

Part 3 Temporary Permits

41-3-301 Sale by dealer, sale by auction -- Temporary permit -- Delivery of certificate of title or origin -- Notice to division.

- (1)
- (a) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of any motor vehicle for which a temporary permit is issued under Section 41-3-302 shall within 45 days submit a certificate of title or manufacturer's certificate of origin for that motor vehicle, endorsed according to law, to the Motor Vehicle Division, accompanied by all documents required to obtain a new certificate of title and registration in the new owner's name.
 - (b) If a temporary permit is not issued, the certificate of title or manufacturer's certificate of origin shall be delivered to the vendee, endorsed according to law, within 48 hours, unless the vendee is a dealer or dismantler in which case the title or manufacturer's certificate of origin shall be delivered within 21 days.
 - (c)
 - (i) A motor vehicle consigned to an auction and sold is considered sold by the consignor to the auction and then sold by the auction to the consignee.
 - (ii) Both the consignor and auction are subject to this section.
 - (d)
 - (i)
 - (A) A motor vehicle consigned to a wholesale motor vehicle auction and sold to a licensed dealer or dismantler is considered sold by the consignor to the licensed dealer or dismantler.
 - (B) Both the consignor and the wholesale motor vehicle auction are subject to the title delivery requirements of Subsection (1)(b).
 - (C) The consignor, or the wholesale motor vehicle auction as the consignor's agent, shall endorse the certificate of title according to law. By endorsing the certificate of title as agent of the consignor, the wholesale motor vehicle auction does not become the owner, seller, or assignor of title.
 - (ii)
 - (A) A wholesale motor vehicle auction may purchase or sell motor vehicles in its own name.
 - (B) If a wholesale motor vehicle auction purchases or sells a motor vehicle in its own name, the wholesale motor vehicle auction is subject to Subsections (1)(a) and (1)(b).
- (2)
- (a)
 - (i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of a motor vehicle for which a temporary permit is issued under Section 41-3-302, shall within 45 days give written notice of the sale to the Motor Vehicle Division upon a form provided by the Motor Vehicle Division.
 - (ii) The notice shall contain:
 - (A) the date of the sale;
 - (B) the names and addresses of the dealer and the purchaser;
 - (C) a description of the motor vehicle;
 - (D) the motor vehicle's odometer reading at the time of the sale; and
 - (E) other information required by the division.

- (b) If no temporary permit is issued, the notice shall be filed with the division within 45 days after the sale, and a duplicate copy shall be given to the purchaser at the time of sale, unless the purchaser is a dealer or dismantler.
- (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, providing that the notice required under Subsections (2)(a) and (2)(b) may be filed in electronic form or on magnetic media.

Amended by Chapter 382, 2008 General Session

41-3-302 Temporary permits -- Purchasers of motor vehicles -- Penalty for use after expiration -- Sale and rescission.

- (1)
 - (a)
 - (i) A dealer or the division may issue a temporary permit.
 - (ii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the administrator shall make rules for the issuance of a temporary permit under Subsection (1)(a)(i).
 - (iii) The division shall furnish the forms for temporary permits issued by dealers under Subsection (1)(a)(i).
 - (b) A dealer may issue a temporary permit to a bona fide purchaser of a motor vehicle for a period not to exceed 45 days on a motor vehicle sold to the purchaser by the dealer.
 - (c) The dealer is responsible and liable for the registration fee of each motor vehicle for which the permit is issued.
 - (d) All issued temporary permits that are outstanding after 45 days from the date they are issued are delinquent and a penalty equal to the registration fee shall be collected from the issuing dealer.
- (2) If a temporary permit is issued by a dealer under this section and the sale of the motor vehicle is subsequently rescinded, the temporary permit may be voided and the issuing dealer is not liable for the registration fee or penalty.

Amended by Chapter 382, 2008 General Session

41-3-303 Temporary permits -- Inspections required before issuance.

- (1) A dealer licensed in accordance with this chapter may not issue a temporary permit under Section 41-3-302 unless:
 - (a)
 - (i) the motor vehicle for which the temporary permit is issued has received and passed the safety inspection if required in the current year under Section 53-8-205 within the previous 11 months;
 - (ii) the safety inspection certificate was issued in the name of a licensed and bonded dealer; and
 - (iii) a copy of the safety inspection certificate is given to the customer; and
 - (b) the motor vehicle passed the emission inspection test required by Section 41-6a-1642.
- (2) Notwithstanding Subsection (1)(a), a dealer may issue a temporary permit without a safety inspection certificate if the motor vehicle complies with the safety inspection as provided in Section 41-1a-205.
- (3) Notwithstanding Subsection (1)(b), a dealer may issue a temporary permit without proof of an emission inspection if:

- (a) the motor vehicle is exempt from emission inspection as provided in Section 41-6a-1642;
 - (b) the purchaser is a resident of a county that does not require emission inspections; or
 - (c) the motor vehicle is otherwise exempt from emission inspections.
- (4) Notwithstanding Subsection (1), a dealer may sell a motor vehicle as is without having it safety or emission inspected provided that no temporary permit is issued.

Amended by Chapter 207, 2013 General Session

41-3-304 Temporary permits -- Temporary sports event registration certificate -- Suspension or revocation of dealer's authority to issue -- Return of temporary permits to division -- Refunds -- Appeal.

