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**Vehicle Sales Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jordan D. Teuscher**

Senate Sponsor: Lincoln Fillmore

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**LONG TITLE**

**General Description:**

This bill amends provisions related to motor vehicle title brands.

**Highlighted Provisions:**

This bill:

- defines terms, including terms for motor vehicle title brands;
- describes the circumstances under which a salvaged vehicle may receive a brand of rebuilt and restored;
- requires the Motor Vehicle Division to check a national database before issuing a new Utah title; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

- 41-1a-102**, as last amended by Laws of Utah 2025, Chapter 285
- 41-1a-513**, as enacted by Laws of Utah 1992, Chapter 1 and last amended by Laws of Utah 1992, Chapter 218
- 41-1a-1004**, as last amended by Laws of Utah 2020, Chapter 267

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

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

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

28 As used in this chapter:

- 29 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- 30 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of  
31 vehicles as operated and certified to by a weighmaster.
- 32 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 33 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 34 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 35 (6) "Alternative fuel vehicle" means:
- 36 (a) an electric motor vehicle;
- 37 (b) a hybrid electric motor vehicle;
- 38 (c) a plug-in hybrid electric motor vehicle; or
- 39 (d) a motor vehicle powered exclusively by a fuel other than:
- 40 (i) motor fuel;
- 41 (ii) diesel fuel;
- 42 (iii) natural gas; or
- 43 (iv) propane.
- 44 (7) "Amateur radio operator" means a person licensed by the Federal Communications  
45 Commission to engage in private and experimental two-way radio operation on the  
46 amateur band radio frequencies.
- 47 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 48 (9) "Automated driving system" means the same as that term is defined in Section  
49 41-26-102.1.
- 50 (10) "Brand" means a label on a title certificate identifying a motor vehicle as:
- 51 (a) fire damaged;
- 52 (b) flood damaged;
- 53 (c) gray market;
- 54 (d) hail damaged;
- 55 (e) stolen/recovered; or
- 56 (f) rebuilt and restored.
- 57 ~~[(10)]~~ (11) "Branded title" means a title certificate that is labeled~~[:]~~ with a brand.
- 58 ~~[(a) rebuilt and restored to operation;]~~
- 59 ~~[(b) flooded and restored to operation; or]~~
- 60 ~~[(c) not restored to operation.]~~
- 61 ~~[(H)]~~ (12) "Camper" means a structure designed, used, and maintained primarily to be

62 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide  
63 a mobile dwelling, sleeping place, commercial space, or facilities for human habitation  
64 or for camping.

65 [(12)] (13) "Certificate of title" means a document issued by a jurisdiction to establish a  
66 record of ownership between an identified owner and the described vehicle, vessel, or  
67 outboard motor.

68 [(13)] (14) "Certified scale weigh ticket" means a weigh ticket that has been issued by a  
69 weighmaster.

70 [(14)] (15) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or  
71 maintained for the transportation of persons or property that operates:

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

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

75 [(15)] (16) "Commission" means the State Tax Commission.

76 (17) "Compliant gray market" means a motor vehicle that was branded as gray market and  
77 has been altered to meet federal and state motor vehicle safety and emissions standards.

78 [(16)] (18) "Consumer [~~price index~~] Price Index" means the same as that term is defined in  
79 Section 59-13-102.

80 [(17)] (19) "Dealer" means a person engaged or licensed to engage in the business of  
81 buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either  
82 outright or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who  
83 has an established place of business for the sale, lease, trade, or display of vehicles,  
84 vessels, or outboard motors.

85 [(18)] (20) "Diesel fuel" means the same as that term is defined in Section 59-13-102.

86 [(19)] (21) "Division" means the Motor Vehicle Division of the commission, created in  
87 Section 41-1a-106.

88 [(20)] (22) "Dynamic driving task" means the same as that term is defined in Section  
89 41-26-102.1.

90 [(21)] (23) "Electric motor vehicle" means a motor vehicle that is powered solely by an  
91 electric motor drawing current from a rechargeable energy storage system.

92 [(22)] (24) "Essential parts" means the integral and body parts of a vehicle of a type required  
93 to be registered in this state, the removal, alteration, or substitution of which would tend  
94 to conceal the identity of the vehicle or substantially alter the vehicle's appearance,  
95 model, type, or mode of operation.

96 ~~[(23)]~~ (25) "Farm tractor" means a motor vehicle designed and used primarily as a farm  
97 implement for drawing plows, mowing machines, and other implements of husbandry.

