

Part 16 Vehicle Equipment

Superseded 1/1/2025

41-6a-1601 Operation of unsafe or improperly equipped vehicles on public highways -- Exceptions.

- (1)
- (a) A person may not operate or move and an owner may not cause or knowingly permit to be operated or moved on a highway a vehicle or combination of vehicles that:
 - (i) is in an unsafe condition that may endanger any person;
 - (ii) does not contain those parts or is not at all times equipped with lamps and other equipment in proper condition and adjustment as required in this chapter;
 - (iii) is equipped in any manner in violation of this chapter; or
 - (iv) emits pollutants in excess of the limits allowed under the rules of the Air Quality Board created under Title 19, Chapter 2, Air Conservation Act, or under rules made by local health departments.
 - (b) A person may not do any act forbidden or fail to perform any act required under this chapter.
- (2)
- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in coordination with the rules made under Section 53-8-204, the department shall make rules setting minimum standards covering the design, construction, condition, and operation of vehicle equipment for safely operating a motor vehicle on the highway as required under this part.
 - (b) The rules under Subsection (2)(a):
 - (i) shall conform as nearly as practical to Federal Motor Vehicle Safety Standards and Regulations;
 - (ii) may incorporate by reference, in whole or in part, the federal standards under Subsection (2)(b)(i) and nationally recognized and readily available standards and codes on motor vehicle safety;
 - (iii) shall include provisions for the issuance of a permit under Section 41-6a-1602;
 - (iv) shall include standards for the emergency lights of authorized emergency vehicles;
 - (v) may provide standards and specifications applicable to lighting equipment on school buses consistent with:
 - (A) this part;
 - (B) federal motor vehicle safety standards; and
 - (C) current specifications of the Society of Automotive Engineers;
 - (vi) shall provide procedures for the submission, review, approval, disapproval, issuance of an approval certificate, and expiration or renewal of approval of any part as required under Section 41-6a-1620;
 - (vii) shall establish specifications for the display or etching of a vehicle identification number on a vehicle;
 - (viii) shall establish specifications in compliance with this part for a flare, fusee, electric lantern, warning flag, or portable reflector used in compliance with this part;
 - (ix) shall establish approved safety and law enforcement purposes when video display is visible to the motor vehicle operator; and

- (x) shall include standards and specifications for both original equipment and parts included when a vehicle is manufactured and aftermarket equipment and parts included after the original manufacture of a vehicle.
- (c) The following standards and specifications for vehicle equipment are adopted:
 - (i) 49 C.F.R. 571.209 related to safety belts;
 - (ii) 49 C.F.R. 571.213 related to child restraint devices;
 - (iii) 49 C.F.R. 393, 396, and 396 Appendix G related to commercial motor vehicles and trailers operated in interstate commerce;
 - (iv) 49 C.F.R. 571 Standard 108 related to lights and illuminating devices; and
 - (v) 40 C.F.R. 82.30 through 82.42 and Part 82, Subpart B, Appendix A and B related to air conditioning equipment.
- (3) Nothing in this chapter or the rules made by the department prohibit:
 - (a) equipment required by the United States Department of Transportation; or
 - (b) the use of additional parts and accessories on a vehicle not inconsistent with the provisions of this chapter or the rules made by the department.
- (4) Except as specifically made applicable, this chapter and rules of the department with respect to equipment required on vehicles do not apply to:
 - (a) implements of husbandry;
 - (b) road machinery;
 - (c) road rollers;
 - (d) farm tractors;
 - (e) motorcycles;
 - (f) motor-driven cycles;
 - (g) motor assisted scooters;
 - (h) vehicles moved solely by human power;
 - (i) off-highway vehicles registered under Section 41-22-3 either:
 - (i) on a highway designated as open for off-highway vehicle use; or
 - (ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3); or
 - (j) off-highway implements of husbandry when operated in the manner prescribed by Subsections 41-22-5.5(3) through (5).
- (5) The vehicles referred to in Subsections (4)(i) and (j) are subject to the equipment requirements of Title 41, Chapter 22, Off-highway Vehicles, and the rules made under that chapter.
- (6)
 - (a)
 - (i) Except as provided in Subsection (6)(a)(ii), a federal motor vehicle safety standard supersedes any conflicting provision of this chapter.
 - (ii) Federal motor vehicle safety standards do not supersede the provisions of Section 41-6a-1509 governing the requirements for and use of street-legal all-terrain vehicles on highways.
 - (b) The department:
 - (i) shall report any conflict found under Subsection (6)(a) to the appropriate committees or officials of the Legislature; and
 - (ii) may adopt a rule to replace the superseded provision.
- (7) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

Amended by Chapter 428, 2019 General Session

Effective 1/1/2025

41-6a-1601 Operation of unsafe or improperly equipped vehicles on public highways --

Exceptions.

- (1)
 - (a) A person may not operate or move and an owner may not cause or knowingly permit to be operated or moved on a highway a vehicle or combination of vehicles that:
 - (i) is in an unsafe condition that may endanger any person;
 - (ii) does not contain those parts or is not at all times equipped with lamps and other equipment in proper condition and adjustment as required in this chapter;
 - (iii) is equipped in any manner in violation of this chapter; or
 - (iv) emits pollutants in excess of the limits allowed under the rules of the Air Quality Board created under Title 19, Chapter 2, Air Conservation Act, or under rules made by local health departments.
 - (b) A person may not do any act forbidden or fail to perform any act required under this chapter.
- (2)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in coordination with the rules made under Section 53-8-204, the department shall make rules setting minimum standards covering the design, construction, condition, and operation of vehicle equipment for safely operating a motor vehicle on the highway as required under this part.
 - (b) The rules under Subsection (2)(a):
 - (i) shall conform as nearly as practical to Federal Motor Vehicle Safety Standards and Regulations;
 - (ii) may incorporate by reference, in whole or in part, the federal standards under Subsection (2)(b)(i) and nationally recognized and readily available standards and codes on motor vehicle safety;
 - (iii) shall include provisions for the issuance of a permit under Section 41-6a-1602;
 - (iv) shall include standards for the emergency lights of authorized emergency vehicles;
 - (v) may provide standards and specifications applicable to lighting equipment on school buses consistent with:
 - (A) this part;
 - (B) federal motor vehicle safety standards; and
 - (C) current specifications of the Society of Automotive Engineers;
 - (vi) shall provide procedures for the submission, review, approval, disapproval, issuance of an approval certificate, and expiration or renewal of approval of any part as required under Section 41-6a-1620;
 - (vii) shall establish specifications for the display or etching of a vehicle identification number on a vehicle;
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- (3) Nothing in this chapter or the rules made by the department prohibit:
- (a) equipment required by the United States Department of Transportation; or
 - (b) the use of additional parts and accessories on a vehicle not inconsistent with the provisions of this chapter or the rules made by the department.
- (4) Except as specifically made applicable, this chapter and rules of the department with respect to equipment required on vehicles do not apply to:
- (a) implements of husbandry;
 - (b) road machinery;
 - (c) road rollers;
 - (d) farm tractors;
 - (e) motorcycles;
 - (f) motor-driven cycles;
 - (g) motor assisted scooters;
 - (h) vehicles moved solely by human power;
 - (i) off-highway vehicles registered under Section 41-22-3 either:
 - (i) on a highway designated as open for off-highway vehicle use; or
 - (ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3); or
 - (j) off-highway implements of husbandry when operated in the manner prescribed by Subsections 41-22-5.5(3) through (5).
- (5) The vehicles referred to in Subsections (4)(i) and (j) are subject to the equipment requirements of Title 41, Chapter 22, Off-highway Vehicles, and the rules made under that chapter.
- (6)
- (a)
 - (i) Except as provided in Subsection (6)(a)(ii), a federal motor vehicle safety standard supersedes any conflicting provision of this chapter.
 - (ii) Federal motor vehicle safety standards do not supersede the provisions of Section 41-6a-1509 governing the requirements for and use of street-legal all-terrain vehicles or street-legal novel vehicles on highways.
 - (b) The department:
 - (i) shall report any conflict found under Subsection (6)(a) to the appropriate committees or officials of the Legislature; and
 - (ii) may adopt a rule to replace the superseded provision.
- (7) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

Amended by Chapter 459, 2024 General Session

41-6a-1602 Permit to operate vehicle in violation of equipment regulations.

- (1) The department may issue a permit which will allow temporary operation of a vehicle in violation of the provisions of this chapter or in violation of rules made by the department.
- (2) The permit shall be carried in the vehicle and shall be displayed upon demand of a magistrate or peace officer.
- (3)

- (a) The department may limit the time, manner, or duration of operation and may otherwise prescribe conditions of operation that are necessary to protect the safety of highway users or efficient movement of traffic.
- (b) Any conditions shall be stated on the permit and a person may not violate them.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1603 Lights and illuminating devices -- Duty to display -- Time.

- (1)
 - (a) The operator of a vehicle shall ensure the lamps or lights of the vehicle are illuminated while the vehicle is being operated on a highway at any time:
 - (i) from sunset to sunrise; or
 - (ii) when persons and vehicles on the highway are not clearly discernible at a distance of 1,000 feet ahead due to:
 - (A) insufficient light; or
 - (B) unfavorable atmospheric conditions.
 - (b) An operator of a vehicle driving with automated lights does not violate Subsection (1)(a) if:
 - (i) the vehicle's automated light function is operable and engaged; and
 - (ii) the automated feature has not been overridden or adjusted.
 - (c) The lights, lighted lamps, and other lamps and illuminating devices under Subsection (1)
 - (a) shall be lighted as respectively required for different classes of vehicles, subject to the exceptions for parked vehicles under Section 41-6a-1607.
- (2) Whenever a requirement is made as to distance from which certain lamps and devices shall render objects visible or within which the lamps or devices shall be visible, the provisions apply during the times specified under Subsection (1)(a) for a vehicle without load on a straight, level, unlighted highway under normal atmospheric conditions, unless a different time or condition is expressly stated.
- (3) Whenever a requirement is made as to the mounted height of lamps or devices it shall mean from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is without a load.
- (4) A violation of this section is an infraction.

Amended by Chapter 403, 2023 General Session

41-6a-1604 Motor vehicle head lamps, tail lamps, stop lamps, and other lamps -- Requirements -- Penalty.

- (1) A motor vehicle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle.
- (2)
 - (a) A motor vehicle, trailer, semitrailer, pole trailer, and any other vehicle which is being drawn at the end of a combination of vehicles, shall be equipped with at least two tail lamps and two or more red reflectors mounted on the rear.
 - (b)
 - (i) Except as provided under Subsections (2)(b)(ii), (2)(c), and Section 41-6a-1612, all stop lamps or other lamps and reflectors mounted on the rear of a vehicle shall display or reflect a red color.
 - (ii) A turn signal or hazard warning light may be red or yellow.

