

Part 2

Motor Vehicle Safety Inspection Act

53-8-202 Definitions.

The definitions in Section 41-6a-102 apply to this part.

Amended by Chapter 40, 2023 General Session

53-8-204 Division duties -- Official inspection stations -- Permits -- Fees -- Suspension or revocation -- Utah-based interstate commercial motor carriers.

(1) The division shall:

- (a) conduct examinations of every safety inspection station permit applicant and safety inspector certificate applicant to determine whether the applicant is properly equipped and qualified to make safety inspections;
- (b) issue safety inspection station permits and safety inspector certificates to qualified applicants;
- (c) establish application, renewal, and reapplication fees in accordance with Section 63J-1-504 for safety inspection station permits and safety inspector certificates;
- (d) provide instructions and all necessary forms, including safety inspection certificates, to safety inspection stations for the inspection of motor vehicles and the issuance of the safety inspection certificates;
- (e) investigate complaints regarding safety inspection stations and safety inspectors;
- (f) compile and publish all applicable safety inspection laws, rules, instructions, and standards and distribute them to all safety inspection stations and provide updates to the compiled laws, rules, instructions, and standards as needed; and
- (g) establish a fee in accordance with Section 63J-1-504 to cover the cost of compiling and publishing the safety inspection laws, rules, instructions, and standards and any updates.

(2)

- (a) Receipts from the fees established in accordance with Subsection (1)(g) are fixed collections to be used by the division for the expenses of the Utah Highway Patrol incurred under Subsection (1)(g).
- (b) Funds received in excess of the expenses under Subsection (1)(g) shall be deposited in the Transportation Fund.

(3) The division may:

- (a) before issuing a safety inspection permit, require an applicant, other than a fleet station or government station, to file a bond that will provide a guarantee that the applicant safety inspection station will make compensation for any damage to a motor vehicle during an inspection or adjustment due to negligence on the part of an applicant or the applicant's employees;
- (b) establish procedures governing the issuance of safety inspection certificates to Utah-based interstate commercial motor carriers;
- (c) suspend, revoke, or refuse renewal of any safety inspection station permit issued when the division finds that the safety inspection station is not:
 - (i) properly equipped; or
 - (ii) complying with rules made by the division; and
- (d) suspend, revoke, or refuse renewal of any safety inspection station permit or safety inspector certificate issued when the station or inspector has violated any safety inspection law or rule.

- (4) The division shall maintain a record of safety inspection station permits and safety inspector certificates issued, suspended, revoked, or refused renewal under Subsection (3)(c).
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules:
 - (a) setting minimum standards covering the design, construction, condition, and operation of motor vehicle equipment for safely operating a motor vehicle on the highway;
 - (b) establishing motor vehicle safety inspection procedures to ensure a motor vehicle can be operated safely;
 - (c) establishing safety inspection station building, equipment, and personnel requirements necessary to qualify to perform safety inspections;
 - (d) establishing age, training, examination, and renewal requirements to qualify for a safety inspector certificate;
 - (e) establishing program guidelines for a school district that elects to implement a safety inspection apprenticeship program for high school students;
 - (f) establishing requirements:
 - (i) designed to protect consumers from unwanted or unneeded repairs or adjustments;
 - (ii) for maintaining safety inspection records;
 - (iii) for providing reports to the division; and
 - (iv) for maintaining and protecting safety inspection certificates;
 - (g) establishing procedures for a motor vehicle that fails a safety inspection;
 - (h) setting bonding amounts for safety inspection stations if bonds are required under Subsection (3)(a); and
 - (i) establishing procedures for a safety inspection station to follow if the station is going out of business.
- (6) The rules of the division:
 - (a) shall conform as nearly as practical to federal motor vehicle safety standards including 49 C.F.R. Parts 393, 396, 396 Appendix G, and Federal Motor Vehicle Safety Standards 205; and
 - (b) may incorporate by reference, in whole or in part, the federal standards under Subsection (6)(a) and nationally recognized and readily available standards and codes on motor vehicle safety.

Amended by Chapter 40, 2023 General Session

53-8-205 Safety inspection required for certain vehicles -- Out-of-state permits.

