

Norman K Thurston proposes the following substitute bill:

Motor Vehicle Division Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill makes technical changes including standardization of vehicle weight definitions and usage, exempting street-legal all-terrain vehicles from certain provisions, correcting a sales tax earmark, and various technical and cleanup changes.

Highlighted Provisions:

This bill:

- standardizes terms used to refer to the weight of a vehicle for consistency throughout the code;
- allows alternative registration term provisions to apply to rental car fleets;
- discontinues the issuance of special interest vehicle license plates;
- amends the definition of "rack" to only include those in operation before a certain date;
- amends provisions related to vehicle titles;
- amends provisions related to consignment sales of motor vehicles and motor vehicle auction licenses;
- strikes language requiring owner's or operator's security for a vehicle merely registered in the state but not operated on a highway;
- codifies a definition related to motor fuel tax;
- grants rulemaking authority to the Department of Transportation to accommodate vehicles registered for a two-year term to participate in the road usage charge program;
- exempts a street-legal all-terrain vehicle from certain emissions inspection fees and odometer requirements;
- makes technical changes to various code sections related to motor vehicles and license plates to provide clarity and correct mistakes;
- corrects a technical drafting error in a sales tax earmark; and
- makes technical changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill provides a special effective date.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **41-1a-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 285

36 **41-1a-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 294

37 **41-1a-213 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 456

38 **41-1a-215.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 279

39 **41-1a-225 (Effective 05/06/26)**, as last amended by Laws of Utah 1999, Chapter 217

40 **41-1a-229 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234

41 **41-1a-233 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 349

42 **41-1a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234

43 **41-1a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 247

44 **41-1a-504 (Effective 05/06/26)**, as enacted by Laws of Utah 1992, Chapter 1

45 **41-1a-901 (Effective 07/01/26)**, as renumbered and amended by Laws of Utah 1992,

46 Chapter 1

47 **41-1a-902 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 377

48 **41-1a-1201 (Effective 07/01/26) (Partially Repealed 07/01/29)**, as last amended by Laws
49 of Utah 2025, Chapter 279

50 **41-1a-1205 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 1992,
51 Chapter 1

52 **41-1a-1206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 215,
53 279

54 **41-1a-1207 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234

55 **41-1a-1210 (Effective 07/01/26)**, as repealed and reenacted by Laws of Utah 1993,
56 Chapter 222

57 **41-1a-1219 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 279

58 **41-1a-1223 (Effective 07/01/26)**, as last amended by Laws of Utah 2020, Chapter 83

59 **41-1a-1304 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412

60 **41-1a-1601 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
61 Session, Chapter 9

62 **41-3-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 280

63 **41-3-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 36
64 **41-3-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2019, Chapter 424
65 **41-3-210 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 370
66 **41-3-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2008, Chapter 382
67 **41-3-407 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234
68 **41-3-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2019, Chapter 424
69 **41-3-802 (Effective 05/06/26)**, as last amended by Laws of Utah 1995, Chapter 7
70 **41-3-803 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 302
71 **41-6a-102 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws
72 of Utah 2025, Chapters 220, 471
73 **41-6a-1507 (Effective 05/06/26)**, as last amended by Laws of Utah 2009, Chapter 171
74 **41-6a-1509 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 285
75 **41-6a-1629 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 459
76 **41-6a-1633 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapters 412,
77 454
78 **41-6a-1636 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 412
79 **41-12a-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 294
80 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27)**, as last amended by Laws of
81 Utah 2025, Chapter 285
82 **53-3-905 (Effective 05/06/26)**, as last amended by Laws of Utah 2012, Chapter 397
83 **59-2-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 234
84 **59-2-402 (Effective 05/06/26)**, as last amended by Laws of Utah 2007, Chapter 210
85 **59-12-103 (Effective 07/01/26)**, as last amended by Laws of Utah 2025, Chapter 285
86 **59-13-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 275
87 **72-1-213.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 452

88
89 *Be it enacted by the Legislature of the state of Utah:*

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

91 **41-1a-102 (Effective 05/06/26). Definitions.**

92 As used in this chapter:

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

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

96 [~~(3) (2) "All-terrain type I vehicle" means the same as that term is defined in Section~~

97 41-22-2.

98 [~~(4)~~] (3) "All-terrain type II vehicle" means the same as that term is defined in Section
99 41-22-2.

100 [~~(5)~~] (4) "All-terrain type III vehicle" means the same as that term is defined in Section
101 41-22-2.

102 [~~(6)~~] (5) "Alternative fuel vehicle" means:
103 (a) an electric motor vehicle;
104 (b) a hybrid electric motor vehicle;
105 (c) a plug-in hybrid electric motor vehicle; or
106 (d) a motor vehicle powered exclusively by a fuel other than:
107 (i) motor fuel;
108 (ii) diesel fuel;
109 (iii) natural gas; or
110 (iv) propane.

111 [~~(7)~~] (6) "Amateur radio operator" means a person licensed by the Federal Communications
112 Commission to engage in private and experimental two-way radio operation on the
113 amateur band radio frequencies.

114 [~~(8)~~] (7) "Autocycle" means the same as that term is defined in Section 53-3-102.

115 [~~(9)~~] (8) "Automated driving system" means the same as that term is defined in Section
116 41-26-102.1.

117 [~~(10)~~] (9) "Branded title" means a title certificate that is labeled:
118 (a) rebuilt and restored to operation;
119 (b) flooded and restored to operation; or
120 (c) not restored to operation.

121 [~~(11)~~] (10) "Camper" means a structure designed, used, and maintained primarily to be
122 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide
123 a mobile dwelling, sleeping place, commercial space, or facilities for human habitation
124 or for camping.

125 [~~(12)~~] (11) "Certificate of title" means a document issued by a jurisdiction to establish a
126 record of ownership between an identified owner and the described vehicle, vessel, or
127 outboard motor.

128 [~~(13)~~] (12) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
129 weighmaster.

130 [~~(14)~~] (13) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or

131 maintained for the transportation of persons or property that operates:
132 (a) as a carrier for hire, compensation, or profit; or
133 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
134 owner's commercial enterprise.

135 [~~(15)~~] (14) "Commission" means the State Tax Commission.

136 [~~(16)~~] (15) "Consumer price index" means the same as that term is defined in Section
137 59-13-102.

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

143 [~~(18)~~] (17) "Diesel fuel" means the same as that term is defined in Section 59-13-102.

144 [~~(19)~~] (18) "Division" means the Motor Vehicle Division of the commission, created in
145 Section 41-1a-106.

146 [~~(20)~~] (19) "Dynamic driving task" means the same as that term is defined in Section
147 41-26-102.1.

148 [~~(21)~~] (20) "Electric motor vehicle" means a motor vehicle that is powered solely by an
149 electric motor drawing current from a rechargeable energy storage system.

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

154 [~~(23)~~] (22) "Farm tractor" means a motor vehicle designed and used primarily as a farm
155 implement for drawing plows, mowing machines, and other implements of husbandry.

156 [~~(24)~~] (23)(a) "Farm truck" means a truck used by the owner or operator of a farm solely
157 for the owner's or operator's own use in the transportation of:

- 158 (i) farm products, including livestock and its products, poultry and its products,
159 floricultural and horticultural products;
- 160 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
161 agricultural, floricultural, horticultural, livestock, and poultry production; and
- 162 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
163 other purposes connected with the operation of a farm.

164 (b) "Farm truck" does not include the operation of trucks by commercial processors of

165 agricultural products.

166 [~~(25)~~] (24) "Fleet" means:

167 (a) one or more commercial vehicles; or

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

169 [~~(26)~~] (25) "Foreign vehicle" means a vehicle of a type required to be registered, brought
170 into this state from another state, territory, or country other than in the ordinary course
171 of business by or through a manufacturer or dealer, and not registered in this state.

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

174 (26) "Gross combined weight rating" means the sum of gross vehicle weight rating of a
175 vehicle and the weight of any trailer attached to the vehicle and fully loaded.

176 (27) "Gross vehicle weight rating" means the same as that term is defined in Section
177 59-2-102.

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

181 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy
182 from onboard sources of stored energy that are both:

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

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

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

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

191 (31) "Implement of husbandry" means a vehicle designed or adapted and used exclusively
192 for an agricultural operation and only incidentally operated or moved upon the highways.

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

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

198 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,

199 province, territory, or possession of the United States or foreign country.

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

202 (35) "Lienholder" means a person with a security interest in particular property.

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

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

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

217 (39) "Mobile home" means a transportable factory built housing unit built prior to June 15,
218 1976, in accordance with a state mobile home code which existed prior to the Federal
219 Manufactured Housing and Safety Standards Act (HUD Code).

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

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

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

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

225 (i) an off-highway vehicle; or

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

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

228 (43) "Motorcycle" means:

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

231 (b) an autocycle.

232 (44) "Natural gas" means a fuel of which the primary constituent is methane.

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

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

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

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

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

248 (49)(a) "Operate" means:
249 (i) to navigate a vessel; or
250 (ii) collectively, the activities performed in order to perform the entire dynamic
251 driving task for a given motor vehicle by:
252 (A) a human driver as defined in Section 41-26-102.1; or
253 (B) an engaged automated driving system.

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

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

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

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

263 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale
264 or mortgage of the vehicle with the right of purchase upon performance of the
265 conditions stated in the agreement and with an immediate right of possession vested
266 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security

267 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
268 for the purposes of this chapter.

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

271 (53) "Park model recreational vehicle" means a unit that:

272 (a) is designed and marketed as temporary living quarters for recreational, camping,
273 travel, or seasonal use;
274 (b) is not permanently affixed to real property for use as a permanent dwelling;
275 (c) requires a special highway movement permit for transit; and
276 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
277 400 square feet in the setup mode.

278 (54) "Personal vehicle" means a vehicle that is not a commercial vehicle.

279 (55) "Personalized license plate" means a license plate that has displayed on it a
280 combination of letters, numbers, or both as requested by the owner of the vehicle and
281 assigned to the vehicle by the division.

282 (56)(a) "Pickup truck" means a two-axle motor vehicle with motive power
283 manufactured, remanufactured, or materially altered to provide an open cargo area.

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

286 (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has
287 the capability to charge the battery or batteries used for vehicle propulsion from an
288 off-vehicle electric source, such that the off-vehicle source cannot be connected to the
289 vehicle while the vehicle is in motion.

290 (58) "Pneumatic tire" means a tire in which compressed air is designed to support the load.

291 (59) "Preceding year" means a period of 12 consecutive months fixed by the division that is
292 within 16 months immediately preceding the commencement of the registration or
293 license year in which proportional registration is sought. The division in fixing the
294 period shall conform it to the terms, conditions, and requirements of any applicable
295 agreement or arrangement for the proportional registration of vehicles.

296 (60) "Public garage" means a building or other place where vehicles or vessels are kept and
297 stored and where a charge is made for the storage and keeping of vehicles and vessels.

298 (61) "Receipt of surrender of ownership documents" means the receipt of surrender of
299 ownership documents described in Section 41-1a-503.

300 (62) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state

301 that is materially altered from its original construction by the removal, addition, or
302 substitution of essential parts, new or used.

303 (63) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.

304 (64) "Registration" means a document issued by a jurisdiction that allows operation of a
305 vehicle or vessel on the highways or waters of this state for the time period for which the
306 registration is valid and that is evidence of compliance with the registration requirements
307 of the jurisdiction.

308 (65) "Registration decal" means the decal issued by the division that is evidence of
309 compliance with the division's registration requirements.

310 (66)(a) "Registration year" means a 12 consecutive month period commencing with the
311 completion of the applicable registration criteria.

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

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

317 (68) "Replica vehicle" means:

318 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
319 (b) a custom vehicle that meets the requirements under Subsection 41-6a-1507
320 (1)(a)(i)(B).

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

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

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

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

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

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

333 (75) "Shipping weight" means the weight of the vehicle when it is built without any
334 optional equipment as reported by the manufacturer, except that if a shipping weight is

335 not reported by the manufacturer of a vehicle, the division may determine the shipping
336 weight using the best information available.

337 [(75)] (76) "Special group license plate" means a type of license plate designed for a
338 particular group of people or a license plate authorized and issued by the division in
339 accordance with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

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

342 [(i) 20 years or older from the current year; or]
343 [(ii) a make or model of motor vehicle recognized by the division director as having
344 unique interest or historic value.]

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

347 [(i) a make of motor vehicle that is no longer manufactured;]
348 [(ii) a make or model of motor vehicle produced in limited or token quantities;]
349 [(iii) a make or model of motor vehicle produced as an experimental vehicle or one
350 designed exclusively for educational purposes or museum display; or]
351 [(iv) a motor vehicle of any age or make that has not been substantially altered or
352 modified from original specifications of the manufacturer and because of its
353 significance is being collected, preserved, restored, maintained, or operated by a
354 collector or hobbyist as a leisure pursuit.]

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

356 (i) not designed or used primarily for the transportation of persons or property;
357 (ii) not designed to operate in traffic; and
358 (iii) only incidentally operated or moved over the highways.

359 (b) "Special mobile equipment" includes:

360 (i) farm tractors;
361 (ii) off-road motorized construction or maintenance equipment including backhoes,
362 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
363 (iii) ditch-digging apparatus.

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

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

369 original construction.

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

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

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

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

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

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

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

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

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

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

389 (87) "Trailer" means a vehicle:

390 (a) without motive power; and

391 (b) designed for:

392 (i) carrying persons or property; and

393 (ii) being drawn by a motor vehicle.

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

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

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

402 (91) "Truck tractor" means a motor vehicle designed and used primarily for drawing other

403 vehicles and not constructed to carry a load other than a part of the weight of the vehicle
404 and load that is drawn.

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

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

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

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

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

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

41-1a-202 (Effective 05/06/26). Definitions -- Vehicles exempt from registration

-- Registration of vehicles after establishing residency.

415 (1) As used in this section:

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

417 (b) "Domicile" means the place:

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

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

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

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

423 (A) an individual who:

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

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

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

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

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

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

- (I) maintains a main office, branch office, or warehouse facility in this state and that bases and operates a motor vehicle in this state; or
- (II) operates a motor vehicle in intrastate transportation for other than seasonal work.

(ii) "Resident" does not include any of the following:

- (A) a member of the military temporarily stationed in Utah;
- (B) an out-of-state student, as classified by the institution of higher education, enrolled with the equivalent of seven or more quarter hours, regardless of whether the student engages in a trade, profession, or occupation in this state or accepts employment in this state; and
- (C) an individual domiciled in another state or a foreign country that:
 - (I) is engaged in public, charitable, educational, or religious services for a government agency or an organization that qualifies for tax-exempt status under Internal Revenue Code Section 501(c)(3);
 - (II) is not compensated for services rendered other than expense reimbursements; and
 - (III) is temporarily in Utah for a period not to exceed 24 months.

(iii) Notwithstanding Subsections (1)(c)(i) and (ii), "resident" includes the owner of a vehicle equipped with an automated driving system as defined in Section 41-26-102.1 if the vehicle is physically present in the state for more than 30 consecutive days in a calendar year.

Registration under this chapter is not required for any:

- (i) vehicle registered in another state and owned by a nonresident of the state or operating under a temporary registration permit issued by the division or a dealer authorized by this chapter, driven or moved upon a highway in conformance with the provisions of this chapter relating to manufacturers, transporters, dealers, lien holders, or interstate vehicles;
- (ii) vehicle driven or moved upon a highway only for the purpose of crossing the highway from one property to another;
- (iii) implement of husbandry, whether of a type otherwise subject to registration or not, that is only incidentally operated or moved upon a highway;
- (iv) special mobile equipment;
- (v) vehicle owned or leased by the federal government;
- (vi) motor vehicle not designed, used, or maintained for the transportation of

471 passengers for hire or for the transportation of property if the motor vehicle is
472 registered in another state and is owned and operated by a nonresident of this state;

473 (vii) vehicle [or combination of vehicles] designed, used, or maintained for the
474 transportation of persons for hire or for the transportation of property if the vehicle[
475 or combination of vehicles] is registered in another state and is owned and
476 operated by a nonresident of this state and if the vehicle[-or combination of
477 vehicles] has a gross [laden weight] vehicle weight rating of 26,000 pounds or less;

478 (viii) trailer of 750 pounds or less [unladen] shipping weight and not designed, used,
479 and maintained for hire for the transportation of property or person;

480 (ix) single-axle trailer unless that trailer is:

481 (A) a commercial vehicle;

482 (B) a trailer designed, used, and maintained for hire for the transportation of
483 property or person; or

484 (C) a travel trailer, camping trailer, or fifth wheel trailer of 750 pounds or more [
485 laden weight] gross vehicle weight rating;

486 (x) manufactured home or mobile home;

487 (xi) off-highway vehicle currently registered under Section 41-22-3 if the
488 off-highway vehicle is:

489 (A) being towed;

490 (B) operated on a street or highway designated as open to off-highway vehicle
491 use; or

492 (C) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);

493 (xii) off-highway implement of husbandry operated in the manner prescribed in
494 Subsections 41-22-5.5(3) through (5);

495 (xiii) modular and prebuilt homes conforming to the uniform building code and
496 presently regulated by the United States Department of Housing and Urban
497 Development that are not constructed on a permanent chassis;

498 (xiv) electric assisted bicycle defined under Section 41-6a-102;

499 (xv) motor assisted scooter defined under Section 41-6a-102; or

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

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

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

- (ii) limited to 100 miles round trip on a highway.
- (3)(a) Unless otherwise exempted under Subsection (2), registration under this chapter is required for any motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, or restored-modified vehicle within 60 days of the owner establishing residency in this state.
- (b)(i) The commission may contract with a designated agent described in Chapter 12a, Part 8, Uninsured Motorist Identification Database Program, to determine the address for which a contract for owner's or operator's security pertaining to a certain vehicle or vessel is tied.
- (ii) If the information provided by the designated agent under Subsection (3)(b)(i) indicates that the owner of a vehicle or vessel is a resident of this state, the commission may investigate to ensure compliance with this chapter, Chapter 22, Off-highway Vehicles, Title 59, Chapter 12, Sales and Use Tax Act, and Title 73, Chapter 18, State Boating Act.
- (c) If the commission's investigation described in Subsection (3)(b)(ii) determines that the owner of the vehicle or vessel is not in compliance with this chapter, Chapter 22, Off-highway Vehicles, Title 59, Chapter 12, Sales and Use Tax Act, or Title 73, Chapter 18, State Boating Act, the commission:
 - (i) may impose a penalty on the owner of the vehicle or vessel of \$150; and
 - (ii) shall provide notice of noncompliance to the owner of the vehicle or vessel and allow 60 days after the date on which the notice was issued for the owner of the vehicle or vessel to comply with the provisions identified in the commission's investigation described in Subsection (3)(b)(ii).
- (d) If the owner of a vehicle or vessel fails to comply as directed within the time period described in Subsection (3)(c), the commission created in Section 41-3-104 may impose on the owner of the vehicle or vessel a penalty equal to the greater of:
 - (i) if the commission finds there was an underpayment of tax under Title 59, Chapter 12, Sales and Use Tax Act, a penalty as provided in Subsection 59-1-401(7); or
 - (ii) \$500.
- (e) Upon making a record of the commission's actions, and upon reasonable cause shown, the commission may waive, reduce, or compromise any penalty imposed under Subsection (3)(c) or (3)(d).
- (f)(i) The commission shall deposit money from a penalty under Subsections (3)(c)(i) and (3)(d)(ii) for failure to properly register or title a vehicle or vessel pursuant to

539 this chapter, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State
540 Boating Act, into the Uninsured Motorist Identification Restricted Account
541 created in Section 41-12a-806.

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

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

548 (5) A vehicle that has been issued a nonrepairable certificate may not be registered under
549 this chapter.

550 Section 3. Section **41-1a-213** is amended to read:

551 **41-1a-213 (Effective 05/06/26). Contents of registration cards.**

552 (1) As used in this section:

- 553 (a) "Health care professional" means the same as that term is defined in Section 53-3-207.
- 554 (b) "Invisible condition" means the same as that term is defined in Section 53-3-207.
- 555 (c) "Invisible condition identification decal" means the decal created by the division that
556 incorporates the invisible condition identification symbol.
- 557 (d) "Invisible condition identification symbol" means the same as that term is defined in
558 Section 53-3-207.

559 (2) The registration card shall be delivered to the owner and shall contain:

- 560 (a) the date issued;
- 561 (b) the name of the owner;
- 562 (c) a description of the vehicle registered including the year, the make, the identification
563 number, and the license plate assigned to the vehicle;
- 564 (d) the expiration date; and
- 565 (e) other information as determined by the commission.

566 (3) If a vehicle is leased for a period in excess of 45 days, the registration shall contain:

- 567 (a) the owner's name; and
- 568 (b) the name of the lessee.

569 (4) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the
570 registration card shall also contain the [gross laden weight] gross vehicle weight rating
571 as given in the application for registration.

572 (5)(a) Except as provided in Subsection (5)(b), a new registration card issued by the

573 commission on or after November 1, 2013, may not display the address of the owner
574 or the lessee on the registration card.

575 (b) A new registration card issued by the commission under one of the following
576 provisions shall display the address of the owner or the lessee on the registration
577 card:

578 (i) Section 41-1a-301 for a vehicle; or
579 (ii) Section 73-18-7 for a vessel.

580 (6)(a) Except as provided in Subsection (6)(d)(ii), the division shall include on a vehicle
581 owner's vehicle registration database record in the division's vehicle registration
582 database an invisible condition identification symbol if:

583 (i)(A) the vehicle owner or an individual who is a regular driver of or passenger in
584 the vehicle owner's vehicle has an invisible condition; or
585 (B) an individual with an invisible condition resides at the vehicle driver's
586 residence; and
587 (ii) the vehicle owner submits to the commission a request on a form prescribed by
588 the commission.

589 (b) A vehicle owner shall include in a request described in Subsection (6)(a):

590 (i) if the request is for an individual other than the vehicle owner, a declaration that
591 the individual is:
592 (A) a regular driver of or passenger in the vehicle; or
593 (B) a resident at the vehicle driver's residence;
594 (ii) written verification from a health care professional that the vehicle owner or other
595 individual described in Subsection (6)(a)(i) has an invisible condition; and
596 (iii) a waiver of liability signed by the individual with the invisible condition or the
597 individual's legal representative for the release of any medical information to:
598 (A) the commission;
599 (B) any person who has access to the individual's medical information as recorded
600 on the vehicle owner's vehicle registration database record or the Utah
601 Criminal Justice Information System; and
602 (C) any other person who may view or receive notice of the individual's medical
603 information by seeing the vehicle owner's vehicle registration database record
604 or the individual's information in the Utah Criminal Justice Information System.

605 (c) As part of the form described in Subsection (6)(a) and (b), the commission shall
606 advise the individual signing the waiver of liability that by submitting the signed

607 waiver, the individual consents to the release of the individual with an invisible
608 condition's medical information to any person described in Subsections (6)(b)(iii)(A)
609 through (C), even if the person is otherwise ineligible to access the individual with an
610 invisible condition's medical information under state or federal law.

611 (d)(i) The division:

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

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

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

619 (e) The inclusion of an invisible condition identification symbol on a vehicle owner's
620 vehicle registration database record in accordance with this section does not confer
621 any legal rights or privileges on the vehicle owner or the individual with an invisible
622 condition, including parking privileges for individuals with disabilities under Section
623 41-1a-414.

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

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

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

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

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

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

640 (a) remove the invisible condition identification symbol and brief description described

641 in Subsection (7) from a vehicle owner's vehicle registration database record in the
642 division's vehicle registration database; and
643 (b) provide the updated vehicle registration database record to the Utah Criminal Justice
644 Information System.

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

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

649 **41-1a-215.5 (Effective 05/06/26). Alternative term registration.**

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

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

657 (i) a trailer;
658 (ii) an electric motor vehicle;
659 (iii) an off-highway vehicle as described in Section 41-22-3; or
660 (iv) a street-legal all-terrain vehicle as described in Section 41-6a-1509 and Section
661 41-22-3.

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

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

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

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

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

672 **41-1a-225 (Effective 05/06/26). Foreign vehicle compliance with federal law --**

673 **English translation -- Temporary permit.**

674 (1) Before a vehicle with a gross vehicle weight rating of less than 6,000 pounds that was

675 not originally manufactured for sale in the United States may be registered in this state,
676 the applicant shall provide at the time of registration, a signed statement certifying that
677 the vehicle complies with all federal laws and regulations applicable to the vehicle.

678 (2) If the certificate of title, manufacturer's certificate of origin, or other document
679 purported to evidence ownership is not printed in the English language, the applicant
680 shall obtain a certified translation of that document in the English language and provide
681 it to the division at the time of registration.

682 (3) The division may issue the applicant a temporary permit, not to exceed 120 days, as
683 provided in Section 41-1a-211, pending compliance with federal emission and safety
684 standards.

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

686 **41-1a-229 (Effective 05/06/26). Display of vehicle weight rating.**

687 (1) Each vehicle registered by gross ~~[laden weight]~~ vehicle weight rating and exceeding
688 14,000 pounds of gross ~~[laden weight]~~ vehicle weight rating shall have the gross ~~[laden~~
689 ~~weight]~~ vehicle weight rating for which it is registered painted, stenciled, or shown by
690 decal upon both the left and right sides of the vehicle, in a conspicuous place, in letters
691 of a reasonable size as determined by the commission.

692 (2) If vehicles are registered in combination, the gross ~~[laden weight]~~ combined weight
693 rating for which the combination of vehicles is registered shall be displayed upon the
694 power unit.

695 ~~[(3) An owner or operator of a vehicle or combination of vehicles may not display a gross
696 laden weight other than that shown on the certificate of registration of the vehicle.]~~

697 ~~[(4)] (3) A park model recreational vehicle is exempt from this section.~~

698 ~~[(5)] (4) A violation of this section is an infraction.~~

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

700 **41-1a-233 (Effective 05/06/26). Conditional registration for new commercial
701 motor vehicles.**

702 (1) As used in this part:

703 (a) "Manufacturer's statement of origin" means a statement or certificate from the motor
704 vehicle manufacturer that shows:

705 (i) the date of sale from the manufacturer to the first purchaser;

706 (ii) the name of the first purchaser;

707 (iii) a description of the motor vehicle, including the year, make, model, and vehicle
708 identification number; and

709 (iv) a certification that the motor vehicle was new when sold to the first purchaser.

710 (b) "Passenger rental car establishment" means an establishment described in NAICS

711 subsector 532111 of the 2022 North American Industry Classification System of the

712 federal Executive Office of the President, Office of Management and Budget.

713 (c) "Qualified identification number inspector" means the same as it is described in

714 Section 41-1a-802.

715 (2) The division may issue a conditional registration for a new motor vehicle that is a

716 commercial vehicle if:

717 (a) the owner:

718 (i) is a passenger rental car establishment;

719 (ii) has not received a manufacturer statement of origin;

720 (iii) is entitled to a manufacturer statement of origin;

721 (iv) has physical possession of the vehicle; and

722 (v) has paid all applicable taxes and fees for the vehicle; and

723 (b) a qualified identification number inspector has:

724 (i) physically inspected the identification number of the motor vehicle; and

725 (ii) made a record of the identification number inspection on a form approved by the

726 division.

727 (3)(a) A conditional registration issued under Subsection (2) shall be in effect:

728 (i) for a period of 12 months beginning with the first day of the calendar month of

729 registration and does not expire until the last day of the same month in the

730 following year[.] ; or

731 (ii) for a vehicle registered for an alternative registration period described in Section

732 41-1a-215.5, for a period corresponding with the term of an alternative

733 registration and does not expire until the last day of the final month of the

734 registration term.

735 (b) An owner of a vehicle with a conditional registration may not renew the registration

736 until a Utah title is obtained for the vehicle.

737 (c) A vehicle with a conditional registration under this section may not be sold or

738 transferred without first obtaining a Utah title.

739 (4) If a Utah title is not issued for a vehicle within 10 months of the beginning of the month

740 in which a conditional registration is issued for the vehicle, the division shall:

741 (a) revoke the conditional registration for the vehicle; and

742 (b) not allow the vehicle to be registered in the state until a Utah title is obtained for the

743 vehicle.

