

Colin W. Jack proposes the following substitute bill:

Boating Insurance Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Colin W. Jack

Senate Sponsor:

LONG TITLE

General Description:

This bill removes the requirement for boat insurance.

Highlighted Provisions:

This bill:

- repeals the statutory requirement for boat insurance; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

31A-22-301 (Effective upon governor's approval), as last amended by Laws of Utah 2024, Chapter 236

31A-22-315 (Effective upon governor's approval), as last amended by Laws of Utah 2024, Chapter 236

41-1a-102 (Effective upon governor's approval), as last amended by Laws of Utah 2025, Chapter 285

41-1a-110 (Effective upon governor's approval), as last amended by Laws of Utah 2025, Chapter 285

41-1a-1218 (Effective 07/01/26), as last amended by Laws of Utah 2025, Chapter 279

41-1a-1220 (Effective upon governor's approval), as last amended by Laws of Utah 2024, Chapter 236

41-12a-103 (Effective upon governor's approval), as last amended by Laws of Utah 2024, Chapter 236

41-12a-303.2 (Effective upon governor's approval), as last amended by Laws of Utah

2024, Chapter 236

41-12a-803 (Effective upon governor's approval), as last amended by Laws of Utah

2024, Chapter 236

41-12a-804 (Effective upon governor's approval), as last amended by Laws of Utah

2025, Chapter 285

41-12a-805 (Effective upon governor's approval), as last amended by Laws of Utah

2024, Chapter 236

REPEALS:

31A-22-1501 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

31A-22-1502 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

31A-22-1503 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

31A-22-1504 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

73-18-13.5 (Effective upon governor's approval), as last amended by Laws of Utah 2024,
Chapter 236

73-18c-101 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

73-18c-102 (Effective upon governor's approval), as last amended by Laws of Utah

2022, Chapter 68

73-18c-103 (Effective upon governor's approval), as enacted by Laws of Utah 1997,
Chapter 348

73-18c-201 (Effective upon governor's approval), as last amended by Laws of Utah

2022, Chapters 68, 274

73-18c-301 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

73-18c-302 (Effective upon governor's approval), as last amended by Laws of Utah

2015, Chapter 412

73-18c-303 (Effective upon governor's approval), as last amended by Laws of Utah

2006, Chapter 211

73-18c-304 (Effective upon governor's approval), as last amended by Laws of Utah

2024, Chapter 236

64 **73-18c-305 (Effective upon governor's approval)**, as enacted by Laws of Utah 1997,
65 Chapter 348

66 **73-18c-306 (Effective upon governor's approval)**, as last amended by Laws of Utah
67 2008, Chapter 382

68 **73-18c-307 (Effective upon governor's approval)**, as last amended by Laws of Utah
69 2006, Chapter 211

70 **73-18c-308 (Effective upon governor's approval)**, as enacted by Laws of Utah 1997,
71 Chapter 348

72

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

74 Section 1. Section **31A-22-301** is amended to read:

75 **31A-22-301 (Effective upon governor's approval). Definitions.**

76 As used in this part:

77 (1)(a) "Motor vehicle" means the same as that term is defined in Section 41-6a-102.

78 (b) For purposes of this chapter, "motor vehicle" includes a street-legal all-terrain
79 vehicle.

80 (2) "Motor vehicle business" means a motor vehicle sales agency, repair shop, service
81 station, storage garage, or public parking place.

82 (3) "Motor vehicle liability policy" means a policy which satisfies the requirements of
83 Sections 31A-22-303 and 31A-22-304.

84 (4) "Motorboat" means the same as that term is defined in Section ~~[73-18c-102]~~ 73-18-2.

85 (5) "Occupying" means being in or on a motor vehicle as a passenger or operator, or being
86 engaged in the immediate acts of entering, boarding, or alighting from a motor vehicle.

87 (6) "Operator" means the same as that term is defined in Subsection 41-12a-103(7).

88 (7) "Owner" means the same as that term is defined in Subsection 41-12a-103(8).

89 (8) "Pedestrian" means any natural person not occupying a motor vehicle.

90 (9) "Street-legal all-terrain vehicle" means the same as that term is defined in Section
91 41-6a-102.

92 Section 2. Section **31A-22-315** is amended to read:

93 **31A-22-315 (Effective upon governor's approval). Motor vehicle insurance**
94 **reporting -- Penalty.**

95 (1)(a) As used in this section, "commercial motor vehicle insurance coverage" means an
96 insurance policy that:

97 (i) includes motor vehicle liability coverage, uninsured motorist coverage,

- 98 underinsured motorist coverage, or personal injury coverage; and
99 (ii) is defined by the department.
- 100 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
101 department shall make rules defining commercial motor vehicle insurance coverage.
- 102 (2)(a) Except as provided in Subsections (2)(b) and (c), each insurer that issues a policy
103 that includes motor vehicle liability coverage, uninsured motorist coverage,
104 underinsured motorist coverage, or personal injury coverage under this part shall
105 before the seventh and twenty-first day of each calendar month provide to the
106 Department of Public Safety's designated agent selected in accordance with Title 41,
107 Chapter 12a, Part 8, Uninsured Motorist Identification Database Program, a record of
108 each motor vehicle [~~or motorboat~~] insurance policy in effect for vehicles registered or
109 garaged in Utah as of the previous submission that was issued by the insurer.
- 110 (b) Each insurer that issues commercial motor vehicle insurance coverage shall before
111 the seventh day of each calendar month provide to the Department of Public Safety's
112 designated agent selected in accordance with Title 41, Chapter 12a, Part 8, Uninsured
113 Motorist Identification Database Program, a record of each commercial motor vehicle
114 insurance policy in effect for vehicles registered or garaged in Utah as of the previous
115 month that was issued by the insurer.
- 116 (c) An insurer that issues a policy that includes motor vehicle liability coverage,
117 uninsured motorist coverage, underinsured motorist coverage, or personal injury
118 coverage under this part is not required to provide a record of a motor vehicle
119 insurance policy in effect for a vehicle to the Department of Public Safety's
120 designated agent under Subsection (2)(a) or (b) if the policy covers a vehicle that is
121 registered under Section 41-1a-221, 41-1a-222, or 41-1a-301.
- 122 (d) This Subsection (2) does not preclude more frequent reporting.
- 123 (3)(a) A record provided by an insurer under Subsection (2)(a) shall include:
- 124 (i) the name, date of birth, and driver license number, if the insured provides a driver
125 license number to the insurer, of each insured owner or operator, and the address
126 of the named insured;
- 127 (ii) the make, year, and vehicle identification number of each insured vehicle; and
128 (iii) the policy number, effective date, and expiration date of each policy.
- 129 (b) A record provided by an insurer under Subsection (2)(b) shall include:
- 130 (i) the named insured;
- 131 (ii) the policy number, effective date, and expiration date of each policy; and

(iii) the following information, if available:

(A) the name, date of birth, and driver license number of each insured owner or operator, and the address of the named insured; and

(B) the make, year, and vehicle identification number of each insured vehicle.

(4) Each insurer shall provide this information by an electronic means or by another form the Department of Public Safety's designated agent agrees to accept.

(5)(a) The commissioner may, following procedures set forth in Title 63G, Chapter 4, Administrative Procedures Act, assess a fine against an insurer of up to \$250 for each day the insurer fails to comply with this section.

(b) If an insurer shows that the failure to comply with this section was inadvertent, accidental, or the result of excusable neglect, the commissioner shall excuse the fine.

Section 3. Section **41-1a-102** is amended to read:

41-1a-102 (Effective upon governor's approval). Definitions.

As used in this chapter:

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

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

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

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

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

(6) "Alternative fuel vehicle" means:

(a) an electric motor vehicle;

(b) a hybrid electric motor vehicle;

(c) a plug-in hybrid electric motor vehicle; or

(d) a motor vehicle powered exclusively by a fuel other than:

(i) motor fuel;

(ii) diesel fuel;

(iii) natural gas; or

(iv) propane.

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

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

(9) "Automated driving system" means the same as that term is defined in Section

166 41-26-102.1.

167 (10) "Branded title" means a title certificate that is labeled:

- 168 (a) rebuilt and restored to operation;
169 (b) flooded and restored to operation; or
170 (c) not restored to operation.

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

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

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

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

- 182 (a) as a carrier for hire, compensation, or profit; or
183 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
184 owner's commercial enterprise.

185 (15) "Commission" means the State Tax Commission.

186 (16) "Consumer [~~price index~~] Price Index" means the same as that term is defined in Section
187 59-13-102.

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

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

194 (19) "Division" means the Motor Vehicle Division of the commission, created in Section
195 41-1a-106.

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

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

199 (22) "Essential parts" means the integral and body parts of a vehicle of a type required to be

registered in this state, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type, or mode of operation.

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

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

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

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

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

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

(25) "Fleet" means:

(a) one or more commercial vehicles; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) "Motor vehicle" does not include:

(i) an off-highway vehicle; or

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

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

~~[(43)]~~ (42) "Motorcycle" means:

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

(b) an autocycle.

~~[(44)]~~ (43) "Natural gas" means a fuel of which the primary constituent is methane.

~~[(45)]~~ (44)(a) "Nonresident" means a person who is not a resident of this state as defined by Section 41-1a-202, and who does not engage in intrastate business within this state and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.

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

~~[(46)]~~ (45) "Odometer" means a device for measuring and recording the actual distance a vehicle travels while in operation, but does not include any auxiliary odometer designed to be periodically reset.

~~[(47)]~~ (46) "Off-highway implement of husbandry" means the same as that term is defined in Section 41-22-2.

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

~~[(49)]~~ (48)(a) "Operate" means:

(i) to navigate a vessel; or

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

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

(B) an engaged automated driving system.

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

~~[(50)]~~ (49) "Original issue license plate" means a license plate that is of a format and type issued by the state in the same year as the model year of a vehicle that is a model year

1973 or older.

~~[(51)]~~ (50) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel supply, used to propel a vessel.

~~[(52)]~~ (51)(a) "Owner" means a person, other than a lienholder, holding title to a vehicle, vessel, or outboard motor whether ~~[or not]~~ the vehicle, vessel, or outboard motor is subject to a security interest.

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

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

~~[(53)]~~ (52) "Park model recreational vehicle" means a unit that:

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

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

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

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

~~[(54)]~~ (53) "Personal vehicle" means a vehicle that is not a commercial vehicle.

~~[(55)]~~ (54) "Personalized license plate" means a license plate that has displayed on it a combination of letters, numbers, or both as requested by the owner of the vehicle and assigned to the vehicle by the division.

~~[(56)]~~ (55)(a) "Pickup truck" means a two-axle motor vehicle with motive power manufactured, remanufactured, or materially altered to provide an open cargo area.

