

## HB0022S03 compared with HB0022S02

{Omitted text} shows text that was in HB0022S02 but was omitted in HB0022S03  
inserted text shows text that was not in HB0022S02 but was inserted into HB0022S03

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**Vintage Vehicle Amendments**  
**2026 GENERAL SESSION**  
**STATE OF UTAH**

**Chief Sponsor: Norman K Thurston**  
**Senate Sponsor:Emily Buss**

## LONG TITLE

### **General Description:**

This bill creates a classic vehicle designation for older vehicles, replacing the vintage vehicle designation.

## **Highlighted Provisions:**

This bill:

- defines terms;
- removes emissions testing requirements for some vehicles;
- **adds language clarifying emissions testing requirements for some Mercedes-Benz vehicles;**
- removes the vintage vehicle designation;
- creates the classic vehicle designation; and
- makes technical changes.

### **Money Appropriated in this Bill:**

- ▶ This bill appropriates \$36,400 in transfers to unrestricted funds for fiscal year 2027, all of which is from the various sources as detailed in this bill.

## Other Special Clauses:

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20        This bill provides a special effective date.

21        **Utah Code Sections Affected:**

22        **AMENDS:**

23        **41-1a-102 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, Chapter 285

24        **41-1a-201 (Effective 10/01/26)**, as last amended by Laws of Utah 2024, Chapter 459

25        **41-1a-202 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, Chapter 294

26        **41-1a-226 (Effective 10/01/26)**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532

28        **41-1a-416 (Effective 10/01/26)**, as last amended by Laws of Utah 2024, Chapter 251

29        **41-1a-418 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, Chapter 247

30        **41-1a-514 (Effective 10/01/26)**, as last amended by Laws of Utah 2009, Chapter 171

31        **41-1a-1201 (Effective 10/01/26) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah 2025, Chapter 279

33        **41-1a-1206 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, Chapters 215, 279

35        **41-1a-1603 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, Chapter 247

36        **41-6a-102 (Effective 10/01/26) (Partially Repealed 07/01/27)**, as last amended by Laws of Utah 2025, Chapters 220, 471

38        **41-6a-605 (Effective 10/01/26)**, as last amended by Laws of Utah 2015, Chapter 412

39        **41-6a-1507 (Effective 10/01/26)**, as last amended by Laws of Utah 2009, Chapter 171

40        **41-6a-1633 (Effective 10/01/26)**, as last amended by Laws of Utah 2015, Chapters 412, 454

42        **41-6a-1642 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, First Special Session, Chapter 5

44        **41-27-101 (Effective 10/01/26)**, as enacted by Laws of Utah 2024, Chapter 459

45        **72-1-213.2 (Effective 10/01/26)**, as last amended by Laws of Utah 2023, Chapters 22, 490

47        **ENACTS:**

48        **41-28-101 (Effective 10/01/26)**, Utah Code Annotated 1953

49        **41-28-102 (Effective 10/01/26)**, Utah Code Annotated 1953

50        **41-28-103 (Effective 10/01/26)**, Utah Code Annotated 1953

51        **41-28-104 (Effective 10/01/26)**, Utah Code Annotated 1953

52        **41-28-105 (Effective 10/01/26)**, Utah Code Annotated 1953

53        **REPEALS:**

54        **41-21-1 (Effective 10/01/26)**, as last amended by Laws of Utah 2025, Chapter 247

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55       **41-21-3 (Effective 10/01/26)**, as last amended by Laws of Utah 1992, Chapter 1  
56       **41-21-4 (Effective 10/01/26)**, as last amended by Laws of Utah 1992, Chapter 1  
57       **41-21-5 (Effective 10/01/26)**, as enacted by Laws of Utah 1971, Chapter 93  
58       **41-21-6 (Effective 10/01/26)**, as enacted by Laws of Utah 1993, Chapter 221

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

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

62           **41-1a-102. Definitions.**

63           As used in this chapter:

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

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

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

68       (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

69       (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.

70       (6) "Alternative fuel vehicle" means:  
71           (a) an electric motor vehicle;  
72           (b) a hybrid electric motor vehicle;  
73           (c) a plug-in hybrid electric motor vehicle; or  
74           (d) a motor vehicle powered exclusively by a fuel other than:  
75              (i) motor fuel;  
76              (ii) diesel fuel;  
77              (iii) natural gas; or  
78              (iv) propane.

79       (7) "Amateur radio operator" means a person licensed by the Federal Communications Commission to  
80           engage in private and experimental two-way radio operation on the amateur band radio frequencies.

81       (8) "Autocycle" means the same as that term is defined in Section 53-3-102.

82       (9) "Automated driving system" means the same as that term is defined in Section 41-26-102.1.

83       (10) "Branded title" means a title certificate that is labeled:  
84           (a) rebuilt and restored to operation;  
85           (b) flooded and restored to operation; or

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86 (c) not restored to operation.

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

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

94 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a weighmaster.

96 (14) "Classic vehicle" means the same as that term is defined in Section 41-28-101.

97 [(14)] (15) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained for the transportation of persons or property that operates:

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

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

102 [(15)] (16) "Commission" means the State Tax Commission.

103 [(16)] (17) "Consumer price index" means the same as that term is defined in Section 59-13-102.

105 [(17)] (18) "Dealer" means a person engaged or licensed to engage in the business of buying, selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

110 [(18)] (19) "Diesel fuel" means the same as that term is defined in Section 59-13-102.

111 [(19)] (20) "Division" means the Motor Vehicle Division of the commission, created in Section 41-1a-106.

113 [(20)] (21) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.

115 [(21)] (22) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric motor drawing current from a rechargeable energy storage system.

117 [(22)] (23) "Essential parts" means the integral and body parts of a vehicle of a type required to be registered in this state, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type, or mode of operation.

121 [(23)] (24) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

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123 [({24})] (25)

(a) "Farm truck" means a truck used by the owner or operator of a farm solely for the owner's or operator's own use in the transportation of:

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

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

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

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

133 [({25})] (26) "Fleet" means:

134 (a) one or more commercial vehicles; or

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

136 [({26})] (27) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this state from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this state.

139 [({27})] (28) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles, equipped for operation, to which shall be added the maximum load to be carried.

142 [({28})] (29) "Highway" or "street" means the entire width between property lines of every way or place of whatever nature when any part of it is open to the public, as a matter of right, for purposes of vehicular traffic.

145 [({29})] (30) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both:

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

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

150 [({30})] (31)

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

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

155 [34] (32) "Implement of husbandry" means a vehicle designed or adapted and used exclusively for an agricultural operation and only incidentally operated or moved upon the highways.

158 [32] (33)

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

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

163 [33] (34) "Interstate vehicle" means a commercial vehicle operated in more than one state, province, territory, or possession of the United States or foreign country.

165 [34] (35) "Jurisdiction" means a state, district, province, political subdivision, territory, or possession of the United States or any foreign country.

167 [35] (36) "Lienholder" means a person with a security interest in particular property.

168 [36] (37) "Manufactured home" means a transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

176 [37] (38) "Manufacturer" means a person engaged in the business of constructing, manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or outboard motors for the purpose of sale or trade.

179 [38] (39) "Military vehicle" means a vehicle of any size or weight that was manufactured for use by armed forces and that is maintained in a condition that represents the vehicle's military design and markings regardless of current ownership or use.

182 [39] (40) "Mobile home" means a transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code).

185 [40] (41) "Motor fuel" means the same as that term is defined in Section 59-13-102.

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186 [41] (42)

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

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

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

190 (i) an off-highway vehicle; or

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

192 [42] (43) "Motorboat" means the same as that term is defined in Section 73-18c-102.

193 [43] (44) "Motorcycle" means:

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

196 (b) an autocycle.

197 [44] (45) "Natural gas" means a fuel of which the primary constituent is methane.

198 [45] (46)

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

202 (b) A person who engages in intrastate business within this state and operates in that business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in interstate commerce, maintains a vehicle in this state as the home station of that vehicle is considered a resident of this state, ~~[insofar as that vehicle is concerned in administering this chapter]~~ for purposes of administering this chapter.

207 [46] (47) "Odometer" means a device for measuring and recording the actual distance a vehicle travels while in operation, but does not include any auxiliary odometer designed to be periodically reset.

210 [47] (48) "Off-highway implement of husbandry" means the same as that term is defined in Section 41-22-2.

212 [48] (49) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

213 [49] (50)

(a) "Operate" means:

214 (i) to navigate a vessel; or

215

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

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

218 (B) an engaged automated driving system.

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

220 [~~50~~] 51 "Original issue license plate" means a license plate that is of a format and type issued by the state in the same year as the model year of a vehicle that is a model year 1973 or older.

223 [~~51~~] 52 "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel supply, used to propel a vessel.

225 [~~52~~] 53

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

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

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

236 [~~53~~] 54 "Park model recreational vehicle" means a unit that:

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

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

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

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

243 [~~54~~] 55 "Personal vehicle" means a vehicle that is not a commercial vehicle.

244 [~~55~~] 56 "Personalized license plate" means a license plate that has displayed on it a combination of letters, numbers, or both as requested by the owner of the vehicle and assigned to the vehicle by the division.

247 [~~56~~] 57

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- (a) "Pickup truck" means a two-axle motor vehicle with motive power manufactured, remanufactured, or materially altered to provide an open cargo area.
- 249 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a camper, camper shell, tarp, removable top, or similar structure.
- 251 [(57)] (58) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has the capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle while the vehicle is in motion.
- 255 [(58)] (59) "Pneumatic tire" means a tire in which compressed air is designed to support the load.
- 257 [(59)] (60) "Preceding year" means a period of 12 consecutive months fixed by the division that is within 16 months immediately preceding the commencement of the registration or license year in which proportional registration is sought. The division in fixing the period shall conform it to the terms, conditions, and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.
- 262 [(60)] (61) "Public garage" means a building or other place where vehicles or vessels are kept and stored and where a charge is made for the storage and keeping of vehicles and vessels.
- 265 [(61)] (62) "Receipt of surrender of ownership documents" means the receipt of surrender of ownership documents described in Section 41-1a-503.
- 267 [(62)] (63) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state that is materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.
- 270 [(63)] (64) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.
- 272 [(64)] (65) "Registration" means a document issued by a jurisdiction that allows operation of a vehicle or vessel on the highways or waters of this state for the time period for which the registration is valid and that is evidence of compliance with the registration requirements of the jurisdiction.
- 276 [(65)] (66) "Registration decal" means the decal issued by the division that is evidence of compliance with the division's registration requirements.
- 278 [(66)] (67)
  - (a) "Registration year" means a 12 consecutive month period commencing with the completion of the applicable registration criteria.

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

282 [(67)] (68) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors to a sound working condition by substituting any inoperative part of the vehicle, vessel, or outboard motor, or by correcting the inoperative part.

285 [(68) "Replica vehicle" means:]

286 [(a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or]

287 [(b) a custom vehicle that meets the requirements under Subseetion 41-6a-1507(1)(a)(i)(B).]

289 (69) "Restored-modified vehicle" means a motor vehicle that has been restored and modified with modern parts and technology, including emission control technology and an on-board diagnostic system.