744 (5) A commercial vehicle that is issued a conditional registration as provided in this section
745 is subject to the same fees that would apply to the commercial vehicle if the registration
746 was not a conditional registration.

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

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

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

752 **41-1a-301 (Effective 05/06/26). Apportioned registration and licensing of
753 interstate vehicles.**

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

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

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

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

766 (3)(a) If no operations were conducted during the preceding year, in computing fees due:
767 (i) the application shall contain a statement of the proposed operations; and
768 (ii) the division shall determine fees based on average per vehicle distance
769 requirements under the International Registration Plan.

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

772 (4) The division shall determine the registration fee for apportioned vehicles as follows:
773 (a) divide the in-jurisdiction miles by the total miles generated during the preceding year;
774 (b) total the fees for each vehicle based on the fees prescribed in Section 41-1a-1206; and
775 (c) multiply the sum obtained under Subsection (4)(b) by the quotient obtained under
776 Subsection (4)(a).

777 (5) The registrant may list trailers or semitrailers of apportioned fleets separately as "trailer
778 fleets" on the application, with the fees paid according to the total distance those trailers
779 were towed in all jurisdictions during the preceding year mileage reporting period.

780 (6)(a)(i) When the registrant has paid the proper fees and cleared the property tax or
781 in lieu fee under Section 41-1a-206 or 41-1a-207, the division shall issue a
782 registration card and license plate for each unit listed on the application.

783 (ii) The owner or operator shall carry an original registration in each vehicle at all
784 times.

785 (b) The owner or operator may carry original registration cards for trailers or semitrailers
786 in the power unit.

787 (c)(i) In lieu of a permanent registration card or license plate, the division may issue
788 one temporary permit authorizing operation of new or unlicensed vehicles until
789 the permanent registration is completed.

790 (ii) Once a temporary permit is issued:

791 (A) neither the registrant nor the division may cancel the registration process; and
792 (B) the division shall complete registration and the registrant shall pay the fees
793 and any property tax or in lieu fee due for the vehicle for which the permit was
794 issued.

795 (iii) The division may not issue temporary permits for renewals.

796 (d)(i) The division shall issue one distinctive license plate for apportioned vehicles.

797 (ii) The owner or operator shall display the plate on the front of an apportioned truck
798 tractor or power unit or on the rear of any other apportioned vehicle.

799 (iii)(A) The division shall issue distinctive decals or a distinctive license plate
800 displaying the word "apportioned" or the abbreviation "APP" for each
801 apportioned vehicle.

802 (B) A registrant of an apportioned vehicle is not required to display a registration
803 decal.

804 (iv) At the request of a registrant of an apportioned vehicle, the division may issue a
805 second license plate, for a total of two, to display on both the front and rear of the
806 apportioned vehicle.

807 (e) The division shall charge a nonrefundable administrative fee, determined by the
808 commission pursuant to Section 63J-1-504, for each temporary permit, registration,
809 or both.

810 (7) Vehicles that are apportionally registered are fully registered for intrastate and interstate

811 movements, providing the registrant has secured proper interstate and intrastate
812 authority.

813 (8)(a) The division shall register vehicles added to an apportioned fleet after the
814 beginning of the registration year by applying the quotient under Subsection (4)(a)
815 for the original application to the fees due for the remainder of the registration year.
816 (b)(i) The owner shall maintain and submit complete annual mileage for each vehicle
817 in each jurisdiction, showing all miles operated by the lessor and lessee.
818 (ii) The fiscal mileage reporting period begins July 1, and continues through June 30
819 of the year immediately preceding the calendar year in which the registration year
820 begins.

821 (c)(i) An owner-operator, who is a lessor, may register the vehicle in the name of the
822 owner-operator.
823 (ii) The identification plates and registration card shall be the property of the lessor
824 and may reflect both the owner-operator's name and that of the carrier as lessee.
825 (iii) The division shall allocate the fees according to the operational records of the
826 owner-operator.
827 (d)(i) At the option of the lessor, the lessee may register a leased vehicle.
828 (ii) If a lessee is the registrant of a leased vehicle, both the lessor's and lessee's name
829 shall appear on the registration.
830 (iii) The division shall allocate the fees according to the records of the carrier.

831 (9)(a) When the division has accepted an application for apportioned registration, the
832 registrant shall preserve the records on which the application is based for a period of
833 three years after the close of the registration year.
834 (b) Upon request for audit as to accuracy of computations, payments, and assessments
835 for deficiencies, or allowances for credits, the registrant shall provide the records to
836 the division.
837 (c) The division may not make an assessment for deficiency or claim for credit for any
838 period for which records are no longer required.
839 (d) The division may assess interest in the amount prescribed by Section 59-1-402 from
840 the date due until paid on deficiencies found due after audit.
841 (e) Registrants with deficiencies are subject to the penalties under Section 59-1-401.
842 (f) The division may enter into agreements with other International Registration Plan
843 jurisdictions for joint audits.
844 (10)(a) Except as provided in Subsection (10)(b), the division shall deposit all state fees

845 collected under this section in the Transportation Fund.

846 (b) The commission may use the following fees as a dedicated credit to cover the costs
847 of electronic credentialing as provided in Section 41-1a-303:
848 (i) \$5 of each temporary registration permit fee paid under Subsection (13)(a)(i) for a
849 single unit; and
850 (ii) \$10 of each temporary registration permit fee paid under Subsection (13)(a)(ii)
851 for multiple units.

852 (11) If registration is for less than a full year, the division shall assess fees for apportioned
853 registration according to Section 41-1a-1207.

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

862 (b) If a vehicle is withdrawn from an apportioned fleet during the period for which it is
863 registered, the registrant shall notify the division and surrender the registration card
864 and license plate of the withdrawn vehicle.

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

869 (i) Multiply the number of vehicles or combination of vehicles registered in each [
870 weight] gross combined weight rating class by the equivalent tax figure from the
871 following tables:

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

| | | | |
|-----|--|---------------------------------------|----------------|
| 875 | 14,000 pounds or less | 6 or more years but less than 9 years | \$80 |
| 876 | 14,000 pounds or less | 3 or more years but less than 6 years | \$110 |
| 877 | 14,000 pounds or less | Less than 3 years | \$150 |
| 878 | <u>[Vehicle or Combination Registered Weight] Gross Combined Weight Rating</u> | | Equivalent Tax |
| 879 | 14,001 - 18,000 pounds | | \$150 |
| 880 | 18,001 - 34,000 pounds | | 200 |
| 881 | 34,001 - 48,000 pounds | | 300 |
| 882 | 48,001 - 64,000 pounds | | 450 |
| 883 | 64,001 pounds and over | | 600 |

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

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

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

893 (i) \$25 for a single unit; and
 894 (ii) \$50 for multiple units.

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

898 (14) The division may not register a park model recreational vehicle under this section.
 899 (15) A violation of this section is an infraction.

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

901 **41-1a-401 (Effective 05/06/26). License plates -- Number of plates --**

902 **Reflectorization -- Indicia of registration in lieu of or used with plates.**

903 (1)(a) Except as provided in Subsections (1)(c), (d), and (e), the division upon

904 registering a vehicle shall issue to the owner:

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

906 (ii) one registration decal for a park model recreational vehicle, in lieu of a license

907 plate, which shall be attached in plain sight to the rear of the park model

908 recreational vehicle;

909 (iii) one registration decal for a camper, in lieu of a license plate, which shall be

910 attached in plain sight to the rear of the camper; and

911 (iv) one license plate for every other vehicle.

912 (b) The license plate or registration decal issued under Subsection (1)(a) is for the

913 particular vehicle registered and may not be removed during the term for which the

914 license plate or registration decal is issued or used upon any other vehicle than the

915 registered vehicle.

916 (c)(i) Notwithstanding Subsections (1)(a) and (b) and except as provided in

917 Subsection (1)(c)(ii), the division, upon registering a motor vehicle that has been

918 sold, traded, or the ownership of which has been otherwise released, shall transfer

919 the license plate issued to the person applying to register the vehicle if:

920 (A) the previous registered owner has included the license plate as part of the sale,

921 trade, or ownership release; and

922 (B) the person applying to register the vehicle applies to transfer the license plate

923 to the new registered owner of the vehicle.

924 (ii) The division may not transfer a personalized or special group license plate to a

925 new registered owner under this Subsection (1)(c) if the new registered owner

926 does not meet the qualification or eligibility requirements for that personalized or

927 special group license plate under this part or Part 16, Sponsored Special Group

928 License Plates.

929 (d)(i) For a vehicle described in Section 41-1a-301, the division upon registering a

930 vehicle shall issue a license plate or set of license plates as provided in that section.

931 (ii) [For] Except for a street-legal all-terrain vehicle, a motorcycle, or a trailer, for any

932 vehicle not described in Subsection (1)(d)(i), at the request of the registrant, the

933 division upon registering a vehicle may issue two license plates, for display on

934 both the front and rear of the vehicle.

935 (e) The division upon registering a vehicle may, until inventory of license plate sets is

936 exhausted, but no later than December 31, 2025, issue a set of two plates.

937 (f) The division shall ensure that license plates are distributed from a central location as

938 soon as practicable, but no later than July 1, 2025.

939 (2) The division may receive applications for registration renewal, renew registration, and
940 issue a new license plate or registration decal at any time prior to the expiration of
941 registration.

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

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

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

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

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

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

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

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

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

963 **41-1a-504 (Effective 05/06/26). Exceptions to title requirements for vehicles.**

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

965 (1) special mobile equipment;
966 (2) a vehicle owned or leased by the federal government;
967 (3) a trailer of 750 pounds or less [~~unladen~~] shipping weight and not designed, used, and
968 maintained for hire for the transportation of property or persons; and
969 (4) modular and prebuilt homes conforming to the Uniform Building Code and presently
970 regulated by the United States Department of Housing and Urban Development that are
971 not constructed on a permanent chassis.

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

973 **41-1a-901 (Effective 07/01/26). Odometer required.**

974 (1) [Eaeh-] Except as provided in Subsection (2), each motor vehicle required to be
975 registered under this chapter shall be equipped with a properly functioning odometer.

976 (2) Subsection (1) does not apply to a street-legal all-terrain vehicle.

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

978 **41-1a-902 (Effective 05/06/26). Odometer disclosure statement -- Contents --**

979 **Receipt -- Exceptions.**

980 (1) Each motor vehicle certificate of title, at the time it is issued to the transferee, shall
981 contain:

982 (a) the mileage disclosed by the transferor when ownership of the motor vehicle was
983 transferred; and

984 (b) a space for the information required to be disclosed under this section at the time of
985 future transfer of ownership.

986 (2) At the time of any sale or transfer of a motor vehicle, the transferor shall furnish to the
987 transferee a written odometer disclosure statement in a form prescribed by the division.

988 This statement shall be signed and certified as to its truthfulness by the transferor,
989 stating:

990 (a) the date of transfer;

991 (b) the transferor's name and address;

992 (c) the transferee's name and address;

993 (d) the identity of the motor vehicle, including its make, model, year, body type, and
994 identification number;

995 (e) the odometer reading at the time of transfer, not including tenths of miles or tenths of
996 kilometers;

997 (f)(i) that to the best of the transferor's knowledge, the odometer reading reflects the
998 amount of miles or kilometers the motor vehicle has actually been driven;

999 (ii) that the odometer reading reflects the amount of miles or kilometers in excess of
1000 the designed mechanical odometer limit; or

1001 (iii) that the odometer reading is not the actual amount of miles or kilometers; and

1002 (g) a warning to alert the transferee if a discrepancy exists between the odometer reading
1003 and the actual mileage.

1004 (3)(a) Each transferee of a motor vehicle shall acknowledge receipt of the odometer
1005 disclosure statement required by Subsection (2) by signing it, and the transferor shall

1006 deliver to the transferee the original odometer disclosure statement. Both the
1007 transferor and the transferee shall retain a legible copy of the odometer disclosure
1008 statement for not less than four years.

1009 (b) A dealer who is required under Section 41-3-301 to title and register a motor vehicle
1010 sold to a customer shall surrender the original odometer disclosure statement to the
1011 division and deliver a copy to the transferee.

1012 (4) Notwithstanding the requirements of this section, the odometer mileage need not be
1013 disclosed by a transferor of:

1014 (a) a single motor vehicle having a manufacturer specified gross [laden] vehicle weight
1015 rating of more than 16,000 pounds, or a motor vehicle registered in this state for a
1016 gross [laden weight] vehicle weight rating of 18,000 pounds or more;

1017 (b) a motor vehicle that is 20 years old or older;

1018 (c) a motor vehicle sold directly by the manufacturer to any agency of the United States
1019 in conformity with contractual specifications; or

1020 (d) a new motor vehicle prior to its first transfer for purposes other than resale.

1021 (5) If the motor vehicle has not been titled or if the certificate of title does not contain a
1022 space for the information required, the written disclosure shall be executed as a separate
1023 document.

1024 (6) A person may not sign an odometer disclosure statement as both the transferor and the
1025 transferee in the same transaction.

1026 Section 13. Section **41-1a-1201** is amended to read:

1027 **41-1a-1201 (Effective 07/01/26) (Partially Repealed 07/01/29). Disposition of fees.**

1028 (1) All fees received and collected under this part shall be transmitted daily to the state
1029 treasurer.

1030 (2) [Except as provided in Subsections (3), (5), (6), (7), (8), and (9) and Sections 41-1a-1205,
1031 41-1a-1220, 41-1a-1221, 41-1a-1222, 41-1a-1223, and 41-1a-1603,] Except as otherwise
1032 specified, all fees collected under this part shall be deposited into the Transportation
1033 Fund.

1034 (3) Funds generated under Subsections [41-1a-1211(1)(b)(ii), (6)(b)(ii)]
1035 41-1a-1211(1)(b)(iii), (6)(b)(iii), (7), and (9), and Section 41-1a-1212 shall be deposited
1036 into the License Plate Restricted Account created in Section 41-1a-122.

1037 (4)(a) Except as provided in Subsections (3) and (4)(b) and Section 41-1a-1205, the
1038 expenses of the commission in enforcing and administering this part shall be
1039 provided for by legislative appropriation from the revenues of the Transportation

1040 Fund.

1041 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)
1042 and (b) for each vehicle registered for a six-month registration period under Section
1043 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing
1044 and administering this part.

1045 (c) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i) for
1046 each vintage vehicle that has a model year of 1983 or newer may be used by the
1047 commission to cover the costs incurred in enforcing and administering this part.

1048 (5)(a) The following portions of the registration fees imposed under Section 41-1a-1206
1049 for each vehicle shall be deposited into the Transportation Investment Fund of 2005
1050 created in Section 72-2-124:

1051 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),
1052 (1)(f), (4), and (7);

1053 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and
1054 (1)(c)(ii);

1055 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

1056 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

1057 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i);

1058 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii); and

1059 (vii) \$17 of the registration fee imposed under Subsection 41-1a-1206(1)(j).

1060 (b) The following portions of the registration fees collected for each vehicle registered
1061 for a six-month registration period under Section 41-1a-215.5 shall be deposited into
1062 the Transportation Investment Fund of 2005 created in Section 72-2-124:

1063 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and
1064 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

1065 (6)(a) Ninety-four cents of each registration fee imposed under Subsections 41-1a-1206
1066 (1)(a) and (b) for each vehicle shall be deposited into the Public Safety Restricted
1067 Account created in Section 53-3-106.

1068 (b) Seventy-one cents of each registration fee imposed under Subsections 41-1a-1206
1069 (2)(a) and (b) for each vehicle registered for a six-month registration period under
1070 Section 41-1a-215.5 shall be deposited into the Public Safety Restricted Account
1071 created in Section 53-3-106.

1072 (7)(a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)
1073 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact

1074 Restricted Account created in Section 53-8-214.

1075 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a) and

1076 (b) for each vehicle registered for a six-month registration period under Section

1077 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted

1078 Account created in Section 53-8-214.

1079 (8) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for each

1080 motorcycle shall be deposited into the Brain and Spinal Cord Injury Fund created in

1081 Section 26B-1-318.

1082 (9)(a) Beginning on January 1, 2024, subject to Subsection (9)(b), \$2 of each registration

1083 fee imposed under Section 41-1a-1206 shall be deposited into the Rural

1084 Transportation Infrastructure Fund created in Section 72-2-133.

1085 (b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described

1086 in Subsection (9)(a) shall be annually adjusted by taking the amount deposited the

1087 previous year and adding an amount equal to the greater of:

1088 (i) an amount calculated by multiplying the amount deposited by the previous year by

1089 the actual percentage change during the previous fiscal year in the Consumer Price

1090 Index; and

1091 (ii) 0.

1092 (c) The amounts calculated as described in Subsection (9)(b) shall be rounded up to the

1093 nearest 1 cent.

1094 (10) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the

1095 deposits under this section are double the amounts due for a 12-month registration of the

1096 same vehicle.

1097 (11) The following amounts shall be deposited as dedicated credits into the Transportation

1098 Fund to be used by the Driver License Division for the Motorcycle Rider Education

1099 Program described in Title 53, Chapter 3, Part 9, Motorcycle Rider Education Program:

1100 (a) \$5 of the annual registration fee imposed for each registered motorcycle under

1101 Subsection 41-1a-1206(1)(a); and

1102 (b) \$4 of the six-month registration fee imposed for each registered motorcycle under

1103 Subsection 41-1a-1206(2)(a).

1104 Section 14. Section **41-1a-1205** is amended to read:

1105 **41-1a-1205 (Effective 05/06/26). Disposition of driver education fee -- Expense**

1106 **appropriation.**

1107 (1) The automobile driver education [tax] fee collected under Section 41-1a-1204 shall be

1108 placed to the credit of the Automobile Driver Education Tax Account within the
1109 Uniform School Fund.

1110 (2) The necessary expenses of the commission incurred in the administration and collection
1111 of the [tax] fee shall be paid from its legislative appropriation in the General Fund, which
1112 fund shall be reimbursed by a transfer for the expenses from the legislative appropriation
1113 of the Uniform School Fund.

1114 Section 15. Section **41-1a-1206** is amended to read:

1115 **41-1a-1206 (Effective 05/06/26). Registration fees -- Fees by weight rating.**

1116 (1) Except as provided in Subsections (2) and (3), at the time application is made for
1117 registration or renewal of registration of a vehicle or combination of vehicles under this
1118 chapter, a registration fee shall be paid to the division as follows:

1119 (a) \$46.00 for each motorcycle;

1120 (b) \$44 for each motor vehicle of 14,000 pounds or less gross [~~laden weight~~] combined
1121 weight rating, excluding motorcycles;

1122 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202
1123 or is registered under Section 41-1a-301:

1124 (i) \$31 for each trailer or semitrailer over 750 pounds [~~gross unladen~~] shipping
1125 weight; or

1126 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or
1127 less [~~gross unladen~~] shipping weight;

1128 (d)(i) \$53 for each farm truck over 14,000 pounds, but not exceeding 16,000 pounds
1129 gross [~~laden weight~~] combined weight rating; plus

1130 (ii) \$9 for each 2,000 pounds over 16,000 pounds gross [~~laden weight~~] combined
1131 weight rating;

1132 (e)(i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding
1133 farm trucks, over 14,000 pounds, but not exceeding 16,000 pounds gross [~~laden~~
1134 weight] combined weight rating; plus

1135 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross [~~laden weight~~] combined
1136 weight rating;

1137 (f)(i) \$69.50 for each park model recreational vehicle over 14,000 pounds, but not
1138 exceeding 16,000 pounds gross [~~laden weight~~] combined weight rating; plus

1139 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross [~~laden weight~~] combined
1140 weight rating;

1141 (g) \$45 for each vintage vehicle that has a model year of 1983 or newer;

1142 (h) in addition to the fee described in Subsection (1)(b):

1143 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

1144 (A) each electric motor vehicle; and

1145 (B) Each motor vehicle not described in this Subsection (1)(h) that is fueled

1146 exclusively by a source other than motor fuel, diesel fuel, natural gas, or

1147 propane;

1148 (ii) \$21.75 for each hybrid electric motor vehicle; and

1149 (iii) \$56.50 for each plug-in hybrid electric motor vehicle;

1150 (i) in addition to the fee described in Subsection (1)(g), for a vintage vehicle that has a

1151 model year of 1983 or newer, 50 cents; and

1152 (j) \$28.50 for each roadable aircraft.

1153 (2)(a) At the time application is made for registration or renewal of registration of a

1154 vehicle under this chapter for a six-month registration period under Section

1155 41-1a-215.5, a registration fee shall be paid to the division as follows:

1156 (i) \$34.50 for each motorcycle; and

1157 (ii) \$33.50 for each motor vehicle of 14,000 pounds or less gross [~~laden weight~~]

1158 combined weight rating, excluding motorcycles.

1159 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal of

1160 registration of a vehicle under this chapter for a six-month registration period under

1161 Section 41-1a-215.5 a registration fee shall be paid to the division as follows:

1162 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

1163 (A) each electric motor vehicle; and

1164 (B) each motor vehicle not described in this Subsection (2)(b) that is fueled

1165 exclusively by a source other than motor fuel, diesel fuel, natural gas, or

1166 propane;

1167 (ii) \$16.50 for each hybrid electric motor vehicle; and

1168 (iii) \$43.50 for each plug-in hybrid electric motor vehicle.

1169 (3)(a) Beginning on January 1, 2024, at the time of registration:

1170 (i) in addition to the amounts described in Subsections (1)(a), (1)(b), (1)(c)(i),

1171 (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), (1)(h), (4)(a), and (7), the individual

1172 shall also pay an additional \$7 as part of the registration fee; and

1173 (ii) in addition to the amounts described in Subsection (2)(a), the individual shall also

1174 pay an additional \$5 as part of the registration fee.

1175 (b)(i) Beginning on January 1, 2019, the commission shall, on January 1, annually

1176 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i),
1177 (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), (1)(j), (2)(a), (3)(a), (4)(a), and (7),
1178 by taking the registration fee rate for the previous year and adding an amount
1179 equal to the greater of:

1180 (A) an amount calculated by multiplying the registration fee of the previous year
1181 by the actual percentage change during the previous fiscal year in the
1182 Consumer Price Index; and
1183 (B) 0.

1184 (ii) Beginning on January 1, 2024, the commission shall, on January 1, annually
1185 adjust the registration fees described in Subsections (1)(h)(ii) and (iii) and
1186 (2)(b)(ii) and (iii) by taking the registration fee rate for the previous year and
1187 adding an amount equal to the greater of:

1188 (A) an amount calculated by multiplying the registration fee of the previous year
1189 by the actual percentage change during the previous fiscal year in the
1190 Consumer Price Index; and
1191 (B) 0.

1192 (c) The amounts calculated as described in Subsection (3)(b) shall be rounded up to the
1193 nearest 25 cents.

1194 (4)(a) The initial registration fee for a vintage vehicle that has a model year of 1982 or
1195 older is \$40.

1196 (b) A vintage vehicle that has a model year of 1982 or older is exempt from the renewal
1197 of registration fees under Subsection (1).

1198 (c) A vehicle with a Purple Heart special group license plate issued on or before
1199 December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group
1200 License Plates, is exempt from the registration fees under Subsection (1).

1201 (d) A camper is exempt from the registration fees under Subsection (1).

1202 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, [eaeh] a motor
1203 vehicle shall register for the total gross [laden weight] combined weight rating of all
1204 units of the combination if the total gross [laden weight] combined weight rating of the
1205 combination exceeds 14,000 pounds.

1206 (6)(a) Registration fee categories under this section are based on the gross [laden weight]
1207 combined weight rating declared in the licensee's application for registration.

1208 (b)(i) Gross [laden weight] combined weight rating shall be computed in units of
1209 2,000 pounds.

(ii) [A] For purposes of Subsection (6)(b)(i), a fractional part of 2,000 pounds is a full unit.

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

(8) 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.

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

- (a) the truck meets the definition of a farm truck under Section 41-1a-102; and
- (b)(i) the truck has a gross vehicle weight rating of more than 14,000 pounds; or
- (ii) the truck has a gross vehicle weight rating of 14,000 pounds or less and the owner submits to the division a certificate of emissions inspection or a waiver in compliance with Section 41-6a-1642.

(10) A violation of Subsection (9) is an infraction that shall be punished by a fine of not less than \$200.

(11) A motor vehicle registered as a street-legal all-terrain vehicle is:

- (a) subject to the registration and other fees described in Section 41-22-9; and
- (b) not required to pay an additional registration fee under this section.

(12) Trucks used exclusively to pump cement, bore wells, or perform crane services with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees required for those vehicles under this section.

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

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

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

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

1244 **41-1a-1210 (Effective 07/01/26). Fees for original and duplicate certificates of**
1245 **title.**

1246 (1) A fee of \$6 shall be paid to the division for the issuance of each original and
1247 duplicate certificate of title for a vehicle, vessel, or outboard motor that is not issued
1248 through electronic means.
1249 (2) Upon availability of an electronic title from the division, a fee of \$3 shall be paid to the
1250 division for the issuance of each electronic original certificate of title or electronic
1251 duplicate certificate of title for a vehicle, vessel, or outboard motor.

1252 Section 18. Section **41-1a-1219** is amended to read:

1253 **41-1a-1219 (Effective 05/06/26). Motor carrier fee.**

1254 (1) At the time application is made for registration or renewal of registration of a motor
1255 vehicle or combination of motor vehicles over 14,000 pounds gross [laden weight]
1256 combined weight rating, the applicant shall pay a motor carrier fee of \$6 for each motor
1257 vehicle or combination of motor vehicles.
1258 (2) This fee is in addition to the registration fees under Subsections 41-1a-1206(1)(d) and (e).
1259 (3) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the
1260 fee amounts under this section are double the amounts due for the same vehicle
1261 registered for a 12-month period.

1262 Section 19. Section **41-1a-1223** is amended to read:

1263 **41-1a-1223 (Effective 07/01/26). Local emissions compliance fee -- Exemptions --**
1264 **Transfer -- County ordinance -- Notice.**

1265 (1)(a)(i) A county legislative body of a county that is required to utilize a motor
1266 vehicle emissions inspection and maintenance program or in which an emissions
1267 inspection and maintenance program is necessary to attain or maintain any
1268 national ambient air quality standard in accordance with Section 41-6a-1642 may
1269 impose a local emissions compliance fee of up to:
1270 (A) \$3 on each motor vehicle registration within the county for a motor vehicle
1271 registration under Section 41-1a-215; or
1272 (B) \$2.25 on each motor vehicle registration within the county for a six-month
1273 registration period under Section 41-1a-215.5.
1274 (ii) A fee imposed under Subsection (1)(a)(i) shall be set in [whole dollar] \$0.25
1275 increments.
1276 (b) If imposed under Subsection (1)(a)(i), at the time application is made for registration
1277 or renewal of registration of a motor vehicle under this chapter, the applicant shall

1278 pay the local emissions compliance fee established by the county legislative body.

1279 (c) The following are exempt from the fee required under Subsection (1)(a)(i):

1280 (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209
1281 or Subsection 41-1a-419(3);

1282 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;[
1283 and]

1284 (iii) an electric motor vehicle[.] ; and

1285 (iv) a street-legal all-terrain vehicle.

1286 (2) The revenue generated from the fees collected under this section shall be transferred to
1287 the county that imposed the fee.

1288 (3) To impose or change the amount of a fee under this section, the county legislative body
1289 shall pass an ordinance:

1290 (a) approving the fee;

1291 (b) setting the amount of the fee; and

1292 (c) providing an effective date for the fee as provided in Subsection (4).

1293 (4)(a) If a county legislative body enacts, changes, or repeals a fee under this section, the
1294 enactment, change, or repeal shall take effect on January 1 if the commission receives
1295 notice meeting the requirements of Subsection (4)(b) from the county prior to
1296 October 1.

1297 (b) The notice described in Subsection (4)(a) shall:

1298 (i) state that the county will enact, change, or repeal a fee under this section;

1299 (ii) include a copy of the ordinance imposing the fee; and

1300 (iii) if the county enacts or changes the fee under this section, state the amount of the
1301 fee.