- (c) Either a tail lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate.
- (3)
- (a) A motor vehicle, trailer, semitrailer, and pole trailer shall be equipped with two or more stop lamps and flashing turn signals.
 - (b) A supplemental stop lamp may be mounted on the rear of a vehicle, if the supplemental stop lamp:
 - (i) emits a red light;
 - (ii) is mounted:
 - (A) and constructed so that no light emitted from the device, either direct or reflected, is visible to the driver;
 - (B) not lower than 15 inches above the roadway; and
 - (C) on the vertical center line of the vehicle; and
 - (iii) is the size, design, and candle power that conforms to federal standards regulating stop lamps.
- (4)
- (a) Each head lamp, tail lamp, supplemental stop lamp, flashing turn lamp, other lamp, or reflector required under this part shall comply with the requirements and limitations established under Section 41-6a-1601.
 - (b) The department, by rules made under Section 41-6a-1601, may require trucks, buses, motor homes, motor vehicles with truck-campers, trailers, semitrailers, and pole trailers to have additional lamps and reflectors.
- (5) The department, by rules made under Section 41-6a-1601, may allow:
- (a) one tail lamp on any vehicle equipped with only one when it was made;
 - (b) one stop lamp on any vehicle equipped with only one when it was made; and
 - (c) passenger cars and trucks with a width less than 80 inches and manufactured or assembled prior to January 1, 1953, need not be equipped with electric turn signal lamps.
- (6)
- (a) As used in this section, "continuously flashing light system" means a light system for a supplemental stop lamp described in Subsection (3)(b) in which the stop lamp or reflector pulses rapidly for no more than five seconds when the brake is applied and then converts to a continuous light as a normal stop lamp or reflector until the time that the brake is released.
 - (b) A motor vehicle, trailer, semitrailer, and pole trailer may be equipped with a continuously flashing light system.
- (7) Except as provided under Subsection (8) or (9), an auxiliary light installed on a motor vehicle may only be illuminated on a public roadway if the light:
- (a) conforms to the color and location of:
 - (i) white or amber, if the light is located on or visible from the front of the vehicle;
 - (ii) amber, if the light is located on or visible from the side of the vehicle; or
 - (iii) amber or red, if the light is located on or visible from the rear of the vehicle;
 - (b) emits a steady beam of light and does not blink, oscillate, rotate, or flash;
 - (c) does not emit a beam that:
 - (i) is brighter than the vehicle's original equipment lighting;
 - (ii) has a greater candlepower than the vehicle's original equipment lighting; or
 - (iii) distracts from the visibility of the vehicle's original equipment lighting; and
 - (d) does not distract or impair the vision of the operator or other drivers on the roadway.
- (8) Subsection (7) does not apply to lighting:
- (a) installed by the vehicle's manufacturer in accordance with 49 C.F.R. Sec. 571.108; or

- (b) devices provided by transportation network companies as defined in Section 13-51-102 to identify and indicate the status of a vehicle used to provide transportation network services as defined in Section 13-51-102, when approved by the department as permitted by Section 41-6a-1602.
- (9) Subsection (7) does not apply to off-highway vehicle operating on a public road designated for off-highway vehicle use.
- (10) A violation of this section is an infraction.

Amended by Chapter 118, 2024 General Session

41-6a-1605 Vehicles operated in combination.

If a motor vehicle and other vehicles are operated in combination during the time that lights are required under Section 41-6a-1603, a lamp that is obscured by another vehicle of the combination is not required to be lighted.

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1606 Load extending beyond rear of vehicle -- Duty to display lamps and reflectors or flags.

- (1) If a load on a vehicle extends to the rear four feet or more beyond the bed or body of the vehicle, the operator shall display lamps, reflectors, or flags at the extreme rear end of the load in accordance with this section.
- (2) During hours of darkness as specified in Section 41-6a-1603, the following shall be displayed:
 - (a) two red reflectors located so as to indicate maximum width; and
 - (b) two red lamps, one on each side with one red lamp located so as to indicate maximum overhang.
- (3)
 - (a) At a time other than the time indicated under Subsection (2), on a vehicle having a load which extends beyond its sides or more than four feet beyond its rear, red flags shall be displayed marking the extremities of the load, at each point where a lamp or reflector is required under Subsection (2).
 - (b) The red flags shall be at least 12 inches square.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1607 Parking lamps required -- Use when vehicle parked at night -- Head lamps dimmed.

- (1)
 - (a) A vehicle shall be equipped with one or more parking lamps.
 - (b) The parking lamps shall comply with requirements established under Section 41-6a-1601.
- (2) A vehicle parked or stopped on a roadway or shoulder, whether attended or unattended, shall display lighted parking lamps if conditions exist as specified under Subsection 41-6a-1603(1)
 - (a).
- (3) Any lighted head lamps on a parked vehicle shall be dimmed.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1608 Farm tractors and equipment -- Lamps and reflectors -- Slow-moving vehicle emblem.

- (1)
 - (a) A farm tractor and a self-propelled implement of husbandry manufactured or assembled after January 1, 1970, shall be equipped with hazard warning lights of a type described in Section 41-6a-1611.
 - (b) The hazard warning lights shall be:
 - (i) visible from a distance of not less than 1,000 feet to the front and rear in normal sunlight; and
 - (ii) displayed whenever a farm tractor or self-propelled implement of husbandry is operated on a highway.
- (2)
 - (a) A farm tractor and a self-propelled implement of husbandry manufactured or assembled after January 1, 1970, shall be equipped with lamps and reflectors as required under this section.
 - (b) A farm tractor and a self-propelled implement of husbandry manufactured or assembled prior to January 1, 1970 shall be equipped with lamps and reflectors as required in this section if operated on a highway under the conditions specified under Subsection 41-6a-1603(1)(a).
- (3) Subject to the provisions of Subsection (2), a farm tractor and an implement of husbandry shall be equipped with:
 - (a) at least two head lamps;
 - (b) at least one red lamp visible when lighted from a distance of not less than 1,000 feet to the rear mounted as far to the left of the center of the vehicle as practicable; and
 - (c) at least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of head lamps.
- (4) Towed farm equipment or a towed implement of husbandry shall be equipped with lamps and reflectors as provided under this Subsection (4), if operated on a highway under the conditions specified under Subsection 41-6a-1603(1)(a).
 - (a) If the towed unit or its load extends more than four feet to the rear of the tractor or obscures any light on a tractor, the towed unit shall be equipped on the rear with at least two red reflectors visible from all distances within 600 feet to 100 feet to the rear when directly in front of lawful lower beams of head lamps.
 - (b)
 - (i) If the towed unit extends more than four feet to the left of the center line of the tractor, the towed unit shall be equipped on the front with an amber reflector visible from all distances within 600 feet to 100 feet to the front when directly in front of lawful lower beams of head lamps.
 - (ii) The reflector under Subsection (4)(b)(i) shall be positioned to indicate, as nearly as practicable, the extreme left projection of the towed unit.
 - (c) If the towed unit or its load obscures either of the vehicle hazard warning lights on the tractor, the towed unit shall be equipped with vehicle hazard warning lights described in Subsection (1).
- (5)
 - (a) The two red reflectors required under Subsections (3) and (4) shall be positioned to show, as nearly as practicable, the extreme width of the vehicle or combination of vehicles as viewed from the rear of the vehicle or combination of vehicles.
 - (b) Reflective tape or paint may be used in lieu of the reflectors required under this section.
- (6)
 - (a) A slow-moving vehicle emblem mounted on the rear is required on:

- (i) a farm tractor and a self-propelled implement of husbandry designed for operation at speeds not in excess of 25 miles per hour; or
 - (ii) towed farm equipment or a towed implement of husbandry if the towed unit or any load on it obscures the slow-moving vehicle emblem on the farm tractor or self-propelled implement of husbandry.
- (b) The slow-moving vehicle emblem's design, size, mounting, and position on the vehicle required under this Subsection (6), shall:
- (i) comply with current standards and specifications of the American Society of Agricultural Engineers; and
 - (ii) be approved by the department.
- (c) A slow-moving vehicle identification emblem may not be:
- (i) used except as required under this section and Sections 41-6a-1508 and 41-6a-1609; or
 - (ii) displayed on a vehicle traveling at a speed in excess of 25 miles per hour.
- (7) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1609 Lamps and reflectors on vehicles not otherwise specified -- Slow-moving vehicle identification emblems on animal-drawn vehicles.

- (1) An animal-drawn vehicle, a vehicle under Section 41-6a-1604, and a vehicle not specifically required by the provisions of other sections in this chapter to be equipped with lamps or other lighting devices, shall be equipped with lamps or other lighting devices if operated on a highway under the conditions specified under Subsection 41-6a-1603(1)(a) as follows:
- (a) at least one lamp displaying a white light visible from a distance of not less than 1,000 feet to the front of the vehicle; and
 - (b)
 - (i) two lamps displaying red light visible from a distance of not less than 1,000 feet to the rear of the vehicle; or
 - (ii) one lamp displaying a red light visible from a distance of not less than 1,000 feet to the rear and two red reflectors visible from all distances of 600 to 100 feet to the rear when illuminated by the lawful lower beams of head lamps.
- (2) An animal-drawn vehicle shall at all times be equipped with a slow-moving vehicle identification emblem as provided under Section 41-6a-1608.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1610 Spot lamps.

- (1) A motor vehicle may not be equipped with more than two spot lamps.
- (2) A lighted spot lamp may not be aimed or used so that any part of the high intensity portion of the beam strikes the windshield, or any windows, mirror, or occupant of another vehicle in use.
- (3) This section does not apply to spot lamps on an authorized emergency vehicle.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1611 Hazard warning lamps.

- (1) A vehicle manufactured with hazard warning lights shall be equipped with hazard warning lights for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking, or passing.
- (2) In addition to the requirements of Subsection (1), a bus, truck, truck-tractor, trailer, semitrailer, or pole trailer shall be equipped with hazard warning lights if the bus, truck, truck-tractor, trailer, semitrailer, or pole trailer is 80 inches or more in overall width or 30 feet or more in overall length.
- (3) The hazard warning lights required under this section shall comply with rules made by the department under Section 41-6a-1601.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1612 Back-up lamps -- Side marker lamps.

- (1)
 - (a) A motor vehicle may be equipped with one or more back-up lamps either separately or in combination with other lamps.
 - (b) A back-up lamp or lamps may not be lighted when the motor vehicle is in forward motion.
 - (c) A lighted back-up lamp shall emit a white light.
- (2) A vehicle may be equipped with one or more side marker lamps that may be flashed in conjunction with turn or vehicular hazard warning signals.
- (3) A back-up lamp and side marker lamp under this section shall comply with rules made by the department under Section 41-6a-1601.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1613 Lamp required for operation of vehicle on highway or adjacent shoulder -- Dimming of lights.

- (1)
 - (a) If a vehicle is operated on a highway or shoulder adjacent to the highway under the conditions specified under Subsection 41-6a-1603(1)(a), the operator of a vehicle shall use a high or low beam distribution of light or composite beam except as provided under Subsection (1)(c).
 - (b) Except as provided under Subsection (1)(c), the distribution of light or composite beam shall be directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle.
 - (c) The operator of a vehicle shall use a low beam distribution of light or composite beam if the vehicle approaches:
 - (i) an oncoming vehicle within 500 feet; or
 - (ii) another vehicle from the rear within 300 feet.
- (2)
 - (a) The low beam distribution of light or composite beam shall be aimed to avoid projecting glaring rays into the:
 - (i) eyes of an oncoming operator; or
 - (ii) rearview mirror of a vehicle approached from the rear.
 - (b) A vehicle is not in violation of Subsection (2)(a) if:
 - (i) the vehicle has not been significantly altered from the original vehicle manufacturer's specifications; or

- (ii) the glaring rays result from road contour or a temporary load on the vehicle.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1614 Head lamps on farm tractors -- Motor vehicles sold prior to certain date.

- (1) Head lamp systems which provide only a single distribution of light shall be permitted on:
- (a) a farm tractor; and
 - (b) other motor vehicles manufactured and sold prior to July 1, 1980.
- (2) Head lamp systems authorized under this section shall comply with rules made by the department under Section 41-6a-1601.

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1616 High intensity beams -- Red or blue lights -- Flashing lights -- Color of rear lights and reflectors.

- (1)
- (a) Except as provided under Subsection (1)(b), under the conditions specified under Subsection 41-6a-1603(1)(a), a lighted lamp or illuminating device on a vehicle, which projects a beam of light of an intensity greater than 300 candlepower, shall be directed so that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.
 - (b) The provisions of Subsection (1)(a) do not apply to head lamps, spot lamps, auxiliary lamps, flashing turn signals, hazard warning lamps, school bus warning lamps, or a snow plow, when operated at the direction of the state or a political subdivision of the state.
 - (c) A motor vehicle on a highway may not have more than a total of four lamps lighted on the front of the vehicle including head lamps, auxiliary lamps, spot lamps, or any other lamp if the lamp projects a beam of an intensity greater than 300 candlepower.
- (2)
- (a) Except for an authorized emergency vehicle described in Section 41-6a-1601, a school bus described in Section 41-6a-1302, or a simulated emergency vehicle used in accordance with Section 41-6a-1718, a person may not operate or move any vehicle or equipment on a highway with a lamp or device capable of displaying a red light that is visible from directly in front of the center of the vehicle.
 - (b) Except for a law enforcement vehicle, or a simulated emergency vehicle used in accordance with Section 41-6a-1718, a person may not operate or move any vehicle or equipment on a highway with a lamp or device capable of displaying a blue light that is visible from directly in front of the center of the vehicle.
- (3) A person may not use flashing lights on a vehicle except for:
- (a) taillights of bicycles described in Section 41-6a-1114;
 - (b) authorized emergency vehicles described in Section 41-6a-1601;
 - (c) turn signals described in Section 41-6a-1604;
 - (d) hazard warning lights described in Sections 41-6a-1608 and 41-6a-1611;
 - (e) school bus flashing lights described in Section 41-6a-1302;
 - (f) vehicles engaged in highway construction or maintenance described in Section 41-6a-1617;
 - (g) a simulated emergency vehicle used in accordance with Section 41-6a-1718; and
 - (h) a continuously flashing light system under Section 41-6a-1604.