- (1)
 - (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety inspection when an application is made for initial registration as a salvage vehicle.
 - (b) An off-highway vehicle being registered for the first time as a street-legal all-terrain vehicle as described in Section 41-6a-1509 is required to pass a safety inspection when the owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.
 - (c) A novel vehicle being registered for the first time as a street-legal novel vehicle as described in Section 41-27-201 is required to pass a safety inspection when the owner makes the initial application to register the vehicle as a street-legal novel vehicle.
 - (d) The owner of a commercial vehicle, as defined in Section 72-9-102, shall:
 - (i) ensure that the commercial vehicle passes a safety inspection annually; or
 - (ii) provide evidence of a valid annual federal inspection that complies with the requirements of 49 C.F.R. Sec. 396.17.

- (e) The owner of a vehicle operated by a ground transportation service provider as defined in Section 72-10-601 shall ensure that the vehicle passes a safety inspection annually.
- (f) An owner of one or more of the following types of vehicles shall ensure that the vehicle passes a safety inspection annually:
 - (i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with multiple axles;
 - (ii) a combination unit;
 - (iii) a bus or van for hire; or
 - (iv) a taxicab.
- (2) A safety inspection station shall issue two safety inspection certificates to the owner of:
 - (a) each motor vehicle that passes a safety inspection under this section; and
 - (b) a street-legal all-terrain vehicle that meets all the equipment requirements in Section 41-6a-1509.
- (3) A person operating a motor vehicle required to have an annual safety inspection shall have in the person's immediate possession a safety inspection certificate or other evidence of compliance.
- (4) The division may authorize the acceptance of a safety inspection certificate issued in another state having a safety inspection law similar to Utah's law.
- (5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

Amended by Chapter 459, 2024 General Session

53-8-206 Safety inspection -- Station requirements -- Permits not transferable -- Certificate of inspection -- Fees -- Unused certificates -- Suspension or revocation of permits.

- (1) The safety inspection required under this part may only be performed:
 - (a) by a person certified by the division as a safety inspector; and
 - (b) at a safety inspection station with a valid safety inspection station permit issued by the division.
- (2)
 - (a) A safety inspection station permit may not be assigned, transferred, or used at a location other than a designated location.
 - (b) The holder of a safety inspection station permit shall post the permit in a conspicuous place at the location designated in the permit.
- (3) If required by the division, the safety inspector shall keep a record and file a report of every safety inspection and every safety inspection certificate issued.
- (4)
 - (a) A safety inspection station holding a safety inspection station permit issued by the division may charge a reasonable fee for labor in performing safety inspections.
 - (b) A safety inspection station charging a fee as described in Subsection (4)(a) shall conspicuously post the fee amount before performing a safety inspection.
- (5)
 - (a) A safety inspection station may return to the division unused safety inspection certificates in a quantity of 10 or more.
 - (b) The division shall reimburse the station for the cost of the returned safety inspection certificates.
- (6)

- (a) Upon receiving notice of the suspension or revocation of a safety inspection station permit and after the conclusion of an adjudicative proceeding upholding the suspension or revocation, the safety inspection station permit holder shall:
 - (i) immediately terminate all safety inspection activities; and
 - (ii) return all safety inspection certificates and the safety inspection station permit to the division.
- (b) The division shall issue a receipt for all unused safety inspection certificates.

Amended by Chapter 457, 2026 General Session

53-8-207 Falsely representing to be official station or safety inspector.

- (1) A person may not in any manner represent any place as a safety inspection station unless the station is operating under a valid permit issued by the division.
- (2) A person may not issue a safety inspection certificate unless the person:
 - (a) is a safety inspector certified by the division;
 - (b) is operating under a valid safety inspection station permit issued by the division; and
 - (c) performs the safety inspection on the motor vehicle in compliance with Section 53-8-205.
- (3) An unauthorized person may not knowingly possess safety inspection certificates.

Renumbered and Amended by Chapter 26, 1993 General Session

Renumbered and Amended by Chapter 234, 1993 General Session

53-8-208 Counterfeit certificates of inspection.