292 (70) "Road tractor" means a motor vehicle designed and used for drawing other vehicles and constructed so it does not carry any load either independently or any part of the weight of a vehicle or load that is drawn.

295 (71) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.

296 (72) "Sailboat" means the same as that term is defined in Section 73-18-2.

297 (73) "Security interest" means an interest that is reserved or created by a security agreement to secure the payment or performance of an obligation and that is valid against third parties.

300 (74) "Semitrailer" means the same as the term "trailer."

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

304 (76)

306 (a) "Special interest vehicle" means a vehicle used for general transportation purposes and that is:

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

311 (ii) a make or model of motor vehicle recognized by the division director as having unique interest or historic value.

312 (b) In making a determination under Subsection (76)(a), the division director shall give special consideration to:

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

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

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

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

319 (77)

320 (a) "Special mobile equipment" means a vehicle:

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

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

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

324 (b) "Special mobile equipment" includes:

325 (i) farm tractors;

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

327 (iii) ditch-digging apparatus.

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

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

334 (79)

335 (a) "Standard license plate" means a license plate for general issue described in Subsection  
41-1a-402(1).

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

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

341 (81) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is defined in  
Section 41-6a-102.

343 (82) "Symbol decal" means the decal that is designed to represent a special group and displayed on a  
special group license plate.

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345 (83) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.

346 (84)

347 (a) "Total fleet miles" means the total number of miles operated in all jurisdictions during the preceding year by power units.

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

349 (85) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.

350 (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

351 (87) "Trailer" means a vehicle:

352 (a) without motive power; and

353 (b) designed for:

354 (i) carrying persons or property; and

355 (ii) being drawn by a motor vehicle.

356 (88) "Transferee" means a person to whom the ownership of property is conveyed by sale, gift, or any other means except by the creation of a security interest.

357 (89) "Transferor" means a person who transfers the person's ownership in property by sale, gift, or any other means except by creation of a security interest.

358 (90) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

359 (91) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load that is drawn.

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

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

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

363 [~~(95) (94) "Waters of this state" means the same as that term is defined in Section 73-18-2.~~]

364 [~~(96) (95) "Weighmaster" means a person, association of persons, or corporation permitted to weigh vehicles under this chapter.~~]

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

366 **41-1a-201. Function of registration -- Registration required -- Penalty.**

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379 (1) Unless exempted, a person or automated driving system may not operate and an owner may not  
380 engage an automated driving system, give another person permission to engage an automated  
381 driving system, or give another person permission to operate a motor vehicle, combination of  
382 vehicles, trailer, semitrailer, [vintage vehicle,] classic vehicle, restored-modified vehicle, off-  
383 highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered  
384 in accordance with this chapter, Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle  
385 Registration, or Title 73, Chapter 18, State Boating Act.

387 (2) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

388 (3)

(a) [In the event that] If materials are temporarily unavailable for registration items required under  
389 Section 41-1a-402, the commission may delay initial vehicle registration or renewal of vehicle  
390 registrations.

391 (b) In a circumstance described in Subsection (3)(a), a person does not violate Subsection (1) for failure  
392 to register a vehicle during a delay period described in Subsection (3)(a).

393 Section 3. Section **41-1a-202** is amended to read:

394 **41-1a-202. Definitions -- Vehicles exempt from registration -- Registration of vehicles after  
395 establishing residency.**

396 (1) As used in this section:

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

398 (b) "Domicile" means the place:

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

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

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

403 (c)

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

405 (A) an individual who:

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

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

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

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- (ii) vehicle driven or moved upon a highway only for the purpose of crossing the highway from one property to another;
- (iii) implement of husbandry, whether of a type otherwise subject to registration or not, that is only incidentally operated or moved upon a highway;
- (iv) special mobile equipment;
- (v) vehicle owned or leased by the federal government;
- (vi) motor vehicle not designed, used, or maintained for the transportation of passengers for hire or for the transportation of property if the motor vehicle is registered in another state and is owned and operated by a nonresident of this state;
- (vii) vehicle or combination of vehicles designed, used, or maintained for the transportation of persons for hire or for the transportation of property if the vehicle or combination of vehicles is registered in another state and is owned and operated by a nonresident of this state and if the vehicle or combination of vehicles has a gross laden weight of 26,000 pounds or less;
- (viii) trailer of 750 pounds or less unladen weight and not designed, used, and maintained for hire for the transportation of property or person;
- (ix) single-axle trailer unless that trailer is:
  - a commercial vehicle;
  - a trailer designed, used, and maintained for hire for the transportation of property or person; or
  - a travel trailer, camping trailer, or fifth wheel trailer of 750 pounds or more laden weight;
- (x) manufactured home or mobile home;
- (xi) off-highway vehicle currently registered under Section 41-22-3 if the off-highway vehicle is:
  - being towed;
  - operated on a street or highway designated as open to off-highway vehicle use; or
  - operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);
- (xii) off-highway implement of husbandry operated in the manner prescribed in Subsections 41-22-5.5(3) through (5);
- (xiii) modular and prebuilt homes conforming to the uniform building code and presently regulated by the United States Department of Housing and Urban Development that are not constructed on a permanent chassis;
- (xiv) electric assisted bicycle defined under Section 41-6a-102;
- (xv) motor assisted scooter defined under Section 41-6a-102; or

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482 (xvi) electric personal assistive mobility device defined under Section 41-6a-102.

483 (b) For purposes of an implement of husbandry as described in Subsection (2)(a)(iii), incidental  
484 operation on a highway includes operation that is:

485 (i) transportation of raw agricultural materials or other agricultural related operations; and

486 (ii) limited to 100 miles round trip on a highway.

487 (3)

488 (a) Unless otherwise exempted under Subsection (2), registration under this chapter is required for any  
489 motor vehicle, combination of vehicles, trailer, semitrailer, ~~vintage vehicle,~~ classic vehicle, or  
490 restored-modified vehicle within 60 days of the owner establishing residency in this state.

491 (b)

492 (i) The commission may contract with a designated agent described in Chapter 12a, Part 8, Uninsured  
493 Motorist Identification Database Program, to determine the address for which a contract for owner's  
494 or operator's security pertaining to a certain vehicle or vessel is tied.

495 (ii) If the information provided by the designated agent under Subsection (3)(b)(i) indicates that the  
496 owner of a vehicle or vessel is a resident of this state, the commission may investigate to ensure  
497 compliance with this chapter, Chapter 22, Off-highway Vehicles, Title 59, Chapter 12, Sales and  
498 Use Tax Act, and Title 73, Chapter 18, State Boating Act.

499 (c) If the commission's investigation described in Subsection (3)(b)(ii) determines that the owner of the  
500 vehicle or vessel is not in compliance with this chapter, Chapter 22, Off-highway Vehicles, Title 59,  
501 Chapter 12, Sales and Use Tax Act, or Title 73, Chapter 18, State Boating Act, the commission:

502 (i) may impose a penalty on the owner of the vehicle or vessel of \$150; and

503 (ii) shall provide notice of noncompliance to the owner of the vehicle or vessel and allow 60 days after  
504 the date on which the notice was issued for the owner of the vehicle or vessel to comply with the  
505 provisions identified in the commission's investigation described in Subsection (3)(b)(ii).

506 (d) If the owner of a vehicle or vessel fails to comply as directed within the time period described in  
507 Subsection (3)(c), the commission created in Section 41-3-104 may impose on the owner of the  
508 vehicle or vessel a penalty equal to the greater of:

509 (i) if the commission finds there was an underpayment of tax under Title 59, Chapter 12, Sales and Use  
510 Tax Act, a penalty as provided in Subsection 59-1-401(7); or

511 (ii) \$500.

512

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(e) Upon making a record of the commission's actions, and upon reasonable cause shown, the commission may waive, reduce, or compromise any penalty imposed under Subsection (3)(c) or (3)(d).

519 (f)

(i) The commission shall deposit money from a penalty under Subsections (3)(c)(i) and (3)(d)(ii) for failure to properly register or title a vehicle or vessel pursuant to this chapter, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State Boating Act, into the Uninsured Motorist Identification Restricted Account created in Section 41-12a-806.

524 (ii) The commission shall deposit money from a penalty under this Subsection (3)(d)(i) for failure to pay a sales and use tax under Title 59, Chapter 12, Sales and Use Tax Act, into the General Fund.

527 (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the registration requirements of this part for the time period that the registration under Section 41-3-306 is valid.

530 (5) A vehicle that has been issued a nonrepairable certificate may not be registered under this chapter. Section 4. Section **41-1a-226** is amended to read:

### **41-1a-226. Classic vehicle -- Signed statement -- Restored-modified vehicle -- Registration.**

535 (1) The owner of a [vintage] classic vehicle who applies for registration under this part shall provide a signed statement that the [vintage] classic vehicle[+] is safe to operate on the highways of this state as described in Section 41-28-103.

538 [(a) is owned and operated for the purposes described in Section 41-21-1; and]

539 [(b) is safe to operate on the highways of this state as described in Section 41-21-4.]

540 [(2) For a vintage vehicle with a model year of 1982 or older, the signed statement described in Subsection (1) and in Subsection 41-6a-1642(15) is in lieu of an emissions inspection, from which a vintage vehicle is exempt under Subsection 41-6a-1642(4).]

543 [(3) Before registration of a vintage vehicle that has a model year of 1983 or newer, an owner shall:]

545 [(a) obtain a certificate of emissions inspection as provided in Section 41-6a-1642; or]

546 [(b) provide proof of vehicle insurance coverage for the vintage vehicle that is a type specific to a vehicle collector.]

548 [(4)] (2)

(a) If an owner of a restored-modified vehicle who applies for registration that wishes to have the notation on the registration certificate as described in Subsection [(4)(b)] (2)(b), the owner may provide a signed statement that the vehicle:

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551 (i) meets the definition of a restored-modified vehicle, and has modern technology, including  
553        emission control technology and an on-board diagnostic system; and  
553 (ii) is safe to operate on the highways of this state.

554 (b) If a vehicle qualifies as a restored-modified vehicle, the division shall notate the registration  
554        certificate indicating that the vehicle is a restored-modified vehicle.

556 (c) An owner of a restored-modified vehicle may elect to remove the restored-modified notation on the  
556        registration certificate at the time of a subsequent registration.

560        Section 5. Section **41-1a-416** is amended to read:

**41-1a-416. Original issue license plates -- Alternative stickers -- Rulemaking.**

561 (1) The owner of a motor vehicle that is a model year 1973 or older may apply to the division for  
561        permission to display an original issue license plate.

563 (2) An owner described in Subsection (1) shall:

564        (a) complete an application on a form provided by the division;

565        (b) supply and submit to the division for approval the original issue license plate that the owner intends  
565        to display on the motor vehicle; and

567        (c) pay the fees prescribed in Sections 41-1a-1206 and 41-1a-1211.

