

Norman K Thurston proposes the following substitute bill:

Vehicle Tax and Fee Amendments
 2026 GENERAL SESSION
 STATE OF UTAH
Chief Sponsor: Norman K Thurston
 Senate Sponsor:

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ reclassifies certain taxes and fees related to vehicles and vehicle registration, designating service fees, regulatory fees, and vehicle taxes;
- ▶ reorganizes code related to the imposition of vehicle taxes and fees;
- ▶ reorganizes the distribution of revenue related to vehicle taxes and fees;
- ▶ creates a new restricted account for deposits from vehicle regulatory fees and funding for the Motor Vehicle Division;
- ▶ removes the option for a six-month registration; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

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

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 26B-1-318 (Effective 01/01/27) (Repealed 07/01/29)**, as last amended by Laws of Utah 2025, Chapter 126
- 31A-6a-101 (Effective 01/01/27)**, as last amended by Laws of Utah 2020, Chapter 32
- 41-1a-119 (Effective 01/01/27)**, as last amended by Laws of Utah 2008, Chapter 382
- 41-1a-122 (Effective 01/01/27)**, as last amended by Laws of Utah 2024, Chapter 251
- 41-1a-203 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279

29 **41-1a-208 (Effective 01/01/27)**, as last amended by Laws of Utah 2006, Chapter 164
30 **41-1a-213 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapter 456
31 **41-1a-215 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 285
32 **41-1a-215.5 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
33 **41-1a-216 (Effective 01/01/27)**, as last amended by Laws of Utah 2021, Chapter 135
34 **41-1a-230 (Effective 01/01/27)**, as last amended by Laws of Utah 2003, Chapter 126
35 **41-1a-230.5 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapter 328
36 **41-1a-230.7 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapters 310,
37 328
38 **41-1a-301 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 234
39 **41-1a-402 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
40 **41-1a-410 (Effective 01/01/27)**, as last amended by Laws of Utah 2024, Chapter 251
41 **41-1a-1202 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 1992,
42 Chapter 1
43 **41-1a-1203 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 1992,
44 Chapter 1
45 **41-1a-1204 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
46 **41-1a-1207 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 234
47 **41-1a-1209 (Effective 01/01/27)**, as last amended by Laws of Utah 2008, Chapter 210
48 **41-1a-1219 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
49 **41-1a-1221 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
50 **41-1a-1222 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
51 **41-1a-1223 (Effective 01/01/27)**, as last amended by Laws of Utah 2020, Chapter 83
52 **41-1a-1301 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 302
53 **41-1a-1603 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 247
54 **41-3-302 (Effective 01/01/27)**, as last amended by Laws of Utah 2008, Chapter 382
55 **41-6a-208 (Effective 01/01/27)**, as last amended by Laws of Utah 2019, Chapter 294
56 **41-6a-1642 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special
57 Session, Chapter 5
58 **41-12a-806 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 294
59 **41-22-3 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
60 **41-22-8 (Effective 01/01/27) (Partially Repealed 07/01/29)**, as last amended by Laws of
61 Utah 2025, Chapter 279
62 **41-22-9 (Effective 01/01/27)**, as last amended by Laws of Utah 2008, Chapter 36

63 **41-22-19 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
64 **41-22-33 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
65 **41-22-34 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
66 **41-27-201 (Effective 01/01/27)**, as enacted by Laws of Utah 2024, Chapter 459
67 **53-3-905 (Effective 01/01/27)**, as last amended by Laws of Utah 2012, Chapter 397
68 **53-8-214 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 271
69 **53G-10-503 (Effective 01/01/27)**, as last amended by Laws of Utah 2024, Chapter 55
70 **59-2-405.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
71 **59-2-405.2 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 279,
72 336
73 **59-12-103 [~~(Effective 07/01/26)~~] (Effective 01/01/27)**, as last amended by Laws of Utah
74 2025, Chapter 285
75 **72-1-213.1 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 452
76 **72-1-213.2 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapters 22,
77 490
78 **72-2-117.5 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 373
79 **72-2-121 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special
80 Session, Chapter 17
81 **72-2-124 [~~(Effective 07/01/26)~~] (Effective 01/01/27)**, as last amended by Laws of Utah
82 2025, First Special Session, Chapter 15
83 **72-2-133 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, First Special
84 Session, Chapter 17
85 **73-18-7 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 336
86 **73-18-25.3 (Effective 01/01/27)**, as enacted by Laws of Utah 2023, Chapter 244
87 ENACTS:
88 **41-1a-124 (Effective 01/01/27)**, Utah Code Annotated 1953
89 REPEALS AND REENACTS:
90 **41-1a-1201 (Effective 01/01/27) (Partially Repealed 07/01/29)**, as last amended by Laws
91 of Utah 2025, Chapter 279
92 **41-1a-1206 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapters 215,
93 279
94 **41-1a-1211 (Effective 01/01/27)**, as last amended by Laws of Utah 2024, Chapter 251
95 **41-1a-1218 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Chapter 279
96 REPEALS:

97 **41-1a-123 (Effective 01/01/27)**, as enacted by Laws of Utah 2023, Chapter 212
 98 **41-1a-1205 (Effective 01/01/27)**, as renumbered and amended by Laws of Utah 1992,
 99 Chapter 1
 100 **41-1a-1208 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 1993,
 101 Chapter 222
 102 **41-1a-1210 (Effective 01/01/27)**, as repealed and reenacted by Laws of Utah 1993,
 103 Chapter 222
 104 **41-1a-1212 (Effective 01/01/27)**, as last amended by Laws of Utah 2023, Chapter 33

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

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

108 **26B-1-318 (Effective 01/01/27) (Repealed 07/01/29). Brain and Spinal Cord**

109 **Injury Fund.**

110 (1) As used in this section:

- 111 (a) "Advisory committee" means the Brain and Spinal Cord Injury Advisory Committee
 112 created in Section 26B-1-417.
- 113 (b) "Nervous system research" means research conducted by a qualified charitable clinic
 114 that is:
- 115 (i) designed to improve, enhance, accelerate, or advance the clinical outcomes of:
- 116 (A) an individual affected by a spinal cord injury, a brain injury, or a stroke; or
 117 (B) a child with a neurological condition or syndrome;
- 118 (ii) approved by an institutional review board; and
- 119 (iii) designed to be completed in a 12-month period.
- 120 (c) "Qualified charitable clinic" means a professional medical clinic that:
- 121 (i) provides therapeutic services;
- 122 (ii) employs licensed therapy clinicians;
- 123 (iii) has at least five years experience operating a post-acute care rehabilitation clinic
 124 in the state; and
- 125 (iv) has obtained tax-exempt status under Internal Revenue Code, 26 U.S.C. Sec.
 126 501(c)(3).
- 127 (d) "Research grant" means a grant that can only be used for nervous system research.
- 128 (e)(i) "Therapeutic services" means:
- 129 (A) rehabilitation services to individuals who have a spinal cord or brain injury
 130 that tends to be non-progressive or non-deteriorating and require post-acute

- 131 care; or
- 132 (B) rehabilitation services for children with neurological conditions and who
133 require post-acute care.
- 134 (ii) "Therapeutic services" include:
- 135 (A) physical, occupational, and speech therapy; and
- 136 (B) other services as determined by the department, in consultation with the
137 advisory committee, through rule made in accordance with Title 63G, Chapter
138 3, Utah Administrative Rulemaking Act.
- 139 (2) There is created an expendable special revenue fund known as the "Brain and Spinal
140 Cord Injury Fund."
- 141 (3) The fund shall consist of:
- 142 (a) gifts, grants, donations, or any other conveyance of money that may be made to the
143 fund from private sources; and
- 144 (b) additional amounts as appropriated by the Legislature;
- 145 (c) a portion of the impound fee as designated in Section 41-6a-1406; and
- 146 (d) the [fees] taxes and fees collected by the Motor Vehicle Division [~~under Subsections~~
147 ~~41-1a-1201(8) and 41-22-8(3)~~] and deposited into the fund as described in Section
148 41-1a-1201 and Subsection 41-22-8(3).
- 149 (4) The fund shall be administered by the executive director, in consultation with the
150 advisory committee.
- 151 (5) Fund money may be used to:
- 152 (a) educate the general public and professionals regarding understanding, treatment, and
153 prevention of brain injury;
- 154 (b) provide access to evaluations and coordinate short-term care to assist an individual in
155 identifying services or support needs, resources, and benefits for which the individual
156 may be eligible;
- 157 (c) develop and support an information and referral system for persons with a brain
158 injury and their families;
- 159 (d) provide grants to persons or organizations to provide the services described in
160 Subsections (5)(a), (b), and (c);
- 161 (e) assist one or more qualified charitable clinics to provide therapeutic services;
- 162 (f) purchase equipment for use in the qualified charitable clinic; and
- 163 (g) provide research grants to qualified charitable clinics in accordance with Subsection
164 (7).

- 165 (6) Each year, approximately no less than:
- 166 (a) 40% of the fund shall be used for programs and services described in Subsections
- 167 (5)(a) through (d);
- 168 (b) 25% of the fund shall be used to assist adults with brain or spinal cord injuries under
- 169 Subsections (5)(e) and (f); and
- 170 (c) 10 % of the fund shall be used to assist children with neurological conditions under
- 171 Subsections (5)(e) and (f).
- 172 (7)(a) Each year, if money remains in the fund after the money has been allocated in
- 173 accordance with Subsection (6), the advisory committee may award up to \$100,000
- 174 in research grants divided among one or more qualified charitable clinics.
- 175 (b) A qualified charitable clinic that accepts a research grant shall agree to the
- 176 requirements in Subsection (7)(c) before receiving the grant.
- 177 (c) A qualified charitable clinic that accepts a research grant:
- 178 (i) shall report the results of the nervous system research to the advisory committee;
- 179 (ii) shall provide the committee an itemized list of expenditures for research grant
- 180 money;
- 181 (iii) shall return any unspent research grant money to the fund;
- 182 (iv) subject to Subsection (7)(c)(v), may collaborate with another entity for
- 183 performing the nervous system research;
- 184 (v) may not use research grant money to pay another entity to conduct the project; and
- 185 (vi) may not use research grant money to pay for administrative costs not directly
- 186 associated with the research project.
- 187 (8) An individual who receives services either paid for from the fund, or through an
- 188 organization under contract with the fund, shall:
- 189 (a) be a resident of Utah;
- 190 (b) have been diagnosed by a qualified professional as having a brain injury, spinal cord
- 191 injury, or other neurological condition which results in impairment of cognitive or
- 192 physical function; and
- 193 (c) have a need that can be met within the requirements of this section.
- 194 (9) The fund may not duplicate any services or support mechanisms being provided to an
- 195 individual by any other government or private agency.
- 196 (10) All actual and necessary operating expenses for the Brain and Spinal Cord Injury
- 197 Advisory Committee created in Section 26B-1-417 and staff shall be paid by the fund.
- 198 Section 2. Section **31A-6a-101** is amended to read:

199 **31A-6a-101 (Effective 01/01/27). Definitions.**

200 As used in this chapter:

- 201 (1) "Home warranty service contract" means a service contract that requires a person to
202 repair or replace a component, system, or appliance of a home or make indemnification
203 to the contract holder for the repair or replacement of a component, system, or appliance
204 of the home:
- 205 (a) upon mechanical or operational failure of the component, system, or appliance;
 - 206 (b) for a predetermined fee; and
 - 207 (c) if:
 - 208 (i) the person is not the builder, seller, or lessor of the home that is the subject of the
 - 209 contract; and
 - 210 (ii) the failure described in Subsection (1)(a) occurs within a specified period of time.
- 211 (2)(a) "Incidental cost" means a cost, incurred by a warranty holder in relation to a
212 vehicle protection product warranty, that is in addition to the cost of purchasing the
213 warranty.
- 214 (b) "Incidental cost" includes an insurance policy deductible, a rental vehicle charge, the
215 difference between the actual value of the stolen vehicle at the time of theft and the
216 cost of a replacement vehicle, sales tax, a [~~registration fee~~] vehicle tax or fee, a
217 transaction fee, a mechanical inspection fee, or damage a theft causes to a vehicle.
- 218 (3) "Mechanical breakdown insurance" means a policy, contract, or agreement issued by an
219 insurance company that has complied with either Chapter 5, Domestic Stock and Mutual
220 Insurance Corporations, or Chapter 14, Foreign Insurers, that undertakes to perform or
221 provide repair or replacement service on goods or property, or indemnification for repair
222 or replacement service, for the operational or structural failure of the goods or property
223 due to a defect in materials, workmanship, or normal wear and tear.
- 224 (4) "Nonmanufacturers' parts" means replacement parts not made for or by the original
225 manufacturer of the goods commonly referred to as "after market parts."
- 226 (5)(a) "Road hazard" means a hazard that is encountered while driving a motor vehicle.
- 227 (b) "Road hazard" includes potholes, rocks, wood debris, metal parts, glass, plastic,
228 curbs, or composite scraps.
- 229 (6)(a) "Service contract" means a contract or agreement to perform or reimburse for the
230 repair or maintenance of goods or property, for their operational or structural failure
231 due to a defect in materials, workmanship, normal wear and tear, power surge or
232 interruption, or accidental damage from handling, with or without additional

- 233 provision for incidental payment of indemnity under limited circumstances, including
234 towing, providing a rental car, providing emergency road service, and covering food
235 spoilage.
- 236 (b) "Service contract" does not include:
- 237 (i) mechanical breakdown insurance; or
- 238 (ii) a prepaid contract of limited duration that provides for scheduled maintenance
239 only, regardless of whether the contract is executed before, on, or after May 9,
240 2017.
- 241 (c) "Service contract" includes any contract or agreement to perform or reimburse the
242 service contract holder for any one or more of the following services:
- 243 (i) the repair or replacement of tires, wheels, or both on a motor vehicle damaged as a
244 result of coming into contact with a road hazard;
- 245 (ii) the removal of dents, dings, or creases on a motor vehicle that can be repaired
246 using the process of paintless dent removal without affecting the existing paint
247 finish and without replacing vehicle body panels, sanding, bonding, or painting;
- 248 (iii) the repair of chips or cracks in or the replacement of a motor vehicle windshield
249 as a result of damage caused by a road hazard, that is primary to the coverage
250 offered by the motor vehicle owner's motor vehicle insurance policy; or
- 251 (iv) the replacement of a motor vehicle key or key-fob if the key or key-fob becomes
252 inoperable, lost, or stolen, except that the replacement of lost or stolen property is
253 limited to only the replacement of a lost or stolen motor vehicle key or key-fob.
- 254 (7) "Service contract holder" or "contract holder" means a person who purchases a service
255 contract.
- 256 (8) "Service contract provider" means a person who issues, makes, provides, administers,
257 sells or offers to sell a service contract, or who is contractually obligated to provide
258 service under a service contract.
- 259 (9) "Service contract reimbursement policy" or "reimbursement insurance policy" means a
260 policy of insurance providing coverage for all obligations and liabilities incurred by the
261 service contract provider or warrantor under the terms of the service contract or vehicle
262 protection product warranty issued by the provider or warrantor.
- 263 (10)(a) "Vehicle protection product" means a device or system that is:
- 264 (i) installed on or applied to a motor vehicle; and
- 265 (ii) designed to:
- 266 (A) prevent the theft of the vehicle; or

- 267 (B) if the vehicle is stolen, aid in the recovery of the vehicle.
- 268 (b) "Vehicle protection product" includes:
- 269 (i) a vehicle protection product warranty;
- 270 (ii) an alarm system;
- 271 (iii) a body part marking product;
- 272 (iv) a steering lock;
- 273 (v) a window etch product;
- 274 (vi) a pedal and ignition lock;
- 275 (vii) a fuel and ignition kill switch; and
- 276 (viii) an electronic, radio, or satellite tracking device.
- 277 (11) "Vehicle protection product warranty" means a written agreement by a warrantor that
- 278 provides that if the vehicle protection product fails to prevent the theft of the motor
- 279 vehicle, or aid in the recovery of the motor vehicle within a time period specified in the
- 280 warranty, not exceeding 30 days after the day on which the motor vehicle is reported
- 281 stolen, the warrantor will reimburse the warranty holder for incidental costs specified in
- 282 the warranty, not exceeding \$5,000, or in a specified fixed amount not exceeding \$5,000.
- 283 (12) "Vehicle service contract" means a service contract for the repair or maintenance of a
- 284 vehicle:
- 285 (a) for operational or structural failure because of a defect in materials, workmanship,
- 286 normal wear and tear, or accidental damage from handling; and
- 287 (b) with or without additional provision for incidental payment of indemnity under
- 288 limited circumstances, including towing, providing a rental car, or providing
- 289 emergency road service.
- 290 (13) "Warrantor" means a person who is contractually obligated to the warranty holder
- 291 under the terms of a vehicle protection product warranty.
- 292 (14) "Warranty holder" means the person who purchases a vehicle protection product, any
- 293 authorized transferee or assignee of the purchaser, or any other person legally assuming
- 294 the purchaser's rights under the vehicle protection product warranty.
- 295 Section 3. Section **41-1a-119** is amended to read:
- 296 **41-1a-119 (Effective 01/01/27). Emergency procedures for collection of fees.**
- 297 (1) If the commission finds that the owner or operator of a vehicle who is liable for the
- 298 payment of any [~~registration-~~] vehicle tax or fee required by this chapter plans to depart
- 299 quickly from the state, to remove the owner or operator's property from the state, to
- 300 conceal the owner or operator's person or property, or do any other act tending to

301 prejudice or render wholly or partially ineffectual proceedings to collect the [registration]
 302 vehicle taxes or fees, the commission shall follow the emergency procedures set forth in
 303 Title 63G, Chapter 4, Administrative Procedures Act, and declare that the [registration]
 304 vehicle taxes or fees are immediately due and payable.

305 (2) When the commission issues [its] an emergency order, the [registration] vehicle taxes or
 306 fees are immediately due and payable after notice is given to the owner or operator of
 307 the vehicle.

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

309 **41-1a-122 (Effective 01/01/27). License Plate Restricted Account.**

310 (1) As used in this section, "account" means the License Plate Restricted Account created
 311 by this section.

312 (2) There is created within the General Fund a restricted account known as the License
 313 Plate Restricted Account.

314 (3)(a) The account shall be funded from the fees described in:

315 (i) [~~Subsection 41-1a-1201(3)~~] Section 41-1a-1201;

316 (ii) Subsection 41-1a-1604(2)(c); and

317 (iii) other fees as provided in this chapter.

318 (b) The fees described in Subsection (3)(a) shall be paid to the division, which shall
 319 deposit them [~~in~~] into the account.

320 (4) The Legislature shall appropriate the funds in the account to the commission to cover
 321 the costs of:

322 (a) issuing license plates and decals;

323 (b) processing applications for personalized license plates;

324 (c) centrally distributing license plates; and

325 (d) contracting with a vendor to design license plates.

326 (5)(a) For fiscal year 2024-25, the commission may expend up to \$100,000 for design
 327 and redesign of license plates.

328 (b) Beginning with the 2025-26 fiscal year, and each fiscal year thereafter, the
 329 commission may expend up to \$50,000 for the design and redesign of license plates.

330 (6) In accordance with Section 63J-1-602.1, appropriations made to the division from the
 331 account are nonlapsing.

332 Section 5. Section **41-1a-124** is enacted to read:

333 **41-1a-124 (Effective 01/01/27). Motor Vehicle Division Restricted Account --**
 334 **Creation.**

- 335 (1) There is created within the General Fund a restricted account known as the Motor
 336 Vehicle Division Restricted Account.
- 337 (2) The account shall be funded from the deposits into the account as described in Section
 338 41-1a-1201.
- 339 (3) The Legislature may appropriate the funds in the account to the commission to cover the
 340 costs of the division.
- 341 (4) In accordance with Section 63J-1-602.1, appropriations made to the commission from
 342 the account are nonlapsing.
- 343 Section 6. Section **41-1a-203** is amended to read:
- 344 **41-1a-203 (Effective 01/01/27). Prerequisites for registration, transfer of**
 345 **ownership, or registration renewal.**
- 346 (1)(a) Except as provided in Subsections (1)(b) and (1)(c), the division shall mail a
 347 notification to the owner of a vehicle at least 30 days before the date the vehicle's
 348 registration is due to expire.
- 349 (b)(i) The division shall provide a process for a vehicle owner to choose to receive
 350 electronic notification of the pending expiration of a vehicle's registration.
- 351 (ii) If a vehicle owner chooses electronic notification, the division shall notify by
 352 email the owner of a vehicle at least 30 days before the date the vehicle's
 353 registration is due to expire.
- 354 (c) If at the time the owner renews the vehicle registration, the previous registration
 355 period has been expired at least 270 days, the division is not required to comply with
 356 the notification requirement described in Subsection (1)(a) for the next registration
 357 period.
- 358 (d) An individual may elect to receive notification through both electronic means and
 359 the mail.
- 360 (2) Except as otherwise provided, before registration of a vehicle, an owner shall:
- 361 (a) obtain an identification number inspection under Section 41-1a-204;
- 362 (b) obtain a certificate of emissions inspection, if required in the current year, as
 363 provided under Section 41-6a-1642;
- 364 (c) pay property taxes, the in lieu fee, or receive a property tax clearance under Section
 365 41-1a-206 or 41-1a-207;
- 366 (d) pay the automobile driver education tax required by Section 41-1a-208;
- 367 (e) pay the applicable ~~registration~~ vehicle tax or fee under Part 12, Fee and Tax
 368 Requirements;

- 369 (f) pay the uninsured motorist identification fee under Section 41-1a-1218, if applicable;
 370 (g) pay the motor carrier fee under Section 41-1a-1219, if applicable;
 371 (h) pay any applicable local emissions compliance fee under Section 41-1a-1223;
 372 (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act; and
 373 (j) for a roadable aircraft, provide proof of registration of the roadable aircraft as an
 374 aircraft under Section 72-10-109.

375 (3) In addition to the requirements in Subsection (1), an owner of a vehicle that has not
 376 been previously registered or that is currently registered under a previous owner's name
 377 shall apply for a valid certificate of title in the owner's name before registration.

378 (4) The division may not issue a new registration, transfer of ownership, or registration
 379 renewal under Section 73-18-7 for a vessel or outboard motor that is subject to this
 380 chapter unless a certificate of title has been or is in the process of being issued in the
 381 same owner's name.

382 (5) The division may not issue a new registration, transfer of ownership, or registration
 383 renewal under Section 41-22-3 for an off-highway vehicle that is subject to this chapter
 384 unless a certificate of title has been or is in the process of being issued in the same
 385 owner's name.

386 (6) The division may not issue a registration renewal for a motor vehicle if the division has
 387 received a hold request for the motor vehicle for which a registration renewal has been
 388 requested as described in:

- 389 (a) Section 72-1-213.1; or
 390 (b) Section 72-6-118.

391 Section 7. Section **41-1a-208** is amended to read:

392 **41-1a-208 (Effective 01/01/27). Payment of automobile driver education tax**
 393 **prerequisite to registration of motor vehicle.**

394 (1) The collection and payment of the automobile driver education tax is a prerequisite to
 395 the registration of any motor vehicle.

396 (2) Except as provided under Subsection (3), the automobile driver education tax accrues
 397 and is collectible upon each motor vehicle, subject to the same exemptions, and payable
 398 in the same manner and time as [~~motor vehicle registration fees under Section~~
 399 ~~41-1a-1206~~] a vehicle tax described in Section 41-1a-1206.

400 (3) The automobile driver education tax:

- 401 (a) shall be paid in full at the time the motor vehicle is registered; and
 402 (b) is not collectible or payable upon the transfers of registration, issuance, reissuance of

403 certificates of registration, titles, or plates contemplated by Sections 41-1a-301,
404 41-1a-1207, [~~41-1a-1210,~~]and 41-1a-1211.

405 Section 8. Section **41-1a-213** is amended to read:

406 **41-1a-213 (Effective 01/01/27). Contents of registration cards.**

407 (1) As used in this section:

408 (a) "Health care professional" means the same as that term is defined in Section 53-3-207.

409 (b) "Invisible condition" means the same as that term is defined in Section 53-3-207.

410 (c) "Invisible condition identification decal" means the decal created by the division that
411 incorporates the invisible condition identification symbol.

412 (d) "Invisible condition identification symbol" means the same as that term is defined in
413 Section 53-3-207.

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

415 (a) the date issued;

416 (b) the name of the owner;

417 (c) a description of the vehicle registered including the year, the make, the identification
418 number, and the license plate assigned to the vehicle;

419 (d) the expiration date; and

420 (e) other information as determined by the commission.

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

422 (a) the owner's name; and

423 (b) the name of the lessee.

424 (4) On all vehicles registered under Subsections [~~41-1a-1206(1)(d) and (1)(e)]~~

425 41-1a-1206(3)(e) and (f), the registration card shall also contain the gross laden weight
426 as given in the application for registration.

427 (5)(a) Except as provided in Subsection (5)(b), a new registration card issued by the
428 commission on or after November 1, 2013, may not display the address of the owner
429 or the lessee on the registration card.

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

433 (i) Section 41-1a-301 for a vehicle; or

434 (ii) Section 73-18-7 for a vessel.

435 (6)(a) Except as provided in Subsection (6)(d)(ii), the division shall include on a vehicle
436 owner's vehicle registration database record in the division's vehicle registration

- 437 database an invisible condition identification symbol if:
- 438 (i)(A) the vehicle owner or an individual who is a regular driver of or passenger in
439 the vehicle owner's vehicle has an invisible condition; or
440 (B) an individual with an invisible condition resides at the vehicle driver's
441 residence; and
442 (ii) the vehicle owner submits to the commission a request on a form prescribed by
443 the commission.
- 444 (b) A vehicle owner shall include in a request described in Subsection (6)(a):
- 445 (i) if the request is for an individual other than the vehicle owner, a declaration that
446 the individual is:
- 447 (A) a regular driver of or passenger in the vehicle; or
448 (B) a resident at the vehicle driver's residence;
- 449 (ii) written verification from a health care professional that the vehicle owner or other
450 individual described in Subsection (6)(a)(i) has an invisible condition; and
451 (iii) a waiver of liability signed by the individual with the invisible condition or the
452 individual's legal representative for the release of any medical information to:
- 453 (A) the commission;
454 (B) any person who has access to the individual's medical information as recorded
455 on the vehicle owner's vehicle registration database record or the Utah
456 Criminal Justice Information System; and
457 (C) any other person who may view or receive notice of the individual's medical
458 information by seeing the vehicle owner's vehicle registration database record
459 or the individual's information in the Utah Criminal Justice Information System.
- 460 (c) As part of the form described in Subsection (6)(a) and (b), the commission shall
461 advise the individual signing the waiver of liability that by submitting the signed
462 waiver, the individual consents to the release of the individual with an invisible
463 condition's medical information to any person described in Subsections (6)(b)(iii)(A)
464 through (C), even if the person is otherwise ineligible to access the individual with an
465 invisible condition's medical information under state or federal law.
- 466 (d)(i) The division:
- 467 (A) may not charge a fee to include an invisible condition identification symbol
468 on a vehicle owner's vehicle registration database record; and
469 (B) shall confirm with the Division of Professional Licensing that the health care
470 professional described in Subsection (6)(b)(ii) holds a current state license.

- 471 (ii) If the division is unable to confirm that the health care professional described in
 472 Subsection (6)(b)(ii) holds a current state license, the division shall deny the
 473 request described in Subsection (6)(a).
- 474 (e) The inclusion of an invisible condition identification symbol on a vehicle owner's
 475 vehicle registration database record in accordance with this section does not confer
 476 any legal rights or privileges on the vehicle owner or the individual with an invisible
 477 condition, including parking privileges for individuals with disabilities under Section
 478 41-1a-414.
- 479 (7)(a) For each individual who qualifies under this section to include an invisible
 480 condition identification symbol in a vehicle owner's vehicle registration database
 481 record, the division shall:
- 482 (i) include in the division's vehicle registration database a brief description of the
 483 nature of the individual's invisible condition linked to the vehicle owner's vehicle
 484 registration database record; and
- 485 (ii) provide an invisible condition identification decal that may be affixed to the
 486 vehicle owner's vehicle, and instructions on where the invisible condition
 487 identification decal may be placed on the vehicle, which the vehicle owner may
 488 affix to the vehicle at the vehicle owner's discretion.
- 489 (b) The division shall provide the brief description described in Subsection (7)(a)(i) to
 490 the Utah Criminal Justice Information System.
- 491 (c) Except as provided in Subsection (7)(b), the division may not release the information
 492 described in Subsection (7)(a)(i).
- 493 (8) Within 30 days after the day on which the division receives a vehicle owner's written
 494 request, the division shall:
- 495 (a) remove the invisible condition identification symbol and brief description described
 496 in Subsection (7) from a vehicle owner's vehicle registration database record in the
 497 division's vehicle registration database; and
- 498 (b) provide the updated vehicle registration database record to the Utah Criminal Justice
 499 Information System.
- 500 (9) As provided in Section 63G-2-302, the information described in Subsection (6)(a) is a
 501 private record for purposes of Title 63G, Chapter 2, Government Records Access and
 502 Management Act.

503 Section 9. Section **41-1a-215** is amended to read:

504 **41-1a-215 (Effective 01/01/27). Staggered registration dates -- Exceptions.**

- 505 (1)(a) Except as provided under Subsections (2) and (3), every vehicle registration,
506 every registration card, and every registration plate issued under this chapter for the
507 first registration of the vehicle in this state, continues in effect for a period of 12
508 months beginning with the first day of the calendar month of registration and does
509 not expire until the last day of the same month in the following year.
- 510 (b) If the last day of the registration period falls on a day in which the appropriate state
511 or county offices are not open for business, the registration of the vehicle is extended
512 to midnight of the next business day.
- 513 (2) The provisions of Subsection (1) do not apply to the following:
- 514 (a) registration issued to government vehicles under Section 41-1a-221;
515 (b) registration issued to apportioned vehicles under Section 41-1a-301;
516 (c) multiyear registration issued under Section 41-1a-222;
517 (d) lifetime trailer registration issued under Section 41-1a-1206;
518 (e) partial year registration issued under Section 41-1a-1207; or
519 [~~(f) a six-month registration issued under Section 41-1a-215.5; or~~]
520 [~~(g)~~ (f) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and
521 transporter under Chapter 3, Part 5, Special Dealer License Plates.
- 522 (3)(a) Upon application of the owner or lessee of a fleet of commercial vehicles not
523 apportioned under Section 41-1a-301 and required to be registered in this state, the
524 State Tax Commission may permit the vehicles to be registered for a registration
525 period commencing on the first day of March, June, September, or December of any
526 year and expiring on the last day of March, June, September, or December in the
527 following year.
- 528 (b) Upon application of the owner or lessee of a fleet of commercial vehicles
529 apportioned under Section 41-1a-301 and required to be registered in this state, the
530 State Tax Commission may permit the vehicles to be registered for a registration
531 period commencing on the first day of January, April, July, or October of any year
532 and expiring on the last day of March, June, September, or December in the
533 following year.
- 534 (c)(i) Upon application of the owner or lessee of a fleet of personal vehicles required
535 to be registered in this state, the State Tax Commission may permit the vehicles to
536 be registered for a registration period commencing on the first day of February,
537 May, August, or November of any year and expiring on the last day of February,
538 May, August, or November of the following year.

- 539 (ii) If the registration period for a personal vehicle is adjusted under Subsection
 540 (3)(c)(i), the ~~[registration fees]~~ vehicle taxes or fees for the adjustment are:
 541 (A) 25% of the regular ~~[registration fees]~~ vehicle tax or fees under Part 12, Fee and
 542 Tax Requirements, if the adjustment is for not more than three months;
 543 (B) 50% of the regular ~~[registration fees]~~ vehicle tax or fees under Part 12, Fee and
 544 Tax Requirements, if the adjustment is in excess of three months but not more
 545 than six months;
 546 (C) 75% of the regular ~~[registration fees]~~ vehicle tax or fees under Part 12, Fee and
 547 Tax Requirements, if the adjustment is in excess of six months but not more
 548 than nine months; and
 549 (D) 100% of the regular ~~[registration fees]~~ vehicle tax or fees under Part 12, Fee
 550 and Tax Requirements, if the adjustment is in excess of nine months but not
 551 more than 12 months.

552 (4) When the expiration of a registration plate is extended by affixing a registration decal to
 553 it, the expiration of the decal governs the expiration date of the plate.

554 Section 10. Section **41-1a-215.5** is amended to read:

555 **41-1a-215.5 (Effective 01/01/27). Alternative term registration.**

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

560 [~~(2)~~] (1)(a) A person may register the following types of vehicles for a 24-month period
 561 that begins the first day of the calendar month of registration and expires on the last
 562 day of the 24th month of registration:

- 563 (i) a trailer;
 564 (ii) an electric motor vehicle;
 565 (iii) an off-highway vehicle as described in Section 41-22-3; or
 566 (iv) a street-legal all-terrain vehicle as described in Section 41-6a-1509 and Section
 567 41-22-3.

