

HB0505S01 compared with HB0505

{Omitted text} shows text that was in HB0505 but was omitted in HB0505S01

inserted text shows text that was not in HB0505 but was inserted into HB0505S01

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1

Vehicle Tax and Fee Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill reclassifies certain taxes and fees and reorganizes vehicle tax and fee provisions.

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Highlighted Provisions:

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This bill:

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- ▶ reclassifies certain taxes and fees related to vehicles and vehicle registration, designating service fees, regulatory fees, and vehicle taxes;

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- ▶ reorganizes code related to the imposition of vehicle taxes and fees;

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- ▶ reorganizes the distribution of revenue related to vehicle taxes and fees;

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- ▶ creates a new restricted account for deposits from vehicle regulatory fees and funding for the Motor Vehicle Division;

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- ▶ removes the option for a six-month registration;and

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- ▶ { ~~removes the annual adjustment of certain vehicle taxes and fees due to inflation; and~~ }

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- ▶ makes technical and conforming changes.

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Money Appropriated in this Bill:

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- ▶

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This bill appropriates \$9,883,900 in capital project funds for fiscal year 2027, all of which is from the General Fund.

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Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

26B-1-318 (Effective 01/01/27) (Repealed 07/01/29), as last amended by Laws of Utah 2025, Chapter 126

31A-6a-101 (Effective 01/01/27), as last amended by Laws of Utah 2020, Chapter 32

41-1a-119 (Effective 01/01/27), as last amended by Laws of Utah 2008, Chapter 382

41-1a-122 (Effective 01/01/27), as last amended by Laws of Utah 2024, Chapter 251

41-1a-203 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 279

41-1a-208 (Effective 01/01/27), as last amended by Laws of Utah 2006, Chapter 164

41-1a-213 (Effective 01/01/27), as last amended by Laws of Utah 2023, Chapter 456

41-1a-215 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 285

41-1a-215.5 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 279

41-1a-216 (Effective 01/01/27), as last amended by Laws of Utah 2021, Chapter 135

41-1a-230 (Effective 01/01/27), as last amended by Laws of Utah 2003, Chapter 126

41-1a-230.5 (Effective 01/01/27), as last amended by Laws of Utah 2023, Chapter 328

41-1a-230.7 (Effective 01/01/27), as last amended by Laws of Utah 2023, Chapters 310, 328

41-1a-301 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 234

41-1a-402 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 279

41-1a-410 (Effective 01/01/27), as last amended by Laws of Utah 2024, Chapter 251

41-1a-1202 (Effective 01/01/27), as renumbered and amended by Laws of Utah 1992, Chapter 1

41-1a-1203 (Effective 01/01/27), as renumbered and amended by Laws of Utah 1992, Chapter 1

41-1a-1204 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 279

41-1a-1207 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 234

41-1a-1209 (Effective 01/01/27), as last amended by Laws of Utah 2008, Chapter 210

41-1a-1219 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 279

41-1a-1221 (Effective 01/01/27), as last amended by Laws of Utah 2025, Chapter 279

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- 50 **41-1a-1222 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
- 51 **41-1a-1223 (Effective 01/01/27)**, as last amended by Laws of Utah 2020, Chapter 83
- 52 **41-1a-1301 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 302
- 53 **41-1a-1603 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 247
- 54 **41-3-302 (Effective 01/01/27)**, as last amended by Laws of Utah 2008, Chapter 382
- 55 **41-6a-208 (Effective 01/01/27)**, as last amended by Laws of Utah 2019, Chapter 294
- 56 **41-6a-1642 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 5
- 58 **41-12a-806 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 294
- 59 **41-22-3 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
- 60 **41-22-8 (Effective 01/01/27) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah
2025, Chapter 279
- 62 **41-22-9 (Effective 01/01/27)**, as last amended by Laws of Utah 2008, Chapter 36
- 63 **41-22-19 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
- 64 **41-22-33 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
- 65 **41-22-34 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
- 66 **41-27-201 (Effective 01/01/27)**, as enacted by Laws of Utah 2024, Chapter 459
- 67 **53-3-905 (Effective 01/01/27)**, as last amended by Laws of Utah 2012, Chapter 397
- 68 **53-8-214 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 271
- 69 **53G-10-503 (Effective 01/01/27)**, as last amended by Laws of Utah 2024, Chapter 55
- 70 **59-2-405.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
- 71 **59-2-405.2 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 279, 336
- 73 **59-12-103 [~~(Effective 07/01/26)~~] (Effective 01/01/27)**, as last amended by Laws of Utah 2025,
Chapter 285
- 75 **72-1-213.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 452
- 76 **72-1-213.2 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapters 22, 490
- 78 **72-2-117.5 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 373
- 79 **72-2-121 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 17
- 81 **72-2-124 [~~(Effective 07/01/26)~~] (Effective 01/01/27)**, as last amended by Laws of Utah 2025,
First Special Session, Chapter 15

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83 **72-2-133 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special Session,
Chapter 17

85 ~~**{72-10-112 (Effective 01/01/27), as last amended by Laws of Utah 2018, Chapter 436}**~~

85 **73-18-7 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 336

86 **73-18-25.3 (Effective 01/01/27)**, as enacted by Laws of Utah 2023, Chapter 244

87 ENACTS:

88 **41-1a-124 (Effective 01/01/27)**, Utah Code Annotated 1953

89 REPEALS AND REENACTS:

90 **41-1a-1201 (Effective 01/01/27) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah
2025, Chapter 279

92 **41-1a-1206 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 215, 279

94 **41-1a-1211 (Effective 01/01/27)**, as last amended by Laws of Utah 2024, Chapter 251

95 **41-1a-1218 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279

96 REPEALS:

97 **41-1a-123 (Effective 01/01/27)**, as enacted by Laws of Utah 2023, Chapter 212

98 **41-1a-1205 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 1992, Chapter 1

100 **41-1a-1208 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 1993, Chapter 222

102 **41-1a-1210 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 1993, Chapter 222

104 **41-1a-1212 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapter 33

105

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

107 Section 1. Section **26B-1-318** is amended to read:

108 **26B-1-318. Brain and Spinal Cord Injury Fund.**

111 (1) As used in this section:

112 (a) "Advisory committee" means the Brain and Spinal Cord Injury Advisory Committee created in
Section 26B-1-417.

114 (b) "Nervous system research" means research conducted by a qualified charitable clinic that is:

116 (i) designed to improve, enhance, accelerate, or advance the clinical outcomes of:

117 (A) an individual affected by a spinal cord injury, a brain injury, or a stroke; or

118 (B) a child with a neurological condition or syndrome;

119 (ii) approved by an institutional review board; and

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- 120 (iii) designed to be completed in a 12-month period.
- 121 (c) "Qualified charitable clinic" means a professional medical clinic that:
- 122 (i) provides therapeutic services;
- 123 (ii) employs licensed therapy clinicians;
- 124 (iii) has at least five years experience operating a post-acute care rehabilitation clinic in the state; and
- 126 (iv) has obtained tax-exempt status under Internal Revenue Code, 26 U.S.C. Sec. 501(c)(3).
- 128 (d) "Research grant" means a grant that can only be used for nervous system research.
- 129 (e)
- (i) "Therapeutic services" means:
- 130 (A) rehabilitation services to individuals who have a spinal cord or brain injury that tends to be non-
- progressive or non-deteriorating and require post-acute care; or
- 133 (B) rehabilitation services for children with neurological conditions and who require post-acute
- care.
- 135 (ii) "Therapeutic services" include:
- 136 (A) physical, occupational, and speech therapy; and
- 137 (B) other services as determined by the department, in consultation with the advisory committee,
- through rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 140 (2) There is created an expendable special revenue fund known as the "Brain and Spinal Cord Injury
- Fund."
- 142 (3) The fund shall consist of:
- 143 (a) gifts, grants, donations, or any other conveyance of money that may be made to the fund from
- private sources; and
- 145 (b) additional amounts as appropriated by the Legislature;
- 146 (c) a portion of the impound fee as designated in Section 41-6a-1406; and
- 147 (d) the fees ~~taxes and fees~~ collected by the Motor Vehicle Division [~~under Subsections 41-1a-1201(8)~~
- ~~and 41-22-8(3)] and deposited into the fund as described in Section 41-1a-1201 and Subsection~~
- ~~41-22-8(3).~~
- 150 (4) The fund shall be administered by the executive director, in consultation with the advisory
- committee.
- 152 (5) Fund money may be used to:
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- 155 (a) educate the general public and professionals regarding understanding, treatment, and prevention of
brain injury;
- 158 (b) provide access to evaluations and coordinate short-term care to assist an individual in identifying
services or support needs, resources, and benefits for which the individual may be eligible;
- 160 (c) develop and support an information and referral system for persons with a brain injury and their
families;
- 162 (d) provide grants to persons or organizations to provide the services described in Subsections (5)(a),
(b), and (c);
- 163 (e) assist one or more qualified charitable clinics to provide therapeutic services;
- 164 (f) purchase equipment for use in the qualified charitable clinic; and
- 166 (g) provide research grants to qualified charitable clinics in accordance with Subsection (7).
- 167 (6) Each year, approximately no less than:
- 169 (a) 40% of the fund shall be used for programs and services described in Subsections (5)(a) through (d);
- 171 (b) 25% of the fund shall be used to assist adults with brain or spinal cord injuries under Subsections (5)
(e) and (f); and
- 173 (c) 10 % of the fund shall be used to assist children with neurological conditions under Subsections (5)
(e) and (f).
- 176 (7)
- 178 (a) Each year, if money remains in the fund after the money has been allocated in accordance with
Subsection (6), the advisory committee may award up to \$100,000 in research grants divided among
one or more qualified charitable clinics.
- 179 (b) A qualified charitable clinic that accepts a research grant shall agree to the requirements in
Subsection (7)(c) before receiving the grant.
- 180 (c) A qualified charitable clinic that accepts a research grant:
- 182 (i) shall report the results of the nervous system research to the advisory committee;
- 183 (ii) shall provide the committee an itemized list of expenditures for research grant money;
- 185 (iii) shall return any unspent research grant money to the fund;
- 186 (iv) subject to Subsection (7)(c)(v), may collaborate with another entity for performing the nervous
system research;
- (v) may not use research grant money to pay another entity to conduct the project; and

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(vi) may not use research grant money to pay for administrative costs not directly associated with the research project.

188 (8) An individual who receives services either paid for from the fund, or through an organization under contract with the fund, shall:

190 (a) be a resident of Utah;

191 (b) have been diagnosed by a qualified professional as having a brain injury, spinal cord injury, or other neurological condition which results in impairment of cognitive or physical function; and

194 (c) have a need that can be met within the requirements of this section.

195 (9) The fund may not duplicate any services or support mechanisms being provided to an individual by any other government or private agency.

197 (10) All actual and necessary operating expenses for the Brain and Spinal Cord Injury Advisory Committee created in Section 26B-1-417 and staff shall be paid by the fund.

198 Section 2. Section **31A-6a-101** is amended to read:

199 **31A-6a-101. Definitions.**

As used in this chapter:

202 (1) "Home warranty service contract" means a service contract that requires a person to repair or replace a component, system, or appliance of a home or make indemnification to the contract holder for the repair or replacement of a component, system, or appliance of the home:

206 (a) upon mechanical or operational failure of the component, system, or appliance;

207 (b) for a predetermined fee; and

208 (c) if:

209 (i) the person is not the builder, seller, or lessor of the home that is the subject of the contract; and

211 (ii) the failure described in Subsection (1)(a) occurs within a specified period of time.

212 (2)

(a) "Incidental cost" means a cost, incurred by a warranty holder in relation to a vehicle protection product warranty, that is in addition to the cost of purchasing the warranty.

215 (b) "Incidental cost" includes an insurance policy deductible, a rental vehicle charge, the difference between the actual value of the stolen vehicle at the time of theft and the cost of a replacement vehicle, sales tax, a ~~registration fee~~ vehicle tax or fee, a transaction fee, a mechanical inspection fee, or damage a theft causes to a vehicle.

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- (3) "Mechanical breakdown insurance" means a policy, contract, or agreement issued by an insurance company that has complied with either Chapter 5, Domestic Stock and Mutual Insurance Corporations, or Chapter 14, Foreign Insurers, that undertakes to perform or provide repair or replacement service on goods or property, or indemnification for repair or replacement service, for the operational or structural failure of the goods or property due to a defect in materials, workmanship, or normal wear and tear.
- 225 (4) "Nonmanufacturers' parts" means replacement parts not made for or by the original manufacturer of
the goods commonly referred to as "after market parts."
- 227 (5)
- (a) "Road hazard" means a hazard that is encountered while driving a motor vehicle.
- 228 (b) "Road hazard" includes potholes, rocks, wood debris, metal parts, glass, plastic, curbs, or composite
scraps.
- 230 (6)
- (a) "Service contract" means a contract or agreement to perform or reimburse for the repair or
maintenance of goods or property, for their operational or structural failure due to a defect in
materials, workmanship, normal wear and tear, power surge or interruption, or accidental damage
from handling, with or without additional provision for incidental payment of indemnity under
limited circumstances, including towing, providing a rental car, providing emergency road service,
and covering food spoilage.
- 237 (b) "Service contract" does not include:
- 238 (i) mechanical breakdown insurance; or
- 239 (ii) a prepaid contract of limited duration that provides for scheduled maintenance only, regardless of
whether the contract is executed before, on, or after May 9, 2017.
- 242 (c) "Service contract" includes any contract or agreement to perform or reimburse the service contract
holder for any one or more of the following services:
- 244 (i) the repair or replacement of tires, wheels, or both on a motor vehicle damaged as a result of coming
into contact with a road hazard;
- 246 (ii) the removal of dents, dings, or creases on a motor vehicle that can be repaired using the process of
paintless dent removal without affecting the existing paint finish and without replacing vehicle body
panels, sanding, bonding, or painting;
- 249

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- (iii) the repair of chips or cracks in or the replacement of a motor vehicle windshield as a result of damage caused by a road hazard, that is primary to the coverage offered by the motor vehicle owner's motor vehicle insurance policy; or
- 252 (iv) the replacement of a motor vehicle key or key-fob if the key or key-fob becomes inoperable, lost, or stolen, except that the replacement of lost or stolen property is limited to only the replacement of a lost or stolen motor vehicle key or key-fob.
- 255 (7) "Service contract holder" or "contract holder" means a person who purchases a service contract.
- 257 (8) "Service contract provider" means a person who issues, makes, provides, administers, sells or offers to sell a service contract, or who is contractually obligated to provide service under a service contract.
- 260 (9) "Service contract reimbursement policy" or "reimbursement insurance policy" means a policy of insurance providing coverage for all obligations and liabilities incurred by the service contract provider or warrantor under the terms of the service contract or vehicle protection product warranty issued by the provider or warrantor.
- 264 (10)
- (a) "Vehicle protection product" means a device or system that is:
- 265 (i) installed on or applied to a motor vehicle; and
- 266 (ii) designed to:
- 267 (A) prevent the theft of the vehicle; or
- 268 (B) if the vehicle is stolen, aid in the recovery of the vehicle.
- 269 (b) "Vehicle protection product" includes:
- 270 (i) a vehicle protection product warranty;
- 271 (ii) an alarm system;
- 272 (iii) a body part marking product;
- 273 (iv) a steering lock;
- 274 (v) a window etch product;
- 275 (vi) a pedal and ignition lock;
- 276 (vii) a fuel and ignition kill switch; and
- 277 (viii) an electronic, radio, or satellite tracking device.
- 278 (11) "Vehicle protection product warranty" means a written agreement by a warrantor that provides that if the vehicle protection product fails to prevent the theft of the motor vehicle, or aid in the recovery

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of the motor vehicle within a time period specified in the warranty, not exceeding 30 days after the day on which the motor vehicle is reported stolen, the warrantor will reimburse the warranty holder for incidental costs specified in the warranty, not exceeding \$5,000, or in a specified fixed amount not exceeding \$5,000.

- 284 (12) "Vehicle service contract" means a service contract for the repair or maintenance of a vehicle:
286 (a) for operational or structural failure because of a defect in materials, workmanship, normal wear and tear, or accidental damage from handling; and
288 (b) with or without additional provision for incidental payment of indemnity under limited circumstances, including towing, providing a rental car, or providing emergency road service.
- 291 (13) "Warrantor" means a person who is contractually obligated to the warranty holder under the terms of a vehicle protection product warranty.
- 293 (14) "Warranty holder" means the person who purchases a vehicle protection product, any authorized transferee or assignee of the purchaser, or any other person legally assuming the purchaser's rights under the vehicle protection product warranty.

295 Section 3. Section **41-1a-119** is amended to read:

296 **41-1a-119. Emergency procedures for collection of fees.**

- 298 (1) If the commission finds that the owner or operator of a vehicle who is liable for the payment of any [~~registration~~] vehicle tax or fee required by this chapter plans to depart quickly from the state, to remove the owner or operator's property from the state, to conceal the owner or operator's person or property, or do any other act tending to prejudice or render wholly or partially ineffectual proceedings to collect the [~~registration~~] vehicle taxes or fees, the commission shall follow the emergency procedures set forth in Title 63G, Chapter 4, Administrative Procedures Act, and declare that the [~~registration~~] vehicle taxes or fees are immediately due and payable.
- 306 (2) When the commission issues [~~its~~] an emergency order, the [~~registration~~] vehicle taxes or fees are immediately due and payable after notice is given to the owner or operator of the vehicle.

308 Section 4. Section **41-1a-122** is amended to read:

309 **41-1a-122. License Plate Restricted Account.**

- 311 (1) As used in this section, "account" means the License Plate Restricted Account created by this section.
- 313 (2) There is created within the General Fund a restricted account known as the License Plate Restricted Account.

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- 315 (3)
- (a) The account shall be funded from the fees described in:
- 316 (i) ~~[Subsection 41-1a-1201(3)]~~ Section 41-1a-1201;
- 317 (ii) Subsection 41-1a-1604(2)(c); and
- 318 (iii) other fees as provided in this chapter.
- 319 (b) The fees described in Subsection (3)(a) shall be paid to the division, which shall deposit them
[in] into the account.
- 321 (4) The Legislature shall appropriate the funds in the account to the commission to cover the costs of:
- 323 (a) issuing license plates and decals;
- 324 (b) processing applications for personalized license plates;
- 325 (c) centrally distributing license plates; and
- 326 (d) contracting with a vendor to design license plates.
- 327 (5)
- (a) For fiscal year 2024-25, the commission may expend up to \$100,000 for design and redesign of
license plates.
- 329 (b) Beginning with the 2025-26 fiscal year, and each fiscal year thereafter, the commission may expend
up to \$50,000 for the design and redesign of license plates.
- 331 (6) In accordance with Section 63J-1-602.1, appropriations made to the division from the account are
nonlapsing.
- 332 Section 5. Section **5** is enacted to read:
- 333 **41-1a-124. Motor Vehicle Division Restricted Account -- Creation.**
- 336 (1) There is created within the General Fund a restricted account known as the Motor Vehicle Division
Restricted Account.
- 338 (2) The account shall be funded from the deposits into the account as described in Section 41-1a-1201.
- 340 (3) The Legislature may appropriate the funds in the account to the commission to cover the costs of the
division.
- 342 (4) In accordance with Section 63J-1-602.1, appropriations made to the commission from the account
are nonlapsing.
- 343 Section 6. Section **41-1a-203** is amended to read:
- 344 **41-1a-203. Prerequisites for registration, transfer of ownership, or registration renewal.**
- 347 (1)

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- (a) Except as provided in Subsections (1)(b) and (1)(c), the division shall mail a notification to the owner of a vehicle at least 30 days before the date the vehicle's registration is due to expire.
- 350 (b)
- (i) The division shall provide a process for a vehicle owner to choose to receive electronic notification of the pending expiration of a vehicle's registration.
- 352 (ii) If a vehicle owner chooses electronic notification, the division shall notify by email the owner of a vehicle at least 30 days before the date the vehicle's registration is due to expire.
- 355 (c) If at the time the owner renews the vehicle registration, the previous registration period has been expired at least 270 days, the division is not required to comply with the notification requirement described in Subsection (1)(a) for the next registration period.
- 359 (d) An individual may elect to receive notification through both electronic means and the mail.
- 361 (2) Except as otherwise provided, before registration of a vehicle, an owner shall:
- 362 (a) obtain an identification number inspection under Section 41-1a-204;
- 363 (b) obtain a certificate of emissions inspection, if required in the current year, as provided under Section 41-6a-1642;
- 365 (c) pay property taxes, the in lieu fee, or receive a property tax clearance under Section 41-1a-206 or 41-1a-207;
- 367 (d) pay the automobile driver education tax required by Section 41-1a-208;
- 368 (e) pay the applicable [registration] vehicle tax or fee under Part 12, Fee and Tax Requirements;
- 370 (f) pay the uninsured motorist identification fee under Section 41-1a-1218, if applicable;
- 371 (g) pay the motor carrier fee under Section 41-1a-1219, if applicable;
- 372 (h) pay any applicable local emissions compliance fee under Section 41-1a-1223;
- 373 (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act; and
- 374 (j) for a roadable aircraft, provide proof of registration of the roadable aircraft as an aircraft under Section 72-10-109.
- 376 (3) In addition to the requirements in Subsection (1), an owner of a vehicle that has not been previously registered or that is currently registered under a previous owner's name shall apply for a valid certificate of title in the owner's name before registration.
- 379 (4) The division may not issue a new registration, transfer of ownership, or registration renewal under Section 73-18-7 for a vessel or outboard motor that is subject to this chapter unless a certificate of title has been or is in the process of being issued in the same owner's name.

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- 383 (5) The division may not issue a new registration, transfer of ownership, or registration renewal under
Section 41-22-3 for an off-highway vehicle that is subject to this chapter unless a certificate of title
has been or is in the process of being issued in the same owner's name.
- 387 (6) The division may not issue a registration renewal for a motor vehicle if the division has received a
hold request for the motor vehicle for which a registration renewal has been requested as described
in:
- 390 (a) Section 72-1-213.1; or
- 391 (b) Section 72-6-118.
- 391 Section 7. Section **41-1a-208** is amended to read:
- 392 **41-1a-208. Payment of automobile driver education tax prerequisite to registration of motor
vehicle.**
- 395 (1) The collection and payment of the automobile driver education tax is a prerequisite to the
registration of any motor vehicle.
- 397 (2) Except as provided under Subsection (3), the automobile driver education tax accrues and is
collectible upon each motor vehicle, subject to the same exemptions, and payable in the same
manner and time as [~~motor vehicle registration fees under Section 41-1a-1206~~] a vehicle tax
described in Section 41-1a-1206.
- 401 (3) The automobile driver education tax:
- 402 (a) shall be paid in full at the time the motor vehicle is registered; and
- 403 (b) is not collectible or payable upon the transfers of registration, issuance, reissuance of certificates of
registration, titles, or plates contemplated by Sections 41-1a-301, 41-1a-1207, [~~41-1a-1210,~~]and
41-1a-1211.
- 405 Section 8. Section **41-1a-213** is amended to read:
- 406 **41-1a-213. Contents of registration cards.**
- 408 (1) As used in this section:
- 409 (a) "Health care professional" means the same as that term is defined in Section 53-3-207.
- 410 (b) "Invisible condition" means the same as that term is defined in Section 53-3-207.
- 411 (c) "Invisible condition identification decal" means the decal created by the division that incorporates
the invisible condition identification symbol.
- 413 (d) "Invisible condition identification symbol" means the same as that term is defined in Section
53-3-207.

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- 415 (2) The registration card shall be delivered to the owner and shall contain:
416 (a) the date issued;
417 (b) the name of the owner;
418 (c) a description of the vehicle registered including the year, the make, the identification number, and
the license plate assigned to the vehicle;
420 (d) the expiration date; and
421 (e) other information as determined by the commission.
- 422 (3) If a vehicle is leased for a period in excess of 45 days, the registration shall contain:
423 (a) the owner's name; and
424 (b) the name of the lessee.
- 425 (4) On all vehicles registered under Subsections [~~41-1a-1206(1)(d) and (1)(e)~~] 41-1a-1206(3)(e) and
(f), the registration card shall also contain the gross laden weight as given in the application for
registration.
- 428 (5)
(a) Except as provided in Subsection (5)(b), a new registration card issued by the commission on or
after November 1, 2013, may not display the address of the owner or the lessee on the registration
card.
- 431 (b) A new registration card issued by the commission under one of the following provisions shall
display the address of the owner or the lessee on the registration card:
434 (i) Section 41-1a-301 for a vehicle; or
435 (ii) Section 73-18-7 for a vessel.
- 436 (6)
(a) Except as provided in Subsection (6)(d)(ii), the division shall include on a vehicle owner's vehicle
registration database record in the division's vehicle registration database an invisible condition
identification symbol if:
439 (i)
(A) the vehicle owner or an individual who is a regular driver of or passenger in the vehicle owner's
vehicle has an invisible condition; or
441 (B) an individual with an invisible condition resides at the vehicle driver's residence; and
443 (ii) the vehicle owner submits to the commission a request on a form prescribed by the commission.
- 445 (b) A vehicle owner shall include in a request described in Subsection (6)(a):

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- 446 (i) if the request is for an individual other than the vehicle owner, a declaration that the individual is:
448 (A) a regular driver of or passenger in the vehicle; or
449 (B) a resident at the vehicle driver's residence;
- 450 (ii) written verification from a health care professional that the vehicle owner or other individual
described in Subsection (6)(a)(i) has an invisible condition; and
452 (iii) a waiver of liability signed by the individual with the invisible condition or the individual's legal
representative for the release of any medical information to:
454 (A) the commission;
455 (B) any person who has access to the individual's medical information as recorded on the vehicle
owner's vehicle registration database record or the Utah Criminal Justice Information System; and
458 (C) any other person who may view or receive notice of the individual's medical information by seeing
the vehicle owner's vehicle registration database record or the individual's information in the Utah
Criminal Justice Information System.
- 461 (c) As part of the form described in Subsection (6)(a) and (b), the commission shall advise the
individual signing the waiver of liability that by submitting the signed waiver, the individual
consents to the release of the individual with an invisible condition's medical information to any
person described in Subsections (6)(b)(iii)(A) through (C), even if the person is otherwise ineligible
to access the individual with an invisible condition's medical information under state or federal law.
- 467 (d)
- (i) The division:
468 (A) may not charge a fee to include an invisible condition identification symbol on a vehicle
owner's vehicle registration database record; and
470 (B) shall confirm with the Division of Professional Licensing that the health care professional
described in Subsection (6)(b)(ii) holds a current state license.
- 472 (ii) If the division is unable to confirm that the health care professional described in Subsection (6)(b)
(ii) holds a current state license, the division shall deny the request described in Subsection (6)(a).
- 475 (e) The inclusion of an invisible condition identification symbol on a vehicle owner's vehicle
registration database record in accordance with this section does not confer any legal rights or
privileges on the vehicle owner or the individual with an invisible condition, including parking
privileges for individuals with disabilities under Section 41-1a-414.
- 480 (7)

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- (a) For each individual who qualifies under this section to include an invisible condition identification symbol in a vehicle owner's vehicle registration database record, the division shall:
- 483 (i) include in the division's vehicle registration database a brief description of the nature of the individual's invisible condition linked to the vehicle owner's vehicle registration database record; and
- 486 (ii) provide an invisible condition identification decal that may be affixed to the vehicle owner's vehicle, and instructions on where the invisible condition identification decal may be placed on the vehicle, which the vehicle owner may affix to the vehicle at the vehicle owner's discretion.
- 490 (b) The division shall provide the brief description described in Subsection (7)(a)(i) to the Utah Criminal Justice Information System.
- 492 (c) Except as provided in Subsection (7)(b), the division may not release the information described in Subsection (7)(a)(i).
- 494 (8) Within 30 days after the day on which the division receives a vehicle owner's written request, the division shall:
- 496 (a) remove the invisible condition identification symbol and brief description described in Subsection (7) from a vehicle owner's vehicle registration database record in the division's vehicle registration database; and
- 499 (b) provide the updated vehicle registration database record to the Utah Criminal Justice Information System.
- 501 (9) As provided in Section 63G-2-302, the information described in Subsection (6)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.
- 503 Section 9. Section **41-1a-215** is amended to read:
- 504 **41-1a-215. Staggered registration dates -- Exceptions.**
- 506 (1)
- (a) Except as provided under Subsections (2) and (3), every vehicle registration, every registration card, and every registration plate issued under this chapter for the first registration of the vehicle in this state, continues in effect for a period of 12 months beginning with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year.
- 511 (b) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the vehicle is extended to midnight of the next business day.