- (4) Except for an authorized emergency vehicle described in Section 41-6a-1601, or a media production vehicle used in accordance with Section 41-6a-1718, a person may not use a rotating light on any vehicle.
- (5) A violation of this section is an infraction.

Amended by Chapter 454, 2024 General Session

41-6a-1617 Highway construction and maintenance vehicles -- Transportation department to adopt rules for lighting.

- (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation shall make rules providing specifications governing the design and use of special flashing lights on vehicles engaged in highway construction or maintenance operations.
- (2) The standards and specifications adopted under Subsection (1) shall correlate with, and where possible conform to, the standards set forth in the most recent edition of the "Manual on Uniform Traffic Control Devices for Streets and Highways" and other standards issued or endorsed by the federal highway administrator.
- (3) The operator of a vehicle engaged in highway construction or maintenance operations shall comply with rules adopted under this section.

Amended by Chapter 382, 2008 General Session

41-6a-1618 Sale or use of unapproved lighting equipment or devices prohibited.

- (1) Except as provided under Subsection (2), a person may not use, have for sale, sell, or offer for sale for use on or as a part of the equipment of a motor vehicle, trailer, semitrailer, or pole trailer any head lamp, auxiliary fog lamp, rear lamp, signal lamp, required reflector, or any parts of that equipment which tend to change the original design or performance, unless the part or equipment complies with the specifications adopted under Section 41-6a-1601.
- (2) The provisions of Subsection (1) do not apply to equipment in actual use prior to July 1, 1979 or to replacement parts of this equipment.
- (3) A person may not use on a motor vehicle, trailer, semitrailer, or pole trailer any lamps under this section unless the lamps are mounted, adjusted, and aimed in accordance with this part.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1619 Sale of unapproved equipment prohibited -- Trademark or brand name.

- (1) A person shall not sell or offer for sale any equipment or parts that do not comply with the standards adopted under Section 41-6a-1601 including any lamp, reflector, hydraulic brake fluid, seat belt, safety glass, emergency disablement warning device, studded tire, motorcycle helmet, eye protection device for motorists, or red rear bicycle reflector.
- (2) Any equipment described under Subsection (1) or Section 41-6a-1618 or any package containing the equipment shall bear the manufacturer's trademark or brand name unless it complies with identification requirements of the United States Department of Transportation or other federal agencies.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1620 Departmental approval of lighting devices or safety equipment.

- (1)
 - (a) The department shall approve or disapprove any lighting device or other safety equipment, component or assembly of a type for which approval is specifically required under this part.
 - (b) The department shall consider the part for approval within a reasonable time after approval has been requested.
- (2)
 - (a) The department shall establish a procedure for the submission, review, approval, disapproval, issuance of an approval certificate, and the expiration or renewal of approval for any part under Subsection (1).
 - (b)
 - (i) The procedure may provide for submission of the part to the American Association of Motor Vehicle Administrators as the agent of the department.
 - (ii) Approval issued by the association under Subsection (2)(b)(i) shall have the same force and effect as if it has been issued by the department.
 - (c) The department shall maintain and publish lists of all parts, devices, components, or assemblies which have been approved by the department.
 - (d) A part approved under this section is valid unless revoked under Section 41-6a-1621 or unless the department requires it to be renewed under rules made under Section 41-6a-1601.

Amended by Chapter 258, 2015 General Session

41-6a-1621 Departmental hearings -- Compliance of approved devices -- Revocation of approval -- Reapproval.

- (1) If the department has reason to believe that a part approved under Section 41-6a-1620 should no longer be approved, the department shall, upon 30 days' notice to the applicant to whom approval was issued, conduct a hearing on the question of whether the part should remain approved.
- (2)
 - (a) After the hearing, the department shall determine whether the device meets the requirements of the applicable standard.
 - (b) If the device does not meet those requirements, the department shall give notice to the applicant to whom the approval was issued of the department's intention to revoke the approval.
 - (c) If the applicant to whom the approval was issued fails to satisfy the department that the device being sold or offered for sale meets the applicable standard within 90 days of the notice of the department's intention to revoke the approval, the department shall revoke the approval.
- (3) When an approval has been revoked under this section:
 - (a) the department:
 - (i) shall require the withdrawal of all the parts from the market; and
 - (ii) may require that all devices sold since the notification of the department's intention to revoke the approval be replaced by parts that are approved.
 - (b) A part that has been revoked under this section may not be approved again unless a new application and approval is received.
 - (c) The department may require that as a condition for a new approval of the same or similar part all previously revoked parts are effectively recalled and removed from the market.

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1622 Purchase and testing of equipment by department -- Prohibition against sale of substandard devices -- Injunction -- Review -- Appeal.

- (1) The department may purchase and test equipment described in Section 41-6a-1619 to determine whether it complies with the standards under this part.
- (2) Upon identification of unapproved or substandard devices being sold or offered for sale, the department shall give notice to the person selling them that the person is in violation of Section 41-6a-1619 and that selling or offering them for sale is prohibited.
- (3)
 - (a) In order to enforce the prohibition against the sale or offer for sale of unapproved or substandard devices, the department may file a petition in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, to enjoin any further sale or offer of sale of the unapproved or substandard part.
 - (b) An injunction under Subsection (3)(a) shall be issued upon a prima facie showing that:
 - (i) the part is of a type required to be approved by the department under this part;
 - (ii) the part has not been approved; and
 - (iii) the part is being sold or offered for sale.
- (4)
 - (a) Any person enjoined under Subsection (3) may file a petition for a review of the court's order in the county in which the injunction was issued.
 - (b) A copy of the petition shall be served on the department and the department shall have 30 days after the service to file an answer, but the petition shall not act as a stay of the injunction.
 - (c) At the hearing on the petition, the judge shall sit without intervention of a jury and shall only receive evidence as to whether the parts in question:
 - (i) are of a type for which approval by the department is required;
 - (ii) have not been approved; and
 - (iii) are being sold or offered for sale in violation of Section 41-6a-1619.
 - (d) Following a hearing under Subsection (4)(c), the injunction shall be continued if the court finds that each condition under Subsection (4)(c) has been met.
- (5) Either party may appeal the decision of the court.

Amended by Chapter 158, 2024 General Session

41-6a-1623 Braking systems required -- Adoption of performance requirements by department.

- (1) A motor vehicle and a combination of vehicles shall have a service braking system which will stop the motor vehicle or combination of vehicles within:
 - (a) 40 feet from an initial speed of 20 miles per hour on a level, dry, smooth, hard surface; or
 - (b) a shorter distance as may be specified by the department in accordance with federal standards.
- (2) A motor vehicle and a combination of vehicles shall have a parking brake system:
 - (a) adequate to hold the motor vehicle or combination of vehicles on any grade on which it is operated under all conditions of loading on a surface free from snow, ice or loose material; or
 - (b) which complies with performance standards issued by the department in accordance with federal standards.

- (3) In addition to the requirements of Subsections (1) and (2), if necessary for safe operation, the department may by rule require additional braking systems in accordance with federal standards.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1624 Failure to repair a damaged or deployed airbag -- Penalty.

- (1) As used in this section, "person" includes the owner or lessee of a motor vehicle, a body shop, dealer, remanufacturer, salvage rebuilder, vehicle service maintenance facility, or any entity or individual engaged in the repair or replacement of motor vehicles or airbag passive restraint systems.
- (2) Except as provided under Subsection (3), if a repair to a vehicle to be used on a highway is initiated, a person who has actual knowledge that a motor vehicle's airbag passive restraint system is damaged or has been deployed may not fail or cause another person to fail to fully restore, arm, and return to original operating condition, the motor vehicle's airbag passive restraint system.
- (3) In the course of repairing a motor vehicle, a person who has actual knowledge that the motor vehicle's airbag passive restraint system is damaged or has been deployed shall notify the owner or lessee of the vehicle, in a form approved by the Department of Public Safety, that the failure to repair and fully restore the motor vehicle's airbag passive restraint system is a class B misdemeanor.
- (4) Unless acting under a dismantling permit under Section 41-1a-1010, a person may not remove or modify a motor vehicle's airbag passive restraint system with the intent of rendering the motor vehicle's airbag passive restraint system inoperable.
- (5) A person who violates this section is guilty of a class C misdemeanor.

Amended by Chapter 412, 2015 General Session

41-6a-1625 Horns and warning devices -- Emergency vehicles.

- (1)
 - (a) A motor vehicle operated on a highway shall be equipped with a horn or other warning device in good working order.
 - (b) The horn or other warning device:
 - (i) shall be capable of emitting sound audible under normal conditions from a distance of not less than 200 feet; and
 - (ii) may not emit an unreasonably loud or harsh sound or a whistle.
 - (c) The operator of a motor vehicle:
 - (i) when reasonably necessary to insure safe operation, shall give audible warning with the horn; and
 - (ii) except as provided under Subsection (1)(c)(i), may not use the horn on a highway.
- (2) Except as provided under this section, a vehicle may not be equipped with and a person may not use on a vehicle a siren, whistle, or bell.
- (3)
 - (a) A vehicle may be equipped with a theft alarm signal device if it is arranged so that it cannot be used by the operator as an ordinary warning signal.
 - (b) A theft alarm signal device may:
 - (i) use a whistle, bell, horn or other audible signal; and

- (ii) not use a siren.
- (4)
 - (a) An authorized emergency vehicle shall be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet.
 - (b) The type of sound shall be approved by the department based on standards adopted by rules under Section 41-6a-1601.
 - (c) The siren on an authorized emergency vehicle may not be used except:
 - (i) when the vehicle is operated in response to an emergency call; or
 - (ii) in the immediate pursuit of an actual or suspected violator of the law.
 - (d) The operator of an authorized emergency vehicle shall sound the siren in accordance with this section when reasonably necessary to warn pedestrians and other vehicle operators of the approach of the authorized emergency vehicle.
- (5) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

Superseded 11/1/2024

41-6a-1626 Mufflers -- Prevention of noise, smoke, and fumes -- Air pollution control devices.