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

570 (c) To register a vehicle for a 24-month period as provided in this Subsection [~~(2)~~] (1),
 571 the person is required to pay double the amount of any tax or fee that would be due
 572 for the same vehicle registered for a 12-month period.

573 ~~[(3)]~~ (2) If the last day of the registration period falls on a day in which the appropriate state
 574 or county offices are not open for business, the registration of the vehicle is extended to
 575 midnight of the next business day.

576 ~~[(4)]~~ (3) A registration under this section is subject to this chapter.

577 Section 11. Section **41-1a-216** is amended to read:

578 **41-1a-216 (Effective 01/01/27). Renewal of registration.**

579 (1) The division may receive applications for registration renewal and issue new
 580 registration cards at any time ~~[prior to]~~ before the expiration of the registration, subject to
 581 the availability of renewal materials.

582 (2)(a) Except as provided in ~~[Subsections (2)(c) and]~~ Subsection (3), the new registration
 583 shall retain the same expiration month as recorded on the original registration even if
 584 the registration has expired.

585 (b) ~~[Except as provided in Subsection (2)(c), the]~~ The year of registration expiration shall
 586 be changed to reflect the renewed registration period.

587 ~~[(e) If the application for renewal of registration is for a six-month registration period
 588 under Section 41-1a-215.5, the new registration shall be for a six-month registration
 589 period that begins with the first day of the calendar month following the last day of
 590 the expiration month of the previous registration period as recorded on the original
 591 registration even if the registration has expired.]~~

592 (3) Subsection (2) does not apply if the owner can verify to the satisfaction of the division
 593 that the vehicle registration was not renewed ~~[prior to its]~~ before the vehicle registration's
 594 expiration due to the fact that the vehicle was in storage, inoperable, or otherwise out of
 595 service.

596 (4) If the registration renewal application is an application generated by the division
 597 through its automated system, the owner need not surrender the last registration card or
 598 duplicate.

599 (5) A vehicle with an "EX" or "UHP" license plate, owned by an entity described in Section
 600 41-1a-407, is exempt from registration renewal requirements.

601 (6) The division shall establish a process by which an individual may request automatic
 602 renewal of registration.

603 (7) An individual may request automatic renewal of registration as provided by the division.

604 (8) If the vehicle is subject to an emissions inspection as described in Section 41-6a-1642
 605 for the year for which a vehicle automatic registration is requested, the automatic
 606 renewal is not effective until the vehicle has passed an emissions inspection as required

607 in Section 41-6a-1642.

608 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
609 commission may make rules establishing procedures for an individual to apply for and
610 the division to administer automatic renewal of registration and automatic payment of
611 fees as required in this chapter and relevant taxes.

612 Section 12. Section **41-1a-230** is amended to read:

613 **41-1a-230 (Effective 01/01/27). Registration checkoff for vision screening.**

614 (1) A person who applies for a motor vehicle registration or registration renewal may
615 designate a voluntary contribution for vision screening of \$2.

616 (2) This contribution shall be:

617 (a) collected by the division;

618 (b) treated as a voluntary contribution to Friends For Sight to provide blindness
619 prevention education, screening, and treatment and not as a [~~motor vehicle~~
620 ~~registration fee~~] vehicle tax; and

621 (c) transferred to Friends For Sight at least monthly, less actual administrative costs
622 associated with collecting and transferring the contributions.

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

624 **41-1a-230.5 (Effective 01/01/27). Registration checkoff for promoting and**
625 **supporting organ donation.**

626 (1) A person who applies for a motor vehicle registration or registration renewal may
627 designate a voluntary contribution of \$2 for the purpose of promoting and supporting
628 organ donation.

629 (2) This contribution shall be:

630 (a) collected by the division;

631 (b) treated as a voluntary contribution to the Allyson Gamble Organ Donation
632 Contribution Fund created in Section 26B-1-312 and not as a [~~motor vehicle~~
633 ~~registration fee~~] vehicle tax; and

634 (c) transferred to the Allyson Gamble Organ Donation Contribution Fund created in
635 Section 26B-1-312 at least monthly, less actual administrative costs associated with
636 collecting and transferring the contributions.

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

638 **41-1a-230.7 (Effective 01/01/27). Registration checkoff for supporting emergency**
639 **medical services and search and rescue operations.**

640 (1) A person who applies for a motor vehicle registration or registration renewal may

- 641 designate a voluntary contribution of \$3 for the purpose of supporting:
- 642 (a) the Emergency Medical Services Grant Program; and
- 643 (b) the Search and Rescue Financial Assistance Program.
- 644 (2) This contribution shall be:
- 645 (a) collected by the division;
- 646 (b) treated as a voluntary contribution and not as a motor vehicle or off-highway vehicle [
- 647 registration-fee] tax; and
- 648 (c) distributed equally to the Emergency Medical Services System Account created in
- 649 Section 53-2d-108 and the Search and Rescue Financial Assistance Program created
- 650 in Section 53-2a-1102 at least monthly, less actual administrative costs associated
- 651 with collecting and transferring the contributions.
- 652 (3) In addition to the administrative costs deducted under Subsection (2)(c), the division
- 653 may deduct the first \$1,000 collected to cover costs incurred to change the registration
- 654 form.

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

656 **41-1a-301 (Effective 01/01/27). Apportioned registration and licensing of**

657 **interstate vehicles.**

- 658 (1) For purposes of this section, "registrant" means an owner or operator of one or more
- 659 commercial vehicles operating in two or more jurisdictions applying for apportioned
- 660 registration and licensing of a commercial vehicle.
- 661 (2)(a) An owner or operator of a fleet of commercial vehicles based in this state and
- 662 operating in two or more jurisdictions may register commercial vehicles for operation
- 663 under the International Registration Plan or the Uniform Vehicle Registration
- 664 Proration and Reciprocity Agreement by filing an application with the division.
- 665 (b) The application shall include information that identifies the vehicle owner, the
- 666 vehicle, the miles traveled in each jurisdiction, and other information pertinent to the
- 667 registration of apportioned vehicles.
- 668 (c) The division may not grant apportioned registration for vehicles operated exclusively
- 669 in this state.
- 670 (3)(a) If no operations were conducted during the preceding year, in computing fees due:
- 671 (i) the application shall contain a statement of the proposed operations; and
- 672 (ii) the division shall determine fees based on average per vehicle distance
- 673 requirements under the International Registration Plan.
- 674 (b) At renewal, the registrant shall use the actual mileage from the preceding year in

- 675 computing fees due each jurisdiction.
- 676 (4) The division shall determine the [~~registration fee~~] vehicle tax and other fees for
677 apportioned vehicles as follows:
- 678 (a) divide the in-jurisdiction miles by the total miles generated during the preceding year;
- 679 (b) total the fees for each vehicle based on the taxes and fees prescribed in [~~Section~~
680 ~~41-1a-1206~~] Part 12, Fee and Tax Requirements; and
- 681 (c) multiply the sum obtained under Subsection (4)(b) by the quotient obtained under
682 Subsection (4)(a).
- 683 (5) The registrant may list trailers or semitrailers of apportioned fleets separately as "trailer
684 fleets" on the application, with the fees paid according to the total distance those trailers
685 were towed in all jurisdictions during the preceding year mileage reporting period.
- 686 (6)(a)(i) When the registrant has paid the proper fees and cleared the property tax or
687 in lieu fee under Section 41-1a-206 or 41-1a-207, the division shall issue a
688 registration card and license plate for each unit listed on the application.
- 689 (ii) The owner or operator shall carry an original registration in each vehicle at all
690 times.
- 691 (b) The owner or operator may carry original registration cards for trailers or semitrailers
692 in the power unit.
- 693 (c)(i) In lieu of a permanent registration card or license plate, the division may issue
694 one temporary permit authorizing operation of new or unlicensed vehicles until
695 the permanent registration is completed.
- 696 (ii) Once a temporary permit is issued:
- 697 (A) neither the registrant nor the division may cancel the registration process; and
- 698 (B) the division shall complete registration and the registrant shall pay the [~~fees~~]
699 taxes, fees, and any property tax or in lieu fee due for the vehicle for which the
700 permit was issued.
- 701 (iii) The division may not issue temporary permits for renewals.
- 702 (d)(i) The division shall issue one distinctive license plate for apportioned vehicles.
- 703 (ii) The owner or operator shall display the plate on the front of an apportioned truck
704 tractor or power unit or on the rear of any other apportioned vehicle.
- 705 (iii)(A) The division shall issue distinctive decals or a distinctive license plate
706 displaying the word "apportioned" or the abbreviation "APP" for each
707 apportioned vehicle.
- 708 (B) A registrant of an apportioned vehicle is not required to display a registration

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

- 743 (c) The division may not make an assessment for deficiency or claim for credit for any
744 period for which records are no longer required.
- 745 (d) The division may assess interest in the amount prescribed by Section 59-1-402 from
746 the date due until paid on deficiencies found due after audit.
- 747 (e) Registrants with deficiencies are subject to the penalties under Section 59-1-401.
- 748 (f) The division may enter into agreements with other International Registration Plan
749 jurisdictions for joint audits.
- 750 (10)(a) Except as provided in Subsection (10)(b), the division shall deposit all state taxes
751 or fees collected under this section [~~in~~] into the Transportation Fund.
- 752 (b) The commission may use the following fees as a dedicated credit to cover the costs
753 of electronic credentialing as provided in Section 41-1a-303:
- 754 (i) \$5 of each temporary registration permit [~~fee~~] tax or fee paid under Subsection
755 (13)(a)(i) for a single unit; and
- 756 (ii) \$10 of each temporary registration permit [~~fee~~] tax or fee paid under Subsection
757 (13)(a)(ii) for multiple units.
- 758 (11) If registration is for less than a full year, the division shall assess fees for apportioned
759 registration according to Section 41-1a-1207.
- 760 (a)(i) If the registrant is replacing a vehicle for one withdrawn from the fleet and the
761 new vehicle is of the same weight category as the replaced vehicle, the registrant
762 shall file a supplemental application.
- 763 (ii) If the registrant is replacing a vehicle for one withdrawn from the fleet and the
764 new vehicle is heavier than the replaced vehicle, the division shall assess
765 additional [~~registration fees~~] vehicle taxes or other fees described in Part 12, Fee
766 and Tax Requirements.
- 767 (iii) If the registrant is replacing a vehicle for one withdrawn from the fleet, the
768 division shall issue a new registration card.
- 769 (b) If a vehicle is withdrawn from an apportioned fleet during the period for which it is
770 registered, the registrant shall notify the division and surrender the registration card
771 and license plate of the withdrawn vehicle.
- 772 (12)(a) An out-of-state carrier with an apportionally registered vehicle who has not
773 presented a certificate of property tax or in lieu fee as required by Section 41-1a-206
774 or 41-1a-207, shall pay, at the time of registration, a proportional part of an equalized
775 highway use tax computed as follows:
- 776 (i) Multiply the number of vehicles or combination vehicles registered in each weight

777 class by the equivalent tax figure from the following tables:

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

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

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

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

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

800 (ii) \$50 for multiple units.

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

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

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

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

807 **41-1a-402 (Effective 01/01/27). Standard license plates -- Required colors,**
808 **numerals, and letters -- Expiration.**

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

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

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

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

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

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

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

820 (c) The division shall offer:

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

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

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

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

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

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

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

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

836 (i) the governor;

837 (ii) the speaker of the House of Representatives; and

838 (iii) the president of the Senate.

839 (b) After receiving a notification described in Subsection (3)(a):

- 840 (i) the governor shall appoint an individual to the license plate design review board
841 described in Subsection (3)(c);
- 842 (ii) the speaker of the House of Representatives shall appoint a member of the House
843 of Representatives to the license plate design review board described in
844 Subsection (3)(c); and
- 845 (iii) the president of the Senate shall appoint a member of the Senate to the license
846 plate design review board described in Subsection (3)(c).
- 847 (c)(i) The license plate design review board, comprised of the members appointed as
848 described in Subsection (3)(b), shall review proposed license plate designs.
- 849 (ii) The member of the license plate design review board appointed by the governor
850 shall serve as chair and convene the license plate design review board.
- 851 (iii) The license plate design review board shall:
- 852 (A) review each proposed license plate design; and
853 (B) vote whether to approve or reject the proposed license plate design.
- 854 (iv) If all three members of the license plate design review board are not present, the
855 license plate design review board may not consider or vote on a proposed license
856 plate design.
- 857 (v) The license plate design review board shall notify the commission and the
858 division regarding the results of the vote to approve each proposed license plate
859 design.
- 860 (d) The license plate design review board is not subject to Title 52, Chapter 4, Open and
861 Public Meetings Act.
- 862 (e) If the license plate design review board approves a proposed license plate design, the
863 division may begin the processes necessary for production and distribution of the
864 license plate.
- 865 (4)(a) Except as provided in Subsection (4)(b), the division may not order or produce a
866 standard license plate that is discontinued under this section.
- 867 (b) The division may issue a discontinued standard license plate until the division
868 exhausts the discontinued standard license plate's remaining stock.
- 869 (5)(a) Each license plate shall have displayed on it:
- 870 (i) the registration number assigned to the vehicle for which the license plate is issued;
871 (ii) the name of the state; and
872 (iii) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal
873 showing the date of expiration displayed in accordance with Subsection (8).

- 874 (b) ~~[No later than July 1, 2025, each]~~ Each license plate:
- 875 (i) shall have an embossed edge around the perimeter of the plate; and
- 876 (ii) may not have embossed registration numbers or characters.
- 877 (6) If registration is extended by affixing a registration decal to the license plate, the
- 878 expiration date of the registration decal governs the expiration date of the license plate.
- 879 (7)(a)(i) Except as provided under Subsection (7)(b), Subsection 41-1a-215(2), [
880 ~~Subsection 41-1a-215.5(2)]~~ Section 41-1a-215.5, and Section 41-1a-216, a license
881 plate shall be renewed annually.
- 882 (ii)(A) The division shall issue the vehicle owner a month registration decal and a
883 year registration decal upon the vehicle's first registration with the division.
- 884 (B) The division shall issue the vehicle owner only a year registration decal upon
885 subsequent renewals of registration to validate registration renewal.
- 886 (b) ~~[Beginning on January 1, 2025, the]~~ The division shall issue one registration decal
887 displaying both the month and year.
- 888 ~~[(e) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5,~~
889 ~~the division may issue two 12-month decals for the 24-month registration period.]~~
- 890 (8)(a) Except as otherwise provided in Subsection (8)(b) and by rule:
- 891 (i) the month registration decal issued in accordance with Subsection (7) shall be
892 displayed on the license plate in the left position; and
- 893 (ii) the year registration decal issued in accordance with Subsection (7) shall be
894 displayed on the license plate in the right position.
- 895 (b) ~~[Beginning on January 1, 2025, the]~~ The registration decal shall be displayed on the
896 upper right position on the license plate.
- 897 (9) The current year registration decal issued in accordance with Subsection (7) shall be
898 placed over or in place of the previous year registration decal.
- 899 (10) If a license plate or registration decal is lost or destroyed, a replacement shall be issued
900 upon application and payment of the fees required under Section 41-1a-1211~~[-or~~
901 ~~41-1a-1212]~~.
- 902 (11)(a) A violation of this section is an infraction.
- 903 (b) A court shall waive a fine for a violation under this section if:
- 904 (i) the registration for the vehicle was current at the time of the citation; and
- 905 (ii) the person to whom the citation was issued provides, within 21 business days,
906 evidence that the license plate and registration decal are properly displayed in
907 compliance with this section.

908 (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 909 division may make rules regarding the placement and positioning of registration decal
 910 on a license plate issued by the division.

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

912 **41-1a-410 (Effective 01/01/27). Eligibility for personalized plates.**

913 (1) A person who is the registered owner of a vehicle not subject to registration under
 914 Section 41-1a-301, registered with the division, or who applies for an original
 915 registration of a vehicle not subject to registration under Section 41-1a-301, may upon
 916 payment of the [fee] vehicle taxes and fees prescribed in Section 41-1a-1211 apply to the
 917 division for a personalized license plate.

918 (2) Application shall be made in accordance with Section 41-1a-411.

919 (3) The personalized license plate shall be affixed to the vehicle for which registration is
 920 sought in lieu of the regular license plate.

921 (4) A personalized license plate shall be issued only to the registered owner of the vehicle
 922 on which they are to be displayed.

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

924 **41-1a-1201 (Effective 01/01/27) (Partially Repealed 07/01/29). Disposition of**
 925 **taxes and fees.**

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

928 (2)(a) Except as otherwise provided in this section, the vehicle weight tax shall be
 929 deposited into the Transportation Fund.

930 (b) The following amounts of the vehicle weight tax shall be deposited into the
 931 Transportation Investment Fund of 2005 created in Section 72-2-124:

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

934 (ii) \$21 of the vehicle weight taxes on a trailer imposed under Subsections
 935 41-1a-1206(3)(c)(i) and (3)(c)(ii);

936 (iii) \$23 of the vehicle weight tax on a farm truck with a gross combined weight
 937 rating over 14,000 pounds but below 16,000 pounds, imposed under Subsection
 938 41-1a-1206(3)(e)(i);

939 (iv) \$1 of the vehicle weight tax on a farm truck for each 2,000 pounds over 16,000
 940 pounds gross combined weight rating, imposed under Subsection
 941 41-1a-1206(3)(e)(ii);

- 942 (v) \$24.50 of vehicle weight tax on a vehicle, excluding a farm truck, with a gross
943 combined weight rating over 14,000 pounds but below 16,000 pounds, imposed
944 under Subsection 41-1a-1206(3)(f)(i);
- 945 (vi) \$2.50 of the vehicle weight tax for each 2,000 pounds over 16,000 pounds of the
946 vehicle's gross combined weight rating imposed under Subsection
947 41-1a-1206(3)(f)(ii); and
- 948 (vii) \$17 of the vehicle weight tax for a roadable aircraft imposed under Subsection
949 41-1a-1206(3)(l).
- 950 (c) Fifty cents of each vehicle weight tax imposed under Subsection 41-1a-1206(3)(b)
951 for a motorcycle shall be deposited into the Brain and Spinal Cord Injury Fund
952 created in Section 26B-1-318.
- 953 (d)(i) Subject to Subsection (2)(d)(ii), \$4.30 from the vehicle weight tax for each
954 vehicle registered shall be deposited into the Rural Transportation Infrastructure
955 Fund created in Section 72-2-133.
- 956 (ii) Beginning on January 1, 2028, and each January 1 thereafter, the amount
957 described in Subsection (2)(d)(i) shall be annually adjusted by taking the amount
958 deposited the previous year and adding an amount equal to the greater of:
959 (A) an amount calculated by multiplying the amount deposited by the previous
960 year by the actual percentage change during the previous fiscal year in the
961 Consumer Price Index; and
962 (B) 0.
- 963 (iii) The amounts calculated as described in Subsection (2)(d)(ii) shall be rounded up
964 to the nearest 1 cent.
- 965 (e) Ninety-four cents from each vehicle weight tax imposed under Subsections
966 41-1a-1206(3)(a) and (3)(b) shall be deposited into the Public Safety Restricted
967 Account created in Section 53-3-106.
- 968 (f) One dollar from each vehicle weight tax described in Subsections 41-1a-1206(3)(a)
969 and (3)(b) shall be deposited into the Motor Vehicle Safety Impact Restricted
970 Account created in Section 53-8-214.
- 971 (3)(a) The following amounts from the following fees shall be deposited into the
972 Transportation Fund:
- 973 (i) \$1 from the service fee for the issuance of a new license plate described in
974 Subsection 41-1a-1211(2)(a);
- 975 (ii) \$1 from the service fee for the replacement of a license plate described in

- 976 Subsection 41-1a-1211(2)(b);
 977 (iii) \$50 from the personalized license plate application fee described in Subsection
 978 41-1a-1211(c)(i);
 979 (iv) \$10 from the personalized license plate renewal fee described in Subsection
 980 41-1a-1211(c)(ii);
 981 (v) \$5 from the specialized license plate additional fee described in Subsection
 982 41-1a-1211(d);
 983 (vi) \$4 from the duplicate registration fee described in Subsection 41-1a-1211(2)(h);
 984 and
 985 (vii) \$6 from the original or duplicate title fee described in Subsection
 986 41-1a-1211(2)(i).
 987 (b) The following amounts from the following fees shall be deposited into the Motor
 988 Vehicle Safety Impact Restricted Account created in Section 53-8-214:
 989 (i) \$1 from the service fee for the issuance of a new license plate described in
 990 Subsection 41-1a-1211(2)(a); and
 991 (ii) \$1 from the service fee for the replacement of a license plate described in
 992 Subsection 41-1a-1211(2)(b).
 993 (4) The following shall be deposited into the following accounts within the General Fund:
 994 (a) the vehicle regulatory fee described in Subsection 41-1a-1211(5) shall be deposited
 995 into the Motor Vehicle Division Restricted Account created in Section 41-1a-124; and
 996 (b) the revenue from the automobile driver education tax described in Section
 997 41-1a-1204 as a dedicated credit into the Automobile Driver Education Tax Account.
 998 (5) Except as provided in Subsection (3), the license plate service fees described in
 999 Subsections 41-1a-1211(2)(a) through (g) shall be deposited into the License Plate
 1000 Restricted Account created in Section 41-1a-122.
 1001 (6) The uninsured motorist identification regulatory fee described in Section 41-1a-1218
 1002 shall be deposited into the Uninsured Motorist Identification Restricted Account created
 1003 in Section 41-12a-806.
 1004 (7) The local emissions compliance tax as described in Section 41-1a-1223 shall be
 1005 transferred to the county that imposed the tax.

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

1007 **41-1a-1202 (Effective 01/01/27). Refused or rejected application -- Refunds.**

1008 If an application to the division is accompanied by any taxes and fees required by law
 1009 and the application is refused or rejected, the taxes and fees shall be returned immediately to

1010 the applicant.

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

1012 **41-1a-1203 (Effective 01/01/27). Application for refund.**

1013 If the division through error collects any tax or fee not required to be paid, the tax or fee
1014 shall be refunded to the person paying the tax or fee upon written application for a refund
1015 made within six months after date of the payment.

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

1017 **41-1a-1204 (Effective 01/01/27). Automobile driver education tax -- Amount --**
1018 **When paid -- Exception.**

1019 (1) Each year there is levied and shall be paid to the commission the automobile driver
1020 education [fee] tax as part of the vehicle tax described in Subsection 41-1a-1206(2).

1021 (2)(a) Except as provided in Subsections (2)(b) and (c), the [fee] tax is \$2.50 upon each
1022 motor vehicle to be registered for a one-year registration period.

1023 [~~(b) The fee is \$2.00 upon each motor vehicle to be registered under Section 41-1a-215.5~~
1024 ~~for a six-month registration period.]~~

1025 (b) The tax is \$5.00 for a vehicle registered for a 24-month registration period as
1026 described in Section 41-1a-215.5.

1027 (c) The following registrations are exempt from the [fee] tax in Subsection (2)(a) or (b):

1028 (i) a motorcycle registration; and

1029 (ii) a registration of a vehicle with a Purple Heart special group license plate issued:

1030 (A) on or before December 31, 2023; or

1031 (B) in accordance with Part 16, Sponsored Special Group License Plates.

1032 (3) The necessary expenses of the commission incurred in the administration and collection
1033 of the tax shall be paid from the commission's legislative appropriation into the General
1034 Fund, which fund shall be reimbursed by a transfer for the expenses from the legislative
1035 appropriation of the Uniform School Fund.

1036 [~~(3) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the~~
1037 ~~fee amounts are double the amounts due for a 12-month registration of the same vehicle.]~~

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

1039 **41-1a-1206 (Effective 01/01/27). Vehicle Tax -- Taxed by weight -- Exemptions.**

1040 (1)(a) There is imposed on each vehicle registered in the state a vehicle tax.

1041 (b) An applicant for vehicle registration or renewal of vehicle registration shall pay the
1042 vehicle tax to the division at the time of the application.

1043 (c)(i) Vehicle weight tax categories under this section are based on the gross

- 1044 combined weight rating declared in the application for registration.
- 1045 (ii)(A) Gross combined weight rating is computed in units of 2,000 pounds.
- 1046 (B) For purposes of computing gross combined weight rating under Subsection
- 1047 (1)(c)(i)(A), a fractional part of 2,000 pounds is a full unit.
- 1048 (2) The vehicle tax includes the following taxes:
- 1049 (a) subject to Subsection (6), the vehicle weight tax described in Subsection (3);
- 1050 (b) the automobile driver education tax described in Section 41-1a-1204;
- 1051 (c) a local option highway construction and transportation corridor preservation tax, if
- 1052 imposed in accordance with Section 41-1a-1222; and
- 1053 (d) a local emissions compliance tax, if imposed in accordance with Section 41-1a-1223.
- 1054 (3)(a) The vehicle weight tax for a motor vehicle with a gross laden weight of 14,000
- 1055 pounds or less, excluding a motorcycle, is \$61.
- 1056 (b) The vehicle weight tax for a motorcycle is \$64.25.
- 1057 (c) Unless a trailer is exempt from registration as described in Section 41-1a-202 or
- 1058 registered as described in Section 41-1a-228 or 41-1a-301, the vehicle weight tax for
- 1059 a trailer is:
- 1060 (i) \$44.25 for each trailer with a shipping weight over 750 pounds; or
- 1061 (ii) \$40.25 for each commercial trailer with a shipping weight of 750 pounds or less.
- 1062 (d) The vehicle weight tax for a trailer registered in accordance with Section 41-1a-228
- 1063 is \$177.
- 1064 (e) The vehicle weight tax for a farm truck with a gross combined weight rating over
- 1065 14,000 pounds but below 16,000 pounds is:
- 1066 (i) \$73.50; plus
- 1067 (ii) \$9 for each 2,000 pounds over 16,000 pounds gross combined weight rating.
- 1068 (f) The vehicle weight tax for a motor vehicle or combination of vehicles, excluding a
- 1069 farm truck, with a gross combined weight rating over 14,000 pounds but below
- 1070 16,000 pounds is:
- 1071 (i) \$95.50; plus
- 1072 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross combined weight rating.
- 1073 (g) The vehicle weight tax for a park model recreational vehicle with a gross combined
- 1074 weight rating over 14,000 pounds but below 16,000 pounds is:
- 1075 (i) \$95.50; plus
- 1076 (ii) \$19 for each 2,000 pounds over 16,000 pounds gross combined weight rating.
- 1077 (h) The vehicle weight tax for an electric motor vehicle is:

- 1078 (i) the amount described in Subsection (3)(a); plus
1079 (ii) an amount equal to the road usage charge cap described in Section 72-1-213.1.
1080 (i) The vehicle weight tax for a motor vehicle that is fueled exclusively by a source other
1081 than motor fuel, diesel fuel, natural gas, or propane, is:
1082 (i) the amount described in Subsection (3)(a); plus
1083 (ii) an amount equal to the road usage charge cap described in Section 72-1-213.1.
1084 (j) The vehicle weight tax for a hybrid electric motor vehicle is:
1085 (i) the amount described in Subsection (3)(a); plus
1086 (ii) \$25.75.
1087 (k) The vehicle weight tax for a plug-in hybrid electric motor vehicle is:
1088 (i) the amount described in Subsection (3)(a); plus
1089 (ii) \$65.75.
1090 (l) The vehicle weight tax for a roadable aircraft is \$23.75.
1091 (m)(i) The vehicle weight tax for a vintage vehicle with a model year of 1983 or
1092 newer is \$63.
1093 (ii) The vehicle weight tax for a vintage vehicle with a model year of 1982 or older,
1094 the first time the vehicle is registered, is \$55.75.
1095 (iii) A vintage vehicle with a model year of 1982 or older is exempt from the vehicle
1096 weight tax at the time of registration renewal.
1097 (n) A street legal all-terrain vehicle:
1098 (i) is not subject to a vehicle weight tax under this section; and
1099 (ii) is required to pay a vehicle tax as provided in Section 41-22-9.
1100 (4) The vehicle weight tax for vehicle registered for a 24-month period as provided in
1101 Section 41-1a-215.5 is double the amount due for the same vehicle if registered for a
1102 12-month registration period.
1103 (5)(a) A vehicle with a Purple Heart special group license plate issued on or before
1104 December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group
1105 License Plates, is exempt from the vehicle weight taxes described in Subsection (3).
1106 (b) A camper is exempt from the vehicle weight taxes described in Subsection (3).
1107 (c) A vehicle used exclusively to pump cement, bore wells, or perform crane services
1108 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of
1109 the vehicle weight tax required for that vehicle under this section.
1110 (6) Beginning on January 1, 2028, the commission shall, on January 1, annually adjust the
1111 registration fees described in Subsections (3)(a), (3)(b), (3)(c), (3)(d), (3)(e)(i), (3)(f)(i),

1112 (3)(g)(i), (3)(l), and (3)(m), by taking the registration fee rate for the previous year and
 1113 adding an amount equal to the greater of:

1114 (a) an amount calculated by multiplying the registration fee of the previous year by the
 1115 actual percentage change during the previous fiscal year in the Consumer Price
 1116 Index; and

1117 (b) 0.

1118 (7)(a) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
 1119 truck unless:

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

1121 (ii)(A) the truck has a gross vehicle weight rating of more than 14,000 pounds; or

1122 (B) the truck has a gross vehicle weight rating of 14,000 pounds or less and the
 1123 owner submits to the division a certificate of emissions inspection or a waiver
 1124 in compliance with Section 41-6a-1642.

1125 (b) A violation of Subsection (7)(a) is an infraction that shall be punished by a fine of
 1126 not less than \$200.

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

1128 **41-1a-1207 (Effective 01/01/27). Reduced fees for portion of year.**

1129 If a motor vehicle exceeding 14,000 pounds gross laden weight is registered for less than
 1130 a 12-month registration period, the [~~registration fees~~] vehicle taxes and fees are:

1131 (1) for not more than three months, 30% of the regular [~~registration fee~~] vehicle taxes or fees
 1132 under this part;

1133 (2) for in excess of three months but not more than six months, 60% of the regular [~~registration fee~~]
 1134 vehicle taxes or fees under this part;

1135 (3) for in excess of six months and not more than nine months, 90% of the regular [~~registration fee~~]
 1136 vehicle taxes or fees under this part; and

1137 (4) for anything in excess of nine months but not more than 12 months, the entire [~~registration fee~~]
 1138 vehicle taxes or fees under this part.

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

1140 **41-1a-1209 (Effective 01/01/27). Exemptions from registration fees.**

1141 (1) A vehicle tax or fee may not be charged for the registration of ambulances, law
 1142 enforcement vehicles, fire engines, and passenger cars and trucks owned and used by the
 1143 United States government or by the state of Utah or any of its political subdivisions.

1144 (2) A vehicle tax or fee may not be charged municipal corporations for the issuance of any
 1145 certificate of title or registration or a duplicate certificate of title or registration.

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

1147 **41-1a-1211 (Effective 01/01/27). Vehicle, license plate, and registration related**
1148 **service fees -- Vehicle regulatory fee.**

1149 (1)(a) In accordance with Section 63J-1-504, the commission shall establish service fees
1150 as described in this section.

1151 (b) An applicant for vehicle registration or renewal of vehicle registration shall pay the
1152 service fees described in this section to the division at the time of the application for
1153 registration.

1154 (c) The commission shall annually establish and publish a fee schedule for service fees.

1155 (2) The commission shall establish the following service fees:

1156 (a) a license plate fee for the issuance of a new license plate under Part 4, License Plates
1157 and Registration Indicia;

1158 (b) a license plate fee for the replacement of any license plate;

1159 (c)(i) a fee for the original issuance of a personalized license plate; and

1160 (ii) a fee for the renewal of a personalized license plate;

1161 (d) a fee for the issuance of an original special group license plate;

1162 (e) a fee for the replacement of a registration decal required by Section 41-1a-401 or
1163 license plate registration decal required in Section 41-1a-402;

1164 (f) a fee for the issuance of registration decals for an original issue license plate as
1165 described in Section 41-1a-416;

1166 (g) a fee for the issuance of a duplicate registration; and

1167 (h) a fee for the issuance of an original or duplicate certificate of title.

1168 (3) An applicant is exempt from the fee under Subsection (2)(a) or (b) if the applicant:

1169 (a) was issued a clean fuel special group license plate in accordance with Section
1170 41-1a-418 before the effective date of rules made by the Department of

1171 Transportation under Subsection 41-6a-702(5)(b); and

1172 (b) upon renewal or reissuance, is required to replace the clean fuel special group license
1173 plate with a new license plate.

1174 (4)(a) An applicant for a license plate issued under Section 41-1a-407 is not subject to
1175 the license plate fee under Subsection (2)(a).

1176 (b) An applicant is exempt from the license plate fee under Subsections (2)(a), (d), and
1177 (f) if the applicant presents official documentation that the individual is a recipient of
1178 the Purple Heart Award in one of the following forms:

1179 (i) official documentation issued by a recognized association representing peace

- 1180 officers who:
- 1181 (A) receive a salary from a federal, state, county, or municipal government or any
- 1182 other subdivision of the state; and
- 1183 (B) work in the state;
- 1184 (ii) a membership card in the Military Order of the Purple Heart; or
- 1185 (iii) an original or certificate in lieu of the applicant's military discharge form,
- 1186 DD-214, issued by the National Personnel Records Center.

