

Effective 7/1/2026

41-1a-1223 Local emissions compliance fee -- Exemptions -- Transfer -- County ordinance -- Notice.

- (1)
 - (a)
 - (i) A county legislative body of a county that is required to utilize a motor vehicle emissions inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard in accordance with Section 41-6a-1642 may impose a local emissions compliance fee of up to:
 - (A) \$3 on each motor vehicle registration within the county for a motor vehicle registration under Section 41-1a-215; or
 - (B) \$2.25 on each motor vehicle registration within the county for a six-month registration period under Section 41-1a-215.5.
 - (ii) A fee imposed under Subsection (1)(a)(i) shall be set in \$0.25 increments.
 - (b) If imposed under Subsection (1)(a)(i), at the time application is made for registration or renewal of registration of a motor vehicle under this chapter, the applicant shall pay the local emissions compliance fee established by the county legislative body.
 - (c) The following are exempt from the fee required under Subsection (1)(a)(i):
 - (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209 or Subsection 41-1a-419(3);
 - (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;
 - (iii) an electric motor vehicle; and
 - (iv) a street-legal all-terrain vehicle.
- (2) The revenue generated from the fees collected under this section shall be transferred to the county that imposed the fee.
- (3) To impose or change the amount of a fee under this section, the county legislative body shall pass an ordinance:
 - (a) approving the fee;
 - (b) setting the amount of the fee; and
 - (c) providing an effective date for the fee as provided in Subsection (4).
- (4)
 - (a) If a county legislative body enacts, changes, or repeals a fee under this section, the enactment, change, or repeal shall take effect on January 1 if the commission receives notice meeting the requirements of Subsection (4)(b) from the county prior to October 1.
 - (b) The notice described in Subsection (4)(a) shall:
 - (i) state that the county will enact, change, or repeal a fee under this section;
 - (ii) include a copy of the ordinance imposing the fee; and
 - (iii) if the county enacts or changes the fee under this section, state the amount of the fee.

Amended by Chapter 295, 2026 General Session