in Subsection 267(c), Internal Revenue Code.
- 3470 (35)(a) "Residential property," for purposes of the reductions and adjustments under this
3471 chapter, means any property used for residential purposes as a primary residence.
- 3472 (b) "Residential property" includes:
- 3473 (i) except as provided in Subsection (35)(b)(ii), includes household furnishings,
3474 furniture, and equipment if the household furnishings, furniture, and equipment
3475 are:
- 3476 (A) used exclusively within a dwelling unit that is the primary residence of a
3477 tenant; and
- 3478 (B) owned by the owner of the dwelling unit that is the primary residence of a
3479 tenant; and
- 3480 (ii) if the county assessor determines that the property will be used for residential
3481 purposes as a primary residence:
- 3482 (A) property under construction; or
- 3483 (B) unoccupied property.
- 3484 (c) "Residential property" does not include property used for transient residential use.
- 3485 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
3486 commission may by rule define the term "dwelling unit" for purposes of Subsection

- 3487 (32) and this Subsection (35).
- 3488 (36) "Split estate mineral rights owner" means a person that:
- 3489 (a) has a legal right to extract a mineral from property;
- 3490 (b) does not hold more than a 25% interest in:
- 3491 (i) the land surface rights of the property where the wellhead is located; or
- 3492 (ii) an entity with an ownership interest in the land surface rights of the property
- 3493 where the wellhead is located;
- 3494 (c) is not an entity in which the owner of the land surface rights of the property where
- 3495 the wellhead is located holds more than a 25% interest; and
- 3496 (d) does not have a relationship with an owner of the land surface rights of the property
- 3497 where the wellhead is located.
- 3498 (37)(a) "State-assessed commercial vehicle" means:
- 3499 (i) any commercial vehicle, trailer, or semitrailer that operates interstate or intrastate
- 3500 to transport passengers, freight, merchandise, or other property for hire; or
- 3501 (ii) any commercial vehicle, trailer, or semitrailer that operates interstate and
- 3502 transports the vehicle owner's goods or property in furtherance of the owner's
- 3503 commercial enterprise.
- 3504 (b) "State-assessed commercial vehicle" does not include vehicles used for hire that are
- 3505 specified in Subsection (10)(c) as county-assessed commercial vehicles.
- 3506 (38) "Subdivided lot" means a lot, parcel, or other division of land, that is a division of a
- 3507 base parcel.
- 3508 (39) "Tax area" means a geographic area created by the overlapping boundaries of one or
- 3509 more taxing entities.
- 3510 (40) "Taxable value" means fair market value less any applicable reduction allowed for
- 3511 residential property under Section 59-2-103.
- 3512 (41) "Taxing entity" means any county, city, town, school district, special taxing district,
- 3513 special district under Title 17B, Limited Purpose Local Government Entities - Special
- 3514 Districts, or other political subdivision of the state with the authority to levy a tax on
- 3515 property.
- 3516 (42)(a) "Tax roll" means a permanent record of the taxes charged on property, as
- 3517 extended on the assessment roll, and may be maintained on the same record or
- 3518 records as the assessment roll or may be maintained on a separate record properly
- 3519 indexed to the assessment roll.
- 3520 (b) "Tax roll" includes tax books, tax lists, and other similar materials.

- 3521 (43) "Telecommunications service provider" means the same as that term is defined in
3522 Section 59-12-102.
- 3523 Section 40. Section **59-2-402** is amended to read:
- 3524 **59-2-402 (Effective 05/06/26). Proportional assessment of transitory personal**
3525 **property brought from outside state -- Exemptions -- Reporting requirements -- Penalty**
3526 **for failure to file report -- Claims for rebates and adjustments.**
- 3527 (1) If any taxable transitory personal property, other than property exempted under
3528 Subsection (2), is brought into the state at any time after the assessment date, a
3529 proportional assessment shall be made in accordance with rules adopted by the
3530 commission based upon the length of time that the property is in the state, but in no
3531 event may the minimum assessment be less than 25% of the full year's assessment.
- 3532 (2) The following property is exempt from proportional assessment under Subsection (1)
3533 for the year in which the license fee or tax is paid:
- 3534 (a) property acquired during the calendar year;
- 3535 (b) registered motor vehicles with a gross [~~laden weight~~] vehicle weight rating of 27,000
3536 pounds or less;
- 3537 (c) vehicles that are registered and licensed in another state;
- 3538 (d) property subject to the provisions of Subsection 59-2-405(4);
- 3539 (e) state-assessed commercial vehicles; and
- 3540 (f) a motor home that is:
- 3541 (i) brought into the state for the sole purpose of selling the motor home to a licensed
3542 dealer; and
- 3543 (ii) purchased for resale by a person licensed as a dealer under Section 41-3-201.
- 3544 (3) If any taxable transitory personal property is brought into the state at any time during
3545 the year, the owner of the property, or the owner's agent, shall immediately secure a
3546 personal property report form from the assessor, complete it in all pertinent respects,
3547 sign it, and file it with the assessor of the county in which the property is located.
- 3548 (4) If the owner of the taxable transitory personal property, or the owner's agent, fails to
3549 secure, complete, and file a personal property report form with the county assessor, the
3550 assessor shall estimate the value of the property in accordance with Section 59-2-307.
3551 Any failure on the part of the owner or agent to report as required by this subsection
3552 subjects the property owner to a penalty of 50% of the amount of tax finally determined
3553 to be due.
- 3554 (5) An owner of taxable transitory personal property, except motor vehicles with a gross [

3555 ~~laden weight]~~ vehicle weight rating of 27,000 pounds or less, who has paid taxes on the
 3556 personal property and who removes the property from the state prior to December, is
 3557 entitled to a rebate of a proportionate share of the taxes paid as determined by the
 3558 commission. If a claim for rebate or adjustments is filed with the county auditor by
 3559 December 10, the auditor shall immediately submit the claim with a recommendation to
 3560 the county executive for its approval or denial. If the claim is not approved prior to the
 3561 end of the calendar year, or within 30 days after its submission, or if the claim is
 3562 submitted after December 10, it shall be considered denied, and the owners of the
 3563 property may file an action in the district court for a refund or an adjustment.

3564 Section 41. Section **59-12-103** is amended to read:

3565 **59-12-103 (Effective 07/01/26). Sales and use tax base -- Rates -- Effective dates**
 3566 **-- Use of sales and use tax revenue.**

3567 (1) A tax is imposed on the purchaser as provided in this part on the purchase price or sales
 3568 price for amounts paid or charged for the following transactions:

3569 (a) retail sales of tangible personal property made within the state;

3570 (b) amounts paid for:

3571 (i) telecommunications service, other than mobile telecommunications service, that
 3572 originates and terminates within the boundaries of this state;

3573 (ii) mobile telecommunications service that originates and terminates within the
 3574 boundaries of one state only to the extent permitted by the Mobile
 3575 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or

3576 (iii) an ancillary service associated with a:

3577 (A) telecommunications service described in Subsection (1)(b)(i); or

3578 (B) mobile telecommunications service described in Subsection (1)(b)(ii);

3579 (c) sales of the following for commercial use:

3580 (i) gas;

3581 (ii) electricity;

3582 (iii) heat;

3583 (iv) coal;

3584 (v) fuel oil; or

3585 (vi) other fuels;

3586 (d) sales of the following for residential use:

3587 (i) gas;

3588 (ii) electricity;

- 3589 (iii) heat;
- 3590 (iv) coal;
- 3591 (v) fuel oil; or
- 3592 (vi) other fuels;
- 3593 (e) sales of prepared food;
- 3594 (f) except as provided in Section 59-12-104, amounts paid or charged as admission or
- 3595 user fees for theaters, movies, operas, museums, planetariums, shows of any type or
- 3596 nature, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses,
- 3597 menageries, fairs, races, contests, sporting events, dances, boxing matches, wrestling
- 3598 matches, closed circuit television broadcasts, billiard parlors, pool parlors, bowling
- 3599 lanes, golf, miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts,
- 3600 ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides,
- 3601 river runs, jeep tours, boat tours, scenic cruises, horseback rides, sports activities, or
- 3602 any other amusement, entertainment, recreation, exhibition, cultural, or athletic
- 3603 activity;
- 3604 (g) amounts paid or charged for services for repairs or renovations of tangible personal
- 3605 property, unless Section 59-12-104 provides for an exemption from sales and use tax
- 3606 for:
- 3607 (i) the tangible personal property; and
- 3608 (ii) parts used in the repairs or renovations of the tangible personal property described
- 3609 in Subsection (1)(g)(i), regardless of whether:
- 3610 (A) any parts are actually used in the repairs or renovations of that tangible
- 3611 personal property; or
- 3612 (B) the particular parts used in the repairs or renovations of that tangible personal
- 3613 property are exempt from a tax under this chapter;
- 3614 (h) except as provided in Subsection 59-12-104(7), amounts paid or charged for assisted
- 3615 cleaning or washing of tangible personal property;
- 3616 (i) amounts paid or charged for short-term rentals of tourist home, hotel, motel, or trailer
- 3617 court accommodations and services;
- 3618 (j) amounts paid or charged for laundry or dry cleaning services;
- 3619 (k) amounts paid or charged for leases or rentals of tangible personal property if within
- 3620 this state the tangible personal property is:
- 3621 (i) stored;
- 3622 (ii) used; or

- 3623 (iii) otherwise consumed;
- 3624 (l) amounts paid or charged for tangible personal property if within this state the tangible
3625 personal property is:
- 3626 (i) stored;
- 3627 (ii) used; or
- 3628 (iii) consumed;
- 3629 (m) amounts paid or charged for a sale:
- 3630 (i)(A) of a product transferred electronically; or
- 3631 (B) of a repair or renovation of a product transferred electronically; and
- 3632 (ii) regardless of whether the sale provides:
- 3633 (A) a right of permanent use of the product; or
- 3634 (B) a right to use the product that is less than a permanent use, including a right:
- 3635 (I) for a definite or specified length of time; and
- 3636 (II) that terminates upon the occurrence of a condition; and
- 3637 (n) sales of leased tangible personal property from the lessor to the lessee made in the
3638 state.
- 3639 (2)(a) Except as provided in Subsections (2)(b) through (f), a state tax and a local tax are
3640 imposed on a transaction described in Subsection (1) equal to the sum of:
- 3641 (i) a state tax imposed on the transaction at a tax rate equal to the sum of:
- 3642 (A) 4.70%;
- 3643 (B) the rate specified in Subsection (6)(a); and
- 3644 (C) the tax rate the state imposes in accordance with Part 20, Supplemental State
3645 Sales and Use Tax Act, if the location of the transaction as determined under
3646 Sections 59-12-211 through 59-12-215 is in a city, town, or the unincorporated
3647 area of a county in which the state imposes the tax under Part 20, Supplemental
3648 State Sales and Use Tax Act; and
- 3649 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
3650 transaction under this chapter other than this part.
- 3651 (b) Except as provided in Subsection (2)(f) or (g) and subject to Subsection (2)(l), a state
3652 tax and a local tax are imposed on a transaction described in Subsection (1)(d) equal
3653 to the sum of:
- 3654 (i) a state tax imposed on the transaction at a tax rate of 2%; and
- 3655 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
3656 transaction under this chapter other than this part.

- 3657 (c) Except as provided in Subsection (2)(f) or (g), a state tax and a local tax are imposed
3658 on amounts paid or charged for food and food ingredients equal to the sum of:
3659 (i) a state tax imposed on the amounts paid or charged for food and food ingredients
3660 at a tax rate of 1.75%; and
3661 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
3662 amounts paid or charged for food and food ingredients under this chapter other
3663 than this part.
- 3664 (d) Except as provided in Subsection (2)(f) or (g), a state tax is imposed on amounts paid
3665 or charged for fuel to a common carrier that is a railroad for use in a locomotive
3666 engine at a rate equal to the sum of the rates described in Subsections (2)(a)(i)(A) and
3667 (2)(a)(i)(B).
- 3668 (e)(i)(A) The rates described in Subsections (2)(a)(i)(A) and (2)(a)(i)(B) do not
3669 apply to car sharing, a car sharing program, a shared vehicle driver, or a shared
3670 vehicle owner, for a car sharing or shared vehicle transaction if a shared
3671 vehicle owner certifies to the commission, on a form prescribed by the
3672 commission, that the shared vehicle is an individual-owned shared vehicle.
- 3673 (B) A shared vehicle owner's certification described in Subsection (2)(e)(i)(A) is
3674 required once during the time that the shared vehicle owner owns the shared
3675 vehicle.
- 3676 (C) The commission shall verify that a shared vehicle is an individual-owned
3677 shared vehicle by verifying that the applicable Utah taxes imposed under this
3678 chapter were paid on the purchase of the shared vehicle.
- 3679 (D) The exception under Subsection (2)(e)(i)(A) applies to a certified
3680 individual-owned shared vehicle shared through a car-sharing program even if
3681 non-certified shared vehicles are also available to be shared through the same
3682 car-sharing program.
- 3683 (ii) A tax imposed under Subsection (2)(a)(i)(C) or (2)(a)(ii) applies to car sharing.
- 3684 (iii)(A) A car-sharing program may rely in good faith on a shared vehicle owner's
3685 representation that the shared vehicle is an individual-owned shared vehicle
3686 certified with the commission as described in Subsection (2)(e)(i).
- 3687 (B) If a car-sharing program relies in good faith on a shared vehicle owner's
3688 representation that the shared vehicle is an individual-owned shared vehicle
3689 certified with the commission as described in Subsection (2)(e)(i), the
3690 car-sharing program is not liable for any tax, penalty, fee, or other sanction