1187 (5)(a) In accordance with Section 63J-1-504, the commission shall establish a vehicle

1188 regulatory fee as described in this Subsection (5) to cover the commission's costs in

1189 regulating vehicles in this state.

1190 (b) An applicant for vehicle registration or renewal of vehicle registration shall pay the

1191 vehicle regulatory fee described in this Subsection (5) to the division at the time of

1192 the application for registration.

1193 (c) The commission shall annually establish and publish a fee schedule for the vehicle

1194 regulatory fee.

1195 Section 26. Section **41-1a-1218** is repealed and reenacted to read:

1196 **41-1a-1218 (Effective 01/01/27). Uninsured motorist identification regulatory fee**

1197 **for tracking motor vehicle insurance -- Exemption.**

1198 (1) In accordance with Section 63J-1-504, the Department of Public Safety and the

1199 commission shall establish a vehicle regulatory fee to cover the costs of regulating and

1200 identifying uninsured motorists.

1201 (2) Except as provided in Subsection (3), at the time application is made for registration or

1202 renewal of registration, each motor vehicle, street-legal all-terrain vehicle, and

1203 motorboat shall pay the regulatory fee established by the commission as described in

1204 Subsection (1).

1205 (3) The following are exempt from the fee required under this section:

1206 (a) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or Section

1207 41-1a-301;

1208 (b) a vehicle described in Section 41-1a-1209 or Subsection 41-1a-419(3) that is exempt

1209 from a vehicle tax or fee; and

1210 (c) a motor vehicle with a Purple Heart special group license plate issued:

1211 (i) on or before December 31, 2023; or

1212 (ii) in accordance with Part 16, Sponsored Special Group License Plates.

1213 Section 27. Section **41-1a-1219** is amended to read:

1214 **41-1a-1219 (Effective 01/01/27). Motor carrier fee.**

1215 (1) At the time application is made for registration or renewal of registration of a motor
 1216 vehicle or combination of motor vehicles over 14,000 pounds gross laden weight, the
 1217 applicant shall pay a motor carrier fee of \$6 for each motor vehicle or combination of
 1218 motor vehicles.

1219 (2) This fee is in addition to the [~~registration fees~~] vehicle tax under Subsections [
 1220 ~~41-1a-1206(1)(d) and (e)~~] 41-1a-1206(3)(e) and (f).

1221 (3) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the
 1222 fee amounts under this section are double the amounts due for the same vehicle
 1223 registered for a 12-month period.

1224 Section 28. Section **41-1a-1221** is amended to read:

1225 **41-1a-1221 (Effective 01/01/27). Fees to cover the cost of electronic payments.**

1226 (1) As used in this section:

1227 (a) "Electronic payment" means use of any form of payment processed through
 1228 electronic means, including credit cards, debit cards, and automatic clearinghouse
 1229 transactions.

1230 (b) "Electronic payment fee" means the fee assessed to defray:

1231 (i) the charge, discount fee, or processing fee charged by credit card companies or
 1232 processing agents to process an electronic payment; or

1233 (ii) costs associated with the purchase of equipment necessary for processing
 1234 electronic payments.

1235 (2)(a) The Motor Vehicle Division may collect an electronic payment fee on all
 1236 registrations and renewals of registration under Subsections [~~41-1a-1206(1)(a), (1)(b),~~
 1237 ~~(2)(a), (2)(b), and (4)~~] 41-1a-1206(3)(a), (3)(b), and (3)(m).

1238 (b) The fee described in Subsection (2)(a):

1239 (i) shall be imposed regardless of the method of payment for a particular transaction;
 1240 and

1241 (ii) need not be separately identified from the fees imposed for registration and
 1242 renewals of registration under Subsections [~~41-1a-1206(1)(a), (1)(b), (2)(a), (2)(b),~~
 1243 ~~and (4)~~] 41-1a-1206(3)(a), (3)(b), and (3)(m).

1244 (c) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5,
 1245 the electronic fee amounts under this section are double the amounts due for the same
 1246 vehicle registered for a 12-month period.

1247 (3) The division shall establish the fee according to the procedures and requirements of

- 1248 Section 63J-1-504.
- 1249 (4) A fee imposed under this section:
- 1250 (a) shall be deposited [~~in~~] into the Electronic Payment Fee Restricted Account created by
- 1251 Section 41-1a-121; and
- 1252 (b) is not subject to Subsection 63J-1-105(3) or (4).
- 1253 Section 29. Section **41-1a-1222** is amended to read:
- 1254 **41-1a-1222 (Effective 01/01/27). Local option highway construction and**
- 1255 **transportation corridor preservation tax -- Exemptions -- Deposit -- Transfer -- County**
- 1256 **ordinance -- Notice.**
- 1257 (1) As used in this section, "unincorporated" means the same as that term is defined in
- 1258 Section 10-1-104.
- 1259 (2)(a)(i) Except as provided in Subsection (2)(a)(ii), a county legislative body may
- 1260 impose a local option highway construction and transportation corridor
- 1261 preservation [~~fee~~] tax of up to \$10 on each motor vehicle registration within the
- 1262 county.
- 1263 (ii) A county legislative body may impose a local option highway construction and
- 1264 transportation corridor preservation [~~fee~~] tax of up to [~~\$7.75~~] \$20.00 on each motor
- 1265 vehicle registration for a [~~six-month~~] 24-month registration period under Section
- 1266 41-1a-215.5 within the county.
- 1267 (iii) A [~~fee~~] tax imposed under Subsection (2)(a)(i) or (ii) shall be set in whole dollar
- 1268 increments.
- 1269 (iv) A tax imposed as described in this section is part of the vehicle tax described in
- 1270 Subsection 41-1a-1206(2).
- 1271 (b)(i) If imposed under Subsection (2)(a), at the time application is made for
- 1272 registration or renewal of registration of a motor vehicle under this chapter, the
- 1273 applicant shall pay the local option highway construction and transportation
- 1274 corridor preservation [~~fee~~] tax established by the county legislative body.
- 1275 (ii) If imposed under Subsection (2)(a), at the time application is made for
- 1276 registration or renewal of registration of a vehicle under this chapter for a
- 1277 24-month period as provided in Section 41-1a-215.5, the applicant shall pay
- 1278 double the amount of the local option highway construction and transportation
- 1279 corridor preservation [~~fee~~] tax established by the county legislative body for the
- 1280 same vehicle registered for a 12-month period.
- 1281 (c) The following are exempt from the [~~fee~~] tax required under Subsection (2)(a):

- 1282 (i) a motor vehicle that is exempt from the registration [fee] tax under Section
1283 41-1a-1209 or Subsection 41-1a-419(3);
- 1284 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;
1285 and
- 1286 (iii) a motor vehicle with a Purple Heart special group license plate issued:
1287 (A) on or before December 31, 2023; or
1288 (B) in accordance with Part 16, Sponsored Special Group License Plates.
- 1289 (3)(a) Except as provided in Subsection (3)(b), the revenue generated under this section
1290 shall be:
- 1291 (i) deposited [~~in~~] into the Local Highway and Transportation Corridor Preservation
1292 Fund created in Section 72-2-117.5;
- 1293 (ii) credited to the county from which it is generated; and
1294 (iii) used and distributed in accordance with Section 72-2-117.5.
- 1295 (b) The revenue generated by a [fee] tax imposed under this section in a county of the
1296 first class shall be deposited or transferred as follows:
- 1297 (i) 50% of the revenue shall be:
- 1298 (A) deposited [~~in~~] into the County of the First Class Highway Projects Fund
1299 created in Section 72-2-121; and
1300 (B) used in accordance with Section 72-2-121;
- 1301 (ii) 30% of the revenue shall be deposited, credited, and used as provided in
1302 Subsection (3)(a); and
1303 (iii) 20% of the revenue shall be transferred to the legislative body of a county of the
1304 first class.
- 1305 (4) Beginning in a fiscal year beginning on or after July 1, 2023, and for 15 years thereafter,
1306 the legislative body of the county of the first class shall annually transfer, from the
1307 revenue transferred to the legislative body of a county of the first class as described in
1308 Subsection (3)(b)(iii):
- 1309 (a) \$300,000 to Kearns; and
1310 (b) \$225,000 to Magna.
- 1311 (5) To impose or change the amount of a [fee] tax under this section, the county legislative
1312 body shall pass an ordinance:
- 1313 (a) approving the [fee] tax;
1314 (b) setting the amount of the [fee] tax; and
1315 (c) providing an effective date for the [fee] tax as provided in Subsection (6).

1316 (6)(a) If a county legislative body enacts, changes, or repeals a [fee] tax under this
 1317 section, the enactment, change, or repeal shall take effect on July 1 if the commission
 1318 receives notice meeting the requirements of Subsection (6)(b) from the county [~~prior~~
 1319 ~~to~~] before April 1.

1320 (b) The notice described in Subsection (6)(a) shall:

- 1321 (i) state that the county will enact, change, or repeal a [fee] tax under this part;
- 1322 (ii) include a copy of the ordinance imposing the [fee] tax; and
- 1323 (iii) if the county enacts or changes the [fee] tax under this section, state the amount
 1324 of the [fee] tax.

1325 Section 30. Section ~~41-1a-1223~~ is amended to read:

1326 **41-1a-1223 (Effective 01/01/27). Local emissions compliance tax -- Exemptions --**
 1327 **Transfer -- County ordinance -- Notice.**

1328 (1)(a)(i) A county legislative body of a county that is required to utilize a motor
 1329 vehicle emissions inspection and maintenance program or in which an emissions
 1330 inspection and maintenance program is necessary to attain or maintain any
 1331 national ambient air quality standard in accordance with Section 41-6a-1642 may
 1332 impose a local emissions compliance [fee] tax of up to:

1333 (A) \$3 on each motor vehicle registration within the county for a motor vehicle
 1334 registration under Section 41-1a-215; or

1335 (B) [~~\$2.25~~] \$6 on each motor vehicle registration within the county for a [
 1336 ~~six-month~~] 24-month registration period under Section 41-1a-215.5.

1337 (ii) A [fee] tax imposed under Subsection (1)(a)(i) shall be set in whole dollar
 1338 increments.

1339 (b) If imposed under Subsection (1)(a)(i), at the time application is made for registration
 1340 or renewal of registration of a motor vehicle under this chapter, the applicant shall
 1341 pay the local emissions compliance [fee] tax established by the county legislative
 1342 body.

1343 (c) The following are exempt from the [fee] tax required under Subsection (1)(a)(i):

1344 (i) a motor vehicle that is exempt from the registration [fee] tax under Section
 1345 41-1a-1209 or Subsection 41-1a-419(3);

1346 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;
 1347 and

1348 (iii) an electric motor vehicle.

1349 [~~(2) The revenue generated from the fees collected under this section shall be transferred to~~

1350 the county that imposed the fee.]

1351 [(3)] (2) To impose or change the amount of a [fee] tax under this section, the county
1352 legislative body shall pass an ordinance:

1353 (a) approving the [fee] tax;

1354 (b) setting the amount of the [fee] tax; and

1355 (c) providing an effective date for the [fee] tax as provided in Subsection [(4)] (3).

1356 [(4)] (3)(a) If a county legislative body enacts, changes, or repeals a [fee] tax under this
1357 section, the enactment, change, or repeal shall take effect on January 1 if the
1358 commission receives notice meeting the requirements of Subsection [(4)(b)] (3)(b)
1359 from the county [~~prior to~~] before October 1.

1360 (b) The notice described in Subsection [(4)(a)] (3)(a) shall:

1361 (i) state that the county will enact, change, or repeal a [fee] tax under this section;

1362 (ii) include a copy of the ordinance imposing the [fee] tax; and

1363 (iii) if the county enacts or changes the [fee] tax under this section, state the amount
1364 of the [fee] tax.

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

1366 **41-1a-1301 (Effective 01/01/27). Unpaid fees and penalty -- Lien -- Seizure and**
1367 **sale.**

1368 (1)(a) Every [~~registration fee~~] vehicle tax, fee, and penalty not paid by the due date is a
1369 lien upon all:

1370 (i) the unexempt personal property of the owner or operator of the vehicle, vessel, or
1371 outboard motor; and

1372 (ii) interest or equity of the owner or operator in all personal property, including
1373 vehicles, vessels, or outboard motors used by the owner or operator in the conduct
1374 or operation of the owner's or operator's business.

1375 (b) The properties and vehicles, vessels, or outboard motors may be held under warrant,
1376 issued by the commission, and sold in accordance with the law applicable to personal
1377 property taxes.

1378 (2) Delinquency is a ground for the issuance of a writ of attachment against the owner or
1379 operator.

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

1381 **41-1a-1603 (Effective 01/01/27). Application requirements -- Fees --**
1382 **Contributions -- Rulemaking.**

1383 (1) An applicant for a sponsored special group license plate shall submit to the division:

- 1384 (a) in a form and manner that the division prescribes, a complete application;
1385 (b) payment of the fee for the issuance of the sponsored special group license plate
1386 established under Subsection (4)(a)(i);
1387 (c) the required contribution for the sponsored special group license plate, unless the
1388 applicant previously paid the required contribution as part of a preorder application
1389 described in Subsection (3); and
1390 (d) if the sponsoring organization elects to require verification as described in Section
1391 41-1a-1604, a verification form obtained from the sponsoring organization.
- 1392 (2) An applicant who owns a vehicle with the sponsoring organization's sponsored special
1393 group license plate shall submit to the division the required contribution to renew the
1394 sponsored special group license plate.
- 1395 (3)(a) An applicant who wishes to obtain a new type of sponsored special group license
1396 plate may preorder the new type of sponsored special group license plate by:
1397 (i) submitting to the sponsoring organization associated with the new type of
1398 sponsored special group license plate a complete preorder form created by the
1399 division; and
1400 (ii) making the required contribution to the sponsoring organization.
- 1401 (b) After the division approves the sponsoring organization's request for the new type of
1402 sponsored special group license plate under Section 41-1a-1604, an applicant who
1403 submitted a preorder in accordance with Subsection (3)(a) may apply for the
1404 sponsored special group license plate in accordance with Subsection (1).
- 1405 (4)(a) The division shall, in accordance with Section 63J-1-504, establish:
1406 (i) the fee to charge an applicant for the division's costs of issuing or renewing a
1407 sponsored special group license plate or symbol decal;
1408 (ii) the fee to charge a sponsoring organization for the division's costs of designing
1409 and administering a new type of sponsored special group license plate, in
1410 accordance with Subsection 41-1a-1604(2)(c); and
1411 (iii) subject to Subsections (4)(b) and (6), in an amount equal to at least \$25, the
1412 minimum annual contribution amount an applicant is required to make to obtain or
1413 renew the sponsoring organization's sponsored special group license plate.
- 1414 (b) A fee paid in accordance with Subsection (4)(a)(i) shall be deposited into the License
1415 Plate Restricted Account created in Section 41-1a-122.
- 1416 (c) A sponsoring organization may establish a required contribution amount for the
1417 sponsoring organization's sponsored special group license plate that is greater than

- 1418 the amount established by the division under Subsection (4)(a)(ii).
- 1419 (5) An applicant's contribution is a voluntary contribution for funding the sponsoring
 1420 organization's activities and not a [~~motor vehicle registration fee~~] vehicle tax or fee.
- 1421 (6) Beginning on July 1, 2025, an applicant's voluntary contribution described in
 1422 Subsection (4)(a)(iii) for the historical support special group license plate described in
 1423 Section 41-1a-419 is \$25 which the division shall allocate as follows:
- 1424 (a) \$2 to the Utah State Historical Society as the sponsoring organization; and
 1425 (b) \$23 into the Transportation Investment Fund of 2005, created in Section 72-2-124.
- 1426 (7) For a fiscal year beginning on July 1, 2025, only, the division shall transfer into the
 1427 General Fund \$3,500,000 from the Sponsored Special Group License Plate Fund created
 1428 in Section 41-1a-1610 from funds generated by the historical support special group
 1429 license plate.
- 1430 (8) The division shall provide notice indicating the allocation of the voluntary contributions
 1431 described in Subsection (6) for the historical support special group license plate as
 1432 follows:
- 1433 (a) on or before July 1, 2025, on the division website; and
 1434 (b) beginning on July 1, 2025, and until June 30, 2026, in any email notification of a
 1435 registrant's pending vehicle registration expiration described in Section 41-1a-203.
- 1436 (9) An applicant for a historical support special group license plate for a vehicle that is a
 1437 vintage vehicle is not required to make the voluntary contribution to obtain the historical
 1438 support special group license plate.
- 1439 (10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 1440 commission may make rules to establish and administer the sponsored special group
 1441 license plate program.
- 1442 Section 33. Section **41-3-302** is amended to read:
- 1443 **41-3-302 (Effective 01/01/27). Temporary permits -- Purchasers of motor**
 1444 **vehicles -- Penalty for use after expiration -- Sale and rescission.**
- 1445 (1)(a)(i) A dealer or the division may issue a temporary permit.
- 1446 (ii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 1447 the administrator shall makes rules for the issuance of a temporary permit under
 1448 Subsection (1)(a)(i).
- 1449 (iii) The division shall furnish the forms for temporary permits issued by dealers
 1450 under Subsection (1)(a)(i).
- 1451 (b) A dealer may issue a temporary permit to a bona fide purchaser of a motor vehicle

- 1452 for a period not to exceed 45 days on a motor vehicle sold to the purchaser by the
1453 dealer.
- 1454 (c) The dealer is responsible and liable for the [~~registration~~] vehicle taxes and fees or fee
1455 of each motor vehicle for which the permit is issued.
- 1456 (d) All issued temporary permits that are outstanding after 45 days from the date they
1457 are issued are delinquent and a penalty equal to the [~~registration-fee~~] vehicle taxes and
1458 fees shall be collected from the issuing dealer.
- 1459 (2) If a temporary permit is issued by a dealer under this section and the sale of the motor
1460 vehicle is subsequently rescinded, the temporary permit may be voided and the issuing
1461 dealer is not liable for the [~~registration-fee~~] vehicle tax or penalty.

1462 Section 34. Section **41-6a-208** is amended to read:

1463 **41-6a-208 (Effective 01/01/27). Regulatory powers of local highway authorities --**
1464 **Traffic-control device affecting state highway -- Necessity of erecting traffic-control**
1465 **devices.**

1466 (1) As used in this section:

1467 (a)(i) "Ground transportation vehicle" means a motor vehicle used for the
1468 transportation of persons, used in ride or shared ride, on demand, or for hire
1469 transportation of passengers or baggage over public highways.

1470 (ii) "Ground transportation vehicle" includes a:

- 1471 (A) shared ride vehicle;
1472 (B) bus;
1473 (C) courtesy vehicle;
1474 (D) hotel vehicle;
1475 (E) limousine;
1476 (F) minibus;
1477 (G) special transportation vehicle;
1478 (H) specialty vehicle;
1479 (I) taxicab;
1480 (J) van; or
1481 (K) trailer being towed by a ground transportation vehicle.

1482 (b) "Idle" means the operation of a vehicle engine while the vehicle is stationary or not
1483 in the act of performing work or its normal function.

1484 (2) The provisions of this chapter do not prevent a local highway authority for a highway
1485 under its jurisdiction and within the reasonable exercise of police power, from:

- 1486 (a) regulating or prohibiting stopping, standing, or parking;
- 1487 (b) regulating traffic by means of a peace officer or a traffic-control device;
- 1488 (c) regulating or prohibiting processions or assemblages on a highway;
- 1489 (d) designating particular highways or roadways for use by traffic moving in one
1490 direction under Section 41-6a-709;
- 1491 (e) establishing speed limits for vehicles in public parks, which supersede Section
1492 41-6a-603 regarding speed limits;
- 1493 (f) designating any highway as a through highway or designating any intersection or
1494 junction of roadways as a stop or yield intersection or junction;
- 1495 (g) restricting the use of a highway under Section 72-7-408;
- 1496 (h) requiring the registration and inspection of bicycles, including requiring a
1497 registration tax or fee;
- 1498 (i) regulating or prohibiting:
- 1499 (i) certain turn movements of a vehicle; or
1500 (ii) specified types of vehicles;
- 1501 (j) altering or establishing speed limits under Section 41-6a-603;
- 1502 (k) requiring written accident reports under Section 41-6a-403;
- 1503 (l) designating no-passing zones under Section 41-6a-708;
- 1504 (m) prohibiting or regulating the use of controlled-access highways by any class or kind
1505 of traffic under Section 41-6a-715;
- 1506 (n) prohibiting or regulating the use of heavily traveled streets by any class or kind of
1507 traffic found to be incompatible with the normal and safe movement of traffic;
- 1508 (o) establishing minimum speed limits under Subsection 41-6a-605(3);
- 1509 (p) prohibiting pedestrians from crossing a highway in a business district or any
1510 designated highway except in a crosswalk under Section 41-6a-1001;
- 1511 (q) restricting pedestrian crossings at unmarked crosswalks under Section 41-6a-1010;
- 1512 (r) regulating persons upon skates, coasters, sleds, skateboards, and other toy vehicles;
- 1513 (s) adopting and enforcing temporary or experimental ordinances as necessary to cover
1514 emergencies or special conditions;
- 1515 (t) prohibiting drivers of ambulances from exceeding maximum speed limits;
- 1516 (u) adopting other traffic ordinances as specifically authorized by this chapter; or
- 1517 (v) adopting an ordinance that requires a ground transportation vehicle to conform to
1518 state safety standards and reasonable annual appearance requirements, in consultation
1519 with a transportation advisory board of the local highway authority.

- 1520 (3) A local highway authority may not:
- 1521 (a) in accordance with Title 72, Chapter 3, Part 1, Highways in General, erect or
- 1522 maintain any official traffic-control device at any location which regulates the traffic
- 1523 on a highway not under the local highway authority's jurisdiction, unless written
- 1524 approval is obtained from the highway authority having jurisdiction over the highway;
- 1525 (b) prohibit or restrict the use of a cellular phone by the operator or passenger of a motor
- 1526 vehicle;
- 1527 (c) enact an ordinance that prohibits or restricts an owner or operator of a vehicle from
- 1528 causing or permitting the vehicle's engine to idle unless the ordinance:
- 1529 (i) is primarily educational;
- 1530 (ii) provides that a person must be issued at least one warning citation before
- 1531 imposing a fine;
- 1532 (iii) has the same fine structure as a parking violation;
- 1533 (iv) provides for the safety of law enforcement personnel who enforce the ordinance;
- 1534 and
- 1535 (v) provides that the ordinance may be enforced on:
- 1536 (A) public property; or
- 1537 (B) private property that is open to the general public unless the private property
- 1538 owner:
- 1539 (I) has a private business that has a drive-through service as a component of the
- 1540 private property owner's business operations and posts a sign provided by or
- 1541 acceptable to the local highway authority informing its customers and the
- 1542 public of the local highway authority's time limit for idling vehicle engines;
- 1543 or
- 1544 (II) adopts an idle reduction education policy approved by the local highway
- 1545 authority;
- 1546 (d) enact an ordinance that prohibits a vehicle from being licensed as a ground
- 1547 transportation vehicle:
- 1548 (i) if the vehicle to be licensed otherwise passes all state safety inspection
- 1549 requirements established by the Utah Highway Patrol Division in accordance with
- 1550 Section 53-8-204; and
- 1551 (ii)(A) based on the manufacture date of the vehicle; or
- 1552 (B) based on the number of miles the vehicle has accumulated;
- 1553 (e) enact an ordinance, regulation, rule, fee, or criminal or civil fine pertaining to a

- 1554 registration violation under Section 41-1a-201 or a registration decal issued under
 1555 Section 41-1a-402 that conflicts with or is more stringent than the registration
 1556 requirements under Title 41, Motor Vehicles;
- 1557 (f) enact an ordinance that:
- 1558 (i) is inconsistent with the provisions of this chapter; or
- 1559 (ii) prohibits the use of a bicycle on any public street or highway, except as allowed
 1560 by Section 41-6a-714, unless the local highway authority has:
- 1561 (A) documented that the local highway authority has reviewed the safety history
 1562 of the highway and considered other reasonable alternatives, including signage
 1563 and routes; and
- 1564 (B) clearly marked a safe alternative route for the prohibited section of highway; or
- 1565 (g) enact an ordinance, regulation, or rule that requires the owner or driver of a ground
 1566 transportation vehicle to maintain liability insurance coverage in an amount that is
 1567 greater than the minimum amount of liability coverage a transportation network
 1568 company or transportation network driver is required to maintain under Subsection
 1569 13-51-108(1)(b).
- 1570 (4) An ordinance enacted under Subsection (2)(d), (e), (f), (g), (i), (j), (l), (m), (n), or (q) is
 1571 not effective until official traffic-control devices giving notice of the local traffic
 1572 ordinances are erected upon or at the entrances to the highway or part of it affected as is
 1573 appropriate.
- 1574 (5) An ordinance enacted by a local highway authority that violates Subsection (3) is not
 1575 effective.
- 1576 Section 35. Section **41-6a-1642** is amended to read:
- 1577 **41-6a-1642 (Effective 01/01/27). Emissions inspection -- County program.**
- 1578 (1) The legislative body of each county required under federal law to utilize a motor vehicle
 1579 emissions inspection and maintenance program or in which an emissions inspection and
 1580 maintenance program is necessary to attain or maintain any national ambient air quality
 1581 standard shall require:
- 1582 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is
 1583 exempt from emissions inspection and maintenance program requirements be
 1584 presented:
- 1585 (i) as a condition of registration or renewal of registration; and
- 1586 (ii) at other times as the county legislative body may require to enforce inspection
 1587 requirements for individual motor vehicles, except that the county legislative body

1588 may not routinely require a certificate of emissions inspection, or waiver of the
1589 certificate, more often than required under Subsection (9); and

1590 (b) compliance with this section for a motor vehicle registered or principally operated in
1591 the county and owned by or being used by a department, division, instrumentality,
1592 agency, or employee of:

1593 (i) the federal government;

1594 (ii) the state and any of its agencies; or

1595 (iii) a political subdivision of the state, including school districts.

1596 (2)(a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions
1597 inspection and maintenance program certificate of emissions inspection as described
1598 in Subsection (1), but the program may not deny vehicle registration based solely on
1599 the presence of a defeat device covered in the Volkswagen partial consent decrees or
1600 a United States Environmental Protection Agency-approved vehicle modification in
1601 the following vehicles:

1602 (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
1603 emissions are mitigated in the state [~~pursuant to~~] in accordance with a partial
1604 consent decree, including:

1605 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

1606 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013,
1607 and 2014;

1608 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

1609 (D) Volkswagen Golf Sportwagen, model year 2015;

1610 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

1611 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;

1612 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and

1613 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and

1614 (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
1615 emissions are mitigated in the state to a settlement, including:

1616 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015,
1617 and 2016;

1618 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

1619 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;

1620 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;

1621 (E) Audi A8, model years 2014, 2015, and 2016;

- 1622 (F) Audi A8L, model years 2014, 2015, and 2016;
- 1623 (G) Audi Q5, model years 2014, 2015, and 2016; and
- 1624 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 1625 (b)(i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain
- 1626 a motor vehicle emissions inspection and maintenance program certificate of
- 1627 emissions inspection as described in Subsection (1).
- 1628 (ii) A county emissions program may not refuse to perform an emissions inspection
- 1629 or indicate a failed emissions test of the vehicle based solely on a modification to
- 1630 the engine or component of the motor vehicle if:
- 1631 (A) the modification is not likely to result in the motor vehicle having increased
- 1632 emissions relative to the emissions of the motor vehicle before the
- 1633 modification; and
- 1634 (B) the motor vehicle modification is a change to an engine that is newer than the
- 1635 engine with which the motor vehicle was originally equipped, or the engine
- 1636 includes technology that increases the facility of the administration of an
- 1637 emissions test, such as an on-board diagnostics system.
- 1638 (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite
- 1639 to registration of a restored-modified vehicle:
- 1640 (A) the owner shall present the signed statement described in Subsection
- 1641 41-1a-226(4); and
- 1642 (B) the county emissions program shall perform the emissions test.
- 1643 (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration
- 1644 certificate is notated as described in Subsection 41-1a-226(4), a county emissions
- 1645 program may not refuse to perform an emissions test based solely on the
- 1646 restored-modified status of the motor vehicle.
- 1647 (3)(a) The legislative body of a county identified in Subsection (1), in consultation with
- 1648 the Air Quality Board created under Section 19-1-106, shall make regulations or
- 1649 ordinances regarding:
- 1650 (i) emissions standards;
- 1651 (ii) test procedures;
- 1652 (iii) inspections stations;
- 1653 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 1654 (v) certificates of emissions inspections.
- 1655 (b) In accordance with Subsection (3)(a), a county legislative body:

- 1656 (i) shall make regulations or ordinances to attain or maintain ambient air quality
1657 standards in the county, consistent with the state implementation plan and federal
1658 requirements;
- 1659 (ii) may allow for a phase-in of the program by geographical area; and
1660 (iii) shall comply with the analyzer design and certification requirements contained in
1661 the state implementation plan prepared under Title 19, Chapter 2, Air
1662 Conservation Act.
- 1663 (c) The county legislative body and the Air Quality Board shall give preference to an
1664 inspection and maintenance program that:
- 1665 (i) is decentralized, to the extent the decentralized program will attain and maintain
1666 ambient air quality standards and meet federal requirements;
- 1667 (ii) is the most cost effective means to achieve and maintain the maximum benefit
1668 with regard to ambient air quality standards and to meet federal air quality
1669 requirements as related to vehicle emissions; and
1670 (iii) provides a reasonable phase-out period for replacement of air pollution emission
1671 testing equipment made obsolete by the program.
- 1672 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
- 1673 (i) may be accomplished in accordance with applicable federal requirements; and
1674 (ii) does not otherwise interfere with the attainment and maintenance of ambient air
1675 quality standards.
- 1676 (4) The following vehicles are exempt from an emissions inspection program and the
1677 provisions of this section:
- 1678 (a) an implement of husbandry as defined in Section 41-1a-102;
1679 (b) a motor vehicle that:
- 1680 (i) meets the definition of a farm truck under Section 41-1a-102; and
1681 (ii) has a gross vehicle weight rating of 12,001 pounds or more;
- 1682 (c) a vintage vehicle as defined in Section 41-21-1:
- 1683 (i) if the vintage vehicle has a model year of 1982 or older; or
1684 (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner
1685 provides proof of vehicle insurance that is a type specific to a vehicle collector;
- 1686 (d) a custom vehicle as defined in Section 41-6a-1507;
1687 (e) a vehicle registered as a novel vehicle under Section 41-27-201;
1688 (f) to the extent allowed under the current federally approved state implementation plan,
1689 in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor

- 1690 vehicle that is less than two years old on January 1 based on the age of the vehicle as
1691 determined by the model year identified by the manufacturer;
- 1692 (g) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating of
1693 12,000 pounds or less, if the registered owner of the pickup truck provides a signed
1694 statement to the legislative body stating the truck is used:
- 1695 (i) by the owner or operator of a farm located on property that qualifies as land in
1696 agricultural use under Sections 59-2-502 and 59-2-503; and
- 1697 (ii) exclusively for the following purposes in operating the farm:
- 1698 (A) for the transportation of farm products, including livestock and its products,
1699 poultry and its products, floricultural and horticultural products; and
- 1700 (B) in the transportation of farm supplies, including tile, fence, and every other
1701 thing or commodity used in agricultural, floricultural, horticultural, livestock,
1702 and poultry production and maintenance;
- 1703 (h) a motorcycle as defined in Section 41-1a-102;
- 1704 (i) an electric motor vehicle as defined in Section 41-1a-102;
- 1705 (j) a motor vehicle with a model year of 1967 or older; and
- 1706 (k) a roadable aircraft as defined in Section 72-10-102.
- 1707 (5) The county shall issue to the registered owner who signs and submits a signed statement
1708 under Subsection (4)(g) a certificate of exemption from emissions inspection
1709 requirements for purposes of registering the exempt vehicle.
- 1710 (6) A legislative body of a county described in Subsection (1) may exempt from an
1711 emissions inspection program a diesel-powered motor vehicle with a:
- 1712 (a) gross vehicle weight rating of more than 14,000 pounds; or
- 1713 (b) model year of 1997 or older.
- 1714 (7) The legislative body of a county required under federal law to utilize a motor vehicle
1715 emissions inspection program shall require:
- 1716 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:
- 1717 (i) a model year of 2007 or newer;
- 1718 (ii) a gross vehicle weight rating of 14,000 pounds or less; and
- 1719 (iii) a model year that is five years old or older; and
- 1720 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:
- 1721 (i) with a gross vehicle weight rating of 14,000 pounds or less;
- 1722 (ii) that has a model year of 1998 or newer; and
- 1723 (iii) that has a model year that is five years old or older.