568 (3) Before approving an application described in this section, the division shall determine that the  
568        original issue license plate:

570        (a) is of a format and type issued by the state for use on a motor vehicle;

571        (b) has numbers and characters that are unique and do not conflict with existing license plate series in  
571        this state;

573        (c) is legible, durable, and otherwise in a condition that serves the purposes of this chapter; and

575        (d) is from the same year of issue as the model year of the motor vehicle on which the original issue  
575        license plate is to be displayed.

577 (4)

577        (a) Except as provided in this section, the owner of a motor vehicle displaying an original issue license  
577        plate approved under this section is not exempt from any requirement described in this chapter.

580        (b) An original issue license plate approved under this section is exempt from:

581        (i) the provisions of Section 41-1a-401 regarding reflectorization; and

582        (ii) Section 41-1a-403.

## HB0022S02 compared with HB0022S03

(c) Notwithstanding Subsection (4)(a), if a motor vehicle displaying an original issue license plate is also a [vintage] classic vehicle as defined in Section [41-21-1] 41-28-101, the motor vehicle qualifies for the same exemptions as a [vintage] classic vehicle.

587 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules for the implementation of this section.

591       Section 6. Section **41-1a-418** is amended to read:

592       **41-1a-418. Authorized special group license plates.**

591 (1) In accordance with this chapter, the division shall issue to an eligible applicant a special group license plate in one of the following categories:

593 (a) a disability special group license plate issued in accordance with Section 41-1a-420;

594 (b) a special group license plate issued for a[:]farm truck; or

595 (c) a sponsored special group plate, described in Section 41-1a-1602.

596 [({i}) vintage vehicle;]

597 [({ii}) farm truck; or]

598 [({iii}) ~~special group license plate described in Section 41-1a-1602.~~]

599 (2) The division may not issue a new type of special group license plate or symbol decal unless the division receives:

601 (a) a private donation for the start-up fee established under Section 63J-1-504 for the production and administrative costs of providing the new special group license plate or symbol decal; or

604 (b) a legislative appropriation for the start-up fee described in Subsection (2)(a).

605 (3) Notwithstanding other provisions of this chapter, the division may not require a contribution as defined in Section 41-1a-1601 for a special group license plate described in Subsection (1)(a)[, (1)(b)(i), or (1)(b)(ii).] or (1)(b).

610       Section 7. Section **41-1a-514** is amended to read:

611       **41-1a-514. Certificate of title -- Contents.**

610 (1) As used in this section:

611 (a) "Replica Vehicle" means a custom vehicle that meets the requirements described in Subsection 41-6a-1507(1)(a)(i)(B).

613 (2)

615 (a) The division, upon approving an application for a certificate of title, shall issue a certificate of title.

615 (b) The face of [the] a certificate of title shall include:

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616 [a] (i) the date issued;  
617 [b] (ii) the name and address of the owner;  
618 [c] (iii) a description of the vehicle, vessel, or outboard motor titled, including the year, make, and  
identification number;  
620 [d] (iv) a statement of the owner's title and of one lien or encumbrance, if any, upon the vehicle,  
vessel, or outboard motor;  
622 [e] (v) any brand on the title; and  
623 [f] (vi) an odometer statement, if applicable.

624 [2] (3) The certificate of title shall bear the seal of the division.  
625 [3] (4) The certificate of title shall contain adequate space for:  
626 (a) the assignment and warranty of title or interest by the owner;  
627 (b) the release of interest by a recorded lien holder; and  
628 (c) the notation of one lien or encumbrance, if any, existing at the time of transfer.  
629 [4] (5) The model year that is listed on the certificate of title of a replica vehicle shall be the model  
year that the body of the vehicle resembles.

631 [5] (6) The certificate of title of a replica vehicle shall indicate that the vehicle is a replica vehicle.

635 Section 8. Section **41-1a-1201** is amended to read:

636 **41-1a-1201. Disposition of fees.**  
637 (1) All fees received and collected under this part shall be transmitted daily to the state treasurer.  
638 (2) Except as provided in Subsections (3), (5), (6), (7), (8), and (9) and Sections 41-1a-1205,  
41-1a-1220, 41-1a-1221, 41-1a-1222, 41-1a-1223, and 41-1a-1603, all fees collected under this part  
shall be deposited into the Transportation Fund.  
640 (3) Funds generated under Subsections 41-1a-1211(1)(b)(ii), (6)(b)(ii), (7), and (9), and Section  
41-1a-1212 shall be deposited into the License Plate Restricted Account created in Section  
41-1a-122.  
643 (4)  
644 (a) Except as provided in Subsections (3) and (4)(b) and Section 41-1a-1205, the expenses of  
the commission in enforcing and administering this part shall be provided for by legislative  
appropriation from the revenues of the Transportation Fund.

647

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(b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and administering this part.

651 [ (e) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i) for each vintage vehicle that has a model year of 1983 or newer may be used by the commission to cover the costs incurred in enforcing and administering this part.]

654 (5)

(a) The following portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124:

657 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (1)(f), (4), and (7);

659 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and (1)(c)(ii);

661 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

662 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

663 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i);

664 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii); and

665 (vii) \$17 of the registration fee imposed under Subsection [41-1a-1206(1)(j).] 41-1a-1206(1)(h).

667 (b) The following portions of the registration fees collected for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124:

670 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and

671 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

672 (6)

(a) Ninety-four cents of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

675 (b) Seventy-one cents of each registration fee imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

679 (7)

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- (a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.
- 682 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.
- 686 (8) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for each motorcycle shall be deposited into the Brain and Spinal Cord Injury Fund created in Section 26B-1-318.
- 689 (9)
  - (a) Beginning on January 1, 2024, subject to Subsection (9)(b), \$2 of each registration fee imposed under Section 41-1a-1206 shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.
  - 692 (b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described in Subsection (9)(a) shall be annually adjusted by taking the amount deposited the previous year and adding an amount equal to the greater of:
    - 695 (i) an amount calculated by multiplying the amount deposited by the previous year by the actual percentage change during the previous fiscal year in the Consumer Price Index; and
    - 698 (ii) 0.
  - 699 (c) The amounts calculated as described in Subsection (9)(b) shall be rounded up to the nearest 1 cent.
- 701 (10) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the deposits under this section are double the amounts due for a 12-month registration of the same vehicle.

706       Section 9. Section **41-1a-1206** is amended to read:

707       **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

709 (a) \$46.00 for each motorcycle;

710 (b) \$44 for each motor vehicle of 14,000 pounds or less gross laden weight, excluding motorcycles;

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

714 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

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715 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less gross unladen weight;

717 (d)

718 (i) \$53 for each farm truck over 14,000 pounds, but not exceeding 16,000 pounds gross laden weight; plus

719 (ii) \$9 for each 2,000 pounds over 16,000 pounds gross laden weight;

720 (e)

721 (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm trucks, over 14,000 pounds, but not exceeding 16,000 pounds gross laden weight; plus

722 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross laden weight;

723 (f)

724 (i) \$69.50 for each park model recreational vehicle over 14,000 pounds, but not exceeding 16,000 pounds gross laden weight; plus

725 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross laden weight;

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

727 [~~(h)~~] (g) in addition to the fee described in Subsection (1)(b):

728 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

729 (A) each electric motor vehicle; and

730 (B) Each motor vehicle not described in this Subsection [~~(1)(h)~~ (1)(g) that is fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane;

731 (ii) \$21.75 for each hybrid electric motor vehicle; and

732 (iii) \$56.50 for each plug-in hybrid electric motor vehicle; and

733 [~~(i) in addition to the fee described in Subsection (1)(g), for a vintage vehicle that has a model year of 1983 or newer, 50 cents; and~~]

734 [~~(j)~~] (h) \$28.50 for each roadable aircraft.

735 (2)

736 (a) At the time application is made for registration or renewal of registration of a vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a registration fee shall be paid to the division as follows:

737 (i) \$34.50 for each motorcycle; and

738

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(ii) \$33.50 for each motor vehicle of 14,000 pounds or less gross laden weight, excluding motorcycles.

745 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal of registration of a vehicle under this chapter for a six-month registration period under Section 41-1a-215.5 a registration fee shall be paid to the division as follows:

748 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

749 (A) each electric motor vehicle; and

750 (B) each motor vehicle not described in this Subsection (2)(b) that is fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane;

753 (ii) \$16.50 for each hybrid electric motor vehicle; and

754 (iii) \$43.50 for each plug-in hybrid electric motor vehicle.

755 (3)

756 (a) Beginning on January 1, 2024, at the time of registration:

756 (i) in addition to the amounts described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), [ (1)(h), ] (4)(a), and [ (1)(f) 7, ] (9), the individual shall also pay an additional \$7 as part of the registration fee; and

759 (ii) in addition to the amounts described in Subsection (2)(a), the individual shall also pay an additional \$5 as part of the registration fee.

761 (b)

761 (i) Beginning on January 1, 2019, the commission shall, on January 1, annually adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), [ (1)(g), (1)(j), ] (1)(h), (2)(a), (3)(a), (4)(a), and [ (7), ] (9), by taking the registration fee rate for the previous year and adding an amount equal to the greater of:

766 (A) an amount calculated by multiplying the registration fee of the previous year by the actual percentage change during the previous fiscal year in the Consumer Price Index; and

769 (B) 0.

770 (ii) Beginning on January 1, 2024, the commission shall, on January 1, annually adjust the registration fees described in Subsections [ (1)(h)(ii), ] (1)(g)(ii) and (iii) and (2)(b)(ii) and (iii) by taking the registration fee rate for the previous year and adding an amount equal to the greater of:

774 (A) an amount calculated by multiplying the registration fee of the previous year by the actual percentage change during the previous fiscal year in the Consumer Price Index; and

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777 (B) 0.

778 (c) The amounts calculated as described in Subsection (3)(b) shall be rounded up to the nearest 25 cents.

780 (4)

782 (a) The initial registration fee for a ~~vintage vehicle that has a model year of 1982 or older~~ classic vehicle is \$40.

784 (b) A ~~vintage vehicle that has a model year of 1982 or older~~ classic vehicle is exempt from the renewal of registration fees under Subsection (1).

787 [(e)] (5) A vehicle with a Purple Heart special group license plate issued on or before December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group License Plates, is exempt from the registration fees under Subsection (1).

788 [(f)] (6) A camper is exempt from the registration fees under Subsection (1).

791 [(g)] (7) If a motor vehicle is operated in combination with a semitrailer or trailer, each motor vehicle shall register for the total gross laden weight of all units of the combination if the total gross laden weight of the combination exceeds 14,000 pounds.

793 [(h)] (8)

794 (a) Registration fee categories under this section are based on the gross laden weight declared in the licensee's application for registration.

795 (b) Gross laden weight shall be computed in units of 2,000 pounds.

796 (c) A fractional part of 2,000 pounds is a full unit.

797 [(i)] (9) The owner of a trailer described in Section 41-1a-228 may, as an alternative to registering under Subsection (1)(c), apply for and obtain a special registration and license plate, as provided in Section 41-1a-228, for a fee of \$130.

798 [(j)] (10) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the fee amounts are double the amounts due for a 12-month registration of the same vehicle.