- (1)
 - (a) A vehicle shall be equipped, maintained, and operated to prevent excessive or unusual noise.
 - (b) A motor vehicle shall be equipped with a muffler or other effective noise suppressing system in good working order and in constant operation.
 - (c) A person may not use a muffler cut-out, bypass, or similar device on a vehicle.
- (2)
 - (a) Except while the engine is being warmed to the recommended operating temperature, the engine and power mechanism of a gasoline-powered motor vehicle may not emit visible contaminants during operation.
 - (b)
 - (i) As used in this Subsection (2)(b), "heavy tow" means a tow that exceeds the vehicle's maximum tow weight.
 - (ii) A diesel engine manufactured on or after January 1, 2008, may not emit visible contaminants during operation:
 - (A) except while the engine is being warmed to the recommended operating temperature or under a heavy tow; or
 - (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight rating in excess of 26,000 pounds.
 - (iii) A diesel engine manufactured before January 1, 2008, may not emit visible contaminants of a shade or density that obscures a contrasting background by more than 20%, for more than five consecutive seconds:
 - (A) except while the engine is being warmed to the recommended operating temperature or under a heavy tow; or
 - (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight rating in excess of 26,000 pounds.
 - (c) A person who violates the provisions of Subsection (2)(a) is guilty of an infraction and shall be fined:
 - (i) not less than \$50 for a violation; or

- (ii) not less than \$100 for a second or subsequent violation within three years of a previous violation of this section.
- (d) A person who violates the provisions of Subsection (2)(b) is guilty of an infraction and shall be fined:
 - (i) not less than \$100 for a violation; or
 - (ii) not less than \$500 for a second or subsequent violation within three years of a previous violation of this section.
- (e)
 - (i) As used in this section:
 - (A) "Local health department" means the same as that term is defined in Section 26A-1-102.
 - (B) "Nonattainment area" means a part of the state where air quality is determined to exceed the National Ambient Air Quality Standards, as defined in the Clean Air Act Amendments of 1970, Pub. L. No. 91-604, Sec. 109, for fine particulate matter (PM 2.5).
 - (ii) Within a nonattainment area, for a second or subsequent violation of Subsection (2)(a) or (2) (b), the court shall report the violations to the local health department at a regular interval.
 - (iii) If the local health department receives a notification as described in Subsection (2)(e)(ii), and the local health department determines that the registered vehicle is unable to meet state or local air emission standards, the local health department shall send notification to the Motor Vehicle Division.
- (3)
 - (a) If a motor vehicle is equipped by a manufacturer with air pollution control devices, the devices shall be maintained in good working order and in constant operation.
 - (b) For purposes of the first sale of a vehicle at retail, an air pollution control device may be substituted for the manufacturer's original device if the substituted device is at least as effective in the reduction of emissions from the vehicle motor as the air pollution control device furnished by the manufacturer of the vehicle as standard equipment for the same vehicle class.
 - (c) A person who renders inoperable an air pollution control device on a motor vehicle is guilty of an infraction.
- (4) Subsection (3) does not apply to a motor vehicle altered and modified to use clean fuel, as defined under Section 59-13-102, when the emissions from the modified or altered motor vehicle are at levels that comply with existing state or federal standards for the emission of pollutants from a motor vehicle of the same class.
- (5) A violation of Subsection (1), (2), or (3) is an infraction.

Amended by Chapter 282, 2021 General Session

Effective 11/1/2024

41-6a-1626 Mufflers -- Prevention of noise, smoke, and fumes -- Air pollution control devices.

- (1)
 - (a) A vehicle shall be equipped, maintained, and operated to prevent excessive or unusual noise.
 - (b) A motor vehicle shall be equipped with a muffler or other effective noise suppressing system in good working order and in constant operation.
 - (c) A person may not use a muffler cut-out, bypass, or similar device on a vehicle.
- (2)
 - (a) The engine and power mechanism of a gasoline-powered motor vehicle may not emit visible contaminants during operation unless:

- (i) the engine of the motor vehicle is being warmed to the recommended operating temperature;
or
 - (ii) the motor vehicle is exempt from an emissions inspection under Section 41-6a-1642.
- (b)
- (i) As used in this Subsection (2)(b), "heavy tow" means a tow that exceeds the vehicle's maximum tow weight.
 - (ii) A diesel engine manufactured on or after January 1, 2008, may not emit visible contaminants during operation:
 - (A) except while the engine is being warmed to the recommended operating temperature or under a heavy tow; or
 - (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight rating in excess of 26,000 pounds.
 - (iii) A diesel engine manufactured before January 1, 2008, may not emit visible contaminants of a shade or density that obscures a contrasting background by more than 20%, for more than five consecutive seconds:
 - (A) except while the engine is being warmed to the recommended operating temperature or under a heavy tow; or
 - (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight rating in excess of 26,000 pounds.
- (c) A person who violates the provisions of Subsection (2)(a) is guilty of an infraction and shall be fined:
- (i) not less than \$50 for a violation; or
 - (ii) not less than \$100 for a second or subsequent violation within three years of a previous violation of this section.
- (d) A person who violates the provisions of Subsection (2)(b) is guilty of an infraction and shall be fined:
- (i) not less than \$100 for a violation; or
 - (ii) not less than \$500 for a second or subsequent violation within three years of a previous violation of this section.
- (e)
- (i) As used in this section:
 - (A) "Local health department" means the same as that term is defined in Section 26A-1-102.
 - (B) "Nonattainment area" means a part of the state where air quality is determined to exceed the National Ambient Air Quality Standards, as defined in the Clean Air Act Amendments of 1970, Pub. L. No. 91-604, Sec. 109, for fine particulate matter (PM 2.5).
 - (ii) Within a nonattainment area, for a second or subsequent violation of Subsection (2)(a) or (2)(b), the court shall report the violations to the local health department at a regular interval.
 - (iii) If the local health department receives a notification as described in Subsection (2)(e)(ii), and the local health department determines that the registered vehicle is unable to meet state or local air emission standards, the local health department shall send notification to the Motor Vehicle Division.
- (3)
- (a) If a motor vehicle is equipped by a manufacturer with air pollution control devices, the devices shall be maintained in good working order and in constant operation.
 - (b) For purposes of the first sale of a vehicle at retail, an air pollution control device may be substituted for the manufacturer's original device if the substituted device is at least as effective in the reduction of emissions from the vehicle motor as the air pollution control

device furnished by the manufacturer of the vehicle as standard equipment for the same vehicle class.

- (c) A person who renders inoperable an air pollution control device on a motor vehicle is guilty of an infraction.
- (4) Subsection (3) does not apply to a motor vehicle altered and modified to use clean fuel, as defined under Section 59-13-102, when the emissions from the modified or altered motor vehicle are at levels that comply with existing state or federal standards for the emission of pollutants from a motor vehicle of the same class.
- (5) A violation of Subsection (1), (2), or (3) is an infraction.

Amended by Chapter 242, 2024 General Session

41-6a-1627 Mirrors.

- (1)
 - (a) A motor vehicle shall be equipped with a mirror mounted on the left side of the vehicle.
 - (b) A mirror under Subsection (1)(a) shall be located to reflect to the driver a view of the highway to the rear of the vehicle.
- (2)
 - (a) Except for a motorcycle, in addition to the mirror required under Subsection (1), a motor vehicle shall be equipped with a mirror mounted either inside the vehicle approximately in the center or outside the vehicle on the right side.
 - (b) The mirror under Subsection (2)(a) shall be located to reflect to the driver a view of the highway to the rear of the vehicle.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1628 Seat belts -- Design and installation -- Specifications or requirements.

- (1) A safety belt installed in a vehicle to accommodate an adult person shall be designed and installed to prevent or materially reduce the movement of the person using the safety belt in the event of collision or upset of the vehicle.
- (2) A person may not sell, offer, or keep for sale a safety belt or attachments for use in a vehicle that does not comply with the specifications under Section 41-6a-1601.
- (3) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

Superseded 1/1/2025

41-6a-1629 Vehicles subject to Sections 41-6a-1629 through 41-6a-1633 -- Definitions.

- (1) As used in Sections 41-6a-1629 through 41-6a-1633:
 - (a) "Frame" means the main longitudinal structural members of the chassis of the vehicle or, for vehicles with unitized body construction, the lowest longitudinal structural member of the body of the vehicle.
 - (b) "Frame height" means the vertical distance between the ground and the lowest point on the frame. The distance is measured when the vehicle is unladen and on a level surface.
 - (c) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross vehicle weight rating, whether or not the vehicle is modified by use of parts not originally installed by the original manufacturer.

- (d) "Manufacturer" means any person engaged in manufacturing or assembling new motor vehicles utilizing new parts or components, or a person defined as a manufacturer in current applicable Federal Motor Vehicle Safety Standards and Regulations.
 - (e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the axles, chassis, suspension, or body by any means, including tires and wheels, and excluding any load, which affects the frame height of the motor vehicle.
 - (f) "O.E.M." means original equipment manufacturer.
 - (g) "Original equipment" means an item of motor vehicle equipment, including tires, which were installed in or on a motor vehicle or available as an option for the particular vehicle from the original manufacturer at the time of its delivery to the first purchaser.
 - (h) "Wheel track" means the shortest distance between the center of the tire treads on the same axle. On vehicles having dissimilar axle widths, the axle with the widest distance is used for all calculations.
- (2)
- (a) Except as provided in Subsections (2)(b) and (c), the provisions of Sections 41-6a-1629 through 41-6a-1633 apply to all motor vehicles operated or parked on a highway.
 - (b) The provisions of Sections 41-6a-1629 through 41-6a-1633 do not apply to the following vehicles:
 - (i) implements of husbandry;
 - (ii) farm tractors;
 - (iii) road machinery;
 - (iv) road rollers; and
 - (v) historical vehicles or horseless carriages that have been restored as near to original condition as is reasonably possible.
 - (c) The provisions of Subsection 41-6a-1631(2) and Sections 41-6a-1632 and 41-6a-1633 do not apply to a street-legal all-terrain vehicle operated in accordance with Section 41-6a-1509.

Amended by Chapter 229, 2014 General Session

Effective 1/1/2025

41-6a-1629 Vehicles subject to Sections 41-6a-1629 through 41-6a-1633 -- Definitions.

- (1) As used in Sections 41-6a-1629 through 41-6a-1633:
 - (a) "Frame" means the main longitudinal structural members of the chassis of the vehicle or, for vehicles with unitized body construction, the lowest longitudinal structural member of the body of the vehicle.
 - (b) "Frame height" means the vertical distance between the ground and the lowest point on the frame. The distance is measured when the vehicle is unladen and on a level surface.
 - (c) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross vehicle weight rating, whether or not the vehicle is modified by use of parts not originally installed by the original manufacturer.
 - (d) "Manufacturer" means any person engaged in manufacturing or assembling new motor vehicles utilizing new parts or components, or a person defined as a manufacturer in current applicable Federal Motor Vehicle Safety Standards and Regulations.
 - (e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the axles, chassis, suspension, or body by any means, including tires and wheels, and excluding any load, which affects the frame height of the motor vehicle.
 - (f) "O.E.M." means original equipment manufacturer.

- (g) "Original equipment" means an item of motor vehicle equipment, including tires, which were installed in or on a motor vehicle or available as an option for the particular vehicle from the original manufacturer at the time of its delivery to the first purchaser.
 - (h) "Wheel track" means the shortest distance between the center of the tire treads on the same axle. On vehicles having dissimilar axle widths, the axle with the widest distance is used for all calculations.
- (2)
- (a) Except as provided in Subsections (2)(b) and (c), the provisions of Sections 41-6a-1629 through 41-6a-1633 apply to all motor vehicles operated or parked on a highway.
 - (b) The provisions of Sections 41-6a-1629 through 41-6a-1633 do not apply to the following vehicles:
 - (i) implements of husbandry;
 - (ii) farm tractors;
 - (iii) road machinery;
 - (iv) road rollers; and
 - (v) historical vehicles or horseless carriages that have been restored as near to original condition as is reasonably possible.
 - (c) The provisions of Subsection 41-6a-1631(2) and Sections 41-6a-1632 and 41-6a-1633 do not apply to a street-legal all-terrain vehicle or a street-legal novel vehicle operated in accordance with Section 41-6a-1509.

Amended by Chapter 459, 2024 General Session

41-6a-1630 Standards applicable to vehicles.

- (1) The following standards apply to vehicles under Sections 41-6a-1629 through 41-6a-1633:
 - (a) A replacement part and equipment used in a mechanical alteration shall be:
 - (i) designed and capable of performing the function for which they are intended; and
 - (ii) equal to or greater in strength and durability than the original parts provided by the original manufacturer.
 - (b) Except for original equipment, a person may not use spacers to increase wheel track width of a vehicle.
 - (c) A person may not use axle blocks to alter the suspension on the front axle of a vehicle.
 - (d) A person may not stack two or more axle blocks of a vehicle.
- (2)
 - (a) In doubtful or unusual cases, or to meet specific industrial requirements, personnel of the Utah Highway Patrol shall inspect the vehicle to determine:
 - (i) the road worthiness and safe condition of the vehicle; and
 - (ii) whether it complies with Sections 41-6a-1629 through 41-6a-1633.
 - (b) If the vehicle complies, the Utah Highway Patrol shall issue a permit of approval that shall be carried in the vehicle.
- (3)
 - (a) Upon notice to the party to whom the motor vehicle is registered, the department shall suspend the registration of any motor vehicle equipped, altered, or modified in violation of Sections 41-6a-1629 through 41-6a-1633.
 - (b) The Motor Vehicle Division shall, under Subsection 41-1a-109(1)(e) or (2), refuse to register any motor vehicle it has reason to believe is equipped, altered, or modified in violation of Sections 41-6a-1629 through 41-6a-1633.
- (4) A violation of this section is an infraction.