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- 514 (2) The provisions of Subsection (1) do not apply to the following:
- 515 (a) registration issued to government vehicles under Section 41-1a-221;
- 516 (b) registration issued to apportioned vehicles under Section 41-1a-301;
- 517 (c) multiyear registration issued under Section 41-1a-222;
- 518 (d) lifetime trailer registration issued under Section 41-1a-1206;
- 519 (e) partial year registration issued under Section 41-1a-1207; or
- 520 [~~(f) a six-month registration issued under Section 41-1a-215.5; or~~]
- 521 [~~(g)~~ (f) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and transporter under
Chapter 3, Part 5, Special Dealer License Plates.
- 523 (3)
- (a) Upon application of the owner or lessee of a fleet of commercial vehicles not apportioned under
Section 41-1a-301 and required to be registered in this state, the State Tax Commission may permit
the vehicles to be registered for a registration period commencing on the first day of March, June,
September, or December of any year and expiring on the last day of March, June, September, or
December in the following year.
- 529 (b) Upon application of the owner or lessee of a fleet of commercial vehicles apportioned under Section
41-1a-301 and required to be registered in this state, the State Tax Commission may permit the
vehicles to be registered for a registration period commencing on the first day of January, April,
July, or October of any year and expiring on the last day of March, June, September, or December in
the following year.
- 535 (c)
- (i) Upon application of the owner or lessee of a fleet of personal vehicles required to be registered in
this state, the State Tax Commission may permit the vehicles to be registered for a registration
period commencing on the first day of February, May, August, or November of any year and
expiring on the last day of February, May, August, or November of the following year.
- 540 (ii) If the registration period for a personal vehicle is adjusted under Subsection (3)(c)(i), the
[~~registration fees~~] vehicle taxes or fees for the adjustment are:
- 542 (A) 25% of the regular [~~registration fees~~] vehicle tax or fees under Part 12, Fee and Tax Requirements,
if the adjustment is for not more than three months;
- 544 (B) 50% of the regular [~~registration fees~~] vehicle tax or fees under Part 12, Fee and Tax Requirements,
if the adjustment is in excess of three months but not more than six months;

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- 547 (C) 75% of the regular [~~registration fees~~] vehicle tax or fees under Part 12, Fee and Tax Requirements,
if the adjustment is in excess of six months but not more than nine months; and
- 550 (D) 100% of the regular [~~registration fees~~] vehicle tax or fees under Part 12, Fee and Tax Requirements,
if the adjustment is in excess of nine months but not more than 12 months.
- 553 (4) When the expiration of a registration plate is extended by affixing a registration decal to it, the
expiration of the decal governs the expiration date of the plate.
- 554 Section 10. Section **41-1a-215.5** is amended to read:
- 555 **41-1a-215.5. Alternative term registration.**
- 557 [~~(1) Subject to the requirements of this section, a person may register a motorcycle or motor vehicle of
14,000 pounds or less gross laden weight for a six-month period that begins on the first day of the
calendar month of registration and expires on the last day of the sixth month of registration.]~~
- 561 [~~(2)~~] (1)
- (a) A person may register the following types of vehicles for a 24-month period that begins the first day
of the calendar month of registration and expires on the last day of the 24th month of registration:
- 564 (i) a trailer;
- 565 (ii) an electric motor vehicle;
- 566 (iii) an off-highway vehicle as described in Section 41-22-3; or
- 567 (iv) a street-legal all-terrain vehicle as described in Section 41-6a-1509 and Section 41-22-3.
- 569 (b) An interstate apportioned vehicle registered in accordance with Section 41-1a-301 is not eligible for
a 24-month registration.
- 571 (c) To register a vehicle for a 24-month period as provided in this Subsection [~~(2)~~] (1), the person
is required to pay double the amount of any tax or fee that would be due for the same vehicle
registered for a 12-month period.
- 574 [~~(3)~~] (2) If the last day of the registration period falls on a day in which the appropriate state or county
offices are not open for business, the registration of the vehicle is extended to midnight of the next
business day.
- 577 [~~(4)~~] (3) A registration under this section is subject to this chapter.
- 577 Section 11. Section **41-1a-216** is amended to read:
- 578 **41-1a-216. Renewal of registration.**
- 580

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- (1) The division may receive applications for registration renewal and issue new registration cards at any time ~~[prior to]~~ before the expiration of the registration, subject to the availability of renewal materials.
- 583 (2)
- (a) Except as provided in ~~[Subsections (2)(e) and]~~ Subsection (3), the new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.
- 586 (b) ~~[Except as provided in Subsection (2)(e), the]~~ The year of registration expiration shall be changed to reflect the renewed registration period.
- 588 ~~[(e) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the new registration shall be for a six-month registration period that begins with the first day of the calendar month following the last day of the expiration month of the previous registration period as recorded on the original registration even if the registration has expired.]~~
- 593 (3) Subsection (2) does not apply if the owner can verify to the satisfaction of the division that the vehicle registration was not renewed ~~[prior to its]~~ before the vehicle registration's expiration due to the fact that the vehicle was in storage, inoperable, or otherwise out of service.
- 597 (4) If the registration renewal application is an application generated by the division through its automated system, the owner need not surrender the last registration card or duplicate.
- 600 (5) A vehicle with an "EX" or "UHP" license plate, owned by an entity described in Section 41-1a-407, is exempt from registration renewal requirements.
- 602 (6) The division shall establish a process by which an individual may request automatic renewal of registration.
- 604 (7) An individual may request automatic renewal of registration as provided by the division.
- 605 (8) If the vehicle is subject to an emissions inspection as described in Section 41-6a-1642 for the year for which a vehicle automatic registration is requested, the automatic renewal is not effective until the vehicle has passed an emissions inspection as required in Section 41-6a-1642.
- 609 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules establishing procedures for an individual to apply for and the division to administer automatic renewal of registration and automatic payment of fees as required in this chapter and relevant taxes.
- 612 Section 12. Section **41-1a-230** is amended to read:
- 613 **41-1a-230. Registration checkoff for vision screening.**

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- 615 (1) A person who applies for a motor vehicle registration or registration renewal may designate a
voluntary contribution for vision screening of \$2.
- 617 (2) This contribution shall be:
- 618 (a) collected by the division;
- 619 (b) treated as a voluntary contribution to Friends For Sight to provide blindness prevention education,
screening, and treatment and not as a [~~motor vehicle registration fee~~] vehicle tax; and
- 622 (c) transferred to Friends For Sight at least monthly, less actual administrative costs associated with
collecting and transferring the contributions.

623 Section 13. Section **41-1a-230.5** is amended to read:

624 **41-1a-230.5. Registration checkoff for promoting and supporting organ donation.**

- 627 (1) A person who applies for a motor vehicle registration or registration renewal may designate a
voluntary contribution of \$2 for the purpose of promoting and supporting organ donation.
- 630 (2) This contribution shall be:
- 631 (a) collected by the division;
- 632 (b) treated as a voluntary contribution to the Allyson Gamble Organ Donation Contribution Fund
created in Section 26B-1-312 and not as a [~~motor vehicle registration fee~~] vehicle tax; and
- 635 (c) transferred to the Allyson Gamble Organ Donation Contribution Fund created in Section 26B-1-312
at least monthly, less actual administrative costs associated with collecting and transferring the
contributions.

637 Section 14. Section **41-1a-230.7** is amended to read:

638 **41-1a-230.7. Registration checkoff for supporting emergency medical services and search
and rescue operations.**

- 641 (1) A person who applies for a motor vehicle registration or registration renewal may designate a
voluntary contribution of \$3 for the purpose of supporting:
- 643 (a) the Emergency Medical Services Grant Program; and
- 644 (b) the Search and Rescue Financial Assistance Program.
- 645 (2) This contribution shall be:
- 646 (a) collected by the division;
- 647 (b) treated as a voluntary contribution and not as a motor vehicle or off-highway vehicle [~~registration
fee~~] tax; and

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(c) distributed equally to the Emergency Medical Services System Account created in Section 53-2d-108 and the Search and Rescue Financial Assistance Program created in Section 53-2a-1102 at least monthly, less actual administrative costs associated with collecting and transferring the contributions.

653 (3) In addition to the administrative costs deducted under Subsection (2)(c), the division may deduct the first \$1,000 collected to cover costs incurred to change the registration form.

655 Section 15. Section **41-1a-301** is amended to read:

656 **41-1a-301. Apportioned registration and licensing of interstate vehicles.**

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

662 (2)

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

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

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

671 (3)

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

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

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

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

677 (4) The division shall determine the [~~registration fee~~] vehicle tax and other fees for apportioned vehicles as follows:

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

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- (b) total the fees for each vehicle based on the taxes and fees prescribed in [~~Section 41-1a-1206~~] Part 12, Fee and Tax Requirements; and
- 682 (c) multiply the sum obtained under Subsection (4)(b) by the quotient obtained under Subsection (4)(a).
- 684 (5) The registrant may list trailers or semitrailers of apportioned fleets separately as "trailer fleets" on the application, with the fees paid according to the total distance those trailers were towed in all jurisdictions during the preceding year mileage reporting period.
- 687 (6)
- (a)
- (i) When the registrant has paid the proper fees and cleared the property tax or in lieu fee under Section 41-1a-206 or 41-1a-207, the division shall issue a registration card and license plate for each unit listed on the application.
- 690 (ii) The owner or operator shall carry an original registration in each vehicle at all times.
- 692 (b) The owner or operator may carry original registration cards for trailers or semitrailers in the power unit.
- 694 (c)
- (i) In lieu of a permanent registration card or license plate, the division may issue one temporary permit authorizing operation of new or unlicensed vehicles until the permanent registration is completed.
- 697 (ii) Once a temporary permit is issued:
- 698 (A) neither the registrant nor the division may cancel the registration process; and
- 699 (B) the division shall complete registration and the registrant shall pay the [~~fees~~] taxes, fees, and any property tax or in lieu fee due for the vehicle for which the permit was issued.
- 702 (iii) The division may not issue temporary permits for renewals.
- 703 (d)
- (i) The division shall issue one distinctive license plate for apportioned vehicles.
- 704 (ii) The owner or operator shall display the plate on the front of an apportioned truck tractor or power unit or on the rear of any other apportioned vehicle.
- 706 (iii)
- (A) The division shall issue distinctive decals or a distinctive license plate displaying the word "apportioned" or the abbreviation "APP" for each apportioned vehicle.
- 709 (B) A registrant of an apportioned vehicle is not required to display a registration decal.
- 711

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- (iv) At the request of a registrant of an apportioned vehicle, the division may issue a second license plate, for a total of two, to display on both the front and rear of the apportioned vehicle.
- 714 (e) The division shall charge a nonrefundable administrative fee, determined by the commission
[pursuant to] in accordance with Section 63J-1-504, for each temporary permit, registration, or both.
- 717 (7) Vehicles that are apportionally registered are fully registered for intrastate and interstate
movements, providing the registrant has secured proper interstate and intrastate authority.
- 720 (8)
- (a) The division shall register vehicles added to an apportioned fleet after the beginning of the
registration year by applying the quotient under Subsection (4)(a) for the original application to the
fees due for the remainder of the registration year.
- 723 (b)
- (i) The owner shall maintain and submit complete annual mileage for each vehicle in each jurisdiction,
showing all miles operated by the lessor and lessee.
- 725 (ii) The fiscal mileage reporting period begins July 1, and continues through June 30 of the year
immediately preceding the calendar year in which the registration year begins.
- 728 (c)
- (i) An owner-operator, who is a lessor, may register the vehicle in the name of the owner-operator.
- 730 (ii) The identification plates and registration card shall be the property of the lessor and may reflect both
the owner-operator's name and that of the carrier as lessee.
- 732 (iii) The division shall allocate the fees according to the operational records of the owner-operator.
- 734 (d)
- (i) At the option of the lessor, the lessee may register a leased vehicle.
- 735 (ii) If a lessee is the registrant of a leased vehicle, both the lessor's and lessee's name shall appear on the
registration.
- 737 (iii) The division shall allocate the fees according to the records of the carrier.
- 738 (9)
- (a) When the division has accepted an application for apportioned registration, the registrant shall
preserve the records on which the application is based for a period of three years after the close of
the registration year.
- 741 (b) Upon request for audit as to accuracy of computations, payments, and assessments for deficiencies,
or allowances for credits, the registrant shall provide the records to the division.

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- 744 (c) The division may not make an assessment for deficiency or claim for credit for any period for which
records are no longer required.
- 746 (d) The division may assess interest in the amount prescribed by Section 59-1-402 from the date due
until paid on deficiencies found due after audit.
- 748 (e) Registrants with deficiencies are subject to the penalties under Section 59-1-401.
- 749 (f) The division may enter into agreements with other International Registration Plan jurisdictions for
joint audits.
- 751 (10)
- (a) Except as provided in Subsection (10)(b), the division shall deposit all state taxes or fees collected
under this section [~~in~~] into the Transportation Fund.
- 753 (b) The commission may use the following fees as a dedicated credit to cover the costs of electronic
credentialing as provided in Section 41-1a-303:
- 755 (i) \$5 of each temporary registration permit [~~fee~~] tax or fee paid under Subsection (13)(a)(i) for a single
unit; and
- 757 (ii) \$10 of each temporary registration permit [~~fee~~] tax or fee paid under Subsection (13)(a)(ii) for
multiple units.
- 759 (11) If registration is for less than a full year, the division shall assess fees for apportioned registration
according to Section 41-1a-1207.
- 761 (a)
- (i) If the registrant is replacing a vehicle for one withdrawn from the fleet and the new vehicle is of the
same weight category as the replaced vehicle, the registrant shall file a supplemental application.
- 764 (ii) If the registrant is replacing a vehicle for one withdrawn from the fleet and the new vehicle is
heavier than the replaced vehicle, the division shall assess additional [~~registration fees~~] vehicle taxes
or other fees described in Part 12, Fee and Tax Requirements.
- 768 (iii) If the registrant is replacing a vehicle for one withdrawn from the fleet, the division shall issue a
new registration card.
- 770 (b) If a vehicle is withdrawn from an apportioned fleet during the period for which it is registered,
the registrant shall notify the division and surrender the registration card and license plate of the
withdrawn vehicle.
- 773 (12)

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(a) An out-of-state carrier with an apportionally registered vehicle who has not presented a certificate of property tax or in lieu fee as required by Section 41-1a-206 or 41-1a-207, shall pay, at the time of registration, a proportional part of an equalized highway use tax computed as follows:

777 (i) Multiply the number of vehicles or combination vehicles registered in each weight class by the equivalent tax figure from the following tables:

779	Vehicle or Combination Registered Weight	Age of Vehicle	Equivalent Tax
780	14,000 pounds or less	12 or more years	\$10
781	14,000 pounds or less	9 or more years but less than 12 years	\$50
782	14,000 pounds or less	6 or more years but less than 9 years	\$80
783	14,000 pounds or less	3 or more years but less than 6 years	\$110
784	14,000 pounds or less	Less than 3 years	\$150
785		Vehicle or Combination Registered Weight	Equivalent Tax
786		14,001 - 18,000 pounds	\$150
787		18,001 - 34,000 pounds	200
788		34,001 - 48,000 pounds	300
789		48,001 - 64,000 pounds	450
790		64,001 pounds and over	600

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

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

796 (13)

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

800 (i) \$25 for a single unit; and

801 (ii) \$50 for multiple units.

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

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

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

806 Section 16. Section **41-1a-402** is amended to read:

807 **41-1a-402. Standard license plates -- Required colors, numerals, and letters -- Expiration.**

810 (1)

(a) Upon registering a vehicle, the division shall issue to the owner a standard license plate described in Subsection (1)(b) unless the division issues to the owner:

812 (i) a special group license plate in accordance with Section 41-1a-418; or

813 (ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.

814 (b) The division may offer up to four standard license plate options at one time, each with a different design as follows:

816 (i) two designs that incorporate one or more elements that represent the state's economy or geography;

818 (ii) one design that represents the state's values or culture; and

819 (iii) one design that commemorates a current event relevant to the state or a significant anniversary of a historic event relevant to the state.

821 (c) The division shall offer:

822 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and

824 (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.

825 (d) The division may not offer more than four standard license plate designs at any one time.

827 (2) Before the division may offer a design described in Subsection (1)(b), the division shall:

828 (a) consult with the Utah Department of Cultural and Community Engagement regarding the proposed design;

830 (b) identify which current standard license plate design will be replaced by the proposed design; and

832 (c) submit the proposed design to the commission.

833 (3)

(a) If the commission receives a submission for a proposed design of a standard license plate as described in Subsection (2)(c), or a sponsored special group license plate as described in Section 41-1a-419 and Part 16, Sponsored Special Group License Plates, the commission shall notify:

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- 837 (i) the governor;
- 838 (ii) the speaker of the House of Representatives; and
- 839 (iii) the president of the Senate.
- 840 (b) After receiving a notification described in Subsection (3)(a):
- 841 (i) the governor shall appoint an individual to the license plate design review board described in
Subsection (3)(c);
- 843 (ii) the speaker of the House of Representatives shall appoint a member of the House of Representatives
to the license plate design review board described in Subsection (3)(c); and
- 846 (iii) the president of the Senate shall appoint a member of the Senate to the license plate design review
board described in Subsection (3)(c).
- 848 (c)
- (i) The license plate design review board, comprised of the members appointed as described in
Subsection (3)(b), shall review proposed license plate designs.
- 850 (ii) The member of the license plate design review board appointed by the governor shall serve as chair
and convene the license plate design review board.
- 852 (iii) The license plate design review board shall:
- 853 (A) review each proposed license plate design; and
- 854 (B) vote whether to approve or reject the proposed license plate design.
- 855 (iv) If all three members of the license plate design review board are not present, the license plate
design review board may not consider or vote on a proposed license plate design.
- 858 (v) The license plate design review board shall notify the commission and the division regarding the
results of the vote to approve each proposed license plate design.
- 861 (d) The license plate design review board is not subject to Title 52, Chapter 4, Open and Public
Meetings Act.
- 863 (e) If the license plate design review board approves a proposed license plate design, the division may
begin the processes necessary for production and distribution of the license plate.
- 866 (4)
- (a) Except as provided in Subsection (4)(b), the division may not order or produce a standard license
plate that is discontinued under this section.
- 868 (b) The division may issue a discontinued standard license plate until the division exhausts the
discontinued standard license plate's remaining stock.

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- 870 (5)
- (a) Each license plate shall have displayed on it:
- 871 (i) the registration number assigned to the vehicle for which the license plate is issued;
- 872 (ii) the name of the state; and
- 873 (iii) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing the date of
expiration displayed in accordance with Subsection (8).
- 875 (b) ~~["No later than July 1, 2025, each"]~~ Each license plate:
- 876 (i) shall have an embossed edge around the perimeter of the plate; and
- 877 (ii) may not have embossed registration numbers or characters.
- 878 (6) If registration is extended by affixing a registration decal to the license plate, the expiration date of
the registration decal governs the expiration date of the license plate.
- 880 (7)
- (a)
- (i) Except as provided under Subsection (7)(b), Subsection 41-1a-215(2), ~~[Subsection
41-1a-215.5(2)]~~ Section 41-1a-215.5, and Section 41-1a-216, a license plate shall be renewed
annually.
- 883 (ii)
- (A) The division shall issue the vehicle owner a month registration decal and a year registration decal
upon the vehicle's first registration with the division.
- 885 (B) The division shall issue the vehicle owner only a year registration decal upon subsequent renewals
of registration to validate registration renewal.
- 887 (b) ~~["Beginning on January 1, 2025, the"]~~ The division shall issue one registration decal displaying both
the month and year.
- 889 ~~["(e) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the division may
issue two 12-month decals for the 24-month registration period."]~~
- 891 (8)
- (a) Except as otherwise provided in Subsection (8)(b) and by rule:
- 892 (i) the month registration decal issued in accordance with Subsection (7) shall be displayed on the
license plate in the left position; and
- 894 (ii) the year registration decal issued in accordance with Subsection (7) shall be displayed on the
license plate in the right position.

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- 896 (b) ~~[Beginning on January 1, 2025, the]~~ The registration decal shall be displayed on the upper right
position on the license plate.
- 898 (9) The current year registration decal issued in accordance with Subsection (7) shall be placed over or
in place of the previous year registration decal.
- 900 (10) If a license plate or registration decal is lost or destroyed, a replacement shall be issued upon
application and payment of the fees required under Section 41-1a-1211~~[-or 41-1a-1212]~~.
- 903 (11)
- (a) A violation of this section is an infraction.
- 904 (b) A court shall waive a fine for a violation under this section if:
- 905 (i) the registration for the vehicle was current at the time of the citation; and
- 906 (ii) the person to whom the citation was issued provides, within 21 business days, evidence that the
license plate and registration decal are properly displayed in compliance with this section.
- 909 (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may
make rules regarding the placement and positioning of registration decal on a license plate issued by
the division.

911 Section 17. Section **41-1a-410** is amended to read:

912 **41-1a-410. Eligibility for personalized plates.**

- 914 (1) A person who is the registered owner of a vehicle not subject to registration under Section
41-1a-301, registered with the division, or who applies for an original registration of a vehicle not
subject to registration under Section 41-1a-301, may upon payment of the [fee] vehicle taxes and
fees prescribed in Section 41-1a-1211 apply to the division for a personalized license plate.
- 919 (2) Application shall be made in accordance with Section 41-1a-411.
- 920 (3) The personalized license plate shall be affixed to the vehicle for which registration is sought in lieu
of the regular license plate.
- 922 (4) A personalized license plate shall be issued only to the registered owner of the vehicle on which
they are to be displayed.

923 Section 18. Section **41-1a-1201** is repealed and reenacted to read:

924 **41-1a-1201. Disposition of taxes and fees.**

927 (1) All taxes and fees collected under this part shall be transmitted daily to the state treasurer.

928 (2)

929

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(2){(a)} ~~{The following}~~ Except as otherwise provided in this section, the vehicle weight tax shall be deposited into the Transportation Fund{:}.

930 ~~{(a) {25% of the vehicle weight tax; and}}~~

931 ~~{(b) {\$1 from each license plate service fee described in Subsection 41-1a-1211(2).}}~~

932 (3){(b)} ~~{Sixty-five percent}~~ The following amounts of the vehicle weight tax shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124{:}.

932 (i) \$30 of the vehicle weight taxes imposed under Subsections 41-1a-1206(3)(a), (3)(b), (3)(d), (3)(g), (3)(h), (3)(i), (3)(k), and (3)(m);

934 (ii) \$21 of the vehicle weight taxes on a trailer imposed under Subsections 41-1a-1206(3)(c)(i) and (3)(c)(ii);

936 (iii) \$23 of the vehicle weight tax on a farm truck with a gross combined weight rating over 14,000 pounds but below 16,000 pounds, imposed under Subsection 41-1a-1206(3)(e)(i);

939 (iv) \$1 of the vehicle weight tax on a farm truck for each 2,000 pounds over 16,000 pounds gross combined weight rating, imposed under Subsection 41-1a-1206(3)(e)(ii);

942 (v) \$24.50 of vehicle weight tax on a vehicle, excluding a farm truck, with a gross combined weight rating over 14,000 pounds but below 16,000 pounds, imposed under Subsection 41-1a-1206(3)(f)(i);

945 (vi) \$2.50 of the vehicle weight tax for each 2,000 pounds over 16,000 pounds of the vehicle's gross combined weight rating imposed under Subsection 41-1a-1206(3)(f)(ii); and

948 (vii) \$17 of the vehicle weight tax for a roadable aircraft imposed under Subsection 41-1a-1206(3)(l).

950 (c) Fifty cents of each vehicle weight tax imposed under Subsection 41-1a-1206(3)(b) for a motorcycle shall be deposited into the Brain and Spinal Cord Injury Fund created in Section 26B-1-318.

953 (d)

(i) Subject to Subsection (2)(d)(ii), \$4.30 from the vehicle weight tax for each vehicle registered shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.

956 (ii) Beginning on January 1, 2028, and each January 1 thereafter, the amount described in Subsection (2)(d)(i) shall be annually adjusted by taking the amount deposited the previous year and adding an amount equal to the greater of:

959 (A) 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

962 (B) 0.

963

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- 965 (iii) The amounts calculated as described in Subsection (2)(d)(ii) shall be rounded up to the nearest 1 cent.
- 966 (e) Ninety-four cents from each vehicle weight tax imposed under Subsections 41-1a-1206(3)(a) and (3)(b) shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.
- 968 (f) One dollar from each vehicle weight tax described in Subsections 41-1a-1206(3)(a) and (3)(b) shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.
- 971 (3)
- 972 (a) The following amounts from the following fees shall be deposited into the Transportation Fund:
- 973 (i) \$1 from the service fee for the issuance of a new license plate described in Subsection 41-1a-1211(2)(a);
- 975 (ii) \$1 from the service fee for the replacement of a license plate described in Subsection 41-1a-1211(2)(b);
- 977 (iii) \$50 from the personalized license plate application fee described in Subsection 41-1a-1211(c)(i);
- 979 (iv) \$10 from the personalized license plate renewal fee described in Subsection 41-1a-1211(c)(ii);
- 981 (v) \$5 from the specialized license plate additional fee described in Subsection 41-1a-1211(d);
- 983 (vi) \$4 from the duplicate registration fee described in Subsection 41-1a-1211(2)(h); and
- 985 (vii) \$6 from the original or duplicate title fee described in Subsection 41-1a-1211(2)(i).
- 987 (b) The following amounts from the following fees shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214:
- 989 (i) \$1 from the service fee for the issuance of a new license plate described in Subsection 41-1a-1211(2)(a); and
- 991 (ii) \$1 from the service fee for the replacement of a license plate described in Subsection 41-1a-1211(2)(b).
- 994 (4) The following shall be deposited into the following accounts within the General Fund:
- 995 (a) the vehicle regulatory fee described in Subsection ~~{41-1a-1211(6)}~~ 41-1a-1211(5) shall be deposited into the Motor Vehicle Division Restricted Account created in Section 41-1a-124; and
- 997 {(b) ~~{\$1 into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214; and}~~}
- 999 (c) {(b) ~~{100%}~~ the revenue from the automobile driver education tax described in Section 41-1a-1204 as a dedicated credit into the Automobile Driver Education Tax Account.

941

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{(5) {Two dollars from the vehicle weight tax for each vehicle registered shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.}}

943 {(6) {The following service fees shall be deposited into the Motor Vehicle Restricted Account created in Section 41-1a-124:}}

945 {(a) {the duplicate registration fee described in Subsection 41-1a-1211(2)(h); and}}

946 {(b) {the fee for issuance of an original or duplicate certificate of title described in Subsection 41-1a-1211(2)(i).}}

948 (7){(5)} {~~The~~ Except as provided in Subsection (3), the license plate service fees described in Subsections 41-1a-1211(2)(a) through (g) shall be deposited into the License Plate Restricted Account created in Section 41-1a-122.

950 (8){(6)} The uninsured motorist identification regulatory fee described in Section 41-1a-1218 shall be deposited into the Uninsured Motorist Identification Restricted Account created in Section 41-12a-806.

953 (9){(7)} The {whole amount from a} local emissions compliance tax as described in Section 41-1a-1223 shall be transferred to the county that imposed the tax.

1006 Section 19. Section **41-1a-1202** is amended to read:

1007 **41-1a-1202. Refused or rejected application -- Refunds.**

If an application to the division is accompanied by any taxes and fees required by law and the application is refused or rejected, the taxes and fees shall be returned immediately to the applicant.

1011 Section 20. Section **41-1a-1203** is amended to read:

1012 **41-1a-1203. Application for refund.**

If the division through error collects any tax or fee not required to be paid, the tax or fee shall be refunded to the person paying the tax or fee upon written application for a refund made within six months after date of the payment.

1016 Section 21. Section **41-1a-1204** is amended to read:

1017 **41-1a-1204. Automobile driver education tax -- Amount -- When paid -- Exception.**

968 (1) Each year there is levied and shall be paid to the commission the automobile driver education [fee] tax as part of the vehicle tax described in Subsection 41-1a-1206(2).

970 (2)

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(a) Except as provided in Subsections (2)(b) and (c), the [fee] tax is \$2.50 upon each motor vehicle to be registered for a one-year registration period.

972 [~~(b) The fee is \$2.00 upon each motor vehicle to be registered under Section 41-1a-215.5 for a six-month registration period.~~]

974 (b) The tax is \$5.00 for a vehicle registered for a 24-month registration period as described in Section 41-1a-215.5.

976 (c) The following registrations are exempt from the [fee] tax in Subsection (2)(a) or (b):

977 (i) a motorcycle registration; and

978 (ii) a registration of a vehicle with a Purple Heart special group license plate issued:

979 (A) on or before December 31, 2023; or

980 (B) in accordance with Part 16, Sponsored Special Group License Plates.

981 (3) The necessary expenses of the commission incurred in the administration and collection of the tax shall be paid from the commission's legislative appropriation into the General Fund, which fund shall be reimbursed by a transfer for the expenses from the legislative appropriation of the Uniform School Fund.

985 [~~(3) 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.~~]

1038 Section 22. Section **41-1a-1206** is repealed and reenacted to read:

1039 **41-1a-1206. Vehicle Tax -- Taxed by weight -- Exemptions.**

989 (1)

(a) There is imposed on each vehicle registered in the state a vehicle tax.

990 (b) An applicant for vehicle registration or renewal of vehicle registration shall pay the vehicle tax to the division at the time of the application.

1043 (c)

(i) Vehicle weight tax categories under this section are based on the gross combined weight rating declared in the application for registration.

1045 (ii)

(A) Gross combined weight rating is computed in units of 2,000 pounds.

1046 (B) For purposes of computing gross combined weight rating under Subsection (1)(c)(i)(A), a fractional part of 2,000 pounds is a full unit.