- 3691 imposed on the shared vehicle owner.
- 3692 (iv) If all shared vehicles shared through a car-sharing program are certified as
3693 described in Subsection (2)(e)(i)(A) for a tax period, the car-sharing program has
3694 no obligation to collect and remit the tax under Subsections (2)(a)(i)(A) and
3695 (2)(a)(i)(B) for that tax period.
- 3696 (v) A car-sharing program is not required to list or otherwise identify an
3697 individual-owned shared vehicle on a return or an attachment to a return.
- 3698 (vi) A car-sharing program shall:
- 3699 (A) retain tax information for each car-sharing program transaction; and
3700 (B) provide the information described in Subsection (2)(e)(vi)(A) to the
3701 commission at the commission's request.
- 3702 (f)(i) For a bundled transaction that is attributable to food and food ingredients and
3703 tangible personal property other than food and food ingredients, a state tax and a
3704 local tax is imposed on the entire bundled transaction equal to the sum of:
- 3705 (A) the tax rates described in Subsection (2)(a)(i); and
3706 (B) a local tax imposed on the entire bundled transaction at the sum of the tax
3707 rates described in Subsection (2)(a)(ii).
- 3708 (ii) If an optional computer software maintenance contract is a bundled transaction
3709 that consists of taxable and nontaxable products that are not separately itemized
3710 on an invoice or similar billing document, the purchase of the optional computer
3711 software maintenance contract is 40% taxable under this chapter and 60%
3712 nontaxable under this chapter.
- 3713 (iii) Subject to Subsection (2)(f)(iv), for a bundled transaction other than a bundled
3714 transaction described in Subsection (2)(f)(i) or (ii):
- 3715 (A) if the sales price of the bundled transaction is attributable to tangible personal
3716 property, a product, or a service that is subject to taxation under this chapter
3717 and tangible personal property, a product, or service that is not subject to
3718 taxation under this chapter, the entire bundled transaction is subject to taxation
3719 under this chapter unless:
- 3720 (I) the seller is able to identify by reasonable and verifiable standards the
3721 tangible personal property, product, or service that is not subject to taxation
3722 under this chapter from the books and records the seller keeps in the seller's
3723 regular course of business; or
3724 (II) state or federal law provides otherwise; or

- 3725 (B) if the sales price of a bundled transaction is attributable to two or more items
3726 of tangible personal property, products, or services that are subject to taxation
3727 under this chapter at different rates, the entire bundled transaction is subject to
3728 taxation under this chapter at the higher tax rate unless:
- 3729 (I) the seller is able to identify by reasonable and verifiable standards the
3730 tangible personal property, product, or service that is subject to taxation
3731 under this chapter at the lower tax rate from the books and records the seller
3732 keeps in the seller's regular course of business; or
3733 (II) state or federal law provides otherwise.
- 3734 (iv) For purposes of Subsection (2)(f)(iii), books and records that a seller keeps in the
3735 seller's regular course of business includes books and records the seller keeps in
3736 the regular course of business for nontax purposes.
- 3737 (g)(i) Except as otherwise provided in this chapter and subject to Subsections
3738 (2)(g)(ii) and (iii), if a transaction consists of the sale, lease, or rental of tangible
3739 personal property, a product, or a service that is subject to taxation under this
3740 chapter, and the sale, lease, or rental of tangible personal property, other property,
3741 a product, or a service that is not subject to taxation under this chapter, the entire
3742 transaction is subject to taxation under this chapter unless the seller, at the time of
3743 the transaction:
- 3744 (A) separately states the portion of the transaction that is not subject to taxation
3745 under this chapter on an invoice, bill of sale, or similar document provided to
3746 the purchaser; or
- 3747 (B) is able to identify by reasonable and verifiable standards, from the books and
3748 records the seller keeps in the seller's regular course of business, the portion of
3749 the transaction that is not subject to taxation under this chapter.
- 3750 (ii) A purchaser and a seller may correct the taxability of a transaction if:
- 3751 (A) after the transaction occurs, the purchaser and the seller discover that the
3752 portion of the transaction that is not subject to taxation under this chapter was
3753 not separately stated on an invoice, bill of sale, or similar document provided
3754 to the purchaser because of an error or ignorance of the law; and
- 3755 (B) the seller is able to identify by reasonable and verifiable standards, from the
3756 books and records the seller keeps in the seller's regular course of business, the
3757 portion of the transaction that is not subject to taxation under this chapter.
- 3758 (iii) For purposes of Subsections (2)(g)(i) and (ii), books and records that a seller

- 3759 keeps in the seller's regular course of business includes books and records the
3760 seller keeps in the regular course of business for nontax purposes.
- 3761 (h)(i) If the sales price of a transaction is attributable to two or more items of tangible
3762 personal property, products, or services that are subject to taxation under this
3763 chapter at different rates, the entire purchase is subject to taxation under this
3764 chapter at the higher tax rate unless the seller, at the time of the transaction:
- 3765 (A) separately states the items subject to taxation under this chapter at each of the
3766 different rates on an invoice, bill of sale, or similar document provided to the
3767 purchaser; or
- 3768 (B) is able to identify by reasonable and verifiable standards the tangible personal
3769 property, product, or service that is subject to taxation under this chapter at the
3770 lower tax rate from the books and records the seller keeps in the seller's regular
3771 course of business.
- 3772 (ii) For purposes of Subsection (2)(h)(i), books and records that a seller keeps in the
3773 seller's regular course of business includes books and records the seller keeps in
3774 the regular course of business for nontax purposes.
- 3775 (i) Subject to Subsections (2)(j) and (k), a tax rate repeal or tax rate change for a tax rate
3776 imposed under the following shall take effect on the first day of a calendar quarter:
- 3777 (i) Subsection (2)(a)(i)(A);
- 3778 (ii) Subsection (2)(a)(i)(B);
- 3779 (iii) Subsection (2)(b)(i);
- 3780 (iv) Subsection (2)(c)(i); or
- 3781 (v) Subsection (2)(f)(i)(A).
- 3782 (j)(i) A tax rate increase takes effect on the first day of the first billing period that
3783 begins on or after the effective date of the tax rate increase if the billing period for
3784 the transaction begins before the effective date of a tax rate increase imposed
3785 under:
- 3786 (A) Subsection (2)(a)(i)(A);
- 3787 (B) Subsection (2)(a)(i)(B);
- 3788 (C) Subsection (2)(b)(i);
- 3789 (D) Subsection (2)(c)(i); or
- 3790 (E) Subsection (2)(f)(i)(A).
- 3791 (ii) The repeal of a tax or a tax rate decrease applies to a billing period if the billing
3792 statement for the billing period is rendered on or after the effective date of the

3793 repeal of the tax or the tax rate decrease imposed under:

3794 (A) Subsection (2)(a)(i)(A);

3795 (B) Subsection (2)(a)(i)(B);

3796 (C) Subsection (2)(b)(i);

3797 (D) Subsection (2)(c)(i); or

3798 (E) Subsection (2)(f)(i)(A).

3799 (k)(i) For a tax rate described in Subsection (2)(k)(ii), if a tax due on a catalogue sale
3800 is computed on the basis of sales and use tax rates published in the catalogue, a
3801 tax rate repeal or change in a tax rate takes effect:

3802 (A) on the first day of a calendar quarter; and

3803 (B) beginning 60 days after the effective date of the tax rate repeal or tax rate
3804 change.

3805 (ii) Subsection (2)(k)(i) applies to the tax rates described in the following:

3806 (A) Subsection (2)(a)(i)(A);

3807 (B) Subsection (2)(a)(i)(B);

3808 (C) Subsection (2)(b)(i);

3809 (D) Subsection (2)(c)(i); or

3810 (E) Subsection (2)(f)(i)(A).

3811 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
3812 the commission may by rule define the term "catalogue sale."

3813 (l)(i) For a location described in Subsection (2)(l)(ii), the commission shall determine
3814 the taxable status of a sale of gas, electricity, heat, coal, fuel oil, or other fuel
3815 based on the predominant use of the gas, electricity, heat, coal, fuel oil, or other
3816 fuel at the location.