1302 Section 20. Section **41-1a-1304** is amended to read:

1303 **41-1a-1304 (Effective 05/06/26). Operating motor vehicle, trailer, or semitrailer
1304 in excess of registered gross combined weight rating -- Infraction.**

1305 It is an infraction for a person to operate, or cause to be operated, a motor vehicle,
1306 trailer, or semitrailer, or combination of them the gross [laden weight] combined weight rating
1307 of which is in excess of the gross [laden weight] combined weight rating for which the motor
1308 vehicle, trailer, or semitrailer, or combination of vehicles is registered.

1309 Section 21. Section **41-1a-1601** is amended to read:

1310 **41-1a-1601 (Effective 05/06/26). Definitions.**

1311 As used in this part:

1312 (1) "Applicant" means a registered owner who submits an application to obtain or renew a
1313 sponsored special group license plate in accordance with this part.

1314 (2)(a) "Charitable purpose" means:

- 1315 (i) relief of the poor, the distressed, or the underprivileged;
- 1316 (ii) advancement of religion;
- 1317 (iii) advancement of education or science;
- 1318 (iv) erecting or maintaining a public building, monument, or work;
- 1319 (v) reducing the burdens of government;
- 1320 (vi) reducing neighborhood tensions;
- 1321 (vii) eliminating prejudice and discrimination;
- 1322 (viii) defending human rights and civil rights secured by law; or
- 1323 (ix) combating community deterioration and juvenile delinquency.

1324 (b) "Charitable purpose" does not include providing, encouraging, or paying for the
1325 costs of obtaining an abortion.

1326 (3) "Collegiate special group license plate" means a sponsored special group license plate
1327 issued to a contributor to an institution.

1328 (4) "Contributor" means an applicant who contributes the required contribution to a
1329 sponsoring organization for a sponsored special group license plate.

1330 (5) "Corporate brand sponsored special group license plate" means a sponsored special
1331 group license plate with a sponsoring organization that is a private business.

1332 (6)(a) "Existing special group license plate" means a special group license plate that the
1333 division issues before January 1, 2024.

1334 (b) "Existing special group license plate" does not include a special group license plate
1335 described in Subsection 41-1a-418(1)(a) or (b).

1336 (7) "Existing state agency recognition special group license plate" means an existing special
1337 group license plate issued to a registered owner who:

- 1338 (a) has a special license that supports or furthers a government purpose;
- 1339 (b) has received an honor that supports or furthers a government purpose;
- 1340 (c) has achieved an accomplishment that supports or furthers a government purpose; or
- 1341 (d) holds an elected office.

1342 (8) "Institution" means:

- 1343 (a) an institution of higher education as defined in Section 53H-1-101; or
- 1344 (b) a private postsecondary educational institution as defined in Section 53H-1-101.

1345 (9) "Major league sport" means the same as that term is defined in Section 11-70-101.

1346 (10)(a) "Private nonprofit organization" means a private nonprofit organization that:

1347 (i) qualifies as being tax exempt under Section 501(c)(3) of the Internal Revenue

1348 Code; and

1349 (ii) has a charitable purpose.

1350 (b) "Private nonprofit organization" does not include an organization that provides,

1351 encourages, or pays for the costs of obtaining an abortion.

1352 (11) "Private nonprofit special group license plate" means a sponsored special group license

1353 plate issued to a contributor to a private nonprofit organization.

1354 (12) "Required contribution" means:

1355 (a) the minimum annual contribution amount established under Subsection

1356 41-1a-1603(4)(a)(iii); or

1357 (b) if the sponsoring organization establishes a minimum annual contribution amount in

1358 accordance with Subsection 41-1a-1603(4)(b) that is greater than the minimum

1359 required contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the

1360 amount the sponsoring organization establishes.

1361 (13) "Special group license plate" means:

1362 (a) a collegiate special group license plate;

1363 (b) a private nonprofit special group license plate;

1364 (c) a corporate brand sponsored special group license plate;

1365 (d) a major league sports team sponsored special group license plate;

1366 (e) a sponsored special group license plate;

1367 (f) a state agency recognition special group license plate; or

1368 (g) a state agency support special group license plate.

1369 (14) "Sponsored special group license plate" means a license plate:

1370 (a) designed for and associated with a sponsoring organization; and

1371 (b) issued to an applicant in accordance with this part.

1372 (15) "Sponsoring organization" means an institution, a private nonprofit organization, a

1373 private business, or a state agency that is or seeks to be associated with a sponsored

1374 special group license plate created under this part.

1375 (16) "State agency recognition special group license plate" means a sponsored special group

1376 license plate issued to an applicant who:

1377 (a) has a special license that supports or furthers a government purpose;

1378 (b) has received an honor that supports or furthers a government purpose;

1379 (c) has achieved an accomplishment that supports or furthers a government purpose; or

1380 (d) holds an elected office.

1381 (17)(a) "State agency support special group license plate" means[:]

1382 [(i) a sponsored special group license plate issued to a contributor to a state agency
1383 to support a specific state agency program[; or] .

1384 [(ii) an existing special group license plate issued for a special interest vehicle.]

1385 (b) "State agency support special group license plate" includes a cancer support license
1386 plate created by an act of the Legislature before December 31, 2022.

1387 Section 22. Section **41-3-102** is amended to read:

1388 **41-3-102 (Effective 05/06/26). Definitions.**

1389 As used in this chapter:

1390 (1) "Administrator" means the motor vehicle enforcement administrator.

1391 (2)(a) "Affiliate" means a person that:

1392 (i) manufactures, distributes, sells, or leases new motor vehicles; and

1393 (ii) directly or indirectly, through one or more intermediaries:

1394 (A) possesses control over a person specified;

1395 (B) is controlled by a person specified; or

1396 (C) shares common control with a person specified.

1397 (b) As used in this Subsection (2), "control" includes the power to direct or cause the
1398 direction of the management and policies of any person through ownership,
1399 contractual rights, or other means.

1400 (3) "Agent" means a person other than a holder of any dealer's or salesperson's license
1401 issued under this chapter, that for salary, commission, or compensation of any kind,
1402 negotiates in any way for the sale, purchase, order, or exchange of three or more motor
1403 vehicles for any other person in any 12-month period.

1404 (4) "Auction" means a dealer engaged in the business of auctioning motor vehicles, either
1405 owned or consigned, to the general public.

1406 (5) "Authorized service center" means an entity that:

1407 (a) is in the business of repairing exclusively the motor vehicles of the same line-make
1408 as the motor vehicles a single direct-sale manufacturer manufactures;

1409 (b) the direct-sale manufacturer described in Subsection (5)(a) authorizes to complete
1410 warranty repair work for motor vehicles that the direct-sale manufacturer sells,
1411 displays for sale, or offers for sale or exchange; and

1412 (c) conducts business primarily from an enclosed commercial repair facility that is
1413 permanently located in the state.

1414 (6) "Body shop" means a person engaged in rebuilding, restoring, repairing, or painting the
1415 body of motor vehicles for compensation.

1416 (7) "Commission" means the State Tax Commission.

1417 (8) "Crusher" means a person that crushes or shreds motor vehicles subject to registration
1418 under Chapter 1a, Motor Vehicle Act, to reduce the useable materials and metals to a
1419 more compact size for recycling.

1420 (9)(a) "Dealer" means a person:
1421 (i) for which the business in whole or in part involves selling new, used, or new and
1422 used motor vehicles or off-highway vehicles; and
1423 (ii) that sells, displays for sale, or offers for sale or exchange three or more new or
1424 used motor vehicles or off-highway vehicles in any 12-month period.
1425 (b) "Dealer" includes a representative or consignee of any dealer.

1426 (10) "Direct-sale manufacturer" means a person:
1427 (a) that is both a manufacturer and a dealer;
1428 (b) that is:
1429 (i) an electric vehicle manufacturer; or
1430 (ii) a low-volume manufacturer;
1431 (c) that is not a franchise holder;
1432 (d) that is domiciled in the United States; and
1433 (e) whose chief officers direct, control, and coordinate the person's activities as a
1434 direct-sale manufacturer from a physical location in the United States.

1435 (11) "Direct-sale manufacturer salesperson" means an individual who for a salary,
1436 commission, or compensation of any kind, is employed either directly, indirectly,
1437 regularly, or occasionally by a direct-sale manufacturer to sell, purchase, or exchange or
1438 to negotiate for the sale, purchase, or exchange of a motor vehicle manufactured by the
1439 direct-sale manufacturer who employs the individual.

1440 (12)(a) "Dismantler" means a person engaged in the business of dismantling motor
1441 vehicles subject to registration under Chapter 1a, Motor Vehicle Act, for the resale of
1442 parts or for salvage.
1443 (b) "Dismantler" includes a person that dismantles three or more motor vehicles in any
1444 12-month period.

1445 (13) "Distributor" means a person that has a franchise from a manufacturer of motor
1446 vehicles to distribute motor vehicles within this state and that in whole or in part sells or
1447 distributes new motor vehicles to dealers or that maintains distributor representatives.

1448 (14) "Distributor branch" means a branch office similarly maintained by a distributor for
1449 the same purposes a factory branch is maintained.

1450 (15) "Distributor representative" means a person and each officer and employee of the
1451 person engaged as a representative of a distributor or distributor branch of motor
1452 vehicles to make or promote the sale of the distributor or the distributor branch's motor
1453 vehicles, or for supervising or contacting dealers or prospective dealers of the distributor
1454 or the distributor branch.

1455 (16) "Division" means the Motor Vehicle Enforcement Division created in Section 41-3-104.

1456 (17) "Electric vehicle manufacturer" means a person that, in this state, sells, displays for
1457 sale, or offers for sale or exchange only new motor vehicles of the person's own
1458 line-make that are:

1459 (a) exclusively propelled through the use of electricity, a hydrogen fuel cell, or another
1460 non-fossil fuel source;

1461 (b)(i) passenger vehicles with a gross vehicle weight rating of 14,000 pounds or less;
1462 or
1463 (ii) trucks with a gross vehicle weight rating of 14,000 pounds or less; and

1464 (c) manufactured by the person.

1465 (18) "Factory branch" means a branch office maintained by a person that manufactures or
1466 assembles motor vehicles for sale to distributors, motor vehicle dealers, or that directs or
1467 supervises the factory branch's representatives.

1468 (19) "Factory representative" means a person and each officer and employee of the person
1469 engaged as a representative of a manufacturer of motor vehicles or by a factory branch
1470 to make or promote the sale of the manufacturer's or factory branch's motor vehicles, or
1471 for supervising or contacting the dealers or prospective dealers of the manufacturer or
1472 the factory branch.

1473 (20) "Fleet transaction" means a licensee's sale of one or more motor vehicles to a
1474 manufacturer-approved current fleet customer under the manufacturer's fleet program.

1475 (21)(a) "Franchise" means a contract or agreement between a dealer and a manufacturer
1476 of new motor vehicles or a manufacturer's distributor or factory branch by which the
1477 dealer is authorized to sell any specified make or makes of new motor vehicles.

1478 (b) "Franchise" includes a contract or agreement described in Subsection (21)(a)
1479 regardless of whether the contract or agreement is subject to Title 13, Chapter 14,
1480 New Automobile Franchise Act, Title 13, Chapter 35, Powersport Vehicle Franchise
1481 Act, or neither.

1482 (22)(a) "Franchise holder" means a manufacturer that:

1483 (i) previously had a franchised dealer in the United States;

1484 (ii) currently has a franchised dealer in the United States;

1485 (iii) is a successor to another manufacturer that previously had or currently has a

1486 franchised dealer in the United States;

1487 (iv) that is a material owner of, is an affiliate of, or has any ownership by:

1488 (A) another manufacturer that previously or currently has a franchised dealer; or

1489 (B) another franchise holder;

1490 (v) is under legal or common ownership, or practical control, with another

1491 manufacturer that previously had or currently has a franchised dealer in the United

1492 States;

1493 (vi) is in a partnership, joint venture, or similar arrangement for production of a

1494 commonly owned line-make with another manufacturer that previously had or

1495 currently has a franchised dealer in the United States; or

1496 (vii) is a manufacturer otherwise described in Subsection (22)(b) if, after July 1,

1497 2018, the manufacturer, or the manufacturer through an affiliate, acquires or

1498 expands an interest in:

1499 (A) any other manufacturer that is not exclusively an electric vehicle

1500 manufacturer; or

1501 (B) a dealership that deals exclusively in electric vehicles manufactured by any

1502 other manufacturer.

1503 (b) "Franchise holder" does not include a manufacturer described in Subsection (22)(a),

1504 if as of July 1, 2018, the manufacturer had legal or practical common ownership or

1505 common control of:

1506 (i) a dealership of the manufacturer's line-make in this state; or

1507 (ii) a franchised dealer of the manufacturer's line-make in this state.

1508 (23) "Gross vehicle weight rating" means the same as that term is defined in Section

1509 59-2-102.

1510 [(23)] (24) "Low-volume manufacturer" means a manufacturer who:

1511 (a) in this state, sells, displays for sale, or offers for sale or exchange only new motor

1512 vehicles of the person's own line make that are:

1513 (i)(A) passenger vehicles with a gross vehicle weight rating of 14,000 pounds or

1514 less; or

1515 (B) trucks with a gross vehicle weight rating of 14,000 pounds or less; and

(ii) manufactured by the person; and

(b) constructs no more than 325 new motor vehicles in any 12-month period.

[24] (25) "Line-make" means motor vehicles that are offered for sale, lease, or distribution under a common name, trademark, service mark, or brand name of the manufacturer.

[25] (26) "Manufacturer" means a person engaged in the business of constructing or assembling new motor vehicles, ownership of which is customarily transferred by a manufacturer's statement or certificate of origin, or a person that constructs three or more new motor vehicles in any 12-month period.

[26] (27) "Material owner" means a person that possesses, directly or indirectly, the power to direct, or cause the direction of, the management, policies, or activities of another person:

(a) through ownership of voting securities;

(b) by contract or credit arrangement; or

(c) in another way not described in Subsections [(26)(a)] (27)(a) and (b).

[~~(27)~~] (28)(a) "Motor vehicle" means a vehicle that is:

(i) self-propelled;

(ii) a trailer;

(iii) a travel trailer;

(iv) a semitrailer;

(v) an off-highway vehicle; or

(vi) a small trailer.

(b) "Motor vehicle" does not include:

(i) mobile homes as defined in Section 41-1a-102;

(ii) trailers of 750 pounds or less [~~unladen~~] shipping weight;

(iii) a farm tractor or other machine or tool used in the production, harvesting, or care of a farm product; and

(iv) park model recreational vehicles as defined in Section 41-1a-102.

[(28)] [(29)] "Motorcycle" means the same as that term is defined

④] (30) "New motor vehicle" means a motor

- (a) has never been titled or registered; and
- (b) for a motor vehicle that is not a trailer, travel trailer, or semitrailer, has been driven

less than 7,500 miles.

[§30] [§31] "Off-highway vehicle" means the same as that term is defined in Section 41-22.

1550 personal property deposited with the pawnbroker.

1551 [~~(32)~~] (33)(a) "Principal place of business" means a site or location in this state:

- 1552 (i) devoted exclusively to the business for which the dealer, manufacturer,
1553 remanufacturer, transporter, dismantler, crusher, or body shop is licensed, and
1554 businesses incidental to the dealer, manufacturer, remanufacturer, transporter,
1555 dismantler, crusher, or body shop;
- 1556 (ii) sufficiently bounded by fence, chain, posts, or otherwise marked to definitely
1557 indicate the boundary and to admit a definite description with space adequate to
1558 permit the display of three or more new, or new and used, or used motor vehicles
1559 and sufficient parking for the public; and
- 1560 (iii) that includes a permanent enclosed building or structure large enough to
1561 accommodate the office of the establishment and to provide a safe place to keep
1562 the books and other records of the business, at which the principal portion of the
1563 business is conducted and the books and records kept and maintained.

1564 (b) "Principal place of business" means, with respect to a direct-sale manufacturer, the
1565 direct-sale manufacturer's showroom, which shall comply with the requirements of
1566 Subsection (32)(a).

1567 [~~(33)~~] (34) "Remanufacturer" means a person that:

- 1568 (a) reconstructs used motor vehicles subject to registration under Chapter 1a, Motor
1569 Vehicle Act, to change the body style and appearance of the motor vehicle;
- 1570 (b) constructs or assembles motor vehicles from used or new and used motor vehicle
1571 parts; or
- 1572 (c) reconstructs, constructs, or assembles three or more motor vehicles in any 12-month
1573 period.

1574 [~~(34)~~] (35) "Salesperson" means an individual who for a salary, commission, or
1575 compensation of any kind, is employed either directly, indirectly, regularly, or
1576 occasionally by any new motor vehicle dealer or used motor vehicle dealer to sell,
1577 purchase, or exchange or to negotiate for the sale, purchase, or exchange of motor
1578 vehicles.

1579 [~~(35)~~] (36) "Semitrailer" means the same as that term is defined in Section 41-1a-102.

1580 (37) "Shipping weight" means the same as that term is defined in Section 41-1a-102.

1581 [~~(36)~~] (38) "Showroom" means a site or location in the state that a direct-sale manufacturer
1582 uses for the direct-sale manufacturer's business, including the display and demonstration
1583 of new motor vehicles that are exclusively of the same line-make that the direct-sale

1584 manufacturer manufactures.

1585 [§37] (39) "Small trailer" means a trailer that has [an unladen] a shipping weight of:

1586 (a) more than 750 pounds; and

1587 (b) less than 2,000 pounds.

1588 [§38] (40) "Special equipment" includes a truck mounted crane, cherry picker, material lift,

1589 post hole digger, and a utility or service body.

1590 [§39] (41) "Special equipment dealer" means a new or new and used motor vehicle dealer

1591 engaged in the business of buying new incomplete motor vehicles with a gross vehicle

1592 weight rating of 12,000 or more pounds and installing special equipment on the

1593 incomplete motor vehicle.

1594 [§40] (42) "Trailer" means the same as that term is defined in Section 41-1a-102.

1595 [§41] (43) "Transporter" means a person engaged in the business of transporting motor

1596 vehicles as described in Section 41-3-202.

1597 [§42] (44) "Travel trailer" means the same as that term is defined in Section 41-1a-102.

1598 [§43] (45) "Used motor vehicle" means a vehicle that:

1599 (a) has been titled and registered to a purchaser other than a dealer; or

1600 (b) for a motor vehicle that is not a trailer, travel trailer, or semitrailer, has been driven

1601 7,500 or more miles.

1602 [§44] (46) "Wholesale motor vehicle auction" means a dealer primarily engaged in the

1603 business of auctioning consigned motor vehicles to dealers or dismantlers that are

1604 licensed by this or any other jurisdiction.

1605 Section 23. Section **41-3-201** is amended to read:

1606 **41-3-201 (Effective 05/06/26). Licenses required -- Restitution -- Education.**

1607 (1) As used in this section, "new applicant" means a person who is applying for a license

1608 that the person has not been issued during the previous licensing year.

1609 (2) A person may not act as any of the following without having procured a license issued

1610 by the administrator:

1611 (a) [a-]dealer;

1612 (b) salvage vehicle buyer;

1613 (c) salesperson;

1614 (d) manufacturer;

1615 (e) transporter;

1616 (f) dismantler;

1617 (g) distributor;

- 1618 (h) factory branch and representative;
- 1619 (i) distributor branch and representative;
- 1620 (j) crusher;
- 1621 (k) remanufacturer; or
- 1622 (l) body shop.

- 1623 (3)(a) Except as provided in Subsection (3)(c), a person may not bid on or purchase a
1624 vehicle with a nonrepairable or salvage certificate as defined in Section 41-1a-1001 at
1625 or through a motor vehicle auction unless the person is a licensed salvage vehicle
1626 buyer.
- 1627 (b) Except as provided in Subsection (3)(c), a person may not offer for sale, sell, or
1628 exchange a vehicle with a nonrepairable or salvage certificate as defined in Section
1629 41-1a-1001 at or through a motor vehicle auction except to a licensed salvage vehicle
1630 buyer.
- 1631 (c) A person may offer for sale, sell, or exchange a vehicle with a nonrepairable or
1632 salvage certificate as defined in Section 41-1a-1001 at or through a motor vehicle
1633 auction:
 - 1634 (i) to an out-of-state or out-of-country purchaser not licensed under this section, but
1635 that is authorized to do business in the domestic or foreign jurisdiction in which
1636 the person is domiciled or registered to do business;
 - 1637 (ii) subject to the restrictions in Subsection (3)(d), to an in-state purchaser not
1638 licensed under this section that:
 - 1639 (A) has a valid business license in Utah; and
 - 1640 (B) has a Utah sales tax license; and
 - 1641 (iii) to a crusher.
- 1642 (d)(i) An operator of a motor vehicle auction shall verify that an in-state purchaser
1643 not licensed under this section has the licenses required in Subsection (3)(c)(ii).
- 1644 (ii) An operator of a motor vehicle auction may only offer for sale, sell, or exchange
1645 five vehicles with a salvage certificate as defined in Section 41-1a-1001 at or
1646 through a motor vehicle auction in any 12-month period to an in-state purchaser
1647 that does not have a salvage vehicle buyer license issued in accordance with
1648 Subsection [41-3-202(17)] 41-3-202(18).
- 1649 (iii) The five vehicle limitation under this Subsection (3)(d) applies to each Utah
1650 sales tax license and not to each person with the authority to use a sales tax license.
- 1651 (iv) An operator of a motor vehicle auction may not sell a vehicle with a

nonrepairable certificate as defined in Section 41-1a-1001 to a purchaser otherwise allowed to purchase a vehicle under Subsection (3)(c)(ii).

(e) For a vehicle with a salvage certificate purchased under Subsection (3)(c)(ii), an operator of a motor vehicle auction shall:

(i)(A) until Subsection (3)(e)(i)(B) applies, make application for a salvage certificate of title on behalf of the Utah purchaser within seven days of the purchase if the purchaser does not have a salvage vehicle buyer license, dealer license, body shop license, or dismantler license issued in accordance with Section 41-3-202; or

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

(ii) give to the purchaser a disclosure printed on a separate piece of paper that states:
"THIS DISCLOSURE STATEMENT MUST BE GIVEN BY THE SELLER TO THE
BUYER EVERY TIME THIS VEHICLE IS RESOLD WITH A SALVAGE CERTIFICATE
Vehicle Identification Number (VIN)

Year: Make: Model:

SALVAGE VEHICLE--NOT FOR RESALE WITHOUT DISCLOSURE

WARNING: THIS SALVAGE VEHICLE MAY NOT BE SAFE FOR OPERATION UNLESS PROPERLY REPAIRED. SOME STATES MAY REQUIRE AN INSPECTION BEFORE THIS VEHICLE MAY BE REGISTERED. THE STATE OF UTAH MAY REQUIRE THIS VEHICLE TO BE PERMANENTLY BRANDED AS A REBUILT SALVAGE VEHICLE. OTHER STATES MAY ALSO PERMANENTLY BRAND THE CERTIFICATE OF TITLE.

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

- (A) payment of sales taxes on taxable sales in accordance with Section 41-1a-510;
- (B) the identification number inspection required under Section 41-1a-511; and
- (C) the odometer disclosure statement required under Section 41-1a-902.

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

1686 (g) The commission may impose an administrative entrance fee established in
1687 accordance with the procedures and requirements of Section 63J-1-504 not to exceed
1688 \$10 on a person not holding a license described in Subsection (3)(e)(i) that enters the
1689 physical premises of a motor vehicle auction for the purpose of viewing available
1690 salvage vehicles prior to an auction.

1691 (h) A vehicle sold at or through a motor vehicle auction to an out-of-state purchaser with
1692 a nonrepairable or salvage certificate may not be certificated in Utah until the vehicle
1693 has been certificated out-of-state.

1694 (4)(a) An operator of a motor vehicle auction shall keep a record of the sale of each
1695 salvage vehicle.

1696 (b) A record described under Subsection (4)(a) shall contain:

- 1697 (i) the purchaser's name and address; and
- 1698 (ii) the year, make, and vehicle identification number for each salvage vehicle sold.

1699 (c) An operator of a motor vehicle auction shall:

- 1700 (i) provide the record described in Subsection (4)(a) electronically in a method
1701 approved by the division to the division within two business days of the
1702 completion of the motor vehicle auction;
- 1703 (ii) retain the record described in this Subsection (4) for five years from the date of
1704 sale; and
- 1705 (iii) make a record described in this Subsection (4) available for inspection by the
1706 division at the location of the motor vehicle auction during normal business hours.

1707 (5)(a) An operator of a motor vehicle auction shall store a salvage vehicle sold at auction
1708 in a secure facility until the salvage vehicle is claimed as provided in this section.

1709 (b) Beginning at the time of purchase and until the salvage vehicle is claimed, the motor
1710 vehicle auction operator may collect a daily storage fee for the secure storage of each
1711 salvage vehicle sold at auction.

1712 (c) Except as provided in Subsection (5)(d), before releasing possession of a salvage
1713 vehicle purchased at a motor vehicle auction to a person not licensed under this part
1714 or certified as a tow truck operator under Title 72, Chapter 9, Part 6, Tow Truck
1715 Provisions, and if the person claiming the vehicle is a person other than the purchaser
1716 of the vehicle, the motor vehicle auction operator shall create a record that shall
1717 contain:

- 1718 (i) the name and address, as verified by government issued identification, of the
1719 person claiming the vehicle;

- (ii) the year, make, and vehicle identification number of the claimed vehicle;
- (iii) a written statement from the person claiming the vehicle indicating the location where the salvage vehicle will be delivered; and
- (iv) verification that the claimant has authorization from the purchaser to claim the vehicle.

(d) If the salvage vehicle is claimed by a transporter or a tow truck operator, the transporter or the tow truck operator shall submit to the motor vehicle auction operator a written record on any release forms indicating the location where the salvage vehicle will be delivered if delivered within the state.

(e) An operator of a motor vehicle auction shall:

- (i) retain the record described in Subsection (5)(c) for five years from the date of sale; and
- (ii) make the record available for inspection by the division at the location of the motor vehicle auction during normal business hours.

(a) If applicable, an operator of a motor vehicle auction shall comply with the reporting requirements of the National Motor Vehicle Title Information System overseen by the United States Department of Justice if the person sells a vehicle with a salvage certificate to an in-state purchaser under Subsection (3)(c)(ii).

(b) The Motor Vehicle Division shall include a link to the National Motor Vehicle Title Information System on its website.

(a) An operator of a motor vehicle auction that sells a salvage vehicle to a person that is an out-of-country buyer shall:

- (i) stamp on the face of the title so as not to obscure the name, date, or mileage statement the words "FOR EXPORT ONLY" in all capital, black letters; and
- (ii) stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY."

(b) The words "FOR EXPORT ONLY" shall be:

- (i) at least two inches wide; and
- (ii) clearly legible.

A dealer, manufacturer, remanufacturer, transporter, dismantler, crusher, or body shop shall obtain a supplemental license, in accordance with Section 41-3-201.7 for each additional place of business maintained by the licensee.

(a) A person who has been convicted of any law relating to motor vehicle commerce or motor vehicle fraud may not be issued a license or purchase a vehicle with a

1754 salvage or nonrepairable certificate unless full restitution regarding those convictions
1755 has been made.

1756 (b) An operator of a motor vehicle auction, a dealer, or a consignor may not sell a
1757 vehicle with a nonrepairable or salvage certificate to a buyer described in Subsection
1758 (9)(a) if the division has informed the operator of the motor vehicle auction, the
1759 dealer, or the consignor in writing that the buyer is prohibited from purchasing a
1760 vehicle with a nonrepairable or salvage certificate under Subsection (9)(a).

1761 (10)(a) The division may not issue a license to a new applicant for a new or used motor
1762 vehicle dealer license, a direct-sale manufacturer license, a new or used motorcycle
1763 dealer license, or a small trailer dealer license unless the new applicant completes an
1764 eight-hour orientation class approved by the division that includes education on
1765 motor vehicle laws and rules.

1766 (b) The approved costs of the orientation class shall be paid by the new applicant.

1767 (c) The class shall be completed by the new applicant and the applicant's partners,
1768 corporate officers, bond indemnitors, and managers.

1769 (d)(i) The division shall approve:

1770 (A) providers of the orientation class; and
1771 (B) costs of the orientation class.

1772 (ii) A provider of an orientation class shall submit the orientation class curriculum to
1773 the division for approval prior to teaching the orientation class.