98 ~~[(24)]~~ (26)(a) "Farm truck" means a truck used by the owner or operator of a farm solely  
99 for the owner's or operator's own use in the transportation of:

100 (i) farm products, including livestock and its products, poultry and its products, and  
101 floricultural and horticultural products;

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

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

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

108 (27) "Fire damaged" means a motor vehicle that was damaged by fire to a degree that an  
109 insurance company declared the motor vehicle a total loss.

110 ~~[(25)]~~ (28) "Fleet" means:

111 (a) one or more commercial vehicles; or

112 (b) for purposes of Section 41-1a-215, one or more personal vehicles.

113 (29) "Flood damaged" means a motor vehicle that an insurance company declared a total  
114 loss due to:

115 (a) immersion in a liquid; or

116 (b) contamination with toxic fluid.

117 ~~[(26)]~~ (30) "Foreign vehicle" means a vehicle of a type required to be registered, brought  
118 into this state from another state, territory, or country other than in the ordinary course  
119 of business by or through a manufacturer or dealer, and not registered in this state.

120 (31) "Gray market" means a motor vehicle:

121 (a) manufactured outside of the United States;

122 (b) not intended by the manufacturer for sale in the United States; and

123 (c) that does not meet federal or state motor vehicle safety or emissions standards.

124 ~~[(27)]~~ (32) "Gross laden weight" means the actual weight of a vehicle or combination of  
125 vehicles, equipped for operation, to which shall be added the maximum load to be  
126 carried.

127 (33) "Hail damaged" means a motor vehicle that was damaged by exposure to falling hail to  
128 a degree that an insurance company declared the motor vehicle a total loss.

129 ~~[(28)]~~ (34) "Highway" or "street" means the entire width between property lines of every

130 way or place of whatever nature when any part of it is open to the public, as a matter of  
131 right, for purposes of vehicular traffic.

132 [~~(29)~~] (35) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion  
133 energy from onboard sources of stored energy that are both:

134 (a) an internal combustion engine or heat engine using consumable fuel; and

135 (b) a rechargeable energy storage system where energy for the storage system comes  
136 solely from sources onboard the vehicle.

137 [~~(30)~~] (36)(a) "Identification number" means the identifying number assigned by the  
138 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or  
139 outboard motor.

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

142 [~~(31)~~] (37) "Implement of husbandry" means a vehicle designed or adapted and used  
143 exclusively for an agricultural operation and only incidentally operated or moved upon  
144 the highways.

145 [~~(32)~~] (38)(a) "In-state miles" means the total number of miles operated in this state  
146 during the preceding year by fleet power units.

147 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the  
148 total number of miles that those vehicles were towed on Utah highways during the  
149 preceding year.

150 [~~(33)~~] (39) "Interstate vehicle" means a commercial vehicle operated in more than one state,  
151 province, territory, or possession of the United States or foreign country.

152 [~~(34)~~] (40) "Jurisdiction" means a state, district, province, political subdivision, territory, or  
153 possession of the United States or any foreign country.

154 [~~(35)~~] (41) "Lienholder" means a person with a security interest in particular property.

155 [~~(36)~~] (42) "Manufactured home" means a transportable factory built housing unit  
156 constructed on or after June 15, 1976, according to the Federal Home Construction and  
157 Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the  
158 traveling mode, is eight body feet or more in width or 40 body feet or more in length, or  
159 when erected on site, is 400 or more square feet, and which is built on a permanent  
160 chassis and designed to be used as a dwelling with or without a permanent foundation  
161 when connected to the required utilities, and includes the plumbing, heating,  
162 air-conditioning, and electrical systems.

163 [~~(37)~~] (43) "Manufacturer" means a person engaged in the business of constructing,

164 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or  
165 outboard motors for the purpose of sale or trade.

166 [(38)] (44) "Military vehicle" means a vehicle of any size or weight that was manufactured  
167 for use by armed forces and that is maintained in a condition that represents the vehicle's  
168 military design and markings regardless of current ownership or use.

169 [(39)] (45) "Mobile home" means a transportable factory built housing unit built prior to  
170 June 15, 1976, in accordance with a state mobile home code which existed prior to the  
171 Federal Manufactured Housing and Safety Standards Act (HUD Code).

172 [(40)] (46) "Motor fuel" means the same as that term is defined in Section 59-13-102.