992 (2) The vehicle tax includes the following taxes:

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- 993 (a) subject to Subsection (6), the vehicle weight tax described in Subsection (3);
- 994 (b) the automobile driver education tax described in Section 41-1a-1204;
- 995 (c) a local option highway construction and transportation corridor preservation tax, if imposed in
accordance with Section 41-1a-1222; and
- 997 (d) a local emissions compliance tax, if imposed in accordance with Section 41-1a-1223.
- 998 (3)
- (a) The vehicle weight tax for a motor vehicle with a gross laden weight of 14,000 pounds or less,
excluding a motorcycle, is {~~\$40.60~~} \$61.
- 1000 (b) The vehicle weight tax for a motorcycle is {~~\$42.40~~} \$64.25.
- 1001 (c) Unless a trailer is exempt from registration as described in Section 41-1a-202 or registered as
described in Section 41-1a-228 or 41-1a-301, the vehicle weight tax for a trailer is:
- 1004 (i) {~~\$28.60~~} \$44.25 for each trailer with a shipping weight over 750 pounds; or
- 1005 (ii) {~~\$26.30~~} \$40.25 for each commercial trailer with a shipping weight of 750 pounds or less.
- 1006 (d) The vehicle weight tax for a trailer registered in accordance with Section 41-1a-228 is {~~\$130~~} \$177.
- 1008 (e) The vehicle weight tax for a farm truck with a gross combined weight rating over 14,000 pounds but
below 16,000 pounds is:
- 1010 (i) {~~\$48.90~~} \$73.50; plus
- 1011 (ii) {~~\$8.30~~} \$9 for each 2,000 pounds over 16,000 pounds gross combined weight rating.
- 1012 (f) The vehicle weight tax for a motor vehicle or combination of vehicles, excluding a farm truck, with
a gross combined weight rating over 14,000 pounds but below 16,000 pounds is:
- 1015 (i) {~~\$64.10~~} \$95.50; plus
- 1016 (ii) {~~\$17.50~~} \$19 for each 2,000 pounds over 16,000 pounds gross combined weight rating.
- 1017 (g) The vehicle weight tax for a park model recreational vehicle with a gross combined weight rating
over 14,000 pounds but below 16,000 pounds is:
- 1019 (i) {~~\$64.10~~} \$95.50; plus
- 1020 (ii) {~~\$17.50~~} \$19 for each 2,000 pounds over 16,000 pounds gross combined weight rating.
- 1021 (h) The vehicle weight tax for an electric motor vehicle is:
- 1022 (i) the amount described in Subsection (3)(a); plus
- 1023 (ii) an amount equal to the road usage charge cap described in Section 72-1-213.1.
- 1024 (i) The vehicle weight tax for a motor vehicle that is fueled exclusively by a source other than motor
fuel, diesel fuel, natural gas, or propane, is:

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- 1026 (i) the amount described in Subsection (3)(a); plus
- 1027 (ii) an amount equal to the road usage charge cap described in Section 72-1-213.1.
- 1028 (j) The vehicle weight tax for a hybrid electric motor vehicle is:
- 1029 (i) the amount described in Subsection (3)(a); plus
- 1030 (ii) {~~\$20.10~~} \$25.75.
- 1031 (k) The vehicle weight tax for a plug-in hybrid electric motor vehicle is:
- 1032 (i) the amount described in Subsection (3)(a); plus
- 1033 (ii) {~~\$52.10~~} \$65.75.
- 1034 (l) The vehicle weight tax for a roadable aircraft is {~~\$26.30~~} \$23.75.
- 1035 (m)
- (i) The vehicle weight tax for a vintage vehicle with a model year of 1983 or newer is {~~\$41.50~~} \$63.
- 1037 (ii) The vehicle weight tax for a vintage vehicle with a model year of 1982 or older, the first time the vehicle is registered, is {~~\$36.90~~} \$55.75.
- 1039 (iii) A vintage vehicle with a model year of 1982 or older is exempt from the vehicle weight tax at the time of registration renewal.
- 1041 (n) A street legal all-terrain vehicle:
- 1042 (i) is not subject to a vehicle weight tax under this section; and
- 1043 (ii) is required to pay a vehicle tax as provided in Section 41-22-9.
- 1044 (4) The vehicle weight tax for vehicle registered for a 24-month period as provided in Section 41-1a-215.5 is double the amount due for the same vehicle if registered for a 12-month registration period.
- 1047 (5)
- (a) 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 vehicle weight taxes described in Subsection (3).
- 1050 (b) A camper is exempt from the vehicle weight taxes described in Subsection (3).
- 1051 (c) A vehicle 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 vehicle weight tax required for that vehicle under this section.
- 1054 {~~(6)~~ }

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{(a) ~~{Vehicle weight tax categories under this section are based on the gross combined weight rating declared in the application for registration.}~~}

1056 {(b) }

1110 (6) Beginning on January 1, 2028, the commission shall, on January 1, annually adjust the registration fees described in Subsections (3)(a), (3)(b), (3)(c), (3)(d), (3)(e)(i), (3)(f)(i), (3)(g)(i), (3)(l), and (3)(m), by taking the registration fee rate for the previous year and adding an amount equal to the greater of:

1114 (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

1117 (b) 0.

1118 (7)

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

1120 (i) the truck meets the definition of a farm truck under Section 41-1a-102; and

1121 (ii)

(i){(A)} ~~{Gross combined}~~ the truck has a gross vehicle weight rating ~~{is computed in units}~~ of ~~{2,000 pounds}~~ more than 14,000 pounds; or

1057 (ii){(B)} ~~{For purposes of computing}~~ the truck has a gross ~~{combined}~~ vehicle weight rating ~~{under Subsection (6)(b)(i)}~~ of 14,000 pounds or less and the owner submits to the division a ~~{fractional part}~~ certificate of ~~{2,000 pounds is}~~ emissions inspection or a ~~{full-unit}~~ waiver in compliance with Section 41-6a-1642.

1125 (b) A violation of Subsection (7)(a) is an infraction that shall be punished by a fine of not less than \$200.

1127 Section 23. Section **41-1a-1207** is amended to read:

1128 **41-1a-1207. Reduced fees for portion of year.**

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

1063 (1) for not more than three months, 30% of the regular ~~[registration fee]~~ vehicle taxes or fees under this part;

1065 (2) for in excess of three months but not more than six months, 60% of the regular ~~[registration fee]~~ vehicle taxes or fees under this part;

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(3) for in excess of six months and not more than nine months, 90% of the regular [registration fee] vehicle taxes or fees under this part; and

1069 (4) for anything in excess of nine months but not more than 12 months, the entire [registration fee] vehicle taxes or fees under this part.

1139 Section 24. Section **41-1a-1209** is amended to read:

1140 **41-1a-1209. Exemptions from registration fees.**

1073 (1) A vehicle tax or fee may not be charged for the registration of ambulances, law enforcement vehicles, fire engines, and passenger cars and trucks owned and used by the United States government or by the state of Utah or any of its political subdivisions.

1076 (2) A vehicle tax or fee may not be charged municipal corporations for the issuance of any certificate of title or registration or a duplicate certificate of title or registration.

1146 Section 25. Section **41-1a-1211** is repealed and reenacted to read:

1147 **41-1a-1211. Vehicle, license plate, and registration related service fees -- Vehicle regulatory fee.**

1081 (1)

(a) In accordance with Section 63J-1-504, the commission shall establish service fees as described in this section.

1083 (b) An applicant for vehicle registration or renewal of vehicle registration shall pay the service fees described in this section to the division at the time of the application for registration.

1086 (c) The commission shall annually establish and publish a fee schedule for service fees.

1087 (2) The commission shall establish the following service fees:

1088 (a) a license plate fee for the issuance of a new license plate under Part 4, License Plates and Registration Indicia;

1090 (b) a license plate fee for the replacement of any license plate;

1091 (c)

(i) a fee for the original issuance of a personalized license plate; and

1092 (ii) a fee for the renewal of a personalized license plate;

1093 (d) a fee for the issuance of an original special group license plate;

1094 (e) a fee for the replacement of a registration decal required by Section 41-1a-401 or license plate registration decal required in Section 41-1a-402;

1096

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~~{(f) { a fee for the replacement of the special group license plate symbol decal issued in accordance with Section 41-1a-418; } }~~

1098 (g){(f)} a fee for the issuance of registration decals for an original issue license plate as described in Section 41-1a-416;

1100 (h){(g)} a fee for the issuance of a duplicate registration; and

1101 (i){(h)} a fee for the issuance of an original or duplicate certificate of title.

1102 (3) An applicant is exempt from the fee under Subsection (2)(a) or (b) if the applicant:

1103 (a) was issued a clean fuel special group license plate in accordance with Section 41-1a-418 {~~prior to~~ } before the effective date of rules made by the Department of Transportation under Subsection 41-6a-702(5)(b);and

1106 ~~{(b) {~~beginning on the effective date of rules made by the Department of Transportation authorized under Subsection 41-6a-702(5)(b), is no longer eligible for a clean fuel special group license plate under the rules made by the Department of Transportation; and~~ } }~~

1110 (c){(b)} upon renewal or reissuance, is required to replace the clean fuel special group license plate with a new license plate.

1112 (4)

(a) An applicant for a license plate issued under Section 41-1a-407 is not subject to the license plate fee under Subsection (2)(a).

1114 (b) An applicant is exempt from the license plate fee under Subsections (2)(a), (d), and (f) if the applicant presents official documentation that the individual is a recipient of the Purple Heart Award in one of the following forms:

1117 (i) official documentation issued by a recognized association representing peace officers who:

1119 (A) receive a salary from a federal, state, county, or municipal government or any other subdivision of the state; and

1121 (B) work in the state;

1122 (ii) a membership card in the Military Order of the Purple Heart; or

1123 (iii) an original or certificate in lieu of the applicant's military discharge form, DD-214, issued by the National Personnel Records Center.

1125 (5)

(a) In accordance with Section 63J-1-504, the commission shall establish a vehicle regulatory fee as described in this Subsection (5) to cover the commission's costs in regulating vehicles in this state.

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- 1128 (b) An applicant for vehicle registration or renewal of vehicle registration shall pay the vehicle regulatory fee described in this Subsection (5) to the division at the time of the application for registration.
- 1131 (c) The commission shall annually establish and publish a fee schedule for the vehicle regulatory fee.
- 1195 Section 26. Section **41-1a-1218** is repealed and reenacted to read:
- 1196 **41-1a-1218. Uninsured motorist identification regulatory fee for tracking motor vehicle insurance -- Exemption.**
- 1136 (1) In accordance with Section 63J-1-504, the Department of Public Safety and the commission shall establish a vehicle regulatory fee to cover the costs of regulating and identifying uninsured motorists.
- 1139 (2) Except as provided in Subsection (3), at the time application is made for registration or renewal of registration, each motor vehicle, street-legal all-terrain vehicle, and motorboat shall pay the regulatory fee established by the commission as described in Subsection (1).
- 1143 (3) The following are exempt from the fee required under this section:
- 1144 (a) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or Section 41-1a-301;
- 1146 (b) a vehicle described in Section 41-1a-1209 or Subsection 41-1a-419(3) that is exempt from a vehicle tax or fee; and
- 1148 (c) a motor vehicle with a Purple Heart special group license plate issued:
- 1149 (i) on or before December 31, 2023; or
- 1150 (ii) in accordance with Part 16, Sponsored Special Group License Plates.
- 1213 Section 27. Section **41-1a-1219** is amended to read:
- 1214 **41-1a-1219. Motor carrier fee.**
- 1153 (1) At the time application is made for registration or renewal of registration of a motor vehicle or combination of motor vehicles over 14,000 pounds gross laden weight, the applicant shall pay a motor carrier fee of \$6 for each motor vehicle or combination of motor vehicles.
- 1157 (2) This fee is in addition to the [~~registration fees~~] vehicle tax under Subsections[~~41-1a-1206(1)(d) and (e)~~] 41-1a-1206(3)(e) and (f).
- 1159 (3) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the fee amounts under this section are double the amounts due for the same vehicle registered for a 12-month period.
- 1224 Section 28. Section **41-1a-1221** is amended to read:
- 1225 **41-1a-1221. Fees to cover the cost of electronic payments.**

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- 1164 (1) As used in this section:
- 1165 (a) "Electronic payment" means use of any form of payment processed through electronic means,
including credit cards, debit cards, and automatic clearinghouse transactions.
- 1168 (b) "Electronic payment fee" means the fee assessed to defray:
- 1169 (i) the charge, discount fee, or processing fee charged by credit card companies or processing agents to
process an electronic payment; or
- 1171 (ii) costs associated with the purchase of equipment necessary for processing electronic payments.
- 1173 (2)
- (a) The Motor Vehicle Division may collect an electronic payment fee on all registrations and renewals
of registration under Subsections [~~41-1a-1206(1)(a), (1)(b), (2)(a), (2)(b), and (4)~~] 41-1a-1206(3)(a),
(3)(b), and (3)(m).
- 1176 (b) The fee described in Subsection (2)(a):
- 1177 (i) shall be imposed regardless of the method of payment for a particular transaction; and
- 1179 (ii) need not be separately identified from the fees imposed for registration and renewals of registration
under Subsections [~~41-1a-1206(1)(a), (1)(b), (2)(a), (2)(b), and (4)~~] 41-1a-1206(3)(a), (3)(b), and (3)
(m).
- 1182 (c) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the electronic
fee amounts under this section are double the amounts due for the same vehicle registered for a 12-
month period.
- 1185 (3) The division shall establish the fee according to the procedures and requirements of Section
63J-1-504.
- 1187 (4) A fee imposed under this section:
- 1188 (a) shall be deposited [~~in~~] into the Electronic Payment Fee Restricted Account created by Section
41-1a-121; and
- 1190 (b) is not subject to Subsection 63J-1-105(3) or (4).
- 1253 Section 29. Section **41-1a-1222** is amended to read:
- 1254 **41-1a-1222. Local option highway construction and transportation corridor preservation tax
-- Exemptions -- Deposit -- Transfer -- County ordinance -- Notice.**
- 1195 (1) As used in this section, "unincorporated" means the same as that term is defined in Section
10-1-104.
- 1197 (2)

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(a)

(i) Except as provided in Subsection (2)(a)(ii), a county legislative body may impose a local option highway construction and transportation corridor preservation [fee] tax of up to \$10 on each motor vehicle registration within the county.

1201 (ii) A county legislative body may impose a local option highway construction and transportation corridor preservation [fee] tax of up to [~~\$7.75~~] \$20.00 on each motor vehicle registration for a [~~six-month~~] 24-month registration period under Section 41-1a-215.5 within the county.

1205 (iii) A [fee] tax imposed under Subsection (2)(a)(i) or (ii) shall be set in whole dollar increments.

1207 (iv) A tax imposed as described in this section is part of the vehicle tax described in Subsection 41-1a-1206(2).

1209 (b)

(i) If imposed under Subsection (2)(a), at the time application is made for registration or renewal of registration of a motor vehicle under this chapter, the applicant shall pay the local option highway construction and transportation corridor preservation [fee] tax established by the county legislative body.

1213 (ii) If imposed under Subsection (2)(a), at the time application is made for registration or renewal of registration of a vehicle under this chapter for a 24-month period as provided in Section 41-1a-215.5, the applicant shall pay double the amount of the local option highway construction and transportation corridor preservation [fee] tax established by the county legislative body for the same vehicle registered for a 12-month period.

1219 (c) The following are exempt from the [fee] tax required under Subsection (2)(a):

1220 (i) a motor vehicle that is exempt from the registration [fee] tax under Section 41-1a-1209 or Subsection 41-1a-419(3);

1222 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301; and

1224 (iii) a motor vehicle with a Purple Heart special group license plate issued:

1225 (A) on or before December 31, 2023; or

1226 (B) in accordance with Part 16, Sponsored Special Group License Plates.

1227 (3)

(a) Except as provided in Subsection (3)(b), the revenue generated under this section shall be:

1229 (i) deposited [~~in~~] into the Local Highway and Transportation Corridor Preservation Fund created in Section 72-2-117.5;

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- 1231 (ii) credited to the county from which it is generated; and
- 1232 (iii) used and distributed in accordance with Section 72-2-117.5.
- 1233 (b) The revenue generated by a [fee] tax imposed under this section in a county of the first class shall be deposited or transferred as follows:
- 1235 (i) 50% of the revenue shall be:
- 1236 (A) deposited [~~in~~] into the County of the First Class Highway Projects Fund created in Section 72-2-121; and
- 1238 (B) used in accordance with Section 72-2-121;
- 1239 (ii) 30% of the revenue shall be deposited, credited, and used as provided in Subsection (3)(a); and
- 1241 (iii) 20% of the revenue shall be transferred to the legislative body of a county of the first class.
- 1243 (4) Beginning in a fiscal year beginning on or after July 1, 2023, and for 15 years thereafter, the legislative body of the county of the first class shall annually transfer, from the revenue transferred to the legislative body of a county of the first class as described in Subsection (3)(b)(iii):
- 1247 (a) \$300,000 to Kearns; and
- 1248 (b) \$225,000 to Magna.
- 1249 (5) To impose or change the amount of a [fee] tax under this section, the county legislative body shall pass an ordinance:
- 1251 (a) approving the [fee] tax;
- 1252 (b) setting the amount of the [fee] tax; and
- 1253 (c) providing an effective date for the [fee] tax as provided in Subsection (6).
- 1254 (6)
- (a) If a county legislative body enacts, changes, or repeals a [fee] tax under this section, the enactment, change, or repeal shall take effect on July 1 if the commission receives notice meeting the requirements of Subsection (6)(b) from the county ~~[prior to]~~ before April 1.
- 1258 (b) The notice described in Subsection (6)(a) shall:
- 1259 (i) state that the county will enact, change, or repeal a [fee] tax under this part;
- 1260 (ii) include a copy of the ordinance imposing the [fee] tax; and
- 1261 (iii) if the county enacts or changes the [fee] tax under this section, state the amount of the [fee] tax.
- 1325 Section 30. Section **41-1a-1223** is amended to read:
- 1326 **41-1a-1223. Local emissions compliance tax -- Exemptions -- Transfer -- County ordinance -- Notice.**

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- 1266 (1)
1267 (a)
- (i) A county legislative body of a county that is required 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 in accordance with Section 41-6a-1642 may impose a local emissions compliance [fee] tax of up to:
- 1271 (A) \$3 on each motor vehicle registration within the county for a motor vehicle registration under Section 41-1a-215; or
- 1273 (B) ~~[\$2.25]~~ \$6 on each motor vehicle registration within the county for a ~~[six-month]~~ 24-month registration period under Section 41-1a-215.5.
- 1275 (ii) A [fee] tax imposed under Subsection (1)(a)(i) shall be set in whole dollar increments.
- 1277 (b) If imposed under Subsection (1)(a)(i), at the time application is made for registration or renewal of registration of a motor vehicle under this chapter, the applicant shall pay the local emissions compliance [fee] tax established by the county legislative body.
- 1281 (c) The following are exempt from the [fee] tax required under Subsection (1)(a)(i):
- 1282 (i) a motor vehicle that is exempt from the registration [fee] tax under Section 41-1a-1209 or Subsection 41-1a-419(3);
- 1284 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301; and
- 1286 (iii) an electric motor vehicle.
- 1287 ~~[(2) The revenue generated from the fees collected under this section shall be transferred to the county that imposed the fee.]~~
- 1289 ~~[(3)]~~ (2) To impose or change the amount of a [fee] tax under this section, the county legislative body shall pass an ordinance:
- 1291 (a) approving the [fee] tax;
- 1292 (b) setting the amount of the [fee] tax; and
- 1293 (c) providing an effective date for the [fee] tax as provided in Subsection ~~[(4)]~~ (3).
- 1294 ~~[(4)]~~ (3)
- (a) If a county legislative body enacts, changes, or repeals a [fee] tax under this section, the enactment, change, or repeal shall take effect on January 1 if the commission receives notice meeting the requirements of Subsection ~~[(4)(b)]~~ (3)(b) from the county ~~[prior to]~~ before October 1.

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- 1298 (b) The notice described in Subsection [~~(4)(a)~~] (3)(a) shall:
- 1299 (i) state that the county will enact, change, or repeal a [fee] tax under this section;
- 1300 (ii) include a copy of the ordinance imposing the [fee] tax; and
- 1301 (iii) if the county enacts or changes the [fee] tax under this section, state the amount of the [fee] tax.

1365 Section 31. Section **41-1a-1301** is amended to read:

1366 **41-1a-1301. Unpaid fees and penalty -- Lien -- Seizure and sale.**

1306 (1)

- (a) Every [~~registration fee~~] vehicle tax, fee, and penalty not paid by the due date is a lien upon all:
- 1308 (i) the unexempt personal property of the owner or operator of the vehicle, vessel, or outboard motor; and
- 1310 (ii) interest or equity of the owner or operator in all personal property, including vehicles, vessels, or outboard motors used by the owner or operator in the conduct or operation of the owner's or operator's business.
- 1313 (b) The properties and vehicles, vessels, or outboard motors may be held under warrant, issued by the commission, and sold in accordance with the law applicable to personal property taxes.

1316 (2) Delinquency is a ground for the issuance of a writ of attachment against the owner or operator.

1380 Section 32. Section **41-1a-1603** is amended to read:

1381 **41-1a-1603. Application requirements -- Fees -- Contributions -- Rulemaking.**

- 1321 (1) An applicant for a sponsored special group license plate shall submit to the division:
- 1322 (a) in a form and manner that the division prescribes, a complete application;
- 1323 (b) payment of the fee for the issuance of the sponsored special group license plate established under Subsection (4)(a)(i);
- 1325 (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
- 1328 (d) if the sponsoring organization elects to require verification as described in Section 41-1a-1604, a verification form obtained from the sponsoring organization.
- 1330 (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.
- 1333 (3)

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- (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:
- 1335 (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
- 1338 (ii) making the required contribution to the sponsoring organization.
- 1339 (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).
- 1343 (4)
- (a) The division shall, in accordance with Section 63J-1-504, establish:
- 1344 (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;
- 1346 (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
- 1349 (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.
- 1352 (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.
- 1354 (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).
- 1357 (5) An applicant's contribution is a voluntary contribution for funding the sponsoring organization's
activities and not a [~~motor vehicle registration fee~~] vehicle tax or fee.
- 1359 (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:
- 1362 (a) \$2 to the Utah State Historical Society as the sponsoring organization; and
- 1363 (b) \$23 into the Transportation Investment Fund of 2005, created in Section 72-2-124.

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- 1364 (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.
- 1368 (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:
- 1371 (a) on or before July 1, 2025, on the division website; and
- 1372 (b) beginning on July 1, 2025, and until June 30, 2026, in any email notification of a registrant's
pending vehicle registration expiration described in Section 41-1a-203.
- 1374 (9) An applicant for a historical support special group license plate for a vehicle that is a vintage vehicle
is not required to make the voluntary contribution to obtain the historical support special group
license plate.
- 1377 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission
may make rules to establish and administer the sponsored special group license plate program.
- 1442 Section 33. Section **41-3-302** is amended to read:
- 1443 **41-3-302. Temporary permits -- Purchasers of motor vehicles -- Penalty for use after
expiration -- Sale and rescission.**
- 1383 (1)
- (a)
- (i) A dealer or the division may issue a temporary permit.
- 1384 (ii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
administrator shall makes rules for the issuance of a temporary permit under Subsection (1)(a)
(i).
- 1387 (iii) The division shall furnish the forms for temporary permits issued by dealers under Subsection
(1)(a)(i).
- 1389 (b) A dealer may issue a temporary permit to a bona fide purchaser of a motor vehicle for a period not
to exceed 45 days on a motor vehicle sold to the purchaser by the dealer.
- 1392 (c) The dealer is responsible and liable for the [~~registration~~] vehicle taxes and fees or fee of each motor
vehicle for which the permit is issued.
- 1394 (d) All issued temporary permits that are outstanding after 45 days from the date they are issued are
delinquent and a penalty equal to the [~~registration fee~~] vehicle taxes and fees shall be collected from
the issuing dealer.

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- 1397 (2) If a temporary permit is issued by a dealer under this section and the sale of the motor vehicle is
subsequently rescinded, the temporary permit may be voided and the issuing dealer is not liable for
the [~~registration fee~~] vehicle tax or penalty.
- 1462 Section 34. Section **41-6a-208** is amended to read:
- 1463 **41-6a-208. Regulatory powers of local highway authorities -- Traffic-control device affecting
state highway -- Necessity of erecting traffic-control devices.**
- 1404 (1) As used in this section:
- 1405 (a)
- (i) "Ground transportation vehicle" means a motor vehicle used for the transportation of persons, used
in ride or shared ride, on demand, or for hire transportation of passengers or baggage over public
highways.
- 1408 (ii) "Ground transportation vehicle" includes a:
- 1409 (A) shared ride vehicle;
- 1410 (B) bus;
- 1411 (C) courtesy vehicle;
- 1412 (D) hotel vehicle;
- 1413 (E) limousine;
- 1414 (F) minibus;
- 1415 (G) special transportation vehicle;
- 1416 (H) specialty vehicle;
- 1417 (I) taxicab;
- 1418 (J) van; or
- 1419 (K) trailer being towed by a ground transportation vehicle.
- 1420 (b) "Idle" means the operation of a vehicle engine while the vehicle is stationary or not in the act of
performing work or its normal function.
- 1422 (2) The provisions of this chapter do not prevent a local highway authority for a highway under its
jurisdiction and within the reasonable exercise of police power, from:
- 1424 (a) regulating or prohibiting stopping, standing, or parking;
- 1425 (b) regulating traffic by means of a peace officer or a traffic-control device;
- 1426 (c) regulating or prohibiting processions or assemblages on a highway;
- 1427

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- (d) designating particular highways or roadways for use by traffic moving in one direction under Section 41-6a-709;
- 1429 (e) establishing speed limits for vehicles in public parks, which supersede Section 41-6a-603 regarding speed limits;
- 1431 (f) designating any highway as a through highway or designating any intersection or junction of roadways as a stop or yield intersection or junction;
- 1433 (g) restricting the use of a highway under Section 72-7-408;
- 1434 (h) requiring the registration and inspection of bicycles, including requiring a registration tax or fee;
- 1436 (i) regulating or prohibiting:
 - 1437 (i) certain turn movements of a vehicle; or
 - 1438 (ii) specified types of vehicles;
- 1439 (j) altering or establishing speed limits under Section 41-6a-603;
- 1440 (k) requiring written accident reports under Section 41-6a-403;
- 1441 (l) designating no-passing zones under Section 41-6a-708;
- 1442 (m) prohibiting or regulating the use of controlled-access highways by any class or kind of traffic under Section 41-6a-715;
- 1444 (n) prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;
- 1446 (o) establishing minimum speed limits under Subsection 41-6a-605(3);
- 1447 (p) prohibiting pedestrians from crossing a highway in a business district or any designated highway except in a crosswalk under Section 41-6a-1001;
- 1449 (q) restricting pedestrian crossings at unmarked crosswalks under Section 41-6a-1010;
- 1450 (r) regulating persons upon skates, coasters, sleds, skateboards, and other toy vehicles;
- 1451 (s) adopting and enforcing temporary or experimental ordinances as necessary to cover emergencies or special conditions;
- 1453 (t) prohibiting drivers of ambulances from exceeding maximum speed limits;
- 1454 (u) adopting other traffic ordinances as specifically authorized by this chapter; or
- 1455 (v) adopting an ordinance that requires a ground transportation vehicle to conform to state safety standards and reasonable annual appearance requirements, in consultation with a transportation advisory board of the local highway authority.
- 1458 (3) A local highway authority may not:

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- 1459 (a) in accordance with Title 72, Chapter 3, Part 1, Highways in General, erect or maintain any official traffic-control device at any location which regulates the traffic on a highway not under the local highway authority's jurisdiction, unless written approval is obtained from the highway authority having jurisdiction over the highway;
- 1463 (b) prohibit or restrict the use of a cellular phone by the operator or passenger of a motor vehicle;
- 1465 (c) enact an ordinance that prohibits or restricts an owner or operator of a vehicle from causing or permitting the vehicle's engine to idle unless the ordinance:
- 1467 (i) is primarily educational;
- 1468 (ii) provides that a person must be issued at least one warning citation before imposing a fine;
- 1470 (iii) has the same fine structure as a parking violation;
- 1471 (iv) provides for the safety of law enforcement personnel who enforce the ordinance; and
- 1473 (v) provides that the ordinance may be enforced on:
- 1474 (A) public property; or
- 1475 (B) private property that is open to the general public unless the private property owner:
- 1477 (I) has a private business that has a drive-through service as a component of the private property owner's business operations and posts a sign provided by or acceptable to the local highway authority informing its customers and the public of the local highway authority's time limit for idling vehicle engines; or
- 1482 (II) adopts an idle reduction education policy approved by the local highway authority;
- 1484 (d) enact an ordinance that prohibits a vehicle from being licensed as a ground transportation vehicle:
- 1486 (i) if the vehicle to be licensed otherwise passes all state safety inspection requirements established by the Utah Highway Patrol Division in accordance with Section 53-8-204; and
- 1489 (ii)
- (A) based on the manufacture date of the vehicle; or
- 1490 (B) based on the number of miles the vehicle has accumulated;
- 1491 (e) enact an ordinance, regulation, rule, fee, or criminal or civil fine pertaining to a registration violation under Section 41-1a-201 or a registration decal issued under Section 41-1a-402 that conflicts with or is more stringent than the registration requirements under Title 41, Motor Vehicles;
- 1495 (f) enact an ordinance that:
- 1496 (i) is inconsistent with the provisions of this chapter; or
- 1497

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(ii) prohibits the use of a bicycle on any public street or highway, except as allowed by Section 41-6a-714, unless the local highway authority has:

- 1499 (A) documented that the local highway authority has reviewed the safety history of the highway and
considered other reasonable alternatives, including signage and routes; and
1502 (B) clearly marked a safe alternative route for the prohibited section of highway; or
1503 (g) enact an ordinance, regulation, or rule that requires the owner or driver of a ground transportation
vehicle to maintain liability insurance coverage in an amount that is greater than the minimum
amount of liability coverage a transportation network company or transportation network driver is
required to maintain under Subsection 13-51-108(1)(b).
1508 (4) An ordinance enacted under Subsection (2)(d), (e), (f), (g), (i), (j), (l), (m), (n), or (q) is not effective
until official traffic-control devices giving notice of the local traffic ordinances are erected upon or
at the entrances to the highway or part of it affected as is appropriate.

1512 (5) An ordinance enacted by a local highway authority that violates Subsection (3) is not effective.

1576 Section 35. Section **41-6a-1642** is amended to read:

1577 **41-6a-1642. Emissions inspection -- County program.**

- 1516 (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:
1520 (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:
1523 (i) as a condition of registration or renewal of registration; and
1524 (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
1528 (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:
1531 (i) the federal government;
1532 (ii) the state and any of its agencies; or
1533 (iii) a political subdivision of the state, including school districts.
1534 (2)

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(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:

1540 (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are
mitigated in the state [~~pursuant to~~] in accordance with a partial consent decree, including:

1543 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

1544 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and 2014;

1546 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

1547 (D) Volkswagen Golf Sportwagen, model year 2015;

1548 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

1549 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;

1550 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and

1551 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and

1552 (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:

1554 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

1556 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

1557 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;

1558 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;

1559 (E) Audi A8, model years 2014, 2015, and 2016;

1560 (F) Audi A8L, model years 2014, 2015, and 2016;

1561 (G) Audi Q5, model years 2014, 2015, and 2016; and

1562 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.