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

~~[(57)]~~ (56) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has the capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle while the vehicle is in motion.

~~[(58)]~~ (57) "Pneumatic tire" means a tire in which compressed air is designed to support the

load.

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

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

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

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

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

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

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

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

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

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

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

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

(b) a custom vehicle that meets the requirements under Subsection 41-6a-1507(1)(a)(i)(B).

[(69)] (68) "Restored-modified vehicle" means a motor vehicle that has been restored and

modified with modern parts and technology, including emission control technology and an on-board diagnostic system.

~~[(70)]~~ (69) "Road tractor" means a motor vehicle designed and used for drawing other vehicles and constructed so it does not carry any load either independently or any part of the weight of a vehicle or load that is drawn.

~~[(71)]~~ (70) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.

~~[(72)]~~ (71) "Sailboat" means the same as that term is defined in Section 73-18-2.

~~[(73)]~~ (72) "Security interest" means an interest that is reserved or created by a security agreement to secure the payment or performance of an obligation and that is valid against third parties.

~~[(74)]~~ (73) "Semitrailer" means the same as the term "trailer."

~~[(75)]~~ (74) "Special group license plate" means a type of license plate designed for a particular group of people or a license plate authorized and issued by the division in accordance with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

~~[(76)]~~ (75)(a) "Special interest vehicle" means a vehicle used for general transportation purposes and that is:

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

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

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

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

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

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

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

~~[(77)]~~ (76)(a) "Special mobile equipment" means a vehicle:

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

(ii) not designed to operate in traffic; and

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

(b) "Special mobile equipment" includes:

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

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

~~[(78)]~~ (77) "Specially constructed vehicle" means a vehicle of a type required to be registered in this state, not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles, and not materially altered from its original construction.

~~[(79)]~~ (78)(a) "Standard license plate" means a license plate for general issue described in Subsection 41-1a-402(1).

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

~~[(80)]~~ (79) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard motor that meets the requirements of rules made by the commission as described in Subsection 41-1a-1101(7).

~~[(81)]~~ (80) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is defined in Section 41-6a-102.

~~[(82)]~~ (81) "Symbol decal" means the decal that is designed to represent a special group and displayed on a special group license plate.

~~[(83)]~~ (82) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.

~~[(84)]~~ (83)(a) "Total fleet miles" means the total number of miles operated in all jurisdictions during the preceding year by power units.

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

~~[(85)]~~ (84) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.

~~[(86)]~~ (85) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

~~[(87)]~~ (86) "Trailer" means a vehicle:

- (a) without motive power; and
- (b) designed for:
 - (i) carrying persons or property; and

(ii) being drawn by a motor vehicle.

~~[(88)]~~ (87) "Transferee" means a person to whom the ownership of property is conveyed by sale, gift, or any other means except by the creation of a security interest.

~~[(89)]~~ (88) "Transferor" means a person who transfers the person's ownership in property by sale, gift, or any other means except by creation of a security interest.

~~[(90)]~~ (89) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

~~[(91)]~~ (90) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load that is drawn.

~~[(92)]~~ (91) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper, park model recreational vehicle, manufactured home, and mobile home.

~~[(93)]~~ (92) "Vessel" means the same as that term is defined in Section 73-18-2.

~~[(94)]~~ (93) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.

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

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

Section 4. Section **41-1a-110** is amended to read:

41-1a-110 (Effective upon governor's approval). Authority of division to suspend or revoke registration, certificate of title, license plate, or permit.

(1) Except as provided in ~~[Subsections (3) and (4)]~~ Subsection (3), the division may suspend or revoke a registration, certificate of title, license plate, or permit if:

- (a) the division is satisfied that a registration, certificate of title, license plate, or permit was fraudulently procured or erroneously issued;
- (b) the division determines that a registered vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;
- (c) a registered vehicle has been dismantled;
- (d) the division determines that the required fee has not been paid and the fee is not paid upon reasonable notice and demand;
- (e) a registration decal, license plate, or permit is knowingly displayed upon a vehicle other than the one for which issued;
- (f) the division determines that the owner has committed any offense under this chapter

involving the registration, certificate of title, registration card, license plate,
registration decal, or permit; or

(g) the division receives notification by the Department of Transportation that the owner
has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

(2)(a) The division shall revoke the registration of a vehicle if the division receives
notification by the:

(i) Department of Public Safety that a person:

(A) has been convicted of operating a registered motor vehicle in violation of
Section 41-12a-301 or 41-12a-303.2; or

(B) is under an administrative action taken by the Department of Public Safety for
operating a registered motor vehicle in violation of Section 41-12a-301; or

(ii) designated agent that the owner of a motor vehicle:

(A) has failed to provide satisfactory proof of owner's or operator's security to the
designated agent after the second notice provided under Section 41-12a-804; or

(B) provided a false or fraudulent statement to the designated agent. ~~;~~ or

~~[(iii) designated agent that, during the months of April through October, the owner of
a motorboat:]~~

~~[(A) has failed to provide satisfactory proof of owner's or operator's security to the
designated agent after the second notice provided under Section 41-12a-804; or]~~

~~[(B) provided a false or fraudulent statement to the designated agent.]~~

(b) The division shall notify the Driver License Division if the division revokes the
registration of a vehicle under Subsection (2)(a)(ii)(A).

~~[(3) The division may not suspend or revoke the registration of a vessel or outboard motor
unless authorized under Section 73-18-7.3.]~~

~~[(4)]~~ (3) The division may not suspend or revoke the registration of an off-highway vehicle
unless authorized under Section 41-22-17.