3817 (ii) Subsection (2)(l)(i) applies to a location where gas, electricity, heat, coal, fuel oil,
3818 or other fuel is furnished through a single meter for two or more of the following
3819 uses:

3820 (A) a commercial use;

3821 (B) an industrial use; or

3822 (C) a residential use.

3823 (3)(a) The commission shall deposit the following state taxes into the General Fund:

3824 (i) the tax imposed by Subsection (2)(a)(i)(A);

3825 (ii) the tax imposed by Subsection (2)(b)(i);

3826 (iii) the tax imposed by Subsection (2)(c)(i);

- 3827 (iv) the tax imposed by Subsection (2)(d); and
3828 (v) the tax imposed by Subsection (2)(f)(i)(A).
- 3829 (b) The commission shall distribute the following local taxes to a county, city, or town
3830 as provided in this chapter:
- 3831 (i) the tax imposed by Subsection (2)(a)(ii);
3832 (ii) the tax imposed by Subsection (2)(b)(ii);
3833 (iii) the tax imposed by Subsection (2)(c)(ii); and
3834 (iv) the tax imposed by Subsection (2)(f)(i)(B).
- 3835 (4)(a) Notwithstanding Subsection (3)(a), for each fiscal year the commission shall make
3836 the deposits described in Subsections (4)(b) through (4)(h) from the revenue from the
3837 taxes imposed by:
- 3838 (i) Subsection (2)(a)(i)(A);
3839 (ii) Subsection (2)(b)(i);
3840 (iii) Subsection (2)(c)(i); and
3841 (iv) Subsection (2)(f)(i)(A).
- 3842 (b) The commission shall deposit 15% of the difference between 1.4543% of the
3843 revenue described in Subsection (4)(a) and the deposits made under Subsection (5)(b),
3844 into the Water Rights Restricted Account created in Section 73-2-1.6.
- 3845 (c) The commission shall deposit 85% of the difference between 1.4543% of the revenue
3846 described in Subsection (4)(a) and the deposits made under Subsection (5)(b), into
3847 the Water Resources Conservation and Development Fund created in Section
3848 73-10-24 for use by the Division of Water Resources for:
- 3849 (i) preconstruction costs:
- 3850 (A) as defined in Subsection 73-26-103(6) for projects authorized by Title 73,
3851 Chapter 26, Bear River Development Act; and
- 3852 (B) as defined in Subsection 73-28-103(8) for the Lake Powell Pipeline project
3853 authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act;
- 3854 (ii) the cost of employing a civil engineer to oversee any project authorized by Title
3855 73, Chapter 26, Bear River Development Act;
- 3856 (iii) the cost of employing a civil engineer to oversee the Lake Powell Pipeline
3857 project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development
3858 Act; and
- 3859 (iv) other uses authorized under Sections 73-10-24, 73-10-25.1, and 73-10-30, and
3860 Subsection (5)(b)(iv)(B) after funding the uses specified in Subsections (4)(c)(i)

- 3861 through (iii).
- 3862 (d) The commission shall deposit 1.4543% of the revenue described in Subsection (4)(a)
- 3863 into the Water Infrastructure Restricted Account created in Section 73-10g-103.
- 3864 (e)(i) Subject to Subsection (4)(e)(ii), the commission shall deposit 26.24% of the
- 3865 revenue described in Subsection (4)(a) into the Transportation Investment Fund of
- 3866 2005 created in Section 72-2-124.
- 3867 (ii) The commission shall annually reduce the deposit described in Subsection
- 3868 (4)(e)(i) by the sum of:
- 3869 [~~(A)~~ \$1,813,400;]
- 3870 [~~(B)~~ (A) the earmark described in Subsection (5)(c); and
- 3871 [~~(C)~~ (B) an amount equal to 35% of the revenue generated in the current fiscal
- 3872 year by the portion of the tax imposed on motor and special fuel that is sold,
- 3873 used, or received in the state that exceeds 29.4 cents per gallon.
- 3874 (iii) The amount described in Subsection [~~(4)(e)(ii)(C)~~] (4)(e)(ii)(B) shall be annually
- 3875 deposited into the Transit Transportation Investment Fund created in Section
- 3876 72-2-124.
- 3877 (f) The commission shall deposit .44% of the revenue described in Subsection (4)(a) into
- 3878 the Cottonwood Canyons Transportation Investment Fund created in Section
- 3879 72-2-124.
- 3880 (g) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
- 3881 the Commuter Rail Subaccount created in Section 72-2-124.
- 3882 (h) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
- 3883 the Outdoor Adventure Infrastructure Restricted Account created in Section 51-9-902
- 3884 as follows:
- 3885 (i) into the Outdoor Adventure Infrastructure Restricted Account created in Section
- 3886 51-9-902, an amount equal to the amount that was deposited into the Outdoor
- 3887 Adventure Infrastructure Restricted Account in fiscal year 2025; and
- 3888 (ii) for any amount exceeding the amount described in Subsection (4)(h)(i), 50% into
- 3889 the Outdoor Adventure Infrastructure Restricted Account and 50% to the Utah
- 3890 Fairpark Area Investment and Restoration District created in Section 11-70-201.
- 3891 (5)(a) Notwithstanding Subsection (3)(a), each fiscal year the commission shall make
- 3892 the deposits described in this Subsection (5).
- 3893 (b)(i)(A) The commission shall deposit \$500,000 to the Department of Natural
- 3894 Resources to be used for watershed rehabilitation or restoration.

- 3895 (B) At the end of each fiscal year, 100% of any unexpended amount described in
3896 Subsection (5)(b)(i)(A) shall lapse into the Water Resources Conservation and
3897 Development Fund created in Section 73-10-24.
- 3898 (ii) The commission shall deposit \$150,000 to the Division of Water Resources for
3899 cloud-seeding projects authorized by Title 73, Chapter 15, Modification of
3900 Weather.
- 3901 (iii) The commission shall deposit \$525,000 into the Division of Conservation
3902 created in Section 4-46-401 to implement water related programs.
- 3903 (iv) The commission shall deposit \$7,175,000 into the Water Resources Conservation
3904 and Development Fund created in Section 73-10-24 for use by the Division of
3905 Water Resources:
- 3906 (A) for the uses allowed of the Water Resources Conservation and Development
3907 Fund under Section 73-10-24;
- 3908 (B) to conduct hydrologic and geotechnical investigations by the Division of
3909 Water Resources in a cooperative effort with other state, federal, or local
3910 entities, for the purpose of quantifying surface and ground water resources and
3911 describing the hydrologic systems of an area in sufficient detail so as to enable
3912 local and state resource managers to plan for and accommodate growth in
3913 water use without jeopardizing the resource;
- 3914 (C) to fund state required dam safety improvements; and
- 3915 (D) to protect the state's interest in interstate water compact allocations, including
3916 the hiring of technical and legal staff.
- 3917 (v) The commission shall deposit \$3,587,500 into the Utah Wastewater Loan
3918 Program Subaccount created in Section 73-10c-5 for use by the Water Quality
3919 Board to fund wastewater projects.
- 3920 (vi) The commission shall deposit \$3,587,500 into the Drinking Water Loan Program
3921 Subaccount created in Section 73-10c-5 for use by the Division of Drinking Water
3922 to:
- 3923 (A) provide for the installation and repair of collection, treatment, storage, and
3924 distribution facilities for any public water system, as defined in Section
3925 19-4-102;
- 3926 (B) develop underground sources of water, including springs and wells; and
3927 (C) develop surface water sources.
- 3928 (vii) The commission shall deposit \$2,450,000 to the Division of Wildlife Resources