173 [(41)] (47)(a) "Motor vehicle" means a self-propelled vehicle intended primarily for use  
174 and operation on the highways.

175 (b) "Motor vehicle" includes a roadable aircraft and a street-legal all-terrain vehicle.

176 (c) "Motor vehicle" does not include:

177 (i) an off-highway vehicle; or

178 (ii) a motor assisted scooter as defined in Section 41-6a-102.

179 [(42)] (48) "Motorboat" means the same as that term is defined in Section 73-18c-102.

180 [(43)] (49) "Motorcycle" means:

181 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not  
182 more than three wheels in contact with the ground; or

183 (b) an autocycle.

184 [(44)] (50) "Natural gas" means a fuel of which the primary constituent is methane.

185 [(45)] (51)(a) "Nonresident" means a person who is not a resident of this state as defined  
186 by Section 41-1a-202, and who does not engage in intrastate business within this  
187 state and does not operate in that business any motor vehicle, trailer, or semitrailer  
188 within this state.

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

194 [(46)] (52) "Odometer" means a device for measuring and recording the actual distance a  
195 vehicle travels while in operation, but does not include any auxiliary odometer designed  
196 to be periodically reset.

197 (53) "Odometer discrepancy" means that a written odometer disclosure statement described

- 198 in Section 41-1a-902 indicates that the motor vehicle's odometer does not match the  
199 actual amount of miles or kilometers driven by the motor vehicle.
- 200 [(47)] (54) "Off-highway implement of husbandry" means the same as that term is defined  
201 in Section 41-22-2.
- 202 [(48)] (55) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 203 [(49)] (56)(a) "Operate" means:
- 204 (i) to navigate a vessel; or
- 205 (ii) collectively, the activities performed in order to perform the entire dynamic  
206 driving task for a given motor vehicle by:
- 207 (A) a human driver as defined in Section 41-26-102.1; or
- 208 (B) an engaged automated driving system.
- 209 (b) "Operate" includes testing of an automated driving system.
- 210 [(50)] (57) "Original issue license plate" means a license plate that is of a format and type  
211 issued by the state in the same year as the model year of a vehicle that is a model year  
212 1973 or older.
- 213 [(51)] (58) "Outboard motor" means a detachable self-contained propulsion unit, excluding  
214 fuel supply, used to propel a vessel.
- 215 [(52)] (59)(a) "Owner" means a person, other than a lienholder, holding title to a vehicle,  
216 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is  
217 subject to a security interest.
- 218 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale  
219 or mortgage of the vehicle with the right of purchase upon performance of the  
220 conditions stated in the agreement and with an immediate right of possession vested  
221 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security  
222 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner  
223 for the purposes of this chapter.
- 224 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner  
225 until the lessee exercises the lessee's option to purchase the vehicle.
- 226 [(53)] (60) "Park model recreational vehicle" means a unit that:
- 227 (a) is designed and marketed as temporary living quarters for recreational, camping,  
228 travel, or seasonal use;
- 229 (b) is not permanently affixed to real property for use as a permanent dwelling;
- 230 (c) requires a special highway movement permit for transit; and
- 231 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding

232 400 square feet in the setup mode.

233 [~~(54)~~] (61) "Personal vehicle" means a vehicle that is not a commercial vehicle.

234 [~~(55)~~] (62) "Personalized license plate" means a license plate that has displayed on it a  
235 combination of letters, numbers, or both as requested by the owner of the vehicle and  
236 assigned to the vehicle by the division.

237 [~~(56)~~] (63)(a) "Pickup truck" means a two-axle motor vehicle with motive power  
238 manufactured, remanufactured, or materially altered to provide an open cargo area.

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

241 [~~(57)~~] (64) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle  
242 that has the capability to charge the battery or batteries used for vehicle propulsion from  
243 an off-vehicle electric source, such that the off-vehicle source cannot be connected to the  
244 vehicle while the vehicle is in motion.

245 [~~(58)~~] (65) "Pneumatic tire" means a tire in which compressed air is designed to support the  
246 load.

247 [~~(59)~~] (66) "Preceding year" means a period of 12 consecutive months fixed by the division  
248 that is within 16 months immediately preceding the commencement of the registration or  
249 license year in which proportional registration is sought. The division in fixing the  
250 period shall conform it to the terms, conditions, and requirements of any applicable  
251 agreement or arrangement for the proportional registration of vehicles.