~~[(5)]~~ (4) The division shall charge a registration reinstatement fee under Section 41-1a-1220,
if the registration is revoked under Subsection (2).

~~[(6)]~~ (5) Except as provided in ~~[Subsections (3), (4), and (7)]~~ Subsections (3) and (6), the
division may suspend or revoke a registered vehicle's registration if the division is
notified by a local health department, as defined in Section 26A-1-102, that the
registered vehicle is unable to meet state or local air emissions standards or violates
Subsection 41-6a-1626(2)(a) or (b).

~~[(7)]~~ (6) The division may not suspend or revoke a registered vehicle's registration under [

Subsection (6)] Subsection (5) if the registered vehicle has a manufacturer's gross vehicle weight rating that is greater than 26,000 pounds.

Section 5. Section **41-1a-1218** is amended to read:

41-1a-1218 (Effective 07/01/26). Uninsured motorist identification fee for tracking motor vehicle insurance -- Exemption -- Deposit.

(1)(a) Except as provided in Subsections (1)(b) and (c), at the time application is made for registration or renewal of registration under this chapter, the applicant shall pay an uninsured motorist identification fee of[.] \$1 on each motor vehicle or street-legal all-terrain vehicle.

~~[(i) \$1 on each motor vehicle or street-legal all-terrain vehicle; or]~~

~~[(ii) \$2 on each motorboat.]~~

(b) Except as provided in Subsection (1)(c), at the time application is made for registration or renewal of registration of a motor vehicle for a six-month registration period under Section 41-1a-215.5, the applicant shall pay an uninsured motorist identification fee of 75 cents on each motor vehicle.

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

(i) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or Section 41-1a-301;

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

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

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

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

(2) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the fee amounts under this section are double the amounts due for the same vehicle registered for a 12-month period.

(3) The revenue generated under this section shall be deposited in the Uninsured Motorist Identification Restricted Account created in Section 41-12a-806.

Section 6. Section **41-1a-1220** is amended to read:

41-1a-1220 (Effective upon governor's approval). Registration reinstatement fee.

(1)[(a) Except as provided in Subsection (1)(b), at] At the time application is made for reinstatement or renewal of registration of a motor vehicle after a revocation of the registration under Subsection 41-1a-110(2), the applicant shall pay a registration reinstatement fee of \$100.

~~[(b) The registration reinstatement fee does not apply to a motorboat.]~~

(2) The fee imposed under Subsection (1):

(a) is in addition to any other fee imposed under this chapter; and

(b) shall be deposited in the Uninsured Motorist Identification Restricted Account created in Section 41-12a-806.

(3) The division shall waive the registration reinstatement fee imposed under this section if:

(a) the registration was revoked under Subsection 41-1a-110(2)(a)(ii); and

(b) a person had owner's or operator's security in effect for the vehicle at the time of the alleged violation or on the day following the time limit provided after the second notice under Subsection 41-12a-804(2).

Section 7. Section **41-12a-103** is amended to read:

41-12a-103 (Effective upon governor's approval). Definitions.

As used in this chapter:

(1) "Department" means the Department of Public Safety.

(2) "Judgment" means any judgment that is final by:

(a) expiration without appeal of the time within which an appeal might have been perfected; or

(b) final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States, upon a cause of action for damages:

(i) arising out of the ownership, maintenance, or use of any motor vehicle, including damages for care and loss of services because of bodily injury to or death of any person, or because of injury to or destruction of property including the loss of use of the property; or

(ii) on a settlement agreement.

(3) "License" or "license certificate" ~~[have the same meanings as under]~~ mean the same as those terms are defined in Section 53-3-102.

(4)(a) "Motor vehicle" means every self-propelled vehicle that is designed for use upon a highway, including trailers and semitrailers designed for use with other motorized vehicles.

(b) "Motor vehicle" does not include traction engines, road rollers, farm tractors, tractor cranes, power shovels, and well drillers, and every vehicle that is propelled by electric power obtained from overhead wires but not operated upon rails.

~~[(5) "Motorboat" means the same as that term is defined in Section 73-18c-102.]~~

~~[(6)]~~ (5) "Nonresident" means every person who is not a resident of Utah.

- 574 ~~[(7)]~~ (6) "Nonresident's operating privilege" means the privilege conferred upon a person
575 who is not a resident of Utah by the laws of Utah pertaining to the operation by him of a
576 motor vehicle, or the use of a motor vehicle owned by him, in Utah.
- 577 ~~[(8)]~~ (7) "Operator" means every person who is in actual physical control of a motor vehicle.
578 ~~[(9)]~~ (8) "Owner" means:
- 579 (a) a person who holds legal title to a motor vehicle;
 - 580 (b) a lessee in possession;
 - 581 (c) a conditional vendee or lessee if a motor vehicle is the subject of a conditional sale or
582 lease with the right of purchase upon performance of the conditions stated in the
583 agreement and with an immediate right of possession in the conditional vendee or
584 lessee; or
 - 585 (d) a mortgagor if a motor vehicle is the subject of a mortgage with the mortgagor
586 entitled to possession.
- 587 ~~[(10)]~~ (9) "Owner's or operator's security," "owner's security," or "operator's security" means
588 any of the following:
- 589 (a) an insurance policy or combination of policies conforming to Section 31A-22-302,
590 which is issued by an insurer authorized to do business in Utah;
 - 591 (b) an insurance policy or combination of policies issued or renewed prior to January 1,
592 2009, that:
 - 593 (i) conformed to the minimum coverage limits of Section 31A-22-304 prior to
594 January 1, 2009; and
 - 595 (ii) conform to the current requirements other than the minimum coverage limits of
596 policies issued in accordance with Section 31A-22-302;
 - 597 (c) a surety bond issued by an insurer authorized to do a surety business in Utah in
598 which the surety is subject to the minimum coverage limits and other requirements of
599 policies conforming to Section 31A-22-302, which names the department as a
600 creditor under the bond for the use of persons entitled to the proceeds of the bond;
 - 601 (d) a deposit with the state treasurer of cash or securities complying with Section
602 41-12a-406;
 - 603 (e) maintaining a certificate of self-funded coverage under Section 41-12a-407; or
 - 604 (f) a policy conforming to Section 31A-22-302 issued by the Risk Management Fund
605 created in Section 63A-4-201.
- 606 ~~[(11)]~~ (10) "Registration" means the issuance of the certificates and registration plates
607 issued under the laws of Utah pertaining to the registration of motor vehicles.