- 3929 to:
- 3930 (A) implement the measures described in Subsections 23A-3-214(3)(a) through
- 3931 (d) to protect sensitive plant and animal species; or
- 3932 (B) award grants, up to the amount authorized by the Legislature in an
- 3933 appropriations act, to political subdivisions of the state to implement the
- 3934 measures described in Subsections 23A-3-214(3)(a) through (d) to protect
- 3935 sensitive plant and animal species.
- 3936 (viii) Funds transferred to the Division of Wildlife Resources under Subsection
- 3937 (5)(b)(vii)(A) may not be used to assist the United States Fish and Wildlife
- 3938 Service or any other person to list or attempt to have listed a species as threatened
- 3939 or endangered under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et
- 3940 seq.
- 3941 (ix) At the end of each fiscal year, any unexpended amounts described in Subsections
- 3942 (5)(b)(vii)(A) and (B) shall lapse:
- 3943 (A) 50% into the Water Resources Conservation and Development Fund created
- 3944 in Section 73-10-24;
- 3945 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
- 3946 73-10c-5; and
- 3947 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
- 3948 73-10c-5.
- 3949 (x) The commission shall allocate \$175,000 to the Division of Water Rights to cover
- 3950 the costs incurred in hiring legal and technical staff for the adjudication of water
- 3951 rights.
- 3952 (xi) At the end of each fiscal year, any unexpended amounts described in Subsection
- 3953 (5)(b)(x) shall lapse:
- 3954 (A) 50% into the Water Resources Conservation and Development Fund created
- 3955 in Section 73-10-24;
- 3956 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
- 3957 73-10c-5; and
- 3958 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
- 3959 73-10c-5.
- 3960 (c) The commission shall deposit \$45,000,000 into the Active Transportation Investment
- 3961 Fund created in Section 72-2-124.
- 3962 (d) The commission shall deposit \$533,750 into the Qualified Emergency Food

- 3963 Agencies Fund created by and expended in accordance with Section 35A-8-1009.
- 3964 (e) The commission shall deposit \$200,000 into the General Fund as a dedicated credit
3965 for the sole use of the Search and Rescue Financial Assistance Program created by
3966 and to be expended in accordance with Title 53, Chapter 2a, Part 11, Search and
3967 Rescue Act.
- 3968 (6)(a) The rate specified in this Subsection (6) is 0.15%.
- 3969 (b) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year beginning
3970 on or after July 1, 2019, annually transfer the amount of revenue collected from the
3971 rate described in Subsection (6)(a) on the transactions that are subject to the sales and
3972 use tax under Subsection (2)(a)(i)(B) into the Medicaid ACA Fund created in Section
3973 26B-1-315.
- 3974 (7)(a) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11),
3975 (12), and (13), and as described in Section 63N-3-610, beginning the first day of a
3976 calendar quarter one year after the sales and use tax boundary for a housing and
3977 transit reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing
3978 and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer
3979 an amount equal to 15% of the sales and use tax increment from the sales and use tax
3980 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within
3981 an established sales and use tax boundary, as defined in Section 63N-3-602, into the
3982 Transit Transportation Investment Fund created in Section 72-2-124.
- 3983 (b) Beginning no sooner than January 1, 2026, notwithstanding Subsection (3)(a), and
3984 except as provided in Subsections (11), (12), and (13), and as described in Section
3985 63N-3-610.1, beginning the first day of a calendar quarter after the year set in the
3986 proposal and after the sales and use tax boundary for a convention center
3987 reinvestment zone is established in a capital city under Title 63N, Chapter 3, Part 6,
3988 Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall
3989 transfer an amount equal to 50% of the sales and use tax increment as defined in
3990 Section 63N-3-602 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a
3991 4.7% rate, on transactions occurring within an established sales and use tax boundary,
3992 as defined in Section 63N-3-602, to a convention center public infrastructure district
3993 created in accordance with Section 17D-4-202.1 and specified in the convention
3994 center reinvestment zone proposal submitted pursuant to Title 63N, Chapter 3, Part 6,
3995 Housing and Transit Reinvestment Zone Act.
- 3996 (8) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and

3997 (13), beginning October 1, 2024 the commission shall transfer to the Utah Fairpark Area
3998 Investment and Restoration District, created in Section 11-70-201, the revenue from the
3999 sales and use tax imposed by Subsection (2)(a)(i)(A), on transactions occurring within
4000 the district sales tax area, as defined in Section 11-70-101.

4001 (9)(a) As used in this Subsection (9):

4002 (i) "Additional land" means point of the mountain state land described in Subsection
4003 11-59-102(6)(b) that the point of the mountain authority acquires after the point of
4004 the mountain authority provides the commission a map under Subsection (9)(c).

4005 (ii) "Point of the mountain authority" means the Point of the Mountain State Land
4006 Authority, created in Section 11-59-201.

4007 (iii) "Point of the mountain state land" means the same as that term is defined in
4008 Section 11-59-102.

4009 (b) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12),
4010 and (13), the commission shall distribute to the point of the mountain authority 50%
4011 of the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A), on
4012 transactions occurring on the point of the mountain state land.

4013 (c) The distribution under Subsection (9)(b) shall begin the next calendar quarter that
4014 begins at least 90 days after the point of the mountain authority provides the
4015 commission a map that:

4016 (i) accurately describes the point of the mountain state land; and

4017 (ii) the point of the mountain authority certifies as accurate.

4018 (d) A distribution under Subsection (9)(b) with respect to additional land shall begin the
4019 next calendar quarter that begins at least 90 days after the point of the mountain
4020 authority provides the commission a map of point of the mountain state land that:

4021 (i) accurately describes the point of the mountain state land, including the additional
4022 land; and

4023 (ii) the point of the mountain authority certifies as accurate.

4024 (e)(i) Upon the payment in full of bonds secured by the sales and use tax revenue
4025 distributed to the point of the mountain authority under Subsection (9)(b), the
4026 point of the mountain authority shall immediately notify the commission in
4027 writing that the bonds are paid in full.

4028 (ii) The commission shall discontinue distributions of sales and use tax revenue under
4029 Subsection (9)(b) at the beginning of the calendar quarter that begins at least 90
4030 days after the date that the commission receives the written notice under

- 4031 Subsection (9)(e)(i).
- 4032 (10) Notwithstanding Subsection (3)(a), the amount of state sales tax revenues described in
4033 Section 63N-2-503.5 is deposited into the Convention Incentive Fund created in Section
4034 63N-2-503.5.
- 4035 (11)(a) As used in this Subsection (11):
- 4036 (i) "Applicable percentage" means:
- 4037 (A) for a housing and transit reinvestment zone created under Title 63N, Chapter
4038 3, Part 6, Housing and Transit Reinvestment Zone Act, 15% of the revenue
4039 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate
4040 for sales occurring within the qualified development zone described in
4041 Subsection (11)(a)(ii)(A);
- 4042 (B) for the Utah Fairpark Area Investment and Restoration District created in
4043 Section 11-70-201, the revenue from the sales and use tax imposed by
4044 Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified
4045 development zone described in Subsection (11)(a)(ii)(B); and
- 4046 (C) for the Point of the Mountain State Land Authority created in Section
4047 11-59-201, 50% of the revenue from sales and use tax imposed by Subsection
4048 (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development
4049 zone described in Subsection (11)(a)(ii)(C).
- 4050 (ii) "Qualified development zone" means:
- 4051 (A) the sales and use tax boundary of a housing and transit reinvestment zone
4052 created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment
4053 Act;
- 4054 (B) the district sales tax boundary as defined in Section 11-70-101 for the Utah
4055 Fairpark Area Investment and Restoration District, created in Section
4056 11-70-201; or
- 4057 (C) the sales and use tax boundary of point of the mountain state land, as defined
4058 in Section 11-59-102, under the Point of the Mountain State Land Authority
4059 created in Section 11-59-201.
- 4060 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
4061 TC-62M, Schedule J or a substantially similar form as designated by the
4062 commission.
- 4063 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
4064 qualified development zone shall be deposited into the General Fund.