1774 (iii) A provider of an orientation class shall include in the orientation materials:

1775 (A) ethics training;
1776 (B) motor vehicle title and registration processes;
1777 (C) Department of Insurance requirements relating to motor vehicles;
1778 (D) Department of Public Safety requirements relating to motor vehicles;
1779 (E) federal requirements related to motor vehicles as determined by the division;
1780 and
1781 (F) any required disclosure compliance forms as determined by the division.

1782 (11) A person or purchaser described in Subsection (3)(c)(ii):

1783 (a) may not purchase more than five salvage vehicles with a nonrepairable or salvage
1784 certificate as defined in Section 41-1a-1001 in any 12-month period;

1785 (b) may not, without first complying with Section 41-1a-705, offer for sale, sell, or
1786 exchange more than two vehicles with a salvage certificate as defined in Section
1787 41-1a-1001 in any 12-month period to a person not licensed under this section; and

1788 (c) may not, without first complying with Section 41-1a-705, offer for sale, sell, or
1789 exchange a vehicle with a nonrepairable certificate as defined in Section 41-1a-1001
1790 to a person not licensed under this section.

1791 (12) An operator of a motor vehicle auction, a dealer, or a consignor may not sell a vehicle
1792 with a nonrepairable or salvage certificate to a buyer described in Subsection (11)(a) if
1793 the division has informed the operator of the motor vehicle auction, the dealer, or the
1794 consignor in writing that the buyer is prohibited from purchasing a vehicle with a
1795 nonrepairable or salvage certificate under Subsection (11)(a).

1796 Section 24. Section **41-3-202** is amended to read:

1797 **41-3-202 (Effective 05/06/26). Licenses -- Classes and scope.**

1798 (1) A new motor vehicle dealer's license permits the licensee to:

1799 (a) offer for sale, sell, or exchange new motor vehicles if the licensee possesses a
1800 franchise from the manufacturer of the motor vehicle offered for sale, sold, or
1801 exchanged by the licensee;

1802 (b) offer for sale, sell, or exchange used motor vehicles;

1803 (c) operate as a body shop; and

1804 (d) dismantle motor vehicles.

1805 (2) A used motor vehicle dealer's license permits the licensee to:

1806 (a) offer for sale, sell, or exchange used motor vehicles;

1807 (b) operate as a body shop; and

1808 (c) dismantle motor vehicles.

1809 (3) A direct-sale manufacturer's license permits the licensee to:

1810 (a) offer for sale, sell, or exchange new motor vehicles of the same line-make that the
1811 direct-sale manufacturer manufactures;

1812 (b) offer for sale, sell, or exchange used motor vehicles;

1813 (c) operate as a body shop; and

1814 (d) dismantle motor vehicles.

1815 (4) A new motorcycle, off-highway vehicle, and small trailer dealer's license permits the
1816 licensee to:

1817 (a) offer for sale, sell, or exchange new motorcycles, off-highway vehicles, or small
1818 trailers if the licensee possesses a franchise from the manufacturer of the motorcycle,
1819 off-highway vehicle, or small trailer offered for sale, sold, or exchanged by the
1820 licensee;

1821 (b) offer for sale, sell, or exchange used motorcycles, off-highway vehicles, or small

1822 trailers; and

1823 (c) dismantle motorcycles, off-highway vehicles, or small trailers.

1824 (5) A used motorcycle, off-highway vehicle, and small trailer dealer's license permits the
1825 licensee to:

1826 (a) offer for sale, sell, or exchange used motorcycles, off-highway vehicles, and small
1827 trailers; and

1828 (b) dismantle motorcycles, off-highway vehicles, or small trailers.

1829 (6)(a) Except as provided in Subsection (6)(b), a salesperson's license permits the
1830 licensee to act as a motor vehicle salesperson and is valid for employment with only
1831 one dealer at a time.

1832 (b) A licensee that has been issued a salesperson's license and that is employed by a
1833 dealer that operates as a wholesale motor vehicle auction may be employed by more
1834 than one dealer that operates as a wholesale motor vehicle auction at a time.

1835 (7)(a) A direct-sale manufacturer salesperson's license permits the licensee to act as a
1836 direct-sale manufacturer salesperson for one direct-sales manufacturer.

1837 (b) A direct-sale manufacturer salesperson licensee may not simultaneously hold a
1838 salesperson's license.

1839 (8)(a) A manufacturer's license permits the licensee to construct or assemble motor
1840 vehicles subject to registration under Title 41, Chapter 1a, Motor Vehicle Act, at an
1841 established place of business and to remanufacture motor vehicles.

1842 (b) Under rules the administrator makes, the licensee may issue and install vehicle
1843 identification numbers on manufactured motor vehicles.

1844 (c) The licensee may franchise and appoint dealers to sell manufactured motor vehicles
1845 by notifying the division of the franchise or appointment.

1846 (9)(a) A transporter's license permits the licensee to transport or deliver motor vehicles
1847 subject to registration under Title 41, Chapter 1a, Motor Vehicle Act, from a
1848 manufacturing, assembling, or distributing point or from a dealer, to dealers,
1849 distributors, or sales agents of a manufacturer or remanufacturer, to or from detail or
1850 repair shops, and to financial institutions or places of storage from points of
1851 repossession.

1852 (b) The division may not issue or renew a transporter license to an applicant who is not:

1853 (i) licensed under this chapter as a body shop;

1854 (ii) a detail or repair shop;

1855 (iii) a tow truck motor carrier subject to Title 72, Chapter 9, Motor Carrier Safety Act;

1856 (iv) a repossession company;
1857 (v) licensed under this chapter as a dealer or an auction; or
1858 (vi) a finance company.
1859 (c) The division may not issue or renew a transporter license unless the applicant
1860 provides proof of insurance or other form of security meeting the minimum
1861 requirements of Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle
1862 Owners and Operators Act.

1863 (10) A motor vehicle auction license permits the licensee to:

1864 (a) offer for sale, sell, or exchange used motor vehicles;
1865 (b) operate as a body shop;
1866 (c) dismantle motor vehicles; and
1867 (d) operate a motor vehicle auction.

1868 [(10)] (11) A dismantler's license permits the licensee to dismantle motor vehicles subject to
1869 registration under Title 41, Chapter 1a, Motor Vehicle Act, for the purpose of reselling
1870 parts or for salvage, or selling dismantled or salvage vehicles to a crusher or other
1871 dismantler.

1872 [(11)] (12) A distributor or factory branch and distributor branch's license permits the
1873 licensee to sell and distribute new motor vehicles, parts, and accessories to their
1874 franchised dealers.

1875 [(12)] (13) A representative's license, for factory representatives or distributor
1876 representatives permits the licensee to contact the licensee's authorized dealers for the
1877 purpose of making or promoting the sale of motor vehicles, parts, and accessories.

1878 [(13)] (14)(a)(i) A remanufacturer's license permits the licensee to construct,
1879 reconstruct, assemble, or reassemble motor vehicles subject to registration under
1880 Title 41, Chapter 1a, Motor Vehicle Act, from used or new motor vehicles or parts.
1881 (ii) Evidence of ownership of parts and motor vehicles used in remanufacture shall be
1882 available to the division upon demand.

1883 (b) Under rules the administrator makes, the licensee may issue and install vehicle
1884 identification numbers on remanufactured motor vehicles.

1885 [(14)] (15) A crusher's license permits the licensee to engage in the business of crushing or
1886 shredding motor vehicles subject to registration under Title 41, Chapter 1a, Motor
1887 Vehicle Act, for the purpose of reducing the useable materials and metals to a more
1888 compact size for recycling.

1889 [(15)] (16) A body shop's license permits the licensee:

1890 (a) to rebuild, restore, repair, or paint the body of motor vehicles; and
1891 (b) to dismantle motor vehicles.

1892 ~~[46]~~ (17) A special equipment dealer's license permits the licensee to:

1893 (a) buy incomplete new motor vehicles with a gross vehicle weight rating of 12,000 or
1894 more pounds from a new motor vehicle dealer and sell the new vehicle with the
1895 special equipment installed without a franchise from the manufacturer;
1896 (b) offer for sale, sell, or exchange used motor vehicles;
1897 (c) operate as a body shop; and
1898 (d) dismantle motor vehicles.

1899 ~~[47]~~ (18)(a) A salvage vehicle buyer license permits the licensee to bid on or purchase a
1900 vehicle with a salvage certificate as defined in Section 41-1a-1001 at any motor
1901 vehicle auction.

1902 (b) The division may only issue a salvage vehicle buyer license to a motor vehicle
1903 dealer, dismantler, or body shop who qualifies under rules made by the division and
1904 is licensed in any state as a motor vehicle dealer, dismantler, or body shop.
1905 (c) The division may not issue more than two salvage vehicle buyer licenses to any one
1906 dealer, dismantler, or body shop.
1907 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1908 administrator shall make rules establishing qualifications of an applicant for a salvage
1909 vehicle buyer license. The criteria shall include:
1910 (i) business history;
1911 (ii) salvage vehicle qualifications;
1912 (iii) ability to properly handle and dispose of environmental hazardous materials
1913 associated with salvage vehicles; and
1914 (iv) record in demonstrating compliance with the provisions of this chapter.

1915 Section 25. Section **41-3-210** is amended to read:

1916 **41-3-210 (Effective 05/06/26). License holders -- Prohibitions, allowances, and**
1917 **requirements.**

1918 (1) The holder of any license issued under this chapter may not:
1919 (a) intentionally publish, display, or circulate any advertising that is misleading or
1920 inaccurate in any material fact or that misrepresents any of the products sold,
1921 manufactured, remanufactured, handled, or furnished by a licensee;
1922 (b) intentionally publish, display, or circulate any advertising without identifying the
1923 seller as the licensee by including in the advertisement the full name under which the

1924 licensee is licensed or the licensee's number assigned by the division;

1925 (c) violate this chapter or the rules made by the administrator;

1926 (d) violate any law of the state respecting commerce in motor vehicles or any rule

1927 respecting commerce in motor vehicles made by any licensing or regulating authority

1928 of the state;

1929 (e) engage in business as a new motor vehicle dealer, special equipment dealer, used

1930 motor vehicle dealer, motor vehicle crusher, or body shop without having in effect a

1931 bond as required in this chapter;

1932 (f) act as a dealer, dismantler, crusher, manufacturer, transporter, remanufacturer, or

1933 body shop without maintaining a principal place of business;

1934 (g) unless the licensee is a special equipment dealer who sells a new special equipment

1935 motor vehicle with a gross vehicle weight rating of 12,000 or more pounds after

1936 installing special equipment on the motor vehicle:

1937 (i) engage in a business respecting the selling or exchanging of new or new and used

1938 motor vehicles for which the licensee is not licensed; and

1939 (ii) unless the licensee is a direct-sale manufacturer, sell or exchange a new motor

1940 vehicle for which the licensee does not have a franchise;

1941 (h) dismantle or transport to a crusher for crushing or other disposition any motor

1942 vehicle without first obtaining a dismantling or junk permit under Section 41-1a-1009,

1943 41-1a-1010, or 41-1a-1011;

1944 (i) as a new motor vehicle dealer, special equipment dealer, or used motor vehicle dealer

1945 fail to give notice of sales or transfers as required in Section 41-3-301;

1946 (j) advertise or otherwise represent, or knowingly allow to be advertised or represented

1947 on the licensee's behalf or at the licensee's place of business, that no down payment is

1948 required in connection with the sale of a motor vehicle when a down payment is

1949 required and the buyer is advised or induced to finance a down payment by a loan in

1950 addition to any other loan financing the remainder of the purchase price of the motor

1951 vehicle;

1952 (k) as a crusher, crush or shred a motor vehicle brought to the crusher without obtaining

1953 proper evidence of ownership of the motor vehicle; proper evidence of ownership is a

1954 certificate of title endorsed according to law or a dismantling or junk permit issued

1955 under Section 41-1a-1009, 41-1a-1010, or 41-1a-1011;

1956 (l) as a manufacturer or remanufacturer assemble a motor vehicle that does not comply

1957 with construction, safety, or vehicle identification number standards fixed by law or

rule of any licensing or regulating authority;

(m) as anyone other than a salesperson or a direct-sale manufacturer salesperson licensed under this chapter, be present on a dealer display space and contact prospective customers to promote the sale of the dealer's vehicles;

(n) subject to Subsection (14), sell, display for sale, or offer for sale motor vehicles at any location other than the principal place of business, or additional places of business licensed under this chapter;

(o)(i) as a dealer, dismantler, body shop, or manufacturer, maintain a principal place of business or additional place of business that shares any common area with a business or activity not directly related to motor vehicle commerce; or

(ii) maintain any places of business that share any common area with another dealer, dismantler, body shop, or manufacturer;

(p) withhold delivery of license plates obtained by the licensee on behalf of a customer for any reason, including nonpayment of any portion of the vehicle purchase price or down payment;

(q) issue a temporary permit for any vehicle that has not been sold by the licensee;

(r) alter a temporary permit in any manner;

(s) operate any principal place of business or additional place of business in a location that does not comply with local ordinances, including zoning ordinances;

(t) sell, display for sale, offer for sale, or exchange any new motor vehicle if the licensee does not:

(i) have a new motor vehicle dealer's license or a direct-sale manufacturer's license under Section 41-3-202; and

(ii) unless the licensee is a direct-sale manufacturer, possess a franchise from the manufacturer of the new motor vehicle sold, displayed for sale, offered for sale, or exchanged by the licensee;

(u) as a new motor vehicle dealer or used motor vehicle dealer, encourage or conspire with any person who has not obtained a salesperson's or a direct-sale manufacturer salesperson's license to solicit for prospective purchasers;

(v) as a direct-sale manufacturer, engage in business as a direct-sale manufacturer without having:

(i) an authorized service center; or

(ii) a principal place of business; or

(w) possess a franchise that is not expressed in writing, if the franchise allows the sale or

exchange of a new trailer that:

- (i) is not designed for human habitation;
- (ii) has a gross vehicle weight rating of less than 26,000 pounds; and
- (iii) is not designed to carry a motorboat as defined in Section 73-18-2.

(2)(a) If a new motor vehicle is constructed in more than one stage, such as a motor home, ambulance, or van conversion, the licensee shall advertise, represent, sell, and exchange the vehicle as the make designated by the final stage manufacturer, except in those specific situations where the licensee:

- (i) possesses a franchise from the initial or first stage manufacturer, presumably the manufacturer of the motor vehicle's chassis; or
- (ii) manufactured the initial or first stage of the motor vehicle.

(b) Sales of multiple stage manufactured motor vehicles shall include the transfer to the purchaser of a valid manufacturer's statement or certificate of origin from each manufacturer under Section 41-3-301.

(3) Each licensee, except salespersons, shall maintain and make available for inspection by peace officers and employees of the division:

- (a) a record of every motor vehicle bought, or exchanged by the licensee or received or accepted by the licensee for sale or exchange;
- (b) a record of every used part or used accessory bought or otherwise acquired;
- (c) a record of every motor vehicle bought or otherwise acquired and wrecked or dismantled by the licensee;
- (d) all buyers' orders, contracts, odometer statements, temporary permit records, financing records, and all other documents related to the purchase, sale, or consignment of motor vehicles; and
- (e) a record of the name and address of the person to whom any motor vehicle or motor vehicle body, chassis, or motor vehicle engine is sold or otherwise disposed of and a description of the motor vehicle by year, make, and vehicle identification number.

(4) Each licensee required by this chapter to keep records shall:

- (a) be kept by the licensee at least for five years; and
- (b) furnish copies of those records upon request to any peace officer or employee of the division during reasonable business hours.

(5)(a) A manufacturer, distributor, distributor representative, or factory representative may not induce or attempt to induce by means of coercion, intimidation, or discrimination any dealer to:

2026 (i) accept delivery of any motor vehicle, parts, or accessories or any other commodity
2027 or commodities, including advertising material not ordered by the dealer;

2028 (ii) order or accept delivery of any motor vehicle with special features, appliances,
2029 accessories, or equipment not included in the list price of the motor vehicle as
2030 publicly advertised by the manufacturer;

2031 (iii) order from any person any parts, accessories, equipment, machinery, tools,
2032 appliances, or any other commodity;

2033 (iv) enter into an agreement with the manufacturer, distributor, distributor
2034 representative, or factory representative of any of them, or to do any other act
2035 unfair to the dealer by threatening to cancel any franchise or contractual
2036 agreement between the manufacturer, distributor, distributor branch, or factory
2037 branch and the dealer;

2038 (v) refuse to deliver to any dealer having a franchise or contractual arrangement for
2039 the retail sale of new and unused motor vehicles sold or distributed by the
2040 manufacturer, distributor, distributor branch or factory branch, any motor vehicle,
2041 publicly advertised for immediate delivery within 60 days after the dealer's order
2042 is received;

2043 (vi) unfairly, without regard to the equities of the dealer, cancel the franchise of any
2044 motor vehicle dealer; the nonrenewal of a franchise or selling agreement without
2045 cause and written notice is a violation of this subsection and is an unfair
2046 cancellation; or

2047 (vii) waive or forbear the right of the dealer, if the dealer offers for sale, sells, or
2048 exchanges cargo/utility trailers, to protest the establishment or relocation of a
2049 dealer who offers for sale, sells, or exchanges cargo/utility trailers of the same
2050 line-make in the relevant market area of the established dealer.

2051 (b) For the purpose of Subsection (5)(a)(vii):

2052 (i) "Cargo/utility trailer" means a trailer that:

2053 (A) is not designed for human habitation;

2054 (B) has a gross vehicle weight rating of less than 26,000 pounds; and

2055 (C) is not designed to carry a motorboat as defined in Section 73-18-2.

2056 (ii) "Relevant market area" means:

2057 (A) for a dealership located in a county that has a population of less than 225,000,
2058 the county in which the dealership is located and the area within a 15-mile
2059 radius of the dealership; or

2060 (B) for a dealership located in a county that has a population of 225,000 or more,
2061 the area within a 10-mile radius of the dealership.

2062 (6) A dealer may not assist an unlicensed dealer or salesperson in unlawful activity through
2063 active or passive participation in sales, or by allowing use of his facilities or dealer
2064 license number, or by any other means.

2065 (7)(a) The holder of any new motor vehicle dealer or direct-sale manufacturer license
2066 issued under this chapter may not sell any new motor vehicle to:

2067 (i) another dealer licensed under this chapter who does not hold a valid franchise for
2068 the make of new motor vehicles sold, unless the selling dealer licenses and titles
2069 the new motor vehicle to the purchasing dealer; or

2070 (ii) any motor vehicle leasing or rental company located within this state, or who has
2071 any branch office within this state, unless the dealer licenses and titles the new
2072 motor vehicle to the purchasing, leasing, or rental company.

2073 (b) Subsection (7)(a)(i) does not apply to the sale of a new incomplete motor vehicle
2074 with a gross vehicle weight rating of 12,000 or more pounds to a special equipment
2075 dealer licensed under this chapter.

2076 (8) A dealer licensed under this chapter may not take on consignment any new motor
2077 vehicle from anyone other than a new motor vehicle dealer, factory, or distributor who is
2078 licensed and, if required, franchised to distribute or sell that make of motor vehicle in
2079 this or any other state.

2080 (9) A body shop licensed under this chapter may not assist an unlicensed body shop in
2081 unlawful activity through active or passive means or by allowing use of its facilities,
2082 name, body shop number, or by any other means.

2083 (10) A used motor vehicle dealer licensed under this chapter may not advertise, offer for
2084 sale, or sell a new motor vehicle that has been driven less than 7,500 miles by obtaining
2085 a title only to the vehicle and representing it as a used motor vehicle.

2086 (11)(a) Except as provided in Subsection (11)(c), or in cases of undue hardship or
2087 emergency as provided by rule by the division, a dealer or salesperson licensed under
2088 this chapter may not, on consecutive days of Saturday and Sunday, sell, offer for sale,
2089 lease, or offer for lease a motor vehicle.

2090 (b) Each day a motor vehicle is sold, offered for sale, leased, or offered for lease in
2091 violation of Subsection (11)(a) and each motor vehicle sold, offered for sale, leased,
2092 or offered for lease in violation of Subsection (11)(a) shall constitute a separate
2093 offense.

2094 (c) The provisions of Subsection (11)(a) shall not apply to a dealer participating in a
2095 trade show or exhibition if:
2096 (i) there are five or more dealers participating in the trade show or exhibition; and
2097 (ii) the trade show or exhibition takes place at a location other than the principal
2098 place of business of one of the dealers participating in the trade show or exhibition.

2099 (12) For purposes of imposing the sales and use tax under Title 59, Chapter 12, Sales and
2100 Use Tax Act, a licensee issuing a temporary permit under Section 41-3-302 shall
2101 separately identify the fees required by [Title 41, Chapter 1a, Motor Vehicle Act]
2102 Chapter 1a, Motor Vehicle Act.

2103 (13)(a) A dismantler or dealer engaged in the business of dismantling motor vehicles for
2104 the sale of parts or salvage shall identify any vehicles or equipment used by the
2105 dismantler or dealer for transporting parts or salvage on the highways.

2106 (b) The identification required under Subsection (13)(a) shall:
2107 (i) include the name, address, and license number of the dismantler or dealer; and
2108 (ii) be conspicuously displayed on both sides of the vehicle or equipment in clearly
2109 legible letters and numerals not less than two inches in height.

2110 (14)(a) Subject to Subsection (14)(b), a licensed vehicle dealer may:

2111 (i) sell a vehicle to a buyer without the buyer being required to appear in person at
2112 one of the dealer's licensed places of business;
2113 (ii) collect a buyer's signature or electronic signature on a purchase contract and
2114 related purchase documents;
2115 (iii) collect payment electronically; and
2116 (iv) deliver:
2117 (A) a new motor vehicle to a buyer at the buyer's home or place of business, or at
2118 one of the dealer's licensed places of business; or
2119 (B) a used motor vehicle to a buyer at a location mutually agreed upon by the
2120 buyer and the dealer.

2121 (b) A vehicle purchase contract is not executed until the contract is countersigned by the
2122 licensed dealer at one of the dealer's licensed places of business.

2123 (c) Except as provided in this Subsection (14), Subsection (1)(n) is construed to prevent
2124 a dealer, salesperson, or any other representative of a dealership from selling,
2125 displaying, or offering a motor vehicle for sale from the dealer's, salesperson's, or any
2126 other representative's home or other unlicensed location.

2127 Section 26. Section **41-3-301** is amended to read:

2128 **41-3-301 (Effective 05/06/26). Sale by dealer, sale by auction -- Temporary**
2129 **permit -- Delivery of certificate of title or origin -- Notice to division.**

2130 (1)(a) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of any
2131 motor vehicle for which a temporary permit is issued under Section 41-3-302 shall
2132 within 45 days submit a certificate of title or manufacturer's certificate of origin for
2133 that motor vehicle, endorsed according to law, to the Motor Vehicle Division,
2134 accompanied by all documents required to obtain a new certificate of title and
2135 registration in the new owner's name.

2136 (b) If a temporary permit is not issued, the certificate of title or manufacturer's certificate
2137 of origin shall be delivered to the vendee, endorsed according to law, within 48
2138 hours, unless the vendee is a dealer or dismantler in which case the title or
2139 manufacturer's certificate of origin shall be delivered within 21 days.

2140 (c)(i) A motor vehicle consigned to an auction and sold is considered sold by the
2141 consignor to the auction and then sold by the auction to the consignee.
2142 (ii) Both the consignor and auction are subject to this section.

2143 (d)(i)(A) A motor vehicle consigned to a [wholesale]motor vehicle auction and
2144 sold to a licensed dealer or dismantler is considered sold by the consignor to
2145 the licensed dealer or dismantler.
2146 (B) Both the consignor and the [wholesale]motor vehicle auction are subject to
2147 the title delivery requirements of Subsection (1)(b).
2148 (C) The consignor, or the [wholesale]motor vehicle auction as the consignor's
2149 agent, shall endorse the certificate of title according to law.
2150 (D) By endorsing the certificate of title as agent of the consignor as described in
2151 Subsection (1)(d)(i)(C), the [wholesale]motor vehicle auction does not
2152 become the owner, seller, or assignor of title.
2153 (ii)(A) A [wholesale]motor vehicle auction may purchase or sell motor vehicles
2154 in its own name.
2155 (B) If a [wholesale]motor vehicle auction purchases or sells a motor vehicle in its
2156 own name, the [wholesale]motor vehicle auction is subject to Subsections
2157 (1)(a) and (1)(b).
2158 (2)(a)(i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of a
2159 motor vehicle for which a temporary permit is issued under Section 41-3-302,
2160 shall within 45 days give written notice of the sale to the Motor Vehicle Division
2161 upon a form provided by the Motor Vehicle Division.

2162 (ii) The notice shall contain:

2163 (A) the date of the sale;

2164 (B) the names and addresses of the dealer and the purchaser;

2165 (C) a description of the motor vehicle;

2166 (D) the motor vehicle's odometer reading at the time of the sale; and

2167 (E) other information required by the division.

2168 (b) If no temporary permit is issued, the notice shall be filed with the division within 45

2169 days after the sale, and a duplicate copy shall be given to the purchaser at the time of

2170 sale, unless the purchaser is a dealer or dismantler.

2171 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah

2172 Administrative Rulemaking Act, providing that the notice required under Subsections

2173 (2)(a) and (2)(b) may be filed in electronic form or on magnetic media.

2174 Section 41-3-407 is amended to read:

2175 **41-3-407 (Effective 05/06/26). Definitions.**

2176 As used in Sections 41-3-406 through 41-3-414:

2177 (1) "Buyback vehicle" means a motor vehicle with an alleged nonconformity that has been

2178 replaced or repurchased by a manufacturer as the result of a court judgment, arbitration,

2179 or any voluntary agreement entered into between the manufacturer or its agent and a

2180 consumer.

2181 (2) "Consumer" means an individual who has entered into an agreement or contract for the

2182 transfer, lease, or purchase of a new motor vehicle other than for the purposes of resale,

2183 or sublease, during the duration of the period defined under Section 13-20-5.

2184 (3) "Manufacturer" means any manufacturer, importer, distributor, or anyone who is named

2185 as the warrantor on an express written warranty on a motor vehicle.

2186 (4)(a) "Motor vehicle" includes:

2187 (i) a motor home, as defined in Section 13-20-2, but only the self-propelled vehicle

2188 and chassis; and

2189 (ii) a motor vehicle, as defined in Section 41-1a-102.

2190 (b) "Motor vehicle" does not include:

2191 (i) those portions of a motor home designated, used, or maintained primarily as a

2192 mobile dwelling, office, or commercial space;

2193 (ii) farm tractor, motorcycle, road tractor, or truck tractor as defined in Section

2194 41-1a-102;

2195 (iii) mobile home as defined in Section 41-1a-102; or

2196 (iv) any motor vehicle with a gross ~~laden weight~~ vehicle weight rating of over
2197 14,000 pounds, except a motor home as defined under Subsection (4)(a)(i).

2198 (5) "Nonconforming vehicle" means a buyback vehicle that has been investigated and
2199 evaluated pursuant to Title 13, Chapter 20, New Motor Vehicle Warranties Act, or a
2200 similar law of another state or federal government.

2201 (6)(a) "Nonconformity" means a defect, malfunction, or condition that fails to conform
2202 to the express warranty, or substantially impairs the use, safety, or value of a motor
2203 vehicle.

2204 (b) "Nonconformity" does not include a defect, malfunction, or condition that results
2205 from an accident, abuse, neglect, modification, or alteration of a motor vehicle by a
2206 person other than the manufacturer, its authorized agent, or a dealer.

2207 (7) "Seller" means any person selling, auctioning, leasing, or exchanging a motor vehicle.

2208 (8) "Violation" means each failure to comply with the obligations imposed by Sections
2209 41-3-406 through 41-3-413. In the case of multiple failures to comply resulting from a
2210 single transaction, each failure to comply is a separate violation.