608 [(12)] (11) "Self-insurance" [~~has the same meaning as provided~~] means the same as that term
609 is defined in Section 31A-1-301.

610 Section 8. Section **41-12a-303.2** is amended to read:

611 **41-12a-303.2 (Effective upon governor's approval). Evidence of owner's or**
612 **operator's security to be carried when operating motor vehicle -- Defense -- Penalties.**

613 (1) As used in this section:

614 (a) "Division" means the Motor Vehicle Division of the State Tax Commission.

615 (b) "Registration materials" means the evidences of motor vehicle registration, including
616 all registration cards, license plates, temporary permits, and nonresident temporary
617 permits.

618 (2)(a)(i) A person operating a motor vehicle shall:

619 (A) have in the person's immediate possession evidence of owner's or operator's
620 security for the motor vehicle the person is operating; and

621 (B) display it upon demand of a peace officer.

622 (ii) A person is exempt from the requirements of Subsection (2)(a)(i) if the person is
623 operating:

624 (A) a government-owned or leased motor vehicle; or

625 (B) an employer-owned or leased motor vehicle and is driving it with the
626 employer's permission.

627 (iii) A person operating a vehicle that is owned by a rental company, as defined in
628 Section 31A-22-311, may comply with Subsection (2)(a)(i) by having in the
629 person's immediate possession, or displaying, the rental vehicle's rental
630 agreement, as defined in Section 31A-22-311.

631 (b) Evidence of owner's or operator's security includes any one of the following:

632 (i) a copy of the operator's valid:

633 (A) insurance policy;

634 (B) insurance policy declaration page;

635 (C) binder notice;

636 (D) renewal notice; or

637 (E) card issued by an insurance company as evidence of insurance;

638 (ii) a certificate of insurance issued under Section 41-12a-402;

639 (iii) a certified copy of a surety bond issued under Section 41-12a-405;

640 (iv) a certificate of the state treasurer issued under Section 41-12a-406;

641 (v) a certificate of self-funded coverage issued under Section 41-12a-407; or

- 642 (vi) information that the vehicle or driver is insured from the Uninsured Motorist
643 Identification Database Program created under Title 41, Chapter 12a, Part 8,
644 Uninsured Motorist Identification Database Program.
- 645 (c) A card issued by an insurance company as evidence of owner's or operator's security
646 under Subsection (2)(b)(i)(E) on or after July 1, 2014, may not display the owner's or
647 operator's address on the card.
- 648 (d)(i) A person may provide to a peace officer evidence of owner's or operator's
649 security described in this Subsection (2) in:
- 650 (A) a hard copy format; or
651 (B) an electronic format using a mobile electronic device.
- 652 (ii) If a person provides evidence of owner's or operator's security in an electronic
653 format using a mobile electronic device under this Subsection (2)(d), the peace
654 officer viewing the owner's or operator's security on the mobile electronic device
655 may not view any other content on the mobile electronic device.
- 656 (iii) Notwithstanding any other provision under this section, a peace officer is not
657 subject to civil liability or criminal penalties under this section if the peace officer
658 inadvertently views content other than the evidence of owner's or operator's
659 security on the mobile electronic device.
- 660 (e)(i) Evidence of owner's or operator's security from the Uninsured Motorist
661 Identification Database Program described under Subsection (2)(b)(vi) [~~supereedes~~]
662 supersedes any evidence of owner's or operator's security described [~~under:~~] in
663 Subsection (2)(b)(i)(D) or (E).
- 664 [~~(A) Subsection (2)(b)(i)(D) or (E); or~~]
665 [~~(B) for a motorboat, Subsection 73-18c-304(1)(b).~~]
- 666 (ii) A peace officer may not cite or arrest a person for a violation of Subsection (2)(a)
667 if the Uninsured Motorist Identification Database Program created under Title 41,
668 Chapter 12a, Part 8, Uninsured Motorist Identification Database Program,
669 information indicates that the vehicle or driver is insured.
- 670 (3) It is an affirmative defense to a charge or in an administrative action under this section
671 that the person had owner's or operator's security in effect for the vehicle the person was
672 operating at the time of the person's citation or arrest.
- 673 (4)(a) The following are considered proof of owner's or operator's security for purposes
674 of Subsection (3) and Section 41-12a-804:
- 675 (i) evidence defined in Subsection (2)(b);