- (1) A person may not make, issue, or knowingly use any imitation or counterfeit of a safety inspection certificate.
- (2) A person may not present or cause or permit to be presented any safety inspection certificate knowing the certificate to be fictitious, issued for another motor vehicle, or issued without a safety inspection having been made and passed.

Renumbered and Amended by Chapter 26, 1993 General Session

Renumbered and Amended by Chapter 234, 1993 General Session

53-8-209 Inspection by officers -- Certificate of inspection.

- (1) A peace officer may stop, inspect, and test a vehicle at any time upon reasonable cause to believe that:
 - (a) a vehicle is unsafe or not equipped as required by law;
 - (b) the vehicle's equipment is not in proper adjustment or repair; or
 - (c) the vehicle has been in an accident and a post accident investigation is necessary.
- (2)
 - (a)
 - (i) If a vehicle is found to be in unsafe condition or any required part or equipment is not present or is not in proper repair and adjustment, the officer may give a written notice to the driver and shall send a copy to the division.
 - (ii) The notice shall:
 - (A) require that the vehicle be placed in safe condition and the vehicle's equipment in proper repair and adjustment;
 - (B) specify the repairs and adjustments needed; and
 - (C) require that a safety inspection certificate be obtained within 14 days.

- (b) If a vehicle is, in the reasonable judgment of the peace officer, hazardous to operate, the peace officer may require that the vehicle:
 - (i) not be operated under its own power; or
 - (ii) be driven to the nearest garage or other place of safety.
- (c)
 - (i) If the owner or driver does not comply with the notice requirements and secure a safety inspection certificate within 14 days, the vehicle may not be operated on the highways of this state.
 - (ii) A violation of Subsection (2)(c)(i) is an infraction.
- (3) An owner or driver of a vehicle is not guilty of an infraction and is not required to pay a fee or fine if the citation was issued for:
 - (a) expired registration in violation of Section 41-1a-201 or 41-1a-1303, and:
 - (i) the citation was issued within two months after the expiration of the vehicle's registration; and
 - (ii) the owner or driver registers the vehicle within 14 days after the citation was issued; or
 - (b) a violation of Section 41-1a-205, 41-6a-1601, or 53-8-205 or any other equipment related infraction under Title 41, Chapter 6a, Part 16, Vehicle Equipment, and the owner or driver obtains a safety inspection, emissions inspection, or proof of repair, as applicable, within 14 days after the citation was issued.

Amended by Chapter 345, 2020 General Session

Amended by Chapter 351, 2020 General Session

53-8-210 Enforcement of inspection requirements.

- (1) A person operating a vehicle shall submit the vehicle to a safety inspection when required to do so by a peace officer.
- (2)
 - (a) An owner or driver, upon receiving a notice as provided in Section 53-8-209, shall within 14 business days:
 - (i) secure a safety inspection certificate; and
 - (ii) present the certificate and the repaired vehicle to the Utah Highway Patrol for verification.
 - (b) In lieu of compliance with this subsection, the vehicle may not be operated, except as provided in Subsection (3).
- (3)
 - (a) A person may not operate any vehicle after receiving a notice from a peace officer that the vehicle is in need of repair or adjustment, except that a peace officer may allow the vehicle to be driven to the residence or place of business of the owner or driver or to the nearest garage where repairs are available if driving the vehicle is not excessively dangerous.
 - (b) The vehicle may not be operated again on the highways until its equipment has been placed in proper repair and adjustment and otherwise conforms to the requirements of this part and Title 41, Chapter 6a, Traffic Code, and a safety inspection certificate is obtained as promptly as possible.
- (4) If repair or adjustment of any vehicle or its equipment is necessary, the owner of the vehicle may obtain repair or adjustment at any place he may choose.

Amended by Chapter 345, 2020 General Session

53-8-211 Safety inspection of school buses and other vehicles.