252 [~~(60)~~] (67) "Public garage" means a building or other place where vehicles or vessels are  
253 kept and stored and where a charge is made for the storage and keeping of vehicles and  
254 vessels.

255 (68) "Rebuilt and restored" means a motor vehicle that qualifies for a brand of rebuilt and  
256 restored under Section 41-1a-1004.

257 [~~(61)~~] (69) "Receipt of surrender of ownership documents" means the receipt of surrender of  
258 ownership documents described in Section 41-1a-503.

259 [~~(62)~~] (70) "Reconstructed vehicle" means a vehicle of a type required to be registered in  
260 this state that is materially altered from its original construction by the removal,  
261 addition, or substitution of essential parts, new or used.

262 [~~(63)~~] (71) "Recreational vehicle" means the same as that term is defined in Section  
263 13-14-102.

264 [~~(64)~~] (72) "Registration" means a document issued by a jurisdiction that allows operation of  
265 a vehicle or vessel on the highways or waters of this state for the time period for which

- 266 the registration is valid and that is evidence of compliance with the registration  
267 requirements of the jurisdiction.
- 268 ~~[(65)]~~ (73) "Registration decal" means the decal issued by the division that is evidence of  
269 compliance with the division's registration requirements.
- 270 ~~[(66)]~~ (74)(a) "Registration year" means a 12 consecutive month period commencing  
271 with the completion of the applicable registration criteria.
- 272 (b) For administration of a multistate agreement for proportional registration the division  
273 may prescribe a different 12-month period.
- 274 ~~[(67)]~~ (75) "Repair or replacement" means the restoration of vehicles, vessels, or outboard  
275 motors to a sound working condition by substituting any inoperative part of the vehicle,  
276 vessel, or outboard motor, or by correcting the inoperative part.
- 277 ~~[(68)]~~ (76) "Replica vehicle" means:
- 278 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or  
279 (b) a custom vehicle that meets the requirements under Subsection  
280 41-6a-1507(1)(a)(i)(B).
- 281 ~~[(69)]~~ (77) "Restored-modified vehicle" means a motor vehicle that has been restored and  
282 modified with modern parts and technology, including emission control technology and  
283 an on-board diagnostic system.
- 284 ~~[(70)]~~ (78) "Road tractor" means a motor vehicle designed and used for drawing other  
285 vehicles and constructed so it does not carry any load either independently or any part of  
286 the weight of a vehicle or load that is drawn.
- 287 ~~[(71)]~~ (79) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 288 ~~[(72)]~~ (80) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 289 ~~[(73)]~~ (81) "Security interest" means an interest that is reserved or created by a security  
290 agreement to secure the payment or performance of an obligation and that is valid  
291 against third parties.
- 292 ~~[(74)]~~ (82) "Semitrailer" means the same as the term "trailer."
- 293 ~~[(75)]~~ (83) "Special group license plate" means a type of license plate designed for a  
294 particular group of people or a license plate authorized and issued by the division in  
295 accordance with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.
- 296 ~~[(76)]~~ (84)(a) "Special interest vehicle" means a vehicle used for general transportation  
297 purposes and that is:
- 298 (i) 20 years or older from the current year; or  
299 (ii) a make or model of motor vehicle recognized by the division director as having

300 unique interest or historic value.

301 (b) In making a determination under Subsection [~~(76)~~(a)] (84)(a), the division director  
302 shall give special consideration to:

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

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

305 (iii) a make or model of motor vehicle produced as an experimental vehicle or one  
306 designed exclusively for educational purposes or museum display; or

307 (iv) a motor vehicle of any age or make that has not been substantially altered or  
308 modified from original specifications of the manufacturer and because of its  
309 significance is being collected, preserved, restored, maintained, or operated by a  
310 collector or hobbyist as a leisure pursuit.

311 [~~(77)~~] (85)(a) "Special mobile equipment" means a vehicle:

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

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

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

315 (b) "Special mobile equipment" includes:

316 (i) farm tractors;

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

319 (iii) ditch-digging apparatus.

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

322 [~~(78)~~] (86) "Specially constructed vehicle" means a vehicle of a type required to be  
323 registered in this state, not originally constructed under a distinctive name, make, model,  
324 or type by a generally recognized manufacturer of vehicles, and not materially altered  
325 from its original construction.

326 [~~(79)~~] (87)(a) "Standard license plate" means a license plate for general issue described  
327 in Subsection 41-1a-402(1).