- 676 (ii) a written statement from an insurance producer or company verifying that the
677 person had the required motor vehicle insurance coverage on the date specified; or
678 (iii) a written statement from an insurance producer or company, or provision in an
679 insurance policy, indicating that the policy provides coverage for a newly
680 purchased car and the coverage extended to the date specified.
- 681 (b) The court considering a citation issued under this section shall allow the evidence or
682 a written statement under Subsection (4)(a) and a copy of the citation to be
683 electronically submitted or mailed to the clerk of the court to satisfy Subsection (3).
- 684 (c) The notice under Section 41-12a-804 shall specify that the written statement under
685 Subsection (4)(a) and a copy of the notice shall be faxed or mailed to the designated
686 agent to satisfy the proof of owner's or operator's security required under Section
687 41-12a-804.
- 688 (5)(a) A person who is convicted of violating Subsection (2)(a)(i):
689 (i) is guilty of an infraction for a first offense and subject to a fine of not less than
690 \$400; and
691 (ii) is guilty of a class C misdemeanor for each offense ~~[subsequent to]~~ after the first
692 offense that is committed within three years after the day on which the person
693 commits the first offense and subject to a fine of not less than \$1,000.
- 694 (b) A court may waive up to \$300 of a fine charged under Subsection (5)(a) if the person
695 demonstrates that the owner's or operator's security required under Section
696 41-12a-301 was obtained after the violation but before sentencing.
- 697 (6) Upon receiving notification from a court of a conviction for a violation of this section,
698 the department:
699 (a) shall suspend the person's driver license; and
700 (b) may not renew the person's driver license or issue a driver license to the person until
701 the person gives the department proof of owner's or operator's security.
702 (i) This proof of owner's or operator's security shall be given by any of the ways
703 required under Section 41-12a-401.
704 (ii) This proof of owner's or operator's security shall be maintained with the
705 department for a three-year period.
706 (iii) An insurer that provides a certificate of insurance as provided under Section
707 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of
708 termination is filed with the department no later than 10 days after termination as
709 required under Section 41-12a-404.

- (iv) If a person who has canceled the certificate of insurance applies for a license within three years from the date proof of owner's or operator's security was originally required, the department shall refuse the application unless the person reestablishes proof of owner's or operator's security and maintains the proof for the remainder of the three-year period.

Section 9. Section **41-12a-803** is amended to read:

41-12a-803 (Effective upon governor's approval). Program creation --

Administration -- Selection of designated agent -- Duties -- Rulemaking -- Audits.

(1) There is created the Uninsured Motorist Identification Database Program to:

- (a) establish an Uninsured Motorist Identification Database to verify compliance with~~[:]~~
a motor vehicle owner's or operator's security requirements described in this part,
including Section 41-12a-301;
~~[(i) motor vehicle owner's or operator's security requirements under Section~~
~~41-12a-301 and other provisions under this part; and]~~
~~[(ii) motorboat owner's or operator's security requirements under Section 73-18c-304~~
~~and other provisions under this part;]~~
(b) assist in reducing the number of uninsured motor vehicles on the highways of the
state~~[and uninsured motorboats on the waters of the state];~~
(c) assist in increasing compliance with motor vehicle ~~[and motorboat]~~ registration and
sales and use tax laws;
(d) assist in protecting a financial institution's bona fide security interest in a motor
vehicle~~[-or motorboat];~~ and
(e) assist in the identification and prevention of identity theft and other crimes.

(2) The program shall be administered by the department with the assistance of the
designated agent and the Motor Vehicle Division.

(3)(a) The department shall contract in accordance with Title 63G, Chapter 6a, Utah
Procurement Code, with a third party to establish and maintain an Uninsured
Motorist Identification Database for the purposes established under this part.

(b) The contract may not obligate the department to pay the third party more money than
is available in the account.

(4)(a) The third party under contract under this section is the department's designated
agent, and shall develop and maintain a computer database from the information
provided by:

- (i) insurers under Section 31A-22-315;

- 744 (ii) the division under Subsection (6); and
745 (iii) the Motor Vehicle Division under Section 41-1a-120.
- 746 (b)(i) The database shall be developed and maintained in accordance with guidelines
747 established by the department so that state and local law enforcement agencies and
748 financial institutions as defined in Section 7-1-103 can efficiently access the
749 records of the database, including reports useful for the implementation of the
750 provisions of this part.
- 751 (ii)(A) The reports shall be in a form and contain information approved by the
752 department.
- 753 (B) The reports may be made available through the Internet or through other
754 electronic medium, if the department determines that sufficient security is
755 provided to ensure compliance with Section 41-12a-805 regarding limitations
756 on disclosure of information in the database.
- 757 (5) With information provided by the department and the Motor Vehicle Division, the
758 designated agent shall, at least monthly for submissions under Subsection
759 31A-22-315(2)(b) or at least twice a month for submissions under Subsection
760 31A-22-315(2)(a):
- 761 (a) update the database with the motor vehicle [~~and motorboat~~]insurance information
762 provided by the insurers in accordance with Section 31A-22-315; and
- 763 (b) compare all current motor vehicle [~~and motorboat~~]registrations against the database.
- 764 (6) The division shall provide the designated agent with the name, date of birth, address,
765 and driver license number of all persons on the driver license database.
- 766 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
767 department shall make rules and develop procedures in cooperation with the Motor
768 Vehicle Division to use the database for the purpose of administering and enforcing this
769 part.
- 770 (8)(a) The designated agent shall archive computer data files at least semi-annually for
771 auditing purposes.
- 772 (b) The internal audit unit of the tax commission provided under Section 59-1-206 shall
773 audit the program at least every three years.
- 774 (c) The audit under Subsection (8)(b) shall include verification of:
- 775 (i) billings made by the designated agent; and
- 776 (ii) the accuracy of the designated agent's matching of vehicle registration with
777 insurance data.

