

# HB0263S01 compared with HB0263

~~{Omitted text}~~ shows text that was in HB0263 but was omitted in HB0263S01

inserted text shows text that was not in HB0263 but was inserted into HB0263S01

**DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.**

1

**Heavy Duty Vehicle Amendments**  
2026 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Tyler Clancy**  
Senate Sponsor: Kirk A. Cullimore



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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses provisions related to heavy duty vehicles.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ establishes a heavy duty emissions compliance fee for a registration or renewal of a heavy duty vehicle with a 2009 or older model year;

11 ▶ **provides for the deposit of revenue from the ~~{registration or renewal}~~ heavy duty emissions compliance fee into the ~~{{Environmental Mitigation and Response}}~~ Transportation Fund; and**

13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

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18 **Utah Code Sections Affected:**

19 ENACTS:

20 **41-1a-1226** ~~{(Effective 05/06/26)}~~, Utah Code Annotated 1953

AMENDS:

20 ~~{19-1-603 (Effective 05/06/26), as enacted by Laws of Utah 2017, Chapter 246}~~

21 ~~{41-1a-1201 (Effective 05/06/26) (Partially Repealed 07/01/29), as last amended by Laws of~~  
21 ~~Utah 2025, Chapter 279}~~

21

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

27 ~~{Section 1. Section 19-1-603 is amended to read: }~~

28 **19-1-603. Environmental Mitigation and Response Fund -- Funding sources.**

30 (1) There is created an expendable special revenue fund known as the Environmental Mitigation and  
Response Fund.

32 (2) The fund consists of:

33 (a) public and private funding sources made under Subsections (3) and (4);

34 (b) legally binding bankruptcy, financial assurance, or natural resource damage claim settlements;

36 (c) revenue collected from the heavy duty emissions compliance fee described in Subsection  
41-1a-1226(2); and

38 ~~[(e)]~~ (d) interest earnings on cash balances.

39 (3) The department may accept contributions for deposit into the fund from public and private sources,  
including from a source as a condition of a consent decree, settlement agreement, stipulated  
agreement, or court order.

42 (4) If funds are deposited as part of a consent decree, settlement agreement, stipulated agreement, or  
court order, the source of the funding may specify terms and conditions in which the funds may be  
used, in accordance with the consent decree, settlement agreement, stipulated agreement, or court  
order.

46 (5) Unless mandated by court order, the department may refuse funds if the department ~~[determines~~  
~~it]~~is incapable of meeting the terms and conditions of the agreement to obtain the funds, as  
determined by the department, including covering the costs to administer the fund and oversee the  
implementation of the specific mitigation or response action.

51 (6) The fund may account for assets held by the state for:

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- 52 (a) an individual;
- 53 (b) a private or public entity;
- 54 (c) another governmental unit, including a local or federal agency;
- 55 (d) a state agency; or
- 56 (e) a Native American tribe.

57 ~~{Section 2. Section 41-1a-1201 is amended to read: }~~

### 58 **41-1a-1201. Disposition of fees.**

- 59 (1) All fees received and collected under this part shall be transmitted daily to the state treasurer.
- 61 (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, 41-1a-1226, and 41-1a-1603, all fees collected  
under this part shall be deposited into the Transportation Fund.
- 64 (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.
- 67 (4)
  - (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.
  - 71 (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.
  - 75 (c) 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.
- 78 (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:
    - 81 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (1)(f), (4), and  
(7);
    - 83 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and (1)(c)(ii);
    - 85 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

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- 86 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);  
87 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i);  
88 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii); and  
89 (vii) \$17 of the registration fee imposed under Subsection 41-1a-1206(1)(j).
- 90 (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:
- 93 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and  
94 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).
- 95 (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 Department of Public Safety Restricted Account created in  
Section 53-3-106.
- 98 (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 Department of Public Safety Restricted Account created in Section 53-3-106.
- 102 (7)
- (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.
- 105 (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.
- 109 (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.
- 112 (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.