328 (b) "Standard license plate" includes a license plate for general issue that the division  
329 issues before January 1, 2024.

330 [~~(80)~~] (88) "State impound yard" means a yard for the storage of a vehicle, vessel, or  
331 outboard motor that meets the requirements of rules made by the commission as  
332 described in Subsection 41-1a-1101(7).

333 (89) "Stolen/recovered" means a motor vehicle that:

- 334 (a) was reported stolen;  
335 (b) was recovered; and  
336 (c) an insurance company declared the vehicle a total loss.
- 337 [(81)] (90) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that  
338 term is defined in Section 41-6a-102.
- 339 [(82)] (91) "Symbol decal" means the decal that is designed to represent a special group and  
340 displayed on a special group license plate.
- 341 [(83)] (92) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 342 [(84)] (93)(a) "Total fleet miles" means the total number of miles operated in all  
343 jurisdictions during the preceding year by power units.
- 344 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the  
345 number of miles that those vehicles were towed on the highways of all jurisdictions  
346 during the preceding year.
- 347 [(85)] (94) "Tow truck motor carrier" means the same as that term is defined in Section  
348 72-9-102.
- 349 [(86)] (95) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 350 [(87)] (96) "Trailer" means a vehicle:
- 351 (a) without motive power; and  
352 (b) designed for:
- 353 (i) carrying persons or property; and  
354 (ii) being drawn by a motor vehicle.
- 355 [(88)] (97) "Transferee" means a person to whom the ownership of property is conveyed by  
356 sale, gift, or any other means except by the creation of a security interest.
- 357 [(89)] (98) "Transferor" means a person who transfers the person's ownership in property by  
358 sale, gift, or any other means except by creation of a security interest.
- 359 [(90)] (99) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable  
360 vehicle without motive power, designed as a temporary dwelling for travel, recreational,  
361 or vacation use that does not require a special highway movement permit when drawn  
362 by a self-propelled motor vehicle.
- 363 [(91)] (100) "Truck tractor" means a motor vehicle designed and used primarily for drawing  
364 other vehicles and not constructed to carry a load other than a part of the weight of the  
365 vehicle and load that is drawn.
- 366 [(92)] (101) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,  
367 camper, park model recreational vehicle, manufactured home, and mobile home.

368 ~~[(93)]~~ (102) "Vessel" means the same as that term is defined in Section 73-18-2.  
 369 ~~[(94)]~~ (103) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.  
 370 ~~[(95)]~~ (104) "Waters of this state" means the same as that term is defined in Section 73-18-2.  
 371 ~~[(96)]~~ (105) "Weighmaster" means a person, association of persons, or corporation  
 372 permitted to weigh vehicles under this chapter.

373 Section 2. Section **41-1a-513** is amended to read:

374 **41-1a-513 . Examination of registration records and indices of stolen and**  
 375 **recovered vehicles, vessels, and outboard motors -- National title records.**

376 ~~[ The division upon receiving application for any certificate of title shall first check~~  
 377 ~~the identification number shown in the application against the indices of registered vehicles,~~  
 378 ~~vessels, and outboard motors and against indices of stolen and recovered vehicles, vessels, and~~  
 379 ~~outboard motors.]~~

380 (1) As used in this section, "National Motor Vehicle Title Information System" or  
 381 "NMVTIS" means the electronic vehicle record system described in 28 C.F.R. Part 25,  
 382 Subpart B, operated by the American Association of Motor Vehicle Administrators.

383 (2) After receiving an application for a certificate of title, the division shall first check the  
 384 vehicle identification number listed on the application against the indices of:

385 (a) registered vehicles, vessels, and outboard motors; and

386 (b) stolen and recovered vehicles, vessels, and outboard motors.

387 (3)(a) After receiving an application for a new Utah certificate of title, the division shall  
 388 check the vehicle identification number listed on the application against NMVTIS.

389 (b) After checking the vehicle identification number as described in Subsection (3)(a),

390 the division shall follow the procedure for issuing a branded title described in Section  
 391 41-1a-1004 if a jurisdiction contributing to NMVTIS identifies the title as one of the  
 392 following:

393 (i) a salvage brand;

394 (ii) a total loss; or

395 (iii) damaged.

396 (c) The division shall conduct the NMVTIS check described in Subsection (3)(a) if an  
 397 applicant applies for a Utah certificate of title and the applicant has:

398 (i) no certificate of title for the vehicle; or

399 (ii) a certificate of title from another state.