(9) Upon request, the designated agent shall make available the information provided by insurers under Section 31A-22-315.5 to:

- (a) state and local law enforcement agencies; and
- (b) financial institutions as defined in Section 7-1-103.

Section 10. Section **41-12a-804** is amended to read:

41-12a-804 (Effective upon governor's approval). Notice -- Proof -- Revocation of registration -- False statements -- Penalties -- Exemptions -- Sales tax enforcement.

(1) ~~[Subject to Subsection (3), if]~~ If the comparison under Section 41-12a-803 shows that a motor vehicle is not insured for three consecutive months, ~~[or a motorboat is not insured for two consecutive months,]~~ the Motor Vehicle Division shall direct that the designated agent provide notice to the owner of the motor vehicle ~~[or motorboat]~~ that the owner has 15 days to provide:

- (a) proof of owner's or operator's security in a form allowed under Subsection 41-12a-303.2(2); or
- (b) proof of exemption from the owner's or operator's security requirements.

(2) ~~[Subject to Subsection (3), if]~~ If an owner of a motor vehicle ~~[or motorboat]~~ fails to provide satisfactory proof of owner's or operator's security to the designated agent, the designated agent shall:

- (a) provide a second notice to the owner of the motor vehicle ~~[or motorboat]~~ that the owner now has 15 days to provide:
 - (i) proof of owner's or operator's security in a form allowed under Subsection 41-12a-303.2(2); or
 - (ii) proof of exemption from the owner's or operator's security requirements;
- (b) for each notice provided, indicate information relating to the owner's failure to provide proof of owner's or operator's security in the database; and
- (c) provide this information to state and local law enforcement agencies as requested in accordance with the provisions under Section 41-12a-805.

~~[(3)(a) Except as provided in Subsection (3)(b), for a motorboat, Subsections (1) and (2) only apply during the months of April through October.]~~

~~[(b) For a motorboat, the designated agent shall comply with the requirement described in Subsection (2)(c) year-round.]~~

~~[(c) For a notice required under Subsection (1) for a motorboat, the requirement for the Motor Vehicle Division and the designated agent to send notice begins on January 1, 2026.]~~

812 [(4)] (3)[(a)] The Motor Vehicle Division:

813 [(i)] (a) shall revoke the registration upon receiving notification under Subsection
814 41-1a-110(2);

815 [(ii)] (b) shall provide appropriate notices of the revocation, the legal consequences of
816 operating a vehicle with revoked registration and without owner's or operator's
817 security, and instructions on how to get the registration reinstated; and

818 [(iii)] (c) may direct the designated agent to provide the notices under this Subsection [
819 (4)(a)-] (3).

820 [(b) For a motorboat, Subsection (4)(a) only applies during the months of April through
821 October.]

822 [(5)] (4) Any action by the Motor Vehicle Division to revoke the registration of a motor
823 vehicle [or motorboat] under this section may be in addition to an action by a law
824 enforcement agency to impose the penalties under Section 41-12a-302 or 41-12a-303.2.

825 [(6)] (5)(a) A person may not provide a false or fraudulent statement to the Motor
826 Vehicle Division or designated agent.

827 (b) In addition to any other penalties, a person who violates Subsection [(6)(a)-] (5)(a) is
828 guilty of a class B misdemeanor.

829 [(7)] (6) The department and the Motor Vehicle Division shall direct the designated agent to
830 exempt from this section a farm truck that:

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

832 (b) is registered as a farm truck under Title 41, Chapter 1a, Motor Vehicle Act.

833 [(8)] (7) This part does not affect other actions or penalties that may be taken or imposed for
834 violation of the owner's and operator's security requirements of this chapter.

835 [(9)] (8) If a comparison under Section 41-12a-803 shows that a motor vehicle [or
836 motorboat] may not be in compliance with motor vehicle [or motorboat] registration or
837 sales and use tax laws, the Motor Vehicle Division may direct that the designated agent
838 provide notice to the owner of a motor vehicle [or motorboat] that information exists
839 which indicates the possible violation.

840 Section 11. Section **41-12a-805** is amended to read:

841 **41-12a-805 (Effective upon governor's approval). Disclosure of insurance**
842 **information -- Penalty.**

843 (1) Information in the database established under Section 41-12a-803 provided by a person
844 to the designated agent is considered to be the property of the person providing the
845 information.