- (1) For purposes of this section and Section 53-8-211.5, "education entity" means:
 - (a) a school district;
 - (b) a charter school;
 - (c) a private school; and
 - (d) the Utah Schools for the Deaf and the Blind.
- (2)
 - (a) A school bus operated by an education entity in this state is required to pass a safety inspection annually.
 - (b)
 - (i) An education entity shall perform the safety inspections of a school bus that it operates in accordance with rules made by the division under Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 - (ii) The rules under Subsection (2)(b)(i) shall include provisions for:
 - (A) maintaining school bus drivers' hours of service records;
 - (B) requiring school bus drivers to maintain vehicle condition reports;
 - (C) maintaining school bus maintenance and repair records; and
 - (D) validating that defects discovered during the inspection process have been corrected prior to returning a school bus to service.
 - (iii)
 - (A) The division shall audit school bus safety operations of each education entity performing inspections under Subsection (2)(b)(i) to ensure compliance with the rules made under Subsection (2)(b)(i).
 - (B) The audit may include both a formal examination of the education entity's inspection records and a random physical inspection of buses that have been safety inspected by the education entity.
 - (iv) An education entity must have a comprehensive school bus maintenance plan approved by the division in order to participate in the safety inspection program.
 - (v) An education entity may not operate any vehicle found to have mechanical or other defects that would endanger the safety of passengers and the public until the defects have been corrected.
 - (3) In addition to a safety inspection required under Subsection (2)(b), the Highway Patrol shall:
 - (a) perform random safety inspections:
 - (i) annually on a minimum of 20% of the school buses operated by an education entity; and
 - (ii) on 100% of school buses operated by an education entity when inspections conducted pursuant to Subsection (3)(a)(i) result in an out-of-service failure rate as determined by the division;
 - (b) verify that defects discovered during an inspection under Subsection (3)(a) have been corrected; and
 - (c) make publicly available the results of inspections performed under Subsection (3)(a).
 - (4) Motor vehicles operated by an education entity, and not used for the transportation of students, are subject to Section 53-8-205.

Amended by Chapter 71, 2020 General Session

53-8-211.5 School bus safety standards -- Exceptions.

- (1) Beginning July 1, 2003, an education entity, as defined in Section 53-8-211, may not use a vehicle with a seating capacity of 11 or more, including the driver, for the transportation of its

students unless the vehicle meets federal school bus safety standards under 49 U.S.C. Sec. 30101, et seq.

- (2) Subsection (1) does not apply to a vehicle operated by a common carrier, as defined in Section 59-12-102, if the common carrier is not exclusively engaged in the transportation of students.

Amended by Chapter 145, 2017 General Session

53-8-212 Suspension of registration.

The State Tax Commission shall suspend the registration of any vehicle the division determines is in an unsafe condition or which after notice and demand is not equipped as required in this part and Title 41, Motor Vehicles.

Renumbered and Amended by Chapter 234, 1993 General Session

53-8-213 Special function officer status for certain employees -- Retirement provisions.

- (1) The commissioner may designate an employee of the Utah Highway Patrol Division as a special function officer, as defined in Section 53-13-105, for the purpose of enforcing all laws relating to vehicle parts and equipment, including the provisions of this part and Title 41, Chapter 6a, Part 16, Vehicle Equipment.
- (2) Notwithstanding Section 49-15-201, a special function officer designated under this section may not become or be designated as a member of the Public Safety Retirement Systems.

Amended by Chapter 2, 2005 General Session

53-8-214 Creation of the Motor Vehicle Safety Impact Restricted Account.

- (1) There is created a restricted account within the General Fund known as the Motor Vehicle Safety Impact Restricted Account.
- (2) The account includes:
- (a) deposits made to the restricted account from registration fees as described in Subsection 41-1a-1201(7);
 - (b) deposits into the account as described in Section 41-1a-1211;
 - (c) donations or deposits made to the account;
 - (d) appropriations from the Legislature; and
 - (e) any interest earned on the account.
- (3) Upon appropriation, the division may use funds in the account to improve motor vehicle safety, mitigate impacts, and enforce safety provisions, including the following:
- (a) hiring new Highway Patrol troopers;
 - (b) payment of overtime for Highway Patrol troopers; and
 - (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.
- (4) The division shall annually report to the Criminal Justice Appropriations Subcommittee to justify expenditures and use of funds in the account.

Amended by Chapter 485, 2026 General Session