- 1724 (8)(a) Subject to Subsection (8)(c), the legislative body of each county required under
1725 federal law to utilize a motor vehicle emissions inspection and maintenance program
1726 or in which an emissions inspection and maintenance program is necessary to attain
1727 or maintain any national ambient air quality standard may require each college or
1728 university located in a county subject to this section to require its students and
1729 employees who park a motor vehicle not registered in a county subject to this section
1730 to provide proof of compliance with an emissions inspection accepted by the county
1731 legislative body if the motor vehicle is parked on the college or university campus or
1732 property.
- 1733 (b) College or university parking areas that are metered or for which payment is required
1734 per use are not subject to the requirements of this Subsection (8).
- 1735 (c) The legislative body of a county shall make the reasons for implementing the
1736 provisions of this Subsection (8) part of the record at the time that the county
1737 legislative body takes its official action to implement the provisions of this
1738 Subsection (8).
- 1739 (9)(a) An emissions inspection station shall issue a certificate of emissions inspection for
1740 each motor vehicle that meets the inspection and maintenance program requirements
1741 established in regulations or ordinances made under Subsection (3).
- 1742 (b) The frequency of the emissions inspection shall be determined based on the age of
1743 the vehicle as determined by model year and shall be required annually subject to the
1744 provisions of Subsection (9)(c).
- 1745 (c)(i) To the extent allowed under the current federally approved state
1746 implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec.
1747 7401 et seq., the legislative body of a county identified in Subsection (1) shall
1748 only require the emissions inspection every two years for each vehicle.
- 1749 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six
1750 years old on January 1.
- 1751 (iii) For a county required to implement a new vehicle emissions inspection and
1752 maintenance program on or after December 1, 2012, under Subsection (1), but for
1753 which no current federally approved state implementation plan exists, a vehicle
1754 shall be tested at a frequency determined by the county legislative body, in
1755 consultation with the Air Quality Board created under Section 19-1-106, that is
1756 necessary to comply with federal law or attain or maintain any national ambient
1757 air quality standard.

- 1758 (iv) If a county legislative body establishes or changes the frequency of a vehicle
1759 emissions inspection and maintenance program under Subsection (9)(c)(iii), the
1760 establishment or change shall take effect on January 1 if the State Tax
1761 Commission receives notice meeting the requirements of Subsection (9)(c)(v)
1762 from the county before October 1.
- 1763 (v) The notice described in Subsection (9)(c)(iv) shall:
1764 (A) state that the county will establish or change the frequency of the vehicle
1765 emissions inspection and maintenance program under this section;
1766 (B) include a copy of the ordinance establishing or changing the frequency; and
1767 (C) if the county establishes or changes the frequency under this section, state how
1768 frequently the emissions testing will be required.
- 1769 (d) If an emissions inspection is only required every two years for a vehicle under
1770 Subsection (9)(c), the inspection shall be required for the vehicle in:
1771 (i) odd-numbered years for vehicles with odd-numbered model years; or
1772 (ii) in even-numbered years for vehicles with even-numbered model years.
- 1773 (10)(a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection
1774 required under this section may be made no more than two months before the
1775 renewal of registration.
- 1776 (b)(i) If the title of a used motor vehicle is being transferred, the owner may use an
1777 emissions inspection certificate issued for the motor vehicle during the previous
1778 11 months to satisfy the requirement under this section.
1779 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner
1780 may use an emissions inspection certificate issued for the motor vehicle in a
1781 licensed and bonded motor vehicle dealer's name during the previous 11 months to
1782 satisfy the requirement under this section.
- 1783 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the
1784 lessee may use an emissions inspection certificate issued during the previous 11
1785 months to satisfy the requirement under this section.
- 1786 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not use
1787 an emissions inspection made more than 11 months before the renewal of registration
1788 to satisfy the requirement under this section.
- 1789 [~~(e) If the application for renewal of registration is for a six-month registration period
1790 under Section 41-1a-215.5, the owner may use an emissions inspection certificate
1791 issued during the previous eight months to satisfy the requirement under this section.]~~

- 1792 (11)(a) A county identified in Subsection (1) shall collect information about and monitor
1793 the program.
- 1794 (b) A county identified in Subsection (1) shall supply this information to the
1795 Transportation Interim Committee to identify program needs, including funding
1796 needs.
- 1797 (12) If approved by the county legislative body, a county that had an established emissions
1798 inspection fee as of January 1, 2002, may increase the established fee that an emissions
1799 inspection station may charge by \$2.50 for each year that is exempted from emissions
1800 inspections under Subsection (9)(c) up to a \$7.50 increase.
- 1801 (13)(a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in
1802 Subsection (1) may impose a local emissions compliance fee on each motor vehicle
1803 registration within the county in accordance with the procedures and requirements of
1804 Section 41-1a-1223.
- 1805 (b) A county that imposes a local emissions compliance fee may use revenues generated
1806 from the fee for the establishment and enforcement of an emissions inspection and
1807 maintenance program in accordance with the requirements of this section.
- 1808 (c) A county that imposes a local emissions compliance fee may use revenues generated
1809 from the fee to promote programs to maintain a local, state, or national ambient air
1810 quality standard.
- 1811 (14)(a) If a county has reason to believe that a vehicle owner has provided an address as
1812 required in Section 41-1a-209 to register or attempt to register a motor vehicle in a
1813 county other than the county of the bona fide residence of the owner in order to avoid
1814 an emissions inspection required under this section, the county may investigate and
1815 gather evidence to determine whether the vehicle owner has used a false address or
1816 an address other than the vehicle owner's bona fide residence or place of business.
- 1817 (b) If a county conducts an investigation as described in Subsection (14)(a) and
1818 determines that the vehicle owner has used a false or improper address in an effort to
1819 avoid an emissions inspection as required in this section, the county may impose a
1820 civil penalty of \$1,000.
- 1821 (15) A county legislative body described in Subsection (1) may exempt a motor vehicle
1822 from an emissions inspection if:
- 1823 (a) the motor vehicle is 30 years old or older;
- 1824 (b) the county determines that the motor vehicle was driven less than 1,500 miles during
1825 the preceding 12-month period; and

1826 (c) the owner provides to the county legislative body a statement signed by the owner
1827 that states the motor vehicle:

1828 (i) is primarily a collector's item used for:

1829 (A) participation in club activities;

1830 (B) exhibitions;

1831 (C) tours; or

1832 (D) parades; or

1833 (ii) is only used for occasional transportation.

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

1835 **41-12a-806 (Effective 01/01/27). Restricted account -- Creation -- Funding --**

1836 **Interest -- Purposes.**

1837 (1) There is created within the Transportation Fund a restricted account known as the
1838 "Uninsured Motorist Identification Restricted Account."

1839 (2) The account consists of money generated from the following revenue sources:

1840 (a) money received by the state under Subsection 41-1a-202(3);

1841 [~~(b) money received by the state under Section 41-1a-1218, the uninsured motorist~~
1842 ~~identification fee;~~]

1843 (b) money deposited into the account as described in Section 41-1a-1201;

1844 (c) money received by the state under Section 41-1a-1220, the registration reinstatement
1845 fee; and

1846 (d) appropriations made to the account by the Legislature.

1847 (3)(a) The account shall earn interest.

1848 (b) All interest earned on account money shall be deposited into the account.

1849 (4) The Legislature shall appropriate money from the account to:

1850 (a) the department to fund the contract with the designated agent;

1851 (b) the department to offset the costs to state and local law enforcement agencies of
1852 using the information for the purposes authorized under this part;

1853 (c) the State Tax Commission to:

1854 (i) offset the costs to the Motor Vehicle Division for revoking and reinstating vehicle
1855 registrations under Subsection 41-1a-110(2)(a)(ii); and

1856 (ii) cover the contract and other costs of the designated agent for address verification
1857 described in Subsection 41-1a-202(3); and

1858 (d) the department to reimburse a person for the costs of towing and storing the person's
1859 vehicle if:

- 1860 (i) the person's vehicle was impounded in accordance with Subsection 41-1a-1101(4);
 1861 (ii) the impounded vehicle had owner's or operator's security in effect for the vehicle
 1862 at the time of the impoundment;
 1863 (iii) the database indicated that owner's or operator's security was not in effect for the
 1864 impounded vehicle; and
 1865 (iv) the department determines that the person's vehicle was wrongfully impounded.

1866 (5) The Legislature may appropriate not more than \$2,000,000 annually from the account to
 1867 the Peace Officer Standards and Training Division, created under Section 53-6-103, for
 1868 use in law enforcement training, including training on the use of the Uninsured Motorist
 1869 Identification Database Program created under Part 8, Uninsured Motorist Identification
 1870 Database Program.

1871 (6)(a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures
 1872 Act, the department shall hold a hearing to determine whether a person's vehicle was
 1873 wrongfully impounded under Subsection 41-1a-1101(4).

1874 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 1875 division shall make rules establishing procedures for a person to apply for a
 1876 reimbursement under Subsection (4)(d).

1877 (c) A person is not eligible for a reimbursement under Subsection (4)(d) unless the
 1878 person applies for the reimbursement within six months from the date that the motor
 1879 vehicle was impounded.

1880 Section 37. Section **41-22-3** is amended to read:

1881 **41-22-3 (Effective 01/01/27). Registration of vehicles -- Application -- Issuance of**
 1882 **sticker and card -- Proof of property tax payment -- Records.**

1883 (1)(a) Unless exempted under Section 41-22-9, a person may not operate or place and an
 1884 owner may not give another person permission to operate or place any off-highway
 1885 vehicle on any public land, trail, street, or highway in this state unless the
 1886 off-highway vehicle is registered under this chapter for the current year.

1887 (b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway
 1888 vehicle which can be used on any public land, trail, street, or highway in this state,
 1889 unless the off-highway vehicle is registered or is in the process of being registered
 1890 under this chapter for the current year.

1891 (c) Unless specifically provided in this chapter, the division shall administer license
 1892 plates, decals, and registration of off-highway vehicles in accordance with Chapter
 1893 1a, Motor Vehicle Act.

- 1894 (2)(a) The owner of an off-highway vehicle subject to registration under this chapter
1895 shall apply to the Motor Vehicle Division for registration on forms approved by the
1896 Motor Vehicle Division.
- 1897 (b) An owner of an off-highway vehicle may apply for automatic registration renewal as
1898 described in Section 41-1a-216.
- 1899 (c) A person may register an off-highway vehicle or street-legal all-terrain vehicle for a
1900 24-month period as described in Section 41-1a-215.5.
- 1901 (3) Each application for registration of an off-highway vehicle shall be accompanied by:
- 1902 (a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of
1903 sale showing ownership, make, model, horsepower or displacement, and serial
1904 number;
- 1905 (b) the past registration card; or
- 1906 (c) the fee for a duplicate.
- 1907 (4)(a)(i) [~~Beginning on January 1, 2023, except~~] Except as provided in Subsection
1908 (4)(e), the first time an off-highway vehicle is registered, the Motor Vehicle
1909 Division shall issue one off-highway vehicle license plate, a registration decal,
1910 and a registration card.
- 1911 (ii) If an off-highway vehicle has been registered previously in this state but has not
1912 been issued an off-highway vehicle license plate, [~~beginning on January 1, 2023,~~]
1913 upon application for registration renewal, the Motor Vehicle Division shall issue
1914 one off-highway vehicle license plate, a registration decal, and a registration card.
- 1915 (b) Upon each annual registration, the Motor Vehicle Division shall issue a registration
1916 decal and a registration card for each off-highway vehicle registered.
- 1917 (c) The off-highway vehicle license plate:
- 1918 (i) shall contain a unique five-digit number, using numbers, letters, or a combination
1919 of numbers and letters, to identify the off-highway vehicle for which it is issued;
- 1920 (ii) shall be affixed to the rear of the off-highway vehicle for which it is issued in a
1921 plainly visible and upright position as prescribed by rule of the division under
1922 Section 41-22-5.1;
- 1923 (iii) shall be maintained free of foreign materials and in a condition to be clearly
1924 legible;
- 1925 (iv) shall be a distinct tan color with black lettering to identify the license plate as an
1926 off-highway vehicle license plate;
- 1927 (v) shall have a location to attach the registration decal; and

- 1928 (vi) may not be a personalized license plate or a special group license plate.
- 1929 (d)(i) At all times, proof of registration shall be kept with the off-highway vehicle
- 1930 and shall be available for inspection by a law enforcement officer.
- 1931 (ii) An individual may show proof of registration by displaying:
- 1932 (A) a digital copy or photograph of the registration card on a mobile electronic
- 1933 device;
- 1934 (B) proof of registration on a mobile electronic device through a mobile
- 1935 application approved by the relevant state agency; or
- 1936 (C) an original registration card issued by the Motor Vehicle Division.
- 1937 (e) An off-highway vehicle that is an off-highway motorcycle or a snowmobile is:
- 1938 (i) not required to obtain or display an off-highway vehicle license plate; and
- 1939 (ii) required to obtain and display an off-highway vehicle registration sticker.
- 1940 (5)(a) Except as provided by Subsection (5)(c), an applicant for a registration card and
- 1941 registration decal shall provide the Motor Vehicle Division a certificate, described
- 1942 under Subsection (5)(b), from the county assessor of the county in which the
- 1943 off-highway vehicle has situs for taxation.
- 1944 (b) The certificate required under Subsection (5)(a) shall state one of the following:
- 1945 (i) the property tax on the off-highway vehicle for the current year has been paid;
- 1946 (ii) in the county assessor's opinion, the tax is a lien on real property sufficient to
- 1947 secure the payment of the tax; or
- 1948 (iii) the off-highway vehicle is exempt by law from payment of property tax for the
- 1949 current year.
- 1950 (c) An off-highway vehicle for which an off-highway implement of husbandry sticker
- 1951 has been issued in accordance with Section 41-22-5.5 is:
- 1952 (i) exempt from the requirement under this Subsection (5);
- 1953 (ii) not required to obtain or purchase an off-highway vehicle license plate; and
- 1954 (iii) required to obtain and display an off-highway vehicle registration sticker.
- 1955 (6)(a) All records of the division made or kept under this section shall be classified by
- 1956 the Motor Vehicle Division in the same manner as motor vehicle records are
- 1957 classified under Section 41-1a-116.
- 1958 (b) Division records are available for inspection in the same manner as motor vehicle
- 1959 records under Section 41-1a-116.
- 1960 (7) A violation of this section is an infraction.
- 1961 Section 38. Section **41-22-8** is amended to read:

- 1962 **41-22-8 (Effective 01/01/27) (Partially Repealed 07/01/29). Registration fees.**
- 1963 (1) Subject to Subsection (4), the division, after notifying the commission, shall establish
- 1964 the fees that shall be paid in accordance with this chapter, subject to the following:
- 1965 (a)(i) Except as provided in Subsection (1)(a)(ii) or (iii), the [fee] vehicle tax for each
- 1966 off-highway vehicle registration may not exceed \$35.
- 1967 (ii) The [fee] vehicle tax for each snowmobile registration may not exceed \$26.
- 1968 (iii) The [fee] vehicle tax for each street-legal all-terrain vehicle may not exceed \$72.
- 1969 ~~[(b) The fee for each duplicate registration card may not exceed \$3.]~~
- 1970 ~~[(c) The fee for each duplicate registration sticker may not exceed \$5.]~~
- 1971 (b) In accordance with Section 63J-1-504, the division shall establish service fees for
- 1972 obtaining a duplicate registration card and a duplicate registration sticker.
- 1973 (2) A fee may not be charged for an off-highway vehicle that is owned and operated by the
- 1974 United States Government, this state, or its political subdivisions.
- 1975 (3)(a) In addition to the taxes and fees under this section, Section 41-22-33, and Section
- 1976 41-22-34, the Motor Vehicle Division shall require a person to pay one dollar [~~to~~
- 1977 ~~register]~~ at the time of registration as a regulatory fee an off-highway vehicle under
- 1978 Section 41-22-3.
- 1979 (b) The Motor Vehicle Division shall deposit the [fees] regulatory fee the Motor Vehicle
- 1980 Division collects under Subsection (3)(a) into the Brain and Spinal Cord Injury Fund
- 1981 described in Section 26B-1-318.
- 1982 (4) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the
- 1983 vehicle tax and fee amounts are double the amounts due for the same vehicle registered
- 1984 for a 12-month period.
- 1985 Section 39. Section **41-22-9** is amended to read:
- 1986 **41-22-9 (Effective 01/01/27). Vehicles exempt from registration.**
- 1987 (1) The following off-highway vehicles are exempt from the registration requirements of
- 1988 this chapter:
- 1989 (a) vehicles that are currently registered for highway use, have a valid motor vehicle
- 1990 safety inspection sticker or certificate, and on which the required safety equipment
- 1991 has not been subsequently modified;
- 1992 (b) except as provided in Subsection (2), a street-legal all-terrain vehicle registered in
- 1993 accordance with Section 41-6a-1509;
- 1994 (c) off-highway vehicles that are owned by a nonresident and that are displaying a
- 1995 current annual off-highway vehicle user decal in accordance with Section 41-22-35;

- 1996 (d) off-highway vehicles sold by a dealer to a person who is not a resident of this state;
- 1997 (e) off-highway implements of husbandry operated in the manner prescribed by
- 1998 Subsections 41-22-5.5(3) through (5); and
- 1999 (f) new off-highway vehicles being transported to an off-highway vehicle dealership by
- 2000 the dealer, employee of the dealership, or agent for the dealership.
- 2001 (2) In addition to the registration requirements imposed under Section 41-6a-1509, a
- 2002 street-legal all-terrain vehicle is subject to the vehicle taxes and fees under Sections
- 2003 41-22-8, 41-22-33, 41-22-34, and 41-22-36.
- 2004 Section 40. Section **41-22-19** is amended to read:
- 2005 **41-22-19 (Effective 01/01/27). Off-highway Vehicle Account -- Deposit and use of**
- 2006 **funds -- Grants and matching funds.**
- 2007 (1)(a) Except as provided under Subsections (3) through (5) and Sections 41-22-34 and
- 2008 41-22-36, [~~registration~~] vehicle taxes and fees and related money collected by the
- 2009 Motor Vehicle Division or any agencies designated to act for the Motor Vehicle
- 2010 Division under this chapter shall be deposited as restricted revenue into the
- 2011 Off-highway Vehicle Account in the General Fund less the costs incurred by the
- 2012 Motor Vehicle Division for collecting off-highway vehicle [~~registration~~] taxes and
- 2013 fees.
- 2014 (b) The balance of the money may be used by the division:
- 2015 (i) for the construction, improvement, operation, acquisition, or maintenance of
- 2016 publicly owned or administered off-highway vehicle facilities, including public
- 2017 access facilities;
- 2018 (ii) for the mitigation of impacts associated with off-highway vehicle use;
- 2019 (iii) for the education of off-highway vehicle users;
- 2020 (iv) for off-highway vehicle access protection;
- 2021 (v) to support off-highway vehicle search and rescue activities and programs;
- 2022 (vi) to promote and encourage off-highway vehicle tourism;
- 2023 (vii) for other uses that further the policy set forth in Section 41-22-1;
- 2024 (viii) as grants or matching funds with a federal agency, state agency, political
- 2025 subdivision of the state, or organized user group for any of the uses described in
- 2026 Subsections (1)(b)(i) through (vii); and
- 2027 (ix) for the administration and enforcement of this chapter.
- 2028 (2)(a) An agency or political subdivision requesting matching funds shall submit plans
- 2029 for proposed off-highway vehicle facilities to the division for review and approval.

- 2030 (b) The division may award an upfront grant from the Off-highway Vehicle Account to
2031 cover the entire projected cost of a project or program to:
- 2032 (i) a political subdivision of the state that:
- 2033 (A) is a county of the third through sixth class; and
- 2034 (B) submits a plan for a project or program consistent with a use described in
2035 Subsection (1)(b); and
- 2036 (ii) an organized user group or agency that submits a plan for a project or program:
- 2037 (A) located in a county of the third through sixth class; and
- 2038 (B) consistent with a use described in Subsection (1)(b).
- 2039 (c) In awarding a grant under Subsection (2)(b), the division may evaluate a grant
2040 application submitted on or after January 1, 2025.
- 2041 (3)(a) One dollar and 50 cents of each annual [~~registration fee~~] vehicle tax collected
2042 under Subsection 41-22-8(1) and each off-highway vehicle user fee collected under
2043 Subsection 41-22-35(2) shall be deposited into the Land Grant Management Fund
2044 created under Section 53C-3-101.
- 2045 (b) The Utah School and Institutional Trust Lands Administration shall use the money
2046 deposited under Subsection (3)(a) for costs associated with off-highway vehicle use
2047 of legally accessible lands within its jurisdiction as follows:
- 2048 (i) to improve recreational opportunities on trust lands by constructing, improving,
2049 maintaining, or perfecting access for off-highway vehicle trails; and
- 2050 (ii) to mitigate impacts associated with off-highway vehicle use.
- 2051 (c) An unused balance of the money deposited under Subsection (3)(a) exceeding
2052 \$350,000 at the end of each fiscal year shall be deposited into the Off-highway
2053 Vehicle Account under Subsection (1).
- 2054 (4) One dollar of each off-highway vehicle registration fee collected under Subsection
2055 41-22-8(1) shall be deposited into the Utah Highway Patrol Aero Bureau Restricted
2056 Account created in Section 53-8-303.
- 2057 (5)(a) The Motor Vehicle Division shall collect a fee for any new or replacement license
2058 plate issued under this chapter.
- 2059 (b) The fee described in Subsection (5)(a) shall be an amount equal to the fee for a new
2060 or replacement license plate as established in accordance with Section 63J-1-504.
- 2061 (c) The Motor Vehicle Division shall deposit the fee described in Subsection (5)(a) into
2062 the License Plate Restricted Account created under Section 41-1a-122.
- 2063 (6) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the

2064 deposited amounts described in this section shall be double the amount for the same
 2065 vehicle registered for a 12-month period.

2066 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 2067 division, after notifying the commission, shall make rules as necessary to implement this
 2068 section.

2069 Section 41. Section **41-22-33** is amended to read:

2070 **41-22-33 (Effective 01/01/27). Fees for safety and education program -- Penalty**
 2071 **-- Unlawful acts.**

2072 (1) A fee set by the division, after notifying the commission, in accordance with Section
 2073 63J-1-504 shall be added to the [~~registration fee~~] vehicle tax required to register an
 2074 off-highway vehicle under Section 41-22-8 to help fund the off-highway vehicle safety
 2075 and education program.

2076 (2) If the division modifies the fee under Subsection (1), the modification shall take effect
 2077 on the first day of the calendar quarter after 90 days from the day on which the division
 2078 provides the State Tax Commission:

2079 (a) notice from the division stating that the division will modify the fee; and

2080 (b) a copy of the fee modification.

2081 (3) The division shall require a person registering an off-highway vehicle or a street-legal
 2082 all-terrain vehicle registered for a 24-month period as provided in Section 41-1a-215.5
 2083 to pay double the amount of the fee described in Subsection (1) for the same vehicle
 2084 registered for a 12-month period.

2085 Section 42. Section **41-22-34** is amended to read:

2086 **41-22-34 (Effective 01/01/27). Search and rescue fee -- Amount -- Deposition.**

2087 (1) In addition to the vehicle taxes and fees imposed under Sections 41-22-8 and 41-22-33, [
 2088 ~~there is imposed a search and rescue fee of 50 cents on each off-highway vehicle~~] the
 2089 division shall, in accordance with Section 63J-1-504, establish and collect a search and
 2090 rescue regulatory fee on each off-highway vehicle required to be registered or renewed
 2091 under Section 41-22-3.

2092 (2) The fees imposed under this section shall be collected in the same manner and by the
 2093 same agency designated to collect the fees imposed under this chapter.

2094 (3) The fees collected under this section shall be deposited into the General Fund as
 2095 dedicated credits for the Search and Rescue Financial Assistance Program created under
 2096 Section 53-2a-1101.

2097 (4) The division shall require a person registering an off-highway vehicle or a street-legal

2098 all-terrain vehicle registered for a 24-month period as provided in Section 41-1a-215.5
2099 to pay double the amount of the fee described in Subsection (1) for the same vehicle
2100 registered for a 12-month period.

2101 Section 43. Section **41-27-201** is amended to read:

2102 **41-27-201 (Effective 01/01/27). Novel vehicle registration.**

2103 (1) An owner registering a vehicle shall provide the VIN, if applicable.

2104 (2) The division shall identify a vehicle category based on the VIN.

2105 (3) If the vehicle does not have a VIN, or if the division is unable to determine the vehicle
2106 category based on the VIN:

2107 (a) the owner shall provide the division with a description of the vehicle, including the
2108 vehicle's purpose; and

2109 (b) if the description of the vehicle fits with an existing category of vehicle, the vehicle
2110 shall be registered in accordance with that vehicle category.

2111 (4) The vehicle shall be registered as a novel vehicle if:

2112 (a) the vehicle is not expressly exempt from registration; and

2113 (b)(i) the vehicle does not fit within a vehicle category;

2114 (ii) the unique characteristics of the vehicle make it unclear whether the vehicle fits
2115 within a vehicle category; or

2116 (iii) a reasonable person would not consider the vehicle to be clearly included in an
2117 existing vehicle category.

2118 (5) A person registering a novel vehicle shall pay:

2119 (a) in accordance with Section 59-2-405, an annual \$1 fee in lieu of property tax; and

2120 (b) an annual \$1 [~~registration fee~~] vehicle tax, to be deposited into the Transportation
2121 Fund.

2122 (6) The division shall issue a registration sticker or license plate for a vehicle that is
2123 registered as a novel vehicle, as appropriate.

2124 (7) A vehicle registered as a street-legal novel vehicle is subject to the requirements
2125 described in Section 41-6a-1509.

2126 (8) The division may provide title to a novel vehicle.

2127 (9) Except as expressly provided in this chapter:

2128 (a) a novel vehicle that is not a watercraft is subject to the provisions applicable to an
2129 off-highway vehicle under Chapter 22, Off-Highway Vehicles; and

2130 (b) a novel vehicle that is a watercraft is subject to the provisions applicable to a
2131 motorboat under Title 73, Chapter 18, State Boating Act.

2132 Section 44. Section **53-3-905** is amended to read:

2133 **53-3-905 (Effective 01/01/27). Dedication of fees.**

2134 (1) The following shall be deposited as dedicated credits [~~in~~] into the Transportation Fund to
2135 be used by the division for the program:

2136 (a) \$5 of the annual [~~registration fee~~] vehicle tax imposed for each registered motorcycle
2137 under Subsection [~~41-1a-1206(1)(a);~~] 41-1a-1206(3)(b); and

2138 [~~(b) \$4 of the six-month registration fee imposed for each registered motorcycle under~~
2139 ~~Subsection 41-1a-1206(2)(a); and]~~

2140 [~~(e)~~] (b) \$2.50 of the fee imposed under Section 53-3-105 for an original, renewal, or
2141 extension of a motorcycle endorsement.

2142 (2) Appropriations to the program are nonlapsing.

2143 (3) Appropriations may not be used for assistance to, advocacy of, or lobbying for any
2144 legislation unless the legislation would enhance or affect the financial status of the
2145 program or the program's continuation.

2146 Section 45. Section **53-8-214** is amended to read:

2147 **53-8-214 (Effective 01/01/27). Creation of the Motor Vehicle Safety Impact**
2148 **Restricted Account.**

2149 (1) There is created a restricted account within the General Fund known as the Motor
2150 Vehicle Safety Impact Restricted Account.

2151 (2) The account includes:

2152 (a) deposits made to the restricted account from [~~registration~~] vehicle taxes and fees as
2153 described in [~~Subsection 41-1a-1201(7)]~~ Section 41-1a-1201;

2154 (b) deposits into the account as described in Section 41-1a-1211;

2155 (c) donations or deposits made to the account; and

2156 (d) any interest earned on the account.

2157 (3) Upon appropriation, the division may use funds in the account to improve motor vehicle
2158 safety, mitigate impacts, and enforce safety provisions, including the following:

2159 (a) hiring new Highway Patrol troopers;

2160 (b) payment of overtime for Highway Patrol troopers; and

2161 (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.

2162 (4) The division shall annually report to the Criminal Justice Appropriations Subcommittee
2163 to justify expenditures and use of funds in the account.

2164 Section 46. Section **53G-10-503** is amended to read:

2165 **53G-10-503 (Effective 01/01/27). Driver education funding -- Reimbursement of**

2166 **a local education agency for driver education class expenses -- Limitations -- Excess**
 2167 **funds -- Student fees.**

- 2168 (1)(a) Except as provided in Subsection (1)(b), a local education agency that provides
 2169 driver education shall fund the program through:
- 2170 (i) funds provided from the Automobile Driver Education Tax Account in the
 2171 Uniform School Fund as [~~created under Section 41-1a-1205~~] described in Section
 2172 41-1a-1201; and
 - 2173 (ii) student fees collected by each school.
- 2174 (b) In determining the cost of driver education, a local education agency may exclude:
- 2175 (i) the full-time equivalent cost of a teacher for a driver education class taught during
 2176 regular school hours; and
 - 2177 (ii) classroom space and classroom maintenance.
- 2178 (c) A local education agency may use additional school funds beyond those allowed
 2179 under Subsection (1)(b) to subsidize driver education.
- 2180 (2)(a) The state superintendent shall, [~~prior to~~] before September 2nd following the
 2181 school year during which it was expended, or may at earlier intervals during that
 2182 school year, reimburse each local education agency that applied for reimbursement in
 2183 accordance with this section.
- 2184 (b) A local education agency that maintains driver education classes that conform to this
 2185 part and the rules prescribed by the state board may apply for reimbursement for the
 2186 actual cost of providing the behind-the-wheel and observation training incidental to
 2187 those classes.
- 2188 (3) Under the state board's supervision for driver education, a local education agency may:
- 2189 (a) employ personnel who are not licensed by the state board under Section 53E-6-201;
 2190 or
 - 2191 (b) contract with private parties or agencies licensed under Section 53-3-504 for the
 2192 behind-the-wheel phase of the driver education program.
- 2193 (4) The reimbursement amount shall be paid [~~out of~~] from the Automobile Driver Education
 2194 Tax Account in the Uniform School Fund and may not exceed:
- 2195 (a) \$150 per student who has completed driver education during the school year;
 - 2196 (b) \$45 per student who has only completed the classroom portion in the school during
 2197 the school year; or
 - 2198 (c) \$105 per student who has only completed the behind-the-wheel and observation
 2199 portion in the school during the school year.

- 2200 (5) If the amount of money in the account at the end of a school year is less than the total of
 2201 the reimbursable costs, the state superintendent shall allocate the money to each local
 2202 education agency in the same proportion that the local education agency's reimbursable
 2203 costs bear to the total reimbursable costs of all local education agencies.
- 2204 (6) If the amount of money in the account at the end of any school year is more than the
 2205 total of the reimbursement costs provided under Subsection (4), the state superintendent
 2206 may allocate the excess funds to local education agencies:
- 2207 (a) to reimburse each local education agency that applies for reimbursement of the cost
 2208 of a fee waived under Section 53G-7-504 for driver education; and
- 2209 (b) to aid in the procurement of equipment and facilities which reduce the cost of
 2210 behind-the-wheel instruction.
- 2211 (7)(a) A local school board shall, in accordance with Chapter 7, Part 5, Student Fees,
 2212 establish the student fee for driver education for the local education agency.
- 2213 (b) Student fees shall be reasonably associated with the costs of driver education that are
 2214 not otherwise covered by reimbursements and allocations made under this section.
- 2215 Section 47. Section **59-2-405.1** is amended to read:
- 2216 **59-2-405.1 (Effective 01/01/27). Uniform fee on certain vehicles with a gross**
 2217 **vehicle weight rating of 14,000 pounds or less -- Distribution of revenues -- Appeals.**
- 2218 (1) The property described in Subsection (2) is exempt from ad valorem property taxes [
 2219 pursuant to] in accordance with Utah Constitution Article XIII, Section 2, Subsection (6).
- 2220 (2)(a) Except as provided in Subsection (2)(b), there is levied as provided in this part a
 2221 statewide uniform fee in lieu of the ad valorem tax on:
- 2222 (i) motor vehicles as defined in Section 41-1a-102 that:
- 2223 (A) are required to be registered with the state; and
- 2224 (B) have a gross vehicle weight rating of 14,000 pounds or less; and
- 2225 (ii) state-assessed commercial vehicles required to be registered with the state that
 2226 have a gross vehicle weight rating of 14,000 pounds or less.
- 2227 (b) The following tangible personal property is exempt from the statewide uniform fee
 2228 imposed by this section:
- 2229 (i) aircraft;
- 2230 (ii) tangible personal property subject to a uniform fee imposed by:
- 2231 (A) Section 59-2-405;
- 2232 (B) Section 59-2-405.2; or
- 2233 (C) Section 59-2-405.3; and

2234 (iii) tangible personal property that is exempt from state or county ad valorem
2235 property taxes under the laws of this state or of the federal government.