400 Section 3. Section **41-1a-1004** is amended to read:

401 **41-1a-1004 . Certificate of title -- Salvage vehicles -- Buyer notification of salvage**

402 **or total loss vehicle.**

403 (1)(a) If the division is able to [~~ascertain the fact, at the time~~] determine the actual brand  
404 when an application is made for initial registration or transfer of ownership of a  
405 salvage vehicle, the [~~title shall be branded;~~] division shall label the title certificate  
406 with the applicable brand.

407 [~~(a) rebuilt and restored to operation;~~]

408 [~~(b) in a flood and restored to operation; or~~]

409 [~~(c) not restored to operation.~~]

410 (b) A motor vehicle that has, or qualifies for, a brand of fire damaged, flood damaged, or  
411 hail damaged may receive a brand of rebuilt and restored if the vehicle is rebuilt or  
412 restored to a degree that the motor vehicle may be safely operated on a highway.

413 (c) A motor vehicle that has, or qualifies for, a gray market brand may receive a brand of  
414 compliant gray market if the motor vehicle:

415 (i) is altered to meet federal and state motor vehicle safety standards; and

416 (ii) successfully completes a safety inspection as described in Section 53-8-205.

417 (d) The division shall indicate on a title certificate, "Odometer discrepancy" if the motor  
418 vehicle has an odometer discrepancy.

419 (e)(i) The division shall ensure a brand of rebuilt and restored appears on a title  
420 certificate as "Rebuilt and Restored --," followed by the brand that the motor  
421 vehicle had, or qualified for, before receiving the rebuilt and restored brand.

422 (ii) A brand label following "Rebuilt and Restored --" shall appear as one of the  
423 following:

424 (A) "Fire";

425 (B) "Flood";

426 (C) "Hail"; or

427 (D) "Stolen."

428 (2)(a)(i) Except as provided in Subsection (2)(b), before the sale of a vehicle for  
429 which a salvage certificate or branded title has been knowingly issued or  
430 knowingly declared a total loss by an insurance company, the seller shall provide  
431 the prospective purchaser with written notification that a salvage certificate or a  
432 branded title has been issued for the vehicle.

433 (ii) If the vehicle is a salvage vehicle or if the vehicle has been declared a total loss  
434 by an insurance company, the notification shall be as required in Section  
435 41-1a-1005.3.

- 436 (b) The requirement to provide written notification under Subsection (2)(a) does not  
437 apply if:
- 438 (i) the prospective purchaser, motor vehicle auction, or seller is:
- 439 (A) a licensed motor vehicle dealer whose primary business is auctioning salvage  
440 motor vehicles to licensed salvage vehicle buyers; or
- 441 (B) an insurance company, if the sale of the vehicle is the result of a total loss  
442 settlement; or
- 443 (ii) the vehicle has been stolen, recovered, and declared a total loss by an insurance  
444 company but does not meet the definition of a salvage vehicle.
- 445 (3)(a) An advertisement for the sale of a vehicle for which a salvage certificate or  
446 branded title has been issued shall disclose that a salvage certificate or branded title  
447 has been issued for the vehicle.
- 448 (b)(i) Except as provided in Subsection (3)(b)(ii), an advertisement for a vehicle  
449 declared a total loss by an insurance company shall disclose that the vehicle has  
450 been declared a total loss by an insurance company.
- 451 (ii) A vehicle that has been stolen, recovered, and declared a total loss by an  
452 insurance company but does not meet the definition of a salvage vehicle is  
453 exempted from the advertising requirement described in Subsection (3)(b)(i).
- 454 (iii) Subsections (3)(a), (3)(b)(i), and (3)(b)(ii) do not apply to a motor vehicle  
455 auction or a consigner to a motor vehicle auction if no disclosure is required under  
456 Section 41-1a-1005.3.
- 457 (c) The advertisement disclosure under Subsection (3)(a) or (b)(i) shall:
- 458 (i) be displayed at least as prominently as the description of the advertised vehicle is  
459 displayed; and
- 460 (ii) if a salvage certificate or branded title has been issued or the vehicle has been  
461 declared a total loss by an insurance company:
- 462 (A) use the words "salvage certificate" or "branded title" in the advertisement; or  
463 (B) use the words "insurer declared total loss."

464 **Section 4. Effective Date.**

465 This bill takes effect on January 1, 2027.