2211 Section 28. Section **41-3-501** is amended to read:

2212 **41-3-501 (Effective 05/06/26). Special plates -- Dealers -- Dismantlers --**

2213 **Manufacturers -- Remanufacturers -- Transporters -- Restrictions on use.**

2214 (1) Except as provided under this chapter, a dealer may operate or move a motor vehicle
2215 displaying a dealer plate issued by the division upon the highways without registering it
2216 under Title 41, Chapter 1a, Motor Vehicle Act, if the dealer owns or possesses the motor
2217 vehicle by consignment for resale.

2218 (2) A dismantler may operate or move a motor vehicle displaying a dismantler plate issued
2219 by the division without registering the motor vehicle as required under Title 41, Chapter
2220 1a, Motor Vehicle Act, upon the highways solely to transport the motor vehicle:

2221 (a) from the place of purchase or legal acquisition to the place of business for
2222 dismantling; or

2223 (b) to the place of business of a licensed crusher for disposal.

2224 (3) A manufacturer or remanufacturer may operate or move a manufactured or
2225 remanufactured motor vehicle displaying a manufacturer plate issued by the division
2226 upon the highways without registering the motor vehicle as required under Title 41,
2227 Chapter 1a, Motor Vehicle Act, solely to:

2228 (a) deliver the motor vehicle to a dealer;

2229 (b) demonstrate a motor vehicle to a dealer or prospective dealer; or

2230 (c) conduct manufacturer tests of a motor vehicle.

2231 (4)(a) A transporter may operate or move a motor vehicle displaying a transporter plate

2232 issued by the division upon the highways without registering the motor vehicle as

2233 required under Title 41, Chapter 1a, Motor Vehicle Act, solely:

2234 (i) from the point of repossession to a financial institution or to the place of storage,

2235 so that a financial institution may provide for operation of a repossessed motor

2236 vehicle by a prospective purchaser;

2237 (ii) to and from a detail or repair shop for the purpose of detailing or repairing the

2238 motor vehicle; or

2239 (iii) to a delivery point in, out, or through the state.

2240 (b) This subsection does not include loaded motor vehicles subject to the gross [laden

2241 weight] vehicle weight rating provision of Title 41, Chapter 1a, Motor Vehicle Act.

2242 (5) Dealer plates may not be used:

2243 (a) on a motor vehicle leased or rented for compensation;

2244 (b) in lieu of registration, on a motor vehicle sold by the dealer; or

2245 (c) on a loaded commercial vehicle over 26,000 pounds gross [laden weight] vehicle

2246 weight rating unless a special loaded demonstration permit is obtained from the

2247 division in accordance with Section 41-3-502.

2248 Section 29. Section **41-3-802** is amended to read:

2249 **41-3-802 (Effective 05/06/26). Definitions.**

2250 As used in this part:

2251 (1)(a) "Consignee" means a dealer who accepts vehicles for sale under an agreement that

2252 the dealer will pay the consignor for any sold vehicle and will return any unsold

2253 vehicles.

2254 (b) "Consignee" does not include a [wholesale-]motor vehicle auction licensee except

2255 when the consignor is an individual who enters into a consignment transaction

2256 primarily for personal, family, or household purposes.

2257 (2) "Consignor" means a person who places a vehicle with a consignee for consignment

2258 sale.

2259 Section 30. Section **41-3-803** is amended to read:

2260 **41-3-803 (Effective 05/06/26). Consignment sales.**

2261 (1) A consignor may take possession of the consignor's consigned vehicle at any time the

2262 consigned vehicle is in the possession of a consignee, provided that the consignor:

2263 (a) has notified the consignee in writing that the consignor will take possession of the

consigned vehicle; and

(b) has paid all outstanding charges owing to the consignee that have been agreed to by the consignor in accordance with Subsection (2).

(2) The agreed upon charges under Subsection (1)(b) shall be:

- (a) stated on a form designed by the department; [and] or
- (b) included [with the] in a written consignment agreement

(3) A consignee who sells a consigned vehicle shall report to the consignor in writing the exact selling price of the consigned vehicle under either of the following circumstances:

(a) the consignor and consignee agree in writing that the consignor shall receive a percentage of the selling price upon the sale of the vehicle; or

(b) the consignor and consignee renegotiate in writing the selling price of the vehicle.

(4) When a consignee sells a consigned vehicle:

(a) the consignee, within seven calendar days of the date of sale, must give written notice to the consignor that the consigned vehicle has been sold; and

(b) the consignee, within 21 calendar days of the date of sale, or within 15 calendar days of receiving payment in full for the consigned vehicle, whichever date is earlier, shall remit the payment received to the consignor, unless the agreement to purchase the consigned vehicle has been rescinded before expiration of the 21 days.

(5) If the agreement to purchase the consigned vehicle has for any reason been rescinded before the expiration of 21 calendar days of the date of sale, the consignee shall within five calendar days thereafter give written notice to the consignor that the agreement to purchase has been rescinded.

(6) Vehicles on consignment shall be driven with the consignee's dealer plates. All other license plates or registration indicia must be removed from the vehicle.

(7) Prior to driving a consigned vehicle on the consignee's dealer plates, the consignee and the consignor shall execute a written consignment agreement that states:

- (a) the party responsible for damage or misuse to a consigned vehicle; and
- (b) the permitted uses a consignee may make of a consigned vehicle.

(8) The consignee shall keep the written consignment agreement on file at the consignee's principal place of business.

Section 31. Section **41-6a-102** is amended to read:

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

As used in this chapter:

(1) "Alley" means a street or highway intended to provide access to the rear or side of lots

2298 or buildings in urban districts and not intended for through vehicular traffic.

2299 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.

2300 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

2301 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.

2302 (5) "Authorized emergency vehicle" includes:

2303 (a) a fire department vehicle;

2304 (b) a police vehicle;

2305 (c) an ambulance; and

2306 (d) other publicly or privately owned vehicles as designated by the commissioner of the
2307 Department of Public Safety.

2308 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.

2309 (7)(a) "Bicycle" means a wheeled vehicle:

2310 (i) propelled by human power by feet or hands acting upon pedals or cranks;

2311 (ii) with a seat or saddle designed for the use of the operator;

2312 (iii) designed to be operated on the ground; and

2313 (iv) whose wheels are not less than 14 inches in diameter.

2314 (b) "Bicycle" includes an electric assisted bicycle.

2315 (c) "Bicycle" does not include scooters and similar devices.

2316 (8)(a) "Bicycle lane" means a portion of a highway that has been designated by a
2317 highway authority through striping, signage, pavement markings, or barriers for the
2318 preferential or exclusive use of bicycle, electric assisted bicycle, and motor assisted
2319 scooter traffic.

2320 (b) "Bicycle lane" does not include shared lanes intended for both motor vehicle and
2321 bicycle travel.

2322 (9)(a) "Bus" means a motor vehicle:

2323 (i) designed for carrying more than 15 passengers and used for the transportation of
2324 persons; or

2325 (ii) designed and used for the transportation of persons for compensation.

2326 (b) "Bus" does not include a taxicab.

2327 (10)(a) "Circular intersection" means an intersection that has an island, generally
2328 circular in design, located in the center of the intersection where traffic passes to the
2329 right of the island.

2330 (b) "Circular intersection" includes:

2331 (i) roundabouts;

2332 (ii) rotaries; and

2333 (iii) traffic circles.

2334 (11) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a
2335 motor or electronics that:

2336 (a) provides assistance only when the rider is pedaling; and

2337 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

2338 (12) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a
2339 motor or electronics that:

2340 (a) may be used exclusively to propel the bicycle; and

2341 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
2342 per hour.

2343 (13) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a
2344 motor or electronics that:

2345 (a) provides assistance only when the rider is pedaling;

2346 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
2347 and

2348 (c) is equipped with a speedometer.

2349 (14) "Commissioner" means the commissioner of the Department of Public Safety.

2350 (15) "Controlled-access highway" means a highway, street, or roadway:

2351 (a) designed primarily for through traffic; and

2352 (b) to or from which owners or occupants of abutting lands and other persons have no
2353 legal right of access, except at points as determined by the highway authority having
2354 jurisdiction over the highway, street, or roadway.

2355 (16) "Crosswalk" means:

2356 (a) that part of a roadway at an intersection included within the connections of the lateral
2357 lines of the sidewalks on opposite sides of the highway measured from:

2358 (i)(A) the curbs; or

2359 (B) in the absence of curbs, from the edges of the traversable roadway; and

2360 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
2361 included within the extension of the lateral lines of the existing sidewalk at right
2362 angles to the centerline; or

2363 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
2364 pedestrian crossing by lines or other markings on the surface.

2365 (17) "Department" means the Department of Public Safety.

2366 (18) "Direct supervision" means oversight at a distance within which:

2367 (a) visual contact is maintained; and

2368 (b) advice and assistance can be given and received.

2369 (19) "Divided highway" means a highway divided into two or more roadways by:

2370 (a) an unpaved intervening space;

2371 (b) a physical barrier; or

2372 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

2373 (20) "Echelon formation" means the operation of two or more snowplows arranged

2374 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to

2375 clear snow from two or more lanes at once.

2376 (21)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:

2377 (i) has a power output of not more than 750 watts;

2378 (ii) has fully operable pedals;

2379 (iii) has permanently affixed cranks that were installed at the time of the original

2380 manufacture;

2381 (iv) is fully operable as a bicycle without the use of the electric motor; and

2382 (v) is one of the following:

2383 (A) a class 1 electric assisted bicycle;

2384 (B) a class 2 electric assisted bicycle;

2385 (C) a class 3 electric assisted bicycle; or

2386 (D) a programmable electric assisted bicycle.

2387 (b) "Electric assisted bicycle" does not include:

2388 (i) a moped;

2389 (ii) a motor assisted scooter;

2390 (iii) a motorcycle;

2391 (iv) a motor-driven cycle; or

2392 (v) any other vehicle with less than four wheels that is designed, manufactured,

2393 intended, or advertised by the seller to have any of the following capabilities or

2394 features, or that is modifiable or is modified to have any of the following

2395 capabilities or features:

2396 (A) has the ability to attain the speed of 20 miles per hour or greater on motor

2397 power alone;

2398 (B) is equipped with a continuous rated motor power of 750 watts or greater;

2399 (C) is equipped with foot pegs for the operator at the time of manufacture, or

requires installation of a pedal kit to have operable pedals; or

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

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

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

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

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

- (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- (v) a deck design for a person to stand while operating the device.

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

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

(a) has a single wheel;

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

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

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

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

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

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

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

- (i) is designed for transportation by players on a golf course;
- (ii) has not less than three wheels in contact with the ground;

2434 (iii) has [an unladen] a shipping weight of less than 1,800 pounds;
2435 (iv) is designed to operate at low speeds; and
2436 (v) is designed to carry not more than six persons including the driver.

2437 (b) "Golf cart" does not include:

2438 (i) a low-speed vehicle or an off-highway vehicle;
2439 (ii) a motorized wheelchair;
2440 (iii) an electric personal assistive mobility device;
2441 (iv) an electric assisted bicycle;
2442 (v) a motor assisted scooter;
2443 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
2444 (vii) a mobile carrier, as defined in Section 41-6a-1120.

2445 (29) "Gore area" means the area delineated by two solid white lines that is between a
2446 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
2447 including similar areas between merging or splitting highways.

2448 [(30) "~~Gross weight~~" means the weight of a vehicle without a load plus the weight of any
2449 load on the vehicle.]

2450 (30) "Gross vehicle weight rating" means the same as that term is defined in Section
2451 59-2-102.

2452 (31) "Hi-rail vehicle" means a roadway maintenance vehicle that is:

2453 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
2454 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
2455 highway or railroad tracks.

2456 (32) "Highway" means the entire width between property lines of every way or place of any
2457 nature when any part of it is open to the use of the public as a matter of right for
2458 vehicular travel.

2459 (33) "Highway authority" means the same as that term is defined in Section 72-1-102.

2460 (34) "Interdicted person" means the same as that term is defined in Section 32B-1-102.

2461 (35)(a) "Intersection" means the area embraced within the prolongation or connection of
2462 the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of
2463 two or more highways that join one another.

2464 (b) Where a highway includes two roadways 30 feet or more apart:

2465 (i) every crossing of each roadway of the divided highway by an intersecting
2466 highway is a separate intersection; and
2467 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then

every crossing of two roadways of the highways is a separate intersection.

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

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

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

(b) channelizing devices;

(c) curbs;

(d) pavement edges; or

(e) other devices.

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

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

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

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

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

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

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

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

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

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

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

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

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

2502 (43) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or
2503 partly of metal or other hard nonresilient material.

2504 (44)(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
2505 saddle that is less than 24 inches from the ground as measured on a level surface with
2506 properly inflated tires.

2507 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

2508 (c) "Mini-motorcycle" does not include a motorcycle that is:

2509 (i) designed for off-highway use; and

2510 (ii) registered as an off-highway vehicle under Section 41-22-3.

2511 (45) "Mobile home" means:

2512 (a) a trailer or semitrailer that is:

2513 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
2514 place either permanently or temporarily; and

2515 (ii) equipped for use as a conveyance on streets and highways; or

2516 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
2517 for use as a mobile home, as defined in Subsection (45)(a), but that is instead used
2518 permanently or temporarily for:

2519 (i) the advertising, sale, display, or promotion of merchandise or services; or

2520 (ii) any other commercial purpose except the transportation of property for hire or the
2521 transportation of property for distribution by a private carrier.

2522 (46) "Mobility disability" means the inability of a person to use one or more of the person's
2523 extremities or difficulty with motor skills, that may include limitations with walking,
2524 grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other condition.

2525 (47)(a) "Moped" means a motor-driven cycle having:

2526 (i) pedals to permit propulsion by human power; and

2527 (ii) a motor that:

2528 (A) produces not more than two brake horsepower; and

2529 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
2530 on level ground.

2531 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
2532 centimeters and the moped shall have a power drive system that functions directly or
2533 automatically without clutching or shifting by the operator after the drive system is
2534 engaged.

2535 (c) "Moped" does not include:

2536 (i) an electric assisted bicycle; or
2537 (ii) a motor assisted scooter.

2538 (48)(a) "Motor assisted scooter" means a self-propelled device with:
2539 (i) at least two wheels in contact with the ground;
2540 (ii) a braking system capable of stopping the unit under typical operating conditions;
2541 (iii) an electric motor not exceeding 2,000 watts;
2542 (iv) either:
2543 (A) handlebars and a deck design for a person to stand while operating the device;
2544 or
2545 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
2546 operating the device;
2547 (v) a design for the ability to be propelled by human power alone; and
2548 (vi) a maximum speed of 20 miles per hour on a paved level surface.

2549 (b) "Motor assisted scooter" does not include:
2550 (i) an electric assisted bicycle; or
2551 (ii) a motor-driven cycle.

2552 (49)(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
2553 propelled by electric power obtained from overhead trolley wires, but not operated
2554 upon rails.

2555 (b) "Motor vehicle" does not include:
2556 (i) vehicles moved solely by human power;
2557 (ii) motorized wheelchairs;
2558 (iii) an electric personal assistive mobility device;
2559 (iv) an electric assisted bicycle;
2560 (v) a motor assisted scooter;
2561 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
2562 (vii) a mobile carrier, as defined in Section 41-6a-1120.

2563 (50) "Motorcycle" means:
2564 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
2565 and designed to travel with not more than three wheels in contact with the ground; or
2566 (b) an autocycle.

2567 (51)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
2568 having:
2569 (i) an engine with less than 150 cubic centimeters displacement; or

- 2570 (ii) a motor that produces not more than five horsepower.
- 2571 (b) "Motor-driven cycle" does not include:
 - 2572 (i) an electric personal assistive mobility device;
 - 2573 (ii) a motor assisted scooter; or
 - 2574 (iii) an electric assisted bicycle.
- 2575 (52) "Off-highway implement of husbandry" means the same as that term is defined under
2576 Section 41-22-2.
- 2577 (53) "Off-highway motorcycle" means the same as that term is defined in Section 41-22-2.
- 2578 (54) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.
- 2579 (55) "Operate" means the same as that term is defined in Section 41-1a-102.
- 2580 (56) "Operator" means:
 - 2581 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
 - 2582 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
2583 vehicle.
- 2584 (57) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other
2585 device operated, alone or coupled with another device, on stationary rails.
- 2586 (58)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
2587 occupied or not.
- 2588 (b) "Park" or "parking" does not include:
 - 2589 (i) the standing of a vehicle temporarily for the purpose of and while actually
2590 engaged in loading or unloading property or passengers; or
 - 2591 (ii) a motor vehicle with an engaged automated driving system that has achieved a
2592 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 2593 (59) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
2594 Officer Classifications, to direct or regulate traffic or to make arrests for violations of
2595 traffic laws.
- 2596 (60) "Pedestrian" means a person traveling:
 - 2597 (a) on foot; or
 - 2598 (b) in a wheelchair.
- 2599 (61) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
2600 pedestrians.
- 2601 (62) "Person" means a natural person, firm, copartnership, association, corporation,
2602 business trust, estate, trust, partnership, limited liability company, association, joint
2603 venture, governmental agency, public corporation, or any other legal or commercial

2604 entity.

2605 (63) "Pole trailer" means a vehicle without motive power:

2606 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
2607 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
2608 and

2609 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
2610 pipes, or structural members generally capable of sustaining themselves as beams
2611 between the supporting connections.

2612 (64) "Private road or driveway" means every way or place in private ownership and used
2613 for vehicular travel by the owner and those having express or implied permission from
2614 the owner, but not by other persons.

2615 (65) "Programmable electric assisted bicycle" means an electric assisted bicycle with
2616 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
2617 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
2618 electric assisted bicycle fully conforms with the respective requirements of each class of
2619 electric assisted bicycle when operated in that mode.

2620 (66) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.

2621 (67) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
2622 public body or official or by a railroad and intended to give notice of the presence of
2623 railroad tracks or the approach of a railroad train.

2624 (68) "Railroad train" means a locomotive propelled by any form of energy, coupled with or
2625 operated without cars, and operated upon rails.

2626 (69) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.

2627 (70) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful
2628 manner in preference to another vehicle or pedestrian approaching under circumstances
2629 of direction, speed, and proximity that give rise to danger of collision unless one grants
2630 precedence to the other.

2631 (71)(a) "Roadway" means that portion of highway improved, designed, or ordinarily
2632 used for vehicular travel.

2633 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
2634 them are used by persons riding bicycles or other human-powered vehicles.

2635 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
2636 highway includes two or more separate roadways.

2637 (72) "Safety zone" means the area or space officially set apart within a roadway for the

2638 exclusive use of pedestrians and that is protected, marked, or indicated by adequate
2639 signs as to be plainly visible at all times while set apart as a safety zone.

2640 (73)(a) "School bus" means a motor vehicle that:

- 2641 (i) complies with the color and identification requirements of the most recent edition
2642 of "Minimum Standards for School Buses"; and
- 2643 (ii) is used to transport school children to or from school or school activities.

2644 (b) "School bus" does not include a vehicle operated by a common carrier in
2645 transportation of school children to or from school or school activities.

2646 (74) "Self-balancing electric skateboard" means a device similar to a skateboard that:

- 2647 (a) has a single wheel;
- 2648 (b) is powered by an electric motor; and
- 2649 (c) is designed for the operator to face perpendicular to the direction of travel while
2650 operating the device.

2651 (75)(a) "Semitrailer" means a vehicle with or without motive power:

- 2652 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
2653 and
- 2654 (ii) constructed so that some part of its weight and that of its load rests on or is
2655 carried by another vehicle.

2656 (b) "Semitrailer" does not include a pole trailer.

2657 (76) "Shipping weight" means the same as that term is defined in Section 41-1a-102.

2658 [(76)] (77) "Shoulder area" means:

- 2659 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
2660 edge line as established in the current approved "Manual on Uniform Traffic Control
2661 Devices"; or
- 2662 (b) that portion of the road contiguous to the roadway for accommodation of stopped
2663 vehicles, for emergency use, and for lateral support.

2664 [(77)] (78) "Sidewalk" means that portion of a street between the curb lines, or the lateral
2665 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

2666 [(78)] (79)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
2667 that is designated for the use of a bicycle.

- 2668 (b) "Soft-surface trail" does not mean a trail:
 - 2669 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
2670 federal law, regulation, or rule; or
 - 2671 (ii) located in whole or in part on land granted to the state or a political subdivision

2672 subject to a conservation easement that prohibits the use of a motorized vehicle.

2673 [({79})] (80) "Solid rubber tire" means a tire of rubber or other resilient material that does not
2674 depend on compressed air for the support of the load.

2675 [({80})] (81) "Stand" or "standing" means the temporary halting of a vehicle, whether
2676 occupied or not, for the purpose of and while actually engaged in receiving or
2677 discharging passengers.

2678 [({81})] (82) "Stop" when required means complete cessation from movement.

2679 [({82})] (83) "Stop" or "stopping" when prohibited means any halting even momentarily of a
2680 vehicle, whether occupied or not, except when:

- 2681 (a) necessary to avoid conflict with other traffic; or
- 2682 (b) in compliance with the directions of a peace officer or traffic-control device.

2683 [({83})] (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
2684 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an off-highway
2685 motorcycle, that is modified to meet the requirements of Section 41-6a-1509 to operate
2686 on highways in the state in accordance with Section 41-6a-1509.

2687 [({84})] (85) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
2688 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
2689 operate on highways in the state in accordance with Section 41-6a-1509.

2690 [({85})] (86) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

2691 [({86})] (87) "Tow truck motor carrier" means the same as that term is defined in Section
2692 72-9-102.

2693 [({87})] (88) "Traffic" means pedestrians, bicyclists, ridden or herded animals, vehicles, and
2694 other conveyances either singly or together while using any highway for the purpose of
2695 travel.

2696 [({88})] (89) "Traffic signal preemption device" means an instrument or mechanism designed,
2697 intended, or used to interfere with the operation or cycle of a traffic-control signal.

2698 [({89})] (90) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
2699 with this chapter placed or erected by a highway authority for the purpose of regulating,
2700 warning, or guiding traffic.

2701 [({90})] (91) "Traffic-control signal" means a device, whether manually, electrically, or
2702 mechanically operated, by which traffic is alternately directed to stop and permitted to
2703 proceed.

2704 [({91})] (92)(a) "Trailer" means a vehicle with or without motive power designed for
2705 carrying persons or property and for being drawn by a motor vehicle and constructed

2706 so that no part of its weight rests upon the towing vehicle.

2707 (b) "Trailer" does not include a pole trailer.

2708 [92] (93) "Truck" means a motor vehicle designed, used, or maintained primarily for the
2709 transportation of property.

2710 [93] (94) "Truck tractor" means a motor vehicle:

2711 (a) designed and used primarily for drawing other vehicles; and

2712 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
2713 tractor.

2714 [94] (95) "Two-way left turn lane" means a lane:

2715 (a) provided for vehicle operators making left turns in either direction;

2716 (b) that is not used for passing, overtaking, or through travel; and

2717 (c) that has been indicated by a lane traffic-control device that may include lane
2718 markings.

2719 [95] (96) "Urban district" means the territory contiguous to and including any street, in
2720 which structures devoted to business, industry, or dwelling houses are situated at
2721 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

2722 [96] (97) "Vehicle" means a device in, on, or by which a person or property is or may be
2723 transported or drawn on a highway, except a mobile carrier, as defined in Section
2724 41-6a-1120, or a device used exclusively on stationary rails or tracks.

2725 [97] (98) "Wheelie" means a maneuver performed while operating a motorcycle whereby
2726 the front wheel of the motorcycle is raised off of the ground.

2727 Section 32. Section **41-6a-1507** is amended to read:

2728 **41-6a-1507 (Effective 05/06/26). Custom vehicles -- Defined -- Compliance with
2729 all laws and standards -- Exceptions -- Revocation -- Signed statement required.**

2730 (1)(a) As used in this section, "custom vehicle" means a motor vehicle that:

2731 (i)(A) is at least 25 years old and of a model year after 1948; or

2732 (B)(I) was manufactured to resemble a vehicle that is at least 25 years old and
2733 of a model year after 1948; and

2734 (II)(Aa) has been altered from the manufacturer's original design; or
2735 (Bb) has a body constructed of non-original materials; and

2736 (ii) is primarily a collector's item that is used for:

2737 (A) club activities;

2738 (B) exhibitions;

2739 (C) tours;

2740 (D) parades;
2741 (E) occasional transportation; and
2742 (F) other similar uses.

2743 (b) A custom vehicle does not include:

2744 (i) a motor vehicle that is used for general, daily transportation; or
2745 (ii) a vintage vehicle as defined in Section 41-21-1[; or]
2746 [(iii) a speeial interest vehicle as defined in Seetion 41-1a-102.]

2747 (2) Except as specified under this section, a custom vehicle shall meet all safety,
2748 registration, insurance, fees, and taxes required under this title.

2749 (3)(a) Except as provided in Subsection (3)(b), all safety equipment of a custom vehicle
2750 shall at least meet the safety standards applicable to the model year of the vehicle
2751 being replicated. Any replacement equipment shall comply with the design standards
2752 of the replacement equipment's manufacture.

2753 (b) A custom vehicle shall comply with current vehicle brake and stopping standards.

2754 (4) A custom vehicle is exempt from motor vehicle emissions inspection and maintenance
2755 program requirements under Section 41-6a-1642.

2756 (5) The tax commission may revoke or deny the registration of a custom vehicle for failure
2757 to comply with this section.

2758 (6) The owner of a custom vehicle shall provide a signed statement certifying that the
2759 custom vehicle is owned and operated for the purposes enumerated in this section to the
2760 safety inspection station in order to qualify for the exceptions provided under this
2761 section.

2762 Section 33. Section **41-6a-1509** is amended to read:

2763 **41-6a-1509 (Effective 07/01/26). Street-legal all-terrain vehicle -- Operation on
2764 highways -- Registration and licensing requirements -- Equipment requirements.**

2765 (1)(a) Except as provided in Subsection (1)(b), an individual may operate an all-terrain
2766 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, or an
2767 off-highway motorcycle, that meets the requirements of this section as a street-legal
2768 ATV on a street or highway.

2769 (b) An individual may not operate an all-terrain type I vehicle, all-terrain type II vehicle,
2770 or all-terrain type III vehicle, or an off-highway motorcycle, as a street-legal ATV on
2771 a highway if:

2772 (i) the highway is an interstate system as defined in Section 72-1-102; or
2773 (ii) the highway is in a county of the first class and both of the following criterion is

2774 met:

2775 (A) the highway is near a grade separated portion of the highway; and

2776 (B) the highway has a posted speed limit higher than 50 miles per hour.

2777 (c) Nothing in this section authorizes the operation of a street-legal ATV in an area that
2778 is not open to motor vehicle use.

2779 (2)(a) Except as provided in Subsection (2)(b), an individual may operate a vehicle that
2780 is registered as a novel vehicle on a street or highway, if the vehicle meets the
2781 requirements of this section as a street-legal novel vehicle.

2782 (b) An individual may not operate a vehicle registered as a novel vehicle as a street-legal
2783 novel vehicle on a highway if:

2784 (i) the highway is an interstate system as defined in Section 72-1-102; or

2785 (ii) the highway is in a county of the first class and both of the following criterion are
2786 met:

2787 (A) the highway is near a grade separated portion of the highway; and

2788 (B) the highway has a posted speed limit higher than 50 miles per hour.

2789 (c) Nothing in this section authorizes the operation of a street-legal novel vehicle in an
2790 area that is not open to motor vehicle use.

2791 (3) A street-legal ATV shall comply with Section 59-2-405.2, Subsection 41-1a-205(1),
2792 Subsection 53-8-205(1)(b), and the same requirements as:

2793 (a) a motorcycle for:

2794 (i) traffic rules under this chapter;

2795 (ii) titling, [odometer statement,] vehicle identification, license plates, and
2796 registration, excluding registration fees, under Chapter 1a, Motor Vehicle Act; and
2797 (iii) the county motor vehicle emissions inspection and maintenance programs under
2798 Section 41-6a-1642;

2799 (b) a motor vehicle for:

2800 (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and

2801 (ii) motor vehicle insurance under Chapter 12a, Financial Responsibility of Motor
2802 Vehicle Owners and Operators Act; and

2803 (c) an all-terrain type I or type II vehicle, or an off-highway motorcycle, for off-highway
2804 vehicle provisions under Chapter 22, Off-highway Vehicles, and Chapter 3, Motor
2805 Vehicle Business Regulation Act, unless otherwise specified in this section.