2236 (3)(a) Except as provided in [~~Subsections (3)(b) and (c), beginning on January 1, 1999]~~

2237 Subsection (3)(b), the uniform fee for purposes of this section is as follows:

2238	Age of Vehicle	Uniform Fee
2239	12 or more years	\$10
2240	9 or more years but less than 12 years	\$50
2241	6 or more years but less than 9 years	\$80
2242	3 or more years but less than 6 years	\$110
2243	Less than 3 years	\$150

2244 [(b) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this
2245 section is as follows:]

2246	[Age of Vehicle	Uniform Fee
2247	12 or more years	\$7.75
2248	9 or more years but less than 12 years	\$38.50
2249	6 or more years but less than 9 years	\$61.50
2250	3 or more years but less than 6 years	\$84.75
2251	Less than 3 years	\$115.50]

2252 [(e)] (b) Notwithstanding [~~Subsections (3)(a) and (b), beginning on September 1, 2001]~~
2253 Subsection (3)(a), for a motor vehicle issued a temporary sports event registration
2254 certificate in accordance with Section 41-3-306, the uniform fee for purposes of this
2255 section is \$5 for the event period specified on the temporary sports event registration
2256 certificate regardless of the age of the motor vehicle.

2257 [(d)] (c)(i) Subject to Subsection [~~(3)(d)(ii)~~] (3)(c)(ii), for a vehicle registered for a
2258 24-month period as provided in Section 41-1a-215.5, the uniform statewide fee
2259 amounts imposed by this section are double the amounts due for the same vehicle
2260 registered for a 12-month period.

2261 (ii) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5,
2262 if the 24-month term extends from one age bracket to another age bracket as
2263 described in this section, the person shall pay the sum of:

2264 (A) the uniform statewide fee amount for the first year corresponding to the age

2265 bracket applicable for the first 12 months of the registration period; and
 2266 (B) the uniform statewide fee amount for the second year corresponding to the age
 2267 bracket applicable for the second 12 months of the registration period.

2268 (4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is brought
 2269 into the state and is required to be registered in Utah shall, as a condition of registration,
 2270 be subject to the uniform fee unless all property taxes or uniform fees imposed by the
 2271 state of origin have been paid for the current calendar year.

2272 (5)(a) The revenues collected in each county from the uniform fee shall be distributed by
 2273 the county to each taxing entity in which the property described in Subsection (2) is
 2274 located in the same proportion in which revenue collected from ad valorem real
 2275 property tax is distributed.

2276 (b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in
 2277 the same proportion in which revenue collected from ad valorem real property tax is
 2278 distributed.

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

2280 **59-2-405.2 (Effective 01/01/27). Definitions -- Uniform statewide fee on certain**
 2281 **tangible personal property -- Distribution of revenues -- Rulemaking authority --**
 2282 **Determining the length of a vessel.**

2283 (1) As used in this section:

2284 (a)(i) Except as provided in Subsection (1)(a)(ii), "all-terrain vehicle" means a motor
 2285 vehicle that:

2286 (A) is an all-terrain type I vehicle, an all-terrain type II vehicle, or an all-terrain
 2287 type III vehicle, as those terms are defined in Section 41-22-2;

2288 [~~(I) all-terrain type I vehicle as defined in Section 41-22-2;~~]

2289 [~~(II) all-terrain type II vehicle as defined in Section 41-22-2; or~~]

2290 [~~(III) all-terrain type III vehicle as defined in Section 41-22-2;~~]

2291 (B) is required to be registered in accordance with Title 41, Chapter 22,
 2292 Off-highway Vehicles; and

2293 (C) has:

2294 [~~(I)] an engine with more than 150 cubic centimeters displacement ,~~

2295 [~~(II)] a motor that produces more than five horsepower , or~~

2296 [~~(III)] an electric motor; and~~

2297 (ii) notwithstanding Subsection (1)(a)(i), "all-terrain vehicle" does not include a
 2298 snowmobile.

- 2299 (b) "Camper" means a camper:
2300 (i) as defined in Section 41-1a-102; and
2301 (ii) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
2302 Registration.
- 2303 (c)(i) "Canoe" means a vessel that:
2304 (A) is long and narrow;
2305 (B) has curved sides; and
2306 (C) is tapered[;]
2307 [(H)] to two pointed ends[;] or
2308 [(H)] to one pointed end and is blunt on the other end; and
2309 (ii) "canoe" includes:
2310 (A) a collapsible inflatable canoe;
2311 (B) a kayak;
2312 (C) a racing shell;
2313 (D) a rowing scull; or
2314 (E) notwithstanding the definition of vessel in Subsection (1)(cc), a canoe with an
2315 outboard motor.
- 2316 (d) "Dealer" means the same as that term is defined in Section 41-1a-102.
- 2317 (e) "Jon boat" means a vessel that:
2318 (i) has a square bow; and
2319 (ii) has a flat bottom.
- 2320 (f) "Motor vehicle" means the same as that term is defined in Section 41-22-2.
- 2321 (g) "Other motorcycle" means a motor vehicle that:
2322 (i) is:
2323 (A) a motorcycle as defined in Section 41-1a-102; and
2324 (B) designed primarily for use and operation over unimproved terrain;
2325 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
2326 Registration; and
2327 (iii) has:
2328 (A) an engine with more than 150 cubic centimeters displacement; or
2329 (B) a motor that produces more than five horsepower.
- 2330 (h)(i) "Other trailer" means a portable vehicle without motive power that is primarily
2331 used:
2332 (A) to transport tangible personal property; and

- 2333 (B) for a purpose other than a commercial purpose; and
- 2334 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 2335 for purposes of Subsection (1)(h)(i)(B), the commission may by rule define what
- 2336 constitutes a purpose other than a commercial purpose.
- 2337 (i) "Outboard motor" means the same as that term is defined in Section 41-1a-102.
- 2338 (j) "Park model recreational vehicle" means the same as that term is defined in Section
- 2339 41-1a-102.
- 2340 (k) "Personal watercraft" means a personal watercraft:
- 2341 (i) as defined in Section 73-18-2; and
- 2342 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State
- 2343 Boating Act.
- 2344 (l)(i) "Pontoon" means a vessel that:
- 2345 (A) is[;]
- 2346 [~~(H)~~] supported by one or more floats[;] and
- 2347 [~~(H)~~] propelled by either inboard or outboard power; and
- 2348 (B) is not[;]
- 2349 [~~(H)~~] a houseboat[;] or
- 2350 [~~(H)~~] a collapsible inflatable vessel; and
- 2351 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 2352 the commission may by rule define the term "houseboat."
- 2353 (m) "Qualifying adjustment, exemption, or reduction" means an adjustment, exemption,
- 2354 or reduction:
- 2355 (i) of all or a portion of a qualifying payment;
- 2356 (ii) granted by a county during the refund period; and
- 2357 (iii) received by a qualifying person.
- 2358 (n)(i) "Qualifying payment" means the payment made:
- 2359 (A) of a uniform statewide fee in accordance with this section[;]
- 2360 [~~(H)~~] by a qualifying person[;] ,
- 2361 [~~(H)~~] to a county[;] , and
- 2362 [~~(H)~~] during the refund period; and
- 2363 (B) on an item of qualifying tangible personal property; and
- 2364 (ii) if a qualifying person received a qualifying adjustment, exemption, or reduction
- 2365 for an item of qualifying tangible personal property, the qualifying payment for
- 2366 that qualifying tangible personal property is equal to the difference between:

- 2367 (A) the payment described in this Subsection (1)(n) for that item of qualifying
2368 tangible personal property; and
- 2369 (B) the amount of the qualifying adjustment, exemption, or reduction.
- 2370 (o) "Qualifying person" means a person that paid a uniform statewide fee:
2371 (i) during the refund period;
2372 (ii) in accordance with this section; and
2373 (iii) on an item of qualifying tangible personal property.
- 2374 (p) "Qualifying tangible personal property" means a:
2375 (i) qualifying vehicle; or
2376 (ii) qualifying watercraft.
- 2377 (q) "Qualifying vehicle" means:
2378 (i) an all-terrain vehicle with an engine displacement that is 100 or more cubic
2379 centimeters but 150 or less cubic centimeters;
2380 (ii) an other motorcycle with an engine displacement that is 100 or more cubic
2381 centimeters but 150 or less cubic centimeters;
2382 (iii) a small motor vehicle with an engine displacement that is 100 or more cubic
2383 centimeters but 150 or less cubic centimeters;
2384 (iv) a snowmobile with an engine displacement that is 100 or more cubic centimeters
2385 but 150 or less cubic centimeters; or
2386 (v) a street motorcycle with an engine displacement that is 100 or more cubic
2387 centimeters but 150 or less cubic centimeters.
- 2388 (r) "Qualifying watercraft" means a:
2389 (i) canoe;
2390 (ii) collapsible inflatable vessel;
2391 (iii) jon boat;
2392 (iv) pontoon;
2393 (v) sailboat; or
2394 (vi) utility boat.
- 2395 (s) "Refund period" means the time period:
2396 (i) beginning on January 1, 2006; and
2397 (ii) ending on December 29, 2006.
- 2398 (t) "Sailboat" means a sailboat as defined in Section 73-18-2.
- 2399 (u)(i) "Small motor vehicle" means a motor vehicle that:
2400 (A) is required to be registered in accordance with Title 41, Motor Vehicles; and

- 2401 (B) has[;]
- 2402 [(H)] an engine with 150 or less cubic centimeters displacement[;] or
- 2403 [(H)] a motor that produces five or less horsepower; and
- 2404 (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 2405 the commission may by rule develop a process for an owner of a motor vehicle to
- 2406 certify whether the motor vehicle has:
- 2407 (A) an engine with 150 or less cubic centimeters displacement; or
- 2408 (B) a motor that produces five or less horsepower.
- 2409 (v) "Snowmobile" means a motor vehicle that:
- 2410 (i) is a snowmobile as defined in Section 41-22-2;
- 2411 (ii) is required to be registered in accordance with Title 41, Chapter 22, Off-highway
- 2412 Vehicles; and
- 2413 (iii) has:
- 2414 (A) an engine with more than 150 cubic centimeters displacement; or
- 2415 (B) a motor that produces more than five horsepower.
- 2416 (w) "Street-legal all-terrain vehicle" means the same as that term is defined in Section
- 2417 41-6a-102.
- 2418 (x) "Street motorcycle" means a motor vehicle that:
- 2419 (i) is:
- 2420 (A) a motorcycle as defined in Section 41-1a-102; and
- 2421 (B) designed primarily for use and operation on highways;
- 2422 (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,
- 2423 Registration; and
- 2424 (iii) has:
- 2425 (A) an engine with more than 150 cubic centimeters displacement; or
- 2426 (B) a motor that produces more than five horsepower.
- 2427 (y) "Tangible personal property owner" means a person that owns an item of qualifying
- 2428 tangible personal property.
- 2429 (z) "Tent trailer" means a portable vehicle without motive power that:
- 2430 (i) is constructed with collapsible side walls that:
- 2431 (A) fold for towing by a motor vehicle; and
- 2432 (B) unfold at a campsite;
- 2433 (ii) is designed as a temporary dwelling for travel, recreational, or vacation use;
- 2434 (iii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,

- 2435 Registration; and
- 2436 (iv) does not require a special highway movement permit when drawn by a
- 2437 self-propelled motor vehicle.
- 2438 (aa)(i) Except as provided in Subsection (1)(aa)(ii), "travel trailer" means a travel
- 2439 trailer:
- 2440 (A) as defined in Section 41-1a-102; and
- 2441 (B) that is required to be registered in accordance with Title 41, Chapter 1a, Part
- 2442 2, Registration; and
- 2443 (ii) notwithstanding Subsection (1)(aa)(i), "travel trailer" does not include:
- 2444 (A) a camper; or
- 2445 (B) a tent trailer.
- 2446 (bb)(i) "Utility boat" means a vessel that:
- 2447 (A) has^[:]
- 2448 ~~[(H)]~~ two or three bench seating^[:] ,
- 2449 ~~[(H)]~~ an outboard motor^[:] , and
- 2450 ~~[(H)]~~ a hull made of aluminum, fiberglass, or wood; and
- 2451 (B) does not have^[:]
- 2452 ~~[(H)]~~ decking^[:] ,
- 2453 ~~[(H)]~~ a permanent canopy^[:] , or
- 2454 ~~[(H)]~~ a floor other than the hull; and
- 2455 (ii) notwithstanding Subsection (1)(bb)(i), "utility boat" does not include a collapsible
- 2456 inflatable vessel.
- 2457 (cc) "Vessel" means a vessel:
- 2458 (i) as defined in Section 73-18-2, including an outboard motor of the vessel; and
- 2459 (ii) that is required to be registered in accordance with Title 73, Chapter 18, State
- 2460 Boating Act.
- 2461 (2)(a) In accordance with Utah Constitution, Article XIII, Section 2, Subsection (6), [
2462 ~~beginning on January 1, 2006,~~]the tangible personal property described in
- 2463 Subsection (2)(b) is:
- 2464 (i) exempt from the tax imposed by Section 59-2-103; and
- 2465 (ii) in lieu of the tax imposed by Section 59-2-103, subject to uniform statewide fees
- 2466 as provided in this section.
- 2467 (b) The following tangible personal property applies to Subsection (2)(a) if that tangible
- 2468 personal property is required to be registered with the state:

- 2469 (i) an all-terrain vehicle;
- 2470 (ii) a camper;
- 2471 (iii) an other motorcycle;
- 2472 (iv) an other trailer;
- 2473 (v) a personal watercraft;
- 2474 (vi) a small motor vehicle;
- 2475 (vii) a snowmobile;
- 2476 (viii) a street motorcycle;
- 2477 (ix) a tent trailer;
- 2478 (x) a travel trailer;
- 2479 (xi) a park model recreational vehicle; and
- 2480 (xii) a vessel if that vessel is less than 31 feet in length as determined under
- 2481 Subsection [~~(8)~~] (7).

2482 (3) Except as provided in Subsection (4) and for purposes of this section, the uniform
 2483 statewide fees are:

2484 (a) for a snowmobile:

2485 Age of Snowmobile	Uniform Statewide Fee
2486 12 or more years	\$10
2487 9 or more years but less than 12 years	\$20
2488 6 or more years but less than 9 years	\$30
2489 3 or more years but less than 6 years	\$35
2490 Less than 3 years	\$45

2491 (b) for an all-terrain vehicle that is not a street-legal all-terrain vehicle or another
 2492 motorcycle:

2493 Age of All-Terrain Vehicle or Other Motorcycle Uniform Statewide Fee	Uniform Statewide Fee
2494 12 or more years	\$4
2495 9 or more years but less than 12 years	\$8
2496 6 or more years but less than 9 years	\$12
2497 3 or more years but less than 6 years	\$14
2498 Less than 3 years	\$18

2499 (c) for a street-legal all-terrain vehicle:

2500	Age of Street-Legal All-Terrain Vehicle	Uniform Statewide Fee
2501	12 or more years	\$4
2502	9 or more years but less than 12 years	\$14
2503	6 or more years but less than 9 years	\$20
2504	3 or more years but less than 6 years	\$28
2505	Less than 3 years	\$38

2506 (d) for a camper or a tent trailer:

2507	Age of Camper or Tent Trailer	Uniform Statewide Fee
2508	12 or more years	\$10
2509	9 or more years but less than 12 years	\$25
2510	6 or more years but less than 9 years	\$35
2511	3 or more years but less than 6 years	\$50
2512	Less than 3 years	\$70

2513 (e) for an other trailer:

2514	Age of Other Trailer	Uniform Statewide Fee
2515	12 or more years	\$10
2516	9 or more years but less than 12 years	\$15
2517	6 or more years but less than 9 years	\$20
2518	3 or more years but less than 6 years	\$25
2519	Less than 3 years	\$30

2520 (f) for a personal watercraft:

2521	Age of Personal Watercraft	Uniform Statewide Fee
2522	12 or more years	\$5
2523	9 or more years but less than 12 years	\$13
2524	6 or more years but less than 9 years	\$18
2525	3 or more years but less than 6 years	\$23
2526	Less than 3 years	\$28

2527 (g) for a small motor vehicle:

2528	Age of Small Motor Vehicle	Uniform Statewide Fee
2529	6 or more years	\$10
2530	3 or more years but less than 6 years	\$15
2531	Less than 3 years	\$25

2532 (h) for a street motorcycle:

2533	Age of Street Motorcycle	Uniform Statewide Fee
2534	12 or more years	\$10
2535	9 or more years but less than 12 years	\$35
2536	6 or more years but less than 9 years	\$50
2537	3 or more years but less than 6 years	\$70
2538	Less than 3 years	\$95

2539 (i) for a travel trailer or park model recreational vehicle:

2540	Age of Travel Trailer or Park Model Recreational Vehicle	Uniform Statewide Fee
2541	12 or more years	\$20
2542	9 or more years but less than 12 years	\$65
2543	6 or more years but less than 9 years	\$90
2544	3 or more years but less than 6 years	\$135
2545	Less than 3 years	\$175

2546 (j) \$5 regardless of the age of the vessel if the vessel is:

- 2547 (i) less than 15 feet in length;
- 2548 (ii) a canoe;
- 2549 (iii) a jon boat; or
- 2550 (iv) a utility boat;

2551 (k) for a collapsible inflatable vessel, pontoon, or sailboat, regardless of age:

2552	Length of Vessel	Uniform Statewide Fee
2553	15 feet or more in length but less than 19 feet in length	\$8
2554	19 feet or more in length but less than 23 feet in length	\$13
2555	23 feet or more in length but less than 27 feet in length	\$20
2556	27 feet or more in length but less than 31 feet in length	\$38

2557 (l) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 2558 sailboat, or utility boat, that is 15 feet or more in length but less than 19 feet in length:

2559	Age of Vessel	Uniform Statewide Fee
2560	12 or more years	\$13
2561	9 or more years but less than 12 years	\$33
2562	6 or more years but less than 9 years	\$40
2563	3 or more years but less than 6 years	\$55
2564	Less than 3 years	\$75

2565 (m) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 2566 sailboat, or utility boat, that is 19 feet or more in length but less than 23 feet in length:

2567	Age of Vessel	Uniform Statewide Fee
2568	12 or more years	\$25
2569	9 or more years but less than 12 years	\$60
2570	6 or more years but less than 9 years	\$88
2571	3 or more years but less than 6 years	\$110
2572	Less than 3 years	\$138

2573 (n) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 2574 sailboat, or utility boat, that is 23 feet or more in length but less than 27 feet in length:

2575	Age of Vessel	Uniform Statewide Fee
2576	12 or more years	\$50
2577	9 or more years but less than 12 years	\$90
2578	6 or more years but less than 9 years	\$120
2579	3 or more years but less than 6 years	\$155
2580	Less than 3 years	\$200

2581 (o) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon,
 2582 sailboat, or utility boat, that is 27 feet or more in length but less than 31 feet in length:

2583	Age of Vessel	Uniform Statewide Fee
2584	12 or more years	\$60
2585	9 or more years but less than 12 years	\$125

2586	6 or more years but less than 9 years	\$175
2587	3 or more years but less than 6 years	\$250
2588	Less than 3 years	\$350

2589 [(4) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this
 2590 section is as follows:]

2591 [(a) for a street motorcycle:]

2592	[Age of Street Motorcycle]	Uniform Statewide Fee
2593	12 or more years	\$7.75
2594	9 or more years but less than 12 years	\$27
2595	6 or more years but less than 9 years	\$38.50
2596	3 or more years but less than 6 years	\$54
2597	Less than 3 years	\$73]

2598 [(b) for a small motor vehicle:]

2599	[Age of Small Motor Vehicle]	Uniform Statewide Fee
2600	6 or more years	\$7.75
2601	3 or more years but less than 6 years	\$11.50
2602	Less than 3 years	\$19.25]

2603 [(5)] (4) Notwithstanding Section 59-2-407, tangible personal property subject to the
 2604 uniform statewide fees imposed by this section that is brought into the state shall, as a
 2605 condition of registration, be subject to the uniform statewide fees unless all property
 2606 taxes or uniform fees imposed by the state of origin have been paid for the current
 2607 calendar year.

2608 [(6)] (5)(a) Subject to Subsection [(6)(b)] (5)(b), for a vehicle registered for a 24-month
 2609 period as provided in Section 41-1a-215.5, the uniform statewide fee amounts
 2610 imposed by this section are double the amounts due for the same vehicle registered
 2611 for a 12-month period.

2612 (b) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, if
 2613 the 24-month term extends from one age bracket to another age bracket as described
 2614 in this section, the person shall pay the sum of:

2615 (i) the uniform statewide fee amount for the first year corresponding to the age
 2616 bracket applicable for the first 12 months of the registration period; and

2617 (ii) the uniform statewide fee amount for the second year corresponding to the age
2618 bracket applicable for the second 12 months of the registration period.

2619 ~~[(7)]~~ (6)(a) The revenues collected in each county from the uniform statewide fees
2620 imposed by this section shall be distributed by the county to each taxing entity in
2621 which each item of tangible personal property subject to the uniform statewide fees is
2622 located in the same proportion in which revenues collected from the ad valorem
2623 property tax are distributed.

2624 (b) Each taxing entity described in Subsection ~~[(7)(a)]~~ (6)(a) that receives revenues from
2625 the uniform statewide fees imposed by this section shall distribute the revenues in the
2626 same proportion in which revenues collected from the ad valorem property tax are
2627 distributed.

2628 ~~[(8)]~~ (7)(a) For purposes of the uniform statewide fee imposed by this section, the length
2629 of a vessel shall be determined as provided in this Subsection ~~[(8)]~~ (7).

2630 (b)(i) Except as provided in Subsection ~~[(8)(b)(ii)]~~ (7)(b)(ii), the length of a vessel
2631 shall be measured as follows:

2632 (A) the length of a vessel shall be measured in a straight line; and
2633 (B) the length of a vessel is equal to the distance between the bow of the vessel
2634 and the stern of the vessel.

2635 (ii) Notwithstanding Subsection ~~[(8)(b)(i)]~~ (7)(b)(i), the length of a vessel may not
2636 include the length of:

2637 (A) a swim deck;
2638 (B) a ladder;
2639 (C) an outboard motor; or
2640 (D) an appurtenance or attachment similar to Subsections ~~[(8)(b)(ii)(A)]~~
2641 (7)(b)(ii)(A) through (C) as determined by the commission by rule.

2642 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
2643 the commission may by rule define what constitutes an appurtenance or
2644 attachment similar to Subsections ~~[(8)(b)(ii)(A)]~~ (7)(b)(ii)(A) through (C).

2645 (c) The length of a vessel:

2646 (i)(A) for a new vessel, is the length~~[-]~~

2647 ~~[(F)]~~ listed on the manufacturer's statement of origin if the length of the vessel
2648 measured under Subsection ~~[(8)(b)]~~ (7)(b) is equal to the length of the vessel
2649 listed on the manufacturer's statement of origin~~[-]~~; or

2650 ~~[(H)]~~ listed on a form submitted to the commission by a dealer in accordance

2651 with Subsection ~~[(8)(d)]~~ (7)(d) if the length of the vessel measured under
 2652 Subsection ~~[(8)(b)]~~ (7)(b) is not equal to the length of the vessel listed on the
 2653 manufacturer's statement of origin; or

2654 (B) for a vessel other than a new vessel, is the length[;]
 2655 ~~[(H)]~~ corresponding to the model number if the length of the vessel measured
 2656 under Subsection ~~[(8)(b)]~~ (7)(b) is equal to the length of the vessel
 2657 determined by reference to the model number[;] or
 2658 ~~[(H)]~~ listed on a form submitted to the commission by an owner of the vessel in
 2659 accordance with Subsection ~~[(8)(d)]~~ (7)(d) if the length of the vessel
 2660 measured under Subsection ~~[(8)(b)]~~ (7)(b) is not equal to the length of the
 2661 vessel determined by reference to the model number; and

2662 (ii)(A) is determined at the time of the[;]
 2663 ~~[(H)]~~ first registration as defined in Section 41-1a-102 that occurs on or after
 2664 January 1, 2006[;] , or
 2665 ~~[(H)]~~ first renewal of registration that occurs on or after January 1, 2006; and
 2666 (B) may be determined after the time described in Subsection ~~[(8)(e)(ii)(A)]~~
 2667 (7)(c)(ii)(A) only if the commission requests that a dealer or an owner submit a
 2668 form to the commission in accordance with Subsection ~~[(8)(d)]~~ (7)(d).

2669 (d)(i) A form under Subsection ~~[(8)(e)]~~ (7)(c) shall:
 2670 (A) be developed by the commission;
 2671 (B) be provided by the commission to[;]
 2672 ~~[(H)]~~ a dealer[;] or
 2673 ~~[(H)]~~ an owner of a vessel;
 2674 (C) provide for the reporting of the length of a vessel;
 2675 (D) be submitted to the commission at the time the length of the vessel is
 2676 determined in accordance with Subsection ~~[(8)(e)(ii)]~~ (7)(c)(ii);
 2677 (E) be signed by[;] ,
 2678 ~~[(H)]~~ if the form is submitted by a dealer, that dealer[;] , or
 2679 ~~[(H)]~~ if the form is submitted by an owner of the vessel, an owner of the vessel;
 2680 and
 2681 (F) include a certification that the information set forth in the form is true.

2682 (ii) A certification made under Subsection ~~[(8)(d)(i)(F)]~~ (7)(d)(i)(F) is considered as if
 2683 made under oath and subject to the same penalties as provided by law for perjury.

2684 (iii)(A) A dealer or an owner that submits a form to the commission under

2685 Subsection ~~[(8)(e)] (7)(c)~~ is considered to have given the dealer's or owner's
 2686 consent to an audit or review by~~[:]~~ the commission, the county assessor, or the
 2687 commission and the county assessor.

2688 ~~[(I) the commission;]~~

2689 ~~[(H) the county assessor; or]~~

2690 ~~[(HH) the commission and the county assessor.]~~

2691 (B) The consent described in Subsection ~~[(8)(d)(iii)(A)] (7)(d)(iii)(A)~~ is a
 2692 condition to the acceptance of any form.

2693 ~~[(9)(a) A county that collected a qualifying payment from a qualifying person during~~
 2694 ~~the refund period shall issue a refund to the qualifying person as described in~~
 2695 ~~Subsection (9)(b) if:]~~

2696 ~~[(i) the difference described in Subsection (9)(b) is \$1 or more; and]~~

2697 ~~[(ii) the qualifying person submitted a form in accordance with Subsections (9)(c)~~
 2698 ~~and (d).]~~

2699 ~~[(b) The refund amount shall be calculated as follows:]~~

2700 ~~[(i) for a qualifying vehicle, the refund amount is equal to the difference between:]~~

2701 ~~[(A) the qualifying payment the qualifying person paid on the qualifying vehicle~~
 2702 ~~during the refund period; and]~~

2703 ~~[(B) the amount of the statewide uniform fee:]~~

2704 ~~[(I) for that qualifying vehicle; and]~~

2705 ~~[(H) that the qualifying person would have been required to pay:]~~

2706 ~~[(Aa) during the refund period; and]~~

2707 ~~[(Bb) in accordance with this section had Laws of Utah 2006, Fifth Special~~
 2708 ~~Session, Chapter 3, Section 1, been in effect during the refund period;~~
 2709 ~~and]~~

2710 ~~[(ii) for a qualifying watercraft, the refund amount is equal to the difference between:]~~

2711 ~~[(A) the qualifying payment the qualifying person paid on the qualifying~~
 2712 ~~watercraft during the refund period; and]~~

2713 ~~[(B) the amount of the statewide uniform fee:]~~

2714 ~~[(I) for that qualifying watercraft;]~~

2715 ~~[(H) that the qualifying person would have been required to pay:]~~

2716 ~~[(Aa) during the refund period; and]~~

2717 ~~[(Bb) in accordance with this section had Laws of Utah 2006, Fifth Special~~
 2718 ~~Session, Chapter 3, Section 1, been in effect during the refund period.]~~

2719 ~~[(e) Before the county issues a refund to the qualifying person in accordance with~~
2720 ~~Subsection (9)(a) the qualifying person shall submit a form to the county to verify the~~
2721 ~~qualifying person is entitled to the refund.]~~

2722 ~~[(d)(i) A form under Subsection (9)(c) or (10) shall:]~~

2723 ~~[(A) be developed by the commission;]~~
2724 ~~[(B) be provided by the commission to the counties;]~~
2725 ~~[(C) be provided by the county to the qualifying person or tangible personal~~
2726 ~~property owner;]~~
2727 ~~[(D) provide for the reporting of the following:]~~

2728 ~~[(I) for a qualifying vehicle:]~~

2729 ~~[(Aa) the type of qualifying vehicle; and]~~
2730 ~~[(Bb) the amount of cubic centimeters displacement;]~~

2731 ~~[(H) for a qualifying watercraft:]~~

2732 ~~[(Aa) the length of the qualifying watercraft;]~~
2733 ~~[(Bb) the age of the qualifying watercraft; and]~~
2734 ~~[(Cc) the type of qualifying watercraft;]~~

2735 ~~[(E) be signed by the qualifying person or tangible personal property owner; and]~~
2736 ~~[(F) include a certification that the information set forth in the form is true.]~~

2737 ~~[(ii) A certification made under Subsection (9)(d)(i)(F) is considered as if made under~~
2738 ~~oath and subject to the same penalties as provided by law for perjury.]~~

2739 ~~[(iii)(A) A qualifying person or tangible personal property owner that submits a~~
2740 ~~form to a county under Subsection (9)(c) or (10) is considered to have given~~
2741 ~~the qualifying person's consent to an audit or review by:]~~

2742 ~~[(I) the commission;]~~
2743 ~~[(H) the county assessor; or]~~
2744 ~~[(HH) the commission and the county assessor.]~~

2745 ~~[(B) The consent described in Subsection (9)(d)(iii)(A) is a condition to the~~
2746 ~~acceptance of any form.]~~

2747 ~~[(e) The county shall make changes to the commission's records with the information~~
2748 ~~received by the county from the form submitted in accordance with Subsection (9)(c).]~~

2749 ~~[(10) A county shall change its records regarding an item of qualifying tangible personal~~
2750 ~~property if the tangible personal property owner submits a form to the county in~~
2751 ~~accordance with Subsection (9)(d).]~~

2752 ~~[(11)(a) For purposes of this Subsection (11), "owner of tangible personal property"~~

- 2753 means a person that was required to pay a uniform statewide fee:]
- 2754 [(i) during the refund period;]
- 2755 [(ii) in accordance with this section; and]
- 2756 [(iii) on an item of tangible personal property subject to the uniform statewide fees
- 2757 imposed by this section.]
- 2758 [(b) A county that collected revenues from uniform statewide fees imposed by this
- 2759 section during the refund period shall notify an owner of tangible personal property:]
- 2760 [(i) of the tangible personal property classification changes made to this section
- 2761 pursuant to Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1;]
- 2762 [(ii) that the owner of tangible personal property may obtain and file a form to
- 2763 modify the county's records regarding the owner's tangible personal property; and]
- 2764 [(iii) that the owner may be entitled to a refund pursuant to Subsection (9).]
- 2765 Section 49. Section **59-12-103** is amended to read:
- 2766 **59-12-103** [~~(Effective 07/01/26)~~] **(Effective 01/01/27). Sales and use tax base --**
- 2767 **Rates -- Effective dates -- Use of sales and use tax revenue.**
- 2768 (1) A tax is imposed on the purchaser as provided in this part on the purchase price or sales
- 2769 price for amounts paid or charged for the following transactions:
- 2770 (a) retail sales of tangible personal property made within the state;
- 2771 (b) amounts paid for:
- 2772 (i) telecommunications service, other than mobile telecommunications service, that
- 2773 originates and terminates within the boundaries of this state;
- 2774 (ii) mobile telecommunications service that originates and terminates within the
- 2775 boundaries of one state only to the extent permitted by the Mobile
- 2776 Telecommunications Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or
- 2777 (iii) an ancillary service associated with a:
- 2778 (A) telecommunications service described in Subsection (1)(b)(i); or
- 2779 (B) mobile telecommunications service described in Subsection (1)(b)(ii);
- 2780 (c) sales of the following for commercial use:
- 2781 (i) gas;
- 2782 (ii) electricity;
- 2783 (iii) heat;
- 2784 (iv) coal;
- 2785 (v) fuel oil; or
- 2786 (vi) other fuels;