Amended by Chapter 303, 2016 General Session

41-6a-1631 Prohibitions.

- (1) A person may not operate on a highway a motor vehicle that is mechanically altered or changed:
 - (a) in any way that may under normal operation:
 - (i) cause the motor vehicle body or chassis to come in contact with the roadway;
 - (ii) expose the fuel tank to damage from collision; or
 - (iii) cause the wheels to come in contact with the body;
 - (b) in any manner that may impair the safe operation of the vehicle;
 - (c) so that any part of the vehicle other than tires, rims, and mudguards are less than three inches above the ground;
 - (d) to a frame height of more than 24 inches for a motor vehicle with a gross vehicle weight rating of less than 4,500 pounds;
 - (e) to a frame height of more than 26 inches for a motor vehicle with a gross vehicle weight rating of at least 4,500 pounds and less than 7,500 pounds;
 - (f) to a frame height of more than 28 inches for a motor vehicle with a gross vehicle weight rating of at least 7,500 pounds;
 - (g) by stacking or attaching vehicle frames (one from on top of or beneath another frame); or
 - (h) so that the lowest portion of the body floor is raised more than three inches above the top of the frame.
- (2) If the wheel track is increased beyond the O.E.M. specification, the top 50% of the tires shall be covered by the original fenders, by rubber, or other flexible fender extenders under any loading condition.
- (3) A violation of this section is an infraction.

Amended by Chapter 303, 2016 General Session

41-6a-1632 Bumpers.

- (1) A motor vehicle shall be equipped with a bumper on both front and rear of the motor vehicle, except a motor vehicle that was not originally designed or manufactured with a bumper or bumpers.
- (2)
 - (a) On a motor vehicle required to have bumpers under Subsection (1), a bumper shall be:
 - (i) at least 4.5 inches in vertical height;
 - (ii) centered on the vehicle's center line; and
 - (iii) extend no less than the width of the respective wheel track distance.
 - (b) A bumper shall be securely mounted, horizontal load bearing, and attached to the motor vehicle's frame to effectively transfer impact when engaged.
- (3) If a motor vehicle is originally or later equipped with a bumper, the bumper shall:
 - (a) be maintained in operational condition; and
 - (b) comply with this section.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1633 Mudguards or flaps at rear wheels of trucks, trailers, truck tractors, or altered motor vehicles -- Exemptions.

- (1)
 - (a) Except as provided in Subsection (2), when operated on a highway, the following vehicles shall be equipped with wheel covers, mudguards, flaps, or splash aprons behind the rearmost wheels to prevent, as far as practicable, the wheels from throwing dirt, water, or other materials on other vehicles:
 - (i) a vehicle that has been altered:
 - (A) from the original manufacturer's frame height; or
 - (B) in any other manner so that the motor vehicle's wheels may throw dirt, water, or other materials on other vehicles;
 - (ii) any truck with a gross vehicle weight rating of 10,500 pounds or more;
 - (iii) any truck tractor; and
 - (iv) any trailer or semitrailer with an unladen weight of 750 pounds or more.
 - (b) The wheel covers, mudguards, flaps, or splash aprons shall:
 - (i) be at least as wide as the tires they are protecting;
 - (ii) be directly in line with the tires; and
 - (iii) have a ground clearance of not more than 50% of the diameter of a rear-axle wheel, under any conditions of loading of the motor vehicle.
- (2) Wheel covers, mudguards, flaps, or splash aprons are not required:
 - (a) if the motor vehicle, trailer, or semitrailer is designed and constructed so that the requirements of Subsection (1) are accomplished by means of fenders, body construction, or other means of enclosure;
 - (b) on a vehicle operated or driven during fair weather on well-maintained, hard-surfaced roads if the motor vehicle:
 - (i) was made in America prior to 1935;
 - (ii) is registered as a vintage vehicle; or
 - (iii) is a custom vehicle as defined under Section 41-6a-1507; or
 - (c) on a street-legal all-terrain vehicle.
- (3) Except as provided in Subsection (2)(b), rear wheels not covered at the top by fenders, bodies, or other parts of the vehicle shall be covered at the top by protective means extending rearward at least to the center line of the rearmost axle.
- (4) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

Amended by Chapter 454, 2015 General Session

41-6a-1634 Safety chains on towed vehicles required -- Exceptions.

- (1) A towed vehicle shall be coupled by means of a safety chain, cable or equivalent device, in addition to the regular trailer hitch or coupling.
- (2) Except as provided under Subsection (3), a safety chain, cable or equivalent device shall be:
 - (a) securely connected with the chassis of the towing vehicle, the towed vehicle, and the drawbar;
 - (b) of sufficient material and strength to prevent the two vehicles from becoming separated; and
 - (c) attached to:
 - (i) have no more slack than is necessary for proper turning;
 - (ii) the trailer drawbar to prevent it from dropping to the ground; and

- (iii) assure the towed vehicle follows substantially in the course of the towing vehicle in case the vehicles become separated.
- (3) A violation of Subsection (1) or (2) is an infraction.
- (4) The provisions of Subsection (2) do not apply to a:
 - (a) semitrailer having a connecting device composed of a fifth wheel and king pin assembly;
 - (b) pole trailer; or
 - (c) trailer being towed by a bicycle.

Amended by Chapter 412, 2015 General Session

41-6a-1635 Windshields and windows -- Tinting -- Obstructions reducing visibility -- Wipers -- Prohibitions.

- (1) Except as provided in Subsections (2), (3), and (4) a person may not operate a motor vehicle with:
 - (a) a windshield that allows less than 70% light transmittance;
 - (b) a front side window that allows less than 35% light transmittance, with no more than a 5% variance observed by a peace officer metering the light transmittance;
 - (c) any windshield or window that is composed of, covered by, or treated with any material or component that presents a metallic or mirrored appearance;
 - (d) any sign, poster, or other nontransparent material on the windshield or side windows of the motor vehicle except:
 - (i) a certificate or other paper required to be so displayed by law; or
 - (ii) the vehicle's identification number displayed or etched in accordance with rules made by the department under Section 41-6a-1601; or
 - (e) any debris, frost, or other substance that materially obstructs the operator's view.
- (2)
 - (a) A person may not operate a motor vehicle with an object or device hanging or mounted in a manner that materially obstructs the operator's view.
 - (b) A person shall ensure that an object or device hanging or mounted in compliance with Subsection (2)(a) is used in accordance with this chapter.
- (3) Nontransparent materials may be used:
 - (a) along the top edge of the windshield if the materials do not extend downward more than four inches from the top edge of the windshield or beyond the AS-1 line whichever is lowest;
 - (b) in the lower left-hand corner of the windshield provided they do not extend more than three inches to the right of the left edge or more than four inches above the bottom edge of the windshield; or
 - (c) on the rear windows including rear side windows located behind the vehicle operator.
- (4) A windshield or other window is considered to comply with the requirements of Subsection (1) if the windshield or other window meets the federal statutes and regulations for motor vehicle window composition, covering, light transmittance, and treatment.
- (5) Except for material used on the windshield in compliance with Subsections (3)(a) and (b), a motor vehicle with tinting or nontransparent material on any window shall be equipped with rear-view mirrors mounted on the left side and on the right side of the motor vehicle to reflect to the driver a view of the highway to the rear of the motor vehicle.
- (6)
 - (a)
 - (i) The windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield.

- (ii) The device shall be constructed to be operated by the operator of the motor vehicle.
- (b) A windshield wiper on a motor vehicle shall be maintained in good working order.
- (7) A person may not have for sale, sell, offer for sale, install, cover, or treat a windshield or window in violation of this section.
- (8) Notwithstanding this section, any person subject to the federal Motor Vehicle Safety Standards, including motor vehicle manufacturers, distributors, dealers, importers, and repair businesses, shall comply with the federal standards on motor vehicle window tinting.
- (9) A violation of this section is an infraction.

Amended by Chapter 183, 2022 General Session

41-6a-1636 Tires which are prohibited -- Regulatory powers of state transportation department -- Winter use of studs -- Special permits -- Tread depth.

- (1) A solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.
- (2) A person may not operate or move on a highway a motor vehicle, trailer, or semitrailer having a metal tire in contact with the roadway.
- (3) Except as otherwise provided in this section, a person may not have a tire on a vehicle that is moved on a highway that has on the tire's periphery a block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation may make rules to permit the use of tires on a vehicle having protuberances other than rubber, if the department concludes that protuberances do not:
 - (a) damage the highway significantly; or
 - (b) constitute a hazard to life, health, or property.
- (5) Notwithstanding any other provision of this section, a person may use:
 - (a) a tire with protuberances consisting of tungsten carbide studs on a vehicle if the studs:
 - (i) are only used during the winter periods of October 15 through December 31 and January 1 through March 31 of each year;
 - (ii) do not project beyond the tread of the traction surface of the tire more than .050 inches; and
 - (iii) are not used on a vehicle with a maximum gross weight in excess of 9,000 pounds unless the vehicle is an emergency vehicle or school bus;
 - (b) farm machinery with tires having protuberances which will not injure the highway; and
 - (c) tire chains of reasonable proportions on a vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid.
- (6) Notwithstanding any other provision of this chapter, a highway authority, for a highway under its jurisdiction, may issue special permits authorizing the operation on a highway of:
 - (a) farm tractors;
 - (b) other farm machinery; or
 - (c) traction engines or tractors having movable tracks with transverse corrugations on the periphery of the movable tracks.
- (7)
 - (a) A person may not operate a vehicle if one or more of the tires in use on the vehicle:
 - (i) is in an unsafe operating condition; or
 - (ii) has a tread depth less than 2/32 inch measured in any two adjacent tread grooves at three equally spaced intervals around the circumference of the tire.

- (b) The measurement under Subsection (7)(a) may not be made at the location of any tread wear indicator, tie bar, hump, or fillet.
- (8) A person in the business of selling tires may not sell or offer for sale for highway use any tire prohibited for use under Subsection (7).
- (9) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1637 Flares, fusees, or electric lanterns and flags -- Alternative reflector units -- Duty to carry in trucks and buses -- Requirements.

- (1) Except as provided under Subsection (2) and unless the vehicle is carrying the equipment required under this section, a person may not operate a truck, bus or truck-tractor, or a motor vehicle towing a house trailer:
 - (a) on a highway outside an urban district; or
 - (b) on a divided highway during hours of darkness specified under Section 41-6a-1603.
- (2)
 - (a) The vehicle shall carry at least:
 - (i) three flares;
 - (ii) three red electric lanterns;
 - (iii) three portable red emergency reflectors; or
 - (iv) three red-burning fusees.
 - (b) The equipment required under Subsections (2)(a)(i) and (ii) shall be capable of being seen and distinguished at a distance of not less than 600 feet under normal atmospheric conditions during the hours of darkness.
 - (c) The equipment required under Subsection (2)(a)(iii) shall be capable of reflecting red light clearly visible from a distance of not less than 600 feet under normal atmospheric conditions during the hours of darkness when directly in front of lawful lower beams of head lamps.
- (3) A flare, fusee, electric lantern, warning flag, or portable reflector used under this section or Section 41-6a-1638 shall comply with specifications adopted under Section 41-6a-1601.
- (4)
 - (a) A person may not operate a motor vehicle used for the transportation of explosives or any cargo tank truck used for the transportation of flammable liquids or compressed gases under the conditions specified under Subsections (1)(a) and (b) unless there is carried in the vehicle:
 - (i) three red electric lanterns; or
 - (ii) three portable red emergency reflectors.
 - (b) A person operating a vehicle specified under Subsection (4)(a) or a vehicle using compressed gas as a motor fuel may not carry in the vehicle a flare, fusee, or signal produced by flame.
- (5) A person may not operate a vehicle described under this section on a highway outside of an urban district or on a divided highway during daylight hours unless at least two red flags, not less than 12 inches square, with standards to support the flags are carried in the vehicle.
- (6) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1638 Warning signal around disabled vehicle -- Time and place.