- 4065 (12)(a) As used in Subsections (12) and (13):
- 4066 (i) "Applicable percentage" means, for a convention center reinvestment zone created
- 4067 in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit
- 4068 Reinvestment Zone Act, an amount equal to 50% of the sales and use tax
- 4069 increment, as that term is defined in Section 63N-3-602, from the sales and use tax
- 4070 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the
- 4071 qualified development zone described in Subsection (12)(a)(ii).
- 4072 (ii) "Qualified development zone" means the sales and use tax boundary of a
- 4073 convention center reinvestment zone created in a capital city under Title 63N,
- 4074 Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
- 4075 (iii) "Qualifying construction materials" means construction materials that are:
- 4076 (A) delivered to a delivery outlet within a qualified development zone; and
- 4077 (B) intended to be permanently attached to real property within the qualified
- 4078 development zone.
- 4079 (b) For a sale of qualifying construction materials, the commission shall distribute the
- 4080 product calculated in Subsection (12)(c) to a qualified development zone if the seller
- 4081 of the construction materials:
- 4082 (i) establishes a delivery outlet with the commission within the qualified development
- 4083 zone;
- 4084 (ii) reports the sales of the construction materials to the delivery outlet described in
- 4085 Subsection (12)(b)(i); and
- 4086 (iii) does not report the sales of the construction materials on a simplified electronic
- 4087 return.
- 4088 (c) For the purposes of Subsection (12)(b), the product is equal to:
- 4089 (i) the sales price or purchase price of the qualifying construction materials; and
- 4090 (ii) the applicable percentage.
- 4091 (13)(a) As used in this Subsection (13), "Schedule J sale" means a sale reported on State
- 4092 Tax Commission Form TC-62M, Schedule J, or a substantially similar form as
- 4093 designated by the commission.
- 4094 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
- 4095 qualified development zone shall be distributed into the General Fund.
- 4096 Section 42. Section **59-13-102** is amended to read:
- 4097 **59-13-102 (Effective 05/06/26). Definitions.**
- 4098 As used in this chapter:

- 4099 (1) "Aviation fuel" means fuel that is sold at airports and used exclusively for the operation
4100 of aircraft.
- 4101 (2) "Clean fuel" means:
- 4102 (a) the following special fuels:
- 4103 (i) propane;
- 4104 (ii) compressed natural gas;
- 4105 (iii) liquified natural gas;
- 4106 (iv) electricity; or
- 4107 (v) hydrogen; or
- 4108 (b) any motor or special fuel that meets the clean fuel vehicle standards in the federal
4109 Clean Air Act Amendments of 1990, Title II.
- 4110 (3) "Commission" means the State Tax Commission.
- 4111 (4) "Consumer Price Index" means the Consumer Price Index for All Urban Consumers as
4112 published by the Bureau of Labor Statistics of the United States Department of Labor.
- 4113 (5)(a) "Diesel fuel" means any liquid that is commonly or commercially known, offered
4114 for sale, or used as a fuel in diesel engines.
- 4115 (b) "Diesel fuel" includes any combustible liquid, by whatever name the liquid may be
4116 known or sold, when the liquid is used in an internal combustion engine for the
4117 generation of power to operate a motor vehicle licensed to operate on the highway,
4118 except fuel that is subject to the tax imposed in Part 2, Motor Fuel, and Part 4,
4119 Aviation Fuel, of this chapter.
- 4120 (6) "Diesel gallon equivalent" means 6.06 pounds of liquified natural gas.
- 4121 (7) "Distributor" means any person in this state who:
- 4122 (a) imports or causes to be imported motor fuel for use, distribution, or sale, whether at
4123 retail or wholesale;
- 4124 (b) produces, refines, manufactures, or compounds motor fuel in this state for use,
4125 distribution, or sale in this state;
- 4126 (c) is engaged in the business of purchasing motor fuel for resale in wholesale quantities
4127 to retail dealers of motor fuel and who accounts for his own motor fuel tax liability; or
- 4128 (d) for purposes of Part 4, Aviation Fuel, only, makes retail sales of aviation fuel to:
- 4129 (i) federally certificated air carriers; and
- 4130 (ii) other persons.
- 4131 (8) "Dyed diesel fuel" means diesel fuel that is dyed in accordance with 26 U.S.C. Sec.
4132 4082 or United States Environmental Protection Agency or Internal Revenue Service

- 4133 regulations and that is considered destined for nontaxable off-highway use.
- 4134 (9) "Exchange agreement" means an agreement between licensed suppliers where one is a
4135 position holder in a terminal who agrees to deliver taxable special fuel to the other
4136 supplier or the other supplier's customer at the loading rack of the terminal where the
4137 delivering supplier holds an inventory position.
- 4138 (10) "Federally certificated air carrier" means a person who holds a certificate issued by the
4139 Federal Aviation Administration authorizing the person to conduct an all-cargo
4140 operation or scheduled operation, as defined in 14 C.F.R. Sec. 110.2.
- 4141 (11) "Fuels" means any gas, liquid, solid, mixture, or other energy source which is
4142 generally used in an engine or motor for the generation of power, including aviation
4143 fuel, clean fuel, diesel fuel, motor fuel, and special fuel.
- 4144 (12) "Gasoline gallon equivalent" means:
- 4145 (a) 5.660 pounds of compressed natural gas; or
4146 (b) 2.198 pounds of hydrogen.
- 4147 (13) "Highway" means every way or place, of whatever nature, generally open to the use of
4148 the public for the purpose of vehicular travel notwithstanding that the way or place may
4149 be temporarily closed for the purpose of construction, maintenance, or repair.
- 4150 (14) "Motor fuel" means fuel that is commonly or commercially known or sold as gasoline
4151 or gasohol and is used for any purpose, but does not include aviation fuel.
- 4152 (15) "Motor fuels received" means:
- 4153 (a) motor fuels that have been loaded at the refinery or other place into tank cars, placed
4154 in any tank at the refinery from which any withdrawals are made directly into tank
4155 trucks, tank wagons, or other types of transportation equipment, containers, or
4156 facilities other than tank cars, or placed in any tank at the refinery from which any
4157 sales, uses, or deliveries not involving transportation are made directly; or
4158 (b) motor fuels that have been imported by any person into the state from any other state
4159 or territory by tank car, tank truck, pipeline, or any other conveyance at the time
4160 when, and the place where, the interstate transportation of the motor fuel is
4161 completed within the state by the person who at the time of the delivery is the owner
4162 of the motor fuel.
- 4163 (16) "Oil pricing service" means an organization that:
- 4164 (a) publishes wholesale petroleum prices within the United States;
4165 (b) publishes at least 25,000 rack prices on a daily basis; and
4166 (c) receives daily gasoline and diesel prices from at least 100,000 retail outlets in the

4167 United States and Canada.

4168 (17)(a) "Qualified motor vehicle" means a special fuel-powered motor vehicle used,
4169 designed, or maintained for transportation of persons or property which:

4170 (i) has a gross vehicle weight or registered gross vehicle weight exceeding 26,000
4171 pounds;

4172 (ii) has three or more axles regardless of weight; or

4173 (iii) is used in a combination of vehicles when the weight of the combination of
4174 vehicles exceeds 26,000 pounds gross vehicle weight.