- (1) The division may suspend or revoke a dealer's authority to issue a temporary permit or a temporary sports event registration certificate under this part if the division determines the dealer has failed to comply with this chapter or with any rules made by the commission under this part.
- (2)
- (a) Suspension or revocation of authority to issue a temporary permit or a temporary sports event registration certificate takes effect immediately upon written notification to the dealer by the division.
 - (b) Upon notification, the dealer shall immediately return all temporary permits to the division.
 - (c) Subject to Subsection (2)(d), if the authority to issue a temporary permit under Section 41-3-302 is revoked or suspended for more than 30 days, the dealer may apply for a refund of the money paid to the division only for temporary permits described in Section 41-3-302 that are returned prior to issuance.
 - (d) Temporary permits being returned may not have ever been issued, written on, or separated from their stubs, and shall be in useable condition.
- (3) If the division suspends or revokes a dealer's authority to issue a temporary permit or a temporary sports event registration certificate as provided in this section, each of the following is a violation of this chapter and grounds for automatic suspension of the dealer's license:
- (a) failure to return a temporary permit to the division as provided in this section; or
 - (b) issuing a:
 - (i) temporary permit; or
 - (ii) temporary sports event registration certificate.
- (4)
- (a) A dealer may appeal the division's suspension or revocation by filing a written appeal with the administrator within 10 days of the suspension or revocation.
 - (b) Upon receiving the dealer's written appeal, the administrator shall set a hearing for not more than 20 days from the date the written appeal is received.
 - (c) A hearing or appeal under this section shall be conducted in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 382, 2008 General Session

41-3-305 In-transit permits -- Limits -- Tax provision.

- (1) Under rules made by the administrator, in-transit permits may be issued by the division or its authorized representatives.
- (2) In-transit permits allow use of the highways for a time period not to exceed 96 hours.

- (3) Before issuing any in-transit permit, the division or its authorized representative shall be satisfied that the person applying for the permit is the owner of the motor vehicle or the owner's representative, and if the owner or driver is a Utah resident, that the motor vehicle complies with the security requirements of Sections 31A-22-302 and 31A-22-303.
- (4) The division or its authorized representative may issue in-transit permits without requiring a property tax clearance for the motor vehicle on which the permit is to be used.

Renumbered and Amended by Chapter 234, 1992 General Session

41-3-306 Temporary sports event registration -- Definitions -- Issuance -- Fees -- Expiration -- Rulemaking authority.

- (1) As used in this section:
 - (a) "Distributor-provided vehicle" means a motor vehicle:
 - (i) that has never been titled or registered in any state; and
 - (ii) the use of which is donated by a distributor licensed under Part 2, Licensing, through a dealer licensed under Part 2, Licensing.
 - (b)
 - (i) "Event period" means a time period:
 - (A) during which a sports event takes place;
 - (B) not to exceed 180 consecutive calendar days; and
 - (C) specified by the division on a temporary sports event registration certificate.
 - (ii) "Event period" may include one or more of the following time periods if the division determines that good cause exists for including the time period within the event period:
 - (A) a reasonable time period before a sports event as determined by the division; or
 - (B) a reasonable time period after a sports event as determined by the division.
 - (c)
 - (i) Notwithstanding Section 41-3-102 and except as provided in Subsection (1)(c)(ii), "motor vehicle" means a motor vehicle that is subject to the uniform fee imposed by Section 59-2-405.1.
 - (ii) "Motor vehicle" does not include a state-assessed commercial vehicle as defined in Section 59-2-102.
 - (d)
 - (i) "Sports event" means an amateur or professional:
 - (A) sports:
 - (I) game;
 - (II) race; or
 - (III) contest; or
 - (B) athletic:
 - (I) game;
 - (II) race; or
 - (III) contest.
 - (ii) "Sports event" includes a game, race, or contest described in Subsection (1)(d)(i) that is:
 - (A) an independent game, race, or contest; or
 - (B) a part of another event or activity regardless of whether the other event or activity is an event or activity relating to sports or athletics.
 - (e) "Temporary sports event registration certificate" means a motor vehicle certificate of registration issued by the division to a dealer in accordance with this section.

- (2) Beginning on September 1, 2001, the division may register a motor vehicle for an event period by issuing to a dealer licensed under Part 2, Licensing, a temporary sports event registration certificate if the division determines that:
 - (a) the motor vehicle is a distributor-provided vehicle;
 - (b) the motor vehicle will be used for a sports event within the state during the event period; and
 - (c) the dealer provides the division an application stating:
 - (i) the person to whom the distributor is donating use of the motor vehicle;
 - (ii) the motor vehicle identification number;
 - (iii) the motor vehicle:
 - (A) make;
 - (B) model; and
 - (C) year;
 - (iv) the name of the sports event;
 - (v) the beginning date and ending date of the sports event; and
 - (vi) any other information the division requires.
- (3) If the division issues a temporary sports event registration certificate to a dealer licensed under Part 2, Licensing:
 - (a) the division:
 - (i) shall specify the event period on the temporary sports event registration certificate; and
 - (ii) may specify any other information on the temporary sports event registration certificate as determined by the division; and
 - (b) the dealer shall for each motor vehicle for which the division issues a temporary sports event registration certificate:
 - (i) pay the:
 - (A) registration fees required by Chapter 1a, Part 12, Fee and Tax Requirements; and
 - (B) uniform fee required by Section 59-2-405.1; and
 - (ii) place the temporary sports event registration certificate in the rear license plate holder of the motor vehicle.
- (4) A temporary sports event registration certificate issued by the division under this section is valid for the event period specified on the temporary sports event registration certificate.
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules:
 - (a) specifying the information to be provided to the division by a dealer or a person using a distributor-provided vehicle in connection with the issuance of a temporary sports event registration certificate;
 - (b) specifying the form for a temporary sports event registration certificate; or
 - (c) defining the terms:
 - (i) "reasonable time period before a sports event"; and
 - (ii) "reasonable time period after a sports event."

Amended by Chapter 382, 2008 General Session