2806 (4) A street-legal novel vehicle shall comply with Subsection 41-1a-205(1), Subsection
2807 53-8-205(1)(b), and the requirements for registration as a novel vehicle under Section

2808 41-27-201.

2809 (5)(a) The owner of an all-terrain type I vehicle or an off-highway motorcycle being
2810 operated as a street-legal ATV shall ensure that the vehicle is equipped with:
2811 (i) one or more headlamps that meet the requirements of Section 41-6a-1603;
2812 (ii) one or more tail lamps;
2813 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration
2814 plate with a white light;
2815 (iv) one or more red reflectors on the rear;
2816 (v) one or more stop lamps on the rear;
2817 (vi) amber or red electric turn signals, one on each side of the front and rear;
2818 (vii) a braking system, other than a parking brake, that meets the requirements of
2819 Section 41-6a-1623;
2820 (viii) a horn or other warning device that meets the requirements of Section
2821 41-6a-1625;
2822 (ix) a muffler and emission control system that meets the requirements of Section
2823 41-6a-1626;
2824 (x) rearview mirrors on the right and left side of the driver in accordance with Section
2825 41-6a-1627;
2826 (xi) a windshield, unless the operator wears eye protection while operating the
2827 vehicle;
2828 (xii) a speedometer, illuminated for nighttime operation;
2829 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers,
2830 a seat designed for passengers; and
2831 (xiv) tires that:
2832 (A) are not larger than the tires that the all-terrain vehicle manufacturer made
2833 available for the all-terrain vehicle model; and
2834 (B) have at least 2/32 inches or greater tire tread.
2835 (b) The owner of an all-terrain type II vehicle or all-terrain type III vehicle being
2836 operated as a street-legal all-terrain vehicle or of a vehicle registered as a novel
2837 vehicle being operated as a street-legal novel vehicle shall ensure that the vehicle is
2838 equipped with:
2839 (i) two headlamps that meet the requirements of Section 41-6a-1603;
2840 (ii) two tail lamps;
2841 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration

plate with a white light;

- (iv) one or more red reflectors on the rear;
- (v) two stop lamps on the rear;
- (vi) amber or red electric turn signals, one on each side of the front and rear;
- (vii) a braking system, other than a parking brake, that meets the requirements of Section 41-6a-1623;
- (viii) a horn or other warning device that meets the requirements of Section 41-6a-1625;
- (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626;
- (x) rearview mirrors on the right and left side of the driver in accordance with Section 41-6a-1627;
- (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
- (xii) a speedometer, illuminated for nighttime operation;
- (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a seat designed for passengers;
- (xiv) for vehicles with side-by-side or tandem seating, seatbelts for each vehicle occupant;
- (xv) a seat with a height between 20 and 40 inches when measured at the forward edge of the seat bottom; and
- (xvi) tires that:
 - (A) do not exceed 44 inches in height; and
 - (B) have at least 2/32 inches or greater tire tread.

The owner of a street-legal all-terrain vehicle is not required to equip the vehicle with wheel covers, mudguards, flaps, or splash aprons.

Subject to the requirements of Subsection (6)(b), an operator of a street-legal terrain vehicle, when operating a street-legal all-terrain vehicle on a highway, may exceed the lesser of:

- (i) the posted speed limit; or
- (ii) 50 miles per hour.

An operator of a street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:

2876 (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
2877 roadway; and

2878 (ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the
2879 front and back of both sides of the vehicle.

2880 (7)(a) Subject to the requirements of Subsection (7)(b), an operator of a street-legal
2881 novel vehicle, when operating as a street-legal novel vehicle on a highway, may not
2882 exceed the lesser of:

2883 (i) the posted speed limit; or
2884 (ii) 50 miles per hour.

2885 (b) An operator of a street-legal novel vehicle, when operating a street-legal novel
2886 vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:

2887 (i) operate the street-legal novel vehicle on the extreme right hand side of the
2888 roadway; and
2889 (ii) equip the street-legal novel vehicle with a reflector or reflective tape to the front
2900 and back of both sides of the vehicle.

2901 (8)(a) A nonresident operator of an off-highway vehicle that is authorized to be operated
2902 on the highways of another state has the same rights and privileges as a street-legal
2903 ATV or street-legal novel vehicle that is granted operating privileges on the
2904 highways of this state, subject to the restrictions under this section and rules made by
2905 the Division of Outdoor Recreation, after notifying the Outdoor Adventure
2906 Commission, if the other state offers reciprocal operating privileges to Utah residents.

2907 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2908 Division of Outdoor Recreation, after notifying the Outdoor Adventure Commission,
2909 shall establish eligibility requirements for reciprocal operating privileges for
2910 nonresident users granted under Subsection (8)(a).

2911 (9) Nothing in this chapter restricts the owner of an off-highway vehicle from operating the
2912 off-highway vehicle in accordance with Section 41-22-10.5.

2913 (10) A violation of this section is an infraction.

2914 Section 34. Section **41-6a-1629** is amended to read:

2915 **41-6a-1629 (Effective 05/06/26). Vehicles subject to Sections 41-6a-1629 through**

2916 **41-6a-1633 -- Definitions.**

2917 (1) As used in Sections 41-6a-1629 through 41-6a-1633:

2918 (a) "Frame" means the main longitudinal structural members of the chassis of the vehicle
2919 or, for vehicles with unitized body construction, the lowest longitudinal structural

2910 member of the body of the vehicle.

2911 (b) "Frame height" means the vertical distance between the ground and the lowest point
2912 on the frame[. The distance is] , measured when the vehicle is unladen and on a level
2913 surface.

2914 (c) "Gross vehicle weight rating" means the same as that term is defined in Section
2915 59-2-102.

2916 [(e) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross
2917 vehicle weight rating, whether or not the vehicle is modified by use of parts not
2918 originally installed by the original manufacturer.]

2919 (d) "Manufacturer" means any person engaged in manufacturing or assembling new
2920 motor vehicles utilizing new parts or components, or a person defined as a
2921 manufacturer in current applicable Federal Motor Vehicle Safety Standards and
2922 Regulations.

2923 (e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the
2924 axles, chassis, suspension, or body by any means, including tires and wheels, and
2925 excluding any load, which affects the frame height of the motor vehicle.

2926 (f) "O.E.M." means original equipment manufacturer.

2927 (g) "Original equipment" means an item of motor vehicle equipment, including tires,
2928 which were installed in or on a motor vehicle or available as an option for the
2929 particular vehicle from the original manufacturer at the time of its delivery to the first
2930 purchaser.

2931 (h)(i) "Wheel track" means the shortest distance between the center of the tire treads
2932 on the same axle. On vehicles having dissimilar axle widths, the axle with the
2933 widest distance is used for all calculations.

2934 (ii) "Wheel track" on a vehicle having dissimilar axle widths, means the shortest
2935 distance between the center of the tire treads on the same axle measured on the
2936 axle with the widest distance.

2937 (2)(a) Except as provided in Subsections (2)(b) and (c), the provisions of Sections
2938 41-6a-1629 through 41-6a-1633 apply to all motor vehicles operated or parked on a
2939 highway.

2940 (b) The provisions of Sections 41-6a-1629 through 41-6a-1633 do not apply to the
2941 following vehicles:

2942 (i) implements of husbandry;
2943 (ii) farm tractors;

2944 (iii) road machinery;
2945 (iv) road rollers; and
2946 (v) historical vehicles or horseless carriages that have been restored as near to
2947 original condition as is reasonably possible.

2948 (c) The provisions of Subsection 41-6a-1631(2) and Sections 41-6a-1632 and 41-6a-1633
2949 do not apply to a street-legal all-terrain vehicle or a street-legal novel vehicle
2950 operated in accordance with Section 41-6a-1509.

2951 Section 35. Section **41-6a-1633** is amended to read:

2952 **41-6a-1633 (Effective 05/06/26). Mudguards or flaps at rear wheels of trucks,
2953 trailers, truck tractors, or altered motor vehicles -- Exemptions.**

2954 (1)(a) Except as provided in Subsection (2), when operated on a highway, the following
2955 vehicles shall be equipped with wheel covers, mudguards, flaps, or splash aprons
2956 behind the rearmost wheels to prevent, as far as practicable, the wheels from
2957 throwing dirt, water, or other materials on other vehicles:

2958 (i) a vehicle that has been altered:
2959 (A) from the original manufacturer's frame height; or
2960 (B) in any other manner so that the motor vehicle's wheels may throw dirt, water,
2961 or other materials on other vehicles;

2962 (ii) any truck with a gross vehicle weight rating of 10,500 pounds or more;

2963 (iii) any truck tractor; and

2964 (iv) any trailer or semitrailer with ~~[an unladen]~~ a shipping weight of 750 pounds or
2965 more.

2966 (b) The wheel covers, mudguards, flaps, or splash aprons shall:
2967 (i) be at least as wide as the tires they are protecting;
2968 (ii) be directly in line with the tires; and
2969 (iii) have a ground clearance of not more than 50% of the diameter of a rear-axle
2970 wheel, under any conditions of loading of the motor vehicle.

2971 (2) Wheel covers, mudguards, flaps, or splash aprons are not required:
2972 (a) if the motor vehicle, trailer, or semitrailer is designed and constructed so that the
2973 requirements of Subsection (1) are accomplished by means of fenders, body
2974 construction, or other means of enclosure;

2975 (b) on a vehicle operated or driven during fair weather on well-maintained,
2976 hard-surfaced roads if the motor vehicle:
2977 (i) was made in America prior to 1935;

- (ii) is registered as a vintage vehicle; or
- (iii) is a custom vehicle as defined under Section 41-6a-1507; or

(c) on a street-legal all-terrain vehicle.

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

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

Section 36. Section **41-6a-1636** is amended to read:

**41-6a-1636 (Effective 05/06/26). Tires which are prohibited -- Regulatory powers
of transportation department -- Winter use of studs -- Special permits -- Tread
depth.**

- (1) A solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.
- (2) A person may not operate or move on a highway a motor vehicle, trailer, or semitrailer having a metal tire in contact with the roadway.
- (3) Except as otherwise provided in this section, a person may not have a tire on a vehicle that is moved on a highway that has on the tire's periphery a block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation may make rules to permit the use of tires on a vehicle having protuberances other than rubber, if the department concludes that protuberances do not:
 - (a) damage the highway significantly; or
 - (b) constitute a hazard to life, health, or property.
- (5) Notwithstanding any other provision of this section, a person may use:
 - (a) a tire with protuberances consisting of tungsten carbide studs on a vehicle if the studs:
 - (i) are only used during the winter periods of October 15 through December 31 and January 1 through March 31 of each year;
 - (ii) do not project beyond the tread of the traction surface of the tire more than .050 inches; and
 - (iii) are not used on a vehicle with a maximum gross [weight] vehicle weight rating in excess of 9,000 pounds unless the vehicle is an emergency vehicle or school bus;
 - (b) farm machinery with tires having protuberances which will not injure the highway;

3012 and

3013 (c) tire chains of reasonable proportions on a vehicle when required for safety because of
3014 snow, ice, or other conditions tending to cause a vehicle to skid.

3015 (6) Notwithstanding any other provision of this chapter, a highway authority, for a highway
3016 under its jurisdiction, may issue special permits authorizing the operation on a highway
3017 of:

3018 (a) farm tractors;

3019 (b) other farm machinery; or

3020 (c) traction engines or tractors having movable tracks with transverse corrugations on
3021 the periphery of the movable tracks.

3022 (7)(a) A person may not operate a vehicle if one or more of the tires in use on the
3023 vehicle:

3024 (i) is in an unsafe operating condition; or

3025 (ii) has a tread depth less than 2/32 inch measured in any two adjacent tread grooves
3026 at three equally spaced intervals around the circumference of the tire.

3027 (b) The measurement under Subsection (7)(a) may not be made at the location of any
3028 tread wear indicator, tie bar, hump, or fillet.

3029 (8) A person in the business of selling tires may not sell or offer for sale for highway use
3030 any tire prohibited for use under Subsection (7).

3031 (9) A violation of this section is an infraction.

3032 Section 37. Section **41-12a-301** is amended to read:

3033 **41-12a-301 (Effective 05/06/26). Definitions -- Requirement of owner's or
3034 operator's security -- Exceptions.**

3035 (1) As used in this section:

3036 (a) "Highway" means the same as that term is defined in Section 41-1a-102.

3037 (b) "Local education agency" or "LEA" means the same as that term is defined in
3038 Section 53E-1-102.

3039 (c) "Quasi-public road or parking area" means the same as that term is defined in Section
3040 41-6a-214.

3041 (2) Except as provided in Subsection (5):

3042 (a) every resident owner of a motor vehicle shall maintain owner's or operator's security
3043 in effect at any time that the motor vehicle is operated on a highway or on a
3044 quasi-public road or parking area [or registered] within the state; and

3045 (b) every nonresident owner of a motor vehicle that has been physically present in this

3046 state for:

3047 (i) 90 or fewer days during the preceding 365 days shall maintain the type and
3048 amount of owner's or operator's security required in his place of residence, in
3049 effect continuously throughout the period the motor vehicle remains within Utah;
3050 or
3051 (ii) more than 90 days during the preceding 365 days shall thereafter maintain
3052 owner's or operator's security in effect continuously throughout the period the
3053 motor vehicle remains within Utah.

3054 (3)(a) Except as provided in Subsection (5), the state and all of its political subdivisions
3055 and their respective departments, institutions, or agencies shall maintain owner's or
3056 operator's security in effect continuously for their motor vehicles.
3057 (b) Any other state is considered a nonresident owner of its motor vehicles and is subject
3058 to Subsection (2)(b).
3059 (4) The United States, any political subdivision of it, or any of its agencies may maintain
3060 owner's or operator's security in effect for their motor vehicles.
3061 (5) Owner's or operator's security is not required for any of the following:
3062 (a) off-highway vehicles registered under Section 41-22-3 when operated either:
3063 (i) on a highway designated as open for off-highway vehicle use; or
3064 (ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3);
3065 (b) off-highway implements of husbandry operated in the manner prescribed by
3066 Subsections 41-22-5.5(3) through (5);
3067 (c) electric assisted bicycles as defined under Section 41-6a-102;
3068 (d) motor assisted scooters as defined under Section 41-6a-102;
3069 (e) electric personal assistive mobility devices as defined under Section 41-6a-102; or
3070 (f) an LEA, for a school bus that the LEA authorizes a state entity or political
3071 subdivision of the state to use.
3072 (6) If an LEA authorizes a state entity or political subdivision of the state to use a school
3073 bus:
3074 (a) the state entity or political subdivision shall maintain owner's or operator's security
3075 during the term of the school bus use in an amount that is greater than or equal to any
3076 governmental immunity liability limit;
3077 (b) the state entity or the political subdivision shall indemnify and defend the LEA for
3078 any claim that arises from the school bus use including a claim directed at the LEA,
3079 unless the claim arises from the sole negligence of the LEA; and

3080 (c) if the school district maintains owner's or operator's security for the school bus
3081 during the term of school bus use, the owner's and operator's security maintained by
3082 the state entity or political subdivision of the state is primary to the owner's and
3083 operator's security maintained by the LEA.

3084 Section 38. Section **41-22-2** is amended to read:

3085 **41-22-2 (Effective 05/06/26) (Partially Repealed 07/01/27). Definitions.**

3086 As used in this chapter:

3087 (1) "Advisory council" means an advisory council appointed by the Division of Outdoor
3088 Recreation that has within the advisory council's duties advising on policies related to
3089 the use of off-highway vehicles.

3090 (2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width, having [
3091 ~~an unladen dry~~] a shipping weight of 1,500 pounds or less, traveling on three or more
3092 low pressure tires, having a seat designed to be straddled by the operator, and designed
3093 for or capable of travel over unimproved terrain.

3094 (3)(a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width,
3095 traveling on four or more low pressure tires, having a steering wheel, non-straddle
3096 seating, a rollover protection system, and designed for or capable of travel over
3097 unimproved terrain, and is:

3098 (i) an electric-powered vehicle; or
3099 (ii) a vehicle powered by an internal combustion engine and has [~~an unladen dry~~] a
3100 shipping weight of 3,500 pounds or less.

3101 (b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry
3102 a person with a disability, any vehicle not specifically designed or modified primarily
3103 for recreational use on unimproved terrain, or farm tractors as defined under Section
3104 41-1a-102.

3105 (4)(a) "All-terrain type III vehicle" means any other motor vehicle, not defined in
3106 Subsection (2), (3), (13), or (24), designed for or capable of travel over unimproved
3107 terrain.

3108 (b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to
3109 carry a person with a disability, any vehicle not specifically designed or modified
3110 primarily for recreational use on unimproved terrain, or farm tractors as defined
3111 under Section 41-1a-102.

3112 (5) "Commission" means the Outdoor Adventure Commission.

3113 (6) "Cross-country" means across natural terrain and off an existing highway, road, route,

3114 or trail.

3115 (7) "Dealer" means a person engaged in the business of selling off-highway vehicles at
3116 wholesale or retail.

3117 (8) "Division" means the Division of Outdoor Recreation.

3118 (9) "Low pressure tire" means any pneumatic tire six inches or more in width designed for
3119 use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure
3120 of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

3121 (10) "Manufacturer" means a person engaged in the business of manufacturing off-highway
3122 vehicles.

3123 (11)(a) "Motor vehicle" means every vehicle which is self-propelled.

3124 (b) "Motor vehicle" includes an off-highway vehicle.

3125 (12) "Motorcycle" means every motor vehicle having a saddle for the use of the operator
3126 and designed to travel on not more than two tires.

3127 (13) "Off-highway implement of husbandry" means every all-terrain type I vehicle,
3128 all-terrain type II vehicle, all-terrain type III vehicle, off-highway motorcycle, or
3129 snowmobile that is used by the owner or the owner's agent for agricultural operations.

3130 (14) "Off-highway motorcycle" means an off-highway vehicle that is a motorcycle and is
3131 designed for use primarily off-highway.

3132 (15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain
3133 type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.

3134 (16)(a) "Off-highway vehicle facility" means a facility or area designated for use by an
3135 off-highway vehicle.

3136 (b) "Off-highway vehicle facility" includes a trail, trailhead, storage shed, water and
3137 electric infrastructure, or other infrastructure that provides or increases access to an
3138 area designated for use by an off-highway vehicle.

3139 (17) "Operate" means to control the movement of or otherwise use an off-highway vehicle.

3140 (18) "Operator" means the person who is in actual physical control of an off-highway
3141 vehicle.

3142 (19) "Organized user group" means an off-highway vehicle organization incorporated as a
3143 nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised Nonprofit
3144 Corporation Act, for the purpose of promoting the interests of off-highway vehicle
3145 recreation.

3146 (20) "Owner" means a person, other than a person with a security interest, having a
3147 property interest or title to an off-highway vehicle and entitled to the use and possession

3148 of that vehicle.

3149 (21) "Public land" means land owned or administered by any federal or state agency or any
3150 political subdivision of the state.

3151 (22) "Register" means the act of assigning a registration number to an off-highway vehicle.

3152 (23) "Roadway" is used as defined in Section 41-6a-102.

3153 (24) "Snowmobile" means any motor vehicle designed for travel on snow or ice and steered
3154 and supported in whole or in part by skis, belts, cleats, runners, or low pressure tires, and
3155 equipped with a saddle or seat for the use of the rider.

3156 (25) "Street or highway" means the entire width between boundary lines of every way or
3157 place of whatever nature, when any part of it is open to the use of the public for
3158 vehicular travel.

3159 (26) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as
3160 defined in Section 41-6a-102.

3161 Section 53-3-905 is amended to read:

3162 **53-3-905 (Effective 05/06/26). Dedication of fees.**

3163 [(1) The following shall be deposited as dedicated credits in the Transportation Fund to be
3164 used by the division for the program:]

3165 [(a) \$5 of the annual registration fee imposed for each registered motorcycle under
3166 Subsection 41-1a-1206(1)(a);]

3167 [(b) \$4 of the six-month registration fee imposed for each registered motorcycle under
3168 Subsection 41-1a-1206(2)(a); and]

3169 [(e) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or
3170 extension of a motorcycle endorsement.]

3171 (1) The division may use the following dedicated credits for the program:

3172 (a) the portion of registration fees deposited into the Transportation Fund as described in
3173 Subsection 41-1a-1201(11); and

3174 (b) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or
3175 extension of a motorcycle endorsement.

3176 (2) Appropriations to the program are nonlapsing.

3177 (3) Appropriations may not be used for assistance to, advocacy of, or lobbying for any
3178 legislation unless the legislation would enhance or affect the financial status of the
3179 program or the program's continuation.

3180 Section 40. Section 59-2-102 is amended to read:

3181 **59-2-102 (Effective 05/06/26). Definitions.**

3182 As used in this chapter:

3183 (1)(a) "Acquisition cost" means any cost required to put an item of tangible personal
3184 property into service.

3185 (b) "Acquisition cost" includes:

3186 (i) the purchase price of a new or used item;

3187 (ii) the cost of freight, shipping, loading at origin, unloading at destination, crating,
3188 skidding, or any other applicable cost of shipping;

3189 (iii) the cost of installation, engineering, rigging, erection, or assembly, including
3190 foundations, pilings, utility connections, or similar costs; and

3191 (iv) sales and use taxes.

3192 (2) "Aerial applicator" means aircraft or rotorcraft used exclusively for the purpose of
3193 engaging in dispensing activities directly affecting agriculture or horticulture with an
3194 airworthiness certificate from the Federal Aviation Administration certifying the aircraft
3195 or rotorcraft's use for agricultural and pest control purposes.

3196 (3) "Air charter service" means an air carrier operation that requires the customer to hire an
3197 entire aircraft rather than book passage in whatever capacity is available on a scheduled
3198 trip.

3199 (4) "Air contract service" means an air carrier operation available only to customers that
3200 engage the services of the carrier through a contractual agreement and excess capacity
3201 on any trip and is not available to the public at large.

3202 (5) "Aircraft" means the same as that term is defined in Section 72-10-102.

3203 (6)(a) Except as provided in Subsection (6)(b), "airline" means an air carrier that:

3204 (i) operates:

3205 (A) on an interstate route; and

3206 (B) on a scheduled basis; and

3207 (ii) offers to fly one or more passengers or cargo on the basis of available capacity on
3208 a regularly scheduled route.

3209 (b) "Airline" does not include an:

3210 (i) air charter service; or

3211 (ii) air contract service.

3212 (7) "Assessment roll" or "assessment book" means a permanent record of the assessment of
3213 property as assessed by the county assessor and the commission and may be maintained
3214 manually or as a computerized file as a consolidated record or as multiple records by
3215 type, classification, or categories.

3216 (8) "Base parcel" means a parcel of property that was legally:

3217 (a) subdivided into two or more lots, parcels, or other divisions of land; or

3218 (b)(i) combined with one or more other parcels of property; and

3219 (ii) subdivided into two or more lots, parcels, or other divisions of land.

3220 (9)(a) "Certified revenue levy" means a property tax levy that provides an amount of ad

3221 valorem property tax revenue equal to the sum of:

3222 (i) the amount of ad valorem property tax revenue to be generated statewide in the

3223 previous year from imposing a multicounty assessing and collecting levy, as

3224 specified in Section 59-2-1602; and

3225 (ii) the product of:

3226 (A) eligible new growth, as defined in Section 59-2-924; and

3227 (B) the multicounty assessing and collecting levy certified by the commission for

3228 the previous year.

3229 (b) For purposes of this Subsection (9), "ad valorem property tax revenue" does not

3230 include property tax revenue received by a taxing entity from personal property that

3231 is:

3232 (i) assessed by a county assessor in accordance with Part 3, County Assessment; and

3233 (ii) semiconductor manufacturing equipment.

3234 (c) For purposes of calculating the certified revenue levy described in this Subsection (9),

3235 the commission shall use:

3236 (i) the taxable value of real property assessed by a county assessor contained on the

3237 assessment roll;

3238 (ii) the taxable value of real and personal property assessed by the commission; and

3239 (iii) the taxable year end value of personal property assessed by a county assessor

3240 contained on the prior year's assessment roll.

3241 (10) "County-assessed commercial vehicle" means:

3242 (a) any commercial vehicle, trailer, or semitrailer that is not apportioned under Section

3243 41-1a-301 and is not operated interstate to transport the vehicle owner's goods or

3244 property in furtherance of the owner's commercial enterprise;

3245 (b) any passenger vehicle owned by a business and used by its employees for

3246 transportation as a company car or vanpool vehicle; and

3247 (c) vehicles that are:

3248 (i) especially constructed for towing or wrecking, and that are not otherwise used to

3249 transport goods, merchandise, or people for compensation;

- (ii) used or licensed as taxicabs or limousines;
- (iii) used as rental passenger cars, travel trailers, or motor homes;
- (iv) used or licensed in this state for use as ambulances or hearses;
- (v) especially designed and used for garbage and rubbish collection; or
- (vi) used exclusively to transport students or their instructors to or from any private, public, or religious school or school activities.

(11) "Eligible judgment" means a final and unappealable judgment or order under Section 59-2-1330:

- (a) that became a final and unappealable judgment or order no more than 14 months before the day on which the notice described in Section 59-2-919.1 is required to be provided; and
- (b) for which a taxing entity's share of the final and unappealable judgment or order is greater than or equal to the lesser of:
 - (i) \$5,000; or
 - (ii) 2.5% of the total ad valorem property taxes collected by the taxing entity in the previous fiscal year.

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

- (i) inadvertently omitted from the tax rolls, assigned to the incorrect parcel, or assessed to the wrong taxpayer by the assessing authority;
- (ii) undervalued or omitted from the tax rolls because of the failure of the taxpayer to comply with the reporting requirements of this chapter; or
- (iii) undervalued because of errors made by the assessing authority based upon incomplete or erroneous information furnished by the taxpayer.

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

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

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

3284 value.

3285 (14) "Geothermal fluid" means water in any form at temperatures greater than 120 degrees
3286 centigrade naturally present in a geothermal system.

3287 (15) "Geothermal resource" means:

3288 (a) the natural heat of the earth at temperatures greater than 120 degrees centigrade; and
3289 (b) the energy, in whatever form, including pressure, present in, resulting from, created
3290 by, or which may be extracted from that natural heat, directly or through a material
3291 medium.

3292 (16)(a) "Goodwill" means:

3293 (i) acquired goodwill that is reported as goodwill on the books and records that a
3294 taxpayer maintains for financial reporting purposes; or
3295 (ii) the ability of a business to:
3296 (A) generate income that exceeds a normal rate of return on assets and that results
3297 from a factor described in Subsection (16)(b); or
3298 (B) obtain an economic or competitive advantage resulting from a factor described
3299 in Subsection (16)(b).

3300 (b) The following factors apply to Subsection (16)(a)(ii):

3301 (i) superior management skills;
3302 (ii) reputation;
3303 (iii) customer relationships;
3304 (iv) patronage; or
3305 (v) a factor similar to Subsections (16)(b)(i) through (iv).

3306 (c) "Goodwill" does not include:

3307 (i) the intangible property described in Subsection (20)(a) or (b);
3308 (ii) locational attributes of real property, including:
3309 (A) zoning;
3310 (B) location;
3311 (C) view;
3312 (D) a geographic feature;
3313 (E) an easement;
3314 (F) a covenant;
3315 (G) proximity to raw materials;
3316 (H) the condition of surrounding property; or
3317 (I) proximity to markets;

- (iii) value attributable to the identification of an improvement to real property, including:
 - (A) reputation of the designer, builder, or architect of the improvement;
 - (B) a name given to, or associated with, the improvement; or
 - (C) the historic significance of an improvement; or
- (iv) the enhancement or assemblage value specifically attributable to the interrelation of the existing tangible property in place working together as a unit.

(17) "Governing body" means:

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

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

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

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

- (i)(A) attachment to land is essential to the operation or use of the item; and
- (B) the manner of attachment to land suggests that the item will remain attached to

the land in the same place over the useful life of the item; or

(ii) removal of the item would:

(A) cause substantial damage to the item; or

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

(b) "Improvement" includes:

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

- (A) essential to the operation of the item described in Subsection (19)(a); and
- (B) installed solely to serve the operation of the item described in Subsection (19)(a); and

(ii) an item described in Subsection (19)(a) that is temporarily detached from the land for repairs and remains located on the land.