1563 (b)

(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).

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- (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:
- 1569 (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
- 1572 (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.
- 1576 (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to registration of a
restored-modified vehicle:
- 1578 (A) the owner shall present the signed statement described in Subsection 41-1a-226(4); and
- 1580 (B) the county emissions program shall perform the emissions test.
- 1581 (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), a county emissions program may not refuse to
perform an emissions test based solely on the restored-modified status of the motor vehicle.
- 1585 (3)
- (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:
- 1588 (i) emissions standards;
- 1589 (ii) test procedures;
- 1590 (iii) inspections stations;
- 1591 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 1592 (v) certificates of emissions inspections.
- 1593 (b) In accordance with Subsection (3)(a), a county legislative body:
- 1594 (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;
- 1597 (ii) may allow for a phase-in of the program by geographical area; and
- 1598 (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.
- 1601 (c) The county legislative body and the Air Quality Board shall give preference to an inspection and
maintenance program that:

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- 1603 (i) is decentralized, to the extent the decentralized program will attain and maintain ambient air quality standards and meet federal requirements;
- 1605 (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
- 1608 (iii) provides a reasonable phase-out period for replacement of air pollution emission testing equipment made obsolete by the program.
- 1610 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
- 1611 (i) may be accomplished in accordance with applicable federal requirements; and
- 1612 (ii) does not otherwise interfere with the attainment and maintenance of ambient air quality standards.
- 1614 (4) The following vehicles are exempt from an emissions inspection program and the provisions of this section:
- 1616 (a) an implement of husbandry as defined in Section 41-1a-102;
- 1617 (b) a motor vehicle that:
- 1618 (i) meets the definition of a farm truck under Section 41-1a-102; and
- 1619 (ii) has a gross vehicle weight rating of 12,001 pounds or more;
- 1620 (c) a vintage vehicle as defined in Section 41-21-1:
- 1621 (i) if the vintage vehicle has a model year of 1982 or older; or
- 1622 (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;
- 1624 (d) a custom vehicle as defined in Section 41-6a-1507;
- 1625 (e) a vehicle registered as a novel vehicle under Section 41-27-201;
- 1626 (f) 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;
- 1630 (g) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used:
- 1633 (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

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- 1635 (ii) exclusively for the following purposes in operating the farm:
- 1636 (A) for the transportation of farm products, including livestock and its products, poultry and its
products, floricultural and horticultural products; and
- 1638 (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;
- 1641 (h) a motorcycle as defined in Section 41-1a-102;
- 1642 (i) an electric motor vehicle as defined in Section 41-1a-102;
- 1643 (j) a motor vehicle with a model year of 1967 or older; and
- 1644 (k) a roadable aircraft as defined in Section 72-10-102.
- 1645 (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.
- 1648 (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:
- 1650 (a) gross vehicle weight rating of more than 14,000 pounds; or
- 1651 (b) model year of 1997 or older.
- 1652 (7) The legislative body of a county required under federal law to utilize a motor vehicle emissions
inspection program shall require:
- 1654 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:
- 1655 (i) a model year of 2007 or newer;
- 1656 (ii) a gross vehicle weight rating of 14,000 pounds or less; and
- 1657 (iii) a model year that is five years old or older; and
- 1658 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:
- 1659 (i) with a gross vehicle weight rating of 14,000 pounds or less;
- 1660 (ii) that has a model year of 1998 or newer; and
- 1661 (iii) that has a model year that is five years old or older.
- 1662 (8)
- (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

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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.

- 1671 (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).
- 1673 (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).
- 1677 (9)
- (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).
- 1680 (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).
- 1683 (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.
- 1687 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six years old on January 1.
- 1689 (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.
- 1696 (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.

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- 1701 (v) The notice described in Subsection (9)(c)(iv) shall:
- 1702 (A) state that the county will establish or change the frequency of the vehicle emissions inspection and
maintenance program under this section;
- 1704 (B) include a copy of the ordinance establishing or changing the frequency; and
- 1705 (C) if the county establishes or changes the frequency under this section, state how frequently the
emissions testing will be required.
- 1707 (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:
- 1709 (i) odd-numbered years for vehicles with odd-numbered model years; or
- 1710 (ii) in even-numbered years for vehicles with even-numbered model years.
- 1711 (10)
- (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.
- 1714 (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.
- 1717 (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.
- 1721 (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.
- 1724 (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.
- 1727 [~~(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.~~]
- 1730 (11)
- (a) A county identified in Subsection (1) shall collect information about and monitor the program.

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- 1732 (b) A county identified in Subsection (1) shall supply this information to the Transportation Interim
Committee to identify program needs, including funding needs.
- 1735 (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.
- 1739 (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.
- 1743 (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.
- 1746 (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.
- 1749 (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.
- 1755 (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.
- 1759 (15) A county legislative body described in Subsection (1) may exempt a motor vehicle from an
emissions inspection if:
- 1761 (a) the motor vehicle is 30 years old or older;
- 1762 (b) the county determines that the motor vehicle was driven less than 1,500 miles during the preceding
12-month period; and
- 1764

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(c) the owner provides to the county legislative body a statement signed by the owner that states the motor vehicle:

1766 (i) is primarily a collector's item used for:

1767 (A) participation in club activities;

1768 (B) exhibitions;

1769 (C) tours; or

1770 (D) parades; or

1771 (ii) is only used for occasional transportation.

1834 Section 36. Section **41-12a-806** is amended to read:

1835 **41-12a-806. Restricted account -- Creation -- Funding -- Interest -- Purposes.**

1775 (1) There is created within the Transportation Fund a restricted account known as the "Uninsured Motorist Identification Restricted Account."

1777 (2) The account consists of money generated from the following revenue sources:

1778 (a) money received by the state under Subsection 41-1a-202(3);

1779 [~~(b) money received by the state under Section 41-1a-1218, the uninsured motorist identification fee;~~]

1781 (b) money deposited into the account as described in Section 41-1a-1201;

1782 (c) money received by the state under Section 41-1a-1220, the registration reinstatement fee; and

1784 (d) appropriations made to the account by the Legislature.

1785 (3)

(a) The account shall earn interest.

1786 (b) All interest earned on account money shall be deposited into the account.

1787 (4) The Legislature shall appropriate money from the account to:

1788 (a) the department to fund the contract with the designated agent;

1789 (b) the department to offset the costs to state and local law enforcement agencies of using the information for the purposes authorized under this part;

1791 (c) the State Tax Commission to:

1792 (i) offset the costs to the Motor Vehicle Division for revoking and reinstating vehicle registrations under Subsection 41-1a-110(2)(a)(ii); and

1794 (ii) cover the contract and other costs of the designated agent for address verification described in Subsection 41-1a-202(3); and

1796 (d) the department to reimburse a person for the costs of towing and storing the person's vehicle if:

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- 1798 (i) the person's vehicle was impounded in accordance with Subsection 41-1a-1101(4);
- 1799 (ii) the impounded vehicle had owner's or operator's security in effect for the vehicle at the time of the
impoundment;
- 1801 (iii) the database indicated that owner's or operator's security was not in effect for the impounded
vehicle; and
- 1803 (iv) the department determines that the person's vehicle was wrongfully impounded.
- 1804 (5) The Legislature may appropriate not more than \$2,000,000 annually from the account to the
Peace Officer Standards and Training Division, created under Section 53-6-103, for use in law
enforcement training, including training on the use of the Uninsured Motorist Identification
Database Program created under Part 8, Uninsured Motorist Identification Database Program.
- 1809 (6)
- (a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act, the department
shall hold a hearing to determine whether a person's vehicle was wrongfully impounded under
Subsection 41-1a-1101(4).
- 1812 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall
make rules establishing procedures for a person to apply for a reimbursement under Subsection (4)
(d).
- 1815 (c) A person is not eligible for a reimbursement under Subsection (4)(d) unless the person applies for
the reimbursement within six months from the date that the motor vehicle was impounded.
- 1880 Section 37. Section **41-22-3** is amended to read:
- 1881 **41-22-3. Registration of vehicles -- Application -- Issuance of sticker and card -- Proof of
property tax payment -- Records.**
- 1821 (1)
- (a) Unless exempted under Section 41-22-9, a person may not operate or place and an owner may not
give another person permission to operate or place any off-highway vehicle on any public land, trail,
street, or highway in this state unless the off-highway vehicle is registered under this chapter for the
current year.
- 1825 (b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway vehicle which can
be used on any public land, trail, street, or highway in this state, unless the off-highway vehicle is
registered or is in the process of being registered under this chapter for the current year.

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- 1832 (c) Unless specifically provided in this chapter, the division shall administer license plates, decals, and
1833 registration of off-highway vehicles in accordance with Chapter 1a, Motor Vehicle Act.
- 1834 (2)
- 1835 (a) The owner of an off-highway vehicle subject to registration under this chapter shall apply to the
1836 Motor Vehicle Division for registration on forms approved by the Motor Vehicle Division.
- 1837 (b) An owner of an off-highway vehicle may apply for automatic registration renewal as described in
1838 Section 41-1a-216.
- 1839 (c) A person may register an off-highway vehicle or street-legal all-terrain vehicle for a 24-month
1840 period as described in Section 41-1a-215.5.
- 1841 (3) Each application for registration of an off-highway vehicle shall be accompanied by:
- 1842 (a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of sale showing
1843 ownership, make, model, horsepower or displacement, and serial number;
- 1844 (b) the past registration card; or
- 1845 (c) the fee for a duplicate.
- 1846 (4)
- 1847 (a)
- 1848 (i) [~~Beginning on January 1, 2023, except~~] Except as provided in Subsection (4)(e), the first time
1849 an off-highway vehicle is registered, the Motor Vehicle Division shall issue one off-highway
1850 vehicle license plate, a registration decal, and a registration card.
- 1851 (ii) If an off-highway vehicle has been registered previously in this state but has not been issued
1852 an off-highway vehicle license plate, [~~beginning on January 1, 2023,~~] upon application for
1853 registration renewal, the Motor Vehicle Division shall issue one off-highway vehicle license
1854 plate, a registration decal, and a registration card.
- 1855 (b) Upon each annual registration, the Motor Vehicle Division shall issue a registration decal and a
1856 registration card for each off-highway vehicle registered.
- 1857 (c) The off-highway vehicle license plate:
- 1858 (i) shall contain a unique five-digit number, using numbers, letters, or a combination of numbers and
1859 letters, to identify the off-highway vehicle for which it is issued;
- 1860 (ii) shall be affixed to the rear of the off-highway vehicle for which it is issued in a plainly visible and
1861 upright position as prescribed by rule of the division under Section 41-22-5.1;
- 1862 (iii) shall be maintained free of foreign materials and in a condition to be clearly legible;

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- 1863 (iv) shall be a distinct tan color with black lettering to identify the license plate as an off-highway
vehicle license plate;
- 1865 (v) shall have a location to attach the registration decal; and
- 1866 (vi) may not be a personalized license plate or a special group license plate.
- 1867 (d)
- (i) At all times, proof of registration shall be kept with the off-highway vehicle and shall be available
for inspection by a law enforcement officer.
- 1869 (ii) An individual may show proof of registration by displaying:
- 1870 (A) a digital copy or photograph of the registration card on a mobile electronic device;
- 1872 (B) proof of registration on a mobile electronic device through a mobile application approved by the
relevant state agency; or
- 1874 (C) an original registration card issued by the Motor Vehicle Division.
- 1875 (e) An off-highway vehicle that is an off-highway motorcycle or a snowmobile is:
- 1876 (i) not required to obtain or display an off-highway vehicle license plate; and
- 1877 (ii) required to obtain and display an off-highway vehicle registration sticker.
- 1878 (5)
- (a) Except as provided by Subsection (5)(c), an applicant for a registration card and registration decal
shall provide the Motor Vehicle Division a certificate, described under Subsection (5)(b), from the
county assessor of the county in which the off-highway vehicle has situs for taxation.
- 1882 (b) The certificate required under Subsection (5)(a) shall state one of the following:
- 1883 (i) the property tax on the off-highway vehicle for the current year has been paid;
- 1884 (ii) in the county assessor's opinion, the tax is a lien on real property sufficient to secure the payment of
the tax; or
- 1886 (iii) the off-highway vehicle is exempt by law from payment of property tax for the current year.
- 1888 (c) An off-highway vehicle for which an off-highway implement of husbandry sticker has been issued
in accordance with Section 41-22-5.5 is:
- 1890 (i) exempt from the requirement under this Subsection (5);
- 1891 (ii) not required to obtain or purchase an off-highway vehicle license plate; and
- 1892 (iii) required to obtain and display an off-highway vehicle registration sticker.
- 1893 (6)

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- 1896 (a) All records of the division made or kept under this section shall be classified by the Motor Vehicle Division in the same manner as motor vehicle records are classified under Section 41-1a-116.
- 1898 (b) Division records are available for inspection in the same manner as motor vehicle records under Section 41-1a-116.
- 1961 (7) A violation of this section is an infraction.
- 1962 Section 38. Section **41-22-8** is amended to read:
- 1901 **41-22-8. Registration fees.**
- 1903 (1) Subject to Subsection (4), the division, after notifying the commission, shall establish the fees that shall be paid in accordance with this chapter, subject to the following:
- 1905 (a)
- 1906 (i) Except as provided in Subsection (1)(a)(ii) or (iii), the [fee] vehicle tax for each off-highway vehicle registration may not exceed \$35.
- 1907 (ii) The [fee] vehicle tax for each snowmobile registration may not exceed \$26.
- 1908 (iii) The [fee] vehicle tax for each street-legal all-terrain vehicle may not exceed \$72.
- 1909 [~~(b) The fee for each duplicate registration card may not exceed \$3.~~]
- 1911 [~~(c) The fee for each duplicate registration sticker may not exceed \$5.~~]
- 1913 (b) In accordance with Section 63J-1-504, the division shall establish service fees for obtaining a duplicate registration card and a duplicate registration sticker.
- 1917 (2) A fee may not be charged for an off-highway vehicle that is owned and operated by the United States Government, this state, or its political subdivisions.
- 1920 (3)
- 1985 (a) In addition to the taxes and fees under this section, Section 41-22-33, and Section 41-22-34, the Motor Vehicle Division shall require a person to pay one dollar [~~to register~~] at the time of registration as a regulatory fee an off-highway vehicle under Section 41-22-3.
- 1986 (b) The Motor Vehicle Division shall deposit the [fees] regulatory fee the Motor Vehicle Division collects under Subsection (3)(a) into the Brain and Spinal Cord Injury Fund described in Section 26B-1-318.
- 1985 (4) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the vehicle tax and fee amounts are double the amounts due for the same vehicle registered for a 12-month period.
- 1985 Section 39. Section **41-22-9** is amended to read:
- 1986 **41-22-9. Vehicles exempt from registration.**

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- 1925 (1) The following off-highway vehicles are exempt from the registration requirements of this chapter:
- 1927 (a) vehicles that are currently registered for highway use, have a valid motor vehicle safety inspection sticker or certificate, and on which the required safety equipment has not been subsequently modified;
- 1930 (b) except as provided in Subsection (2), a street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509;
- 1932 (c) off-highway vehicles that are owned by a nonresident and that are displaying a current annual off-highway vehicle user decal in accordance with Section 41-22-35;
- 1934 (d) off-highway vehicles sold by a dealer to a person who is not a resident of this state;
- 1935 (e) off-highway implements of husbandry operated in the manner prescribed by Subsections 41-22-5.5(3) through (5); and
- 1937 (f) new off-highway vehicles being transported to an off-highway vehicle dealership by the dealer, employee of the dealership, or agent for the dealership.
- 1939 (2) In addition to the registration requirements imposed under Section 41-6a-1509, a street-legal all-terrain vehicle is subject to the vehicle taxes and fees under Sections 41-22-8, 41-22-33, 41-22-34, and 41-22-36.
- 2004 Section 40. Section **41-22-19** is amended to read:
- 2005 **41-22-19. Off-highway Vehicle Account -- Deposit and use of funds -- Grants and matching funds.**
- 1945 (1)
- (a) Except as provided under Subsections (3) through (5) and Sections 41-22-34 and 41-22-36, [~~registration~~] vehicle taxes and fees and related money collected by the Motor Vehicle Division or any agencies designated to act for the Motor Vehicle Division under this chapter shall be deposited as restricted revenue into the Off-highway Vehicle Account in the General Fund less the costs incurred by the Motor Vehicle Division for collecting off-highway vehicle [~~registration~~] taxes and fees.
- 1952 (b) The balance of the money may be used by the division:
- 1953 (i) for the construction, improvement, operation, acquisition, or maintenance of publicly owned or administered off-highway vehicle facilities, including public access facilities;
- 1956 (ii) for the mitigation of impacts associated with off-highway vehicle use;
- 1957 (iii) for the education of off-highway vehicle users;

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- 1958 (iv) for off-highway vehicle access protection;
- 1959 (v) to support off-highway vehicle search and rescue activities and programs;
- 1960 (vi) to promote and encourage off-highway vehicle tourism;
- 1961 (vii) for other uses that further the policy set forth in Section 41-22-1;
- 1962 (viii) as grants or matching funds with a federal agency, state agency, political subdivision of the state,
or organized user group for any of the uses described in Subsections (1)(b)(i) through (vii); and
- 1965 (ix) for the administration and enforcement of this chapter.
- 1966 (2)
- (a) An agency or political subdivision requesting matching funds shall submit plans for proposed off-highway vehicle facilities to the division for review and approval.
- 1968 (b) The division may award an upfront grant from the Off-highway Vehicle Account to cover the entire projected cost of a project or program to:
- 1970 (i) a political subdivision of the state that:
- 1971 (A) is a county of the third through sixth class; and
- 1972 (B) submits a plan for a project or program consistent with a use described in Subsection (1)(b); and
- 1974 (ii) an organized user group or agency that submits a plan for a project or program:
- 1975 (A) located in a county of the third through sixth class; and
- 1976 (B) consistent with a use described in Subsection (1)(b).
- 1977 (c) In awarding a grant under Subsection (2)(b), the division may evaluate a grant application submitted on or after January 1, 2025.
- 1979 (3)
- (a) One dollar and 50 cents of each annual [~~registration fee~~] vehicle tax collected under Subsection 41-22-8(1) and each off-highway vehicle user fee collected under Subsection 41-22-35(2) shall be deposited into the Land Grant Management Fund created under Section 53C-3-101.
- 1983 (b) The Utah School and Institutional Trust Lands Administration shall use the money deposited under Subsection (3)(a) for costs associated with off-highway vehicle use of legally accessible lands within its jurisdiction as follows:
- 1986 (i) to improve recreational opportunities on trust lands by constructing, improving, maintaining, or perfecting access for off-highway vehicle trails; and
- 1988 (ii) to mitigate impacts associated with off-highway vehicle use.
- 1989

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- 1992 (c) An unused balance of the money deposited under Subsection (3)(a) exceeding \$350,000 at the end of each fiscal year shall be deposited into the Off-highway Vehicle Account under Subsection (1).
- 1992 (4) One dollar of each off-highway vehicle registration fee collected under Subsection 41-22-8(1) shall be deposited into the Utah Highway Patrol Aero Bureau Restricted Account created in Section 53-8-303.
- 1995 (5)
- (a) The Motor Vehicle Division shall collect a fee for any new or replacement license plate issued under this chapter.
- 1997 (b) The fee described in Subsection (5)(a) shall be an amount equal to the fee for a new or replacement license plate as established in accordance with Section 63J-1-504.
- 1999 (c) The Motor Vehicle Division shall deposit the fee described in Subsection (5)(a) into the License Plate Restricted Account created under Section 41-1a-122.
- 2001 (6) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the deposited amounts described in this section shall be double the amount for the same vehicle registered for a 12-month period.
- 2004 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division, after notifying the commission, shall make rules as necessary to implement this section.
- 2069 Section 41. Section **41-22-33** is amended to read:
- 2070 **41-22-33. Fees for safety and education program -- Penalty -- Unlawful acts.**
- 2010 (1) A fee set by the division, after notifying the commission, in accordance with Section 63J-1-504 shall be added to the [~~registration fee~~] vehicle tax required to register an off-highway vehicle under Section 41-22-8 to help fund the off-highway vehicle safety and education program.
- 2014 (2) If the division modifies the fee under Subsection (1), the modification shall take effect on the first day of the calendar quarter after 90 days from the day on which the division provides the State Tax Commission:
- 2017 (a) notice from the division stating that the division will modify the fee; and
- 2018 (b) a copy of the fee modification.
- 2019 (3) The division shall require a person registering an off-highway vehicle or a street-legal all-terrain vehicle registered for a 24-month period as provided in Section 41-1a-215.5 to pay double the amount of the fee described in Subsection (1) for the same vehicle registered for a 12-month period.
- 2085 Section 42. Section **41-22-34** is amended to read:

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- 2086 **41-22-34. Search and rescue fee -- Amount -- Deposition.**
- 2025 (1) In addition to the vehicle taxes and fees imposed under Sections 41-22-8 and 41-22-33, [~~there is imposed a search and rescue fee of 50 cents on each off-highway vehicle~~] the division shall, in accordance with Section 63J-1-504, establish and collect a search and rescue regulatory fee on each off-highway vehicle required to be registered or renewed under Section 41-22-3.
- 2030 (2) The fees imposed under this section shall be collected in the same manner and by the same agency designated to collect the fees imposed under this chapter.
- 2032 (3) The fees collected under this section shall be deposited into the General Fund as dedicated credits for the Search and Rescue Financial Assistance Program created under Section 53-2a-1101.
- 2035 (4) The division shall require a person registering an off-highway vehicle or a street-legal all-terrain vehicle registered for a 24-month period as provided in Section 41-1a-215.5 to pay double the amount of the fee described in Subsection (1) for the same vehicle registered for a 12-month period.
- 2101 Section 43. Section **41-27-201** is amended to read:
- 2102 **41-27-201. Novel vehicle registration.**
- 2041 (1) An owner registering a vehicle shall provide the VIN, if applicable.
- 2042 (2) The division shall identify a vehicle category based on the VIN.
- 2043 (3) If the vehicle does not have a VIN, or if the division is unable to determine the vehicle category based on the VIN:
- 2045 (a) the owner shall provide the division with a description of the vehicle, including the vehicle's purpose; and
- 2047 (b) if the description of the vehicle fits with an existing category of vehicle, the vehicle shall be registered in accordance with that vehicle category.
- 2049 (4) The vehicle shall be registered as a novel vehicle if:
- 2050 (a) the vehicle is not expressly exempt from registration; and
- 2051 (b)
- 2052 (i) the vehicle does not fit within a vehicle category;
- 2052 (ii) the unique characteristics of the vehicle make it unclear whether the vehicle fits within a vehicle category; or
- 2054 (iii) a reasonable person would not consider the vehicle to be clearly included in an existing vehicle category.
- 2056 (5) A person registering a novel vehicle shall pay:

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- 2057 (a) in accordance with Section 59-2-405, an annual \$1 fee in lieu of property tax; and
2058 (b) an annual \$1 [~~registration fee~~] vehicle tax, to be deposited into the Transportation Fund.
- 2060 (6) The division shall issue a registration sticker or license plate for a vehicle that is registered as a novel vehicle, as appropriate.
- 2062 (7) A vehicle registered as a street-legal novel vehicle is subject to the requirements described in Section 41-6a-1509.
- 2064 (8) The division may provide title to a novel vehicle.
- 2065 (9) Except as expressly provided in this chapter:
- 2066 (a) a novel vehicle that is not a watercraft is subject to the provisions applicable to an off-highway vehicle under Chapter 22, Off-Highway Vehicles; and
- 2068 (b) a novel vehicle that is a watercraft is subject to the provisions applicable to a motorboat under Title 73, Chapter 18, State Boating Act.
- 2132 Section 44. Section **53-3-905** is amended to read:
- 2133 **53-3-905. Dedication of fees.**
- 2072 (1) The following shall be deposited as dedicated credits [~~in~~] into the Transportation Fund to be used by the division for the program:
- 2074 (a) \$5 of the annual [~~registration fee~~] vehicle tax imposed for each registered motorcycle under Subsection [~~41-1a-1206(1)(a);~~] 41-1a-1206(3)(b); and
- 2076 [~~(b) \$4 of the six-month registration fee imposed for each registered motorcycle under Subsection 41-1a-1206(2)(a); and~~]
- 2078 [~~(e)~~] (b) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or extension of a motorcycle endorsement.
- 2080 (2) Appropriations to the program are nonlapsing.
- 2081 (3) Appropriations may not be used for assistance to, advocacy of, or lobbying for any legislation unless the legislation would enhance or affect the financial status of the program or the program's continuation.
- 2146 Section 45. Section **53-8-214** is amended to read:
- 2147 **53-8-214. Creation of the Motor Vehicle Safety Impact Restricted Account.**
- 2087 (1) There is created a restricted account within the General Fund known as the Motor Vehicle Safety Impact Restricted Account.
- 2089 (2) The account includes:

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- 2090 (a) deposits made to the restricted account from [~~registration~~] vehicle taxes and fees as described in
[~~Subsection 41-1a-1201(7)~~] Section 41-1a-1201;
- 2092 (b) deposits into the account as described in Section 41-1a-1211;
- 2093 (c) donations or deposits made to the account; and
- 2094 (d) any interest earned on the account.
- 2095 (3) Upon appropriation, the division may use funds in the account to improve motor vehicle safety,
mitigate impacts, and enforce safety provisions, including the following:
- 2097 (a) hiring new Highway Patrol troopers;
- 2098 (b) payment of overtime for Highway Patrol troopers; and
- 2099 (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.
- 2100 (4) The division shall annually report to the Criminal Justice Appropriations Subcommittee to justify
expenditures and use of funds in the account.
- 2164 Section 46. Section **53G-10-503** is amended to read:
- 2165 **53G-10-503. Driver education funding -- Reimbursement of a local education agency for
driver education class expenses -- Limitations -- Excess funds -- Student fees.**
- 2106 (1)
- (a) Except as provided in Subsection (1)(b), a local education agency that provides driver education
shall fund the program through:
- 2108 (i) funds provided from the Automobile Driver Education Tax Account in the Uniform School Fund
as [~~created under Section 41-1a-1205~~] described in Section 41-1a-1201; and
- 2111 (ii) student fees collected by each school.
- 2112 (b) In determining the cost of driver education, a local education agency may exclude:
- 2113 (i) the full-time equivalent cost of a teacher for a driver education class taught during regular school
hours; and
- 2115 (ii) classroom space and classroom maintenance.
- 2116 (c) A local education agency may use additional school funds beyond those allowed under Subsection
(1)(b) to subsidize driver education.
- 2118 (2)
- (a) The state superintendent shall, [~~prior to~~] before September 2nd following the school year during
which it was expended, or may at earlier intervals during that school year, reimburse each local
education agency that applied for reimbursement in accordance with this section.

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- 2122 (b) A local education agency that maintains driver education classes that conform to this part and the rules prescribed by the state board may apply for reimbursement for the actual cost of providing the behind-the-wheel and observation training incidental to those classes.
- 2126 (3) Under the state board's supervision for driver education, a local education agency may:
- 2127 (a) employ personnel who are not licensed by the state board under Section 53E-6-201; or
- 2129 (b) contract with private parties or agencies licensed under Section 53-3-504 for the behind-the-wheel phase of the driver education program.
- 2131 (4) The reimbursement amount shall be paid [~~out of~~] from the Automobile Driver Education Tax Account in the Uniform School Fund and may not exceed:
- 2133 (a) \$150 per student who has completed driver education during the school year;
- 2134 (b) \$45 per student who has only completed the classroom portion in the school during the school year;
or
- 2136 (c) \$105 per student who has only completed the behind-the-wheel and observation portion in the school during the school year.
- 2138 (5) If the amount of money in the account at the end of a school year is less than the total of the reimbursable costs, the state superintendent shall allocate the money to each local education agency in the same proportion that the local education agency's reimbursable costs bear to the total reimbursable costs of all local education agencies.
- 2142 (6) If the amount of money in the account at the end of any school year is more than the total of the reimbursement costs provided under Subsection (4), the state superintendent may allocate the excess funds to local education agencies:
- 2145 (a) to reimburse each local education agency that applies for reimbursement of the cost of a fee waived under Section 53G-7-504 for driver education; and
- 2147 (b) to aid in the procurement of equipment and facilities which reduce the cost of behind-the-wheel instruction.
- 2149 (7)
- (a) A local school board shall, in accordance with Chapter 7, Part 5, Student Fees, establish the student fee for driver education for the local education agency.
- 2151 (b) Student fees shall be reasonably associated with the costs of driver education that are not otherwise covered by reimbursements and allocations made under this section.
- 2215 Section 47. Section **59-2-405.1** is amended to read:

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2216 **59-2-405.1. Uniform fee on certain vehicles with a gross vehicle weight rating of 14,000**
2217 **pounds or less -- Distribution of revenues -- Appeals.**

2156 (1) The property described in Subsection (2) is exempt from ad valorem property taxes [~~pursuant to~~] in accordance with Utah Constitution Article XIII, Section 2, Subsection (6).

2158 (2)

(a) Except as provided in Subsection (2)(b), there is levied as provided in this part a statewide uniform fee in lieu of the ad valorem tax on:

2160 (i) motor vehicles as defined in Section 41-1a-102 that:

2161 (A) are required to be registered with the state; and

2162 (B) have a gross vehicle weight rating of 14,000 pounds or less; and

2163 (ii) state-assessed commercial vehicles required to be registered with the state that have a gross vehicle weight rating of 14,000 pounds or less.