- (2) The information may not be disclosed from the database under Title 63G, Chapter 2, Government Records Access and Management Act, or otherwise, except as follows:
- (a) for the purpose of investigating, litigating, or enforcing the owner's or operator's security requirement under Section 41-12a-301, the designated agent shall verify insurance information through the state computer network for a state or local government agency or court;
 - (b) for the purpose of investigating, litigating, or enforcing the owner's or operator's security requirement under Section 41-12a-301, the designated agent shall, upon request, issue to any state or local government agency or court a certificate documenting the insurance information, according to the database, of a specific individual or motor vehicle ~~[or motorboat]~~ for the time period designated by the government agency;
 - (c) upon request, the department or its designated agent shall disclose whether ~~[or not]~~ a person is an insured individual and the insurance company name to:
 - (i) that individual or, if that individual is deceased, any interested person of that individual, as defined in Section 75-1-201;
 - (ii) the parent or legal guardian of that individual if the individual is an unemancipated minor;
 - (iii) the legal guardian of that individual if the individual is legally incapacitated;
 - (iv) a person who has power of attorney from the insured individual;
 - (v) a person who submits a notarized release from the insured individual dated no more than 90 days before the date the request is made; or
 - (vi) a person suffering loss or injury in a motor vehicle ~~[or motorboat]~~ accident in which the insured individual is involved, but only as part of an accident report as authorized in Section 41-12a-202;
 - (d) for the purpose of investigating, enforcing, or prosecuting laws or issuing citations by state or local law enforcement agencies related to the:
 - (i) registration and renewal of registration of a motor vehicle under Title 41, Chapter 1a, Motor Vehicle Act;
 - ~~[(ii) registration and renewal of registration of a motorboat under Title 73, Chapter 18, State Boating Act;]~~
 - ~~[(iii)]~~ (ii) purchase of a motor vehicle ~~[or motorboat]~~ under Title 59, Chapter 12, Sales and Use Tax Act; and
 - ~~[(iv)]~~ (iii) owner's or operator's security requirements under Section 41-12a-301 ~~[or~~

- 880 73-18c-304];
- 881 (e) upon request of a peace officer acting in an official capacity under the provisions of
- 882 Subsection (2)(d), the department or the designated agent shall, upon request,
- 883 disclose relevant information for investigation, enforcement, or prosecution;
- 884 (f) for the purpose of the state auditor, the legislative auditor general, or other auditor of
- 885 the state conducting audits of the program;
- 886 (g) upon request of a financial institution as defined under Section 7-1-103 for the
- 887 purpose of protecting the financial institution's bona fide security interest in a motor
- 888 vehicle~~[-or motorboat]~~;
- 889 (h) upon the request of a state or local law enforcement agency for the purpose of
- 890 investigating and prosecuting identity theft and other crimes; and
- 891 (i) the designated agent shall provide information from the database regarding a towed
- 892 vehicle to the vehicle owner's insurance company of record at the time the vehicle
- 893 was towed, including, if available, the name, address, and contact information of the
- 894 tow yard where the vehicle is stored.
- 895 (3)(a) The department may allow the designated agent to prepare and deliver upon
- 896 request, a report on the insurance information of a person or motor vehicle ~~[or~~
- 897 ~~motorboat]~~in accordance with this section.
- 898 (b) The report may be in the form of:
- 899 (i) a certified copy that is considered admissible in any court proceeding in the same
- 900 manner as the original; or
- 901 (ii) information accessible through the Internet or through other electronic medium if
- 902 the department determines that sufficient security is provided to ensure
- 903 compliance with this section.
- 904 (c) The department may allow the designated agent to charge a fee established by the
- 905 department under Section 63J-1-504 for each:
- 906 (i) document authenticated, including each certified copy;
- 907 (ii) record accessed by the Internet or by other electronic medium; and
- 908 (iii) record provided to a financial institution under Subsection (2)(g).
- 909 (4) A person who knowingly releases or discloses information from the database for a
- 910 purpose other than those authorized in this section or to a person who is not entitled to it
- 911 is guilty of a third degree felony.
- 912 (5) An insurer is not liable to any person for complying with Sections 31A-22-315 and
- 913 31A-22-315.5 by providing information to the designated agent.

(6) Neither the state nor the department's designated agent is liable to any person for gathering, managing, or using the information in the database as provided in Sections 31A-22-315 and 31A-22-315.5 and this part.

Section 12. Repealer.

This bill repeals:

Section 31A-22-1501, Definitions.

Section 31A-22-1502, Motorboat liability coverage.

Section 31A-22-1503, Motorboat liability policy minimum limits.

Section 31A-22-1504, Mandatory coverage.

Section 73-18-13.5, Motorboat accidents -- Investigation and report of operator security -- Agency action if no security -- Surrender of registration materials.

Section 73-18c-101, Title.

Section 73-18c-102, Definitions.

Section 73-18c-103, Liability not limited to face amount of owner's security.

Section 73-18c-201, Division to administer and enforce chapter -- Division may adopt rules.

Section 73-18c-301, Requirement of owner's or operator's security.

Section 73-18c-302, Operating motorboats without owner's or operator's security -- Penalty.

Section 73-18c-303, Condition to obtaining registration.

Section 73-18c-304, Evidence of owner's or operator's security to be carried when operating motorboat -- Defense -- Penalties.

Section 73-18c-305, State treasurer's certificate to satisfy owner's or operator's security requirement.

Section 73-18c-306, Certificate of self-funded coverage as proof of owner's or operator's security.

Section 73-18c-307, Claims adjustment by persons with owner's or operator's security other than insurance.

Section 73-18c-308, Providing false evidence of owner's or operator's security -- Penalty.

Section 13. Effective Date.

(1) Except as provided in Subsection (2), this bill takes effect:

(a) except as provided in Subsection (1)(b), May 6, 2026; or

(b) if approved by two-thirds of all members elected to each house:

(i) upon approval by the governor;

948 (ii) without the governor's signature, the day following the constitutional time limit of
949 Utah Constitution, Article VII, Section 8; or
950 (iii) in the case of a veto, the date of veto override.
951 (2) The actions affecting Section 41-1a-1218 (**Effective 07/01/26**) take effect on July 1,
952 2026.