(c) "Improvement" does not include:

(i) an item considered to be personal property pursuant to rules made in accordance with Section 59-2-107;

(ii) a moveable item that is attached to land for stability only or for an obvious temporary purpose;

(iii)(A) manufacturing equipment and machinery; or

(B) essential accessories to manufacturing equipment and machinery;

- (iv) an item attached to the land in a manner that facilitates removal without substantial damage to the land or the item; or

(v) a transportable factory-built housing unit as defined in Section 59-2-1502 if that transportable factory-built housing unit is considered to be personal property under Section 59-2-1503.

(20) "Intangible property" means:

(a) property that is capable of private ownership separate from tangible property, including:

(i) money;

(ii) credits;

(iii) bonds;

(iv) stocks;

(v) representative property;

(vi) franchises;

(vii) licenses;

- (viii) trade names;
- (ix) copyrights; and
- (x) patents;

(b) a low-income housing tax credit;

(c) goodwill; or

(d) a clean or renewable energy tax credit or incentive, including:

- (i) a federal renewable energy production tax credit under Section 45, Internal Revenue Code;
- (ii) a federal energy credit for qualified renewable electricity production facilities under Section 48, Internal Revenue Code;
- (iii) a federal grant for a renewable energy property under American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5, Section 1603; and
- (iv) a tax credit under Subsection 59-7-614(5).

(21) "Livestock" means:

- (a) a domestic animal;
- (b) a fish;
- (c) a fur-bearing animal;
- (d) a honeybee; or
- (e) poultry.

(22) "Low-income housing tax credit" means:

- (a) a federal low-income housing tax credit under Section 42, Internal Revenue Code; or
- (b) a low-income housing tax credit under Section 59-7-607 or Section 59-10-1010.

(23) "Metalliferous minerals" includes gold, silver, copper, lead, zinc, and uranium.

(24) "Mine" means a natural deposit of either metalliferous or nonmetalliferous valuable mineral.

(25) "Mining" means the process of producing, extracting, leaching, evaporating, or otherwise removing a mineral from a mine.

(26)(a) "Mobile flight equipment" means tangible personal property that is owned or operated by an air charter service, air contract service, or airline and:

- (i) is capable of flight or is attached to an aircraft that is capable of flight; or
- (ii) is contained in an aircraft that is capable of flight if the tangible personal property is intended to be used:
 - (A) during multiple flights;
 - (B) during a takeoff, flight, or landing; and

3420 (C) as a service provided by an air charter service, air contract service, or airline.

3421 (b)(i) "Mobile flight equipment" does not include a spare part other than a spare
3422 engine that is rotated at regular intervals with an engine that is attached to the
3423 aircraft.

3424 (ii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
3425 the commission may make rules defining the term "regular intervals."

3426 (27) "Nonmetalliferous minerals" includes, but is not limited to, oil, gas, coal, salts, sand,
3427 rock, gravel, and all carboniferous materials.

3428 (28) "Part-year residential property" means property that is not residential property on
3429 January 1 of a calendar year but becomes residential property after January 1 of the
3430 calendar year.

3431 (29) "Personal property" includes:

3432 (a) every class of property as defined in Subsection (30) that is the subject of ownership
3433 and is not real estate or an improvement;

3434 (b) any pipe laid in or affixed to land whether or not the ownership of the pipe is
3435 separate from the ownership of the underlying land, even if the pipe meets the
3436 definition of an improvement;

3437 (c) bridges and ferries;

3438 (d) livestock; and

3439 (e) outdoor advertising structures as defined in Section 72-7-502.

3440 (30)(a) "Property" means property that is subject to assessment and taxation according to
3441 its value.

3442 (b) "Property" does not include intangible property as defined in this section.

3443 (31)(a) "Public utility" means:

3444 (i) the operating property of a railroad, gas corporation, oil or gas transportation or
3445 pipeline company, coal slurry pipeline company, electrical corporation, sewerage
3446 corporation, or heat corporation where the company performs the service for, or
3447 delivers the commodity to, the public generally or companies serving the public
3448 generally, or in the case of a gas corporation or an electrical corporation, where
3449 the gas or electricity is sold or furnished to any member or consumers within the
3450 state for domestic, commercial, or industrial use; and

3451 (ii) the operating property of any entity or person defined under Section 54-2-1
3452 except water corporations.

3453 (b) "Public utility" does not include the operating property of a telecommunications

3454 service provider.

3455 (32)(a) Subject to Subsection (32)(b), "qualifying exempt primary residential rental
3456 personal property" means household furnishings, furniture, and equipment that:
3457 (i) are used exclusively within a dwelling unit that is the primary residence of a
3458 tenant;
3459 (ii) are owned by the owner of the dwelling unit that is the primary residence of a
3460 tenant; and
3461 (iii) after applying the residential exemption described in Section 59-2-103, are
3462 exempt from taxation under this chapter in accordance with Subsection 59-2-1115
3463 (2).

3464 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
3465 commission may by rule define the term "dwelling unit" for purposes of this
3466 Subsection (32) and Subsection (35).

3467 (33) "Real estate" or "real property" includes:

3468 (a) the possession of, claim to, ownership of, or right to the possession of land;
3469 (b) all mines, minerals, and quarries in and under the land, all timber belonging to
3470 individuals or corporations growing or being on the lands of this state or the United
3471 States, and all rights and privileges appertaining to these; and
3472 (c) improvements.

3473 (34)(a) "Relationship with an owner of the property's land surface rights" means a
3474 relationship described in Subsection 267(b), Internal Revenue Code, except that the
3475 term 25% shall be substituted for the term 50% in Subsection 267(b), Internal
3476 Revenue Code.

3477 (b) For purposes of determining if a relationship described in Subsection 267(b), Internal
3478 Revenue Code, exists, the ownership of stock shall be determined using the
3479 ownership rules in Subsection 267(c), Internal Revenue Code.

3480 (35)(a) "Residential property," for purposes of the reductions and adjustments under this
3481 chapter, means any property used for residential purposes as a primary residence.
3482 (b) "Residential property" includes:

3483 (i) except as provided in Subsection (35)(b)(ii), includes household furnishings,
3484 furniture, and equipment if the household furnishings, furniture, and equipment
3485 are:
3486 (A) used exclusively within a dwelling unit that is the primary residence of a
3487 tenant; and

3488 (B) owned by the owner of the dwelling unit that is the primary residence of a
3489 tenant; and

3490 (ii) if the county assessor determines that the property will be used for residential
3491 purposes as a primary residence:

3492 (A) property under construction; or

3493 (B) unoccupied property.

3494 (c) "Residential property" does not include property used for transient residential use.

3495 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
3496 commission may by rule define the term "dwelling unit" for purposes of Subsection
3497 (32) and this Subsection (35).

3498 (36) "Split estate mineral rights owner" means a person that:

3499 (a) has a legal right to extract a mineral from property;

3500 (b) does not hold more than a 25% interest in:

3501 (i) the land surface rights of the property where the wellhead is located; or

3502 (ii) an entity with an ownership interest in the land surface rights of the property
3503 where the wellhead is located;

3504 (c) is not an entity in which the owner of the land surface rights of the property where
3505 the wellhead is located holds more than a 25% interest; and

3506 (d) does not have a relationship with an owner of the land surface rights of the property
3507 where the wellhead is located.

3508 (37)(a) "State-assessed commercial vehicle" means:

3509 (i) any commercial vehicle, trailer, or semitrailer that operates interstate or intrastate
3510 to transport passengers, freight, merchandise, or other property for hire; or

3511 (ii) any commercial vehicle, trailer, or semitrailer that operates interstate and
3512 transports the vehicle owner's goods or property in furtherance of the owner's
3513 commercial enterprise.

3514 (b) "State-assessed commercial vehicle" does not include vehicles used for hire that are
3515 specified in Subsection (10)(c) as county-assessed commercial vehicles.

3516 (38) "Subdivided lot" means a lot, parcel, or other division of land, that is a division of a
3517 base parcel.

3518 (39) "Tax area" means a geographic area created by the overlapping boundaries of one or
3519 more taxing entities.

3520 (40) "Taxable value" means fair market value less any applicable reduction allowed for
3521 residential property under Section 59-2-103.

3522 (41) "Taxing entity" means any county, city, town, school district, special taxing district,
3523 special district under Title 17B, Limited Purpose Local Government Entities - Special
3524 Districts, or other political subdivision of the state with the authority to levy a tax on
3525 property.

3526 (42)(a) "Tax roll" means a permanent record of the taxes charged on property, as
3527 extended on the assessment roll, and may be maintained on the same record or
3528 records as the assessment roll or may be maintained on a separate record properly
3529 indexed to the assessment roll.

3530 (b) "Tax roll" includes tax books, tax lists, and other similar materials.

3531 (43) "Telecommunications service provider" means the same as that term is defined in
3532 Section 59-12-102.

3533 Section 41. Section **59-2-402** is amended to read:

3534 **59-2-402 (Effective 05/06/26). Proportional assessment of transitory personal
3535 property brought from outside state -- Exemptions -- Reporting requirements -- Penalty
3536 for failure to file report -- Claims for rebates and adjustments.**

3537 (1) If any taxable transitory personal property, other than property exempted under
3538 Subsection (2), is brought into the state at any time after the assessment date, a
3539 proportional assessment shall be made in accordance with rules adopted by the
3540 commission based upon the length of time that the property is in the state, but in no
3541 event may the minimum assessment be less than 25% of the full year's assessment.

3542 (2) The following property is exempt from proportional assessment under Subsection (1)
3543 for the year in which the license fee or tax is paid:

3544 (a) property acquired during the calendar year;

3545 (b) registered motor vehicles with a gross ~~laden weight~~ vehicle weight rating of
3546 27,000 pounds or less;

3547 (c) vehicles that are registered and licensed in another state;

3548 (d) property subject to the provisions of Subsection 59-2-405(4);

3549 (e) state-assessed commercial vehicles; and

3550 (f) a motor home that is:

3551 (i) brought into the state for the sole purpose of selling the motor home to a licensed
3552 dealer; and

3553 (ii) purchased for resale by a person licensed as a dealer under Section 41-3-201.

3554 (3) If any taxable transitory personal property is brought into the state at any time during
3555 the year, the owner of the property, or the owner's agent, shall immediately secure a

3556 personal property report form from the assessor, complete it in all pertinent respects,
3557 sign it, and file it with the assessor of the county in which the property is located.

3558 (4) If the owner of the taxable transitory personal property, or the owner's agent, fails to
3559 secure, complete, and file a personal property report form with the county assessor, the
3560 assessor shall estimate the value of the property in accordance with Section 59-2-307.
3561 Any failure on the part of the owner or agent to report as required by this subsection
3562 subjects the property owner to a penalty of 50% of the amount of tax finally determined
3563 to be due.

3564 (5) An owner of taxable transitory personal property, except motor vehicles with a gross [
3565 ~~laden weight~~] vehicle weight rating of 27,000 pounds or less, who has paid taxes on the
3566 personal property and who removes the property from the state prior to December, is
3567 entitled to a rebate of a proportionate share of the taxes paid as determined by the
3568 commission. If a claim for rebate or adjustments is filed with the county auditor by
3569 December 10, the auditor shall immediately submit the claim with a recommendation to
3570 the county executive for its approval or denial. If the claim is not approved prior to the
3571 end of the calendar year, or within 30 days after its submission, or if the claim is
3572 submitted after December 10, it shall be considered denied, and the owners of the
3573 property may file an action in the district court for a refund or an adjustment.

3574 Section 42. Section **59-12-103** is amended to read:

3575 **59-12-103 (Effective 07/01/26). Sales and use tax base -- Rates -- Effective dates**
3576 **-- Use of sales and use tax revenue.**

3577 (1) A tax is imposed on the purchaser as provided in this part on the purchase price or sales
3578 price for amounts paid or charged for the following transactions:

3579 (a) retail sales of tangible personal property made within the state;
3580 (b) amounts paid for:

3581 (i) telecommunications service, other than mobile telecommunications service, that
3582 originates and terminates within the boundaries of this state;

3583 (ii) mobile telecommunications service that originates and terminates within the
3584 boundaries of one state only to the extent permitted by the Mobile
3585 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or

3586 (iii) an ancillary service associated with a:

3587 (A) telecommunications service described in Subsection (1)(b)(i); or

3588 (B) mobile telecommunications service described in Subsection (1)(b)(ii);

3589 (c) sales of the following for commercial use:

- 3590 (i) gas;
- 3591 (ii) electricity;
- 3592 (iii) heat;
- 3593 (iv) coal;
- 3594 (v) fuel oil; or
- 3595 (vi) other fuels;
- 3596 (d) sales of the following for residential use:
 - 3597 (i) gas;
 - 3598 (ii) electricity;
 - 3599 (iii) heat;
 - 3600 (iv) coal;
 - 3601 (v) fuel oil; or
 - 3602 (vi) other fuels;
- 3603 (e) sales of prepared food;
- 3604 (f) except as provided in Section 59-12-104, amounts paid or charged as admission or
 - 3605 user fees for theaters, movies, operas, museums, planetariums, shows of any type or
 - 3606 nature, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses,
 - 3607 menageries, fairs, races, contests, sporting events, dances, boxing matches, wrestling
 - 3608 matches, closed circuit television broadcasts, billiard parlors, pool parlors, bowling
 - 3609 lanes, golf, miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts,
 - 3610 ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides,
 - 3611 river runs, jeep tours, boat tours, scenic cruises, horseback rides, sports activities, or
 - 3612 any other amusement, entertainment, recreation, exhibition, cultural, or athletic
 - 3613 activity;
- 3614 (g) amounts paid or charged for services for repairs or renovations of tangible personal
 - 3615 property, unless Section 59-12-104 provides for an exemption from sales and use tax
 - 3616 for:
 - 3617 (i) the tangible personal property; and
 - 3618 (ii) parts used in the repairs or renovations of the tangible personal property described
 - 3619 in Subsection (1)(g)(i), regardless of whether:
 - 3620 (A) any parts are actually used in the repairs or renovations of that tangible
 - 3621 personal property; or
 - 3622 (B) the particular parts used in the repairs or renovations of that tangible personal
 - 3623 property are exempt from a tax under this chapter;

3624 (h) except as provided in Subsection 59-12-104(7), amounts paid or charged for assisted
3625 cleaning or washing of tangible personal property;

3626 (i) amounts paid or charged for short-term rentals of tourist home, hotel, motel, or trailer
3627 court accommodations and services;

3628 (j) amounts paid or charged for laundry or dry cleaning services;

3629 (k) amounts paid or charged for leases or rentals of tangible personal property if within
3630 this state the tangible personal property is:

3631 (i) stored;

3632 (ii) used; or

3633 (iii) otherwise consumed;

3634 (l) amounts paid or charged for tangible personal property if within this state the tangible
3635 personal property is:

3636 (i) stored;

3637 (ii) used; or

3638 (iii) consumed;

3639 (m) amounts paid or charged for a sale:

3640 (i)(A) of a product transferred electronically; or

3641 (B) of a repair or renovation of a product transferred electronically; and

3642 (ii) regardless of whether the sale provides:

3643 (A) a right of permanent use of the product; or

3644 (B) a right to use the product that is less than a permanent use, including a right:

3645 (I) for a definite or specified length of time; and

3646 (II) that terminates upon the occurrence of a condition; and

3647 (n) sales of leased tangible personal property from the lessor to the lessee made in the
3648 state.

3649 (2)(a) Except as provided in Subsections (2)(b) through (f), a state tax and a local tax are
3650 imposed on a transaction described in Subsection (1) equal to the sum of:

3651 (i) a state tax imposed on the transaction at a tax rate equal to the sum of:

3652 (A) 4.70%;

3653 (B) the rate specified in Subsection (6)(a); and

3654 (C) the tax rate the state imposes in accordance with Part 20, Supplemental State
3655 Sales and Use Tax Act, if the location of the transaction as determined under
3656 Sections 59-12-211 through 59-12-215 is in a city, town, or the unincorporated
3657 area of a county in which the state imposes the tax under Part 20, Supplemental

State Sales and Use Tax Act; and

- (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.
- (b) Except as provided in Subsection (2)(f) or (g) and subject to Subsection (2)(l), a state tax and a local tax are imposed on a transaction described in Subsection (1)(d) equal to the sum of:
 - (i) a state tax imposed on the transaction at a tax rate of 2%; and
 - (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.
- (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:
 - (i) a state tax imposed on the amounts paid or charged for food and food ingredients at a tax rate of 1.75%; and
 - (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.
- (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).
- (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.
 - (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.
 - (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.
 - (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

3692 car-sharing program.

3693 (ii) A tax imposed under Subsection (2)(a)(i)(C) or (2)(a)(ii) applies to car sharing.

3694 (iii)(A) A car-sharing program may rely in good faith on a shared vehicle owner's
3695 representation that the shared vehicle is an individual-owned shared vehicle
3696 certified with the commission as described in Subsection (2)(e)(i).

3697 (B) If a car-sharing program relies in good faith on a shared vehicle owner's
3698 representation that the shared vehicle is an individual-owned shared vehicle
3699 certified with the commission as described in Subsection (2)(e)(i), the
3700 car-sharing program is not liable for any tax, penalty, fee, or other sanction
3701 imposed on the shared vehicle owner.

3702 (iv) If all shared vehicles shared through a car-sharing program are certified as
3703 described in Subsection (2)(e)(i)(A) for a tax period, the car-sharing program has
3704 no obligation to collect and remit the tax under Subsections (2)(a)(i)(A) and
3705 (2)(a)(i)(B) for that tax period.

3706 (v) A car-sharing program is not required to list or otherwise identify an
3707 individual-owned shared vehicle on a return or an attachment to a return.

3708 (vi) A car-sharing program shall:

3709 (A) retain tax information for each car-sharing program transaction; and
3710 (B) provide the information described in Subsection (2)(e)(vi)(A) to the
3711 commission at the commission's request.

3712 (f)(i) For a bundled transaction that is attributable to food and food ingredients and
3713 tangible personal property other than food and food ingredients, a state tax and a
3714 local tax is imposed on the entire bundled transaction equal to the sum of:

3715 (A) the tax rates described in Subsection (2)(a)(i); and
3716 (B) a local tax imposed on the entire bundled transaction at the sum of the tax
3717 rates described in Subsection (2)(a)(ii).

3718 (ii) If an optional computer software maintenance contract is a bundled transaction
3719 that consists of taxable and nontaxable products that are not separately itemized
3720 on an invoice or similar billing document, the purchase of the optional computer
3721 software maintenance contract is 40% taxable under this chapter and 60%
3722 nontaxable under this chapter.

3723 (iii) Subject to Subsection (2)(f)(iv), for a bundled transaction other than a bundled
3724 transaction described in Subsection (2)(f)(i) or (ii):

3725 (A) if the sales price of the bundled transaction is attributable to tangible personal

3726 property, a product, or a service that is subject to taxation under this chapter
3727 and tangible personal property, a product, or service that is not subject to
3728 taxation under this chapter, the entire bundled transaction is subject to taxation
3729 under this chapter unless:

3730 (I) the seller is able to identify by reasonable and verifiable standards the
3731 tangible personal property, product, or service that is not subject to taxation
3732 under this chapter from the books and records the seller keeps in the seller's
3733 regular course of business; or
3734 (II) state or federal law provides otherwise; or
3735 (B) if the sales price of a bundled transaction is attributable to two or more items
3736 of tangible personal property, products, or services that are subject to taxation
3737 under this chapter at different rates, the entire bundled transaction is subject to
3738 taxation under this chapter at the higher tax rate unless:
3739 (I) the seller is able to identify by reasonable and verifiable standards the
3740 tangible personal property, product, or service that is subject to taxation
3741 under this chapter at the lower tax rate from the books and records the seller
3742 keeps in the seller's regular course of business; or
3743 (II) state or federal law provides otherwise.
3744 (iv) For purposes of Subsection (2)(f)(iii), books and records that a seller keeps in the
3745 seller's regular course of business includes books and records the seller keeps in
3746 the regular course of business for nontax purposes.

3747 (g)(i) Except as otherwise provided in this chapter and subject to Subsections
3748 (2)(g)(ii) and (iii), if a transaction consists of the sale, lease, or rental of tangible
3749 personal property, a product, or a service that is subject to taxation under this
3750 chapter, and the sale, lease, or rental of tangible personal property, other property,
3751 a product, or a service that is not subject to taxation under this chapter, the entire
3752 transaction is subject to taxation under this chapter unless the seller, at the time of
3753 the transaction:

3754 (A) separately states the portion of the transaction that is not subject to taxation
3755 under this chapter on an invoice, bill of sale, or similar document provided to
3756 the purchaser; or
3757 (B) is able to identify by reasonable and verifiable standards, from the books and
3758 records the seller keeps in the seller's regular course of business, the portion of
3759 the transaction that is not subject to taxation under this chapter.

3760 (ii) A purchaser and a seller may correct the taxability of a transaction if:

3761 (A) after the transaction occurs, the purchaser and the seller discover that the

3762 portion of the transaction that is not subject to taxation under this chapter was

3763 not separately stated on an invoice, bill of sale, or similar document provided

3764 to the purchaser because of an error or ignorance of the law; and

3765 (B) the seller is able to identify by reasonable and verifiable standards, from the

3766 books and records the seller keeps in the seller's regular course of business, the

3767 portion of the transaction that is not subject to taxation under this chapter.

3768 (iii) For purposes of Subsections (2)(g)(i) and (ii), books and records that a seller

3769 keeps in the seller's regular course of business includes books and records the

3770 seller keeps in the regular course of business for nontax purposes.

3771 (h)(i) If the sales price of a transaction is attributable to two or more items of tangible

3772 personal property, products, or services that are subject to taxation under this

3773 chapter at different rates, the entire purchase is subject to taxation under this

3774 chapter at the higher tax rate unless the seller, at the time of the transaction:

3775 (A) separately states the items subject to taxation under this chapter at each of the

3776 different rates on an invoice, bill of sale, or similar document provided to the

3777 purchaser; or

3778 (B) is able to identify by reasonable and verifiable standards the tangible personal

3779 property, product, or service that is subject to taxation under this chapter at the

3780 lower tax rate from the books and records the seller keeps in the seller's regular

3781 course of business.

3782 (ii) For purposes of Subsection (2)(h)(i), books and records that a seller keeps in the

3783 seller's regular course of business includes books and records the seller keeps in

3784 the regular course of business for nontax purposes.

3785 (i) Subject to Subsections (2)(j) and (k), a tax rate repeal or tax rate change for a tax rate

3786 imposed under the following shall take effect on the first day of a calendar quarter:

3787 (i) Subsection (2)(a)(i)(A);

3788 (ii) Subsection (2)(a)(i)(B);

3789 (iii) Subsection (2)(b)(i);

3790 (iv) Subsection (2)(c)(i); or

3791 (v) Subsection (2)(f)(i)(A).

3792 (j)(i) A tax rate increase takes effect on the first day of the first billing period that

3793 begins on or after the effective date of the tax rate increase if the billing period for

3794 the transaction begins before the effective date of a tax rate increase imposed
3795 under:

- 3796 (A) Subsection (2)(a)(i)(A);
3797 (B) Subsection (2)(a)(i)(B);
3798 (C) Subsection (2)(b)(i);
3799 (D) Subsection (2)(c)(i); or
3800 (E) Subsection (2)(f)(i)(A).

3801 (ii) The repeal of a tax or a tax rate decrease applies to a billing period if the billing
3802 statement for the billing period is rendered on or after the effective date of the
3803 repeal of the tax or the tax rate decrease imposed under:

- 3804 (A) Subsection (2)(a)(i)(A);
3805 (B) Subsection (2)(a)(i)(B);
3806 (C) Subsection (2)(b)(i);
3807 (D) Subsection (2)(c)(i); or
3808 (E) Subsection (2)(f)(i)(A).

3809 (k)(i) For a tax rate described in Subsection (2)(k)(ii), if a tax due on a catalogue sale
3810 is computed on the basis of sales and use tax rates published in the catalogue, a
3811 tax rate repeal or change in a tax rate takes effect:

- 3812 (A) on the first day of a calendar quarter; and
3813 (B) beginning 60 days after the effective date of the tax rate repeal or tax rate
3814 change.

3815 (ii) Subsection (2)(k)(i) applies to the tax rates described in the following:

- 3816 (A) Subsection (2)(a)(i)(A);
3817 (B) Subsection (2)(a)(i)(B);
3818 (C) Subsection (2)(b)(i);
3819 (D) Subsection (2)(c)(i); or
3820 (E) Subsection (2)(f)(i)(A).

3821 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
3822 the commission may by rule define the term "catalogue sale."

3823 (l)(i) For a location described in Subsection (2)(l)(ii), the commission shall determine
3824 the taxable status of a sale of gas, electricity, heat, coal, fuel oil, or other fuel
3825 based on the predominant use of the gas, electricity, heat, coal, fuel oil, or other
3826 fuel at the location.

3827 (ii) Subsection (2)(l)(i) applies to a location where gas, electricity, heat, coal, fuel oil,

3828 or other fuel is furnished through a single meter for two or more of the following
3829 uses:

3830 (A) a commercial use;
3831 (B) an industrial use; or
3832 (C) a residential use.

3833 (3)(a) The commission shall deposit the following state taxes into the General Fund:

3834 (i) the tax imposed by Subsection (2)(a)(i)(A);
3835 (ii) the tax imposed by Subsection (2)(b)(i);
3836 (iii) the tax imposed by Subsection (2)(c)(i);
3837 (iv) the tax imposed by Subsection (2)(d); and
3838 (v) the tax imposed by Subsection (2)(f)(i)(A).

3839 (b) The commission shall distribute the following local taxes to a county, city, or town
3840 as provided in this chapter:

3841 (i) the tax imposed by Subsection (2)(a)(ii);
3842 (ii) the tax imposed by Subsection (2)(b)(ii);
3843 (iii) the tax imposed by Subsection (2)(c)(ii); and
3844 (iv) the tax imposed by Subsection (2)(f)(i)(B).

3845 (4)(a) Notwithstanding Subsection (3)(a), for each fiscal year the commission shall make
3846 the deposits described in Subsections (4)(b) through (4)(h) from the revenue from the
3847 taxes imposed by:

3848 (i) Subsection (2)(a)(i)(A);
3849 (ii) Subsection (2)(b)(i);
3850 (iii) Subsection (2)(c)(i); and
3851 (iv) Subsection (2)(f)(i)(A).

3852 (b) The commission shall deposit 15% of the difference between 1.4543% of the
3853 revenue described in Subsection (4)(a) and the deposits made under Subsection (5)(b),
3854 into the Water Rights Restricted Account created in Section 73-2-1.6.

3855 (c) The commission shall deposit 85% of the difference between 1.4543% of the revenue
3856 described in Subsection (4)(a) and the deposits made under Subsection (5)(b), into
3857 the Water Resources Conservation and Development Fund created in Section
3858 73-10-24 for use by the Division of Water Resources for:

3859 (i) preconstruction costs:
3860 (A) as defined in Subsection 73-26-103(6) for projects authorized by Title 73,
3861 Chapter 26, Bear River Development Act; and

3862 (B) as defined in Subsection 73-28-103(8) for the Lake Powell Pipeline project
3863 authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act;
3864 (ii) the cost of employing a civil engineer to oversee any project authorized by Title
3865 73, Chapter 26, Bear River Development Act;
3866 (iii) the cost of employing a civil engineer to oversee the Lake Powell Pipeline
3867 project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development
3868 Act; and
3869 (iv) other uses authorized under Sections 73-10-24, 73-10-25.1, and 73-10-30, and
3870 Subsection (5)(b)(iv)(B) after funding the uses specified in Subsections (4)(c)(i)
3871 through (iii).
3872 (d) The commission shall deposit 1.4543% of the revenue described in Subsection (4)(a)
3873 into the Water Infrastructure Restricted Account created in Section 73-10g-103.
3874 (e)(i) Subject to Subsection (4)(e)(ii), the commission shall deposit 26.24% of the
3875 revenue described in Subsection (4)(a) into the Transportation Investment Fund of
3876 2005 created in Section 72-2-124.
3877 (ii) The commission shall annually reduce the deposit described in Subsection
3878 (4)(e)(i) by the sum of:
3879 [(A) \$1,813,400;]
3880 [(B)] (A) the earmark described in Subsection (5)(c); and
3881 [(C)] (B) an amount equal to 35% of the revenue generated in the current fiscal
3882 year by the portion of the tax imposed on motor and special fuel that is sold,
3883 used, or received in the state that exceeds 29.4 cents per gallon.
3884 (iii) The amount described in Subsection [(4)(e)(ii)(C)] (4)(e)(ii)(B) shall be annually
3885 deposited into the Transit Transportation Investment Fund created in Section
3886 72-2-124.
3887 (f) The commission shall deposit .44% of the revenue described in Subsection (4)(a) into
3888 the Cottonwood Canyons Transportation Investment Fund created in Section
3889 72-2-124.
3890 (g) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
3891 the Commuter Rail Subaccount created in Section 72-2-124.
3892 (h) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
3893 the Outdoor Adventure Infrastructure Restricted Account created in Section 51-9-902
3894 as follows:
3895 (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

(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.

