

Effective 3/25/2025

41-1a-202 Definitions -- Vehicles exempt from registration -- Registration of vehicles after establishing residency.

(1) As used in this section:

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

(b) "Domicile" means the place:

- (i) where an individual has a fixed permanent home and principal establishment;
- (ii) to which the individual if absent, intends to return; and
- (iii) in which the individual and his family voluntarily reside, not for a special or temporary purpose, but with the intention of making a permanent home.

(c)

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

(A) an individual who:

- (I) has established a domicile in this state;
- (II) regardless of domicile, remains in this state for an aggregate period of six months or more during any calendar year;
- (III) engages in a trade, profession, or occupation in this state or who accepts employment in other than seasonal work in this state and who does not commute into the state;
- (IV) declares himself to be a resident of this state for the purpose of obtaining a driver license or motor vehicle registration; or
- (V) declares himself a resident of Utah to obtain privileges not ordinarily extended to nonresidents, including going to school, or placing children in school without paying nonresident tuition or fees; or

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

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

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

(A) a member of the military temporarily stationed in Utah;

(B) an out-of-state student, as classified by the institution of higher education, enrolled with the equivalent of seven or more quarter hours, regardless of whether the student engages in a trade, profession, or occupation in this state or accepts employment in this state; and

(C) an individual domiciled in another state or a foreign country that:

- (I) is engaged in public, charitable, educational, or religious services for a government agency or an organization that qualifies for tax-exempt status under Internal Revenue Code Section 501(c)(3);
- (II) is not compensated for services rendered other than expense reimbursements; and
- (III) is temporarily in Utah for a period not to exceed 24 months.

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

(2)

(a) Registration under this chapter is not required for any:

- (i) vehicle registered in another state and owned by a nonresident of the state or operating under a temporary registration permit issued by the division or a dealer authorized by this chapter, driven or moved upon a highway in conformance with the provisions of this chapter relating to manufacturers, transporters, dealers, lien holders, or interstate vehicles;

- (ii) vehicle driven or moved upon a highway only for the purpose of crossing the highway from one property to another;
 - (iii) implement of husbandry, whether of a type otherwise subject to registration or not, that is only incidentally operated or moved upon a highway;
 - (iv) special mobile equipment;
 - (v) vehicle owned or leased by the federal government;
 - (vi) motor vehicle not designed, used, or maintained for the transportation of passengers for hire or for the transportation of property if the motor vehicle is registered in another state and is owned and operated by a nonresident of this state;
 - (vii) vehicle or combination of vehicles designed, used, or maintained for the transportation of persons for hire or for the transportation of property if the vehicle or combination of vehicles is registered in another state and is owned and operated by a nonresident of this state and if the vehicle or combination of vehicles has a gross laden weight of 26,000 pounds or less;
 - (viii) trailer of 750 pounds or less unladen weight and not designed, used, and maintained for hire for the transportation of property or person;
 - (ix) single-axle trailer unless that trailer is:
 - (A) a commercial vehicle;
 - (B) a trailer designed, used, and maintained for hire for the transportation of property or person; or
 - (C) a travel trailer, camping trailer, or fifth wheel trailer of 750 pounds or more laden weight;
 - (x) manufactured home or mobile home;
 - (xi) off-highway vehicle currently registered under Section 41-22-3 if the off-highway vehicle is:
 - (A) being towed;
 - (B) operated on a street or highway designated as open to off-highway vehicle use; or
 - (C) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);
 - (xii) off-highway implement of husbandry operated in the manner prescribed in Subsections 41-22-5.5(3) through (5);
 - (xiii) modular and prebuilt homes conforming to the uniform building code and presently regulated by the United States Department of Housing and Urban Development that are not constructed on a permanent chassis;
 - (xiv) electric assisted bicycle defined under Section 41-6a-102;
 - (xv) motor assisted scooter defined under Section 41-6a-102; or
 - (xvi) electric personal assistive mobility device defined under Section 41-6a-102.
- (b) For purposes of an implement of husbandry as described in Subsection (2)(a)(iii), incidental operation on a highway includes operation that is:
- (i) transportation of raw agricultural materials or other agricultural related operations; and
 - (ii) limited to 100 miles round trip on a highway.
- (3)
- (a) Unless otherwise exempted under Subsection (2), registration under this chapter is required for any motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, or restored-modified vehicle within 60 days of the owner establishing residency in this state.
 - (b)
 - (i) The commission may contract with a designated agent described in Chapter 12a, Part 8, Uninsured Motorist Identification Database Program, to determine the address for which a contract for owner's or operator's security pertaining to a certain vehicle or vessel is tied.
 - (ii) If the information provided by the designated agent under Subsection (3)(b)(i) indicates that the owner of a vehicle or vessel is a resident of this state, the commission may investigate

to ensure compliance with this chapter, Chapter 22, Off-highway Vehicles, Title 59, Chapter 12, Sales and Use Tax Act, and Title 73, Chapter 18, State Boating Act.

- (c) If the commission's investigation described in Subsection (3)(b)(ii) determines that the owner of the vehicle or vessel is not in compliance with this chapter, Chapter 22, Off-highway Vehicles, Title 59, Chapter 12, Sales and Use Tax Act, or Title 73, Chapter 18, State Boating Act, the commission:
 - (i) may impose a penalty on the owner of the vehicle or vessel of \$150; and
 - (ii) shall provide notice of noncompliance to the owner of the vehicle or vessel and allow 60 days after the date on which the notice was issued for the owner of the vehicle or vessel to comply with the provisions identified in the commission's investigation described in Subsection (3)(b)(ii).
- (d) If the owner of a vehicle or vessel fails to comply as directed within the time period described in Subsection (3)(c), the commission created in Section 41-3-104 may impose on the owner of the vehicle or vessel a penalty equal to the greater of:
 - (i) if the commission finds there was an underpayment of tax under Title 59, Chapter 12, Sales and Use Tax Act, a penalty as provided in Subsection 59-1-401(7); or
 - (ii) \$500.
- (e) Upon making a record of the commission's actions, and upon reasonable cause shown, the commission may waive, reduce, or compromise any penalty imposed under Subsection (3)(c) or (3)(d).
- (f)
 - (i) The commission shall deposit money from a penalty under Subsections (3)(c)(i) and (3)(d)(ii) for failure to properly register or title a vehicle or vessel pursuant to this chapter, Chapter 22, Off-highway Vehicles, or Title 73, Chapter 18, State Boating Act, into the Uninsured Motorist Identification Restricted Account created in Section 41-12a-806.
 - (ii) The commission shall deposit money from a penalty under this Subsection (3)(d)(i) for failure to pay a sales and use tax under Title 59, Chapter 12, Sales and Use Tax Act, into the General Fund.
- (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the registration requirements of this part for the time period that the registration under Section 41-3-306 is valid.
- (5) A vehicle that has been issued a nonrepairable certificate may not be registered under this chapter.

Amended by Chapter 294, 2025 General Session