800 [(k)] (11) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm truck unless:

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

804 (b)

805 (i) the truck has a gross vehicle weight rating of more than 14,000 pounds; or

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- (ii) the truck has a gross vehicle weight rating of 14,000 pounds or less and the owner submits to the division a certificate of emissions inspection or a waiver in compliance with Section 41-6a-1642.
- 808 [40] (12) A violation of Subsection (9) is an infraction that shall be punished by a fine of not less than \$200.
- 810 [41] (13) A motor vehicle registered as a street-legal all-terrain vehicle is:
  - 811 (a) subject to the registration and other fees described in Section 41-22-9; and
  - 812 (b) not required to pay an additional registration fee under this section.
- 813 [42] (14) Trucks used exclusively to pump cement, bore wells, or perform crane services with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees required for those vehicles under this section.

818 Section 10. Section **41-1a-1603** is amended to read:

**41-1a-1603. Application requirements -- Fees -- Contributions -- Rulemaking.**

- 819 (1) An applicant for a sponsored special group license plate shall submit to the division:
  - 820 (a) in a form and manner that the division prescribes, a complete application;
  - 821 (b) payment of the fee for the issuance of the sponsored special group license plate established under Subsection (4)(a)(i);
  - 823 (c) the required contribution for the sponsored special group license plate, unless the applicant previously paid the required contribution as part of a preorder application described in Subsection (3); and
- 826 (d) if the sponsoring organization elects to require verification as described in Section 41-1a-1604, a verification form obtained from the sponsoring organization.
- 828 (2) An applicant who owns a vehicle with the sponsoring organization's sponsored special group license plate shall submit to the division the required contribution to renew the sponsored special group license plate.
- 831 (3)
  - 833 (a) An applicant who wishes to obtain a new type of sponsored special group license plate may preorder the new type of sponsored special group license plate by:
    - 836 (i) submitting to the sponsoring organization associated with the new type of sponsored special group license plate a complete preorder form created by the division; and
    - (ii) making the required contribution to the sponsoring organization.

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(b) After the division approves the sponsoring organization's request for the new type of sponsored special group license plate under Section 41-1a-1604, an applicant who submitted a preorder in accordance with Subsection (3)(a) may apply for the sponsored special group license plate in accordance with Subsection (1).

841 (4)

842 (a) The division shall, in accordance with Section 63J-1-504, establish:

844 (i) the fee to charge an applicant for the division's costs of issuing or renewing a sponsored special group license plate or symbol decal;

847 (ii) the fee to charge a sponsoring organization for the division's costs of designing and administering a new type of sponsored special group license plate, in accordance with Subsection 41-1a-1604(2)(c); and

850 (iii) subject to Subsections (4)(b) and (6), in an amount equal to at least \$25, the minimum annual contribution amount an applicant is required to make to obtain or renew the sponsoring organization's sponsored special group license plate.

852 (b) A fee paid in accordance with Subsection (4)(a)(i) shall be deposited into the License Plate Restricted Account created in Section 41-1a-122.

855 (c) A sponsoring organization may establish a required contribution amount for the sponsoring organization's sponsored special group license plate that is greater than the amount established by the division under Subsection (4)(a)(ii).

857 (5) An applicant's contribution is a voluntary contribution for funding the sponsoring organization's activities and not a motor vehicle registration fee.

860 (6) Beginning on July 1, 2025, an applicant's voluntary contribution described in Subsection (4)(a)(iii) for the historical support special group license plate described in Section 41-1a-419 is \$25 which the division shall allocate as follows:

861 (a) \$2 to the Utah State Historical Society as the sponsoring organization; and

862 (b) \$23 into the Transportation Investment Fund of 2005, created in Section 72-2-124.

866 (7) For a fiscal year beginning on July 1, 2025, only, the division shall transfer into the General Fund \$3,500,000 from the Sponsored Special Group License Plate Fund created in Section 41-1a-1610 from funds generated by the historical support special group license plate.

(8) The division shall provide notice indicating the allocation of the voluntary contributions described in Subsection (6) for the historical support special group license plate as follows:

## HB0022S02 compared with HB0022S03

869 (a) on or before July 1, 2025, on the division website; and  
870 (b) beginning on July 1, 2025, and until June 30, 2026, in any email notification of a registrant's  
871 pending vehicle registration expiration described in Section 41-1a-203.

872 ~~[**(9)** An applicant for a historical support special group license plate for a vehicle that is a vintage  
873 vehicle is not required to make the voluntary contribution to obtain the historical support special  
874 group license plate.]~~

875 [~~(10)~~] **(9)** In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
876 commission may make rules to establish and administer the sponsored special group license plate  
877 program.

880 Section 11. Section **41-6a-102** is amended to read:

881 **41-6a-102. Definitions.**

882 As used in this chapter:

883 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings  
884 in urban districts and not intended for through vehicular traffic.

885 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.

886 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

887 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.

888 (5) "Authorized emergency vehicle" includes:

889 (a) a fire department vehicle;  
890 (b) a police vehicle;  
891 (c) an ambulance; and  
892 (d) other publicly or privately owned vehicles as designated by the commissioner of the Department of  
893 Public Safety.

894 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.

895 (7)

896 (a) "Bicycle" means a wheeled vehicle:

897 (i) propelled by human power by feet or hands acting upon pedals or cranks;  
898 (ii) with a seat or saddle designed for the use of the operator;  
899 (iii) designed to be operated on the ground; and  
900 (iv) whose wheels are not less than 14 inches in diameter.

901 (b) "Bicycle" includes an electric assisted bicycle.

## **HB0022S02 compared with HB0022S03**

899 (c) "Bicycle" does not include scooters and similar devices.

900 (8)

904 (a) "Bicycle lane" means a portion of a highway that has been designated by a highway authority through striping, signage, pavement markings, or barriers for the preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted scooter traffic.

906 (b) "Bicycle lane" does not include shared lanes intended for both motor vehicle and bicycle travel.

910 (9)

911 (a) "Bus" means a motor vehicle:

914 (i) designed for carrying more than 15 passengers and used for the transportation of persons; or

915 (ii) designed and used for the transportation of persons for compensation.

917 (b) "Bus" does not include a taxicab.

920 (10)

922 (a) "Circular intersection" means an intersection that has an island, generally circular in design, located in the center of the intersection where traffic passes to the right of the island.

924 (b) "Circular intersection" includes:

925 (i) roundabouts;

926 (ii) rotaries; and

927 (iii) traffic circles.

930 (11) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or electronics that:

932 (a) provides assistance only when the rider is pedaling; and

934 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

936 (12) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or electronics that:

938 (a) may be used exclusively to propel the bicycle; and

940 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour.

942 (13) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a motor or electronics that:

944 (a) provides assistance only when the rider is pedaling;

946 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour; and

948 (c) is equipped with a speedometer.

## HB0022S02 compared with HB0022S03

933 (14) "Commissioner" means the commissioner of the Department of Public Safety.

934 (15) "Controlled-access highway" means a highway, street, or roadway:

935 (a) designed primarily for through traffic; and

936 (b) to or from which owners or occupants of abutting lands and other persons have no legal right  
of access, except at points as determined by the highway authority having jurisdiction over the  
highway, street, or roadway.

939 (16) "Crosswalk" means:

940 (a) that part of a roadway at an intersection included within the connections of the lateral lines of the  
sidewalks on opposite sides of the highway measured from:

942 (i) (A) the curbs; or

943 (B) in the absence of curbs, from the edges of the traversable roadway; and

944 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway included within the  
extension of the lateral lines of the existing sidewalk at right angles to the centerline; or

947 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing  
by lines or other markings on the surface.

949 (17) "Department" means the Department of Public Safety.

950 (18) "Direct supervision" means oversight at a distance within which:

951 (a) visual contact is maintained; and

952 (b) advice and assistance can be given and received.

953 (19) "Divided highway" means a highway divided into two or more roadways by:

954 (a) an unpaved intervening space;

955 (b) a physical barrier; or

956 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

957 (20) "Echelon formation" means the operation of two or more snowplows arranged side-by-side or  
diagonally across multiple lanes of traffic of a multi-lane highway to clear snow from two or more  
lanes at once.

960 (21)

961 (a) "Electric assisted bicycle" means a bicycle with an electric motor that:

962 (i) has a power output of not more than 750 watts;

962 (ii) has fully operable pedals;

## HB0022S02 compared with HB0022S03

963 (iii) has permanently affixed cranks that were installed at the time of the original manufacture;

965 (iv) is fully operable as a bicycle without the use of the electric motor; and

966 (v) is one of the following:

967 (A) a class 1 electric assisted bicycle;

968 (B) a class 2 electric assisted bicycle;

969 (C) a class 3 electric assisted bicycle; or

970 (D) a programmable electric assisted bicycle.

971 (b) "Electric assisted bicycle" does not include:

972 (i) a moped;

973 (ii) a motor assisted scooter;

974 (iii) a motorcycle;

975 (iv) a motor-driven cycle; or

976 (v) any other vehicle with less than four wheels that is designed, manufactured, intended, or advertised by the seller to have any of the following capabilities or features, or that is modifiable or is modified to have any of the following capabilities or features:

980 (A) has the ability to attain the speed of 20 miles per hour or greater on motor power alone;

982 (B) is equipped with a continuous rated motor power of 750 watts or greater;

983 (C) is equipped with foot pegs for the operator at the time of manufacture, or requires installation of a pedal kit to have operable pedals; or

985 (D) if equipped with multiple operating modes and a throttle, has one or more modes that exceed 20 miles per hour on motor power alone.

987 (22)

988 (a) "Electric personal assistive mobility device" means a self-balancing device with:

989 (i) two nontandem wheels in contact with the ground;

990 (ii) a system capable of steering and stopping the unit under typical operating conditions;

991 (iii) an electric propulsion system with average power of one horsepower or 750 watts;

992 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and

993 (v) a deck design for a person to stand while operating the device.

994 (b) "Electric personal assistive mobility device" does not include a wheelchair.

995 (23) "Electric unicycle" means a self-balancing personal transportation device that:

996 (a) has a single wheel;

## HB0022S02 compared with HB0022S03

998 (b) is powered by an electric motor that utilizes gyroscopes and accelerometers to stabilize the rider;  
and

1000 (c) is designed for the operator to face in the direction of travel while operating the device.

1002 (24) "Explosives" means a chemical compound or mechanical mixture commonly used or intended for the purpose of producing an explosion and that contains any oxidizing and combustive units or other ingredients in proportions, quantities, or packing so that an ignition by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of causing death or serious bodily injury.

1009 (25) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement, for drawing plows, mowing machines, and other implements of husbandry.

1011 (26) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as determined by a Tagliabue or equivalent closed-cup test device.

1013 (27) "Freeway" means a controlled-access highway that is part of the interstate system as defined in Section 72-1-102.

1015 (28)

1016 (a) "Golf cart" means a device that:

1017 (i) is designed for transportation by players on a golf course;

1018 (ii) has not less than three wheels in contact with the ground;

1019 (iii) has an unladen weight of less than 1,800 pounds;

1020 (iv) is designed to operate at low speeds; and

1021 (v) is designed to carry not more than six persons including the driver.