2165 (b) The following tangible personal property is exempt from the statewide uniform fee imposed by this section:

2167 (i) aircraft;

2168 (ii) tangible personal property subject to a uniform fee imposed by:

2169 (A) Section 59-2-405;

2170 (B) Section 59-2-405.2; or

2171 (C) Section 59-2-405.3; and

2172 (iii) tangible personal property that is exempt from state or county ad valorem property taxes under the laws of this state or of the federal government.

2174 (3)

(a) Except as provided in [~~Subsections (3)(b) and (c)~~] Subsection (3)(b); ~~beginning on January 1, 1999~~ Subsection (3)(b), the uniform fee for purposes of this section is as follows:

	Age of Vehicle	Uniform Fee
2176		
2177	12 or more years	\$10
2178	9 or more years but less than 12 years	\$50
2179	6 or more years but less than 9 years	\$80
2180	3 or more years but less than 6 years	\$110
2181	Less than 3 years	\$150

2182

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[~~(b)~~ For registrations under Section 41-1a-215.5, the uniform fee for purposes of this section is as follows:]

[Age of Vehicle	Uniform Fee
12 or more years	\$7.75
9 or more years but less than 12 years	\$38.50
6 or more years but less than 9 years	\$61.50
3 or more years but less than 6 years	\$84.75
Less than 3 years	\$115.50]

- 2190 [(e)] (b) Notwithstanding [~~Subsections (3)(a) and (b)~~] Subsection (3)(a); ~~beginning on September 1, 2001~~ Subsection (3)(a), for a motor vehicle issued a temporary sports event registration certificate in accordance with Section 41-3-306, the uniform fee for purposes of this section is \$5 for the event period specified on the temporary sports event registration certificate regardless of the age of the motor vehicle.
- 2195 [(d)] (c)
- (i) Subject to Subsection [~~(3)(d)(ii)~~] (3)(c)(ii), for a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the uniform statewide fee amounts imposed by this section are double the amounts due for the same vehicle registered for a 12-month period.
- 2199 (ii) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, if the 24-month term extends from one age bracket to another age bracket as described in this section, the person shall pay the sum of:
- 2202 (A) the uniform statewide fee amount for the first year corresponding to the age bracket applicable for the first 12 months of the registration period; and
- 2204 (B) the uniform statewide fee amount for the second year corresponding to the age bracket applicable for the second 12 months of the registration period.
- 2206 (4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is brought into the state and is required to be registered in Utah shall, as a condition of registration, be subject to the uniform fee unless all property taxes or uniform fees imposed by the state of origin have been paid for the current calendar year.
- 2210 (5)

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(a) The revenues collected in each county from the uniform fee shall be distributed by the county to each taxing entity in which the property described in Subsection (2) is located in the same proportion in which revenue collected from ad valorem real property tax is distributed.

2214 (b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in the same
2215 proportion in which revenue collected from ad valorem real property tax is distributed.

2279 Section 48. Section **59-2-405.2** is amended to read:

2280 **59-2-405.2. Definitions -- Uniform statewide fee on certain tangible personal property --**
Distribution of revenues -- Rulemaking authority -- Determining the length of a vessel.

2221 (1) As used in this section:

2222 (a)

(i) Except as provided in Subsection (1)(a)(ii), "all-terrain vehicle" means a motor vehicle that:

2224 (A) is an^[:] all-terrain type I vehicle, an all-terrain type II vehicle, or an all-terrain type III vehicle,
as those terms are defined in Section 41-22-2;

2226 [~~(F)~~ all-terrain type I vehicle as defined in Section 41-22-2;]

2227 [~~(H)~~ all-terrain type II vehicle as defined in Section 41-22-2; or]

2228 [~~(H)~~ all-terrain type III vehicle as defined in Section 41-22-2;]

2229 (B) is required to be registered in accordance with Title 41, Chapter 22, Off-highway Vehicles; and

2231 (C) has^[:]

2232 [~~(F)~~ an engine with more than 150 cubic centimeters displacement^[:] ,

2233 [~~(H)~~ a motor that produces more than five horsepower^[:] , or

2234 [~~(H)~~ an electric motor; and

2235 (ii) notwithstanding Subsection (1)(a)(i), "all-terrain vehicle" does not include a snowmobile.

2237 (b) "Camper" means a camper:

2238 (i) as defined in Section 41-1a-102; and

2239 (ii) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration.

2241 (c)

(i) "Canoe" means a vessel that:

2242 (A) is long and narrow;

2243 (B) has curved sides; and

2244 (C) is tapered^[:]

2245 [~~(F)~~ to two pointed ends^[:] or

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- 2246 [~~(H)~~] to one pointed end and is blunt on the other end; and
- 2247 (ii) "canoe" includes:
- 2248 (A) a collapsible inflatable canoe;
- 2249 (B) a kayak;
- 2250 (C) a racing shell;
- 2251 (D) a rowing scull; or
- 2252 (E) notwithstanding the definition of vessel in Subsection (1)(cc), a canoe with an outboard motor.
- 2254 (d) "Dealer" means the same as that term is defined in Section 41-1a-102.
- 2255 (e) "Jon boat" means a vessel that:
- 2256 (i) has a square bow; and
- 2257 (ii) has a flat bottom.
- 2258 (f) "Motor vehicle" means the same as that term is defined in Section 41-22-2.
- 2259 (g) "Other motorcycle" means a motor vehicle that:
- 2260 (i) is:
- 2261 (A) a motorcycle as defined in Section 41-1a-102; and
- 2262 (B) designed primarily for use and operation over unimproved terrain;
- 2263 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration; and
- 2265 (iii) has:
- 2266 (A) an engine with more than 150 cubic centimeters displacement; or
- 2267 (B) a motor that produces more than five horsepower.
- 2268 (h)
- (i) "Other trailer" means a portable vehicle without motive power that is primarily used:
- 2270 (A) to transport tangible personal property; and
- 2271 (B) for a purpose other than a commercial purpose; and
- 2272 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for purposes of Subsection (1)(h)(i)(B), the commission may by rule define what constitutes a purpose other than a commercial purpose.
- 2275 (i) "Outboard motor" means the same as that term is defined in Section 41-1a-102.
- 2276 (j) "Park model recreational vehicle" means the same as that term is defined in Section 41-1a-102.
- 2278 (k) "Personal watercraft" means a personal watercraft:
- 2279 (i) as defined in Section 73-18-2; and

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- 2280 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State Boating Act.
2282 (l)
- (i) "Pontoon" means a vessel that:
- 2283 (A) is[;]
2284 [(H)] supported by one or more floats[;] and
2285 [(H)] propelled by either inboard or outboard power; and
2286 (B) is not[;]
2287 [(H)] a houseboat[;] or
2288 [(H)] a collapsible inflatable vessel; and
2289 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission
may by rule define the term "houseboat."
- 2291 (m) "Qualifying adjustment, exemption, or reduction" means an adjustment, exemption, or reduction:
2293 (i) of all or a portion of a qualifying payment;
2294 (ii) granted by a county during the refund period; and
2295 (iii) received by a qualifying person.
2296 (n)
- (i) "Qualifying payment" means the payment made:
2297 (A) of a uniform statewide fee in accordance with this section[;]
2298 [(H)] by a qualifying person[;] ,
2299 [(H)] to a county[;] , and
2300 [(H)] during the refund period; and
2301 (B) on an item of qualifying tangible personal property; and
2302 (ii) if a qualifying person received a qualifying adjustment, exemption, or reduction for an item of
qualifying tangible personal property, the qualifying payment for that qualifying tangible personal
property is equal to the difference between:
2305 (A) the payment described in this Subsection (1)(n) for that item of qualifying tangible personal
property; and
2307 (B) the amount of the qualifying adjustment, exemption, or reduction.
2308 (o) "Qualifying person" means a person that paid a uniform statewide fee:
2309 (i) during the refund period;
2310 (ii) in accordance with this section; and

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- 2311 (iii) on an item of qualifying tangible personal property.
- 2312 (p) "Qualifying tangible personal property" means a:
- 2313 (i) qualifying vehicle; or
- 2314 (ii) qualifying watercraft.
- 2315 (q) "Qualifying vehicle" means:
- 2316 (i) an all-terrain vehicle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters;
- 2318 (ii) an other motorcycle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters;
- 2320 (iii) a small motor vehicle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters;
- 2322 (iv) a snowmobile with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters; or
- 2324 (v) a street motorcycle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters.
- 2326 (r) "Qualifying watercraft" means a:
- 2327 (i) canoe;
- 2328 (ii) collapsible inflatable vessel;
- 2329 (iii) jon boat;
- 2330 (iv) pontoon;
- 2331 (v) sailboat; or
- 2332 (vi) utility boat.
- 2333 (s) "Refund period" means the time period:
- 2334 (i) beginning on January 1, 2006; and
- 2335 (ii) ending on December 29, 2006.
- 2336 (t) "Sailboat" means a sailboat as defined in Section 73-18-2.
- 2337 (u)
- (i) "Small motor vehicle" means a motor vehicle that:
- 2338 (A) is required to be registered in accordance with Title 41, Motor Vehicles; and
- 2339 (B) has[;]
- 2340 [(H)] an engine with 150 or less cubic centimeters displacement[;] or

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- 2341 [~~H~~] a motor that produces five or less horsepower; and
- 2342 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission
may by rule develop a process for an owner of a motor vehicle to certify whether the motor vehicle
has:
- 2345 (A) an engine with 150 or less cubic centimeters displacement; or
- 2346 (B) a motor that produces five or less horsepower.
- 2347 (v) "Snowmobile" means a motor vehicle that:
- 2348 (i) is a snowmobile as defined in Section 41-22-2;
- 2349 (ii) is required to be registered in accordance with Title 41, Chapter 22, Off-highway Vehicles; and
- 2351 (iii) has:
- 2352 (A) an engine with more than 150 cubic centimeters displacement; or
- 2353 (B) a motor that produces more than five horsepower.
- 2354 (w) "Street-legal all-terrain vehicle" means the same as that term is defined in Section 41-6a-102.
- 2356 (x) "Street motorcycle" means a motor vehicle that:
- 2357 (i) is:
- 2358 (A) a motorcycle as defined in Section 41-1a-102; and
- 2359 (B) designed primarily for use and operation on highways;
- 2360 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration; and
- 2362 (iii) has:
- 2363 (A) an engine with more than 150 cubic centimeters displacement; or
- 2364 (B) a motor that produces more than five horsepower.
- 2365 (y) "Tangible personal property owner" means a person that owns an item of qualifying tangible
personal property.
- 2367 (z) "Tent trailer" means a portable vehicle without motive power that:
- 2368 (i) is constructed with collapsible side walls that:
- 2369 (A) fold for towing by a motor vehicle; and
- 2370 (B) unfold at a campsite;
- 2371 (ii) is designed as a temporary dwelling for travel, recreational, or vacation use;
- 2372 (iii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration; and
- 2374 (iv) does not require a special highway movement permit when drawn by a self-propelled motor
vehicle.

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- 2376 (aa)
- (i) Except as provided in Subsection (1)(aa)(ii), "travel trailer" means a travel trailer:
- 2378 (A) as defined in Section 41-1a-102; and
- 2379 (B) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration;
and
- 2381 (ii) notwithstanding Subsection (1)(aa)(i), "travel trailer" does not include:
- 2382 (A) a camper; or
- 2383 (B) a tent trailer.
- 2384 (bb)
- (i) "Utility boat" means a vessel that:
- 2385 (A) has[;]
- 2386 [~~(F)~~] two or three bench seating[;] ,
- 2387 [~~(H)~~] an outboard motor[;] , and
- 2388 [~~(HH)~~] a hull made of aluminum, fiberglass, or wood; and
- 2389 (B) does not have[;]
- 2390 [~~(F)~~] decking[;] ,
- 2391 [~~(H)~~] a permanent canopy[;] , or
- 2392 [~~(HH)~~] a floor other than the hull; and
- 2393 (ii) notwithstanding Subsection (1)(bb)(i), "utility boat" does not include a collapsible inflatable vessel.
- 2395 (cc) "Vessel" means a vessel:
- 2396 (i) as defined in Section 73-18-2, including an outboard motor of the vessel; and
- 2397 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State Boating Act.
- 2399 (2)
- (a) In accordance with Utah Constitution, Article XIII, Section 2, Subsection (6), [~~beginning on January~~
~~1, 2006,~~] the tangible personal property described in Subsection (2)(b) is:
- 2402 (i) exempt from the tax imposed by Section 59-2-103; and
- 2403 (ii) in lieu of the tax imposed by Section 59-2-103, subject to uniform statewide fees as provided in
this section.
- 2405 (b) The following tangible personal property applies to Subsection (2)(a) if that tangible personal
property is required to be registered with the state:
- 2407 (i) an all-terrain vehicle;

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- 2408 (ii) a camper;
- 2409 (iii) an other motorcycle;
- 2410 (iv) an other trailer;
- 2411 (v) a personal watercraft;
- 2412 (vi) a small motor vehicle;
- 2413 (vii) a snowmobile;
- 2414 (viii) a street motorcycle;
- 2415 (ix) a tent trailer;
- 2416 (x) a travel trailer;
- 2417 (xi) a park model recreational vehicle; and
- 2418 (xii) a vessel if that vessel is less than 31 feet in length as determined under Subsection [(8)] (7).
- 2420 (3) Except as provided in Subsection (4) and for purposes of this section, the uniform statewide fees are:
- 2422 (a) for a snowmobile:
- | 2423 | Age of Snowmobile | Uniform Statewide Fee |
|------|--|-----------------------|
| 2424 | 12 or more years | \$10 |
| 2425 | 9 or more years but less than 12 years | \$20 |
| 2426 | 6 or more years but less than 9 years | \$30 |
| 2427 | 3 or more years but less than 6 years | \$35 |
| 2428 | Less than 3 years | \$45 |
- 2429 (b) for an all-terrain vehicle that is not a street-legal all-terrain vehicle or another motorcycle:
- | 2431 | Age of All-Terrain Vehicle or Other Motorcycle | Uniform Statewide Fee | Uniform Statewide Fee |
|------|--|-----------------------|-----------------------|
| 2432 | 12 or more years | | \$4 |
| 2433 | 9 or more years but less than 12 years | | \$8 |
| 2434 | 6 or more years but less than 9 years | | \$12 |
| 2435 | 3 or more years but less than 6 years | | \$14 |
| 2436 | Less than 3 years | | \$18 |
- 2437 (c) for a street-legal all-terrain vehicle:
- | 2438 | Age of Street-Legal All-Terrain Vehicle | Uniform Statewide Fee |
|------|---|-----------------------|
| 2439 | 12 or more years | \$4 |

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2440	9 or more years but less than 12 years	\$14
2441	6 or more years but less than 9 years	\$20
2442	3 or more years but less than 6 years	\$28
2443	Less than 3 years	\$38
2444	(d) for a camper or a tent trailer:	
2445	Age of Camper or Tent Trailer	Uniform Statewide Fee
2446	12 or more years	\$10
2447	9 or more years but less than 12 years	\$25
2448	6 or more years but less than 9 years	\$35
2449	3 or more years but less than 6 years	\$50
2450	Less than 3 years	\$70
2451	(e) for an other trailer:	
2452	Age of Other Trailer	Uniform Statewide Fee
2453	12 or more years	\$10
2454	9 or more years but less than 12 years	\$15
2455	6 or more years but less than 9 years	\$20
2456	3 or more years but less than 6 years	\$25
2457	Less than 3 years	\$30
2458	(f) for a personal watercraft:	
2459	Age of Personal Watercraft	Uniform Statewide Fee
2460	12 or more years	\$5
2461	9 or more years but less than 12 years	\$13
2462	6 or more years but less than 9 years	\$18
2463	3 or more years but less than 6 years	\$23
2464	Less than 3 years	\$28
2465	(g) for a small motor vehicle:	
2466	Age of Small Motor Vehicle	Uniform Statewide Fee
2467	6 or more years	\$10
2468	3 or more years but less than 6 years	\$15
2469	Less than 3 years	\$25
2470	(h) for a street motorcycle:	

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2471	Age of Street Motorcycle	Uniform Statewide Fee
2472	12 or more years	\$10
2473	9 or more years but less than 12 years	\$35
2474	6 or more years but less than 9 years	\$50
2475	3 or more years but less than 6 years	\$70
2476	Less than 3 years	\$95
2477	(i) for a travel trailer or park model recreational vehicle:	
2478	Age of Travel Trailer or Park Model Recreational Vehicle	Uniform Statewide Fee
2479	12 or more years	\$20
2480	9 or more years but less than 12 years	\$65
2481	6 or more years but less than 9 years	\$90
2482	3 or more years but less than 6 years	\$135
2483	Less than 3 years	\$175
2484	(j) \$5 regardless of the age of the vessel if the vessel is:	
2485	(i) less than 15 feet in length;	
2486	(ii) a canoe;	
2487	(iii) a jon boat; or	
2488	(iv) a utility boat;	
2489	(k) for a collapsible inflatable vessel, pontoon, or sailboat, regardless of age:	
2490	Length of Vessel	Uniform Statewide Fee
2491	15 feet or more in length but less than 19 feet in length	\$8
2492	19 feet or more in length but less than 23 feet in length	\$13
2493	23 feet or more in length but less than 27 feet in length	\$20
2494	27 feet or more in length but less than 31 feet in length	\$38
2495	(l) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 15 feet or more in length but less than 19 feet in length:	
2497	Age of Vessel	Uniform Statewide Fee
2498	12 or more years	\$13
2499	9 or more years but less than 12 years	\$33
2500	6 or more years but less than 9 years	\$40
2501	3 or more years but less than 6 years	\$55

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2502	Less than 3 years	\$75
2503	(m) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 19 feet or more in length but less than 23 feet in length:	
2505	Age of Vessel	Uniform Statewide Fee
2506	12 or more years	\$25
2507	9 or more years but less than 12 years	\$60
2508	6 or more years but less than 9 years	\$88
2509	3 or more years but less than 6 years	\$110
2510	Less than 3 years	\$138
2511	(n) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 23 feet or more in length but less than 27 feet in length:	
2513	Age of Vessel	Uniform Statewide Fee
2514	12 or more years	\$50
2515	9 or more years but less than 12 years	\$90
2516	6 or more years but less than 9 years	\$120
2517	3 or more years but less than 6 years	\$155
2518	Less than 3 years	\$200
2519	(o) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 27 feet or more in length but less than 31 feet in length:	
2521	Age of Vessel	Uniform Statewide Fee
2522	12 or more years	\$60
2523	9 or more years but less than 12 years	\$125
2524	6 or more years but less than 9 years	\$175
2525	3 or more years but less than 6 years	\$250
2526	Less than 3 years	\$350
2527	[(4) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this section is as follows:]	
2529	[(a) for a street motorcycle:]	
2530	[Age of Street Motorcycle	Uniform Statewide Fee
2531	12 or more years	\$7.75
2532	9 or more years but less than 12 years	\$27

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2533	6 or more years but less than 9 years	\$38.50
2534	3 or more years but less than 6 years	\$54
2535	Less than 3 years	\$73]
2536	[(b) for a small motor vehicle:]	
2537	[Age of Small Motor Vehicle	Uniform Statewide Fee
2538	6 or more years	\$7.75
2539	3 or more years but less than 6 years	\$11.50
2540	Less than 3 years	\$19.25]
2541	[(5)] (4) Notwithstanding Section 59-2-407, tangible personal property subject to the uniform statewide fees imposed by this section that is brought into the state shall, as a condition of registration, be subject to the uniform statewide fees unless all property taxes or uniform fees imposed by the state of origin have been paid for the current calendar year.	
2546	[(6)] (5)	
	(a) Subject to Subsection [(6)(b)] (5)(b), for a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the uniform statewide fee amounts imposed by this section are double the amounts due for the same vehicle registered for a 12-month period.	
2550	(b) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, if the 24-month term extends from one age bracket to another age bracket as described in this section, the person shall pay the sum of:	
2553	(i) the uniform statewide fee amount for the first year corresponding to the age bracket applicable for the first 12 months of the registration period; and	
2555	(ii) the uniform statewide fee amount for the second year corresponding to the age bracket applicable for the second 12 months of the registration period.	
2557	[(7)] (6)	
	(a) The revenues collected in each county from the uniform statewide fees imposed by this section shall be distributed by the county to each taxing entity in which each item of tangible personal property subject to the uniform statewide fees is located in the same proportion in which revenues collected from the ad valorem property tax are distributed.	
2562	(b) Each taxing entity described in Subsection [(7)(a)] (6)(a) that receives revenues from the uniform statewide fees imposed by this section shall distribute the revenues in the same proportion in which revenues collected from the ad valorem property tax are distributed.	

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- 2566 [(8)] (7)
- (a) For purposes of the uniform statewide fee imposed by this section, the length of a vessel shall be determined as provided in this Subsection [(8)] (7).
- 2568 (b)
- (i) Except as provided in Subsection [(8)(b)(ii)] (7)(b)(ii), the length of a vessel shall be measured as follows:
- 2570 (A) the length of a vessel shall be measured in a straight line; and
- 2571 (B) the length of a vessel is equal to the distance between the bow of the vessel and the stern of the vessel.
- 2573 (ii) Notwithstanding Subsection [(8)(b)(i)] (7)(b)(i), the length of a vessel may not include the length of:
- 2575 (A) a swim deck;
- 2576 (B) a ladder;
- 2577 (C) an outboard motor; or
- 2578 (D) an appurtenance or attachment similar to Subsections [(8)(b)(ii)(A)] (7)(b)(ii)(A) through (C) as determined by the commission by rule.
- 2580 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may by rule define what constitutes an appurtenance or attachment similar to Subsections [(8)(b)(ii)(A)] (7)(b)(ii)(A) through (C).
- 2583 (c) The length of a vessel:
- 2584 (i)
- (A) for a new vessel, is the length[;]
- 2585 [(H)] listed on the manufacturer's statement of origin if the length of the vessel measured under Subsection [(8)(b)] (7)(b) is equal to the length of the vessel listed on the manufacturer's statement of origin[;] or
- 2588 [(H)] listed on a form submitted to the commission by a dealer in accordance with Subsection [(8)(d)] (7)(d) if the length of the vessel measured under Subsection [(8)(b)] (7)(b) is not equal to the length of the vessel listed on the manufacturer's statement of origin; or
- 2592 (B) for a vessel other than a new vessel, is the length[;]
- 2593 [(H)] corresponding to the model number if the length of the vessel measured under Subsection [(8)(b)] (7)(b) is equal to the length of the vessel determined by reference to the model number[;] or
- 2596

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~~[(H)]~~ listed on a form submitted to the commission by an owner of the vessel in accordance with Subsection ~~[(8)(d)]~~ (7)(d) if the length of the vessel measured under Subsection ~~[(8)(b)]~~ (7)(b) is not equal to the length of the vessel determined by reference to the model number; and

- 2600 (ii)
- (A) is determined at the time of the~~[:]~~
- 2601 ~~[(H)]~~ first registration as defined in Section 41-1a-102 that occurs on or after January 1, 2006~~[:]~~ , or
- 2603 ~~[(H)]~~ first renewal of registration that occurs on or after January 1, 2006; and
- 2604 (B) may be determined after the time described in Subsection ~~[(8)(e)(ii)(A)]~~ (7)(c)(ii)(A) only if the commission requests that a dealer or an owner submit a form to the commission in accordance with Subsection ~~[(8)(d)]~~ (7)(d).
- 2607 (d)
- (i) A form under Subsection ~~[(8)(e)]~~ (7)(c) shall:
- 2608 (A) be developed by the commission;
- 2609 (B) be provided by the commission to~~[:]~~
- 2610 ~~[(H)]~~ a dealer~~[:]~~ or
- 2611 ~~[(H)]~~ an owner of a vessel;
- 2612 (C) provide for the reporting of the length of a vessel;
- 2613 (D) be submitted to the commission at the time the length of the vessel is determined in accordance with Subsection ~~[(8)(e)(ii)]~~ (7)(c)(ii);
- 2615 (E) be signed by~~[:]~~ ,
- 2616 ~~[(H)]~~ if the form is submitted by a dealer, that dealer~~[:]~~ , or
- 2617 ~~[(H)]~~ if the form is submitted by an owner of the vessel, an owner of the vessel; and
- 2619 (F) include a certification that the information set forth in the form is true.
- 2620 (ii) A certification made under Subsection ~~[(8)(d)(i)(F)]~~ (7)(d)(i)(F) is considered as if made under oath and subject to the same penalties as provided by law for perjury.
- 2622 (iii)
- (A) A dealer or an owner that submits a form to the commission under Subsection ~~[(8)(e)]~~ (7)(c) is considered to have given the dealer's or owner's consent to an audit or review by~~[:]~~ the commission, the county assessor, or the commission and the county assessor.
- 2626 ~~[(H)] the commission;~~
- 2627 ~~[(H)] the county assessor; or]~~

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- 2628 ~~[(H) the commission and the county assessor.]~~
- 2629 (B) The consent described in Subsection ~~[(8)(d)(iii)(A)]~~ (7)(d)(iii)(A) is a condition to the acceptance of any form.
- 2631 ~~[(9)~~
- ~~(a) A county that collected a qualifying payment from a qualifying person during the refund period shall issue a refund to the qualifying person as described in Subsection (9)(b) if:]~~
- 2634 ~~[(i) the difference described in Subsection (9)(b) is \$1 or more; and]~~
- 2635 ~~[(ii) the qualifying person submitted a form in accordance with Subsections (9)(c) and (d).]~~
- 2637 ~~[(b) The refund amount shall be calculated as follows:]~~
- 2638 ~~[(i) for a qualifying vehicle, the refund amount is equal to the difference between:]~~
- 2639 ~~[(A) the qualifying payment the qualifying person paid on the qualifying vehicle during the refund period; and]~~
- 2641 ~~[(B) the amount of the statewide uniform fee:]~~
- 2642 ~~[(F) for that qualifying vehicle; and]~~
- 2643 ~~[(H) that the qualifying person would have been required to pay:]~~
- 2644 ~~[(Aa) during the refund period; and]~~
- 2645 ~~[(Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1, been in effect during the refund period; and]~~
- 2648 ~~[(ii) for a qualifying watercraft, the refund amount is equal to the difference between:]~~
- 2649 ~~[(A) the qualifying payment the qualifying person paid on the qualifying watercraft during the refund period; and]~~
- 2651 ~~[(B) the amount of the statewide uniform fee:]~~
- 2652 ~~[(F) for that qualifying watercraft;]~~
- 2653 ~~[(H) that the qualifying person would have been required to pay:]~~
- 2654 ~~[(Aa) during the refund period; and]~~
- 2655 ~~[(Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1, been in effect during the refund period.]~~
- 2657 ~~[(e) Before the county issues a refund to the qualifying person in accordance with Subsection (9)(a) the qualifying person shall submit a form to the county to verify the qualifying person is entitled to the refund.]~~
- 2660 ~~[(d)~~

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- (i) A form under Subsection (9)(c) or (10) shall:]
- 2661 [(A) be developed by the commission;]
- 2662 [(B) be provided by the commission to the counties;]
- 2663 [(C) be provided by the county to the qualifying person or tangible personal property owner;]
- 2665 [(D) provide for the reporting of the following:]
- 2666 [(I) for a qualifying vehicle:]
- 2667 [(Aa) the type of qualifying vehicle; and]
- 2668 [(Bb) the amount of cubic centimeters displacement;]
- 2669 [(H) for a qualifying watercraft:]
- 2670 [(Aa) the length of the qualifying watercraft;]
- 2671 [(Bb) the age of the qualifying watercraft; and]
- 2672 [(Ce) the type of qualifying watercraft;]
- 2673 [(E) be signed by the qualifying person or tangible personal property owner; and]
- 2674 [(F) include a certification that the information set forth in the form is true.]
- 2675 [(ii) A certification made under Subsection (9)(d)(i)(F) is considered as if made under oath and subject
to the same penalties as provided by law for perjury.]
- 2677 [(iii)
- (A) A qualifying person or tangible personal property owner that submits a form to a county under
Subsection (9)(c) or (10) is considered to have given the qualifying person's consent to an audit or
review by:]
- 2680 [(I) the commission;]
- 2681 [(H) the county assessor; or]
- 2682 [(III) the commission and the county assessor.]
- 2683 [(B) The consent described in Subsection (9)(d)(iii)(A) is a condition to the acceptance of any form.]
- 2685 [(e) The county shall make changes to the commission's records with the information received by the
county from the form submitted in accordance with Subsection (9)(c).]
- 2687 [(10) A county shall change its records regarding an item of qualifying tangible personal property if the
tangible personal property owner submits a form to the county in accordance with Subsection (9)
(d).]
- 2690 [(11)

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(a) For purposes of this Subsection (11), "owner of tangible personal property" means a person that was required to pay a uniform statewide fee:]

2692 [(i) during the refund period;]

2693 [(ii) in accordance with this section; and]

2694 [(iii) on an item of tangible personal property subject to the uniform statewide fees imposed by this section.]

2696 [(b) A county that collected revenues from uniform statewide fees imposed by this section during the refund period shall notify an owner of tangible personal property:]

2698 [(i) of the tangible personal property classification changes made to this section pursuant to Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1;]

2700 [(ii) that the owner of tangible personal property may obtain and file a form to modify the county's records regarding the owner's tangible personal property; and]

2702 [(iii) that the owner may be entitled to a refund pursuant to Subsection (9).]