(5)(a) Notwithstanding Subsection (3)(a), each fiscal year the commission shall make the deposits described in this Subsection (5).

(b)(i)(A) The commission shall deposit \$500,000 to the Department of Natural Resources to be used for watershed rehabilitation or restoration.

(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.

(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.

(iii) The commission shall deposit \$525,000 into the Division of Conservation created in Section 4-46-401 to implement water related programs.

(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:

(A) for the uses allowed of the Water Resources Conservation and Development Fund under Section 73-10-24;

(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;

(C) to fund state required dam safety improvements; and

(D) to protect the state's interest in interstate water compact allocations, including the hiring of technical and legal staff.

(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.

3930 (vi) The commission shall deposit \$3,587,500 into the Drinking Water Loan Program
3931 Subaccount created in Section 73-10c-5 for use by the Division of Drinking Water
3932 to:
3933 (A) provide for the installation and repair of collection, treatment, storage, and
3934 distribution facilities for any public water system, as defined in Section
3935 19-4-102;
3936 (B) develop underground sources of water, including springs and wells; and
3937 (C) develop surface water sources.

3938 (vii) The commission shall deposit \$2,450,000 to the Division of Wildlife Resources
3939 to:
3940 (A) implement the measures described in Subsections 23A-3-214(3)(a) through
3941 (d) to protect sensitive plant and animal species; or
3942 (B) award grants, up to the amount authorized by the Legislature in an
3943 appropriations act, to political subdivisions of the state to implement the
3944 measures described in Subsections 23A-3-214(3)(a) through (d) to protect
3945 sensitive plant and animal species.

3946 (viii) Funds transferred to the Division of Wildlife Resources under Subsection
3947 (5)(b)(vii)(A) may not be used to assist the United States Fish and Wildlife
3948 Service or any other person to list or attempt to have listed a species as threatened
3949 or endangered under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et
3950 seq.

3951 (ix) At the end of each fiscal year, any unexpended amounts described in Subsections
3952 (5)(b)(vii)(A) and (B) shall lapse:
3953 (A) 50% into the Water Resources Conservation and Development Fund created
3954 in Section 73-10-24;
3955 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
3956 73-10c-5; and
3957 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
3958 73-10c-5.

3959 (x) The commission shall allocate \$175,000 to the Division of Water Rights to cover
3960 the costs incurred in hiring legal and technical staff for the adjudication of water
3961 rights.

3962 (xi) At the end of each fiscal year, any unexpended amounts described in Subsection
3963 (5)(b)(x) shall lapse:

3964 (A) 50% into the Water Resources Conservation and Development Fund created
3965 in Section 73-10-24;

3966 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
3967 73-10c-5; and

3968 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
3969 73-10c-5.

3970 (c) The commission shall deposit \$45,000,000 into the Active Transportation Investment
3971 Fund created in Section 72-2-124.

3972 (d) The commission shall deposit \$533,750 into the Qualified Emergency Food
3973 Agencies Fund created by and expended in accordance with Section 35A-8-1009.

3974 (e) The commission shall deposit \$200,000 into the General Fund as a dedicated credit
3975 for the sole use of the Search and Rescue Financial Assistance Program created by
3976 and to be expended in accordance with Title 53, Chapter 2a, Part 11, Search and
3977 Rescue Act.

3978 (6)(a) The rate specified in this Subsection (6) is 0.15%.

3979 (b) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year beginning
3980 on or after July 1, 2019, annually transfer the amount of revenue collected from the
3981 rate described in Subsection (6)(a) on the transactions that are subject to the sales and
3982 use tax under Subsection (2)(a)(i)(B) into the Medicaid ACA Fund created in Section
3983 26B-1-315.

3984 (7)(a) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11),
3985 (12), and (13), and as described in Section 63N-3-610, beginning the first day of a
3986 calendar quarter one year after the sales and use tax boundary for a housing and
3987 transit reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing
3988 and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer
3989 an amount equal to 15% of the sales and use tax increment from the sales and use tax
3990 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within
3991 an established sales and use tax boundary, as defined in Section 63N-3-602, into the
3992 Transit Transportation Investment Fund created in Section 72-2-124.

3993 (b) Beginning no sooner than January 1, 2026, notwithstanding Subsection (3)(a), and
3994 except as provided in Subsections (11), (12), and (13), and as described in Section
3995 63N-3-610.1, beginning the first day of a calendar quarter after the year set in the
3996 proposal and after the sales and use tax boundary for a convention center
3997 reinvestment zone is established in a capital city under Title 63N, Chapter 3, Part 6,

3998 Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall
3999 transfer an amount equal to 50% of the sales and use tax increment as defined in
4000 Section 63N-3-602 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a
4001 4.7% rate, on transactions occurring within an established sales and use tax boundary,
4002 as defined in Section 63N-3-602, to a convention center public infrastructure district
4003 created in accordance with Section 17D-4-202.1 and specified in the convention
4004 center reinvestment zone proposal submitted pursuant to Title 63N, Chapter 3, Part 6,
4005 Housing and Transit Reinvestment Zone Act.

4006 (8) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and
4007 (13), beginning October 1, 2024 the commission shall transfer to the Utah Fairpark Area
4008 Investment and Restoration District, created in Section 11-70-201, the revenue from the
4009 sales and use tax imposed by Subsection (2)(a)(i)(A), on transactions occurring within
4010 the district sales tax area, as defined in Section 11-70-101.

4011 (9)(a) As used in this Subsection (9):

4012 (i) "Additional land" means point of the mountain state land described in Subsection
4013 11-59-102(6)(b) that the point of the mountain authority acquires after the point of
4014 the mountain authority provides the commission a map under Subsection (9)(c).
4015 (ii) "Point of the mountain authority" means the Point of the Mountain State Land
4016 Authority, created in Section 11-59-201.
4017 (iii) "Point of the mountain state land" means the same as that term is defined in
4018 Section 11-59-102.

4019 (b) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12),
4020 and (13), the commission shall distribute to the point of the mountain authority 50%
4021 of the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A), on
4022 transactions occurring on the point of the mountain state land.

4023 (c) The distribution under Subsection (9)(b) shall begin the next calendar quarter that
4024 begins at least 90 days after the point of the mountain authority provides the
4025 commission a map that:

4026 (i) accurately describes the point of the mountain state land; and
4027 (ii) the point of the mountain authority certifies as accurate.

4028 (d) A distribution under Subsection (9)(b) with respect to additional land shall begin the
4029 next calendar quarter that begins at least 90 days after the point of the mountain
4030 authority provides the commission a map of point of the mountain state land that:
4031 (i) accurately describes the point of the mountain state land, including the additional

4032 land; and

4033 (ii) the point of the mountain authority certifies as accurate.

4034 (e)(i) Upon the payment in full of bonds secured by the sales and use tax revenue
4035 distributed to the point of the mountain authority under Subsection (9)(b), the
4036 point of the mountain authority shall immediately notify the commission in
4037 writing that the bonds are paid in full.

4038 (ii) The commission shall discontinue distributions of sales and use tax revenue under
4039 Subsection (9)(b) at the beginning of the calendar quarter that begins at least 90
4040 days after the date that the commission receives the written notice under
4041 Subsection (9)(e)(i).

4042 (10) Notwithstanding Subsection (3)(a), the amount of state sales tax revenues described in
4043 Section 63N-2-503.5 is deposited into the Convention Incentive Fund created in Section
4044 63N-2-503.5.

4045 (11)(a) As used in this Subsection (11):

4046 (i) "Applicable percentage" means:

4047 (A) for a housing and transit reinvestment zone created under Title 63N, Chapter
4048 3, Part 6, Housing and Transit Reinvestment Zone Act, 15% of the revenue
4049 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate
4050 for sales occurring within the qualified development zone described in
4051 Subsection (11)(a)(ii)(A);

4052 (B) for the Utah Fairpark Area Investment and Restoration District created in
4053 Section 11-70-201, the revenue from the sales and use tax imposed by
4054 Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified
4055 development zone described in Subsection (11)(a)(ii)(B); and

4056 (C) for the Point of the Mountain State Land Authority created in Section
4057 11-59-201, 50% of the revenue from sales and use tax imposed by Subsection
4058 (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development
4059 zone described in Subsection (11)(a)(ii)(C).

4060 (ii) "Qualified development zone" means:

4061 (A) the sales and use tax boundary of a housing and transit reinvestment zone
4062 created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment
4063 Act;

4064 (B) the district sales tax boundary as defined in Section 11-70-101 for the Utah
4065 Fairpark Area Investment and Restoration District, created in Section

4066 11-70-201; or

4067 (C) the sales and use tax boundary of point of the mountain state land, as defined
4068 in Section 11-59-102, under the Point of the Mountain State Land Authority
4069 created in Section 11-59-201.

4070 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
4071 TC-62M, Schedule J or a substantially similar form as designated by the
4072 commission.

4073 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
4074 qualified development zone shall be deposited into the General Fund.

4075 (12)(a) As used in Subsections (12) and (13):

4076 (i) "Applicable percentage" means, for a convention center reinvestment zone created
4077 in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit
4078 Reinvestment Zone Act, an amount equal to 50% of the sales and use tax
4079 increment, as that term is defined in Section 63N-3-602, from the sales and use tax
4080 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the
4081 qualified development zone described in Subsection (12)(a)(ii).

4082 (ii) "Qualified development zone" means the sales and use tax boundary of a
4083 convention center reinvestment zone created in a capital city under Title 63N,
4084 Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.

4085 (iii) "Qualifying construction materials" means construction materials that are:
4086 (A) delivered to a delivery outlet within a qualified development zone; and
4087 (B) intended to be permanently attached to real property within the qualified
4088 development zone.

4089 (b) For a sale of qualifying construction materials, the commission shall distribute the
4090 product calculated in Subsection (12)(c) to a qualified development zone if the seller
4091 of the construction materials:

4092 (i) establishes a delivery outlet with the commission within the qualified development
4093 zone;
4094 (ii) reports the sales of the construction materials to the delivery outlet described in
4095 Subsection (12)(b)(i); and
4096 (iii) does not report the sales of the construction materials on a simplified electronic
4097 return.

4098 (c) For the purposes of Subsection (12)(b), the product is equal to:

4099 (i) the sales price or purchase price of the qualifying construction materials; and

(ii) the applicable percentage.

(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.

(b) Revenue generated from the applicable percentage by a Schedule J sale within a qualified development zone shall be distributed into the General Fund.

Section 43. Section **59-13-102** is amended to read:

59-13-102 (Effective 05/06/26). Definitions.

As used in this chapter:

(1) "Aviation fuel" means fuel that is sold at airports and used exclusively for the operation of aircraft.

(2) "Clean fuel" means:

(a) the following special fuels:

(i) propane;

(ii) compressed natural gas;

(iii) liquified natural gas;

(iv) electricity; or

(v) hydrogen; or

(b) any motor or special fuel that meets the clean fuel vehicle standards in the federal Clean Air Act Amendments of 1990, Title II.

(3) "Commission" means the State Tax Commission.

(4) "Consumer Price Index" means the Consumer Price Index for All Urban Consumers as published by the Bureau of Labor Statistics of the United States Department of Labor.

(5)(a) "Diesel fuel" means any liquid that is commonly or commercially known, offered for sale, or used as a fuel in diesel engines.

(b) "Diesel fuel" includes any combustible liquid, by whatever name the liquid may be known or sold, when the liquid is used in an internal combustion engine for the generation of power to operate a motor vehicle licensed to operate on the highway, except fuel that is subject to the tax imposed in Part 2, Motor Fuel, and Part 4, Aviation Fuel, of this chapter.

(6) "Diesel gallon equivalent" means 6.06 pounds of liquified natural gas.

(7) "Distributor" means any person in this state who:

(a) imports or causes to be imported motor fuel for use, distribution, or sale, whether at retail or wholesale;

- (b) produces, refines, manufactures, or compounds motor fuel in this state for use, distribution, or sale in this state;
- (c) is engaged in the business of purchasing motor fuel for resale in wholesale quantities to retail dealers of motor fuel and who accounts for his own motor fuel tax liability; or
- (d) for purposes of Part 4, Aviation Fuel, only, makes retail sales of aviation fuel to:
 - (i) federally certificated air carriers; and
 - (ii) other persons.

(8) "Dyed diesel fuel" means diesel fuel that is dyed in accordance with 26 U.S.C. Sec. 4082 or United States Environmental Protection Agency or Internal Revenue Service regulations and that is considered destined for nontaxable off-highway use.

(9) "Exchange agreement" means an agreement between licensed suppliers where one is a position holder in a terminal who agrees to deliver taxable special fuel to the other supplier or the other supplier's customer at the loading rack of the terminal where the delivering supplier holds an inventory position.

(10) "Federally certificated air carrier" means a person who holds a certificate issued by the Federal Aviation Administration authorizing the person to conduct an all-cargo operation or scheduled operation, as defined in 14 C.F.R. Sec. 110.2.

(11) "Fuels" means any gas, liquid, solid, mixture, or other energy source which is generally used in an engine or motor for the generation of power, including aviation fuel, clean fuel, diesel fuel, motor fuel, and special fuel.

(12) "Gasoline gallon equivalent" means:

- (a) 5.660 pounds of compressed natural gas; or
- (b) 2.198 pounds of hydrogen.

(13) "Highway" means every way or place, of whatever nature, generally open to the use of the public for the purpose of vehicular travel notwithstanding that the way or place may be temporarily closed for the purpose of construction, maintenance, or repair.

(14) "Motor fuel" means fuel that is commonly or commercially known or sold as gasoline or gasohol and is used for any purpose, but does not include aviation fuel.

(15) "Motor fuels received" means:

- (a) motor fuels that have been loaded at the refinery or other place into tank cars, placed in any tank at the refinery from which any withdrawals are made directly into tank trucks, tank wagons, or other types of transportation equipment, containers, or facilities other than tank cars, or placed in any tank at the refinery from which any sales, uses, or deliveries not involving transportation are made directly; or

4168 (b) motor fuels that have been imported by any person into the state from any other state
4169 or territory by tank car, tank truck, pipeline, or any other conveyance at the time
4170 when, and the place where, the interstate transportation of the motor fuel is
4171 completed within the state by the person who at the time of the delivery is the owner
4172 of the motor fuel.

4173 (16) "Oil pricing service" means an organization that:

4174 (a) publishes wholesale petroleum prices within the United States;
4175 (b) publishes at least 25,000 rack prices on a daily basis; and
4176 (c) receives daily gasoline and diesel prices from at least 100,000 retail outlets in the
4177 United States and Canada.

4178 (17)(a) "Qualified motor vehicle" means a special fuel-powered motor vehicle used,
4179 designed, or maintained for transportation of persons or property which:

4180 (i) has a gross vehicle weight or registered gross vehicle weight exceeding 26,000
4181 pounds;
4182 (ii) has three or more axles regardless of weight; or
4183 (iii) is used in a combination of vehicles when the weight of the combination of
4184 vehicles exceeds 26,000 pounds gross vehicle weight.

4185 (b) "Qualified motor vehicle" does not include a recreational vehicle not used in
4186 connection with any business activity.

4187 (18) "Rack," as used in Part 3, Special Fuel, means a deck, platform, or open bay which
4188 consists of a series of metered pipes and hoses for the delivery or removal of diesel fuel
4189 from a refinery or terminal into a motor vehicle, rail car, or vessel.

4190 (19) "Removal," as used in Part 3, Special Fuel, means the physical transfer of diesel fuel
4191 from a production, manufacturing, terminal, or refinery facility and includes use of
4192 diesel fuel. Removal does not include:

4193 (a) loss by evaporation or destruction; or
4194 (b) transfers between refineries, racks, or terminals.

4195 (20)(a) "Special fuel" means any fuel regardless of name or character that:

4196 (i) is usable as fuel to operate or propel a motor vehicle upon the public highways of
4197 the state; and
4198 (ii) is not taxed under the category of aviation or motor fuel.

4199 (b) Special fuel includes:

4200 (i) fuels that are not conveniently measurable on a gallonage basis; and
4201 (ii) diesel fuel.

4202 (21) "Statewide average rack price of a gallon of motor fuel" means the average rack price
4203 of a gallon of motor fuel determined by calculating the average of the Salt Lake City and
4204 Cedar City terminal prices of the average daily average net closing price of a gallon of
4205 branded regular, 10% ethanol, 9.0 Reid Vapor Pressure unleaded motor fuel for each
4206 terminal.

4207 [(21)] (22) "Supplier," as used in Part 3, Special Fuel, means a person who:
4208 (a) imports or acquires immediately upon importation into this state diesel fuel from
4209 within or without a state, territory, or possession of the United States or the District
4210 of Columbia;
4211 (b) produces, manufactures, refines, or blends diesel fuel in this state;
4212 (c) otherwise acquires for distribution or sale in this state, diesel fuel with respect to
4213 which there has been no previous taxable sale or use; or
4214 (d) is in a two party exchange where the receiving party is deemed to be the supplier.

4215 [(22)] (23) "Terminal," as used in Part 3, Special Fuel, means a facility for the storage of
4216 diesel fuel which is supplied by a motor vehicle, pipeline, or vessel and from which
4217 diesel fuel is removed for distribution at a rack.

4218 [(23)] (24) "Two party exchange" means a transaction in which special fuel is transferred
4219 between licensed suppliers pursuant to an exchange agreement.

4220 [(24)] (25) "Undyed diesel fuel" means diesel fuel that is not subject to the dyeing
4221 requirements in accordance with 26 U.S.C. Sec. 4082 or United States Environmental
4222 Protection Agency or Internal Revenue Service regulations.

4223 [(25)] (26) "Use," as used in Part 3, Special Fuel, means the consumption of special fuel for
4224 the operation or propulsion of a motor vehicle upon the public highways of the state and
4225 includes the reception of special fuel into the fuel supply tank of a motor vehicle.

4226 [(26)] (27) "User," as used in Part 3, Special Fuel, means any person who uses special fuel
4227 within this state in an engine or motor for the generation of power to operate or propel a
4228 motor vehicle upon the public highways of the state.

4229 [(27)] (28) "Ute tribal member" means an enrolled member of the Ute tribe.

4230 [(28)] (29) "Ute tribe" means the Ute Indian Tribe of the Uintah and Ouray Reservation.

4231 [(29)] (30) "Ute trust land" means the lands:

4232 (a) of the Uintah and Ouray Reservation that are held in trust by the United States for the
4233 benefit of:
4234 (i) the Ute tribe;
4235 (ii) an individual; or

(iii) a group of individuals; or

(b) specified as trust land by agreement between the governor and the Ute tribe meeting the requirements of Subsections 59-13-201.5(3) and 59-13-301.5(3).

Section 44. Section **72-1-213.1** is amended to read:

72-1-213.1 (Effective 05/06/26). Road usage charge program.

(1) As used in this section:

(a) "Account manager" means an entity under contract with the department to administer and manage the road usage charge program.

(b) "Alternative fuel vehicle" means:

(i) an electric motor vehicle as defined in Section 41-1a-102; or

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

(A) motor fuel;

(B) diesel fuel;

(C) natural gas; or

(D) propane.

(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.

(d) "Program" means the road usage charge program established and described in this section.

(e) "Road usage charge cap" means the maximum fee charged to a participant in the program for a registration period.

(f) "Road usage charge rate" means the per-mile usage fee charged to a participant in the program.

(2) There is established a road usage charge program as described in this section.

(3)(a) The department shall implement and oversee the administration of the program, which shall begin on January 1, 2020.

(b) To implement and administer the program, the department may contract with an account manager.

(4)(a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of the alternative fuel vehicle in the program.

(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).

4270 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
4271 consistent with this section, the department:
4272 (a) shall make rules to establish:
4273 (i) processes and terms for enrollment into and withdrawal or removal from the
4274 program;
4275 (ii) payment periods and other payment methods and procedures for the program;
4276 (iii) standards for mileage reporting mechanisms for an owner or lessee of an
4277 alternative fuel vehicle to report mileage as part of participation in the program;
4278 (iv) standards for program functions for mileage recording, payment processing,
4279 account management, and other similar aspects of the program;
4280 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner
4281 and an account manager for participation in the program;
4282 (vi) contractual terms between the department and an account manager, including
4283 authority for an account manager to enforce the terms of the program;
4284 (vii) procedures to provide security and protection of personal information and data
4285 connected to the program, and penalties for account managers for violating
4286 privacy protection rules;
4287 (viii) penalty procedures for a program participant's failure to pay a road usage
4288 charge or tampering with a device necessary for the program;[-and]
4289 (ix) department oversight of an account manager, including privacy protection of
4290 personal information and access and auditing capability of financial and other
4291 records related to administration of the program; and
4292 (x) procedures to accommodate in the road usage charge program a vehicle registered
4293 for a 24-month period as provided in Section 41-1a-215.5; and
4294 (b) may make rules to establish:
4295 (i) an enrollment cap for certain alternative fuel vehicle types to participate in the
4296 program;
4297 (ii) a process for collection of an unpaid road usage charge or penalty; or
4298 (iii) integration of the program with other similar programs, such as tolling.
4299 (6) Revenue generated by the road usage charge program and relevant penalties shall be
4300 deposited into the Road Usage Charge Program Special Revenue Fund.
4301 (7)(a) The department may:
4302 (i)(A) impose a penalty for failure to timely pay a road usage charge according to
4303 the terms of the program or tampering with a device necessary for the program;

4304 and

4305 (B) request that the Division of Motor Vehicles place a hold on the registration of
4306 the owner's or lessee's alternative fuel vehicle for failure to pay a road usage
4307 charge or penalty according to the terms of the program;

4308 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the
4309 owner or lessee of:

4310 (A) the road usage charge program, implementation, and procedures;
4311 (B) an unpaid road usage charge and the amount of the road usage charge to be
4312 paid to the department;

4313 (C) the penalty for failure to pay a road usage charge within the time period
4314 described in Subsection (7)(a)(iii); and

4315 (D) a hold being placed on the owner's or lessee's registration for the alternative
4316 fuel vehicle, if the road usage charge and penalty are not paid within the time
4317 period described in Subsection (7)(a)(iii), which would prevent the renewal of
4318 the alternative fuel vehicle's registration; and

4319 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage
4320 charge to the department within 30 days of the date when the department sends
4321 written notice of the road usage charge to the owner or lessee.

4322 (b) The department shall send the correspondence and notice described in Subsection (7)
4323 (a) to the owner of the alternative fuel vehicle according to the terms of the program.

4324 (8)(a) The Division of Motor Vehicles and the department shall share and provide access
4325 to information pertaining to an alternative fuel vehicle and participation in the
4326 program including:

4327 (i) registration and ownership information pertaining to an alternative fuel vehicle;
4328 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to
4329 pay a road usage charge or penalty imposed under this section within the time
4330 period described in Subsection (7)(a)(iii); and

4331 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

4332 (b) If the department requests a hold on the registration in accordance with this section,
4333 the Division of Motor Vehicles may not renew the registration of a motor vehicle
4334 under Title 41, Chapter 1a, Part 2, Registration, until the department withdraws the
4335 hold request.

4336 (9) The owner of an alternative fuel vehicle may apply for enrollment in the program or
4337 withdraw from the program according to the terms established by the department

4338 pursuant to rules made under Subsection (5).

4339 (10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

4340 (a) report mileage driven as required by the department pursuant to Subsection (5);

4341 (b) pay the road usage fee for each payment period in accordance with Subsection (5);

4342 and

4343 (c) comply with all other provisions of this section and other requirements of the
4344 program.

4345 (11) The department shall submit annually, on or before October 1, to the Transportation

4346 Interim Committee, an electronic report that:

4347 (a) states for the preceding fiscal year:

4348 (i) the amount of revenue collected from the program;

4349 (ii) the participation rate in the program; and

4350 (iii) the department's costs to administer the program; and

4351 (b) provides for the current fiscal year, an estimate of:

4352 (i) the revenue that will be collected from the program;

4353 (ii) the participation rate in the program; and

4354 (iii) the department's costs to administer the program.

4355 (12)(a) Beginning on January 1, 2023:

4356 (i) the road usage charge rate is 1.0 cent per mile; and

4357 (ii) the road usage charge cap is:

4358 (A) \$130.25 for an annual registration period; and

4359 (B) \$100.75 for a six-month registration period.

4360 (b) Beginning on January 1, 2026:

4361 (i) the road usage charge rate is 1.25 cents per mile; and

4362 (ii) the road usage charge cap is:

4363 (A) \$180 for an annual registration period; and

4364 (B) \$139 for a six-month registration period.

4365 (c) Beginning on January 1, 2032:

4366 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes

4367 a different road usage charge rate in accordance with Subsection (13); and

4368 (ii) the road usage charge cap is:

4369 (A) \$240 for an annual registration period; and

4370 (B) \$185 for a six-month registration period.

4371 (d) Beginning in 2024, the department shall, on January 1, annually adjust the road

4372 usage charge rates described in this Subsection (12) by taking the road usage charge
4373 rate for the previous year and adding an amount equal to the greater of:

4374 (i) an amount calculated by multiplying the road usage charge rate of the previous
4375 year by the actual percentage change during the previous fiscal year in the
4376 Consumer Price Index as determined by the State Tax Commission; and
4377 (ii) 0.

4378 (e) Beginning in 2024, the State Tax Commission shall, on January 1, annually adjust
4379 the road usage charge caps described in this Subsection (12) by taking the road usage
4380 charge cap for the previous year and adding an amount equal to the greater of:

4381 (i) an amount calculated by multiplying the road usage charge cap of the previous
4382 year by the actual percentage change during the previous fiscal year in the
4383 Consumer Price Index; and

4384 (ii) 0.

4385 (f) The amounts calculated as described in Subsection (12)(d) shall be rounded up to the
4386 nearest .01 cent.

4387 (g) The amounts calculated as described in Subsection (12)(e) shall be rounded up to the
4388 nearest 25 cents.

4389 (h) On or before January 1 of each year, the department shall publish:

4390 (i) the adjusted road usage charge rate described in Subsection (12)(d); and
4391 (ii) adjusted road usage charge cap described in Subsection (12)(e).

4392 (13)(a) Beginning January 1, 2032, the commission may establish by rule made in
4393 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road
4394 usage charge rate for each type of alternative fuel vehicle.

4395 (b)(i) Before making rules in accordance with Subsection (13)(a), the commission
4396 shall consult with the department regarding the road usage charge rate for each
4397 type of alternative fuel vehicle.
4398 (ii) The department shall cooperate with and make recommendations to the
4399 commission regarding the road usage charge rate for each type of alternative fuel
4400 vehicle.

4401 Section 45. Effective Date.

4402 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

4403 (2) The actions affecting the following sections take effect on July 1, 2026:

4404 (a) Section 41-1a-901 (Effective 07/01/26);

4405 (b) Section 41-1a-1201 (Effective 07/01/26) (Partially Repealed 07/01/29);

4406 (c) Section 41-1a-1210 (Effective 07/01/26);
4407 (d) Section 41-1a-1223 (Effective 07/01/26);
4408 (e) Section 41-6a-1509 (Effective 07/01/26); and
4409 (f) Section 59-12-103 (Effective 07/01/26).