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(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:

(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

(ii) 0.

(c) The amounts calculated as described in Subsection (9)(b) shall be rounded up to the nearest 1 cent.

(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.

Section 1. Section 1 is enacted to read:

## **41-1a-1226. ~~{(Effective 05/06/26)}~~ Heavy duty emissions compliance fee -- Deposit.**

(1) As used in this section:

~~Ĥ~~ → ~~{(a)}~~ }

~~(a)~~ ~~{(i)}~~ ~~{}~~ ~~{(a)}~~ ~~{}~~ ← ~~Ĥ~~ } "High emissions heavy duty vehicle" means a motor vehicle that has:

~~(i)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(A)}~~ ~~{}~~ ~~{(i)}~~ ~~{}~~ ← ~~Ĥ~~ } a gross vehicle weight rating of more than 14,000 pounds; and

~~(ii)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(B)}~~ ~~{}~~ ~~{(ii)}~~ ~~{}~~ ← ~~Ĥ~~ } a model year of 2009 or older.

~~(b)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(ii)}~~ ~~{}~~ ~~{(b)}~~ ~~{}~~ ← ~~Ĥ~~ } "High emissions heavy duty vehicle" does not include:

~~(i)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(A)}~~ ~~{}~~ ~~{(i)}~~ ~~{}~~ ← ~~Ĥ~~ } a farm tractor;

~~(ii)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(B)}~~ ~~{}~~ ~~{(ii)}~~ ~~{}~~ ← ~~Ĥ~~ } a farm truck;

~~(iii)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(C)}~~ ~~{}~~ ~~{(iii)}~~ ~~{}~~ ← ~~Ĥ~~ } an implement of husbandry;

~~(iv)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(D)}~~ ~~{}~~ ~~{(iv)}~~ ~~{}~~ ← ~~Ĥ~~ } an ambulance;

~~(v)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(E)}~~ ~~{}~~ ~~{(v)}~~ ~~{}~~ ← ~~Ĥ~~ } a law enforcement vehicle;

~~(vi)~~ ~~{~~ ~~Ĥ~~ ~~{}~~ ~~{}~~ ~~{(F)}~~ ~~{}~~ ~~{(vi)}~~ ~~{}~~ ← ~~Ĥ~~ } a fire engine; ~~{or}~~

~~(vii)~~ ~~{~~ ~~{(G)}~~ ~~{}~~ ~~{(vii)}~~ ~~{}~~ ← ~~Ĥ~~ } a vehicle owned and used by the United States government or by the state or a political subdivision of the state ~~{}~~ ; or

~~(viii)~~ ~~(viii)~~ a vehicle designed and used for the collection and transportation of municipal solid waste and garbage.

~~{(b)}~~ }

~~(i)~~ "Major nonattainment county" means a county: ~~{}~~

~~{(A)}~~ of the first or second class, as described in Section 17-60-104; and ~~{}~~

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- 144        ~~{(B) in an ozone nonattainment area, as that term is defined in 42 U.S.C. Sec. 7501.}~~
- 145        ~~{(ii) "Major nonattainment county" includes:}~~
- 146        ~~{(A) Davis County;}~~
- 147        ~~{(B) Salt Lake County;}~~
- 148        ~~{(C) Utah County; and}~~
- 149        ~~{(D) Weber County.}~~
- 150        (2) Except as provided in Section 41-1a-1209, beginning on January 1, 2027, an applicant shall pay a heavy duty emissions compliance fee in an amount of \$175 at the time an application is made for registration or renewal of a high emissions heavy duty vehicle.
- 153        (3) The division shall deposit revenue generated under Subsection (2) into the {~~Environmental Mitigation and Response Fund created in Section 19-1-603~~} Transportation Fund created in Section 72-2-102.
- 45        Section 2. **Effective date.**  
Effective Date.  
This bill takes effect on May 6, 2026.

2-20-26 5:34 PM