- 2787 (d) sales of the following for residential use:
- 2788 (i) gas;
- 2789 (ii) electricity;
- 2790 (iii) heat;
- 2791 (iv) coal;
- 2792 (v) fuel oil; or
- 2793 (vi) other fuels;
- 2794 (e) sales of prepared food;
- 2795 (f) except as provided in Section 59-12-104, amounts paid or charged as admission or
- 2796 user fees for theaters, movies, operas, museums, planetariums, shows of any type or
- 2797 nature, exhibitions, concerts, carnivals, amusement parks, amusement rides, circuses,
- 2798 menageries, fairs, races, contests, sporting events, dances, boxing matches, wrestling
- 2799 matches, closed circuit television broadcasts, billiard parlors, pool parlors, bowling
- 2800 lanes, golf, miniature golf, golf driving ranges, batting cages, skating rinks, ski lifts,
- 2801 ski runs, ski trails, snowmobile trails, tennis courts, swimming pools, water slides,
- 2802 river runs, jeep tours, boat tours, scenic cruises, horseback rides, sports activities, or
- 2803 any other amusement, entertainment, recreation, exhibition, cultural, or athletic
- 2804 activity;
- 2805 (g) amounts paid or charged for services for repairs or renovations of tangible personal
- 2806 property, unless Section 59-12-104 provides for an exemption from sales and use tax
- 2807 for:
- 2808 (i) the tangible personal property; and
- 2809 (ii) parts used in the repairs or renovations of the tangible personal property described
- 2810 in Subsection (1)(g)(i), regardless of whether:
- 2811 (A) any parts are actually used in the repairs or renovations of that tangible
- 2812 personal property; or
- 2813 (B) the particular parts used in the repairs or renovations of that tangible personal
- 2814 property are exempt from a tax under this chapter;
- 2815 (h) except as provided in Subsection 59-12-104(7), amounts paid or charged for assisted
- 2816 cleaning or washing of tangible personal property;
- 2817 (i) amounts paid or charged for short-term rentals of tourist home, hotel, motel, or trailer
- 2818 court accommodations and services;
- 2819 (j) amounts paid or charged for laundry or dry cleaning services;
- 2820 (k) amounts paid or charged for leases or rentals of tangible personal property if within

- 2821 this state the tangible personal property is:
- 2822 (i) stored;
- 2823 (ii) used; or
- 2824 (iii) otherwise consumed;
- 2825 (l) amounts paid or charged for tangible personal property if within this state the tangible
- 2826 personal property is:
- 2827 (i) stored;
- 2828 (ii) used; or
- 2829 (iii) consumed;
- 2830 (m) amounts paid or charged for a sale:
- 2831 (i)(A) of a product transferred electronically; or
- 2832 (B) of a repair or renovation of a product transferred electronically; and
- 2833 (ii) regardless of whether the sale provides:
- 2834 (A) a right of permanent use of the product; or
- 2835 (B) a right to use the product that is less than a permanent use, including a right:
- 2836 (I) for a definite or specified length of time; and
- 2837 (II) that terminates upon the occurrence of a condition; and
- 2838 (n) sales of leased tangible personal property from the lessor to the lessee made in the
- 2839 state.
- 2840 (2)(a) Except as provided in Subsections (2)(b) through (f), a state tax and a local tax are
- 2841 imposed on a transaction described in Subsection (1) equal to the sum of:
- 2842 (i) a state tax imposed on the transaction at a tax rate equal to the sum of:
- 2843 (A) 4.70%;
- 2844 (B) the rate specified in Subsection (6)(a); and
- 2845 (C) the tax rate the state imposes in accordance with Part 20, Supplemental State
- 2846 Sales and Use Tax Act, if the location of the transaction as determined under
- 2847 Sections 59-12-211 through 59-12-215 is in a city, town, or the unincorporated
- 2848 area of a county in which the state imposes the tax under Part 20, Supplemental
- 2849 State Sales and Use Tax Act; and
- 2850 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
- 2851 transaction under this chapter other than this part.
- 2852 (b) Except as provided in Subsection (2)(f) or (g) and subject to Subsection (2)(l), a state
- 2853 tax and a local tax are imposed on a transaction described in Subsection (1)(d) equal
- 2854 to the sum of:

- 2855 (i) a state tax imposed on the transaction at a tax rate of 2%; and
2856 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
2857 transaction under this chapter other than this part.
- 2858 (c) Except as provided in Subsection (2)(f) or (g), a state tax and a local tax are imposed
2859 on amounts paid or charged for food and food ingredients equal to the sum of:
2860 (i) a state tax imposed on the amounts paid or charged for food and food ingredients
2861 at a tax rate of 1.75%; and
2862 (ii) a local tax equal to the sum of the tax rates a county, city, or town imposes on the
2863 amounts paid or charged for food and food ingredients under this chapter other
2864 than this part.
- 2865 (d) Except as provided in Subsection (2)(f) or (g), a state tax is imposed on amounts paid
2866 or charged for fuel to a common carrier that is a railroad for use in a locomotive
2867 engine at a rate equal to the sum of the rates described in Subsections (2)(a)(i)(A) and
2868 (2)(a)(i)(B).
- 2869 (e)(i)(A) The rates described in Subsections (2)(a)(i)(A) and (2)(a)(i)(B) do not
2870 apply to car sharing, a car sharing program, a shared vehicle driver, or a shared
2871 vehicle owner, for a car sharing or shared vehicle transaction if a shared
2872 vehicle owner certifies to the commission, on a form prescribed by the
2873 commission, that the shared vehicle is an individual-owned shared vehicle.
- 2874 (B) A shared vehicle owner's certification described in Subsection (2)(e)(i)(A) is
2875 required once during the time that the shared vehicle owner owns the shared
2876 vehicle.
- 2877 (C) The commission shall verify that a shared vehicle is an individual-owned
2878 shared vehicle by verifying that the applicable Utah taxes imposed under this
2879 chapter were paid on the purchase of the shared vehicle.
- 2880 (D) The exception under Subsection (2)(e)(i)(A) applies to a certified
2881 individual-owned shared vehicle shared through a car-sharing program even if
2882 non-certified shared vehicles are also available to be shared through the same
2883 car-sharing program.
- 2884 (ii) A tax imposed under Subsection (2)(a)(i)(C) or (2)(a)(ii) applies to car sharing.
- 2885 (iii)(A) A car-sharing program may rely in good faith on a shared vehicle owner's
2886 representation that the shared vehicle is an individual-owned shared vehicle
2887 certified with the commission as described in Subsection (2)(e)(i).
- 2888 (B) If a car-sharing program relies in good faith on a shared vehicle owner's

2889 representation that the shared vehicle is an individual-owned shared vehicle
2890 certified with the commission as described in Subsection (2)(e)(i), the
2891 car-sharing program is not liable for any tax, penalty, fee, or other sanction
2892 imposed on the shared vehicle owner.

2893 (iv) If all shared vehicles shared through a car-sharing program are certified as
2894 described in Subsection (2)(e)(i)(A) for a tax period, the car-sharing program has
2895 no obligation to collect and remit the tax under Subsections (2)(a)(i)(A) and
2896 (2)(a)(i)(B) for that tax period.

2897 (v) A car-sharing program is not required to list or otherwise identify an
2898 individual-owned shared vehicle on a return or an attachment to a return.

2899 (vi) A car-sharing program shall:

2900 (A) retain tax information for each car-sharing program transaction; and

2901 (B) provide the information described in Subsection (2)(e)(vi)(A) to the
2902 commission at the commission's request.

2903 (f)(i) For a bundled transaction that is attributable to food and food ingredients and
2904 tangible personal property other than food and food ingredients, a state tax and a
2905 local tax is imposed on the entire bundled transaction equal to the sum of:

2906 (A) the tax rates described in Subsection (2)(a)(i); and

2907 (B) a local tax imposed on the entire bundled transaction at the sum of the tax
2908 rates described in Subsection (2)(a)(ii).

2909 (ii) If an optional computer software maintenance contract is a bundled transaction
2910 that consists of taxable and nontaxable products that are not separately itemized
2911 on an invoice or similar billing document, the purchase of the optional computer
2912 software maintenance contract is 40% taxable under this chapter and 60%
2913 nontaxable under this chapter.

2914 (iii) Subject to Subsection (2)(f)(iv), for a bundled transaction other than a bundled
2915 transaction described in Subsection (2)(f)(i) or (ii):

2916 (A) if the sales price of the bundled transaction is attributable to tangible personal
2917 property, a product, or a service that is subject to taxation under this chapter
2918 and tangible personal property, a product, or service that is not subject to
2919 taxation under this chapter, the entire bundled transaction is subject to taxation
2920 under this chapter unless:

2921 (I) the seller is able to identify by reasonable and verifiable standards the

2922 tangible personal property, product, or service that is not subject to taxation

- 2923 under this chapter from the books and records the seller keeps in the seller's
2924 regular course of business; or
- 2925 (II) state or federal law provides otherwise; or
- 2926 (B) if the sales price of a bundled transaction is attributable to two or more items
2927 of tangible personal property, products, or services that are subject to taxation
2928 under this chapter at different rates, the entire bundled transaction is subject to
2929 taxation under this chapter at the higher tax rate unless:
- 2930 (I) the seller is able to identify by reasonable and verifiable standards the
2931 tangible personal property, product, or service that is subject to taxation
2932 under this chapter at the lower tax rate from the books and records the seller
2933 keeps in the seller's regular course of business; or
- 2934 (II) state or federal law provides otherwise.
- 2935 (iv) For purposes of Subsection (2)(f)(iii), books and records that a seller keeps in the
2936 seller's regular course of business includes books and records the seller keeps in
2937 the regular course of business for nontax purposes.
- 2938 (g)(i) Except as otherwise provided in this chapter and subject to Subsections
2939 (2)(g)(ii) and (iii), if a transaction consists of the sale, lease, or rental of tangible
2940 personal property, a product, or a service that is subject to taxation under this
2941 chapter, and the sale, lease, or rental of tangible personal property, other property,
2942 a product, or a service that is not subject to taxation under this chapter, the entire
2943 transaction is subject to taxation under this chapter unless the seller, at the time of
2944 the transaction:
- 2945 (A) separately states the portion of the transaction that is not subject to taxation
2946 under this chapter on an invoice, bill of sale, or similar document provided to
2947 the purchaser; or
- 2948 (B) is able to identify by reasonable and verifiable standards, from the books and
2949 records the seller keeps in the seller's regular course of business, the portion of
2950 the transaction that is not subject to taxation under this chapter.
- 2951 (ii) A purchaser and a seller may correct the taxability of a transaction if:
- 2952 (A) after the transaction occurs, the purchaser and the seller discover that the
2953 portion of the transaction that is not subject to taxation under this chapter was
2954 not separately stated on an invoice, bill of sale, or similar document provided
2955 to the purchaser because of an error or ignorance of the law; and
- 2956 (B) the seller is able to identify by reasonable and verifiable standards, from the

2957 books and records the seller keeps in the seller's regular course of business, the
2958 portion of the transaction that is not subject to taxation under this chapter.

2959 (iii) For purposes of Subsections (2)(g)(i) and (ii), books and records that a seller
2960 keeps in the seller's regular course of business includes books and records the
2961 seller keeps in the regular course of business for nontax purposes.

2962 (h)(i) If the sales price of a transaction is attributable to two or more items of tangible
2963 personal property, products, or services that are subject to taxation under this
2964 chapter at different rates, the entire purchase is subject to taxation under this
2965 chapter at the higher tax rate unless the seller, at the time of the transaction:

2966 (A) separately states the items subject to taxation under this chapter at each of the
2967 different rates on an invoice, bill of sale, or similar document provided to the
2968 purchaser; or

2969 (B) is able to identify by reasonable and verifiable standards the tangible personal
2970 property, product, or service that is subject to taxation under this chapter at the
2971 lower tax rate from the books and records the seller keeps in the seller's regular
2972 course of business.

2973 (ii) For purposes of Subsection (2)(h)(i), books and records that a seller keeps in the
2974 seller's regular course of business includes books and records the seller keeps in
2975 the regular course of business for nontax purposes.

2976 (i) Subject to Subsections (2)(j) and (k), a tax rate repeal or tax rate change for a tax rate
2977 imposed under the following shall take effect on the first day of a calendar quarter:

2978 (i) Subsection (2)(a)(i)(A);

2979 (ii) Subsection (2)(a)(i)(B);

2980 (iii) Subsection (2)(b)(i);

2981 (iv) Subsection (2)(c)(i); or

2982 (v) Subsection (2)(f)(i)(A).

2983 (j)(i) A tax rate increase takes effect on the first day of the first billing period that
2984 begins on or after the effective date of the tax rate increase if the billing period for
2985 the transaction begins before the effective date of a tax rate increase imposed
2986 under:

2987 (A) Subsection (2)(a)(i)(A);

2988 (B) Subsection (2)(a)(i)(B);

2989 (C) Subsection (2)(b)(i);

2990 (D) Subsection (2)(c)(i); or

- 2991 (E) Subsection (2)(f)(i)(A).
- 2992 (ii) The repeal of a tax or a tax rate decrease applies to a billing period if the billing
- 2993 statement for the billing period is rendered on or after the effective date of the
- 2994 repeal of the tax or the tax rate decrease imposed under:
- 2995 (A) Subsection (2)(a)(i)(A);
- 2996 (B) Subsection (2)(a)(i)(B);
- 2997 (C) Subsection (2)(b)(i);
- 2998 (D) Subsection (2)(c)(i); or
- 2999 (E) Subsection (2)(f)(i)(A).
- 3000 (k)(i) For a tax rate described in Subsection (2)(k)(ii), if a tax due on a catalogue sale
- 3001 is computed on the basis of sales and use tax rates published in the catalogue, a
- 3002 tax rate repeal or change in a tax rate takes effect:
- 3003 (A) on the first day of a calendar quarter; and
- 3004 (B) beginning 60 days after the effective date of the tax rate repeal or tax rate
- 3005 change.
- 3006 (ii) Subsection (2)(k)(i) applies to the tax rates described in the following:
- 3007 (A) Subsection (2)(a)(i)(A);
- 3008 (B) Subsection (2)(a)(i)(B);
- 3009 (C) Subsection (2)(b)(i);
- 3010 (D) Subsection (2)(c)(i); or
- 3011 (E) Subsection (2)(f)(i)(A).
- 3012 (iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 3013 the commission may by rule define the term "catalogue sale."
- 3014 (l)(i) For a location described in Subsection (2)(l)(ii), the commission shall determine
- 3015 the taxable status of a sale of gas, electricity, heat, coal, fuel oil, or other fuel
- 3016 based on the predominant use of the gas, electricity, heat, coal, fuel oil, or other
- 3017 fuel at the location.
- 3018 (ii) Subsection (2)(l)(i) applies to a location where gas, electricity, heat, coal, fuel oil,
- 3019 or other fuel is furnished through a single meter for two or more of the following
- 3020 uses:
- 3021 (A) a commercial use;
- 3022 (B) an industrial use; or
- 3023 (C) a residential use.
- 3024 (3)(a) The commission shall deposit the following state taxes into the General Fund:

- 3025 (i) the tax imposed by Subsection (2)(a)(i)(A);
- 3026 (ii) the tax imposed by Subsection (2)(b)(i);
- 3027 (iii) the tax imposed by Subsection (2)(c)(i);
- 3028 (iv) the tax imposed by Subsection (2)(d); and
- 3029 (v) the tax imposed by Subsection (2)(f)(i)(A).
- 3030 (b) The commission shall distribute the following local taxes to a county, city, or town
- 3031 as provided in this chapter:
- 3032 (i) the tax imposed by Subsection (2)(a)(ii);
- 3033 (ii) the tax imposed by Subsection (2)(b)(ii);
- 3034 (iii) the tax imposed by Subsection (2)(c)(ii); and
- 3035 (iv) the tax imposed by Subsection (2)(f)(i)(B).
- 3036 (4)(a) Notwithstanding Subsection (3)(a), for each fiscal year the commission shall make
- 3037 the deposits described in Subsections (4)(b) through (4)(h) from the revenue from the
- 3038 taxes imposed by:
- 3039 (i) Subsection (2)(a)(i)(A);
- 3040 (ii) Subsection (2)(b)(i);
- 3041 (iii) Subsection (2)(c)(i); and
- 3042 (iv) Subsection (2)(f)(i)(A).
- 3043 (b) The commission shall deposit 15% of the difference between 1.4543% of the
- 3044 revenue described in Subsection (4)(a) and the deposits made under Subsection (5)(b),
- 3045 into the Water Rights Restricted Account created in Section 73-2-1.6.
- 3046 (c) The commission shall deposit 85% of the difference between 1.4543% of the revenue
- 3047 described in Subsection (4)(a) and the deposits made under Subsection (5)(b), into
- 3048 the Water Resources Conservation and Development Fund created in Section
- 3049 73-10-24 for use by the Division of Water Resources for:
- 3050 (i) preconstruction costs:
- 3051 (A) as defined in Subsection 73-26-103(6) for projects authorized by Title 73,
- 3052 Chapter 26, Bear River Development Act; and
- 3053 (B) as defined in Subsection 73-28-103(8) for the Lake Powell Pipeline project
- 3054 authorized by Title 73, Chapter 28, Lake Powell Pipeline Development Act;
- 3055 (ii) the cost of employing a civil engineer to oversee any project authorized by Title
- 3056 73, Chapter 26, Bear River Development Act;
- 3057 (iii) the cost of employing a civil engineer to oversee the Lake Powell Pipeline
- 3058 project authorized by Title 73, Chapter 28, Lake Powell Pipeline Development

- 3059 Act; and
- 3060 (iv) other uses authorized under Sections 73-10-24, 73-10-25.1, and 73-10-30, and
- 3061 Subsection (5)(b)(iv)(B) after funding the uses specified in Subsections (4)(c)(i)
- 3062 through (iii).
- 3063 (d) The commission shall deposit 1.4543% of the revenue described in Subsection (4)(a)
- 3064 into the Water Infrastructure Restricted Account created in Section 73-10g-103.
- 3065 (e)(i) Subject to Subsection (4)(e)(ii), the commission shall deposit 26.24% of the
- 3066 revenue described in Subsection (4)(a) into the Transportation Investment Fund of
- 3067 2005 created in Section 72-2-124.
- 3068 (ii) The commission shall annually reduce the deposit described in Subsection
- 3069 (4)(e)(i) by the sum of:
- 3070 (A) \$1,813,400;
- 3071 (B) the earmark described in Subsection (5)(c); and
- 3072 (C) an amount equal to 35% of the revenue generated in the current fiscal year by
- 3073 the portion of the tax imposed on motor and special fuel that is sold, used, or
- 3074 received in the state that exceeds 29.4 cents per gallon.
- 3075 (iii) The amount described in Subsection (4)(e)(ii)(C) shall be annually deposited into
- 3076 the Transit Transportation Investment Fund created in Section 72-2-124.
- 3077 (f) The commission shall deposit .44% of the revenue described in Subsection (4)(a) into
- 3078 the Cottonwood Canyons Transportation Investment Fund created in Section
- 3079 72-2-124.
- 3080 (g) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
- 3081 the Commuter Rail Subaccount created in Section 72-2-124.
- 3082 (h) The commission shall deposit 1% of the revenue described in Subsection (4)(a) into
- 3083 the Outdoor Adventure Infrastructure Restricted Account created in Section 51-9-902
- 3084 as follows:
- 3085 (i) into the Outdoor Adventure Infrastructure Restricted Account created in Section
- 3086 51-9-902, an amount equal to the amount that was deposited into the Outdoor
- 3087 Adventure Infrastructure Restricted Account in fiscal year 2025; and
- 3088 (ii) for any amount exceeding the amount described in Subsection (4)(h)(i), 50% into
- 3089 the Outdoor Adventure Infrastructure Restricted Account and 50% to the Utah
- 3090 Fairpark Area Investment and Restoration District created in Section 11-70-201.
- 3091 (5)(a) Notwithstanding Subsection (3)(a), each fiscal year the commission shall make
- 3092 the deposits described in this Subsection (5).

- 3093 (b)(i)(A) The commission shall deposit \$500,000 to the Department of Natural
3094 Resources to be used for watershed rehabilitation or restoration.
- 3095 (B) At the end of each fiscal year, 100% of any unexpended amount described in
3096 Subsection (5)(b)(i)(A) shall lapse into the Water Resources Conservation and
3097 Development Fund created in Section 73-10-24.
- 3098 (ii) The commission shall deposit \$150,000 to the Division of Water Resources for
3099 cloud-seeding projects authorized by Title 73, Chapter 15, Modification of
3100 Weather.
- 3101 (iii) The commission shall deposit \$525,000 into the Division of Conservation
3102 created in Section 4-46-401 to implement water related programs.
- 3103 (iv) The commission shall deposit \$7,175,000 into the Water Resources Conservation
3104 and Development Fund created in Section 73-10-24 for use by the Division of
3105 Water Resources:
- 3106 (A) for the uses allowed of the Water Resources Conservation and Development
3107 Fund under Section 73-10-24;
- 3108 (B) to conduct hydrologic and geotechnical investigations by the Division of
3109 Water Resources in a cooperative effort with other state, federal, or local
3110 entities, for the purpose of quantifying surface and ground water resources and
3111 describing the hydrologic systems of an area in sufficient detail so as to enable
3112 local and state resource managers to plan for and accommodate growth in
3113 water use without jeopardizing the resource;
- 3114 (C) to fund state required dam safety improvements; and
- 3115 (D) to protect the state's interest in interstate water compact allocations, including
3116 the hiring of technical and legal staff.
- 3117 (v) The commission shall deposit \$3,587,500 into the Utah Wastewater Loan
3118 Program Subaccount created in Section 73-10c-5 for use by the Water Quality
3119 Board to fund wastewater projects.
- 3120 (vi) The commission shall deposit \$3,587,500 into the Drinking Water Loan Program
3121 Subaccount created in Section 73-10c-5 for use by the Division of Drinking Water
3122 to:
- 3123 (A) provide for the installation and repair of collection, treatment, storage, and
3124 distribution facilities for any public water system, as defined in Section
3125 19-4-102;
- 3126 (B) develop underground sources of water, including springs and wells; and

- 3127 (C) develop surface water sources.
- 3128 (vii) The commission shall deposit \$2,450,000 to the Division of Wildlife Resources
- 3129 to:
- 3130 (A) implement the measures described in Subsections 23A-3-214(3)(a) through
- 3131 (d) to protect sensitive plant and animal species; or
- 3132 (B) award grants, up to the amount authorized by the Legislature in an
- 3133 appropriations act, to political subdivisions of the state to implement the
- 3134 measures described in Subsections 23A-3-214(3)(a) through (d) to protect
- 3135 sensitive plant and animal species.
- 3136 (viii) Funds transferred to the Division of Wildlife Resources under Subsection
- 3137 (5)(b)(vii)(A) may not be used to assist the United States Fish and Wildlife
- 3138 Service or any other person to list or attempt to have listed a species as threatened
- 3139 or endangered under the Endangered Species Act of 1973, 16 U.S.C. Sec. 1531, et
- 3140 seq.
- 3141 (ix) At the end of each fiscal year, any unexpended amounts described in Subsections
- 3142 (5)(b)(vii)(A) and (B) shall lapse:
- 3143 (A) 50% into the Water Resources Conservation and Development Fund created
- 3144 in Section 73-10-24;
- 3145 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
- 3146 73-10c-5; and
- 3147 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
- 3148 73-10c-5.
- 3149 (x) The commission shall allocate \$175,000 to the Division of Water Rights to cover
- 3150 the costs incurred in hiring legal and technical staff for the adjudication of water
- 3151 rights.
- 3152 (xi) At the end of each fiscal year, any unexpended amounts described in Subsection
- 3153 (5)(b)(x) shall lapse:
- 3154 (A) 50% into the Water Resources Conservation and Development Fund created
- 3155 in Section 73-10-24;
- 3156 (B) 25% into the Utah Wastewater Loan Program Subaccount created in Section
- 3157 73-10c-5; and
- 3158 (C) 25% into the Drinking Water Loan Program Subaccount created in Section
- 3159 73-10c-5.
- 3160 (c) The commission shall deposit \$45,000,000 into the Active Transportation Investment

- 3161 Fund created in Section 72-2-124.
- 3162 (d) The commission shall deposit \$533,750 into the Qualified Emergency Food
3163 Agencies Fund created by and expended in accordance with Section 35A-8-1009.
- 3164 (e) The commission shall deposit \$200,000 into the General Fund as a dedicated credit
3165 for the sole use of the Search and Rescue Financial Assistance Program created by
3166 and to be expended in accordance with Title 53, Chapter 2a, Part 11, Search and
3167 Rescue Act.
- 3168 (6)(a) The rate specified in this Subsection (6) is 0.15%.
- 3169 (b) Notwithstanding Subsection (3)(a), the commission shall, for a fiscal year beginning
3170 on or after July 1, 2019, annually transfer the amount of revenue collected from the
3171 rate described in Subsection (6)(a) on the transactions that are subject to the sales and
3172 use tax under Subsection (2)(a)(i)(B) into the Medicaid ACA Fund created in Section
3173 26B-1-315.
- 3174 (7)(a) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11),
3175 (12), and (13), and as described in Section 63N-3-610, beginning the first day of a
3176 calendar quarter one year after the sales and use tax boundary for a housing and
3177 transit reinvestment zone is established under Title 63N, Chapter 3, Part 6, Housing
3178 and Transit Reinvestment Zone Act, the commission, at least annually, shall transfer
3179 an amount equal to 15% of the sales and use tax increment from the sales and use tax
3180 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate, on transactions occurring within
3181 an established sales and use tax boundary, as defined in Section 63N-3-602, into the
3182 Transit Transportation Investment Fund created in Section 72-2-124.
- 3183 (b) Beginning no sooner than January 1, 2026, notwithstanding Subsection (3)(a), and
3184 except as provided in Subsections (11), (12), and (13), and as described in Section
3185 63N-3-610.1, beginning the first day of a calendar quarter after the year set in the
3186 proposal and after the sales and use tax boundary for a convention center
3187 reinvestment zone is established in a capital city under Title 63N, Chapter 3, Part 6,
3188 Housing and Transit Reinvestment Zone Act, the commission, at least annually, shall
3189 transfer an amount equal to 50% of the sales and use tax increment as defined in
3190 Section 63N-3-602 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a
3191 4.7% rate, on transactions occurring within an established sales and use tax boundary,
3192 as defined in Section 63N-3-602, to a convention center public infrastructure district
3193 created in accordance with Section 17D-4-202.1 and specified in the convention
3194 center reinvestment zone proposal submitted [~~pursuant to~~] in accordance with Title

- 3195 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
- 3196 (8) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12), and
 3197 (13), beginning October 1, 2024 the commission shall transfer to the Utah Fairpark Area
 3198 Investment and Restoration District, created in Section 11-70-201, the revenue from the
 3199 sales and use tax imposed by Subsection (2)(a)(i)(A), on transactions occurring within
 3200 the district sales tax area, as defined in Section 11-70-101.
- 3201 (9)(a) As used in this Subsection (9):
- 3202 (i) "Additional land" means point of the mountain state land described in Subsection
 3203 11-59-102(6)(b) that the point of the mountain authority acquires after the point of
 3204 the mountain authority provides the commission a map under Subsection (9)(c).
- 3205 (ii) "Point of the mountain authority" means the Point of the Mountain State Land
 3206 Authority, created in Section 11-59-201.
- 3207 (iii) "Point of the mountain state land" means the same as that term is defined in
 3208 Section 11-59-102.
- 3209 (b) Notwithstanding Subsection (3)(a) and except as provided in Subsections (11), (12),
 3210 and (13), the commission shall distribute to the point of the mountain authority 50%
 3211 of the revenue from the sales and use tax imposed by Subsection (2)(a)(i)(A), on
 3212 transactions occurring on the point of the mountain state land.
- 3213 (c) The distribution under Subsection (9)(b) shall begin the next calendar quarter that
 3214 begins at least 90 days after the point of the mountain authority provides the
 3215 commission a map that:
- 3216 (i) accurately describes the point of the mountain state land; and
 3217 (ii) the point of the mountain authority certifies as accurate.
- 3218 (d) A distribution under Subsection (9)(b) with respect to additional land shall begin the
 3219 next calendar quarter that begins at least 90 days after the point of the mountain
 3220 authority provides the commission a map of point of the mountain state land that:
- 3221 (i) accurately describes the point of the mountain state land, including the additional
 3222 land; and
 3223 (ii) the point of the mountain authority certifies as accurate.
- 3224 (e)(i) Upon the payment in full of bonds secured by the sales and use tax revenue
 3225 distributed to the point of the mountain authority under Subsection (9)(b), the
 3226 point of the mountain authority shall immediately notify the commission in
 3227 writing that the bonds are paid in full.
- 3228 (ii) The commission shall discontinue distributions of sales and use tax revenue under

3229 Subsection (9)(b) at the beginning of the calendar quarter that begins at least 90
 3230 days after the date that the commission receives the written notice under
 3231 Subsection (9)(e)(i).

3232 (10) Notwithstanding Subsection (3)(a), the amount of state sales tax revenues described in
 3233 Section 63N-2-503.5 is deposited into the Convention Incentive Fund created in Section
 3234 63N-2-503.5.

3235 (11)(a) As used in this Subsection (11):

3236 (i) "Applicable percentage" means:

3237 (A) for a housing and transit reinvestment zone created under Title 63N, Chapter
 3238 3, Part 6, Housing and Transit Reinvestment Zone Act, 15% of the revenue
 3239 from the sales and use tax imposed by Subsection (2)(a)(i)(A) at a 4.7% rate
 3240 for sales occurring within the qualified development zone described in
 3241 Subsection (11)(a)(ii)(A);

3242 (B) for the Utah Fairpark Area Investment and Restoration District created in
 3243 Section 11-70-201, the revenue from the sales and use tax imposed by
 3244 Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified
 3245 development zone described in Subsection (11)(a)(ii)(B); and

3246 (C) for the Point of the Mountain State Land Authority created in Section
 3247 11-59-201, 50% of the revenue from sales and use tax imposed by Subsection
 3248 (2)(a)(i)(A) at a 4.7% rate for sales occurring within the qualified development
 3249 zone described in Subsection (11)(a)(ii)(C).

3250 (ii) "Qualified development zone" means:

3251 (A) the sales and use tax boundary of a housing and transit reinvestment zone
 3252 created under Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment
 3253 Act;

3254 (B) the district sales tax boundary as defined in Section 11-70-101 for the Utah
 3255 Fairpark Area Investment and Restoration District, created in Section
 3256 11-70-201; or

3257 (C) the sales and use tax boundary of point of the mountain state land, as defined
 3258 in Section 11-59-102, under the Point of the Mountain State Land Authority
 3259 created in Section 11-59-201.

3260 (iii) "Schedule J sale" means a sale reported on State Tax Commission Form
 3261 TC-62M, Schedule J or a substantially similar form as designated by the
 3262 commission.