1022 (b) "Golf cart" does not include:

1023 (i) a low-speed vehicle or an off-highway vehicle;

1024 (ii) a motorized wheelchair;

1025 (iii) an electric personal assistive mobility device;

1026 (iv) an electric assisted bicycle;

1027 (v) a motor assisted scooter;

1028 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

1029 (vii) a mobile carrier, as defined in Section 41-6a-1120.

## **HB0022S02 compared with HB0022S03**

(29) "Gore area" means the area delineated by two solid white lines that is between a continuing lane of a through roadway and a lane used to enter or exit the continuing lane including similar areas between merging or splitting highways.

1032 (30) "Gross weight" means the weight of a vehicle without a load plus the weight of any load on the vehicle.

1034 (31) "Hi-rail vehicle" means a roadway maintenance vehicle that is:

1035 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and

1036 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a highway or railroad tracks.

1038 (32) "Highway" means the entire width between property lines of every way or place of any nature when any part of it is open to the use of the public as a matter of right for vehicular travel.

1041 (33) "Highway authority" means the same as that term is defined in Section 72-1-102.

1042 (34) "Interdicted person" means the same as that term is defined in Section 32B-1-102.

1043 (35)

1044 (a) "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two or more highways that join one another.

1046 (b) Where a highway includes two roadways 30 feet or more apart:

1047 (i) every crossing of each roadway of the divided highway by an intersecting highway is a separate intersection; and

1049 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of the highways is a separate intersection.

1051 (c) "Intersection" does not include the junction of an alley with a street or highway.

1052 (36) "Island" means an area between traffic lanes or at an intersection for control of vehicle movements or for pedestrian refuge designated by:

1054 (a) pavement markings, which may include an area designated by two solid yellow lines surrounding the perimeter of the area;

1056 (b) channelizing devices;

1057 (c) curbs;

1058 (d) pavement edges; or

1059 (e) other devices.

## HB0022S02 compared with HB0022S03

1060 (37)

(a) "Lane filtering" means, when operating a motorcycle other than an autocycle, the act of overtaking and passing another vehicle that is stopped in the same direction of travel in the same lane.

1063 (b) "Lane filtering" does not include lane splitting.

1064 (38)

(a) "Lane splitting" means, when operating a motorcycle other than an autocycle, the act of riding a motorcycle between clearly marked lanes for traffic traveling in the same direction of travel while traffic is in motion.

1067 (b) "Lane splitting" does not include lane filtering.

1068 (39) "Law enforcement agency" means the same as that term is as defined in Section 53-1-102.

1070 (40) "Limited access highway" means a highway:

1071 (a) that is designated specifically for through traffic; and

1072 (b) over, from, or to which neither owners nor occupants of abutting lands nor other persons have any right or easement, or have only a limited right or easement of access, light, air, or view.

1075 (41) "Local highway authority" means the legislative, executive, or governing body of a county, municipal, or other local board or body having authority to enact laws relating to traffic under the constitution and laws of the state.

1078 (42)

(a) "Low-speed vehicle" means a four wheeled motor vehicle that:

1079 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

1080 (ii) has a capacity of not more than six passengers, including a conventional driver or fallback-ready user if on board the vehicle, as those terms are defined in Section 41-26-102.1.

1083 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

1084 (43) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or partly of metal or other hard nonresilient material.

1086 (44)

(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or saddle that is less than 24 inches from the ground as measured on a level surface with properly inflated tires.

1089 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

1090 (c) "Mini-motorcycle" does not include a motorcycle that is:

1091 (i) designed for off-highway use; and

## HB0022S02 compared with HB0022S03

1092 (ii) registered as an off-highway vehicle under Section 41-22-3.

1093 (45) "Mobile home" means:

1094 (a) a trailer or semitrailer that is:

1095 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping place either  
permanently or temporarily; and

1097 (ii) equipped for use as a conveyance on streets and highways; or

1098 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed for use as a  
mobile home, as defined in Subsection (45)(a), but that is instead used permanently or temporarily  
for:

1101 (i) the advertising, sale, display, or promotion of merchandise or services; or

1102 (ii) any other commercial purpose except the transportation of property for hire or the transportation of  
property for distribution by a private carrier.

1104 (46) "Mobility disability" means the inability of a person to use one or more of the person's extremities  
or difficulty with motor skills, that may include limitations with walking, grasping, or lifting an  
object, caused by a neuro-muscular, orthopedic, or other condition.

1107 (47)

1108 (a) "Moped" means a motor-driven cycle having:

1109 (i) pedals to permit propulsion by human power; and

1110 (ii) a motor that:

1111 (A) produces not more than two brake horsepower; and

1112 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on level ground.

1113 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters and  
the moped shall have a power drive system that functions directly or automatically without clutching  
or shifting by the operator after the drive system is engaged.

1117 (c) "Moped" does not include:

1118 (i) an electric assisted bicycle; or

1119 (ii) a motor assisted scooter.

1120 (48)

1121 (a) "Motor assisted scooter" means a self-propelled device with:

1122 (i) at least two wheels in contact with the ground;

1123 (ii) a braking system capable of stopping the unit under typical operating conditions;

## HB0022S02 compared with HB0022S03

- (iii) an electric motor not exceeding 2,000 watts;
- (iv) either:
  - (A) handlebars and a deck design for a person to stand while operating the device; or
  - (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating the device;
- (v) a design for the ability to be propelled by human power alone; and
- (vi) a maximum speed of 20 miles per hour on a paved level surface.

(b) "Motor assisted scooter" does not include:

- (i) an electric assisted bicycle; or
- (ii) a motor-driven cycle.

(49)

- (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.
- (b) "Motor vehicle" does not include:
  - (i) vehicles moved solely by human power;
  - (ii) motorized wheelchairs;
  - (iii) an electric personal assistive mobility device;
  - (iv) an electric assisted bicycle;
  - (v) a motor assisted scooter;
  - (vi) a personal delivery device, as defined in Section 41-6a-1119; or
  - (vii) a mobile carrier, as defined in Section 41-6a-1120.

(50) "Motorcycle" means:

- (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider and designed to travel with not more than three wheels in contact with the ground; or
- (b) an autocycle.

(51)

- (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle having:
  - (i) an engine with less than 150 cubic centimeters displacement; or
  - (ii) a motor that produces not more than five horsepower.
- (b) "Motor-driven cycle" does not include:
  - (i) an electric personal assistive mobility device;
  - (ii) a motor assisted scooter; or

## HB0022S02 compared with HB0022S03

1156 (iii) an electric assisted bicycle.

1157 (52) "OBD-II" means the on-board diagnostic system in a motor vehicle used for emissions testing as required by 42 U.S.C. Sec. 7521(m)(1).

1159 [(52)] (53) "Off-highway implement of husbandry" means the same as that term is defined under Section 41-22-2.

1161 [(53)] (54) "Off-highway motorcycle" means the same as that term is defined in Section 41-22-2.

1163 [(54)] (55) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.

1165 [(55)] (56) "Operate" means the same as that term is defined in Section 41-1a-102.

1166 [(56)] (57) "Operator" means:

1167 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or

1168 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a vehicle.

1170 [(57)] (58) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other device operated, alone or coupled with another device, on stationary rails.

1172 [(58)] (59)

1174 (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is occupied or not.

1175 (b) "Park" or "parking" does not include:

1177 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged in loading or unloading property or passengers; or

1179 (ii) a motor vehicle with an engaged automated driving system that has achieved a minimal risk condition, as those terms are defined in Section 41-26-102.1.

1182 [(59)] (60) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic laws.

1183 [(60)] (61) "Pedestrian" means a person traveling:

1184 (a) on foot; or

1184 (b) in a wheelchair.

1185 [(61)] (62) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate pedestrians.

1187 [(62)] (63) "Person" means a natural person, firm, copartnership, association, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or any other legal or commercial entity.

1191 [(63)] (64) "Pole trailer" means a vehicle without motive power:

1192

## HB0022S02 compared with HB0022S03

- (a) designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and
- 1195 (b) that is ordinarily used for transporting long or irregular shaped loads including poles, pipes, or structural members generally capable of sustaining themselves as beams between the supporting connections.
- 1198 [(64)] (65) "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.
- 1201 [(65)] (66) "Programmable electric assisted bicycle" means an electric assisted bicycle with capability to switch or be programmed to function as a class 1 electric assisted bicycle, class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the electric assisted bicycle fully conforms with the respective requirements of each class of electric assisted bicycle when operated in that mode.
- 1206 [(66)] (67) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.
- 1208 [(67)] (68) "Railroad sign or signal" means a sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.
- 1211 [(68)] (69) "Railroad train" means a locomotive propelled by any form of energy, coupled with or operated without cars, and operated upon rails.
- 1213 [(69)] (70) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.
- 1215 [(70)] (71) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under circumstances of direction, speed, and proximity that give rise to danger of collision unless one grants precedence to the other.
- 1219 [(71)] (72)
  - (a) "Roadway" means that portion of highway improved, designed, or ordinarily used for vehicular travel.
  - 1221 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of them are used by persons riding bicycles or other human-powered vehicles.
  - 1223 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a highway includes two or more separate roadways.
- 1225

## HB0022S02 compared with HB0022S03

[~~72~~] (73) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

1228 [~~73~~] (74)

(a) "School bus" means a motor vehicle that:

1229 (i) complies with the color and identification requirements of the most recent edition of "Minimum Standards for School Buses"; and

1231 (ii) is used to transport school children to or from school or school activities.

1232 (b) "School bus" does not include a vehicle operated by a common carrier in transportation of school children to or from school or school activities.

1234 [~~74~~] (75) "Self-balancing electric skateboard" means a device similar to a skateboard that:

1235 (a) has a single wheel;

1236 (b) is powered by an electric motor; and

1237 (c) is designed for the operator to face perpendicular to the direction of travel while operating the device.

1239 [~~75~~] (76)

(a) "Semitrailer" means a vehicle with or without motive power:

1240 (i) designed for carrying persons or property and for being drawn by a motor vehicle; and

1242 (ii) constructed so that some part of its weight and that of its load rests on or is carried by another vehicle.

1244 (b) "Semitrailer" does not include a pole trailer.

1245 [~~76~~] (77) "Shoulder area" means:

1246 (a) that area of the hard-surfaced highway separated from the roadway by a pavement edge line as established in the current approved "Manual on Uniform Traffic Control Devices"; or

1249 (b) that portion of the road contiguous to the roadway for accommodation of stopped vehicles, for emergency use, and for lateral support.

1251 [~~77~~] (78) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

1253 [~~78~~] (79)

(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt that is designated for the use of a bicycle.

## HB0022S02 compared with HB0022S03

1255 (b) "Soft-surface trail" does not mean a trail:

1256 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a federal law,  
regulation, or rule; or

1258 (ii) located in whole or in part on land granted to the state or a political subdivision subject to a  
conservation easement that prohibits the use of a motorized vehicle.

1260 [(79)] (80) "Solid rubber tire" means a tire of rubber or other resilient material that does not depend on  
compressed air for the support of the load.

1262 [(80)] (81) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied or not, for  
the purpose of and while actually engaged in receiving or discharging passengers.