4175 (b) "Qualified motor vehicle" does not include a recreational vehicle not used in
4176 connection with any business activity.

4177 (18) "Rack," as used in Part 3, Special Fuel, means a deck, platform, or open bay which
4178 consists of a series of metered pipes and hoses for the delivery or removal of diesel fuel
4179 from a refinery or terminal into a motor vehicle, rail car, or vessel.

4180 (19) "Removal," as used in Part 3, Special Fuel, means the physical transfer of diesel fuel
4181 from a production, manufacturing, terminal, or refinery facility and includes use of
4182 diesel fuel. Removal does not include:

4183 (a) loss by evaporation or destruction; or

4184 (b) transfers between refineries, racks, or terminals.

4185 (20)(a) "Special fuel" means any fuel regardless of name or character that:

4186 (i) is usable as fuel to operate or propel a motor vehicle upon the public highways of
4187 the state; and

4188 (ii) is not taxed under the category of aviation or motor fuel.

4189 (b) Special fuel includes:

4190 (i) fuels that are not conveniently measurable on a gallonage basis; and

4191 (ii) diesel fuel.

4192 (21) "Statewide average rack price of a gallon of motor fuel" means the average rack price
4193 of a gallon of motor fuel determined by calculating the average of the Salt Lake City and
4194 Cedar City terminal prices of the average daily average net closing price of a gallon of
4195 branded regular, 10% ethanol, 9.0 Reid Vapor Pressure unleaded motor fuel for each
4196 terminal.

4197 [~~21~~] (22) "Supplier," as used in Part 3, Special Fuel, means a person who:

4198 (a) imports or acquires immediately upon importation into this state diesel fuel from
4199 within or without a state, territory, or possession of the United States or the District
4200 of Columbia;

- 4201 (b) produces, manufactures, refines, or blends diesel fuel in this state;
- 4202 (c) otherwise acquires for distribution or sale in this state, diesel fuel with respect to
- 4203 which there has been no previous taxable sale or use; or
- 4204 (d) is in a two party exchange where the receiving party is deemed to be the supplier.
- 4205 ~~[(22)]~~ (23) "Terminal," as used in Part 3, Special Fuel, means a facility for the storage of
- 4206 diesel fuel which is supplied by a motor vehicle, pipeline, or vessel and from which
- 4207 diesel fuel is removed for distribution at a rack.
- 4208 ~~[(23)]~~ (24) "Two party exchange" means a transaction in which special fuel is transferred
- 4209 between licensed suppliers pursuant to an exchange agreement.
- 4210 ~~[(24)]~~ (25) "Undyed diesel fuel" means diesel fuel that is not subject to the dyeing
- 4211 requirements in accordance with 26 U.S.C. Sec. 4082 or United States Environmental
- 4212 Protection Agency or Internal Revenue Service regulations.
- 4213 ~~[(25)]~~ (26) "Use," as used in Part 3, Special Fuel, means the consumption of special fuel for
- 4214 the operation or propulsion of a motor vehicle upon the public highways of the state and
- 4215 includes the reception of special fuel into the fuel supply tank of a motor vehicle.
- 4216 ~~[(26)]~~ (27) "User," as used in Part 3, Special Fuel, means any person who uses special fuel
- 4217 within this state in an engine or motor for the generation of power to operate or propel a
- 4218 motor vehicle upon the public highways of the state.
- 4219 ~~[(27)]~~ (28) "Ute tribal member" means an enrolled member of the Ute tribe.
- 4220 ~~[(28)]~~ (29) "Ute tribe" means the Ute Indian Tribe of the Uintah and Ouray Reservation.
- 4221 ~~[(29)]~~ (30) "Ute trust land" means the lands:
- 4222 (a) of the Uintah and Ouray Reservation that are held in trust by the United States for the
- 4223 benefit of:
- 4224 (i) the Ute tribe;
- 4225 (ii) an individual; or
- 4226 (iii) a group of individuals; or
- 4227 (b) specified as trust land by agreement between the governor and the Ute tribe meeting
- 4228 the requirements of Subsections 59-13-201.5(3) and 59-13-301.5(3).
- 4229 Section 43. Section **72-1-213.1** is amended to read:
- 4230 **72-1-213.1 (Effective 05/06/26). Road usage charge program.**
- 4231 (1) As used in this section:
- 4232 (a) "Account manager" means an entity under contract with the department to administer
- 4233 and manage the road usage charge program.
- 4234 (b) "Alternative fuel vehicle" means:

- 4235 (i) an electric motor vehicle as defined in Section 41-1a-102; or
4236 (ii) a motor vehicle powered exclusively by a fuel other than:
4237 (A) motor fuel;
4238 (B) diesel fuel;
4239 (C) natural gas; or
4240 (D) propane.
- 4241 (c) "Payment period" means the interval during which an owner is required to report
4242 mileage and pay the appropriate road usage charge according to the terms of the
4243 program.
- 4244 (d) "Program" means the road usage charge program established and described in this
4245 section.
- 4246 (e) "Road usage charge cap" means the maximum fee charged to a participant in the
4247 program for a registration period.
- 4248 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in the
4249 program.
- 4250 (2) There is established a road usage charge program as described in this section.
- 4251 (3)(a) The department shall implement and oversee the administration of the program,
4252 which shall begin on January 1, 2020.
- 4253 (b) To implement and administer the program, the department may contract with an
4254 account manager.
- 4255 (4)(a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of the
4256 alternative fuel vehicle in the program.
- 4257 (b) If an application for enrollment into the program is approved by the department, the
4258 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of
4259 paying the fee described in Subsection 41-1a-1206(1)(h) or (2)(b).
- 4260 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
4261 consistent with this section, the department:
- 4262 (a) shall make rules to establish:
- 4263 (i) processes and terms for enrollment into and withdrawal or removal from the
4264 program;
- 4265 (ii) payment periods and other payment methods and procedures for the program;
- 4266 (iii) standards for mileage reporting mechanisms for an owner or lessee of an
4267 alternative fuel vehicle to report mileage as part of participation in the program;
- 4268 (iv) standards for program functions for mileage recording, payment processing,