- 3263 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
3264 qualified development zone shall be deposited into the General Fund.
- 3265 (12)(a) As used in Subsections (12) and (13):
- 3266 (i) "Applicable percentage" means, for a convention center reinvestment zone created
3267 in a capital city under Title 63N, Chapter 3, Part 6, Housing and Transit
3268 Reinvestment Zone Act, an amount equal to 50% of the sales and use tax
3269 increment, as that term is defined in Section 63N-3-602, from the sales and use tax
3270 imposed by Subsection (2)(a)(i)(A) at a 4.7% rate for sales occurring within the
3271 qualified development zone described in Subsection (12)(a)(ii).
- 3272 (ii) "Qualified development zone" means the sales and use tax boundary of a
3273 convention center reinvestment zone created in a capital city under Title 63N,
3274 Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act.
- 3275 (iii) "Qualifying construction materials" means construction materials that are:
3276 (A) delivered to a delivery outlet within a qualified development zone; and
3277 (B) intended to be permanently attached to real property within the qualified
3278 development zone.
- 3279 (b) For a sale of qualifying construction materials, the commission shall distribute the
3280 product calculated in Subsection (12)(c) to a qualified development zone if the seller
3281 of the construction materials:
- 3282 (i) establishes a delivery outlet with the commission within the qualified development
3283 zone;
- 3284 (ii) reports the sales of the construction materials to the delivery outlet described in
3285 Subsection (12)(b)(i); and
- 3286 (iii) does not report the sales of the construction materials on a simplified electronic
3287 return.
- 3288 (c) For the purposes of Subsection (12)(b), the product is equal to:
- 3289 (i) the sales price or purchase price of the qualifying construction materials; and
3290 (ii) the applicable percentage.
- 3291 (13)(a) As used in this Subsection (13), "Schedule J sale" means a sale reported on State
3292 Tax Commission Form TC-62M, Schedule J, or a substantially similar form as
3293 designated by the commission.
- 3294 (b) Revenue generated from the applicable percentage by a Schedule J sale within a
3295 qualified development zone shall be distributed into the General Fund.
- 3296 Section 50. Section **72-1-213.1** is amended to read:

- 3297 **72-1-213.1 (Effective 01/01/27). Road usage charge program.**
- 3298 (1) As used in this section:
- 3299 (a) "Account manager" means an entity under contract with the department to administer
- 3300 and manage the road usage charge program.
- 3301 (b) "Alternative fuel vehicle" means:
- 3302 (i) an electric motor vehicle as defined in Section 41-1a-102; or
- 3303 (ii) a motor vehicle powered exclusively by a fuel other than:
- 3304 (A) motor fuel;
- 3305 (B) diesel fuel;
- 3306 (C) natural gas; or
- 3307 (D) propane.
- 3308 (c) "Payment period" means the interval during which an owner is required to report
- 3309 mileage and pay the appropriate road usage charge according to the terms of the
- 3310 program.
- 3311 (d) "Program" means the road usage charge program established and described in this
- 3312 section.
- 3313 (e) "Road usage charge cap" means the maximum fee charged to a participant in the
- 3314 program for a registration period.
- 3315 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in the
- 3316 program.
- 3317 (2) There is established a road usage charge program as described in this section.
- 3318 (3)(a) The department shall implement and oversee the administration of the program,
- 3319 which shall begin on January 1, 2020.
- 3320 (b) To implement and administer the program, the department may contract with an
- 3321 account manager.
- 3322 (4)(a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of the
- 3323 alternative fuel vehicle in the program.
- 3324 (b) If an application for enrollment into the program is approved by the department, the
- 3325 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of
- 3326 paying the fee described in Subsection [~~41-1a-1206(1)(h) or (2)(b)~~] 41-1a-1206(3)(h).
- 3327 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
- 3328 consistent with this section, the department:
- 3329 (a) shall make rules to establish:
- 3330 (i) processes and terms for enrollment into and withdrawal or removal from the

- 3331 program;
- 3332 (ii) payment periods and other payment methods and procedures for the program;
- 3333 (iii) standards for mileage reporting mechanisms for an owner or lessee of an
- 3334 alternative fuel vehicle to report mileage as part of participation in the program;
- 3335 (iv) standards for program functions for mileage recording, payment processing,
- 3336 account management, and other similar aspects of the program;
- 3337 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner
- 3338 and an account manager for participation in the program;
- 3339 (vi) contractual terms between the department and an account manager, including
- 3340 authority for an account manager to enforce the terms of the program;
- 3341 (vii) procedures to provide security and protection of personal information and data
- 3342 connected to the program, and penalties for account managers for violating
- 3343 privacy protection rules;
- 3344 (viii) penalty procedures for a program participant's failure to pay a road usage
- 3345 charge or tampering with a device necessary for the program; and
- 3346 (ix) department oversight of an account manager, including privacy protection of
- 3347 personal information and access and auditing capability of financial and other
- 3348 records related to administration of the program; and
- 3349 (b) may make rules to establish:
- 3350 (i) an enrollment cap for certain alternative fuel vehicle types to participate in the
- 3351 program;
- 3352 (ii) a process for collection of an unpaid road usage charge or penalty; or
- 3353 (iii) integration of the program with other similar programs, such as tolling.
- 3354 (6) Revenue generated by the road usage charge program and relevant penalties shall be
- 3355 deposited into the Road Usage Charge Program Special Revenue Fund.
- 3356 (7)(a) The department may:
- 3357 (i)(A) impose a penalty for failure to timely pay a road usage charge according to
- 3358 the terms of the program or tampering with a device necessary for the program;
- 3359 and
- 3360 (B) request that the Division of Motor Vehicles place a hold on the registration of
- 3361 the owner's or lessee's alternative fuel vehicle for failure to pay a road usage
- 3362 charge or penalty according to the terms of the program;
- 3363 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the
- 3364 owner or lessee of:

- 3365 (A) the road usage charge program, implementation, and procedures;
 3366 (B) an unpaid road usage charge and the amount of the road usage charge to be
 3367 paid to the department;
 3368 (C) the penalty for failure to pay a road usage charge within the time period
 3369 described in Subsection (7)(a)(iii); and
 3370 (D) a hold being placed on the owner's or lessee's registration for the alternative
 3371 fuel vehicle, if the road usage charge and penalty are not paid within the time
 3372 period described in Subsection (7)(a)(iii), which would prevent the renewal of
 3373 the alternative fuel vehicle's registration; and
 3374 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage
 3375 charge to the department within 30 days of the date when the department sends
 3376 written notice of the road usage charge to the owner or lessee.
- 3377 (b) The department shall send the correspondence and notice described in Subsection
 3378 (7)(a) to the owner of the alternative fuel vehicle according to the terms of the
 3379 program.
- 3380 (8)(a) The Division of Motor Vehicles and the department shall share and provide access
 3381 to information pertaining to an alternative fuel vehicle and participation in the
 3382 program including:
 3383 (i) registration and ownership information pertaining to an alternative fuel vehicle;
 3384 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to
 3385 pay a road usage charge or penalty imposed under this section within the time
 3386 period described in Subsection (7)(a)(iii); and
 3387 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.
- 3388 (b) If the department requests a hold on the registration in accordance with this section,
 3389 the Division of Motor Vehicles may not renew the registration of a motor vehicle
 3390 under Title 41, Chapter 1a, Part 2, Registration, until the department withdraws the
 3391 hold request.
- 3392 (9) The owner of an alternative fuel vehicle may apply for enrollment in the program or
 3393 withdraw from the program according to the terms established by the department [
 3394 ~~pursuant to~~] in accordance with rules made under Subsection (5).
- 3395 (10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:
 3396 (a) report mileage driven as required by the department [~~pursuant to~~] in accordance with
 3397 Subsection (5);
 3398 (b) pay the road usage fee for each payment period in accordance with Subsection (5);

- 3399 and
- 3400 (c) comply with all other provisions of this section and other requirements of the
- 3401 program.
- 3402 (11) The department shall submit annually, on or before October 1, to the Transportation
- 3403 Interim Committee, an electronic report that:
- 3404 (a) states for the preceding fiscal year:
- 3405 (i) the amount of revenue collected from the program;
- 3406 (ii) the participation rate in the program; and
- 3407 (iii) the department's costs to administer the program; and
- 3408 (b) provides for the current fiscal year, an estimate of:
- 3409 (i) the revenue that will be collected from the program;
- 3410 (ii) the participation rate in the program; and
- 3411 (iii) the department's costs to administer the program.
- 3412 (12)~~(a) Beginning on January 1, 2023:~~
- 3413 ~~[(i) the road usage charge rate is 1.0 cent per mile; and]~~
- 3414 ~~[(ii) the road usage charge cap is:]~~
- 3415 ~~[(A) \$130.25 for an annual registration period; and]~~
- 3416 ~~[(B) \$100.75 for a six-month registration period.]~~
- 3417 ~~[(b)] (a) Beginning on January 1, [2026] 2027:~~
- 3418 (i) the road usage charge rate is 1.25 cents per mile; and
- 3419 (ii) the road usage charge cap is[:]
- 3420 ~~[(A) \$180] \$185.25 for an annual registration period[:and] .~~
- 3421 ~~[(B) \$139 for a six-month registration period.]~~
- 3422 ~~[(c)] (b) Beginning on January 1, 2032:~~
- 3423 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes
- 3424 a different road usage charge rate in accordance with Subsection (13); and
- 3425 (ii) the road usage charge cap is[:]
- 3426 ~~[(A)] \$240 for an annual registration period[:and] .~~
- 3427 ~~[(B) \$185 for a six-month registration period.]~~
- 3428 ~~[(d)] (c) Beginning in [2024] 2028, the department shall, on January 1, annually adjust the~~
- 3429 road usage charge rates described in this Subsection (12) by taking the road usage
- 3430 charge rate for the previous year and adding an amount equal to the greater of:
- 3431 (i) an amount calculated by multiplying the road usage charge rate of the previous
- 3432 year by the actual percentage change during the previous fiscal year in the

- 3433 Consumer Price Index as determined by the State Tax Commission; and
- 3434 (ii) 0.
- 3435 ~~[(e)]~~ (d) Beginning in ~~[2024]~~ 2028, the State Tax Commission shall, on January 1,
- 3436 annually adjust the road usage charge caps described in this Subsection (12) by
- 3437 taking the road usage charge cap for the previous year and adding an amount equal to
- 3438 the greater of:
- 3439 (i) an amount calculated by multiplying the road usage charge cap of the previous
- 3440 year by the actual percentage change during the previous fiscal year in the
- 3441 Consumer Price Index; and
- 3442 (ii) 0.
- 3443 ~~[(f)]~~ (e) The amounts calculated as described in Subsection ~~[(12)(d)]~~ (12)(c) shall be
- 3444 rounded up to the nearest .01 cent.
- 3445 ~~[(g)]~~ (f) The amounts calculated as described in Subsection ~~[(12)(e)]~~ (12)(d) shall be
- 3446 rounded up to the nearest 25 cents.
- 3447 ~~[(h)]~~ (g) On or before January 1 of each year, the department shall publish:
- 3448 (i) the adjusted road usage charge rate described in Subsection ~~[(12)(d)]~~ (12)(c); and
- 3449 (ii) adjusted road usage charge cap described in Subsection ~~[(12)(e)]~~ (12)(d).
- 3450 (13)(a) Beginning January 1, 2032, the commission may establish by rule made in
- 3451 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road
- 3452 usage charge rate for each type of alternative fuel vehicle.
- 3453 (b)(i) Before making rules in accordance with Subsection (13)(a), the commission
- 3454 shall consult with the department regarding the road usage charge rate for each
- 3455 type of alternative fuel vehicle.
- 3456 (ii) The department shall cooperate with and make recommendations to the
- 3457 commission regarding the road usage charge rate for each type of alternative fuel
- 3458 vehicle.
- 3459 Section 51. Section **72-1-213.2** is amended to read:
- 3460 **72-1-213.2 (Effective 01/01/27). Road Usage Charge Program Special Revenue**
- 3461 **Fund -- Revenue.**
- 3462 (1) There is created an expendable special revenue fund within the Transportation Fund
- 3463 known as the "Road Usage Charge Program Special Revenue Fund."
- 3464 (2)(a) The fund shall be funded from the following sources:
- 3465 (i) revenue collected by the department under Section 72-1-213.1;
- 3466 (ii) appropriations made to the fund by the Legislature;

3467 (iii) contributions from other public and private sources for deposit into the fund;
 3468 (iv) interest earnings on cash balances; and
 3469 (v) money collected for repayments and interest on fund money.
 3470 (b) If the revenue derived from the sources described in Subsection (2)(a) is insufficient
 3471 to cover the costs of administering the road usage charge program, subject to
 3472 Subsection 72-2-107(1), the department may transfer into the fund revenue deposited
 3473 into the Transportation Fund from the fee described in [~~Subsections 41-1a-1206(1)(h)~~
 3474 ~~and (2)(b)] Subsection 41-1a-1206(3)(h) in an amount sufficient to enable the
 3475 department to administer the road usage charge program.~~

3476 (3)(a) Revenue generated by the road usage charge program and relevant penalties shall
 3477 be deposited into the Road Usage Charge Program Special Revenue Fund.

3478 (b) Revenue in the Road Usage Charge Program Special Revenue Fund is nonlapsing.

3479 (4) The department may use revenue deposited into the Road Usage Charge Program
 3480 Special Revenue Fund:

3481 (a) to cover the costs of administering the program; and

3482 (b) for the purposes described in Subsection (5).

3483 (5) If revenue collected by the department under Section 72-1-213.1 in a fiscal year is
 3484 sufficient to cover all costs related to administering the road usage charge program in
 3485 that fiscal year, the department shall deposit any excess revenue collected by the
 3486 department under Section 72-1-213.1 from the Road Usage Charge Program Special
 3487 Revenue Fund into the Transportation Fund for appropriation and apportionment in
 3488 accordance with Section 72-2-107.

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

3490 **72-2-117.5 (Effective 01/01/27). Definitions -- Local Highway and**
 3491 **Transportation Corridor Preservation Fund -- Disposition of fund money.**

3492 (1) As used in this section:

3493 (a) "Council of governments" means a decision-making body in each county composed
 3494 of membership including the county governing body and the mayors of each
 3495 municipality in the county.

3496 (b) "Metropolitan planning organization" has the same meaning as defined in Section
 3497 72-1-208.5.

3498 (2) There is created the Local Highway and Transportation Corridor Preservation Fund
 3499 within the Transportation Fund.

3500 (3) The fund shall be funded from the following sources:

- 3501 (a) a local option highway construction and transportation corridor preservation [fee] tax
 3502 imposed under Section 41-1a-1222;
- 3503 (b) appropriations made to the fund by the Legislature;
- 3504 (c) contributions from other public and private sources for deposit into the fund;
- 3505 (d) all money collected from rents and sales of real property acquired with fund money;
- 3506 (e) proceeds from general obligation bonds, revenue bonds, or other obligations issued
 3507 as authorized by Title 63B, Bonds; and
- 3508 (f) sales and use tax revenues deposited into the fund in accordance with Title 59,
 3509 Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act.
- 3510 (4)(a) The fund shall earn interest.
- 3511 (b) All interest earned on fund money shall be deposited into the fund.
- 3512 (c) The State Tax Commission shall allocate the revenues:
- 3513 (i) provided under Subsection (3)(a) to each county imposing a local option highway
 3514 construction and transportation corridor preservation [fee] tax under Section
 3515 41-1a-1222;
- 3516 (ii) provided under Subsection 59-12-2217(2) to each county imposing a county
 3517 option sales and use tax for transportation; and
- 3518 (iii) provided under Subsection (3)(f) to each county of the second class or city or
 3519 town within a county of the second class that imposes the sales and use tax
 3520 authorized by Section 59-12-2218.
- 3521 (d) The department shall distribute the funds allocated to each county, city, or town
 3522 under Subsection (4)(c) to each county, city, or town.
- 3523 (e) The money allocated and distributed under this Subsection (4):
- 3524 (i) shall be used for the purposes provided in this section for each county, city, or
 3525 town;
- 3526 (ii) is allocated to each county, city, or town as provided in this section with the
 3527 condition that the state will not be charged for any asset purchased with the money
 3528 allocated and distributed under this Subsection (4), unless there is a written
 3529 agreement in place with the department [~~prior to~~] before the purchase of the asset
 3530 stipulating a reimbursement by the state to the county, city, or town of no more
 3531 than the original purchase price paid by the county, city, or town; and
- 3532 (iii) is considered a local matching contribution for the purposes described under
 3533 Section 72-2-123 if used on a state highway.
- 3534 (f) Administrative costs of the department to implement this section shall be paid from

- 3535 the fund.
- 3536 (5)(a) A highway authority may acquire real property or any interests in real property for
3537 state, county, and municipal transportation corridors subject to:
- 3538 (i) money available in the fund to each county under Subsection (4); and
3539 (ii) the provisions of this section.
- 3540 (b) Fund money may be used to pay interest on debts incurred in accordance with this
3541 section.
- 3542 (c)(i)(A) Fund money may be used to pay maintenance costs of properties
3543 acquired under this section but limited to a total of 5% of the purchase price of
3544 the property.
- 3545 (B) Any additional maintenance cost shall be paid from funds other than under
3546 this section.
- 3547 (C) Revenue generated by any property acquired under this section is excluded
3548 from the limitations under this Subsection (5)(c)(i).
- 3549 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired
3550 under this section.
- 3551 (d) Fund money allocated and distributed under Subsection (4) may be used by a county
3552 highway authority for countywide transportation or public transit planning if:
- 3553 (i) the county's planning focus area is outside the boundaries of a metropolitan
3554 planning organization;
- 3555 (ii) the transportation planning is part of the county's continuing, cooperative, and
3556 comprehensive process for transportation or public transit planning, transportation
3557 corridor preservation, right-of-way acquisition, and project programming;
- 3558 (iii) no more than four years allocation every 20 years to each county is used for
3559 transportation planning under this Subsection (5)(d); and
- 3560 (iv) the county otherwise qualifies to use the fund money as provided under this
3561 section.
- 3562 (e)(i) Subject to Subsection (11), fund money allocated and distributed under
3563 Subsection (4) may be used by a county highway authority for transportation
3564 corridor planning that is part of the transportation corridor elements of an ongoing
3565 work program of transportation or public transit projects.
- 3566 (ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the
3567 direction of:
- 3568 (A) the metropolitan planning organization if the county is within the boundaries

- 3569 of a metropolitan planning organization; or
3570 (B) the department if the county is not within the boundaries of a metropolitan
3571 planning organization.
- 3572 (f)(i) A county, city, or town that imposes a local option highway construction and
3573 transportation corridor preservation [fee] tax under Section 41-1a-1222 may elect
3574 to administer the funds allocated and distributed to that county, city, or town
3575 under Subsection (4) as a revolving loan fund.
- 3576 (ii) If a county, city, or town elects to administer the funds allocated and distributed
3577 to that county, city, or town under Subsection (4) as a revolving loan fund, a local
3578 highway authority shall repay the fund money authorized for the project to the
3579 fund.
- 3580 (iii) A county, city, or town that elects to administer the funds allocated and
3581 distributed to that county, city, or town under Subsection (4) as a revolving loan
3582 fund shall establish repayment conditions of the money to the fund from the
3583 specified project funds.
- 3584 (g)(i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be
3585 used by a county of the third, fourth, fifth, or sixth class or by a city or town
3586 within a county of the third, fourth, fifth, or sixth class for:
- 3587 (A) the construction, operation, or maintenance of a class B road or class C road;
3588 or
- 3589 (B) the restoration or repair of survey monuments associated with transportation
3590 infrastructure.
- 3591 (ii) A county, city, or town may not use more than 50% of the current balance of fund
3592 money allocated to the county, city, or town for the purposes described in
3593 Subsection (5)(g)(i).
- 3594 (iii) A county, city, or town may not use more than 50% of the fund revenue
3595 collections allocated to a county, city, or town in the current fiscal year for the
3596 purposes described in Subsection (5)(g)(i).
- 3597 (6)(a)(i) The Local Highway and Transportation Corridor Preservation Fund shall be
3598 used to preserve transportation corridors, promote long-term statewide
3599 transportation planning, save on acquisition costs, and promote the best interests
3600 of the state in a manner which minimizes impact on prime agricultural land.
- 3601 (ii) The Local Highway and Transportation Corridor Preservation Fund shall only be
3602 used to preserve a transportation corridor that is right-of-way:

- 3603 (A) in a county of the first or second class for:
- 3604 (I) a state highway;
- 3605 (II) a principal arterial highway as defined in Section 72-4-102.5;
- 3606 (III) a minor arterial highway as defined in Section 72-4-102.5;
- 3607 (IV) a collector highway in an urban area as defined in Section 72-4-102.5; or
- 3608 (V) a transit facility as defined in Section 17B-2a-802; or
- 3609 (B) in a county of the third, fourth, fifth, or sixth class for:
- 3610 (I) a state highway;
- 3611 (II) a principal arterial highway as defined in Section 72-4-102.5;
- 3612 (III) a minor arterial highway as defined in Section 72-4-102.5;
- 3613 (IV) a major collector highway as defined in Section 72-4-102.5;
- 3614 (V) a minor collector road as defined in Section 72-4-102.5; or
- 3615 (VI) a transit facility as defined in Section 17B-2a-802.
- 3616 (iii) The Local Highway and Transportation Corridor Preservation Fund may not be
- 3617 used for a transportation corridor that is primarily a recreational trail as defined
- 3618 under Section 79-5-102.
- 3619 (b) A highway authority shall authorize the expenditure of fund money after determining
- 3620 that the expenditure is being made in accordance with this section from applications
- 3621 that are:
- 3622 (i) endorsed by the council of governments; and
- 3623 (ii) for a right-of-way purchase for a transportation corridor authorized under
- 3624 Subsection (6)(a)(ii).
- 3625 (7)(a)(i) A council of governments shall establish a council of governments
- 3626 endorsement process which includes prioritization and application procedures for
- 3627 use of the money allocated to each county under this section.
- 3628 (ii) The endorsement process under Subsection (7)(a)(i) may include review or
- 3629 endorsement of the preservation project by:
- 3630 (A) the metropolitan planning organization if the county is within the boundaries
- 3631 of a metropolitan planning organization; or
- 3632 (B) the department if the county is not within the boundaries of a metropolitan
- 3633 planning organization.
- 3634 (b) All fund money shall be prioritized by each highway authority and council of
- 3635 governments based on considerations, including:
- 3636 (i) areas with rapidly expanding population;

- 3637 (ii) the willingness of local governments to complete studies and impact statements
3638 that meet department standards;
- 3639 (iii) the preservation of transportation corridors by the use of local planning and
3640 zoning processes;
- 3641 (iv) the availability of other public and private matching funds for a project;
- 3642 (v) the cost-effectiveness of the preservation projects;
- 3643 (vi) long and short-term maintenance costs for property acquired; and
- 3644 (vii) whether the transportation corridor is included as part of:
- 3645 (A) the county and municipal master plan; and
- 3646 (B)(I) the statewide long range plan; or
- 3647 (II) the regional transportation plan of the area metropolitan planning
3648 organization if one exists for the area.
- 3649 (c) The council of governments shall:
- 3650 (i) establish a priority list of transportation corridor preservation projects within the
3651 county;
- 3652 (ii) submit the list described in Subsection (7)(c)(i) to the county's legislative body
3653 for approval; and
- 3654 (iii) obtain approval of the list described in Subsection (7)(c)(i) from a majority of the
3655 members of the county legislative body.
- 3656 (d) A county's council of governments may only submit one priority list described in
3657 Subsection (7)(c)(i) per calendar year.
- 3658 (e) A county legislative body may only consider and approve one priority list described
3659 in Subsection (7)(c)(i) per calendar year.
- 3660 (8)(a) Unless otherwise provided by written agreement with another highway authority
3661 or public transit district, the highway authority that holds the deed to the property is
3662 responsible for maintenance of the property.
- 3663 (b) The transfer of ownership for property acquired under this section from one highway
3664 authority to another shall include a recorded deed for the property and a written
3665 agreement between the highway authorities or public transit district.
- 3666 (9)(a) The proceeds from any bonds or other obligations secured by revenues of the
3667 Local Highway and Transportation Corridor Preservation Fund shall be used for the
3668 purposes authorized for funds under this section.
- 3669 (b) The highway authority shall pledge the necessary part of the revenues of the Local
3670 Highway and Transportation Corridor Preservation Fund to the payment of principal

- 3671 and interest on the bonds or other obligations.
- 3672 (10)(a) A highway authority may not expend money under this section to purchase a
3673 right-of-way for a state highway unless the highway authority has:
- 3674 (i) a transportation corridor property acquisition policy or ordinance in effect that
3675 meets department requirements for the acquisition of real property or any interests
3676 in real property under this section; and
- 3677 (ii) an access management policy or ordinance in effect that meets the requirements
3678 under Subsection 72-2-117(8).
- 3679 (b) The provisions of Subsection (10)(a)(i) do not apply if the highway authority has a
3680 written agreement with the department for the department to acquire real property or
3681 any interests in real property on behalf of the local highway authority under this
3682 section.
- 3683 (11) The county shall ensure, to the extent possible, that the fund money allocated and
3684 distributed to a city or town in accordance with Subsection (4) is expended:
- 3685 (a) to fund a project or service as allowed by this section within the city or town to
3686 which the fund money is allocated;
- 3687 (b) to pay debt service, principal, or interest on a bond or other obligation as allowed by
3688 this section if that bond or other obligation is:
- 3689 (i) secured by money allocated to the city or town; and
- 3690 (ii) issued to finance a project or service as allowed by this section within the city or
3691 town to which the fund money is allocated;
- 3692 (c) to fund transportation planning as allowed by this section within the city or town to
3693 which the fund money is allocated; or
- 3694 (d) for another purpose allowed by this section within the city or town to which the fund
3695 money is allocated.
- 3696 (12) Notwithstanding any other provision in this section, any amounts within the fund
3697 allocated to a public transit district or for a public transit corridor may only be derived
3698 from the portion of the fund that does not include constitutionally restricted sources
3699 related to the operation of a motor vehicle on a public highway or proceeds from an
3700 excise tax on liquid motor fuel to propel a motor vehicle.

3701 Section 53. Section **72-2-121** is amended to read:

3702 **72-2-121 (Effective 01/01/27). County of the First Class Highway Projects Fund.**

- 3703 (1) There is created a special revenue fund within the Transportation Fund known as the
3704 "County of the First Class Highway Projects Fund."

- 3705 (2) The fund consists of money generated from the following revenue sources:
- 3706 (a) any voluntary contributions received for new construction, major renovations, and
- 3707 improvements to highways within a county of the first class;
- 3708 (b) the portion of the sales and use tax described in Subsection 59-12-2214(3)(b)
- 3709 deposited into or transferred to the fund;
- 3710 (c) the portion of the sales and use tax described in Section 59-12-2217 deposited into or
- 3711 transferred to the fund;
- 3712 (d) a portion of the local option highway construction and transportation corridor
- 3713 preservation [fee] tax imposed in a county of the first class under Section 41-1a-1222
- 3714 deposited into or transferred to the fund; and
- 3715 (e) the portion of the sales and use tax transferred into the fund as described in
- 3716 Subsections 59-12-2220(4)(a) and 59-12-2220(11)(b).
- 3717 (3)(a) The fund shall earn interest.
- 3718 (b) All interest earned on fund money shall be deposited into the fund.
- 3719 (4) Subject to Subsection (11), the executive director shall use the fund money only:
- 3720 (a) to pay debt service and bond issuance costs for bonds issued under Sections
- 3721 63B-16-102, 63B-18-402, and 63B-27-102;
- 3722 (b) for right-of-way acquisition, new construction, major renovations, and improvements
- 3723 to highways within a county of the first class and to pay any debt service and bond
- 3724 issuance costs related to those projects, including improvements to a highway located
- 3725 within a municipality in a county of the first class where the municipality is located
- 3726 within the boundaries of more than a single county;
- 3727 (c) for the construction, acquisition, use, maintenance, or operation of:
- 3728 (i) an active transportation facility for nonmotorized vehicles;
- 3729 (ii) multimodal transportation that connects an origin with a destination; or
- 3730 (iii) a facility that may include a:
- 3731 (A) pedestrian or nonmotorized vehicle trail;
- 3732 (B) nonmotorized vehicle storage facility;
- 3733 (C) pedestrian or vehicle bridge; or
- 3734 (D) vehicle parking lot or parking structure;
- 3735 (d) to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by
- 3736 Section 72-2-121.3 the amount required in Subsection 72-2-121.3(4)(c) minus the
- 3737 amounts transferred in accordance with Subsection 72-2-124(4)(a)(v);
- 3738 (e) for a fiscal year beginning on or after July 1, 2013, to pay debt service and bond

- 3739 issuance costs for \$30,000,000 of the bonds issued under Section 63B-18-401 for the
3740 projects described in Subsection 63B-18-401(4)(a);
- 3741 (f) for a fiscal year beginning on or after July 1, 2013, and after the department has
3742 verified that the amount required under Subsection 72-2-121.3(4)(c) is available in
3743 the fund, to transfer an amount equal to 50% of the revenue generated by the local
3744 option highway construction and transportation corridor preservation [fee] tax
3745 imposed under Section 41-1a-1222 in a county of the first class:
- 3746 (i) to the legislative body of a county of the first class; and
3747 (ii) to be used by a county of the first class for:
- 3748 (A) highway construction, reconstruction, or maintenance projects; or
3749 (B) the enforcement of state motor vehicle and traffic laws;
- 3750 (g) for a fiscal year beginning on or after July 1, 2015, after the department has verified
3751 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund
3752 and the transfer under Subsection (4)(e) has been made, to annually transfer an
3753 amount of the sales and use tax revenue imposed in a county of the first class and
3754 deposited into the fund in accordance with Subsection 59-12-2214(3)(b) equal to an
3755 amount needed to cover the debt to:
- 3756 (i) the appropriate debt service or sinking fund for the repayment of bonds issued
3757 under Section 63B-27-102; and
3758 (ii) the appropriate debt service or sinking fund for the repayment of bonds issued
3759 under Sections 63B-31-102 and 63B-31-103;
- 3760 (h) after the department has verified that the amount required under Subsection
3761 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d),
3762 the payment under Subsection (4)(e), and the transfer under Subsection (4)(g)(i) has
3763 been made, to annually transfer \$2,000,000 to a public transit district in a county of
3764 the first class to fund a system for public transit;
- 3765 (i) for a fiscal year beginning on or after July 1, 2018, after the department has verified
3766 that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund
3767 and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e),
3768 and the transfer under Subsection (4)(g)(i) has been made, through fiscal year 2027,
3769 to annually transfer 20%, and beginning with fiscal year 2028, and each year
3770 thereafter for 20 years, to annually transfer 33% of the amount deposited into the
3771 fund under Subsection (2)(b) to the legislative body of a county of the first class for
3772 the following purposes:

- 3773 (i) to fund parking facilities in a county of the first class that facilitate significant
3774 economic development and recreation and tourism within the state; and
3775 (ii) to be used for purposes allowed in Section 17-78-702;
- 3776 (j) subject to Subsection (5), for a fiscal year beginning on or after July 1, 2021, and for
3777 15 years thereafter, to annually transfer the following amounts to the following cities
3778 and the county of the first class for priority projects to mitigate congestion and
3779 improve transportation safety:
- 3780 (i) \$2,000,000 to Sandy;
3781 (ii) \$2,300,000 to Taylorsville;
3782 (iii) \$1,100,000 to Salt Lake City;
3783 (iv) \$1,100,000 to West Jordan;
3784 (v) \$1,100,000 to West Valley City;
3785 (vi) \$800,000 to Herriman;
3786 (vii) \$700,000 to Draper;
3787 (viii) \$700,000 to Riverton;
3788 (ix) \$700,000 to South Jordan;
3789 (x) \$500,000 to Bluffdale;
3790 (xi) \$500,000 to Midvale;
3791 (xii) \$500,000 to Millcreek;
3792 (xiii) \$500,000 to Murray;
3793 (xiv) \$400,000 to Cottonwood Heights; and
3794 (xv) \$300,000 to Holladay;
- 3795 (k) for the 2024-25, 2025-26, and 2026-27 fiscal years, and subject to revenue balances
3796 after the distributions under Subsection (4)(j), to reimburse the following
3797 municipalities for the amounts and projects indicated, as each project progresses and
3798 as revenue balances allow:
- 3799 (i) \$3,200,000 to South Jordan for improvements to Bingham Rim Road from
3800 Grandville Avenue to Mountain View Corridor;
3801 (ii) \$1,960,000 to Midvale for improvements to Center Street between State Street
3802 and 700 West;
3803 (iii) \$3,500,000 to Salt Lake City for first and last mile public transit improvements
3804 throughout Salt Lake City;
3805 (iv) \$1,500,000 to Cottonwood Heights for improvements to Fort Union Boulevard
3806 and 2300 East;

- 3807 (v) \$3,450,000 to Draper for improvements to Bangerter Highway between 13800
3808 South and I-15;
- 3809 (vi) \$10,500,000 to Herriman to construct a road between U-111 and 13200 South;
- 3810 (vii) \$3,000,000 to West Jordan for improvements to 1300 West;
- 3811 (viii) \$1,050,000 to Riverton for improvements to the Welby Jacob Canal Trail
3812 between 11800 South and 13800 South;
- 3813 (ix) \$3,500,000 to Taylorsville for improvements to Bangerter Highway and 4700
3814 South;
- 3815 (x) \$470,000 to the department for construction of a sound wall on Bangerter
3816 Highway at approximately 11200 South;
- 3817 (xi) \$1,250,000 to Murray for improvements to Murray Boulevard between 4800
3818 South and 5300 South;
- 3819 (xii) \$1,840,000 to Magna for construction and improvements to 8400 West and 4100
3820 South;
- 3821 (xiii) \$1,000,000 to South Jordan for construction of arterial roads connecting U-111
3822 and Old Bingham Highway;
- 3823 (xiv) \$1,200,000 to Millcreek for reconstruction of and improvements to 2000 East
3824 between 3300 South and Atkin Avenue;
- 3825 (xv) \$1,230,000 to Holladay for improvements to Highland Drive between Van
3826 Winkle Expressway and Arbor Lane;
- 3827 (xvi) \$1,000,000 to Taylorsville for improvements to 4700 South at the I-215
3828 interchange;
- 3829 (xvii) \$3,750,000 to West Valley City for improvements to 4000 West between 4100
3830 South and 4700 South and improvements to 4700 South from 4000 West to
3831 Bangerter Highway;
- 3832 (xviii) \$1,700,000 to South Jordan for improvements to Prosperity Road between
3833 Crimson View Drive and Copper Hawk Drive;
- 3834 (xix) \$2,300,000 to West Valley City for a road connecting U-111 at approximately
3835 6200 South, then east and turning north and connecting to 5400 South;
- 3836 (xx) \$1,400,000 to Magna for improvements to 8000 West between 3500 South to
3837 4100 South;
- 3838 (xxi) \$1,300,000 to Taylorsville for improvements on 4700 South between Redwood
3839 Road and 2700 West; and
- 3840 (xxii) \$3,000,000 to West Jordan for improvements to 1300 West between 6600