2765 Section 49. Section **59-12-103** is amended to read:

2766 **59-12-103. Sales and use tax base -- Rates -- Effective dates -- Use of sales and use tax revenue.**

2706 (1) A tax is imposed on the purchaser as provided in this part on the purchase price or sales price for amounts paid or charged for the following transactions:

2708 (a) retail sales of tangible personal property made within the state;

2709 (b) amounts paid for:

2710 (i) telecommunications service, other than mobile telecommunications service, that originates and terminates within the boundaries of this state;

2712 (ii) mobile telecommunications service that originates and terminates within the boundaries of one state only to the extent permitted by the Mobile Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or

2715 (iii) an ancillary service associated with a:

2716 (A) telecommunications service described in Subsection (1)(b)(i); or

2717 (B) mobile telecommunications service described in Subsection (1)(b)(ii);

2718 (c) sales of the following for commercial use:

2719 (i) gas;

2720 (ii) electricity;

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- 2721 (iii) heat;
- 2722 (iv) coal;
- 2723 (v) fuel oil; or
- 2724 (vi) other fuels;
- 2725 (d) sales of the following for residential use:
- 2726 (i) gas;
- 2727 (ii) electricity;
- 2728 (iii) heat;
- 2729 (iv) coal;
- 2730 (v) fuel oil; or
- 2731 (vi) other fuels;
- 2732 (e) sales of prepared food;
- 2733 (f) except as provided in Section 59-12-104, amounts paid or charged as admission or user fees for theaters, movies, operas, museums, planetariums, shows of any type or nature, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses, menageries, fairs, races, contests, sporting events, dances, boxing matches, wrestling matches, closed circuit television broadcasts, billiard parlors, pool parlors, bowling lanes, golf, miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts, ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides, river runs, jeep tours, boat tours, scenic cruises, horseback rides, sports activities, or any other amusement, entertainment, recreation, exhibition, cultural, or athletic activity;
- 2743 (g) amounts paid or charged for services for repairs or renovations of tangible personal property, unless Section 59-12-104 provides for an exemption from sales and use tax for:
- 2746 (i) the tangible personal property; and
- 2747 (ii) parts used in the repairs or renovations of the tangible personal property described in Subsection (1) (g)(i), regardless of whether:
- 2749 (A) any parts are actually used in the repairs or renovations of that tangible personal property; or
- 2751 (B) the particular parts used in the repairs or renovations of that tangible personal property are exempt from a tax under this chapter;
- 2753 (h) except as provided in Subsection 59-12-104(7), amounts paid or charged for assisted cleaning or washing of tangible personal property;
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- (i) amounts paid or charged for short-term rentals of tourist home, hotel, motel, or trailer court accommodations and services;
- 2757 (j) amounts paid or charged for laundry or dry cleaning services;
- 2758 (k) amounts paid or charged for leases or rentals of tangible personal property if within this state the tangible personal property is:
 - 2760 (i) stored;
 - 2761 (ii) used; or
 - 2762 (iii) otherwise consumed;
- 2763 (l) amounts paid or charged for tangible personal property if within this state the tangible personal property is:
 - 2765 (i) stored;
 - 2766 (ii) used; or
 - 2767 (iii) consumed;
- 2768 (m) amounts paid or charged for a sale:
 - 2769 (i)
 - (A) of a product transferred electronically; or
 - 2770 (B) of a repair or renovation of a product transferred electronically; and
 - 2771 (ii) regardless of whether the sale provides:
 - 2772 (A) a right of permanent use of the product; or
 - 2773 (B) a right to use the product that is less than a permanent use, including a right:
 - 2774 (I) for a definite or specified length of time; and
 - 2775 (II) that terminates upon the occurrence of a condition; and
 - 2776 (n) sales of leased tangible personal property from the lessor to the lessee made in the state.
- 2778 (2)
 - (a) Except as provided in Subsections (2)(b) through (f), a state tax and a local tax are imposed on a transaction described in Subsection (1) equal to the sum of:
 - 2780 (i) a state tax imposed on the transaction at a tax rate equal to the sum of:
 - 2781 (A) 4.70%;
 - 2782 (B) the rate specified in Subsection (6)(a); and
 - 2783 (C) the tax rate the state imposes in accordance with Part 20, Supplemental State Sales and Use Tax Act, if the location of the transaction as determined under Sections 59-12-211 through 59-12-215 is

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in a city, town, or the unincorporated area of a county in which the state imposes the tax under Part 20, Supplemental State Sales and Use Tax Act; and

- 2788 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the transaction under this chapter other than this part.
- 2790 (b) Except as provided in Subsection (2)(f) or (g) and subject to Subsection (2)(1), a state tax and a local tax are imposed on a transaction described in Subsection (1)(d) equal to the sum of:
- 2793 (i) a state tax imposed on the transaction at a tax rate of 2%; and
- 2794 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the transaction under this chapter other than this part.
- 2796 (c) Except as provided in Subsection (2)(f) or (g), a state tax and a local tax are imposed on amounts paid or charged for food and food ingredients equal to the sum of:
- 2798 (i) a state tax imposed on the amounts paid or charged for food and food ingredients at a tax rate of 1.75%; and
- 2800 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the amounts paid or charged for food and food ingredients under this chapter other than this part.
- 2803 (d) Except as provided in Subsection (2)(f) or (g), a state tax is imposed on amounts paid or charged for fuel to a common carrier that is a railroad for use in a locomotive engine at a rate equal to the sum of the rates described in Subsections (2)(a)(i)(A) and (2)(a)(i)(B).
- 2807 (e)
- (i)
- (A) The rates described in Subsections (2)(a)(i)(A) and (2)(a)(i)(B) do not apply to car sharing, a car sharing program, a shared vehicle driver, or a shared vehicle owner, for a car sharing or shared vehicle transaction if a shared vehicle owner certifies to the commission, on a form prescribed by the commission, that the shared vehicle is an individual-owned shared vehicle.
- 2812 (B) A shared vehicle owner's certification described in Subsection (2)(e)(i)(A) is required once during the time that the shared vehicle owner owns the shared vehicle.
- 2815 (C) The commission shall verify that a shared vehicle is an individual-owned shared vehicle by verifying that the applicable Utah taxes imposed under this chapter were paid on the purchase of the shared vehicle.

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- (D) The exception under Subsection (2)(e)(i)(A) applies to a certified individual-owned shared vehicle shared through a car-sharing program even if non-certified shared vehicles are also available to be shared through the same car-sharing program.
- 2822 (ii) A tax imposed under Subsection (2)(a)(i)(C) or (2)(a)(ii) applies to car sharing.
- 2823 (iii)
- (A) A car-sharing program may rely in good faith on a shared vehicle owner's representation that the shared vehicle is an individual-owned shared vehicle certified with the commission as described in Subsection (2)(e)(i).
- 2826 (B) If a car-sharing program relies in good faith on a shared vehicle owner's representation that the shared vehicle is an individual-owned shared vehicle certified with the commission as described in Subsection (2)(e)(i), the car-sharing program is not liable for any tax, penalty, fee, or other sanction imposed on the shared vehicle owner.
- 2831 (iv) If all shared vehicles shared through a car-sharing program are certified as described in Subsection (2)(e)(i)(A) for a tax period, the car-sharing program has no obligation to collect and remit the tax under Subsections (2)(a)(i)(A) and (2)(a)(i)(B) for that tax period.
- 2835 (v) A car-sharing program is not required to list or otherwise identify an individual-owned shared vehicle on a return or an attachment to a return.
- 2837 (vi) A car-sharing program shall:
- 2838 (A) retain tax information for each car-sharing program transaction; and
- 2839 (B) provide the information described in Subsection (2)(e)(vi)(A) to the commission at the commission's request.
- 2841 (f)
- (i) For a bundled transaction that is attributable to food and food ingredients and tangible personal property other than food and food ingredients, a state tax and a local tax is imposed on the entire bundled transaction equal to the sum of:
- 2844 (A) the tax rates described in Subsection (2)(a)(i); and
- 2845 (B) a local tax imposed on the entire bundled transaction at the sum of the tax rates described in Subsection (2)(a)(ii).
- 2847 (ii) If an optional computer software maintenance contract is a bundled transaction that consists of taxable and nontaxable products that are not separately itemized on an invoice or similar billing

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document, the purchase of the optional computer software maintenance contract is 40% taxable under this chapter and 60% nontaxable under this chapter.

- 2852 (iii) Subject to Subsection (2)(f)(iv), for a bundled transaction other than a bundled transaction
described in Subsection (2)(f)(i) or (ii):
- 2854 (A) if the sales price of the bundled transaction is attributable to tangible personal property, a product,
or a service that is subject to taxation under this chapter and tangible personal property, a product, or
service that is not subject to taxation under this chapter, the entire bundled transaction is subject to
taxation under this chapter unless:
- 2859 (I) the seller is able to identify by reasonable and verifiable standards the tangible personal property,
product, or service that is not subject to taxation under this chapter from the books and records the
seller keeps in the seller's regular course of business; or
- 2863 (II) state or federal law provides otherwise; or
- 2864 (B) if the sales price of a bundled transaction is attributable to two or more items of tangible personal
property, products, or services that are subject to taxation under this chapter at different rates, the
entire bundled transaction is subject to taxation under this chapter at the higher tax rate unless:
- 2868 (I) the seller is able to identify by reasonable and verifiable standards the tangible personal property,
product, or service that is subject to taxation under this chapter at the lower tax rate from the books
and records the seller keeps in the seller's regular course of business; or
- 2872 (II) state or federal law provides otherwise.
- 2873 (iv) For purposes of Subsection (2)(f)(iii), books and records that a seller keeps in the seller's regular
course of business includes books and records the seller keeps in the regular course of business for
nontax purposes.
- 2876 (g)
- (i) Except as otherwise provided in this chapter and subject to Subsections (2)(g)(ii) and (iii), if a
transaction consists of the sale, lease, or rental of tangible personal property, a product, or a service
that is subject to taxation under this chapter, and the sale, lease, or rental of tangible personal
property, other property, a product, or a service that is not subject to taxation under this chapter,
the entire transaction is subject to taxation under this chapter unless the seller, at the time of the
transaction:
- 2883 (A) separately states the portion of the transaction that is not subject to taxation under this chapter
on an invoice, bill of sale, or similar document provided to the purchaser; or

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- 2886 (B) is able to identify by reasonable and verifiable standards, from the books and records the seller keeps in the seller's regular course of business, the portion of the transaction that is not subject to taxation under this chapter.
- 2889 (ii) A purchaser and a seller may correct the taxability of a transaction if:
- 2890 (A) after the transaction occurs, the purchaser and the seller discover that the portion of the transaction that is not subject to taxation under this chapter was not separately stated on an invoice, bill of sale, or similar document provided to the purchaser because of an error or ignorance of the law; and
- 2894 (B) the seller is able to identify by reasonable and verifiable standards, from the books and records the seller keeps in the seller's regular course of business, the portion of the transaction that is not subject to taxation under this chapter.
- 2897 (iii) For purposes of Subsections (2)(g)(i) and (ii), books and records that a seller keeps in the seller's regular course of business includes books and records the seller keeps in the regular course of business for nontax purposes.
- 2900 (h)
- (i) If the sales price of a transaction is attributable to two or more items of tangible personal property, products, or services that are subject to taxation under this chapter at different rates, the entire purchase is subject to taxation under this chapter at the higher tax rate unless the seller, at the time of the transaction:
- 2904 (A) separately states the items subject to taxation under this chapter at each of the different rates on an invoice, bill of sale, or similar document provided to the purchaser; or
- 2907 (B) is able to identify by reasonable and verifiable standards the tangible personal property, product, or service that is subject to taxation under this chapter at the lower tax rate from the books and records the seller keeps in the seller's regular course of business.
- 2911 (ii) For purposes of Subsection (2)(h)(i), books and records that a seller keeps in the seller's regular course of business includes books and records the seller keeps in the regular course of business for nontax purposes.
- 2914 (i) Subject to Subsections (2)(j) and (k), a tax rate repeal or tax rate change for a tax rate imposed under the following shall take effect on the first day of a calendar quarter:
- 2916 (i) Subsection (2)(a)(i)(A);
- 2917 (ii) Subsection (2)(a)(i)(B);
- 2918 (iii) Subsection (2)(b)(i);

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- 2919 (iv) Subsection (2)(c)(i); or
2920 (v) Subsection (2)(f)(i)(A).
2921 (j)
- (i) A tax rate increase takes effect on the first day of the first billing period that begins on or after the effective date of the tax rate increase if the billing period for the transaction begins before the effective date of a tax rate increase imposed under:
- 2925 (A) Subsection (2)(a)(i)(A);
2926 (B) Subsection (2)(a)(i)(B);
2927 (C) Subsection (2)(b)(i);
2928 (D) Subsection (2)(c)(i); or
2929 (E) Subsection (2)(f)(i)(A).
- 2930 (ii) The repeal of a tax or a tax rate decrease applies to a billing period if the billing statement for the billing period is rendered on or after the effective date of the repeal of the tax or the tax rate decrease imposed under:
- 2933 (A) Subsection (2)(a)(i)(A);
2934 (B) Subsection (2)(a)(i)(B);
2935 (C) Subsection (2)(b)(i);
2936 (D) Subsection (2)(c)(i); or
2937 (E) Subsection (2)(f)(i)(A).
2938 (k)
- (i) For a tax rate described in Subsection (2)(k)(ii), if a tax due on a catalogue sale is computed on the basis of sales and use tax rates published in the catalogue, a tax rate repeal or change in a tax rate takes effect:
- 2941 (A) on the first day of a calendar quarter; and
2942 (B) beginning 60 days after the effective date of the tax rate repeal or tax rate change.
- 2944 (ii) Subsection (2)(k)(i) applies to the tax rates described in the following:
- 2945 (A) Subsection (2)(a)(i)(A);
2946 (B) Subsection (2)(a)(i)(B);
2947 (C) Subsection (2)(b)(i);
2948 (D) Subsection (2)(c)(i); or
2949 (E) Subsection (2)(f)(i)(A).

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- 2950 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission
may by rule define the term "catalogue sale."
- 2952 (1)
- (i) For a location described in Subsection (2)(1)(ii), the commission shall determine the taxable status of
a sale of gas, electricity, heat, coal, fuel oil, or other fuel based on the predominant use of the gas,
electricity, heat, coal, fuel oil, or other fuel at the location.
- 2956 (ii) Subsection (2)(1)(i) applies to a location where gas, electricity, heat, coal, fuel oil, or other fuel is
furnished through a single meter for two or more of the following uses:
- 2959 (A) a commercial use;
- 2960 (B) an industrial use; or
- 2961 (C) a residential use.
- 2962 (3)
- (a) The commission shall deposit the following state taxes into the General Fund:
- 2963 (i) the tax imposed by Subsection (2)(a)(i)(A);
- 2964 (ii) the tax imposed by Subsection (2)(b)(i);
- 2965 (iii) the tax imposed by Subsection (2)(c)(i);
- 2966 (iv) the tax imposed by Subsection (2)(d); and
- 2967 (v) the tax imposed by Subsection (2)(f)(i)(A).
- 2968 (b) The commission shall distribute the following local taxes to a county, city, or town as provided in
this chapter:
- 2970 (i) the tax imposed by Subsection (2)(a)(ii);
- 2971 (ii) the tax imposed by Subsection (2)(b)(ii);
- 2972 (iii) the tax imposed by Subsection (2)(c)(ii); and
- 2973 (iv) the tax imposed by Subsection (2)(f)(i)(B).
- 2974 (4)
- (a) Notwithstanding Subsection (3)(a), for each fiscal year the commission shall make the deposits
described in Subsections (4)(b) through (4)(h) from the revenue from the taxes imposed by:
- 2977 (i) Subsection (2)(a)(i)(A);
- 2978 (ii) Subsection (2)(b)(i);
- 2979 (iii) Subsection (2)(c)(i); and
- 2980 (iv) Subsection (2)(f)(i)(A).

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- 2981 (b) The commission shall deposit 15% of the difference between 1.4543% of the revenue described in Subsection (4)(a) and the deposits made under Subsection (5)(b), into the Water Rights Restricted Account created in Section 73-2-1.6.
- 2984 (c) The commission shall deposit 85% of the difference between 1.4543% of the revenue described in Subsection (4)(a) and the deposits made under Subsection (5)(b), into the Water Resources Conservation and Development Fund created in Section 73-10-24 for use by the Division of Water Resources for:
- 2988 (i) preconstruction costs:
- 2989 (A) as defined in Subsection 73-26-103(6) for projects authorized by Title 73, Chapter 26, Bear River Development Act; and
- 2991 (B) as defined in Subsection 73-28-103(8) for the Lake Powell Pipeline project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act;
- 2993 (ii) the cost of employing a civil engineer to oversee any project authorized by Title 73, Chapter 26, Bear River Development Act;
- 2995 (iii) the cost of employing a civil engineer to oversee the Lake Powell Pipeline project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act; and
- 2998 (iv) other uses authorized under Sections 73-10-24, 73-10-25.1, and 73-10-30, and Subsection (5)(b)(iv) (B) after funding the uses specified in Subsections (4)(c)(i) through (iii).
- 3001 (d) The commission shall deposit 1.4543% of the revenue described in Subsection (4)(a) into the Water Infrastructure Restricted Account created in Section 73-10g-103.
- 3003 (e)
- (i) Subject to Subsection (4)(e)(ii), the commission shall deposit 26.24% of the revenue described in Subsection (4)(a) into the Transportation Investment Fund of 2005 created in Section 72-2-124.
- 3006 (ii) The commission shall annually reduce the deposit described in Subsection (4)(e)(i) by the sum of:
- 3008 (A) \$1,813,400;
- 3009 (B) the earmark described in Subsection (5)(c); and
- 3010 (C) an amount equal to 35% of the revenue generated in the current fiscal year by the portion of the tax imposed on motor and special fuel that is sold, used, or received in the state that exceeds 29.4 cents per gallon.
- 3013 (iii) The amount described in Subsection (4)(e)(ii)(C) shall be annually deposited into the Transit Transportation Investment Fund created in Section 72-2-124.

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- 3015 (f) The commission shall deposit .44% of the revenue described in Subsection (4)(a) into the Cottonwood Canyons Transportation Investment Fund created in Section 72-2-124.
- 3018 (g) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into the Commuter Rail Subaccount created in Section 72-2-124.
- 3020 (h) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into the Outdoor Adventure Infrastructure Restricted Account created in Section 51-9-902 as follows:
- 3023 (i) into the Outdoor Adventure Infrastructure Restricted Account created in Section 51-9-902, an amount equal to the amount that was deposited into the Outdoor Adventure Infrastructure Restricted Account in fiscal year 2025; and
- 3026 (ii) for any amount exceeding the amount described in Subsection (4)(h)(i), 50% into the Outdoor Adventure Infrastructure Restricted Account and 50% to the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201.
- 3029 (5)
- (a) Notwithstanding Subsection (3)(a), each fiscal year the commission shall make the deposits described in this Subsection (5).
- 3031 (b)
- (i)
- (A) The commission shall deposit \$500,000 to the Department of Natural Resources to be used for watershed rehabilitation or restoration.
- 3033 (B) At the end of each fiscal year, 100% of any unexpended amount described in Subsection (5) (b)(i)(A) shall lapse into the Water Resources Conservation and Development Fund created in Section 73-10-24.
- 3036 (ii) The commission shall deposit \$150,000 to the Division of Water Resources for cloud-seeding projects authorized by Title 73, Chapter 15, Modification of Weather.
- 3039 (iii) The commission shall deposit \$525,000 into the Division of Conservation created in Section 4-46-401 to implement water related programs.
- 3041 (iv) The commission shall deposit \$7,175,000 into the Water Resources Conservation and Development Fund created in Section 73-10-24 for use by the Division of Water Resources:
- 3044 (A) for the uses allowed of the Water Resources Conservation and Development Fund under Section 73-10-24;
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- (B) to conduct hydrologic and geotechnical investigations by the Division of Water Resources in a cooperative effort with other state, federal, or local entities, for the purpose of quantifying surface and ground water resources and describing the hydrologic systems of an area in sufficient detail so as to enable local and state resource managers to plan for and accommodate growth in water use without jeopardizing the resource;
- 3052 (C) to fund state required dam safety improvements; and
- 3053 (D) to protect the state's interest in interstate water compact allocations, including the hiring of technical and legal staff.
- 3055 (v) The commission shall deposit \$3,587,500 into the Utah Wastewater Loan Program Subaccount created in Section 73-10c-5 for use by the Water Quality Board to fund wastewater projects.
- 3058 (vi) The commission shall deposit \$3,587,500 into the Drinking Water Loan Program Subaccount created in Section 73-10c-5 for use by the Division of Drinking Water to:
- 3061 (A) provide for the installation and repair of collection, treatment, storage, and distribution facilities for any public water system, as defined in Section 19-4-102;
- 3064 (B) develop underground sources of water, including springs and wells; and
- 3065 (C) develop surface water sources.
- 3066 (vii) The commission shall deposit \$2,450,000 to the Division of Wildlife Resources to:
- 3068 (A) implement the measures described in Subsections 23A-3-214(3)(a) through (d) to protect sensitive plant and animal species; or
- 3070 (B) award grants, up to the amount authorized by the Legislature in an appropriations act, to political subdivisions of the state to implement the measures described in Subsections 23A-3-214(3)(a) through (d) to protect sensitive plant and animal species.
- 3074 (viii) Funds transferred to the Division of Wildlife Resources under Subsection (5)(b)(vii)(A) may not be used to assist the United States Fish and Wildlife Service or any other person to list or attempt to have listed a species as threatened or endangered under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et seq.
- 3079 (ix) At the end of each fiscal year, any unexpended amounts described in Subsections (5)(b)(vii)(A) and (B) shall lapse:
- 3081 (A) 50% into the Water Resources Conservation and Development Fund created in Section 73-10-24;
- 3083 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section 73-10c-5; and
- 3085 (C) 25% into the Drinking Water Loan Program Subaccount created in Section 73-10c-5.

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- 3087 (x) The commission shall allocate \$175,000 to the Division of Water Rights to cover the costs incurred in hiring legal and technical staff for the adjudication of water rights.
- 3090 (xi) At the end of each fiscal year, any unexpended amounts described in Subsection (5)(b)(x) shall lapse:
- 3092 (A) 50% into the Water Resources Conservation and Development Fund created in Section 73-10-24;
- 3094 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section 73-10c-5; and
- 3096 (C) 25% into the Drinking Water Loan Program Subaccount created in Section 73-10c-5.
- 3098 (c) The commission shall deposit \$45,000,000 into the Active Transportation Investment Fund created in Section 72-2-124.
- 3100 (d) The commission shall deposit \$533,750 into the Qualified Emergency Food Agencies Fund created by and expended in accordance with Section 35A-8-1009.
- 3102 (e) The commission shall deposit \$200,000 into the General Fund as a dedicated credit for the sole use of the Search and Rescue Financial Assistance Program created by and to be expended in accordance with Title 53, Chapter 2a, Part 11, Search and Rescue Act.
- 3106 (6)
- (a) The rate specified in this Subsection (6) is 0.15%.
- 3107 (b) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year beginning on or after July 1, 2019, annually transfer the amount of revenue collected from the rate described in Subsection (6) (a) on the transactions that are subject to the sales and use tax under Subsection (2)(a)(i)(B) into the Medicaid ACA Fund created in Section 26B-1-315.
- 3112 (7)
- (a) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and (13), and as described in Section 63N-3-610, beginning the first day of a calendar quarter one year after the sales and use tax boundary for a housing and transit reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer an amount equal to 15% of the sales and use tax increment from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within an established sales and use tax boundary, as defined in Section 63N-3-602, into the Transit Transportation Investment Fund created in Section 72-2-124.
- 3121 (b) Beginning no sooner than January 1, 2026, notwithstanding Subsection (3)(a), and except as provided in Subsections (11), (12), and (13), and as described in Section 63N-3-610.1, beginning

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the first day of a calendar quarter after the year set in the proposal and after the sales and use tax boundary for a convention center reinvestment zone is established in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer an amount equal to 50% of the sales and use tax increment as defined in Section 63N-3-602 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within an established sales and use tax boundary, as defined in Section 63N-3-602, to a convention center public infrastructure district created in accordance with Section 17D-4-202.1 and specified in the convention center reinvestment zone proposal submitted ~~[pursuant to]~~ in accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

- 3134 (8) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and (13), beginning October 1, 2024 the commission shall transfer to the Utah Fairpark Area Investment and Restoration District, created in Section 11-70-201, the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A), on transactions occurring within the district sales tax area, as defined in Section 11-70-101.
- 3139 (9)
- (a) As used in this Subsection (9):
- 3140 (i) "Additional land" means point of the mountain state land described in Subsection 11-59-102(6)
- (b) that the point of the mountain authority acquires after the point of the mountain authority provides the commission a map under Subsection (9)(c).
- 3143 (ii) "Point of the mountain authority" means the Point of the Mountain State Land Authority, created in Section 11-59-201.
- 3145 (iii) "Point of the mountain state land" means the same as that term is defined in Section 11-59-102.
- 3147 (b) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and (13), the commission shall distribute to the point of the mountain authority 50% of the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A), on transactions occurring on the point of the mountain state land.
- 3151 (c) The distribution under Subsection (9)(b) shall begin the next calendar quarter that begins at least 90 days after the point of the mountain authority provides the commission a map that:
- 3154 (i) accurately describes the point of the mountain state land; and
- 3155 (ii) the point of the mountain authority certifies as accurate.
- 3156

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

3159 (i) accurately describes the point of the mountain state land, including the additional land; and

3161 (ii) the point of the mountain authority certifies as accurate.

3162 (e)

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

3166 (ii) The commission shall discontinue distributions of sales and use tax revenue under Subsection (9)(b) at the beginning of the calendar quarter that begins at least 90 days after the date that the commission receives the written notice under Subsection (9)(e)(i).

3170 (10) Notwithstanding Subsection (3)(a), the amount of state sales tax revenues described in Section 63N-2-503.5 is deposited into the Convention Incentive Fund created in Section 63N-2-503.5.

3173 (11)

(a) As used in this Subsection (11):

3174 (i) "Applicable percentage" means:

3175 (A) for a housing and transit reinvestment zone created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, 15% of the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development zone described in Subsection (11)(a)(ii)(A);

3180 (B) for the Utah Fairpark Area Investment and Restoration District created in Section 11-70-201, the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development zone described in Subsection (11)(a)(ii)(B); and

3184 (C) for the Point of the Mountain State Land Authority created in Section 11-59-201, 50% of the revenue from sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development zone described in Subsection (11)(a)(ii)(C).

3188 (ii) "Qualified development zone" means:

3189 (A) the sales and use tax boundary of a housing and transit reinvestment zone created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Act;

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- (B) the district sales tax boundary as defined in Section 11-70-101 for the Utah Fairpark Area Investment and Restoration District, created in Section 11-70-201; or
- 3195 (C) the sales and use tax boundary of point of the mountain state land, as defined in Section 11-59-102, under the Point of the Mountain State Land Authority created in Section 11-59-201.
- 3198 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M, Schedule J or a substantially similar form as designated by the commission.
- 3201 (b) Revenue generated from the applicable percentage by a Schedule J sale within a qualified development zone shall be deposited into the General Fund.
- 3203 (12)
- (a) As used in Subsections (12) and (13):
- 3204 (i) "Applicable percentage" means, for a convention center reinvestment zone created in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act, an amount equal to 50% of the sales and use tax increment, as that term is defined in Section 63N-3-602, from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development zone described in Subsection (12)(a)(ii).
- 3210 (ii) "Qualified development zone" means the sales and use tax boundary of a convention center reinvestment zone created in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
- 3213 (iii) "Qualifying construction materials" means construction materials that are:
- 3214 (A) delivered to a delivery outlet within a qualified development zone; and
- 3215 (B) intended to be permanently attached to real property within the qualified development zone.
- 3217 (b) For a sale of qualifying construction materials, the commission shall distribute the product calculated in Subsection (12)(c) to a qualified development zone if the seller of the construction materials:
- 3220 (i) establishes a delivery outlet with the commission within the qualified development zone;
- 3222 (ii) reports the sales of the construction materials to the delivery outlet described in Subsection (12)(b) (i); and
- 3224 (iii) does not report the sales of the construction materials on a simplified electronic return.
- 3226 (c) For the purposes of Subsection (12)(b), the product is equal to:
- 3227 (i) the sales price or purchase price of the qualifying construction materials; and
- 3228 (ii) the applicable percentage.

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- 3229 (13)
- (a) As used in this Subsection (13), "Schedule J sale" means a sale reported on State Tax Commission Form TC-62M, Schedule J, or a substantially similar form as designated by the commission.
- 3232 (b) Revenue generated from the applicable percentage by a Schedule J sale within a qualified development zone shall be distributed into the General Fund.
- 3296 Section 50. Section **72-1-213.1** is amended to read:
- 3297 **72-1-213.1. Road usage charge program.**
- 3236 (1) As used in this section:
- 3237 (a) "Account manager" means an entity under contract with the department to administer and manage the road usage charge program.
- 3239 (b) "Alternative fuel vehicle" means:
- 3240 (i) an electric motor vehicle as defined in Section 41-1a-102; or
- 3241 (ii) a motor vehicle powered exclusively by a fuel other than:
- 3242 (A) motor fuel;
- 3243 (B) diesel fuel;
- 3244 (C) natural gas; or
- 3245 (D) propane.
- 3246 (c) "Payment period" means the interval during which an owner is required to report mileage and pay the appropriate road usage charge according to the terms of the program.
- 3249 (d) "Program" means the road usage charge program established and described in this section.
- 3251 (e) "Road usage charge cap" means the maximum fee charged to a participant in the program for a registration period.
- 3253 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in the program.
- 3255 (2) There is established a road usage charge program as described in this section.
- 3256 (3)
- (a) The department shall implement and oversee the administration of the program, which shall begin on January 1, 2020.
- 3258 (b) To implement and administer the program, the department may contract with an account manager.
- 3260 (4)
- (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of the alternative fuel vehicle in the program.