- 4269 account management, and other similar aspects of the program;
- 4270 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner
4271 and an account manager for participation in the program;
- 4272 (vi) contractual terms between the department and an account manager, including
4273 authority for an account manager to enforce the terms of the program;
- 4274 (vii) procedures to provide security and protection of personal information and data
4275 connected to the program, and penalties for account managers for violating
4276 privacy protection rules;
- 4277 (viii) penalty procedures for a program participant's failure to pay a road usage
4278 charge or tampering with a device necessary for the program;[~~and~~]
- 4279 (ix) department oversight of an account manager, including privacy protection of
4280 personal information and access and auditing capability of financial and other
4281 records related to administration of the program; and
- 4282 (x) procedures to accommodate in the road usage charge program a vehicle registered
4283 for a 24-month period as provided in Section 41-1a-215.5; and
- 4284 (b) may make rules to establish:
- 4285 (i) an enrollment cap for certain alternative fuel vehicle types to participate in the
4286 program;
- 4287 (ii) a process for collection of an unpaid road usage charge or penalty; or
- 4288 (iii) integration of the program with other similar programs, such as tolling.
- 4289 (6) Revenue generated by the road usage charge program and relevant penalties shall be
4290 deposited into the Road Usage Charge Program Special Revenue Fund.
- 4291 (7)(a) The department may:
- 4292 (i)(A) impose a penalty for failure to timely pay a road usage charge according to
4293 the terms of the program or tampering with a device necessary for the program;
4294 and
- 4295 (B) request that the Division of Motor Vehicles place a hold on the registration of
4296 the owner's or lessee's alternative fuel vehicle for failure to pay a road usage
4297 charge or penalty according to the terms of the program;
- 4298 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the
4299 owner or lessee of:
- 4300 (A) the road usage charge program, implementation, and procedures;
- 4301 (B) an unpaid road usage charge and the amount of the road usage charge to be
4302 paid to the department;

- 4303 (C) the penalty for failure to pay a road usage charge within the time period
4304 described in Subsection (7)(a)(iii); and
- 4305 (D) a hold being placed on the owner's or lessee's registration for the alternative
4306 fuel vehicle, if the road usage charge and penalty are not paid within the time
4307 period described in Subsection (7)(a)(iii), which would prevent the renewal of
4308 the alternative fuel vehicle's registration; and
- 4309 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage
4310 charge to the department within 30 days of the date when the department sends
4311 written notice of the road usage charge to the owner or lessee.
- 4312 (b) The department shall send the correspondence and notice described in Subsection
4313 (7)(a) to the owner of the alternative fuel vehicle according to the terms of the
4314 program.
- 4315 (8)(a) The Division of Motor Vehicles and the department shall share and provide access
4316 to information pertaining to an alternative fuel vehicle and participation in the
4317 program including:
- 4318 (i) registration and ownership information pertaining to an alternative fuel vehicle;
4319 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to
4320 pay a road usage charge or penalty imposed under this section within the time
4321 period described in Subsection (7)(a)(iii); and
- 4322 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.
- 4323 (b) If the department requests a hold on the registration in accordance with this section,
4324 the Division of Motor Vehicles may not renew the registration of a motor vehicle
4325 under Title 41, Chapter 1a, Part 2, Registration, until the department withdraws the
4326 hold request.
- 4327 (9) The owner of an alternative fuel vehicle may apply for enrollment in the program or
4328 withdraw from the program according to the terms established by the department
4329 pursuant to rules made under Subsection (5).
- 4330 (10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:
- 4331 (a) report mileage driven as required by the department pursuant to Subsection (5);
4332 (b) pay the road usage fee for each payment period in accordance with Subsection (5);
4333 and
- 4334 (c) comply with all other provisions of this section and other requirements of the
4335 program.
- 4336 (11) The department shall submit annually, on or before October 1, to the Transportation

- 4337 Interim Committee, an electronic report that:
- 4338 (a) states for the preceding fiscal year:
- 4339 (i) the amount of revenue collected from the program;
- 4340 (ii) the participation rate in the program; and
- 4341 (iii) the department's costs to administer the program; and
- 4342 (b) provides for the current fiscal year, an estimate of:
- 4343 (i) the revenue that will be collected from the program;
- 4344 (ii) the participation rate in the program; and
- 4345 (iii) the department's costs to administer the program.
- 4346 (12)(a) Beginning on January 1, 2023:
- 4347 (i) the road usage charge rate is 1.0 cent per mile; and
- 4348 (ii) the road usage charge cap is:
- 4349 (A) \$130.25 for an annual registration period; and
- 4350 (B) \$100.75 for a six-month registration period.
- 4351 (b) Beginning on January 1, 2026:
- 4352 (i) the road usage charge rate is 1.25 cents per mile; and
- 4353 (ii) the road usage charge cap is:
- 4354 (A) \$180 for an annual registration period; and
- 4355 (B) \$139 for a six-month registration period.
- 4356 (c) Beginning on January 1, 2032:
- 4357 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes
- 4358 a different road usage charge rate in accordance with Subsection (13); and
- 4359 (ii) the road usage charge cap is:
- 4360 (A) \$240 for an annual registration period; and
- 4361 (B) \$185 for a six-month registration period.
- 4362 (d) Beginning in 2024, the department shall, on January 1, annually adjust the road
- 4363 usage charge rates described in this Subsection (12) by taking the road usage charge
- 4364 rate for the previous year and adding an amount equal to the greater of:
- 4365 (i) an amount calculated by multiplying the road usage charge rate of the previous
- 4366 year by the actual percentage change during the previous fiscal year in the
- 4367 Consumer Price Index as determined by the State Tax Commission; and
- 4368 (ii) 0.
- 4369 (e) Beginning in 2024, the State Tax Commission shall, on January 1, annually adjust
- 4370 the road usage charge caps described in this Subsection (12) by taking the road usage

- 4371 charge cap for the previous year and adding an amount equal to the greater of:
- 4372 (i) an amount calculated by multiplying the road usage charge cap of the previous
- 4373 year by the actual percentage change during the previous fiscal year in the
- 4374 Consumer Price Index; and
- 4375 (ii) 0.
- 4376 (f) The amounts calculated as described in Subsection (12)(d) shall be rounded up to the
- 4377 nearest .01 cent.
- 4378 (g) The amounts calculated as described in Subsection (12)(e) shall be rounded up to the
- 4379 nearest 25 cents.
- 4380 (h) On or before January 1 of each year, the department shall publish:
- 4381 (i) the adjusted road usage charge rate described in Subsection (12)(d); and
- 4382 (ii) adjusted road usage charge cap described in Subsection (12)(e).
- 4383 (13)(a) Beginning January 1, 2032, the commission may establish by rule made in
- 4384 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road
- 4385 usage charge rate for each type of alternative fuel vehicle.
- 4386 (b)(i) Before making rules in accordance with Subsection (13)(a), the commission
- 4387 shall consult with the department regarding the road usage charge rate for each
- 4388 type of alternative fuel vehicle.
- 4389 (ii) The department shall cooperate with and make recommendations to the
- 4390 commission regarding the road usage charge rate for each type of alternative fuel
- 4391 vehicle.

4392 **Section 44. Effective Date.**

- 4393 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.
- 4394 (2) The actions affecting the following sections take effect on July 1, 2026:
- 4395 (a) Section 41-1a-901 (Effective 07/01/26);
- 4396 (b) Section 41-1a-1201 (Effective 07/01/26) (Partially Repealed 07/01/29);
- 4397 (c) Section 41-1a-1223 (Effective 07/01/26);
- 4398 (d) Section 41-6a-1509 (Effective 07/01/26); and
- 4399 (e) Section 59-12-103 (Effective 07/01/26).