- 3841 South and 7800 South; and
- 3842 (l) for a fiscal year beginning on or after July 1, 2026, and for 15 years thereafter, to pay
3843 debt service and bond issuance costs for \$70,000,000 of the bonds issued under
3844 Section 63B-34-201 for the grants awarded under Part 5, Affordable Housing
3845 Infrastructure Grants.
- 3846 (5)(a) If revenue in the fund is insufficient to satisfy all of the transfers described in
3847 Subsection (4)(j), the executive director shall proportionately reduce the amounts
3848 transferred as described in Subsection (4)(j).
- 3849 (b) A local government may not use revenue described in Subsection (4)(j) to supplant
3850 existing class B or class C road funds that a local government has budgeted for
3851 transportation projects.
- 3852 (6) The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the
3853 fund and bond proceeds from bonds issued under Sections 63B-16-102, 63B-18-402,
3854 and 63B-27-102 are considered a local matching contribution for the purposes described
3855 under Section 72-2-123.
- 3856 (7) The department may expend up to \$3,000,000 of revenue deposited into the account as
3857 described in Subsection 59-12-2220(11)(b) for public transit innovation grants, as
3858 provided in Part 4, Public Transit Innovation Grants.
- 3859 (8) The additional administrative costs of the department to administer this fund shall be
3860 paid from money in the fund.
- 3861 (9) Subject to Subsection (11), and notwithstanding any statutory or other restrictions on
3862 the use or expenditure of the revenue sources deposited into this fund, the Department of
3863 Transportation may use the money in this fund for any of the purposes detailed in
3864 Subsection (4).
- 3865 (10) Subject to Subsection (11), any revenue deposited into the fund as described in
3866 Subsection (2)(e) shall be used to provide funding or loans for public transit projects,
3867 operations, and supporting infrastructure in the county of the first class.
- 3868 (11) For the first three years after a county of the first class imposes a sales and use tax
3869 authorized in Section 59-12-2220, revenue deposited into the fund as described in
3870 Subsection (2)(e) shall be allocated as follows:
- 3871 (a) 10% to the department to construct an express bus facility on 5600 West; and
3872 (b) 90% into the County of the First Class Infrastructure Bank Fund created in Section
3873 72-2-302.
- 3874 Section 54. Section **72-2-124** is amended to read:

3875 **72-2-124** [~~(Effective 07/01/26)~~] (Effective 01/01/27). **Transportation Investment**
 3876 **Fund of 2005.**

- 3877 (1) There is created a capital projects fund entitled the Transportation Investment Fund of
 3878 2005.
- 3879 (2) The fund consists of money generated from the following sources:
- 3880 (a) any voluntary contributions received for the maintenance, construction,
 3881 reconstruction, or renovation of state and federal highways;
- 3882 (b) appropriations made to the fund by the Legislature;
- 3883 (c) [~~registration fees designated under~~] revenues transferred into the fund as described in
 3884 Section 41-1a-1201;
- 3885 (d) the sales and use tax revenues deposited into the fund in accordance with Section
 3886 59-12-103;
- 3887 (e) revenues transferred to the fund in accordance with Section 72-2-106;
- 3888 (f) revenues transferred into the fund in accordance with Subsection 72-2-121(4)(l); and
- 3889 (g) revenue from bond proceeds described in Section 63B-34-201.
- 3890 (3)(a) The fund shall earn interest.
- 3891 (b) All interest earned on fund money shall be deposited into the fund.
- 3892 (4)(a) Except as provided in Subsection (4)(b), the executive director may only use fund
 3893 money to pay:
- 3894 (i) the costs of maintenance, construction, reconstruction, or renovation to state and
 3895 federal highways prioritized by the Transportation Commission through the
 3896 prioritization process for new transportation capacity projects adopted under
 3897 Section 72-1-304;
- 3898 (ii) the costs of maintenance, construction, reconstruction, or renovation to the
 3899 highway projects described in Subsections 63B-18-401(2), (3), and (4);
- 3900 (iii) subject to Subsection (9), costs of corridor preservation, as that term is defined in
 3901 Section 72-5-401;
- 3902 (iv) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401
 3903 minus the costs paid from the County of the First Class Highway Projects Fund in
 3904 accordance with Subsection 72-2-121(4)(e);
- 3905 (v) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt
 3906 Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the
 3907 amount certified by Salt Lake County in accordance with Subsection
 3908 72-2-121.3(4)(c) as necessary to pay the debt service on \$30,000,000 of the

- 3909 revenue bonds issued by Salt Lake County;
- 3910 (vi) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101
- 3911 for projects prioritized in accordance with Section 72-2-125;
- 3912 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First
- 3913 Class Highway Projects Fund created in Section 72-2-121 to be used for the
- 3914 purposes described in Section 72-2-121;
- 3915 (viii) if a political subdivision provides a contribution equal to or greater than 40% of
- 3916 the costs needed for construction, reconstruction, or renovation of paved
- 3917 pedestrian or paved nonmotorized transportation for projects that:
- 3918 (A) mitigate traffic congestion on the state highway system;
- 3919 (B) are part of an active transportation plan approved by the department; and
- 3920 (C) are prioritized by the commission through the prioritization process for new
- 3921 transportation capacity projects adopted under Section 72-1-304;
- 3922 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction,
- 3923 reconstruction, or renovation of or improvement to the following projects:
- 3924 (A) the connector road between Main Street and 1600 North in the city of
- 3925 Vineyard;
- 3926 (B) Geneva Road from University Parkway to 1800 South;
- 3927 (C) the SR-97 interchange at 5600 South on I-15;
- 3928 (D) subject to Subsection (4)(c), two lanes on U-111 from Herriman Parkway to
- 3929 South Jordan Parkway;
- 3930 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;
- 3931 (F) improvements to 1600 North in Orem from 1200 West to State Street;
- 3932 (G) widening I-15 between mileposts 6 and 8;
- 3933 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;
- 3934 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197
- 3935 in Spanish Fork Canyon;
- 3936 (J) I-15 northbound between mileposts 43 and 56;
- 3937 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts
- 3938 43 and 45.1;
- 3939 (L) east Zion SR-9 improvements;
- 3940 (M) Toquerville Parkway;
- 3941 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;
- 3942 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds,

3943 for construction of an interchange on Bangerter Highway at 13400 South; and
 3944 (P) an environmental impact study for Kimball Junction in Summit County;
 3945 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project
 3946 costs based upon a statement of cash flow that the local jurisdiction where the
 3947 project is located provides to the department demonstrating the need for money
 3948 for the project, for the following projects in the following amounts:
 3949 (A) \$5,000,000 for Payson Main Street repair and replacement;
 3950 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;
 3951 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and
 3952 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S.
 3953 40 between mile markers 7 and 10;
 3954 (xi) \$13,000,000 as pass-through funds to Spanish Fork for the costs of right-of-way
 3955 acquisition, construction, reconstruction, or renovation to connect Fingerhut Road
 3956 over the railroad and to U.S. Highway 6;
 3957 (xii) for a fiscal year beginning on July 1, 2025, only, as pass-through funds from
 3958 revenue deposited into the fund in accordance with Section 59-12-103, for the
 3959 following projects:
 3960 (A) \$3,000,000 for the department to perform an environmental study for the I-15
 3961 Salem and Benjamin project; and
 3962 (B) \$2,000,000, as pass-through funds, to Kane County for the Coral Pink Sand
 3963 Dunes Road project; and
 3964 (xiii) for a fiscal year beginning on July 1, 2025, up to \$300,000,000 for the costs of
 3965 right-of-way acquisition and construction for improvements on SR-89 in a county
 3966 of the first class.
 3967 (b) The executive director may use fund money to exchange for an equal or greater
 3968 amount of federal transportation funds to be used as provided in Subsection (4)(a).
 3969 (c)(i) Construction related to the project described in Subsection (4)(a)(ix)(D) may
 3970 not commence until a right-of-way not owned by a federal agency that is required
 3971 for the realignment and extension of U-111, as described in the department's 2023
 3972 environmental study related to the project, is dedicated to the department.
 3973 (ii) Notwithstanding Subsection (4)(c)(i), if a right-of-way is not dedicated for the
 3974 project as described in Subsection (4)(c)(i) on or before October 1, 2024, the
 3975 department may proceed with the project, except that the project will be limited to
 3976 two lanes on U-111 from Herriman Parkway to 11800 South.

- 3977 (5)(a) Except as provided in Subsection (5)(b), if the department receives a notice of
 3978 ineligibility for a municipality as described in Subsection 10-21-202(8), the executive
 3979 director may not program fund money to a project prioritized by the commission
 3980 under Section 72-1-304, including fund money from the Transit Transportation
 3981 Investment Fund, within the boundaries of the municipality until the department
 3982 receives notification from the Housing and Community Development Division within
 3983 the Department of Workforce Services that ineligibility under this Subsection (5) no
 3984 longer applies to the municipality.
- 3985 (b) Within the boundaries of a municipality described in Subsection (5)(a), the executive
 3986 director:
- 3987 (i) may program fund money in accordance with Subsection (4)(a) for a
 3988 limited-access facility or interchange connecting limited-access facilities;
- 3989 (ii) may not program fund money for the construction, reconstruction, or renovation
 3990 of an interchange on a limited-access facility;
- 3991 (iii) may program Transit Transportation Investment Fund money for a
 3992 multi-community fixed guideway public transportation project; and
- 3993 (iv) may not program Transit Transportation Investment Fund money for the
 3994 construction, reconstruction, or renovation of a station that is part of a fixed
 3995 guideway public transportation project.
- 3996 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive
 3997 director before July 1, 2022, for projects prioritized by the commission under Section
 3998 72-1-304.
- 3999 (6)(a) Except as provided in Subsection (6)(b), if the department receives a notice of
 4000 ineligibility for a county as described in Subsection 17-80-202(8), the executive
 4001 director may not program fund money to a project prioritized by the commission
 4002 under Section 72-1-304, including fund money from the Transit Transportation
 4003 Investment Fund, within the boundaries of the unincorporated area of the county until
 4004 the department receives notification from the Housing and Community Development
 4005 Division within the Department of Workforce Services that ineligibility under this
 4006 Subsection (6) no longer applies to the county.
- 4007 (b) Within the boundaries of the unincorporated area of a county described in Subsection
 4008 (6)(a), the executive director:
- 4009 (i) may program fund money in accordance with Subsection (4)(a) for a
 4010 limited-access facility to a project prioritized by the commission under Section

- 4011 72-1-304;
- 4012 (ii) may not program fund money for the construction, reconstruction, or renovation
4013 of an interchange on a limited-access facility;
- 4014 (iii) may program Transit Transportation Investment Fund money for a
4015 multi-community fixed guideway public transportation project; and
- 4016 (iv) may not program Transit Transportation Investment Fund money for the
4017 construction, reconstruction, or renovation of a station that is part of a fixed
4018 guideway public transportation project.
- 4019 (c) Subsections (6)(a) and (b) do not apply to a project programmed by the executive
4020 director before July 1, 2022, for projects prioritized by the commission under Section
4021 72-1-304.
- 4022 (7)(a) Before bonds authorized by Section 63B-18-401 or 63B-27-101 may be issued in
4023 any fiscal year, the department and the commission shall appear before the Executive
4024 Appropriations Committee of the Legislature and present the amount of bond
4025 proceeds that the department needs to provide funding for the projects identified in
4026 Subsections 63B-18-401(2), (3), and (4) or Subsection 63B-27-101(2) for the current
4027 or next fiscal year.
- 4028 (b) The Executive Appropriations Committee of the Legislature shall review and
4029 comment on the amount of bond proceeds needed to fund the projects.
- 4030 (8) The Division of Finance shall, from money deposited into the fund, transfer the amount
4031 of funds necessary to pay principal, interest, and issuance costs of bonds authorized by
4032 Section 63B-18-401 or 63B-27-101 in the current fiscal year to the appropriate debt
4033 service or sinking fund.
- 4034 (9) The executive director may only use money in the fund for corridor preservation as
4035 described in Subsection (4)(a)(iii):
- 4036 (a) if the project has been prioritized by the commission, including the use of fund
4037 money for corridor preservation; or
- 4038 (b) for a project that has not been prioritized by the commission, if the commission:
- 4039 (i) approves the use of fund money for the corridor preservation; and
4040 (ii) finds that the use of fund money for corridor preservation will not result in any
4041 delay to a project that has been prioritized by the commission.
- 4042 (10)(a) There is created in the Transportation Investment Fund of 2005 the Transit
4043 Transportation Investment Fund.
- 4044 (b) The fund shall be funded by:

- 4045 (i) contributions deposited into the fund in accordance with Section 59-12-103;
- 4046 (ii) appropriations into the account by the Legislature;
- 4047 (iii) deposits of sales and use tax increment related to a housing and transit
- 4048 reinvestment zone as described in Section 63N-3-610;
- 4049 (iv) transfers of local option sales and use tax revenue as described in Subsection
- 4050 59-12-2220(11)(b) or (c);
- 4051 (v) private contributions; and
- 4052 (vi) donations or grants from public or private entities.
- 4053 (c)(i) The fund shall earn interest.
- 4054 (ii) All interest earned on fund money shall be deposited into the fund.
- 4055 (d) Subject to Subsection (10)(e), the commission may prioritize money from the fund:
- 4056 (i) for public transit capital development of new capacity projects and fixed guideway
- 4057 capital development projects to be used as prioritized by the commission through
- 4058 the prioritization process adopted under Section 72-1-304;
- 4059 (ii) to the department for oversight of a fixed guideway capital development project
- 4060 for which the department has responsibility; or
- 4061 (iii) up to \$500,000 per year, to be used for a public transit study.
- 4062 (e)(i) Subject to Subsections (10)(g), (h), and (i), the commission may only prioritize
- 4063 money from the fund for a public transit capital development project or pedestrian
- 4064 or nonmotorized transportation project that provides connection to the public
- 4065 transit system if the public transit district or political subdivision provides funds of
- 4066 equal to or greater than 30% of the costs needed for the project.
- 4067 (ii) A public transit district or political subdivision may use money derived from a
- 4068 loan granted in accordance with Part 2, State Infrastructure Bank Fund, to provide
- 4069 all or part of the 30% requirement described in Subsection (10)(e)(i) if:
- 4070 (A) the loan is approved by the commission as required in Part 2, State
- 4071 Infrastructure Bank Fund; and
- 4072 (B) the proposed capital project has been prioritized by the commission [~~pursuant~~
- 4073 ~~to~~] in accordance with Section 72-1-303.
- 4074 (f) Before July 1, 2022, the department and a large public transit district shall enter into
- 4075 an agreement for a large public transit district to pay the department \$5,000,000 per
- 4076 year for 15 years to be used to facilitate the purchase of zero emissions or low
- 4077 emissions rail engines and trainsets for regional public transit rail systems.
- 4078 (g) For any revenue transferred into the fund in accordance with Subsection

- 4079 59-12-2220(11)(b):
- 4080 (i) the commission may prioritize money from the fund for public transit projects,
- 4081 operations, or maintenance within the county of the first class; and
- 4082 (ii) Subsection (10)(e) does not apply.
- 4083 (h) For any revenue transferred into the fund in accordance with Subsection
- 4084 59-12-2220(11)(c):
- 4085 (i) the commission may prioritize public transit projects, operations, or maintenance
- 4086 in the county from which the revenue was generated; and
- 4087 (ii) Subsection (10)(e) does not apply.
- 4088 (i) The requirement to provide funds equal to or greater than 30% of the costs needed for
- 4089 the project described in Subsection (10)(e) does not apply to a public transit capital
- 4090 development project or pedestrian or nonmotorized transportation project that the
- 4091 department proposes.
- 4092 (j) In accordance with Part 4, Public Transit Innovation Grants, the commission may
- 4093 prioritize money from the fund for public transit innovation grants, as defined in
- 4094 Section 72-2-401, for public transit capital development projects requested by a
- 4095 political subdivision within a public transit district.
- 4096 (11)(a) There is created in the Transportation Investment Fund of 2005 the Cottonwood
- 4097 Canyons Transportation Investment Fund.
- 4098 (b) The fund shall be funded by:
- 4099 (i) money deposited into the fund in accordance with Section 59-12-103;
- 4100 (ii) appropriations into the account by the Legislature;
- 4101 (iii) private contributions; and
- 4102 (iv) donations or grants from public or private entities.
- 4103 (c)(i) The fund shall earn interest.
- 4104 (ii) All interest earned on fund money shall be deposited into the fund.
- 4105 (d) The Legislature may appropriate money from the fund for public transit or
- 4106 transportation projects in the Cottonwood Canyons of Salt Lake County.
- 4107 (e) The department may use up to 2% of the revenue deposited into the account under
- 4108 Subsection 59-12-103(4)(f) to contract with local governments as necessary for
- 4109 public safety enforcement related to the Cottonwood Canyons of Salt Lake County.
- 4110 (f) Beginning with fiscal year beginning on July 1, 2025, the department shall use any
- 4111 sales and use tax growth over sales and use tax collections during the 2025 fiscal year
- 4112 to fund projects to provide ingress and egress for a public transit hub, including

- 4113 construction of the public transit hub, in the Big Cottonwood Canyon area.
- 4114 (12)(a) There is created in the Transportation Investment Fund of 2005 the Active
- 4115 Transportation Investment Fund.
- 4116 (b) The fund shall be funded by:
- 4117 (i) money deposited into the fund in accordance with Section 59-12-103;
- 4118 (ii) appropriations into the account by the Legislature; and
- 4119 (iii) donations or grants from public or private entities.
- 4120 (c)(i) The fund shall earn interest.
- 4121 (ii) All interest earned on fund money shall be deposited into the fund.
- 4122 (d) The executive director may only use fund money to pay the costs needed for:
- 4123 (i) the planning, design, construction, maintenance, reconstruction, or renovation of
- 4124 paved pedestrian or paved nonmotorized trail projects that:
- 4125 (A) are prioritized by the commission through the prioritization process for new
- 4126 transportation capacity projects adopted under Section 72-1-304;
- 4127 (B) serve a regional purpose; and
- 4128 (C) are part of an active transportation plan approved by the department or the
- 4129 plan described in Subsection (12)(d)(ii);
- 4130 (ii) the development of a plan for a statewide network of paved pedestrian or paved
- 4131 nonmotorized trails that serve a regional purpose; and
- 4132 (iii) the administration of the fund, including staff and overhead costs.
- 4133 (13)(a) As used in this Subsection (13), "commuter rail" means the same as that term is
- 4134 defined in Section 63N-3-602.
- 4135 (b) There is created in the Transit Transportation Investment Fund the Commuter Rail
- 4136 Subaccount.
- 4137 (c) The subaccount shall be funded by:
- 4138 (i) contributions deposited into the subaccount in accordance with Section 59-12-103;
- 4139 (ii) appropriations into the subaccount by the Legislature;
- 4140 (iii) private contributions; and
- 4141 (iv) donations or grants from public or private entities.
- 4142 (d)(i) The subaccount shall earn interest.
- 4143 (ii) All interest earned on money in the subaccount shall be deposited into the
- 4144 subaccount.
- 4145 (e) As prioritized by the commission through the prioritization process adopted under
- 4146 Section 72-1-304 or as directed by the Legislature, the department may only use

4147 money from the subaccount for projects that improve the state's commuter rail
 4148 infrastructure, including the building or improvement of grade-separated crossings
 4149 between commuter rail lines and public highways.

4150 (f) Appropriations made in accordance with this section are nonlapsing in accordance
 4151 with Section 63J-1-602.1.

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

4153 **72-2-133 (Effective 01/01/27). Rural Transportation Infrastructure Fund --**

4154 **Creation -- Uses.**

4155 (1) As used in this section:

4156 (a) "Graveled road" means the same as that term is defined in Section 72-2-108.

4157 (b) "Paved road" means the same as that term is defined in Section 72-2-108.

4158 (c)(i) "Qualifying county" means a county that:

4159 (A) is a county of the third through sixth class, as classified in Section 17-60-104,
 4160 except as provided in Subsection (1)(c)(ii);

4161 (B) has imposed a local option sales and use tax [~~pursuant to:~~] in accordance with
 4162 Section 59-12-2217, Section 59-12-2218, or Section 59-12-2219; and

4163 [~~(F) Section 59-12-2217;~~]

4164 [~~(H) Section 59-12-2218; or~~]

4165 [~~(HH) Section 59-12-2219; and~~]

4166 (C) has not imposed a local option sales and use tax [~~pursuant to~~] in accordance
 4167 with Section 59-12-2220 on or before January 1, 2023.

4168 (ii) "Qualifying county" does not include a county of the third class, as classified in
 4169 Section 17-60-104, with an airport facilitating commercial flights to three or more
 4170 airports outside of the state.

4171 (d) "Qualifying municipality" means a municipality located within a qualifying county.

4172 (e) "Qualifying recipient" means qualifying county or a qualifying municipality.

4173 (f) "Road mile" means the same as that term is defined in Section 72-2-108.

4174 (g) "Weighted mileage" means the same as that term is defined in Section 72-2-108.

4175 (2) There is created in the Transportation Fund an expendable special revenue fund called
 4176 the Rural Transportation Infrastructure Fund.

4177 (3) The Rural Transportation Infrastructure Fund shall be funded by:

4178 (a) deposits into the fund as described in [~~Subsection 41-1a-1201(9)~~] Section 41-1a-1201;

4179 (b) appropriations by the Legislature; and

4180 (c) other deposits into the fund.

- 4181 (4) The department shall administer the fund.
- 4182 (5)(a) Beginning on January 1, 2024, and subject to Subsection (5)(b), the department
4183 shall annually distribute revenue in the fund among qualifying recipients in the
4184 following manner:
- 4185 (i) 50% in the ratio that the class B roads weighted mileage within each county and
4186 class C roads weighted mileage within each municipality bear to the total class B
4187 and class C roads weighted mileage within the state; and
 - 4188 (ii) 50% in the ratio that the population of a county or municipality bears to the total
4189 population of the state.
- 4190 (b) To the extent not otherwise required by federal law, population shall be based on:
- 4191 (i) the most recent estimate from the Utah Population Committee created in Section
4192 63C-20-103; or
 - 4193 (ii) if the Utah Population Committee estimate is not available for each municipality
4194 and unincorporated area, the adjusted sub-county population estimate provided by
4195 the Utah Population Committee in accordance with Section 63C-20-104.
- 4196 (6) A qualifying recipient may only use funds distributed as described in this section in the
4197 same manner as class B and class C road funds distributed in accordance with Section
4198 72-2-108.
- 4199 (7)(a)(i) Before October 1 of each year, the department shall inform the State Tax
4200 Commission which counties, if any, have an airport described in Subsection
4201 (1)(c)(ii).
- 4202 (ii) Before November 1 of each year, the State Tax Commission shall notify the
4203 department and indicate which counties are qualifying counties.
- 4204 (b) After receiving the notification described in Subsection (7)(a)(ii), the department
4205 shall distribute funds for the following year to the municipalities and counties that
4206 were identified as qualifying recipients in the notification described in Subsection
4207 (7)(a).
- 4208 Section 56. Section **73-18-7** is amended to read:
- 4209 **73-18-7 (Effective 01/01/27). Registration requirements -- Exemptions -- Fee --**
4210 **Agents -- Records -- Period of registration and renewal -- Expiration -- Notice of transfer**
4211 **of interest or change of address -- Duplicate registration card -- Invalid registration --**
4212 **Powers of division.**
- 4213 (1)(a) Except as provided by Section 73-18-9, the owner of each motorboat and sailboat
4214 on the waters of this state shall register it with the division as provided in this chapter.

- 4215 (b) A person may not place, give permission for the placement of, operate, or give
4216 permission for the operation of a motorboat or sailboat on the waters of this state,
4217 unless the motorboat or sailboat is registered as provided in this chapter.
- 4218 (2)(a) The owner of a motorboat or sailboat required to be registered shall file an
4219 application for registration with the division on forms approved by the division.
- 4220 (b) The owner of the motorboat or sailboat shall sign the application, pay the vehicle tax
4221 and fee set by the division, and pay the Boating Grant Tax as described in Section
4222 59-34-103, after notifying the commission, in accordance with Section 63J-1-504.
- 4223 (c) Before receiving a registration card and registration decals, the applicant shall
4224 provide the division with a certificate from the county assessor of the county in
4225 which the motorboat or sailboat has situs for taxation, stating that:
- 4226 (i) the property tax on the motorboat or sailboat for the current year has been paid;
4227 (ii) in the county assessor's opinion, the property tax is a lien on real property
4228 sufficient to secure the payment of the property tax; or
4229 (iii) the motorboat or sailboat is exempt by law from payment of property tax for the
4230 current year.
- 4231 (d) If the division modifies the fee under Subsection (2)(b), the modification shall take
4232 effect on the first day of the calendar quarter after 90 days from the day on which the
4233 division provides the State Tax Commission:
- 4234 (i) notice from the division stating that the division will modify the fee; and
4235 (ii) a copy of the fee modification.
- 4236 (e)(i) The division may enter into an agreement with the Motor Vehicle Division
4237 created in Section 41-1a-106 to administer the registration requirements described
4238 in this chapter.
- 4239 (ii) An individual may request automatic registration renewal as described in Section
4240 41-1a-216.
- 4241 (3)(a) Upon receipt of the application in the approved form, the division shall record the
4242 receipt and issue to the applicant registration decals and a registration card that state
4243 the number assigned to the motorboat or sailboat and the name and address of the
4244 owner.
- 4245 (b) The registration card shall be available for inspection on the motorboat or sailboat
4246 for which it was issued, whenever that motorboat or sailboat is in operation.
- 4247 (4) The assigned number shall:
- 4248 (a) be painted or permanently attached to each side of the forward half of the motorboat

- 4249 or sailboat;
- 4250 (b) consist of plain vertical block characters not less than three inches in height;
- 4251 (c) contrast with the color of the background and be distinctly visible and legible;
- 4252 (d) have spaces or hyphens equal to the width of a letter between the letter and numeral
- 4253 groupings; and
- 4254 (e) read from left to right.
- 4255 (5) A motorboat or sailboat with a valid marine document issued by the United States Coast
- 4256 Guard is exempt from the number display requirements of Subsection (4).
- 4257 (6) The nonresident owner of any motorboat or sailboat already covered by a valid number
- 4258 that has been assigned to it according to federal law or a federally approved numbering
- 4259 system of the owner's resident state is exempt from registration while operating the
- 4260 motorboat or sailboat on the waters of this state unless the owner is operating in excess
- 4261 of the reciprocity period provided for in Subsection 73-18-9(1).
- 4262 (7)(a) If the ownership of a motorboat or sailboat changes, the new owner shall file a
- 4263 new application form and fee with the division, and the division shall issue a new
- 4264 registration card and registration decals in the same manner as provided for in
- 4265 Subsections (2) and (3).
- 4266 (b) The division shall reassign the current number assigned to the motorboat or sailboat
- 4267 to the new owner to display on the motorboat or sailboat.
- 4268 (8) If the United States Coast Guard has in force an overall system of identification
- 4269 numbering for motorboats or sailboats within the United States, the numbering system
- 4270 employed under this chapter by the division shall conform with that system.
- 4271 (9)(a) The division may authorize any person to act as its agent for the registration of
- 4272 motorboats and sailboats.
- 4273 (b) A number assigned, a registration card, and registration decals issued by an agent of
- 4274 the division in conformity with this chapter and rules of the division are valid.
- 4275 (10)(a) The Motor Vehicle Division shall classify all records of the division made or
- 4276 kept according to this section in the same manner that motor vehicle records are
- 4277 classified under Section 41-1a-116.
- 4278 (b) Division records are available for inspection in the same manner as motor vehicle
- 4279 records ~~[pursuant to]~~ in accordance with Section 41-1a-116.
- 4280 (11)(a)(i) Each registration, registration card, and decal issued under this chapter
- 4281 shall continue in effect for 12 months, beginning with the first day of the calendar
- 4282 month of registration.

- 4283 (ii) A registration may be renewed by the owner in the same manner provided for in
4284 the initial application.
- 4285 (iii) The division shall reassign the current number assigned to the motorboat or
4286 sailboat when the registration is renewed.
- 4287 (b) Each registration, registration card, and registration decal expires the last day of the
4288 month in the year following the calendar month of registration.
- 4289 (c) If the last day of the registration period falls on a day in which the appropriate state
4290 or county offices are not open for business, the registration of the motorboat or
4291 sailboat is extended to 12 midnight of the next business day.
- 4292 (d) The division may receive applications for registration renewal and issue new
4293 registration cards at any time before the expiration of the registration, subject to the
4294 availability of renewal materials.
- 4295 (e) The new registration shall retain the same expiration month as recorded on the
4296 original registration even if the registration has expired.
- 4297 (f) The year of registration shall be changed to reflect the renewed registration period.
- 4298 (g) If the registration renewal application is an application generated by the division
4299 through its automated system, the owner is not required to surrender the last
4300 registration card or duplicate.
- 4301 (12)(a) An owner shall notify the division of:
- 4302 (i) the transfer of all or any part of the owner's interest, other than creation of a
4303 security interest, in a motorboat or sailboat registered in this state under
4304 Subsections (2) and (3); and
- 4305 (ii) the destruction or abandonment of the owner's motorboat or sailboat.
- 4306 (b) Notification must take place within 15 days of the transfer, destruction, or
4307 abandonment.
- 4308 (c)(i) The transfer, destruction, or abandonment of a motorboat or sailboat terminates
4309 its registration.
- 4310 (ii) Notwithstanding Subsection (12)(c)(i), a transfer of a part interest that does not
4311 affect the owner's right to operate a motorboat or sailboat does not terminate the
4312 registration.
- 4313 (13)(a) A registered owner shall notify the division within 15 days if the owner's address
4314 changes from the address appearing on the registration card and shall, as a part of this
4315 notification, furnish the division with the owner's new address.
- 4316 (b) The division may provide in the division's rules for:

- 4317 (i) the surrender of the registration card bearing the former address; and
 4318 (ii)(A) the replacement of the card with a new registration card bearing the new
 4319 address; or
 4320 (B) the alteration of an existing registration card to show the owner's new address.
- 4321 (14)(a) If a registration card is lost or stolen, the division may collect a fee of \$4 for the
 4322 issuance of a duplicate card.
- 4323 (b) If a registration decal is lost or stolen, the division may collect a fee of \$3 for the
 4324 issuance of a duplicate decal.
- 4325 (15) A number other than the number assigned to a motorboat or sailboat or a number for a
 4326 motorboat or sailboat granted reciprocity under this chapter may not be painted,
 4327 attached, or otherwise displayed on either side of the bow of a motorboat or sailboat.
- 4328 (16) A motorboat or sailboat registration and number are invalid if obtained by knowingly
 4329 falsifying an application for registration.
- 4330 (17) The division may designate the suffix to assigned numbers, and by following the
 4331 procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking
 4332 Act, make rules for:
 4333 (a) the display of registration decals;
 4334 (b) the issuance and display of dealer numbers and registrations; and
 4335 (c) the issuance and display of temporary registrations.
- 4336 (18) A violation of this section is an infraction.
- 4337 Section 57. Section **73-18-25.3** is amended to read:
 4338 **73-18-25.3 (Effective 01/01/27). Collection of the aquatic invasive species fee.**
- 4339 (1)(a) A person who applies for a vessel registration or registration renewal under
 4340 Section 73-18-7 may pay the aquatic invasive species fee required under Section
 4341 23A-10-304 at the time of registration or registration renewal.
- 4342 (b) If the Division of Motor Vehicles collects the [~~registration~~] vehicle tax and fee and a
 4343 person elects to pay the aquatic invasive species fee at the same time, the payment of
 4344 the aquatic invasive species fee under this section shall be:
 4345 [~~(a)~~] (i) collected by the Division of Motor Vehicles;
 4346 [~~(b)~~] (ii) treated as a separate fee and not part of the [~~registration~~] vehicle tax or fee;
 4347 and
 4348 [~~(c)~~] (iii) deposited into the Aquatic Invasive Species Interdiction Account created in
 4349 Section 23A-3-211, less actual administrative costs associated with collecting and
 4350 transferring the aquatic invasive species fee by the Division of Motor Vehicles.

4351 (2) Notwithstanding Section 41-1a-116, the Division of Motor Vehicles shall report to the
 4352 Division of Wildlife Resources identifying information regarding a person who pays the
 4353 aquatic invasive species fee so that the Division of Wildlife Resources may provide a
 4354 decal to that person in accordance with Subsection 23A-10-201(6).

4355 Section 58. **Repealer.**

4356 This bill repeals:

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

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

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

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

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

4362 Section 59. **FY 2027 Appropriations.**

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

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

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

4370 ITEM 1 To Utah State Tax Commission - Tax Administration

4371	From General Fund	(19,767,800)
4372	From General Fund, One-time	9,883,900
4373	From Transportation Fund	(4,232,200)
4374	From Transportation Fund, One-time	2,116,100
4375	From Motor Vehicle Division Restricted Account	24,000,000
4376	From Motor Vehicle Division Restricted Account,	
4377	One-time	(12,000,000)

4378 Subsection 59(b). **Capital Project Funds**

4379 The Legislature has reviewed the following capital project funds. The Legislature
 4380 authorizes the State Division of Finance to transfer amounts between funds and accounts as
 4381 indicated.

4382 ITEM 2 To Transportation - Transportation Investment Fund of 2005

4383	From General Fund	19,767,800
4384	From General Fund, One-time	(9,883,900)

4385	Schedule of Programs:	
4386	Transportation Investment Fund	9,883,900
4387	Section 60. Effective Date.	
4388	<u>This bill takes effect on January 1, 2027.</u>	