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- 3262 (b) If an application for enrollment into the program is approved by the department, the owner or lessee
of an alternative fuel vehicle may participate in the program in lieu of paying the fee described in
Subsection [~~41-1a-1206(1)(h) or (2)(b)~~] 41-1a-1206(3)(h).
- 3265 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with
this section, the department:
- 3267 (a) shall make rules to establish:
- 3268 (i) processes and terms for enrollment into and withdrawal or removal from the program;
- 3270 (ii) payment periods and other payment methods and procedures for the program;
- 3271 (iii) standards for mileage reporting mechanisms for an owner or lessee of an alternative fuel vehicle to
report mileage as part of participation in the program;
- 3273 (iv) standards for program functions for mileage recording, payment processing, account management,
and other similar aspects of the program;
- 3275 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner and an account
manager for participation in the program;
- 3277 (vi) contractual terms between the department and an account manager, including authority for an
account manager to enforce the terms of the program;
- 3279 (vii) procedures to provide security and protection of personal information and data connected to the
program, and penalties for account managers for violating privacy protection rules;
- 3282 (viii) penalty procedures for a program participant's failure to pay a road usage charge or tampering
with a device necessary for the program; and
- 3284 (ix) department oversight of an account manager, including privacy protection of personal information
and access and auditing capability of financial and other records related to administration of the
program; and
- 3287 (b) may make rules to establish:
- 3288 (i) an enrollment cap for certain alternative fuel vehicle types to participate in the program;
- 3290 (ii) a process for collection of an unpaid road usage charge or penalty; or
- 3291 (iii) integration of the program with other similar programs, such as tolling.
- 3292 (6) Revenue generated by the road usage charge program and relevant penalties shall be deposited into
the Road Usage Charge Program Special Revenue Fund.
- 3294 (7)
- (a) The department may:

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- 3295 (i)
- (A) impose a penalty for failure to timely pay a road usage charge according to the terms of the program or tampering with a device necessary for the program; and
- 3298 (B) request that the Division of Motor Vehicles place a hold on the registration of the owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge or penalty according to the terms of the program;
- 3301 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner or lessee of:
- 3303 (A) the road usage charge program, implementation, and procedures;
- 3304 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to the department;
- 3306 (C) the penalty for failure to pay a road usage charge within the time period described in Subsection (7)(a)(iii); and
- 3308 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel vehicle, if the road usage charge and penalty are not paid within the time period described in Subsection (7)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's registration; and
- 3312 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage charge to the department within 30 days of the date when the department sends written notice of the road usage charge to the owner or lessee.
- 3315 (b) The department shall send the correspondence and notice described in Subsection (7)(a) to the owner of the alternative fuel vehicle according to the terms of the program.
- 3318 (8)
- (a) The Division of Motor Vehicles and the department shall share and provide access to information pertaining to an alternative fuel vehicle and participation in the program including:
- 3321 (i) registration and ownership information pertaining to an alternative fuel vehicle;
- 3322 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to pay a road usage charge or penalty imposed under this section within the time period described in Subsection (7)(a)(iii); and
- 3325 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.
- 3326 (b) If the department requests a hold on the registration in accordance with this section, the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.
- 3330

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(9) The owner of an alternative fuel vehicle may apply for enrollment in the program or withdraw from the program according to the terms established by the department [~~pursuant to~~] in accordance with rules made under Subsection (5).

3333 (10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

3334 (a) report mileage driven as required by the department [~~pursuant to~~] in accordance with Subsection (5);

3336 (b) pay the road usage fee for each payment period in accordance with Subsection (5); and

3338 (c) comply with all other provisions of this section and other requirements of the program.

3340 (11) The department shall submit annually, on or before October 1, to the Transportation Interim Committee, an electronic report that:

3342 (a) states for the preceding fiscal year:

3343 (i) the amount of revenue collected from the program;

3344 (ii) the participation rate in the program; and

3345 (iii) the department's costs to administer the program; and

3346 (b) provides for the current fiscal year, an estimate of:

3347 (i) the revenue that will be collected from the program;

3348 (ii) the participation rate in the program; and

3349 (iii) the department's costs to administer the program.

3350 (12)

[(a) Beginning on January 1, 2023:]

3351 [(i) the road usage charge rate is 1.0 cent per mile; and]

3352 [(ii) the road usage charge cap is {f} :]

3415 [(A) {

3353 {(A)}] \$130.25 for an annual registration period {f} ; and]

3416 [(B) {:

3354 {(B)} \$100.75 for a six-month registration period:]

3355 [(b) (a) Beginning on January 1, [2026] 2027:

3356 (i) the road usage charge rate is 1.25 cents per mile; and

3357 (ii) the road usage charge cap is[:]

3358 [(A){f} \$180] \$185.25 for an annual registration period[:and] .

3359 [(B) \$139 for a six-month registration period:]

3360 [(e) (b) Beginning on January 1, 2032:

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- 3361 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes a different road
usage charge rate in accordance with Subsection (13); and
- 3363 (ii) the road usage charge cap is[=]
- 3364 [(A)] \$240 for an annual registration period[;and] .
- 3365 [(B)] \$185 for a six-month registration period.]
- 3366 [(d)] (c) {Beginning in }[2024] 2028{, the department shall, on January 1, annually adjust the road
usage charge rates described in this Subsection (12) by taking the road usage charge rate for the
previous year and adding an amount equal to the greater of:}
- 3369 {(i) an amount calculated by multiplying the road usage charge rate of the previous year by the actual
percentage change during the previous fiscal year in the Consumer Price Index as determined by the
State Tax Commission; and}}
- 3372 {(ii) 0.}}
- 3373 [(e)] (d) {Beginning in }[2024] 2028{, the State Tax Commission shall, on January 1, annually adjust
the road usage charge caps described in this Subsection (12) by taking the road usage charge cap for
the previous year and adding an amount equal to the greater of:}
- 3376 {(i) an amount calculated by multiplying the road usage charge cap of the previous year by the actual
percentage change during the previous fiscal year in the Consumer Price Index; and}}
- 3379 {(ii) 0.}}
- 3380 [(f)] (e) {The amounts calculated as described in Subsection }[(12)(d)] (12)(c){ shall be rounded up to
the nearest .01 cent.}}
- 3382 [(g)] (f) {The amounts calculated as described in Subsection }[(12)(e)] (12)(d){ shall be rounded up to
the nearest 25 cents.}}
- 3384 [(h)] (g) {On or before January 1 of each year, the department shall publish:}
- 3385 {(i) the adjusted road usage charge rate described in Subsection }[(12)(d)] (12)(c){; and}}
- 3386 {(ii) adjusted road usage charge cap described in Subsection }[(12)(e)] (12)(d){.}}
- 3387 (13)
- (a) Beginning January 1, 2032, the commission may establish by rule made in accordance with Title
63G, Chapter 3, Utah Administrative Rulemaking Act, the road usage charge rate for each type of
alternative fuel vehicle.
- 3390 (b)

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(i) Before making rules in accordance with Subsection (13)(a), the commission shall consult with the department regarding the road usage charge rate for each type of alternative fuel vehicle.

3393 (ii) The department shall cooperate with and make recommendations to the commission regarding the road usage charge rate for each type of alternative fuel vehicle.

3459 Section 51. Section **72-1-213.2** is amended to read:

3460 **72-1-213.2. Road Usage Charge Program Special Revenue Fund -- Revenue.**

3399 (1) There is created an expendable special revenue fund within the Transportation Fund known as the "Road Usage Charge Program Special Revenue Fund."

3401 (2)

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

3402 (i) revenue collected by the department under Section 72-1-213.1;

3403 (ii) appropriations made to the fund by the Legislature;

3404 (iii) contributions from other public and private sources for deposit into the fund;

3405 (iv) interest earnings on cash balances; and

3406 (v) money collected for repayments and interest on fund money.

3407 (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) and (2)(b)~~] Subsection 41-1a-1206(3)(h) in an amount sufficient to enable the department to administer the road usage charge program.

3413 (3)

(a) Revenue generated by the road usage charge program and relevant penalties shall be deposited into the Road Usage Charge Program Special Revenue Fund.

3415 (b) Revenue in the Road Usage Charge Program Special Revenue Fund is nonlapsing.

3416 (4) The department may use revenue deposited into the Road Usage Charge Program Special Revenue Fund:

3418 (a) to cover the costs of administering the program; and

3419 (b) for the purposes described in Subsection (5).

3420 (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

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from the Road Usage Charge Program Special Revenue Fund into the Transportation Fund for appropriation and apportionment in accordance with Section 72-2-107.

3489 Section 52. Section **72-2-117.5** is amended to read:

3490 **72-2-117.5. Definitions -- Local Highway and Transportation Corridor Preservation Fund --**

Disposition of fund money.

3429 (1) As used in this section:

3430 (a) "Council of governments" means a decision-making body in each county composed of membership including the county governing body and the mayors of each municipality in the county.

3433 (b) "Metropolitan planning organization" has the same meaning as defined in Section 72-1-208.5.

3435 (2) There is created the Local Highway and Transportation Corridor Preservation Fund within the Transportation Fund.

3437 (3) The fund shall be funded from the following sources:

3438 (a) a local option highway construction and transportation corridor preservation [fee] tax imposed under Section 41-1a-1222;

3440 (b) appropriations made to the fund by the Legislature;

3441 (c) contributions from other public and private sources for deposit into the fund;

3442 (d) all money collected from rents and sales of real property acquired with fund money;

3443 (e) proceeds from general obligation bonds, revenue bonds, or other obligations issued as authorized by Title 63B, Bonds; and

3445 (f) sales and use tax revenues deposited into the fund in accordance with Title 59, Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act.

3447 (4)

(a) The fund shall earn interest.

3448 (b) All interest earned on fund money shall be deposited into the fund.

3449 (c) The State Tax Commission shall allocate the revenues:

3450 (i) provided under Subsection (3)(a) to each county imposing a local option highway construction and transportation corridor preservation [fee] tax under Section 41-1a-1222;

3453 (ii) provided under Subsection 59-12-2217(2) to each county imposing a county option sales and use tax for transportation; and

3455 (iii) provided under Subsection (3)(f) to each county of the second class or city or town within a county of the second class that imposes the sales and use tax authorized by Section 59-12-2218.

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- 3458 (d) The department shall distribute the funds allocated to each county, city, or town under Subsection
3460 (4)(c) to each county, city, or town.
- 3460 (e) The money allocated and distributed under this Subsection (4):
- 3461 (i) shall be used for the purposes provided in this section for each county, city, or town;
- 3463 (ii) is allocated to each county, city, or town as provided in this section with the condition that the state
will not be charged for any asset purchased with the money allocated and distributed under this
Subsection (4), unless there is a written agreement in place with the department ~~prior to~~ before the
purchase of the asset stipulating a reimbursement by the state to the county, city, or town of no more
than the original purchase price paid by the county, city, or town; and
- 3469 (iii) is considered a local matching contribution for the purposes described under Section 72-2-123 if
used on a state highway.
- 3471 (f) Administrative costs of the department to implement this section shall be paid from the fund.
- 3473 (5)
- (a) A highway authority may acquire real property or any interests in real property for state, county, and
municipal transportation corridors subject to:
- 3475 (i) money available in the fund to each county under Subsection (4); and
- 3476 (ii) the provisions of this section.
- 3477 (b) Fund money may be used to pay interest on debts incurred in accordance with this section.
- 3479 (c)
- (i)
- (A) Fund money may be used to pay maintenance costs of properties acquired under this section but
limited to a total of 5% of the purchase price of the property.
- 3482 (B) Any additional maintenance cost shall be paid from funds other than under this section.
- 3484 (C) Revenue generated by any property acquired under this section is excluded from the limitations
under this Subsection (5)(c)(i).
- 3486 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired under this section.
- 3488 (d) Fund money allocated and distributed under Subsection (4) may be used by a county highway
authority for countywide transportation or public transit planning if:
- 3490 (i) the county's planning focus area is outside the boundaries of a metropolitan planning organization;
- 3492

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- (ii) the transportation planning is part of the county's continuing, cooperative, and comprehensive process for transportation or public transit planning, transportation corridor preservation, right-of-way acquisition, and project programming;
- 3495 (iii) no more than four years allocation every 20 years to each county is used for transportation planning under this Subsection (5)(d); and
- 3497 (iv) the county otherwise qualifies to use the fund money as provided under this section.
- 3499 (e)
- (i) Subject to Subsection (11), fund money allocated and distributed under Subsection (4) may be used by a county highway authority for transportation corridor planning that is part of the transportation corridor elements of an ongoing work program of transportation or public transit projects.
- 3503 (ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the direction of:
- 3505 (A) the metropolitan planning organization if the county is within the boundaries of a metropolitan planning organization; or
- 3507 (B) the department if the county is not within the boundaries of a metropolitan planning organization.
- 3509 (f)
- (i) A county, city, or town that imposes a local option highway construction and transportation corridor preservation [fee] tax under Section 41-1a-1222 may elect to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund.
- 3513 (ii) If a county, city, or town elects to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund, a local highway authority shall repay the fund money authorized for the project to the fund.
- 3517 (iii) A county, city, or town that elects to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund shall establish repayment conditions of the money to the fund from the specified project funds.
- 3521 (g)
- (i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be used by a county of the third, fourth, fifth, or sixth class or by a city or town within a county of the third, fourth, fifth, or sixth class for:
- 3524 (A) the construction, operation, or maintenance of a class B road or class C road; or
- 3526 (B) the restoration or repair of survey monuments associated with transportation infrastructure.
- 3528

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- (ii) A county, city, or town may not use more than 50% of the current balance of fund money allocated to the county, city, or town for the purposes described in Subsection (5)(g)(i).
- 3531 (iii) A county, city, or town may not use more than 50% of the fund revenue collections allocated to a county, city, or town in the current fiscal year for the purposes described in Subsection (5)(g)(i).
- 3534 (6)
- (a)
- (i) The Local Highway and Transportation Corridor Preservation Fund shall be used to preserve transportation corridors, promote long-term statewide transportation planning, save on acquisition costs, and promote the best interests of the state in a manner which minimizes impact on prime agricultural land.
- 3538 (ii) The Local Highway and Transportation Corridor Preservation Fund shall only be used to preserve a transportation corridor that is right-of-way:
- 3540 (A) in a county of the first or second class for:
- 3541 (I) a state highway;
- 3542 (II) a principal arterial highway as defined in Section 72-4-102.5;
- 3543 (III) a minor arterial highway as defined in Section 72-4-102.5;
- 3544 (IV) a collector highway in an urban area as defined in Section 72-4-102.5; or
- 3545 (V) a transit facility as defined in Section 17B-2a-802; or
- 3546 (B) in a county of the third, fourth, fifth, or sixth class for:
- 3547 (I) a state highway;
- 3548 (II) a principal arterial highway as defined in Section 72-4-102.5;
- 3549 (III) a minor arterial highway as defined in Section 72-4-102.5;
- 3550 (IV) a major collector highway as defined in Section 72-4-102.5;
- 3551 (V) a minor collector road as defined in Section 72-4-102.5; or
- 3552 (VI) a transit facility as defined in Section 17B-2a-802.
- 3553 (iii) The Local Highway and Transportation Corridor Preservation Fund may not be used for a transportation corridor that is primarily a recreational trail as defined under Section 79-5-102.
- 3556 (b) A highway authority shall authorize the expenditure of fund money after determining that the expenditure is being made in accordance with this section from applications that are:
- 3559 (i) endorsed by the council of governments; and
- 3560 (ii) for a right-of-way purchase for a transportation corridor authorized under Subsection (6)(a)(ii).

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- 3562 (7)
3563 (a)
3564 (i) A council of governments shall establish a council of governments endorsement process which
3565 includes prioritization and application procedures for use of the money allocated to each county
3566 under this section.
3567 (ii) The endorsement process under Subsection (7)(a)(i) may include review or endorsement of the
3568 preservation project by:
3569 (A) the metropolitan planning organization if the county is within the boundaries of a metropolitan
3570 planning organization; or
3571 (B) the department if the county is not within the boundaries of a metropolitan planning organization.
3572 (b) All fund money shall be prioritized by each highway authority and council of governments based on
3573 considerations, including:
3574 (i) areas with rapidly expanding population;
3575 (ii) the willingness of local governments to complete studies and impact statements that meet
3576 department standards;
3577 (iii) the preservation of transportation corridors by the use of local planning and zoning processes;
3578 (iv) the availability of other public and private matching funds for a project;
3579 (v) the cost-effectiveness of the preservation projects;
3580 (vi) long and short-term maintenance costs for property acquired; and
3581 (vii) whether the transportation corridor is included as part of:
3582 (A) the county and municipal master plan; and
3583 (B)
3584 (I) the statewide long range plan; or
3585 (II) the regional transportation plan of the area metropolitan planning organization if one exists for the
3586 area.
3587 (c) The council of governments shall:
3588 (i) establish a priority list of transportation corridor preservation projects within the county;
3589 (ii) submit the list described in Subsection (7)(c)(i) to the county's legislative body for approval; and
3590 (iii) obtain approval of the list described in Subsection (7)(c)(i) from a majority of the members of the
3591 county legislative body.
3592
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- (d) A county's council of governments may only submit one priority list described in Subsection (7)(c) (i) per calendar year.
- 3595 (e) A county legislative body may only consider and approve one priority list described in Subsection (7)(c)(i) per calendar year.
- 3597 (8)
- (a) Unless otherwise provided by written agreement with another highway authority or public transit district, the highway authority that holds the deed to the property is responsible for maintenance of the property.
- 3600 (b) The transfer of ownership for property acquired under this section from one highway authority to another shall include a recorded deed for the property and a written agreement between the highway authorities or public transit district.
- 3603 (9)
- (a) The proceeds from any bonds or other obligations secured by revenues of the Local Highway and Transportation Corridor Preservation Fund shall be used for the purposes authorized for funds under this section.
- 3606 (b) The highway authority shall pledge the necessary part of the revenues of the Local Highway and Transportation Corridor Preservation Fund to the payment of principal and interest on the bonds or other obligations.
- 3609 (10)
- (a) A highway authority may not expend money under this section to purchase a right-of-way for a state highway unless the highway authority has:
- 3611 (i) a transportation corridor property acquisition policy or ordinance in effect that meets department requirements for the acquisition of real property or any interests in real property under this section; and
- 3614 (ii) an access management policy or ordinance in effect that meets the requirements under Subsection 72-2-117(8).
- 3616 (b) The provisions of Subsection (10)(a)(i) do not apply if the highway authority has a written agreement with the department for the department to acquire real property or any interests in real property on behalf of the local highway authority under this section.
- 3620 (11) The county shall ensure, to the extent possible, that the fund money allocated and distributed to a city or town in accordance with Subsection (4) is expended:

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- 3622 (a) to fund a project or service as allowed by this section within the city or town to which the fund
money is allocated;
- 3624 (b) to pay debt service, principal, or interest on a bond or other obligation as allowed by this section if
that bond or other obligation is:
- 3626 (i) secured by money allocated to the city or town; and
- 3627 (ii) issued to finance a project or service as allowed by this section within the city or town to which the
fund money is allocated;
- 3629 (c) to fund transportation planning as allowed by this section within the city or town to which the fund
money is allocated; or
- 3631 (d) for another purpose allowed by this section within the city or town to which the fund money is
allocated.
- 3633 (12) Notwithstanding any other provision in this section, any amounts within the fund allocated to a
public transit district or for a public transit corridor may only be derived from the portion of the fund
that does not include constitutionally restricted sources related to the operation of a motor vehicle on
a public highway or proceeds from an excise tax on liquid motor fuel to propel a motor vehicle.
- 3701 Section 53. Section **72-2-121** is amended to read:
- 3702 **72-2-121. County of the First Class Highway Projects Fund.**
- 3640 (1) There is created a special revenue fund within the Transportation Fund known as the "County of the
First Class Highway Projects Fund."
- 3642 (2) The fund consists of money generated from the following revenue sources:
- 3643 (a) any voluntary contributions received for new construction, major renovations, and improvements to
highways within a county of the first class;
- 3645 (b) the portion of the sales and use tax described in Subsection 59-12-2214(3)(b) deposited into or
transferred to the fund;
- 3647 (c) the portion of the sales and use tax described in Section 59-12-2217 deposited into or transferred to
the fund;
- 3649 (d) a portion of the local option highway construction and transportation corridor preservation [fee] tax
imposed in a county of the first class under Section 41-1a-1222 deposited into or transferred to the
fund; and
- 3652 (e) the portion of the sales and use tax transferred into the fund as described in Subsections
59-12-2220(4)(a) and 59-12-2220(11)(b).

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- 3654 (3)
- (a) The fund shall earn interest.
- 3655 (b) All interest earned on fund money shall be deposited into the fund.
- 3656 (4) Subject to Subsection (11), the executive director shall use the fund money only:
- 3657 (a) to pay debt service and bond issuance costs for bonds issued under Sections 63B-16-102,
63B-18-402, and 63B-27-102;
- 3659 (b) for right-of-way acquisition, new construction, major renovations, and improvements to highways
within a county of the first class and to pay any debt service and bond issuance costs related to those
projects, including improvements to a highway located within a municipality in a county of the first
class where the municipality is located within the boundaries of more than a single county;
- 3664 (c) for the construction, acquisition, use, maintenance, or operation of:
- 3665 (i) an active transportation facility for nonmotorized vehicles;
- 3666 (ii) multimodal transportation that connects an origin with a destination; or
- 3667 (iii) a facility that may include a:
- 3668 (A) pedestrian or nonmotorized vehicle trail;
- 3669 (B) nonmotorized vehicle storage facility;
- 3670 (C) pedestrian or vehicle bridge; or
- 3671 (D) vehicle parking lot or parking structure;
- 3672 (d) to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3
the amount required in Subsection 72-2-121.3(4)(c) minus the amounts transferred in accordance
with Subsection 72-2-124(4)(a)(v);
- 3675 (e) for a fiscal year beginning on or after July 1, 2013, to pay debt service and bond issuance costs for
\$30,000,000 of the bonds issued under Section 63B-18-401 for the projects described in Subsection
63B-18-401(4)(a);
- 3678 (f) for a fiscal year beginning on or after July 1, 2013, and after the department has verified that the
amount required under Subsection 72-2-121.3(4)(c) is available in the fund, to transfer an amount
equal to 50% of the revenue generated by the local option highway construction and transportation
corridor preservation [fee] tax imposed under Section 41-1a-1222 in a county of the first class:
- 3683 (i) to the legislative body of a county of the first class; and
- 3684 (ii) to be used by a county of the first class for:
- 3685 (A) highway construction, reconstruction, or maintenance projects; or

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- 3686 (B) the enforcement of state motor vehicle and traffic laws;
- 3687 (g) for a fiscal year beginning on or after July 1, 2015, after the department has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and the transfer under Subsection (4)(e) has been made, to annually transfer an amount of the sales and use tax revenue imposed in a county of the first class and deposited into the fund in accordance with Subsection 59-12-2214(3)(b) equal to an amount needed to cover the debt to:
- 3693 (i) the appropriate debt service or sinking fund for the repayment of bonds issued under Section 63B-27-102; and
- 3695 (ii) the appropriate debt service or sinking fund for the repayment of bonds issued under Sections 63B-31-102 and 63B-31-103;
- 3697 (h) after the department has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the transfer under Subsection (4)(g)(i) has been made, to annually transfer \$2,000,000 to a public transit district in a county of the first class to fund a system for public transit;
- 3702 (i) for a fiscal year beginning on or after July 1, 2018, after the department has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the transfer under Subsection (4)(g)(i) has been made, through fiscal year 2027, to annually transfer 20%, and beginning with fiscal year 2028, and each year thereafter for 20 years, to annually transfer 33% of the amount deposited into the fund under Subsection (2)(b) to the legislative body of a county of the first class for the following purposes:
- 3710 (i) to fund parking facilities in a county of the first class that facilitate significant economic development and recreation and tourism within the state; and
- 3712 (ii) to be used for purposes allowed in Section 17-78-702;
- 3713 (j) subject to Subsection (5), for a fiscal year beginning on or after July 1, 2021, and for 15 years thereafter, to annually transfer the following amounts to the following cities and the county of the first class for priority projects to mitigate congestion and improve transportation safety:
- 3717 (i) \$2,000,000 to Sandy;
- 3718 (ii) \$2,300,000 to Taylorsville;
- 3719 (iii) \$1,100,000 to Salt Lake City;
- 3720 (iv) \$1,100,000 to West Jordan;

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- 3721 (v) \$1,100,000 to West Valley City;
- 3722 (vi) \$800,000 to Herriman;
- 3723 (vii) \$700,000 to Draper;
- 3724 (viii) \$700,000 to Riverton;
- 3725 (ix) \$700,000 to South Jordan;
- 3726 (x) \$500,000 to Bluffdale;
- 3727 (xi) \$500,000 to Midvale;
- 3728 (xii) \$500,000 to Millcreek;
- 3729 (xiii) \$500,000 to Murray;
- 3730 (xiv) \$400,000 to Cottonwood Heights; and
- 3731 (xv) \$300,000 to Holladay;
- 3732 (k) for the 2024-25, 2025-26, and 2026-27 fiscal years, and subject to revenue balances after the distributions under Subsection (4)(j), to reimburse the following municipalities for the amounts and projects indicated, as each project progresses and as revenue balances allow:
- 3736 (i) \$3,200,000 to South Jordan for improvements to Bingham Rim Road from Grandville Avenue to Mountain View Corridor;
- 3738 (ii) \$1,960,000 to Midvale for improvements to Center Street between State Street and 700 West;
- 3740 (iii) \$3,500,000 to Salt Lake City for first and last mile public transit improvements throughout Salt Lake City;
- 3742 (iv) \$1,500,000 to Cottonwood Heights for improvements to Fort Union Boulevard and 2300 East;
- 3744 (v) \$3,450,000 to Draper for improvements to Bangerter Highway between 13800 South and I-15;
- 3746 (vi) \$10,500,000 to Herriman to construct a road between U-111 and 13200 South;
- 3747 (vii) \$3,000,000 to West Jordan for improvements to 1300 West;
- 3748 (viii) \$1,050,000 to Riverton for improvements to the Welby Jacob Canal Trail between 11800 South and 13800 South;
- 3750 (ix) \$3,500,000 to Taylorsville for improvements to Bangerter Highway and 4700 South;
- 3752 (x) \$470,000 to the department for construction of a sound wall on Bangerter Highway at approximately 11200 South;
- 3754 (xi) \$1,250,000 to Murray for improvements to Murray Boulevard between 4800 South and 5300 South;
- 3756 (xii) \$1,840,000 to Magna for construction and improvements to 8400 West and 4100 South;

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- 3758 (xiii) \$1,000,000 to South Jordan for construction of arterial roads connecting U-111 and Old Bingham Highway;
- 3760 (xiv) \$1,200,000 to Millcreek for reconstruction of and improvements to 2000 East between 3300 South and Atkin Avenue;
- 3762 (xv) \$1,230,000 to Holladay for improvements to Highland Drive between Van Winkle Expressway and Arbor Lane;
- 3764 (xvi) \$1,000,000 to Taylorsville for improvements to 4700 South at the I-215 interchange;
- 3766 (xvii) \$3,750,000 to West Valley City for improvements to 4000 West between 4100 South and 4700 South and improvements to 4700 South from 4000 West to Bangerter Highway;
- 3769 (xviii) \$1,700,000 to South Jordan for improvements to Prosperity Road between Crimson View Drive and Copper Hawk Drive;
- 3771 (xix) \$2,300,000 to West Valley City for a road connecting U-111 at approximately 6200 South, then east and turning north and connecting to 5400 South;
- 3773 (xx) \$1,400,000 to Magna for improvements to 8000 West between 3500 South to 4100 South;
- 3775 (xxi) \$1,300,000 to Taylorsville for improvements on 4700 South between Redwood Road and 2700 West; and
- 3777 (xxii) \$3,000,000 to West Jordan for improvements to 1300 West between 6600 South and 7800 South; and
- 3779 (l) for a fiscal year beginning on or after July 1, 2026, and for 15 years thereafter, to pay debt service and bond issuance costs for \$70,000,000 of the bonds issued under Section 63B-34-201 for the grants awarded under Part 5, Affordable Housing Infrastructure Grants.
- 3783 (5)
- (a) If revenue in the fund is insufficient to satisfy all of the transfers described in Subsection (4)(j), the executive director shall proportionately reduce the amounts transferred as described in Subsection (4)(j).
- 3786 (b) A local government may not use revenue described in Subsection (4)(j) to supplant existing class B or class C road funds that a local government has budgeted for transportation projects.
- 3789 (6) The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the fund and bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402, and 63B-27-102 are considered a local matching contribution for the purposes described under Section 72-2-123.
- 3793

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- (7) The department may expend up to \$3,000,000 of revenue deposited into the account as described in Subsection 59-12-2220(11)(b) for public transit innovation grants, as provided in Part 4, Public Transit Innovation Grants.
- 3796 (8) The additional administrative costs of the department to administer this fund shall be paid from money in the fund.
- 3798 (9) Subject to Subsection (11), and notwithstanding any statutory or other restrictions on the use or expenditure of the revenue sources deposited into this fund, the Department of Transportation may use the money in this fund for any of the purposes detailed in Subsection (4).
- 3802 (10) Subject to Subsection (11), any revenue deposited into the fund as described in Subsection (2) (e) shall be used to provide funding or loans for public transit projects, operations, and supporting infrastructure in the county of the first class.
- 3805 (11) For the first three years after a county of the first class imposes a sales and use tax authorized in Section 59-12-2220, revenue deposited into the fund as described in Subsection (2)(e) shall be allocated as follows:
- 3808 (a) 10% to the department to construct an express bus facility on 5600 West; and
- 3809 (b) 90% into the County of the First Class Infrastructure Bank Fund created in Section 72-2-302.
- 3874 Section 54. Section **72-2-124** is amended to read:
- 3875 **72-2-124. Transportation Investment Fund of 2005.**
- 3814 (1) There is created a capital projects fund entitled the Transportation Investment Fund of 2005.
- 3816 (2) The fund consists of money generated from the following sources:
- 3817 (a) any voluntary contributions received for the maintenance, construction, reconstruction, or renovation of state and federal highways;
- 3819 (b) appropriations made to the fund by the Legislature;
- 3820 (c) ~~[registration fees designated under]~~ revenues transferred into the fund as described in Section 41-1a-1201;
- 3822 (d) the sales and use tax revenues deposited into the fund in accordance with Section 59-12-103;
- 3824 (e) revenues transferred to the fund in accordance with Section 72-2-106;
- 3825 (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and
- 3826 (g) revenue from bond proceeds described in Section 63B-34-201.
- 3827 (3)
- (a) The fund shall earn interest.