- (1)

- (a) When a truck, bus, truck-tractor, trailer, semitrailer, or pole trailer 80 inches or more in over-all width or 30 feet or more in over-all length is stopped on a roadway or adjacent shoulder, the operator shall immediately actuate vehicular hazard warning signal lamps meeting the requirements of Section 41-6a-1611.
 - (b) The signal lights need not be displayed by a vehicle:
 - (i) parked lawfully in an urban district;
 - (ii) stopped lawfully to receive or discharge passengers;
 - (iii) stopped to avoid conflict with other traffic or to comply with the directions of a peace officer or an official traffic-control device; or
 - (iv) while the devices specified in Subsections (2) through (6) are in place.
- (2)
- (a) Except as provided in Subsection (3), if a vehicle of a type specified under Subsection (1) is disabled or stopped for more than 10 minutes on a roadway outside of an urban district under the conditions specified under Subsection 41-6a-1603(1), the operator of the vehicle shall display the following warning devices:
 - (i) a lighted fusee, a lighted red electric lantern, or a portable red emergency reflector shall immediately be placed at the traffic side of the vehicle in the direction of the nearest approaching traffic; and
 - (ii) as soon as possible after placing the warning devices under Subsection (2)(a)(i) but within the burning period of the fusee (15 minutes), the driver shall place three liquid-burning flares (pot torches), or three lighted red electric lanterns, or three portable red emergency reflectors on the roadway in the following order:
 - (A) one approximately 100 feet from the disabled vehicle in the center of the lane occupied by the vehicle and toward traffic approaching in that lane;
 - (B) one approximately 100 feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by the vehicle; and
 - (C) one at the traffic side of the disabled vehicle not less than 10 feet rearward or forward of the disabled vehicle in the direction of the nearest approaching traffic.
 - (b) If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side of the vehicle in accordance with Subsection (2)(a)(ii)(A), a rearward lantern or reflector under Subsection (2)(a)(ii)(C) is not required.
- (3) If a vehicle specified under this section is disabled, or stopped for more than 10 minutes:
- (a) within 500 feet of a curve, hillcrest, or other obstruction to view, the warning device in that direction shall be placed to afford ample warning to other users of the highway, but in no case less than 100 feet or more than 500 feet from the disabled vehicle;
 - (b) on a roadway of a divided highway under the conditions specified under Subsection 41-6a-1603(1), the appropriate warning devices required under Subsections (2) and (4) shall be placed as follows:
 - (i) one at a distance of approximately 200 feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane;
 - (ii) one at a distance of approximately 100 feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; and
 - (iii) one at the traffic side of the vehicle and approximately 10 feet from the vehicle in the direction of the nearest approaching traffic; or
 - (c) on a roadway outside of an urban district or on the roadway of a divided highway not under the conditions specified under Subsection 41-6a-1603(1), the driver of the vehicle shall display two red flags as follows:

- (i) if traffic on the roadway moves in two directions, one flag shall be placed approximately 100 feet to the rear and one flag approximately 100 feet in advance of the vehicle in the center of the lane occupied by the vehicle; or
 - (ii) on a one-way roadway, one flag shall be placed approximately 100 feet and one flag approximately 200 feet to the rear of the vehicle in the center of the lane occupied by the vehicle.
- (4) When a motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed gas is disabled, or stopped for more than 10 minutes, at any time and place specified under Subsection (2) or (3), the operator of the vehicle shall immediately display red electric lanterns or portable red emergency reflectors in the same number and manner as specified in Subsection (2) or (3).
- (5) The warning devices specified under Subsections (2) through (4) are not required to be displayed where there is sufficient light to reveal persons and vehicles within a distance of 1,000 feet.
- (6) If a vehicle described under this section is stopped entirely off the roadway and on an adjacent shoulder, the warning devices shall be placed, as nearly as practicable, on the shoulder near the edge of the roadway.
- (7) A violation of this section is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1639 Hazardous materials -- Transportation regulations -- Fire extinguishers.

- (1)
- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation shall make rules for the safe transportation of hazardous materials.
 - (b) The rules shall adopt by reference or be consistent with current Hazardous Materials Regulations of the United States Department of Transportation.
 - (c) An adoption by reference under Subsection (1)(b) shall be construed to incorporate amendments thereto as may be made from time to time.
- (2) A person operating a vehicle transporting any hazardous material as a cargo or part of a cargo on a highway shall at all times comply with rules made by the Department of Transportation under this section including being:
- (a) marked or placarded; and
 - (b) equipped with fire extinguishers:
 - (i) of a type, size, and number approved by rule; and
 - (ii) that are filled, ready for immediate use, and placed at a convenient point on the vehicle.
 - (c) A violation of Subsection (2)(a) or (b) is an infraction.

Amended by Chapter 412, 2015 General Session

41-6a-1640 Air conditioning equipment -- Requirements.

- (1) As used in this section, "air conditioning equipment" means mechanical vapor compression refrigeration equipment used to cool the operator or passenger compartment of a motor vehicle.
- (2) Air conditioning equipment shall:
- (a) be manufactured, installed, and maintained with due regard for the safety of the occupants of the vehicle and the public; and
 - (b) not contain any refrigerant which is toxic to persons or which is flammable.

- (3) A person may not have for sale, offer for sale, sell, or equip any motor vehicle with air conditioning equipment unless it complies with the specifications adopted under Section 41-6a-1601 and this section.
- (4) A person may not operate a motor vehicle on a highway if the motor vehicle is equipped with air conditioning equipment unless the air conditioning equipment complies with the specifications adopted under Section 41-6a-1601 and this section.

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1641 Video display in motor vehicles prohibited if visible to driver -- Exceptions.

- (1) A motor vehicle may not be operated on a highway if the motor vehicle is equipped with a video display located so that the display is visible to the conventional driver of the vehicle as that term is defined in Section 41-26-102.1.
- (2) This section does not prohibit the use of a video display used exclusively for:
 - (a) safety or law enforcement purposes if the use is approved by rule of the department under Section 41-6a-1601;
 - (b) motor vehicle navigation;
 - (c) monitoring of equipment and operating systems of the motor vehicle; or
 - (d) operation of a vehicle in a connected platooning system.
- (3) A violation of this section is an infraction.

Amended by Chapter 459, 2019 General Session

Superseded 1/1/2025

41-6a-1642 Emissions inspection -- County program.

- (1) The legislative body of each county required under federal law 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 shall require:
 - (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is exempt from emissions inspection and maintenance program requirements be presented:
 - (i) as a condition of registration or renewal of registration; and
 - (ii) at other times as the county legislative body may require to enforce inspection requirements for individual motor vehicles, except that the county legislative body may not routinely require a certificate of emissions inspection, or waiver of the certificate, more often than required under Subsection (9); and
 - (b) compliance with this section for a motor vehicle registered or principally operated in the county and owned by or being used by a department, division, instrumentality, agency, or employee of:
 - (i) the federal government;
 - (ii) the state and any of its agencies; or
 - (iii) a political subdivision of the state, including school districts.
- (2)
 - (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in Subsection (1), but the program may not deny vehicle registration based solely on the presence of a defeat device covered in the Volkswagen partial consent decrees or a United States Environmental Protection Agency-approved vehicle modification in the following vehicles:

- (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state pursuant to a partial consent decree, including:
 - (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
 - (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and 2014;
 - (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
 - (D) Volkswagen Golf Sportwagen, model year 2015;
 - (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
 - (F) Volkswagen Beetle, model years 2013, 2014, and 2015;
 - (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
 - (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
 - (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state to a settlement, including:
 - (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
 - (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
 - (C) Audi A6 Quattro, model years 2014, 2015, and 2016;
 - (D) Audi A7 Quattro, model years 2014, 2015, and 2016;
 - (E) Audi A8, model years 2014, 2015, and 2016;
 - (F) Audi A8L, model years 2014, 2015, and 2016;
 - (G) Audi Q5, model years 2014, 2015, and 2016; and
 - (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- (b)
- (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in Subsection (1).
 - (ii) A county emissions program may not refuse to perform an emissions inspection or indicate a failed emissions test of the vehicle based solely on a modification to the engine or component of the motor vehicle if:
 - (A) the modification is not likely to result in the motor vehicle having increased emissions relative to the emissions of the motor vehicle before the modification; and
 - (B) the motor vehicle modification is a change to an engine that is newer than the engine with which the motor vehicle was originally equipped, or the engine includes technology that increases the facility of the administration of an emissions test, such as an on-board diagnostics system.
 - (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to registration of a restored-modified vehicle:
 - (A) the owner shall present the signed statement described in Subsection 41-1a-226(4); and
 - (B) the county emissions program shall perform the emissions test.
 - (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration certificate is notated as described in Subsection 41-1a-226(4), a county emissions program may not refuse to perform an emissions test based solely on the restored-modified status of the motor vehicle.
- (3)
- (a) The legislative body of a county identified in Subsection (1), in consultation with the Air Quality Board created under Section 19-1-106, shall make regulations or ordinances regarding:
 - (i) emissions standards;
 - (ii) test procedures;
 - (iii) inspections stations;

- (iv) repair requirements and dollar limits for correction of deficiencies; and
- (v) certificates of emissions inspections.
- (b) In accordance with Subsection (3)(a), a county legislative body:
 - (i) shall make regulations or ordinances to attain or maintain ambient air quality standards in the county, consistent with the state implementation plan and federal requirements;
 - (ii) may allow for a phase-in of the program by geographical area; and
 - (iii) shall comply with the analyzer design and certification requirements contained in the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.
- (c) The county legislative body and the Air Quality Board shall give preference to an inspection and maintenance program that:
 - (i) is decentralized, to the extent the decentralized program will attain and maintain ambient air quality standards and meet federal requirements;
 - (ii) is the most cost effective means to achieve and maintain the maximum benefit with regard to ambient air quality standards and to meet federal air quality requirements as related to vehicle emissions; and
 - (iii) provides a reasonable phase-out period for replacement of air pollution emission testing equipment made obsolete by the program.
- (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
 - (i) may be accomplished in accordance with applicable federal requirements; and
 - (ii) does not otherwise interfere with the attainment and maintenance of ambient air quality standards.
- (4) The following vehicles are exempt from an emissions inspection program and the provisions of this section:
 - (a) an implement of husbandry as defined in Section 41-1a-102;
 - (b) a motor vehicle that:
 - (i) meets the definition of a farm truck under Section 41-1a-102; and
 - (ii) has a gross vehicle weight rating of 12,001 pounds or more;
 - (c) a vintage vehicle as defined in Section 41-21-1:
 - (i) if the vintage vehicle has a model year of 1982 or older; or
 - (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides proof of vehicle insurance that is a type specific to a vehicle collector;
 - (d) a custom vehicle as defined in Section 41-6a-1507;
 - (e) to the extent allowed under the current federally approved state implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor vehicle that is less than two years old on January 1 based on the age of the vehicle as determined by the model year identified by the manufacturer;
 - (f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used:
 - (i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under Sections 59-2-502 and 59-2-503; and
 - (ii) exclusively for the following purposes in operating the farm:
 - (A) for the transportation of farm products, including livestock and its products, poultry and its products, floricultural and horticultural products; and
 - (B) in the transportation of farm supplies, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance;
 - (g) a motorcycle as defined in Section 41-1a-102;

- (h) an electric motor vehicle as defined in Section 41-1a-102; and
 - (i) a motor vehicle with a model year of 1967 or older.
- (5) The county shall issue to the registered owner who signs and submits a signed statement under Subsection (4)(f) a certificate of exemption from emissions inspection requirements for purposes of registering the exempt vehicle.
- (6) A legislative body of a county described in Subsection (1) may exempt from an emissions inspection program a diesel-powered motor vehicle with a:
- (a) gross vehicle weight rating of more than 14,000 pounds; or
 - (b) model year of 1997 or older.
- (7) The legislative body of a county required under federal law to utilize a motor vehicle emissions inspection program shall require:
- (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:
 - (i) a model year of 2007 or newer;
 - (ii) a gross vehicle weight rating of 14,000 pounds or less; and
 - (iii) a model year that is five years old or older; and
 - (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:
 - (i) with a gross vehicle weight rating of 14,000 pounds or less;
 - (ii) that has a model year of 1998 or newer; and
 - (iii) that has a model year that is five years old or older.
- (8)
- (a) Subject to Subsection (8)(c), the legislative body of each county required under federal law 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 may require each college or university located in a county subject to this section to require its students and employees who park a motor vehicle not registered in a county subject to this section to provide proof of compliance with an emissions inspection accepted by the county legislative body if the motor vehicle is parked on the college or university campus or property.
 - (b) College or university parking areas that are metered or for which payment is required per use are not subject to the requirements of this Subsection (8).
 - (c) The legislative body of a county shall make the reasons for implementing the provisions of this Subsection (8) part of the record at the time that the county legislative body takes its official action to implement the provisions of this Subsection (8).
- (9)
- (a) An emissions inspection station shall issue a certificate of emissions inspection for each motor vehicle that meets the inspection and maintenance program requirements established in regulations or ordinances made under Subsection (3).
 - (b) The frequency of the emissions inspection shall be determined based on the age of the vehicle as determined by model year and shall be required annually subject to the provisions of Subsection (9)(c).
 - (c)
 - (i) To the extent allowed under the current federally approved state implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative body of a county identified in Subsection (1) shall only require the emissions inspection every two years for each vehicle.
 - (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six years old on January 1.