1265 [(81)] (82) "Stop" when required means complete cessation from movement.

1266 [(82)] (83) "Stop" or "stopping" when prohibited means any halting even momentarily of a vehicle,  
whether occupied or not, except when:

1268 (a) necessary to avoid conflict with other traffic; or

1269 (b) in compliance with the directions of a peace officer or traffic-control device.

1270 [(83)] (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I vehicle,  
all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway motorcycle, that is  
modified to meet the requirements of Section 41-6a-1509 to operate on highways in the state in  
accordance with Section 41-6a-1509.

1274 [(84)] (85) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under Section  
41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to operate on highways  
in the state in accordance with Section 41-6a-1509.

1277 (86) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.

1278 [(85)] (87) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

1279 [(86) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.]

1281 [(87)] (88) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and other  
conveyances either singly or together while using any highway for the purpose of travel.

1284 (89) "Traffic-control device" means a sign, signal, marking, or device not inconsistent with this chapter  
placed or erected by a highway authority for the purpose of regulating, warning, or guiding traffic.

1287 (90) "Traffic-control signal" means a device, whether manually, electrically, or mechanically operated,  
by which traffic is alternately directed to stop and permitted to proceed.

1290

## HB0022S02 compared with HB0022S03

[{88}] (91) "Traffic signal preemption device" means an instrument or mechanism designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

1292 [({89}) "Traffic-control device" means a sign, signal, marking, or device not inconsistent with this chapter placed or erected by a highway authority for the purpose of regulating, warning, or guiding traffic.]

1295 [({90}) "Traffic-control signal" means a device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.]

1298 [{91}] (92)

(a) "Trailer" means a vehicle with or without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

1301 (b) "Trailer" does not include a pole trailer.

1302 [{92}] (93) "Truck" means a motor vehicle designed, used, or maintained primarily for the transportation of property.

1304 [{93}] (94) "Truck tractor" means a motor vehicle:

1305 (a) designed and used primarily for drawing other vehicles; and

1306 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck tractor.

1308 [{94}] (95) "Two-way left turn lane" means a lane:

1309 (a) provided for vehicle operators making left turns in either direction;

1310 (b) that is not used for passing, overtaking, or through travel; and

1311 (c) that has been indicated by a lane traffic-control device that may include lane markings.

1313 [{95}] (96) "Urban district" means the territory contiguous to and including any street, in which structures devoted to business, industry, or dwelling houses are situated at intervals of less than 100 feet, for a distance of a quarter of a mile or more.

1316 [{96}] (97) "Vehicle" means a device in, on, or by which a person or property is or may be transported or drawn on a highway, except a mobile carrier, as defined in Section 41-6a-1120, or a device used exclusively on stationary rails or tracks.

1319 [{97}] (98) "Wheelie" means a maneuver performed while operating a motorcycle whereby the front wheel of the motorcycle is raised off of the ground.

1323 Section 12. Section **41-6a-605** is amended to read:

1324 **41-6a-605. Minimum speed regulations.**

1323

## HB0022S02 compared with HB0022S03

(1) [A person] An individual may not operate a motor vehicle at a speed so slow as to impede or block the normal and reasonable movement of traffic except when:

1325 (a) a reduced speed is necessary for safe operation;

1326 (b) upon a grade; or

1327 (c) in compliance with a traffic-control device.

1328 (2) Operating a motor vehicle on a limited access highway at less than the speed limit side by side with and at the same speed as a vehicle operated in the adjacent right lane is evidence of a violation of Subsection (1).

1331 (3)

(a) If, based on an engineering and traffic investigation, a highway authority determines that slow speeds on any part of a highway under [its] the highway authority's jurisdiction consistently impede the normal and reasonable movement of traffic, the highway authority may post a minimum speed limit.

1335 (b) If a minimum speed limit is posted under this Subsection (3), [a person] an individual may not operate a vehicle at a speed below the posted minimum speed limit except:

1337 (i) when necessary for safe operation; or

1338 (ii) in accordance with Section 41-6a-205.

1339 (c) The minimum speed limit is effective when appropriate signs giving notice are erected along the highway or section of the highway.

1341 (4) An individual operating a classic vehicle as described in Section 41-28-102 is exempt from the requirements of this section.

1343 [(4)] (5) A violation of this section is an infraction.

1346 Section 13. Section **41-6a-1507** is amended to read:

**41-6a-1507. Custom vehicles -- Defined -- Compliance with all laws and standards --**

**Exceptions -- Revocation -- Signed statement required.**

1347 (1)

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

1348 (i)

[(A) ~~is at least 25 years old and of a model year after 1948; or~~]

1349 [(B)]

## HB0022S02 compared with HB0022S03

(I) (A) ~~was manufactured to resemble a vehicle that is at least 25 years old and of a model year after 1948; and] is at least 25 years old and of a model year after 1948; or~~

1352 (B) ~~was manufactured to resemble a vehicle that is at least 25 years old and of a model year after 1948 and has been altered from the manufacturer's original design or has a body constructed of non-original materials; and~~

1355 [(H)

(Aa) ~~has been altered from the manufacturer's original design; or]~~

1356 [(Bb) ~~has a body constructed of non-original materials; and]~~

1357 (ii) is primarily a collector's item that is used for:

1358 (A) club activities;

1359 (B) exhibitions;

1360 (C) tours;

1361 (D) parades;

1362 (E) occasional transportation; and

1363 (F) other similar uses.

1364 (b) A custom vehicle does not include:

1365 (i) a motor vehicle that is used for general, daily transportation;

1366 (ii) a ~~vintage~~ classic vehicle as defined in Section ~~41-21-1~~ 41-28-101; or

1367 (iii) a special interest vehicle as defined in Section 41-1a-102.

1368 (2) Except as specified under this section, a custom vehicle shall meet all safety, registration, insurance, fees, and taxes required under this title.

1370 (3)

(a) Except as provided in Subsection ~~(3)(b)~~ (3)(c), all safety equipment of a custom vehicle shall at least meet the safety standards applicable to the model year of the vehicle being replicated.

1373 (b) Any replacement equipment shall comply with the design standards of the replacement equipment's manufacturer.

1375 [(b)] (c) A custom vehicle shall comply with current vehicle brake and stopping standards.

1377 (4) A custom vehicle is exempt from motor vehicle emissions inspection and maintenance program requirements under Section 41-6a-1642.

1379 (5) The tax commission may revoke or deny the registration of a custom vehicle for failure to comply with this section.

## HB0022S02 compared with HB0022S03

1381 (6) The owner of a custom vehicle shall provide a signed statement certifying that the custom vehicle  
1382 is owned and operated for the purposes enumerated in this section to the safety inspection station in  
1383 order to qualify for the exceptions provided under this section.

1387 Section 14. Section **41-6a-1633** is amended to read:

1388 **41-6a-1633. Mudguards or flaps at rear wheels of trucks, trailers, truck tractors, or altered  
1389 motor vehicles -- Exemptions.**

1388 (1)

1392 (a) Except as provided in Subsection (2), when operated on a highway, the following vehicles shall  
1393 be equipped with wheel covers, mudguards, flaps, or splash aprons behind the rearmost wheels  
1394 to prevent, as far as practicable, the wheels from throwing dirt, water, or other materials on other  
1395 vehicles:

1396 (i) a vehicle that has been altered:

1397 (A) from the original manufacturer's frame height; or

1398 (B) in any other manner so that the motor vehicle's wheels may throw dirt, water, or other materials on  
1399 other vehicles;

1400 (ii) any truck with a gross vehicle weight rating of 10,500 pounds or more;

1401 (iii) any truck tractor; and

1402 (iv) any trailer or semitrailer with an unladen weight of 750 pounds or more.

1403 (b) The wheel covers, mudguards, flaps, or splash aprons shall:

1404 (i) be at least as wide as the tires they are protecting;

1405 (ii) be directly in line with the tires; and

1406 (iii) have a ground clearance of not more than 50% of the diameter of a rear-axle wheel, under any  
1407 conditions of loading of the motor vehicle.

1408 (2) Wheel covers, mudguards, flaps, or splash aprons are not required:

1409 (a) if the motor vehicle, trailer, or semitrailer is designed and constructed so that the requirements  
1410 of Subsection (1) are accomplished by means of fenders, body construction, or other means of  
1411 enclosure;

1412 (b) on a vehicle operated or driven during fair weather on well-maintained, hard-surfaced roads if the  
1413 motor vehicle:

1414 (i) was made in America prior to 1935;

1415 (ii) is registered as a [vintage] classic vehicle; or

## HB0022S02 compared with HB0022S03

1412 (iii) is a custom vehicle as defined under Section 41-6a-1507; or  
1413 (c) on a street-legal all-terrain vehicle.

1414 (3) Except as provided in Subsection (2)(b), rear wheels not covered at the top by fenders, bodies, or  
other parts of the vehicle shall be covered at the top by protective means extending rearward at least  
to the center line of the rearmost axle.

1417 (4) A violation of this section is an infraction.

1420 Section 15. Section **41-6a-1642** is amended to read:

1421 **41-6a-1642. Emissions inspection -- County program.**

1420 (1) The legislative body of each county required under federal law to utilize a motor vehicle emissions  
inspection and maintenance program or in which an emissions inspection and maintenance program  
is necessary to attain or maintain any national ambient air quality standard shall require:

1424 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is exempt from  
emissions inspection and maintenance program requirements be presented:

1427 (i) as a condition of registration or renewal of registration; and

1428 (ii) at other times as the county legislative body may require to enforce inspection requirements for  
individual motor vehicles, except that the county legislative body may not routinely require a  
certificate of emissions inspection, or waiver of the certificate, more often than required under  
Subsection (9); and

1432 (b) compliance with this section for a motor vehicle registered or principally operated in the county and  
owned by or being used by a department, division, instrumentality, agency, or employee of:

1435 (i) the federal government;

1436 (ii) the state and any of its agencies; or

1437 (iii) a political subdivision of the state, including school districts.

1438 (2)

1439 (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions inspection and  
maintenance program certificate of emissions inspection as described in Subsection (1), but the  
program may not deny vehicle registration based solely on the presence of a defeat device covered  
in the Volkswagen partial consent decrees or a United States Environmental Protection Agency-  
approved vehicle modification in the following vehicles:

1444 (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are  
mitigated in the state pursuant to a partial consent decree, including:

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1446 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;  
1447 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and 2014;  
1449 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;  
1450 (D) Volkswagen Golf Sportwagen, model year 2015;  
1451 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;  
1452 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;  
1453 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and  
1454 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and  
1455 (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state to a settlement, including:

1457 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;  
1459 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;  
1460 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;  
1461 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;  
1462 (E) Audi A8, model years 2014, 2015, and 2016;  
1463 (F) Audi A8L, model years 2014, 2015, and 2016;  
1464 (G) Audi Q5, model years 2014, 2015, and 2016; and  
1465 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.