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- 3828 (b) All interest earned on fund money shall be deposited into the fund.
3829 (4)
- (a) Except as provided in Subsection (4)(b), the executive director may only use fund money to pay:
- 3831 (i) the costs of maintenance, construction, reconstruction, or renovation to state and federal
highways prioritized by the Transportation Commission through the prioritization process for
new transportation capacity projects adopted under Section 72-1-304;
- 3835 (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway projects
described in Subsections 63B-18-401(2), (3), and (4);
- 3837 (iii) subject to Subsection (9), costs of corridor preservation, as that term is defined in Section
72-5-401;
- 3839 (iv) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401 minus
the costs paid from the County of the First Class Highway Projects Fund in accordance with
Subsection 72-2-121(4)(e);
- 3842 (v) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt Lake County
Revenue Bond Sinking Fund created by Section 72-2-121.3 the amount certified by Salt Lake
County in accordance with Subsection 72-2-121.3(4)(c) as necessary to pay the debt service on
\$30,000,000 of the revenue bonds issued by Salt Lake County;
- 3847 (vi) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101 for projects
prioritized in accordance with Section 72-2-125;
- 3849 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First Class Highway
Projects Fund created in Section 72-2-121 to be used for the purposes described in Section
72-2-121;
- 3852 (viii) if a political subdivision provides a contribution equal to or greater than 40% of the
costs needed for construction, reconstruction, or renovation of paved pedestrian or paved
nonmotorized transportation for projects that:
- 3855 (A) mitigate traffic congestion on the state highway system;
- 3856 (B) are part of an active transportation plan approved by the department; and
- 3857 (C) are prioritized by the commission through the prioritization process for new transportation capacity
projects adopted under Section 72-1-304;
- 3859 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction, reconstruction, or
renovation of or improvement to the following projects:

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- 3861 (A) the connector road between Main Street and 1600 North in the city of Vineyard;
- 3863 (B) Geneva Road from University Parkway to 1800 South;
- 3864 (C) the SR-97 interchange at 5600 South on I-15;
- 3865 (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to South Jordan Parkway;
- 3867 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;
- 3868 (F) improvements to 1600 North in Orem from 1200 West to State Street;
- 3869 (G) widening I-15 between mileposts 6 and 8;
- 3870 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;
- 3871 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197 in Spanish Fork Canyon;
- 3873 (J) I-15 northbound between mileposts 43 and 56;
- 3874 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts 43 and 45.1;
- 3876 (L) east Zion SR-9 improvements;
- 3877 (M) Toquerville Parkway;
- 3878 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;
- 3879 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds, for construction of an interchange on Bangerter Highway at 13400 South; and
- 3881 (P) an environmental impact study for Kimball Junction in Summit County;
- 3882 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project costs based upon a statement of cash flow that the local jurisdiction where the project is located provides to the department demonstrating the need for money for the project, for the following projects in the following amounts:
- 3886 (A) \$5,000,000 for Payson Main Street repair and replacement;
- 3887 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;
- 3888 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and
- 3889 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S. 40 between mile markers 7 and 10;
- 3891 (xi) \$13,000,000 as pass-through funds to Spanish Fork for the costs of right-of-way acquisition, construction, reconstruction, or renovation to connect Fingerhut Road over the railroad and to U.S. Highway 6;
- 3894

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(xii) for a fiscal year beginning on July 1, 2025, only, as pass-through funds from revenue deposited into the fund in accordance with Section 59-12-103, for the following projects:

- 3897 (A) \$3,000,000 for the department to perform an environmental study for the I-15 Salem and Benjamin project; and
- 3899 (B) \$2,000,000, as pass-through funds, to Kane County for the Coral Pink Sand Dunes Road project; and
- 3901 (xiii) for a fiscal year beginning on July 1, 2025, up to \$300,000,000 for the costs of right-of-way acquisition and construction for improvements on SR-89 in a county of the first class.
- 3904 (b) The executive director may use fund money to exchange for an equal or greater amount of federal transportation funds to be used as provided in Subsection (4)(a).
- 3906 (c)
- (i) Construction related to the project described in Subsection (4)(a)(ix)(D) may not commence until a right-of-way not owned by a federal agency that is required for the realignment and extension of U-111, as described in the department's 2023 environmental study related to the project, is dedicated to the department.
- 3910 (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not dedicated for the project as described in Subsection (4)(c)(i) on or before October 1, 2024, the department may proceed with the project, except that the project will be limited to two lanes on U-111 from Herriman Parkway to 11800 South.
- 3914 (5)
- (a) Except as provided in Subsection (5)(b), if the department receives a notice of ineligibility for a municipality as described in Subsection 10-21-202(8), the executive director may not program fund money to a project prioritized by the commission under Section 72-1-304, including fund money from the Transit Transportation Investment Fund, within the boundaries of the municipality until the department receives notification from the Housing and Community Development Division within the Department of Workforce Services that ineligibility under this Subsection (5) no longer applies to the municipality.
- 3922 (b) Within the boundaries of a municipality described in Subsection (5)(a), the executive director:
- 3924 (i) may program fund money in accordance with Subsection (4)(a) for a limited-access facility or interchange connecting limited-access facilities;

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- 3928 (ii) may not program fund money for the construction, reconstruction, or renovation of an interchange
on a limited-access facility;
- 3930 (iii) may program Transit Transportation Investment Fund money for a multi-community fixed
guideway public transportation project; and
- 3933 (iv) may not program Transit Transportation Investment Fund money for the construction,
reconstruction, or renovation of a station that is part of a fixed guideway public transportation
project.
- 3936 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive director before
July 1, 2022, for projects prioritized by the commission under Section 72-1-304.
- 3944 (6)
- 3946 (a) Except as provided in Subsection (6)(b), if the department receives a notice of ineligibility for a
county as described in Subsection 17-80-202(8), the executive director may not program fund
money to a project prioritized by the commission under Section 72-1-304, including fund money
from the Transit Transportation Investment Fund, within the boundaries of the unincorporated
area of the county until the department receives notification from the Housing and Community
Development Division within the Department of Workforce Services that ineligibility under this
Subsection (6) no longer applies to the county.
- 3949 (b) Within the boundaries of the unincorporated area of a county described in Subsection (6)(a), the
executive director:
- 3951 (i) may program fund money in accordance with Subsection (4)(a) for a limited-access facility to a
project prioritized by the commission under Section 72-1-304;
- 3953 (ii) may not program fund money for the construction, reconstruction, or renovation of an interchange
on a limited-access facility;
- 3956 (iii) may program Transit Transportation Investment Fund money for a multi-community fixed
guideway public transportation project; and
- 3959 (iv) may not program Transit Transportation Investment Fund money for the construction,
reconstruction, or renovation of a station that is part of a fixed guideway public transportation
project.
- 3956 (c) Subsections (6)(a) and (b) do not apply to a project programmed by the executive director before
July 1, 2022, for projects prioritized by the commission under Section 72-1-304.
- 3959 (7)

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- (a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued in any fiscal year, the department and the commission shall appear before the Executive Appropriations Committee of the Legislature and present the amount of bond proceeds that the department needs to provide funding for the projects identified in Subsections 63B-18-401(2), (3), and (4) or Subsection 63B-27-101(2) for the current or next fiscal year.
- 3965 (b) The Executive Appropriations Committee of the Legislature shall review and comment on the amount of bond proceeds needed to fund the projects.
- 3967 (8) The Division of Finance shall, from money deposited into the fund, transfer the amount of funds necessary to pay principal, interest, and issuance costs of bonds authorized by Section 63B-18-401 or 63B-27-101 in the current fiscal year to the appropriate debt service or sinking fund.
- 3971 (9) The executive director may only use money in the fund for corridor preservation as described in Subsection (4)(a)(iii):
- 3973 (a) if the project has been prioritized by the commission, including the use of fund money for corridor preservation; or
- 3975 (b) for a project that has not been prioritized by the commission, if the commission:
- 3976 (i) approves the use of fund money for the corridor preservation; and
- 3977 (ii) finds that the use of fund money for corridor preservation will not result in any delay to a project that has been prioritized by the commission.
- 3979 (10)
- (a) There is created in the Transportation Investment Fund of 2005 the Transit Transportation Investment Fund.
- 3981 (b) The fund shall be funded by:
- 3982 (i) contributions deposited into the fund in accordance with Section 59-12-103;
- 3983 (ii) appropriations into the account by the Legislature;
- 3984 (iii) deposits of sales and use tax increment related to a housing and transit reinvestment zone as described in Section 63N-3-610;
- 3986 (iv) transfers of local option sales and use tax revenue as described in Subsection 59-12-2220(11)(b) or (c);
- 3988 (v) private contributions; and
- 3989 (vi) donations or grants from public or private entities.
- 3990 (c)

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- (i) The fund shall earn interest.
- 3991 (ii) All interest earned on fund money shall be deposited into the fund.
- 3992 (d) Subject to Subsection (10)(e), the commission may prioritize money from the fund:
- 3993 (i) for public transit capital development of new capacity projects and fixed guideway capital
development projects to be used as prioritized by the commission through the prioritization process
adopted under Section 72-1-304;
- 3996 (ii) to the department for oversight of a fixed guideway capital development project for which the
department has responsibility; or
- 3998 (iii) up to \$500,000 per year, to be used for a public transit study.
- 3999 (e)
- (i) Subject to Subsections (10)(g), (h), and (i), the commission may only prioritize money from the
fund for a public transit capital development project or pedestrian or nonmotorized transportation
project that provides connection to the public transit system if the public transit district or political
subdivision provides funds of equal to or greater than 30% of the costs needed for the project.
- 4004 (ii) A public transit district or political subdivision may use money derived from a loan granted
in accordance with Part 2, State Infrastructure Bank Fund, to provide all or part of the 30%
requirement described in Subsection (10)(e)(i) if:
- 4007 (A) the loan is approved by the commission as required in Part 2, State Infrastructure Bank Fund; and
- 4009 (B) the proposed capital project has been prioritized by the commission [~~pursuant to~~] in accordance
with Section 72-1-303.
- 4011 (f) Before July 1, 2022, the department and a large public transit district shall enter into an agreement
for a large public transit district to pay the department \$5,000,000 per year for 15 years to be used
to facilitate the purchase of zero emissions or low emissions rail engines and trainsets for regional
public transit rail systems.
- 4015 (g) For any revenue transferred into the fund in accordance with Subsection 59-12-2220(11)(b):
- 4017 (i) the commission may prioritize money from the fund for public transit projects, operations, or
maintenance within the county of the first class; and
- 4019 (ii) Subsection (10)(e) does not apply.
- 4020 (h) For any revenue transferred into the fund in accordance with Subsection 59-12-2220(11)(c):
- 4022 (i) the commission may prioritize public transit projects, operations, or maintenance in the county from
which the revenue was generated; and

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- 4024 (ii) Subsection (10)(e) does not apply.
- 4025 (i) The requirement to provide funds equal to or greater than 30% of the costs needed for the project described in Subsection (10)(e) does not apply to a public transit capital development project or pedestrian or nonmotorized transportation project that the department proposes.
- 4029 (j) In accordance with Part 4, Public Transit Innovation Grants, the commission may prioritize money from the fund for public transit innovation grants, as defined in Section 72-2-401, for public transit capital development projects requested by a political subdivision within a public transit district.
- 4033 (11)
- (a) There is created in the Transportation Investment Fund of 2005 the Cottonwood Canyons Transportation Investment Fund.
- 4035 (b) The fund shall be funded by:
- 4036 (i) money deposited into the fund in accordance with Section 59-12-103;
- 4037 (ii) appropriations into the account by the Legislature;
- 4038 (iii) private contributions; and
- 4039 (iv) donations or grants from public or private entities.
- 4040 (c)
- (i) The fund shall earn interest.
- 4041 (ii) All interest earned on fund money shall be deposited into the fund.
- 4042 (d) The Legislature may appropriate money from the fund for public transit or transportation projects in the Cottonwood Canyons of Salt Lake County.
- 4044 (e) The department may use up to 2% of the revenue deposited into the account under Subsection 59-12-103(4)(f) to contract with local governments as necessary for public safety enforcement related to the Cottonwood Canyons of Salt Lake County.
- 4047 (f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any sales and use tax growth over sales and use tax collections during the 2025 fiscal year to fund projects to provide ingress and egress for a public transit hub, including construction of the public transit hub, in the Big Cottonwood Canyon area.
- 4051 (12)
- (a) There is created in the Transportation Investment Fund of 2005 the Active Transportation Investment Fund.
- 4053 (b) The fund shall be funded by:

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- 4054 (i) money deposited into the fund in accordance with Section 59-12-103;
- 4055 (ii) appropriations into the account by the Legislature; and
- 4056 (iii) donations or grants from public or private entities.
- 4057 (c)
- (i) The fund shall earn interest.
- 4058 (ii) All interest earned on fund money shall be deposited into the fund.
- 4059 (d) The executive director may only use fund money to pay the costs needed for:
- 4060 (i) the planning, design, construction, maintenance, reconstruction, or renovation of paved pedestrian or paved nonmotorized trail projects that:
- 4062 (A) are prioritized by the commission through the prioritization process for new transportation capacity projects adopted under Section 72-1-304;
- 4064 (B) serve a regional purpose; and
- 4065 (C) are part of an active transportation plan approved by the department or the plan described in Subsection (12)(d)(ii);
- 4067 (ii) the development of a plan for a statewide network of paved pedestrian or paved nonmotorized trails that serve a regional purpose; and
- 4069 (iii) the administration of the fund, including staff and overhead costs.
- 4070 (13)
- (a) As used in this Subsection (13), "commuter rail" means the same as that term is defined in Section 63N-3-602.
- 4072 (b) There is created in the Transit Transportation Investment Fund the Commuter Rail Subaccount.
- 4074 (c) The subaccount shall be funded by:
- 4075 (i) contributions deposited into the subaccount in accordance with Section 59-12-103;
- 4076 (ii) appropriations into the subaccount by the Legislature;
- 4077 (iii) private contributions; and
- 4078 (iv) donations or grants from public or private entities.
- 4079 (d)
- (i) The subaccount shall earn interest.
- 4080 (ii) All interest earned on money in the subaccount shall be deposited into the subaccount.
- 4082 (e) As prioritized by the commission through the prioritization process adopted under Section 72-1-304 or as directed by the Legislature, the department may only use money from the subaccount for

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projects that improve the state's commuter rail infrastructure, including the building or improvement of grade-separated crossings between commuter rail lines and public highways.

4087 (f) Appropriations made in accordance with this section are nonlapsing in accordance with Section
63J-1-602.1.

4152 Section 55. Section **72-2-133** is amended to read:

4153 **72-2-133. Rural Transportation Infrastructure Fund -- Creation -- Uses.**

4092 (1) As used in this section:

4093 (a) "Graveled road" means the same as that term is defined in Section 72-2-108.

4094 (b) "Paved road" means the same as that term is defined in Section 72-2-108.

4095 (c)

(i) "Qualifying county" means a county that:

4096 (A) is a county of the third through sixth class, as classified in Section 17-60-104, except as
provided in Subsection (1)(c)(ii);

4098 (B) has imposed a local option sales and use tax [~~pursuant to:~~] in accordance with Section
59-12-2217, Section 59-12-2218, or Section 59-12-2219; and

4100 [~~(F) Section 59-12-2217;~~]

4101 [~~(H) Section 59-12-2218; or~~]

4102 [~~(HH) Section 59-12-2219; and~~]

4103 (C) has not imposed a local option sales and use tax [~~pursuant to~~] in accordance with Section
59-12-2220 on or before January 1, 2023.

4105 (ii) "Qualifying county" does not include a county of the third class, as classified in Section 17-60-104,
with an airport facilitating commercial flights to three or more airports outside of the state.

4108 (d) "Qualifying municipality" means a municipality located within a qualifying county.

4109 (e) "Qualifying recipient" means qualifying county or a qualifying municipality.

4110 (f) "Road mile" means the same as that term is defined in Section 72-2-108.

4111 (g) "Weighted mileage" means the same as that term is defined in Section 72-2-108.

4112 (2) There is created in the Transportation Fund an expendable special revenue fund called the Rural
Transportation Infrastructure Fund.

4114 (3) The Rural Transportation Infrastructure Fund shall be funded by:

4115 (a) deposits into the fund as described in [~~Subsection 41-1a-1201(9)~~] Section 41-1a-1201;

4116 (b) appropriations by the Legislature; and

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- 4117 (c) other deposits into the fund.
- 4118 (4) The department shall administer the fund.
- 4119 (5)
- (a) Beginning on January 1, 2024, and subject to Subsection (5)(b), the department shall annually distribute revenue in the fund among qualifying recipients in the following manner:
- 4122 (i) 50% in the ratio that the class B roads weighted mileage within each county and class C roads weighted mileage within each municipality bear to the total class B and class C roads weighted mileage within the state; and
- 4125 (ii) 50% in the ratio that the population of a county or municipality bears to the total population of the state.
- 4127 (b) To the extent not otherwise required by federal law, population shall be based on:
- 4128 (i) the most recent estimate from the Utah Population Committee created in Section 63C-20-103; or
- 4130 (ii) if the Utah Population Committee estimate is not available for each municipality and unincorporated area, the adjusted sub-county population estimate provided by the Utah Population Committee in accordance with Section 63C-20-104.
- 4133 (6) A qualifying recipient may only use funds distributed as described in this section in the same manner as class B and class C road funds distributed in accordance with Section 72-2-108.
- 4136 (7)
- (a)
- (i) Before October 1 of each year, the department shall inform the State Tax Commission which counties, if any, have an airport described in Subsection (1)(c)(ii).
- 4139 (ii) Before November 1 of each year, the State Tax Commission shall notify the department and indicate which counties are qualifying counties.
- 4141 (b) After receiving the notification described in Subsection (7)(a)(ii), the department shall distribute funds for the following year to the municipalities and counties that were identified as qualifying recipients in the notification described in Subsection (7)(a).
- 4145 ~~{Section 56. Section 72-10-112 is amended to read: }~~
- 4146 **72-10-112. Failure to register -- Penalty -- Compliance audits and inspections -- Rulemaking.**
- 4148 (1) Failure to register any aircraft required to be registered with the state subjects the owners of the aircraft to the same penalties provided for motor vehicles under Sections 41-1a-1101, 41-1a-1301, and 41-1a-1307.

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- 4151 (2)
- (a) The department shall conduct compliance audits and inspections as needed to enforce state laws related to the registration of aircraft.
- 4153 (b) The department shall coordinate with airport operators to determine and verify accurate reporting of aircraft that are based within the state for the purpose of administering and enforcing state aircraft registration laws.
- 4156 (3)
- (a) In addition to the penalties described in Subsection (1), the department may impose a fine of 10% of the [~~registration fee~~] vehicle tax for the first month and 5% of the [~~registration fee~~] vehicle tax for each subsequent month an aircraft is operated in violation of Section 72-10-109.
- 4160 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules establishing procedures for the enforcement of state aircraft registration laws and the administration of penalties described in this section.
- 4163 (c) The department shall comply with the procedures and requirements of Title 63G, Chapter 4, Administrative Procedures Act, in all adjudicative proceedings conducted for the enforcement of penalties under this section.

4208 Section 56. Section **73-18-7** is amended to read:

4209 **73-18-7. Registration requirements -- Exemptions -- Fee -- Agents -- Records -- Period of registration and renewal -- Expiration -- Notice of transfer of interest or change of address -- Duplicate registration card -- Invalid registration -- Powers of division.**

- 4171 (1)
- (a) Except as provided by Section 73-18-9, the owner of each motorboat and sailboat on the waters of this state shall register it with the division as provided in this chapter.
- 4173 (b) A person may not place, give permission for the placement of, operate, or give permission for the operation of a motorboat or sailboat on the waters of this state, unless the motorboat or sailboat is registered as provided in this chapter.
- 4176 (2)
- (a) The owner of a motorboat or sailboat required to be registered shall file an application for registration with the division on forms approved by the division.

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- (b) The owner of the motorboat or sailboat shall sign the application, pay the vehicle tax and fee set by the division, and pay the Boating Grant Tax as described in Section 59-34-103, after notifying the commission, in accordance with Section 63J-1-504.
- 4181 (c) Before receiving a registration card and registration decals, the applicant shall provide the division with a certificate from the county assessor of the county in which the motorboat or sailboat has situs for taxation, stating that:
- 4184 (i) the property tax on the motorboat or sailboat for the current year has been paid;
- 4185 (ii) in the county assessor's opinion, the property tax is a lien on real property sufficient to secure the payment of the property tax; or
- 4187 (iii) the motorboat or sailboat is exempt by law from payment of property tax for the current year.
- 4189 (d) If the division modifies the fee under Subsection (2)(b), the modification shall take effect on the first day of the calendar quarter after 90 days from the day on which the division provides the State Tax Commission:
- 4192 (i) notice from the division stating that the division will modify the fee; and
- 4193 (ii) a copy of the fee modification.
- 4194 (e)
- (i) The division may enter into an agreement with the Motor Vehicle Division created in Section 41-1a-106 to administer the registration requirements described in this chapter.
- 4197 (ii) An individual may request automatic registration renewal as described in Section 41-1a-216.
- 4199 (3)
- (a) Upon receipt of the application in the approved form, the division shall record the receipt and issue to the applicant registration decals and a registration card that state the number assigned to the motorboat or sailboat and the name and address of the owner.
- 4203 (b) The registration card shall be available for inspection on the motorboat or sailboat for which it was issued, whenever that motorboat or sailboat is in operation.
- 4205 (4) The assigned number shall:
- 4206 (a) be painted or permanently attached to each side of the forward half of the motorboat or sailboat;
- 4208 (b) consist of plain vertical block characters not less than three inches in height;
- 4209 (c) contrast with the color of the background and be distinctly visible and legible;
- 4210 (d) have spaces or hyphens equal to the width of a letter between the letter and numeral groupings; and
- 4212 (e) read from left to right.

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- 4213 (5) A motorboat or sailboat with a valid marine document issued by the United States Coast Guard is exempt from the number display requirements of Subsection (4).
- 4215 (6) The nonresident owner of any motorboat or sailboat already covered by a valid number that has been assigned to it according to federal law or a federally approved numbering system of the owner's resident state is exempt from registration while operating the motorboat or sailboat on the waters of this state unless the owner is operating in excess of the reciprocity period provided for in Subsection 73-18-9(1).
- 4220 (7)
- (a) If the ownership of a motorboat or sailboat changes, the new owner shall file a new application form and fee with the division, and the division shall issue a new registration card and registration decals in the same manner as provided for in Subsections (2) and (3).
- 4224 (b) The division shall reassign the current number assigned to the motorboat or sailboat to the new owner to display on the motorboat or sailboat.
- 4226 (8) If the United States Coast Guard has in force an overall system of identification numbering for motorboats or sailboats within the United States, the numbering system employed under this chapter by the division shall conform with that system.
- 4229 (9)
- (a) The division may authorize any person to act as its agent for the registration of motorboats and sailboats.
- 4231 (b) A number assigned, a registration card, and registration decals issued by an agent of the division in conformity with this chapter and rules of the division are valid.
- 4233 (10)
- (a) The Motor Vehicle Division shall classify all records of the division made or kept according to this section in the same manner that motor vehicle records are classified under Section 41-1a-116.
- 4236 (b) Division records are available for inspection in the same manner as motor vehicle records [~~pursuant to~~] in accordance with Section 41-1a-116.
- 4238 (11)
- (a)
- (i) Each registration, registration card, and decal issued under this chapter shall continue in effect for 12 months, beginning with the first day of the calendar month of registration.

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- (ii) A registration may be renewed by the owner in the same manner provided for in the initial application.
- 4243 (iii) The division shall reassign the current number assigned to the motorboat or sailboat when the registration is renewed.
- 4245 (b) Each registration, registration card, and registration decal expires the last day of the month in the year following the calendar month of registration.
- 4247 (c) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the motorboat or sailboat is extended to 12 midnight of the next business day.
- 4250 (d) The division may receive applications for registration renewal and issue new registration cards at any time before the expiration of the registration, subject to the availability of renewal materials.
- 4253 (e) The new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.
- 4255 (f) The year of registration shall be changed to reflect the renewed registration period.
- 4256 (g) If the registration renewal application is an application generated by the division through its automated system, the owner is not required to surrender the last registration card or duplicate.
- 4259 (12)
- (a) An owner shall notify the division of:
- 4260 (i) the transfer of all or any part of the owner's interest, other than creation of a security interest, in a motorboat or sailboat registered in this state under Subsections (2) and (3); and
- 4263 (ii) the destruction or abandonment of the owner's motorboat or sailboat.
- 4264 (b) Notification must take place within 15 days of the transfer, destruction, or abandonment.
- 4266 (c)
- (i) The transfer, destruction, or abandonment of a motorboat or sailboat terminates its registration.
- 4268 (ii) Notwithstanding Subsection (12)(c)(i), a transfer of a part interest that does not affect the owner's right to operate a motorboat or sailboat does not terminate the registration.
- 4271 (13)
- (a) A registered owner shall notify the division within 15 days if the owner's address changes from the address appearing on the registration card and shall, as a part of this notification, furnish the division with the owner's new address.
- 4274 (b) The division may provide in the division's rules for:

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- 4275 (i) the surrender of the registration card bearing the former address; and
4276 (ii)
(A) the replacement of the card with a new registration card bearing the new address; or
4278 (B) the alteration of an existing registration card to show the owner's new address.
4279 (14)
(a) If a registration card is lost or stolen, the division may collect a fee of \$4 for the issuance of a duplicate card.
4281 (b) If a registration decal is lost or stolen, the division may collect a fee of \$3 for the issuance of a duplicate decal.
4283 (15) A number other than the number assigned to a motorboat or sailboat or a number for a motorboat or sailboat granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on either side of the bow of a motorboat or sailboat.
4286 (16) A motorboat or sailboat registration and number are invalid if obtained by knowingly falsifying an application for registration.
4288 (17) The division may designate the suffix to assigned numbers, and by following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for:
4291 (a) the display of registration decals;
4292 (b) the issuance and display of dealer numbers and registrations; and
4293 (c) the issuance and display of temporary registrations.
4294 (18) A violation of this section is an infraction.
4337 Section 57. Section **73-18-25.3** is amended to read:
4338 **73-18-25.3. Collection of the aquatic invasive species fee.**
4297 (1)
(a) A person who applies for a vessel registration or registration renewal under Section 73-18-7 may pay the aquatic invasive species fee required under Section 23A-10-304 at the time of registration or registration renewal.
4300 (b) If the Division of Motor Vehicles collects the [~~registration~~] vehicle tax and fee and a person elects to pay the aquatic invasive species fee at the same time, the payment of the aquatic invasive species fee under this section shall be:
4303 [~~(a)~~] (i) collected by the Division of Motor Vehicles;
4304 [~~(b)~~] (ii) treated as a separate fee and not part of the [~~registration~~] vehicle tax or fee; and

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4306 [(e)] (iii) deposited into the Aquatic Invasive Species Interdiction Account created in Section
23A-3-211, less actual administrative costs associated with collecting and transferring the aquatic
invasive species fee by the Division of Motor Vehicles.

4309 (2) Notwithstanding Section 41-1a-116, the Division of Motor Vehicles shall report to the Division
of Wildlife Resources identifying information regarding a person who pays the aquatic invasive
species fee so that the Division of Wildlife Resources may provide a decal to that person in
accordance with Subsection 23A-10-201(6).

4355 Section 58. **Repealer.**

This Bill Repeals:

4356 This bill repeals:

4357 Section **41-1a-123, License Plate Restricted Account.**

4358 Section **41-1a-1205, Disposition of driver education tax -- Expense appropriation.**

4359 Section **41-1a-1208, Fees for duplicate certificates of registration.**

4360 Section **41-1a-1210, Fees for original and duplicate certificates of title.**

4361 Section **41-1a-1212, Fee for replacement of license plate decals.**

4362 Section . **FY 2027 Appropriations.**

4363 The following sums of money are appropriated for the fiscal year beginning July 1,
4364 2026, and ending June 30, 2027. These are additions to amounts previously appropriated for
4365 fiscal year 2027.

4366 Subsection 59(a). **Operating and Capital Budgets**

4367 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
4368 Legislature appropriates the following sums of money from the funds or accounts indicated for
4369 the use and support of the government of the state of Utah.

4370 To Utah State Tax Commission - Tax Administration

4371 (19,767,800)

4372 9,883,900

4373 (4,232,200)

4374 2,116,100

4375 24,000,000

4376 (12,000,000)

Schedule of Programs:

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4378	Subsection 59(b). Capital Project Funds	
4379	The Legislature has reviewed the following capital project funds. The Legislature	
4380	authorizes the State Division of Finance to transfer amounts between funds and accounts as	
4381	indicated.	
4382	To Transportation - Transportation Investment Fund of 2005	
4383		19,767,800
4384		(9,883,900)
4385	Schedule of Programs:	
4386		9,883,900
4387	Section 60. Effective date.	

Effective Date.

This bill takes effect on January 1, 2027.

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