- (iii) For a county required to implement a new vehicle emissions inspection and maintenance program on or after December 1, 2012, under Subsection (1), but for which no current federally approved state implementation plan exists, a vehicle shall be tested at a frequency determined by the county legislative body, in consultation with the Air Quality Board created under Section 19-1-106, that is necessary to comply with federal law or attain or maintain any national ambient air quality standard.
 - (iv) If a county legislative body establishes or changes the frequency of a vehicle emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment or change shall take effect on January 1 if the State Tax Commission receives notice meeting the requirements of Subsection (9)(c)(v) from the county before October 1.
 - (v) The notice described in Subsection (9)(c)(iv) shall:
 - (A) state that the county will establish or change the frequency of the vehicle emissions inspection and maintenance program under this section;
 - (B) include a copy of the ordinance establishing or changing the frequency; and
 - (C) if the county establishes or changes the frequency under this section, state how frequently the emissions testing will be required.
 - (d) If an emissions inspection is only required every two years for a vehicle under Subsection (9)(c), the inspection shall be required for the vehicle in:
 - (i) odd-numbered years for vehicles with odd-numbered model years; or
 - (ii) in even-numbered years for vehicles with even-numbered model years.
- (10)
- (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection required under this section may be made no more than two months before the renewal of registration.
 - (b)
 - (i) If the title of a used motor vehicle is being transferred, the owner may use an emissions inspection certificate issued for the motor vehicle during the previous 11 months to satisfy the requirement under this section.
 - (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle dealer's name during the previous 11 months to satisfy the requirement under this section.
 - (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the lessee may use an emissions inspection certificate issued during the previous 11 months to satisfy the requirement under this section.
 - (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not use an emissions inspection made more than 11 months before the renewal of registration to satisfy the requirement under this section.
 - (e) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the owner may use an emissions inspection certificate issued during the previous eight months to satisfy the requirement under this section.
- (11)
- (a) A county identified in Subsection (1) shall collect information about and monitor the program.
 - (b) A county identified in Subsection (1) shall supply this information to an appropriate legislative committee, as designated by the Legislative Management Committee, at times determined by the designated committee to identify program needs, including funding needs.
- (12) If approved by the county legislative body, a county that had an established emissions inspection fee as of January 1, 2002, may increase the established fee that an emissions

inspection station may charge by \$2.50 for each year that is exempted from emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

(13)

- (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration within the county in accordance with the procedures and requirements of Section 41-1a-1223.
- (b) A county that imposes a local emissions compliance fee may use revenues generated from the fee for the establishment and enforcement of an emissions inspection and maintenance program in accordance with the requirements of this section.
- (c) A county that imposes a local emissions compliance fee may use revenues generated from the fee to promote programs to maintain a local, state, or national ambient air quality standard.

(14)

- (a) If a county has reason to believe that a vehicle owner has provided an address as required in Section 41-1a-209 to register or attempt to register a motor vehicle in a county other than the county of the bona fide residence of the owner in order to avoid an emissions inspection required under this section, the county may investigate and gather evidence to determine whether the vehicle owner has used a false address or an address other than the vehicle owner's bona fide residence or place of business.
- (b) If a county conducts an investigation as described in Subsection (14)(a) and determines that the vehicle owner has used a false or improper address in an effort to avoid an emissions inspection as required in this section, the county may impose a civil penalty of \$1,000.

(15) A county legislative body described in Subsection (1) may exempt a motor vehicle from an emissions inspection if:

- (a) the motor vehicle is 30 years old or older;
- (b) the county determines that the motor vehicle was driven less than 1,500 miles during the preceding 12-month period; and
- (c) the owner provides to the county legislative body a statement signed by the owner that states the motor vehicle:
 - (i) is primarily a collector's item used for:
 - (A) participation in club activities;
 - (B) exhibitions;
 - (C) tours; or
 - (D) parades; or
 - (ii) is only used for occasional transportation.

Amended by Chapter 22, 2023 General Session
Amended by Chapter 33, 2023 General Session
Amended by Chapter 532, 2023 General Session

Effective 1/1/2025

41-6a-1642 Emissions inspection -- County program.

(1) The legislative body of each county required under federal law 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 shall require:

- (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is exempt from emissions inspection and maintenance program requirements be presented:

- (i) as a condition of registration or renewal of registration; and
 - (ii) at other times as the county legislative body may require to enforce inspection requirements for individual motor vehicles, except that the county legislative body may not routinely require a certificate of emissions inspection, or waiver of the certificate, more often than required under Subsection (9); and
- (b) compliance with this section for a motor vehicle registered or principally operated in the county and owned by or being used by a department, division, instrumentality, agency, or employee of:
- (i) the federal government;
 - (ii) the state and any of its agencies; or
 - (iii) a political subdivision of the state, including school districts.
- (2)
- (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in Subsection (1), but the program may not deny vehicle registration based solely on the presence of a defeat device covered in the Volkswagen partial consent decrees or a United States Environmental Protection Agency-approved vehicle modification in the following vehicles:
- (i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state pursuant to a partial consent decree, including:
 - (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
 - (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and 2014;
 - (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
 - (D) Volkswagen Golf Sportwagen, model year 2015;
 - (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
 - (F) Volkswagen Beetle, model years 2013, 2014, and 2015;
 - (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
 - (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
 - (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state to a settlement, including:
 - (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
 - (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
 - (C) Audi A6 Quattro, model years 2014, 2015, and 2016;
 - (D) Audi A7 Quattro, model years 2014, 2015, and 2016;
 - (E) Audi A8, model years 2014, 2015, and 2016;
 - (F) Audi A8L, model years 2014, 2015, and 2016;
 - (G) Audi Q5, model years 2014, 2015, and 2016; and
 - (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- (b)
- (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in Subsection (1).
 - (ii) A county emissions program may not refuse to perform an emissions inspection or indicate a failed emissions test of the vehicle based solely on a modification to the engine or component of the motor vehicle if:
 - (A) the modification is not likely to result in the motor vehicle having increased emissions relative to the emissions of the motor vehicle before the modification; and
 - (B) the motor vehicle modification is a change to an engine that is newer than the engine with which the motor vehicle was originally equipped, or the engine includes technology

that increases the facility of the administration of an emissions test, such as an on-board diagnostics system.

- (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to registration of a restored-modified vehicle:
 - (A) the owner shall present the signed statement described in Subsection 41-1a-226(4); and
 - (B) the county emissions program shall perform the emissions test.
 - (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration certificate is notated as described in Subsection 41-1a-226(4), a county emissions program may not refuse to perform an emissions test based solely on the restored-modified status of the motor vehicle.
- (3)
- (a) The legislative body of a county identified in Subsection (1), in consultation with the Air Quality Board created under Section 19-1-106, shall make regulations or ordinances regarding:
 - (i) emissions standards;
 - (ii) test procedures;
 - (iii) inspections stations;
 - (iv) repair requirements and dollar limits for correction of deficiencies; and
 - (v) certificates of emissions inspections.
 - (b) In accordance with Subsection (3)(a), a county legislative body:
 - (i) shall make regulations or ordinances to attain or maintain ambient air quality standards in the county, consistent with the state implementation plan and federal requirements;
 - (ii) may allow for a phase-in of the program by geographical area; and
 - (iii) shall comply with the analyzer design and certification requirements contained in the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.
 - (c) The county legislative body and the Air Quality Board shall give preference to an inspection and maintenance program that:
 - (i) is decentralized, to the extent the decentralized program will attain and maintain ambient air quality standards and meet federal requirements;
 - (ii) is the most cost effective means to achieve and maintain the maximum benefit with regard to ambient air quality standards and to meet federal air quality requirements as related to vehicle emissions; and
 - (iii) provides a reasonable phase-out period for replacement of air pollution emission testing equipment made obsolete by the program.
 - (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
 - (i) may be accomplished in accordance with applicable federal requirements; and
 - (ii) does not otherwise interfere with the attainment and maintenance of ambient air quality standards.
- (4) The following vehicles are exempt from an emissions inspection program and the provisions of this section:
- (a) an implement of husbandry as defined in Section 41-1a-102;
 - (b) a motor vehicle that:
 - (i) meets the definition of a farm truck under Section 41-1a-102; and
 - (ii) has a gross vehicle weight rating of 12,001 pounds or more;
 - (c) a vintage vehicle as defined in Section 41-21-1:
 - (i) if the vintage vehicle has a model year of 1982 or older; or
 - (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides proof of vehicle insurance that is a type specific to a vehicle collector;

- (d) a custom vehicle as defined in Section 41-6a-1507;
 - (e) a vehicle registered as a novel vehicle under Section 41-27-201;
 - (f) to the extent allowed under the current federally approved state implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor vehicle that is less than two years old on January 1 based on the age of the vehicle as determined by the model year identified by the manufacturer;
 - (g) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used:
 - (i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under Sections 59-2-502 and 59-2-503; and
 - (ii) exclusively for the following purposes in operating the farm:
 - (A) for the transportation of farm products, including livestock and its products, poultry and its products, floricultural and horticultural products; and
 - (B) in the transportation of farm supplies, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance;
 - (h) a motorcycle as defined in Section 41-1a-102;
 - (i) an electric motor vehicle as defined in Section 41-1a-102;
 - (j) a motor vehicle with a model year of 1967 or older; and
 - (k) a roadable aircraft as defined in Section 72-10-102.
- (5) The county shall issue to the registered owner who signs and submits a signed statement under Subsection (4)(g) a certificate of exemption from emissions inspection requirements for purposes of registering the exempt vehicle.
- (6) A legislative body of a county described in Subsection (1) may exempt from an emissions inspection program a diesel-powered motor vehicle with a:
- (a) gross vehicle weight rating of more than 14,000 pounds; or
 - (b) model year of 1997 or older.
- (7) The legislative body of a county required under federal law to utilize a motor vehicle emissions inspection program shall require:
- (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:
 - (i) a model year of 2007 or newer;
 - (ii) a gross vehicle weight rating of 14,000 pounds or less; and
 - (iii) a model year that is five years old or older; and
 - (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:
 - (i) with a gross vehicle weight rating of 14,000 pounds or less;
 - (ii) that has a model year of 1998 or newer; and
 - (iii) that has a model year that is five years old or older.
- (8)
- (a) Subject to Subsection (8)(c), the legislative body of each county required under federal law 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 may require each college or university located in a county subject to this section to require its students and employees who park a motor vehicle not registered in a county subject to this section to provide proof of compliance with an emissions inspection accepted by the county legislative body if the motor vehicle is parked on the college or university campus or property.