1468 (b) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in Subsection (1), but the program may not deny vehicle registration based solely on the presence of a defeat device covered in the Mercedes-Benz USA, LLC and Mercedes-Benz Group AG consent decree or a United States Environmental Protection Agency-approved vehicle modification in the following vehicles:

1474 (i) Mercedes-Benz E250 BlueTEC II, model years 2014, 2015, and 2016;  
1475 (ii) Mercedes-Benz E350 BlueTEC II, model years 2011, 2012, and 2013;  
1476 (iii) Mercedes-Benz GL320 BlueTEC II, model year 2009;  
1477 (iv) Mercedes-Benz GL350 BlueTEC II, model years 2010, 2011, 2012, 2013, 2014, 2015, and 2016;  
1479 (v) Mercedes-Benz GLE300d, model year 2016;  
1480 (vi) Mercedes-Benz GLE350d, model year 2016;  
1481 (vii) Mercedes-Benz GLK250 BlueTEC II, model years 2013, 2014, and 2015;  
1482 (viii) Mercedes-Benz ML250 BlueTEC II, model year 2015;

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1483 (ix) Mercedes-Benz ML320 BlueTEC II, model year 2009;  
1484 (x) Mercedes-Benz ML350 BlueTEC II, model years 2010, 2011, 2012, 2013, and 2014;  
1486 (xi) Mercedes-Benz R320 BlueTEC II, model year 2009;  
1487 (xii) Mercedes-Benz R350 BlueTEC II, model years 2010, 2011, and 2012;  
1488 (xiii) Mercedes-Benz S350 BlueTEC II, model years 2012 and 2013;  
1489 (xiv) Mercedes-Benz or Freightliner Sprinter 4-cylinder, model years 2014, 2015, and 2016; and  
1491 (xv) Mercedes-Benz or Freightliner Sprinter 6-cylinder, model years 2010, 2011, 2012, 2013, 2014,  
2015, and 2016.

1466 [(b)] (c)

(i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in Subsection (1).

1469 (ii) A county emissions program may not refuse to perform an emissions inspection or indicate a failed emissions test of the vehicle based solely on a modification to the engine or component of the motor vehicle if:

1472 (A) the modification is not likely to result in the motor vehicle having increased emissions relative to the emissions of the motor vehicle before the modification; and

1475 (B) the motor vehicle modification is a change to an engine that is newer than the engine with which the motor vehicle was originally equipped, or the engine includes technology that increases the facility of the administration of an emissions test, such as an on-board diagnostics system.

1479 (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to registration of a restored-modified vehicle:

1481 (A) the owner shall present the signed statement described in Subsection [41-1a-226(4)] 41-1a-226(3); and

1483 (B) the county emissions program shall perform the emissions test.

1484 (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration certificate is notated as described in Subsection [41-1a-226(4)] 41-1a-226(3), a county emissions program may not refuse to perform an emissions test based solely on the restored-modified status of the motor vehicle.

1488 (3)

## HB0022S02 compared with HB0022S03

(a) The legislative body of a county identified in Subsection (1), in consultation with the Air Quality Board created under Section 19-1-106, shall make regulations or ordinances regarding:

- (i) emissions standards;
- (ii) test procedures;
- (iii) inspections stations;
- (iv) repair requirements and dollar limits for correction of deficiencies; and
- (v) certificates of emissions inspections.

(b) In accordance with Subsection (3)(a), a county legislative body:

- (i) shall make regulations or ordinances to attain or maintain ambient air quality standards in the county, consistent with the state implementation plan and federal requirements;
- (ii) may allow for a phase-in of the program by geographical area; and
- (iii) shall comply with the analyzer design and certification requirements contained in the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

(c) The county legislative body and the Air Quality Board shall give preference to an inspection and maintenance program that:

- (i) is decentralized, to the extent the decentralized program will attain and maintain ambient air quality standards and meet federal requirements;
- (ii) is the most cost effective means to achieve and maintain the maximum benefit with regard to ambient air quality standards and to meet federal air quality requirements as related to vehicle emissions; and
- (iii) provides a reasonable phase-out period for replacement of air pollution emission testing equipment made obsolete by the program.

(d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

- (i) may be accomplished in accordance with applicable federal requirements; and
- (ii) does not otherwise interfere with the attainment and maintenance of ambient air quality standards.

(4) The following vehicles are exempt from an emissions inspection program and the provisions of this section:

- (a) an implement of husbandry as defined in Section 41-1a-102;
- ~~(b) a motor vehicle that:~~
  - ~~(i) meets the definition of a farm truck under Section 41-1a-102; and~~
  - ~~(ii) has a gross vehicle weight rating of 12,001 pounds or more;~~

## HB0022S02 compared with HB0022S03

1523 [({e}) a vintage vehicle as defined in Section 41-21-1:]  
1524 [({i}) if the vintage vehicle has a model year of 1982 or older; or]  
1525 [({ii}) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides proof of vehicle  
insurance that is a type specific to a vehicle collector;]  
1527 (c){(b)} a vehicle with a model year of 1995 or older;  
1528 [({d})] (c) a custom vehicle as defined in Section 41-6a-1507;  
1529 [({e})] (d) a vehicle registered as a novel vehicle under Section 41-27-201;  
1530 [({f})] (e) to the extent allowed under the current federally approved state implementation plan, in  
accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor vehicle that is less  
than two years old on January 1 based on the age of the vehicle as determined by the model year  
identified by the manufacturer;  
1534 [({g})] (f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating of  
[12,000] 14,000 pounds or less, if the registered owner of the pickup truck provides a signed  
statement to the legislative body stating the truck is used:  
1537 (i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under  
Sections 59-2-502 and 59-2-503; and  
1539 (ii) exclusively for the following purposes in operating the farm:  
1540 (A) for the transportation of farm products, including livestock and its products, poultry and its  
products, floricultural and horticultural products; and  
1542 (B) in the transportation of farm supplies, including tile, fence, and every other thing or commodity  
used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance;  
1545 [({h})] (g) a motorcycle as defined in Section 41-1a-102;  
1546 [({i})] (h) an electric motor vehicle as defined in Section 41-1a-102;  
1547 [({j})] a motor vehicle with a model year of 1967 or older; and]  
1548 [({k})] (j){(i)} a roadable aircraft as defined in Section 72-10-102[-] ; and  
1549 (k){(j)} a vehicle with a gross vehicle weight rating of 14,001 pounds or more.  
1550 (5) The county shall issue to the registered owner who signs and submits a signed statement under  
Subsection (4)(g) a certificate of exemption from emissions inspection requirements for purposes of  
registering the exempt vehicle.  
1553 (6) A legislative body of a county described in Subsection (1) may exempt from an emissions  
inspection program a diesel-powered motor vehicle with a:

## HB0022S02 compared with HB0022S03

1555 (a) gross vehicle weight rating of more than 14,000 pounds; or  
1556 (b) model year of 1997 or older.

1557 (7) The legislative body of a county required under federal law to utilize a motor vehicle emissions inspection program shall require:

1559 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:  
1560 (i) a model year of 2007 or newer;  
1561 (ii) a gross vehicle weight rating of 14,000 pounds or less; and  
1562 (iii) a model year that is five years old or older; and  
1563 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:  
1564 (i) with a gross vehicle weight rating of 14,000 pounds or less;  
1565 (ii) that has a model year of 1998 or newer; and  
1566 (iii) that has a model year that is five years old or older.

1567 (8)

1568 (a) Subject to Subsection (8)(c), the legislative body of each county required under federal law to utilize a motor vehicle emissions inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard may require each college or university located in a county subject to this section to require its students and employees who park a motor vehicle not registered in a county subject to this section to provide proof of compliance with an emissions inspection accepted by the county legislative body if the motor vehicle is parked on the college or university campus or property.

1576 (b) College or university parking areas that are metered or for which payment is required per use are not subject to the requirements of this Subsection (8).

1578 (c) The legislative body of a county shall make the reasons for implementing the provisions of this Subsection (8) part of the record at the time that the county legislative body takes its official action to implement the provisions of this Subsection (8).

1582 (9)

1583 (a) An emissions inspection station shall issue a certificate of emissions inspection for each motor vehicle that meets the inspection and maintenance program requirements established in regulations or ordinances made under Subsection (3).

1585

## **HB0022S02 compared with HB0022S03**

(b) The frequency of the emissions inspection shall be determined based on the age of the vehicle as determined by model year and shall be required annually subject to the provisions of Subsection (9)(c).

1588 (c)

(i) To the extent allowed under the current federally approved state implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative body of a county identified in Subsection (1) shall only require the emissions inspection every two years for each vehicle.

1592 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six years old on January 1.

1594 (iii) For a county required to implement a new vehicle emissions inspection and maintenance program on or after December 1, 2012, under Subsection (1), but for which no current federally approved state implementation plan exists, a vehicle shall be tested at a frequency determined by the county legislative body, in consultation with the Air Quality Board created under Section 19-1-106, that is necessary to comply with federal law or attain or maintain any national ambient air quality standard.

1601 (iv) If a county legislative body establishes or changes the frequency of a vehicle emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment or change shall take effect on January 1 if the State Tax Commission receives notice meeting the requirements of Subsection (9)(c)(v) from the county before October 1.

1606 (v) The notice described in Subsection (9)(c)(iv) shall:

1607 (A) state that the county will establish or change the frequency of the vehicle emissions inspection and maintenance program under this section;

1609 (B) include a copy of the ordinance establishing or changing the frequency; and

1610 (C) if the county establishes or changes the frequency under this section, state how frequently the emissions testing will be required.

1612 (d) If an emissions inspection is only required every two years for a vehicle under Subsection (9)(c), the inspection shall be required for the vehicle in:

1614 (i) odd-numbered years for vehicles with odd-numbered model years; or

1615 (ii) in even-numbered years for vehicles with even-numbered model years.

1616 (10)

## **HB0022S02 compared with HB0022S03**

- (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection required under this section may be made no more than two months before the renewal of registration.
- 1619 (b)
  - (i) If the title of a used motor vehicle is being transferred, the owner may use an emissions inspection certificate issued for the motor vehicle during the previous 11 months to satisfy the requirement under this section.
  - 1622 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle dealer's name during the previous 11 months to satisfy the requirement under this section.
  - 1626 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the lessee may use an emissions inspection certificate issued during the previous 11 months to satisfy the requirement under this section.
  - 1629 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not use an emissions inspection made more than 11 months before the renewal of registration to satisfy the requirement under this section.
  - 1632 (e) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the owner may use an emissions inspection certificate issued during the previous eight months to satisfy the requirement under this section.
- 1635 (11)
  - (a) A county identified in Subsection (1) shall collect information about and monitor the program.
  - 1637 (b) A county identified in Subsection (1) shall supply this information to the Transportation Interim Committee to identify program needs, including funding needs.
- 1640 (12) If approved by the county legislative body, a county that had an established emissions inspection fee as of January 1, 2002, may increase the established fee that an emissions inspection station may charge by \$2.50 for each year that is exempted from emissions inspections under Subsection (9)(c) up to a \$7.50 increase.
- 1644 (13)
  - (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration within the county in accordance with the procedures and requirements of Section 41-1a-1223.

1648

## HB0022S02 compared with HB0022S03

(b) A county that imposes a local emissions compliance fee may use revenues generated from the fee for the establishment and enforcement of an emissions inspection and maintenance program in accordance with the requirements of this section.