- (b) College or university parking areas that are metered or for which payment is required per use are not subject to the requirements of this Subsection (8).
 - (c) The legislative body of a county shall make the reasons for implementing the provisions of this Subsection (8) part of the record at the time that the county legislative body takes its official action to implement the provisions of this Subsection (8).
- (9)
- (a) An emissions inspection station shall issue a certificate of emissions inspection for each motor vehicle that meets the inspection and maintenance program requirements established in regulations or ordinances made under Subsection (3).
 - (b) The frequency of the emissions inspection shall be determined based on the age of the vehicle as determined by model year and shall be required annually subject to the provisions of Subsection (9)(c).
 - (c)
 - (i) To the extent allowed under the current federally approved state implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative body of a county identified in Subsection (1) shall only require the emissions inspection every two years for each vehicle.
 - (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six years old on January 1.
 - (iii) For a county required to implement a new vehicle emissions inspection and maintenance program on or after December 1, 2012, under Subsection (1), but for which no current federally approved state implementation plan exists, a vehicle shall be tested at a frequency determined by the county legislative body, in consultation with the Air Quality Board created under Section 19-1-106, that is necessary to comply with federal law or attain or maintain any national ambient air quality standard.
 - (iv) If a county legislative body establishes or changes the frequency of a vehicle emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment or change shall take effect on January 1 if the State Tax Commission receives notice meeting the requirements of Subsection (9)(c)(v) from the county before October 1.
 - (v) The notice described in Subsection (9)(c)(iv) shall:
 - (A) state that the county will establish or change the frequency of the vehicle emissions inspection and maintenance program under this section;
 - (B) include a copy of the ordinance establishing or changing the frequency; and
 - (C) if the county establishes or changes the frequency under this section, state how frequently the emissions testing will be required.
 - (d) If an emissions inspection is only required every two years for a vehicle under Subsection (9)(c), the inspection shall be required for the vehicle in:
 - (i) odd-numbered years for vehicles with odd-numbered model years; or
 - (ii) in even-numbered years for vehicles with even-numbered model years.
- (10)
- (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection required under this section may be made no more than two months before the renewal of registration.
 - (b)
 - (i) If the title of a used motor vehicle is being transferred, the owner may use an emissions inspection certificate issued for the motor vehicle during the previous 11 months to satisfy the requirement under this section.
 - (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded motor

vehicle dealer's name during the previous 11 months to satisfy the requirement under this section.

- (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the lessee may use an emissions inspection certificate issued during the previous 11 months to satisfy the requirement under this section.
 - (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not use an emissions inspection made more than 11 months before the renewal of registration to satisfy the requirement under this section.
 - (e) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the owner may use an emissions inspection certificate issued during the previous eight months to satisfy the requirement under this section.
- (11)
- (a) A county identified in Subsection (1) shall collect information about and monitor the program.
 - (b) A county identified in Subsection (1) shall supply this information to an appropriate legislative committee, as designated by the Legislative Management Committee, at times determined by the designated committee to identify program needs, including funding needs.
- (12) If approved by the county legislative body, a county that had an established emissions inspection fee as of January 1, 2002, may increase the established fee that an emissions inspection station may charge by \$2.50 for each year that is exempted from emissions inspections under Subsection (9)(c) up to a \$7.50 increase.
- (13)
- (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration within the county in accordance with the procedures and requirements of Section 41-1a-1223.
 - (b) A county that imposes a local emissions compliance fee may use revenues generated from the fee for the establishment and enforcement of an emissions inspection and maintenance program in accordance with the requirements of this section.
 - (c) A county that imposes a local emissions compliance fee may use revenues generated from the fee to promote programs to maintain a local, state, or national ambient air quality standard.
- (14)
- (a) If a county has reason to believe that a vehicle owner has provided an address as required in Section 41-1a-209 to register or attempt to register a motor vehicle in a county other than the county of the bona fide residence of the owner in order to avoid an emissions inspection required under this section, the county may investigate and gather evidence to determine whether the vehicle owner has used a false address or an address other than the vehicle owner's bona fide residence or place of business.
 - (b) If a county conducts an investigation as described in Subsection (14)(a) and determines that the vehicle owner has used a false or improper address in an effort to avoid an emissions inspection as required in this section, the county may impose a civil penalty of \$1,000.
- (15) A county legislative body described in Subsection (1) may exempt a motor vehicle from an emissions inspection if:
- (a) the motor vehicle is 30 years old or older;
 - (b) the county determines that the motor vehicle was driven less than 1,500 miles during the preceding 12-month period; and
 - (c) the owner provides to the county legislative body a statement signed by the owner that states the motor vehicle:
 - (i) is primarily a collector's item used for:

- (A) participation in club activities;
 - (B) exhibitions;
 - (C) tours; or
 - (D) parades; or
- (ii) is only used for occasional transportation.

Amended by Chapter 459, 2024 General Session
Amended by Chapter 483, 2024 General Session

41-6a-1643 Development of standardized emissions inspection and maintenance program.

- (1) The county legislative body of each county in which an emissions inspection and maintenance program for motor vehicles is implemented to meet National Ambient Air Quality Standards may enter into an agreement under Title 11, Chapter 13, Interlocal Cooperation Act, to develop an emissions inspection and maintenance program that:
- (a) requires standardized, computerized testing equipment;
 - (b) provides for reciprocity, so that a person required to submit an emissions certificate for vehicle registration may obtain an emissions certificate from any county in which a vehicle emissions inspection and maintenance program is in operation; and
 - (c) requires standardized emissions standards for all counties entering into an agreement under this section.
- (2) Emissions standards set under Subsection (1) shall allow all counties identified in Subsection (1) to meet the National Ambient Air Quality Standards.
- (3) Each county legislative body entering into an agreement under Subsection (1) shall make regulations or ordinances to implement the emissions inspection and maintenance program developed under Subsection (1).

Renumbered and Amended by Chapter 2, 2005 General Session

41-6a-1644 Diesel emissions program -- Implementation -- Monitoring -- Exemptions.

- (1) The legislative body of each county required by the comprehensive plan for air pollution control developed by the director of the Division of Air Quality in accordance with Subsection 19-2-107(2)(a)(i) to use an emissions opacity inspection and maintenance program for diesel-powered motor vehicles shall:
- (a) make regulations or ordinances to implement and enforce the requirement established by the Air Quality Board;
 - (b) collect information about and monitor the program; and
 - (c) by August 1 of each year, supply written information to the Department of Environmental Quality to identify program status.
- (2) The following vehicles are exempt from an emissions opacity inspection and maintenance program for diesel-powered motor vehicles established by a legislative body of a county under Subsection (1):
- (a) an implement of husbandry; and
 - (b) a motor vehicle that:
 - (i) meets the definition of a farm truck under Section 41-1a-102; and
 - (ii) has a gross vehicle weight rating of 12,001 pounds or more.
- (3)
- (a) The legislative body of a county identified in Subsection (1) shall exempt a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds or less from

the emissions opacity inspection and maintenance program requirements of this section, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used:

- (i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under Sections 59-2-502 and 59-2-503; and
- (ii) exclusively for the following purposes in operating the farm:
 - (A) for the transportation of farm products, including livestock and its products, poultry and its products, and floricultural and horticultural products; and
 - (B) for the transportation of farm supplies, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance.
- (b) The county shall provide to the registered owner who signs and submits a signed statement under this section a certificate of exemption from emissions opacity inspection and maintenance program requirements for purposes of registering the exempt vehicle.

Amended by Chapter 360, 2012 General Session

41-6a-1645 Advanced driver assistance facilities -- Repair, calibration, and disclosure -- Penalties.

- (1) As used in this section, "advanced driver assistance feature" means an electronic safety system that is:
 - (a) designed to support the driver and vehicle while operating on roads and highways;
 - (b) intended to increase vehicle safety and reduce losses associated with automobile crashes; and
 - (c) tied to the windshield of a vehicle.
- (2) If a vehicle is equipped with an advanced driver assistance feature, an automotive glass company or repair facility approving or conducting glass repair, replacement, or recalibration on the vehicle shall:
 - (a) before approving or performing a vehicle glass repair or replacement, inform the consumer in electronic or hardcopy writing if a recalibration of the advanced driver assistance feature:
 - (i) is required; or
 - (ii) will be performed; and
 - (b) if performing a recalibration of an advanced driver assistance feature, meet or exceed the manufacturer's specifications.
- (3)
 - (a) The automotive glass company or repair facility shall provide the consumer:
 - (i) an itemized description of the work to be done on the vehicle; and
 - (ii) if an insurer is paying all or part of the repair, the total amount the insurer has agreed to pay for the work described in Subsection (3)(a)(i).
 - (b) An insurance company that pays for work described in Subsection (3)(a) may not be required to pay more than a fair and competitive price for the local market area.
 - (c) An automotive glass company or repair facility may not represent to a customer that the cost of a repair, replacement, or recalibration will be paid for entirely by the customer's insurer and at no cost to the customer unless the cost of the repair, replacement, or recalibration is fully covered and approved by the insurer.
 - (d) If a recalibration was not performed or not completed successfully, the automotive glass company or repair facility shall inform the consumer electronically or in writing that:
 - (i) the recalibration was not successful or was not performed; and

- (ii) the vehicle should be taken to a vehicle manufacturer's certified dealership, a qualified automobile glass company, or repair facility capable of performing the recalibration of an advanced driver assistance feature that meets or exceeds the manufacturer's specifications.
- (4) An automotive glass company or repair facility conducting a scan or recalibration for vehicle glass repair or replacement services on a vehicle equipped with an advanced driver assistance feature:
 - (a) is not limited to vehicle glass, tooling, or equipment dictated or recommended by the manufacturer's procedures or specifications; and
 - (b) shall recalibrate the advanced driver assistance feature to meet or exceed the manufacturer's procedures or specifications.
- (5) An automotive glass company or repair facility may only bill or charge for vehicle glass repair, replacement, or recalibration services that are performed and necessary.
- (6)
 - (a) A person with actual knowledge that an advanced driver assistance feature of a motor vehicle is inoperable or has not been repaired or recalibrated may not knowingly sell, offer for sale, or display for sale, the motor vehicle without providing written notice to the purchaser that:
 - (i) the advanced driver assistance feature has not been repaired or recalibrated to the manufacturer's specifications; or
 - (ii) the advanced driver assistance feature is inoperable.
 - (b) This Subsection (6) does not apply to:
 - (i) a motor vehicle auction or consignor to a motor vehicle auction, if no disclosure is required under Section 41-1a-1005.3; or
 - (ii) a vehicle for which the ownership document is:
 - (A) a certification of title in an insurance company's name;
 - (B) a salvage certificate, as defined in Section 41-1a-1001; or
 - (C) a nonrepairable certificate, as defined in Section 41-1a-1001.
- (7) A person who violates a provision of this section is:
 - (a) guilty of an infraction; and
 - (b) subject to a civil penalty of \$500.
- (8)
 - (a) In addition to any other penalties, a purchaser may bring a civil action to recover damages resulting from a seller's failure to provide notice under Subsection (6).
 - (b) The amount of damages that may be recovered in a civil action described in Subsection (8)(a) is the greater of:
 - (i) the amount of the actual damages; or
 - (ii) \$1,500.

Amended by Chapter 220, 2021 General Session

41-6a-1646 Motor vehicle glass repair requirements -- Penalties.

- (1) An automotive glass company or repair facility shall provide a consumer seeking motor vehicle glass repair or replacement:
 - (a) an electronic or hardcopy written and itemized description of the work to be done on the vehicle; and
 - (b) if an insurer is paying all or part of the repair, the total amount the insurer has agreed to pay for the work described in Subsection (1)(a).
- (2) An insurance company that pays for work described in Subsection (1)(a) may not be required to pay more than a fair and competitive price for the local market area.

- (3) An automotive glass company or repair facility:
 - (a) may not represent to a customer that the cost of a repair or replacement will be paid for entirely by the customer's insurer and at no cost to the customer unless the cost of the repair or replacement is fully covered and approved by the insurer;
 - (b) is not limited to vehicle glass, tooling, or equipment dictated or recommended by the manufacturer's procedures or specifications; and
 - (c) may only bill or charge for vehicle glass repair, replacement, or recalibration services that are performed and necessary.
- (4) A person who violates a provision of this section is:
 - (a) guilty of an infraction; and
 - (b) subject to a civil penalty of \$500.

Enacted by Chapter 220, 2021 General Session