1651 (c) A county that imposes a local emissions compliance fee may use revenues generated from the fee to promote programs to maintain a local, state, or national ambient air quality standard.

1654 (14)

(a) If a county has reason to believe that a vehicle owner has provided an address as required in Section 41-1a-209 to register or attempt to register a motor vehicle in a county other than the county of the bona fide residence of the owner in order to avoid an emissions inspection required under this section, the county may investigate and gather evidence to determine whether the vehicle owner has used a false address or an address other than the vehicle owner's bona fide residence or place of business.

1660 (b) If a county conducts an investigation as described in Subsection (14)(a) and determines that the vehicle owner has used a false or improper address in an effort to avoid an emissions inspection as required in this section, the county may impose a civil penalty of \$1,000.

1664 ~~(15) A county legislative body described in Subsection (1) may exempt a motor vehicle from an emissions inspection if:~~

1666 ~~[(a) the motor vehicle is 30 years old or older;]~~

1667 ~~[(b) the county determines that the motor vehicle was driven less than 1,500 miles during the preceding 12-month period; and]~~

1669 ~~[(e) the owner provides to the county legislative body a statement signed by the owner that states the motor vehicle:]~~

1671 ~~[(i) is primarily a collector's item used for:]~~

1672 ~~[(A) participation in club activities;]~~

1673 ~~[(B) exhibitions;]~~

1674 ~~[(C) tours; or]~~

1675 ~~[(D) parades; or]~~

1676 ~~[(ii) is only used for occasional transportation.]~~

1677 (15)

(a) If a motor vehicle subject to an emissions inspection cannot be tested using OBD-II technology, the owner of the vehicle may present the vehicle to a county for verification.

## HB0022S02 compared with HB0022S03

1680 (b) A county shall verify that the vehicle:

1681 (i) is not equipped with OBD-II technology; and

1682 (ii) is unable to be tested using OBD-II technology for reasons other than tampering, removal, or  
modification of emissions-related equipment.

1684 (16)

1687 (a) If a county verifies that the vehicle cannot be tested using OBD-II technology as described in  
Subsection (15), the county shall report to the division the vehicle identification number of the  
vehicle.

1689 (b) The division shall maintain a record of each vehicle identification number reported under this  
Subsection (16).

1693 (17)

1699 (a) Except as provided in Subsection (17)(c), a motor vehicle is permanently exempt from an emissions  
inspection requirement described in this section if the division records the vehicle identification  
number of the vehicle as described in Subsection (16).

1695 (b) Except as provided in Subsection (17)(c), an exemption described in this Subsection (17) applies for  
the life of the vehicle and does not require renewal or re-verification.

1698 (c) The division may remove a vehicle from the record described in Subsection (16)(b) and the vehicle  
will not be exempt from emissions testing under Subsection (17)(a) if the division determines that  
the vehicle:

1699 (i) was fraudulently verified; or

1699 (ii) is equipped with compliant OBD-II technology after a verification as described in Subsection (15).

1728 Section 16. Section **41-27-101** is amended to read:

1729 **41-27-101. Definitions.**

1730 As used in this chapter:

1734 (1) "Commission" means the State Tax Commission.

1735 (2) "Division" means the Motor Vehicle Division.

1736 (3) "Novel vehicle" means a vehicle:

1737 (a) that is not expressly exempt from registration; and

1738 (b)

1739 (i) that does not fit within a vehicle category;

1740 (ii) with unique characteristics that make it unclear whether the vehicle fits within a vehicle category; or

## HB0022S02 compared with HB0022S03

1711 (iii) that a reasonable person would not consider the vehicle to be clearly included in an existing vehicle category.

1713 (4) "Vehicle" means a motor vehicle, combination of vehicles, trailer, semitrailer, [vintage vehicle] classic vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle.

1716 (5)

1717 (a) "Vehicle category" means a vehicle type:

1718 (i) that is defined in this title or Title 73, Chapter 18, State Boating Act; and

1719 (ii) for which registration is required under:

1720 (A) this chapter;

1721 (B) Chapter 1a, Motor Vehicle Act;

1722 (C) Chapter 22, Off-highway Vehicles; or

1723 (D) Title 73, Chapter 18, State Boating Act.

1724 (b) "Vehicle category" does not include a novel vehicle.

1725 (6) "VIN" means a vehicle identification number or a hull identification number.

1726 Section 17. Section **17** is enacted to read:

1727 **41-28-101. Definitions.**

1728 28. Classic Vehicles

1729 As used in this chapter:

1730 (1)

1731 (a) "Classic travel trailer" means a travel trailer, camping trailer, or fifth wheel trailer that is:

1732 (i) model year 1982 or older; and

1733 (ii) primarily a collector's item that is used for:

1734 (A) participation in club activities;

1735 (B) exhibitions;

1736 (C) tours;

1737 (D) parades;

1738 (E) occasional recreational or vacation use; or

1739 (F) other similar uses.

1740 (b) "Classic travel trailer" does not include a travel trailer, camping trailer, or fifth wheel trailer that is used for the general daily transportation of an individual or property.

## HB0022S02 compared with HB0022S03

1741 (2) "Classic vehicle" means:

1742 (a) a motor vehicle or motorcycle:

1743 (i) with a model year of 1982 or older; and

1744 (ii) that is driven fewer than 1,500 miles per calendar year; or

1745 (b) a classic travel trailer.

1746 (3) "Motor vehicle" means the same as that term is defined in Section 41-1a-102.

1747 (4) "Motorcycle" means the same as that term is defined in Section 41-1a-102.

1775 Section 18. Section **18** is enacted to read:

1776 **41-28-102. Minimum speed inapplicable.**

Minimum speed restrictions described in Section 41-6a-605 do not apply to a classic vehicle described in this chapter and properly registered under Chapter 1a, Motor Vehicle Act, while the individual operates a vehicle:

1753 (1)

1754 (a) to or from an assembly, convention, or other meeting where the vehicle and the vehicle's ownership are of primary interest; or

1755 (b) to, from, or during a local, state, or national tour held primarily for the exhibition and enjoyment of the vehicle by the vehicle's owner; and

1757 (2) in a manner that does not constitute a public nuisance or create a hazard to another motor vehicle or a person.

1786 Section 19. Section **19** is enacted to read:

1787 **41-28-103. Minimum safety equipment inapplicable.**

Minimum safety equipment standards described in Chapter 6a, Part 16, Vehicle Equipment, do not apply to a classic vehicle properly registered under Chapter 1a, Motor Vehicle Act, if:

1764 (1) the original equipment on the vehicle at the time of the vehicle's manufacture:

1765 (a) is in good operating condition; or

1766 (b) has been replaced by equal or more efficient equipment in good working order; and

1767 (2) an individual operates the vehicle in a manner that does not constitute a public nuisance or create a hazard to another motor vehicle or person.

1796 Section 20. Section **20** is enacted to read:

1797 **41-28-104. Operation on public highways.**

## HB0022S02 compared with HB0022S03

An individual may operate a classic vehicle properly registered under Chapter 1a, Motor Vehicle Act, on the streets and highways:

1773 (1)

(a) to or from an assembly, convention, parade, or other meeting where the vehicle and the vehicle's ownership are of primary interest; or

1775 (b) to, from, or during a local, state, or national tour held primarily for the exhibition and enjoyment of the vehicle by the vehicle's owner; and

1777 (2) if the individual operates the vehicle in a manner that does not constitute a public nuisance or create a hazard to another motor vehicle or person.

1806 Section 21. Section 21 is enacted to read:

1807 **41-28-105. Revocation of registration -- Powers of tax commission.**

The State Tax Commission may revoke the registration of a classic vehicle if the owner of the classic vehicle fails to comply with this chapter.

1811 Section 22. Section 72-1-213.2 is amended to read:

1812 **72-1-213.2. Road Usage Charge Program Special Revenue Fund -- Revenue.**

1787 (1) There is created an expendable special revenue fund within the Transportation Fund known as the "Road Usage Charge Program Special Revenue Fund."

1789 (2)

(a) The fund shall be funded from the following sources:

1790 (i) revenue collected by the department under Section 72-1-213.1;

1791 (ii) appropriations made to the fund by the Legislature;

1792 (iii) contributions from other public and private sources for deposit into the fund;

1793 (iv) interest earnings on cash balances; and

1794 (v) money collected for repayments and interest on fund money.

1795 (b) If the revenue derived from the sources described in Subsection (2)(a) is insufficient to cover the costs of administering the road usage charge program, subject to Subsection 72-2-107(1), the department may transfer into the fund revenue deposited into the Transportation Fund from the fee described in Subsections [41-1a-1206(1)(h)] 41-1a-1206(1)(g) and (2)(b) in an amount sufficient to enable the department to administer the road usage charge program.

1801 (3)

## HB0022S02 compared with HB0022S03

- (a) Revenue generated by the road usage charge program and relevant penalties shall be deposited into the Road Usage Charge Program Special Revenue Fund.
- (b) Revenue in the Road Usage Charge Program Special Revenue Fund is nonlapsing.
- (4) The department may use revenue deposited into the Road Usage Charge Program Special Revenue Fund:
  - (a) to cover the costs of administering the program; and
  - (b) for the purposes described in Subsection (5).
- (5) If revenue collected by the department under Section 72-1-213.1 in a fiscal year is sufficient to cover all costs related to administering the road usage charge program in that fiscal year, the department shall deposit any excess revenue collected by the department under Section 72-1-213.1 from the Road Usage Charge Program Special Revenue Fund into the Transportation Fund for appropriation and apportionment in accordance with Section 72-2-107.

### 1841 Section 23. **Repealer.**

This Bill Repeals:

- This bill repeals:
- Section **41-21-1, Definitions.**
- Section **41-21-3, Minimum speed inapplicable.**
- Section **41-21-4, Minimum safety equipment inapplicable.**
- Section **41-21-5, Operation on public highways.**
- Section **41-21-6, Revocation of registration -- Powers of tax commission.**
- Section **24. FY 2027 Appropriations.**

1849 The following sums of money are appropriated for the fiscal year beginning July 1, 1850 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for 1851 fiscal year 2027.

### 1852 Subsection 24(a). **Transfers to Unrestricted Funds**

1853 The Legislature authorizes the State Division of Finance to transfer the following 1854 amounts to the unrestricted General Fund, Income Tax Fund, or Uniform School Fund, as 1855 indicated, from the restricted funds or accounts indicated. Expenditures and outlays from the 1856 General Fund, Income Tax Fund, or Uniform School Fund must be authorized by an 1857 appropriation.

1858 ITEM 1 To General Fund

## HB0022S02 compared with HB0022S03

|      |   |        |
|------|---|--------|
| 1859 | From Transportation Investment Fund of 2005, One-time | 36,400 |
| 1860 | Schedule of Programs:                                 |        |
| 1861 | General Fund, One-time                                | 36,400 |
| 1862 | Section 25. <b>Effective date.</b>                    |        |
|      | Effective Date.                                       |        |
|      | <u>This bill takes effect on October 1, 2026.</u>     |        |

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