

1 **COLLECTION OF UNIFORM MOTOR VEHICLE**

2 **FEES AMENDMENT**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Don E. Bush**

6 AN ACT RELATING TO REVENUE AND TAXATION; ESTABLISHING A PROCEDURE
7 TO CHANGE UNIFORM FEE AND MOTOR VEHICLE FEE COLLECTION
8 AGREEMENTS; AMENDING REIMBURSEMENT FEE PROVISIONS; **h** **REQUIRING**
8a **CERTAIN RULEMAKING; REQUIRING A REPORT TO THE LEGISLATURE; h** AND PROVIDING
9 AN EFFECTIVE DATE.

10 This act affects sections of Utah Code Annotated 1953 as follows:

11 AMENDS:

12 **59-2-406**, as last amended by Chapters 28 and 99, Laws of Utah 1995

12a **h This act enacts uncodified material. h**

13 *Be it enacted by the Legislature of the state of Utah:*

14 Section 1. Section **59-2-406** is amended to read:

15 **59-2-406. Collection of uniform fee and other motor vehicle fees.**

16 (1) (a) For the purposes of efficiency in the collection of the uniform fee required by this
17 section, the commission shall enter into a contract for the collection of both the uniform fee
18 required by Section 59-2-405 and certain fees required by Title 41, Motor Vehicles.

19 (b) The contract required by this section shall, at the county's option, provide for one of
20 the following collection agreements:

21 (i) the collection by the commission of the uniform fee required by Section 59-2-405, and
22 all Title 41 fees listed in Subsection (c); or

23 (ii) the collection by the county of the uniform fee required by Section 59-2-405 and all
24 Title 41 fees listed in Subsection (c).

25 (c) The Title 41 fees that are subject to the contractual agreement required by this section
26 are:

27 (i) registration fees for vehicles, mobile homes, manufactured homes, boats, and

1 off-highway vehicles, with the exception of fleet and proportional registration;

2 (ii) title fees for vehicles, mobile homes, manufactured homes, boats, and off-highway
3 vehicles;

4 (iii) plate fees for vehicles;

5 (iv) permit fees; and

6 (v) impound fees.

7 (d) A county may change the election it makes pursuant to Subsection (1)(b) by providing
8 written notice of the change to the commission at least 18 months before the change shall take
9 effect.

10 (2) The contract shall provide that the party contracting to perform services shall:

11 (a) be responsible for the collection of the uniform fee and the applicable Title 41 fees as
12 agreed to in the contract;

13 (b) utilize the documents and forms, guidelines, practices, and procedures that meet the
14 contract specifications;

15 (c) meet the performance standards and comply with applicable training requirements
16 specified in the **h** ~~[contract]~~ **RULES MADE UNDER SUBSECTION (8)(a)** **h** ; and

17 (d) be subject to a penalty **h** **OF ONE-HALF OF THE DIFFERENCE BETWEEN THE**

17a **REIMBURSEMENT FEE SPECIFIED UNDER SUBSECTION (3) AND THE REIMBURSEMENT FEE**

17b **FOR FISCAL YEAR 1997-98** **h** if performance is below the performance standards specified in

18 the **h** ~~[contract]~~ **RULES MADE UNDER SUBSECTION (8)(a)** **h** .

19 (3) (a) The commission shall recommend a reimbursement fee **h** ~~[in accordance with Section~~

20 ~~63-38-3.2, sufficient to cover the costs of]~~ **FOR** **h** collecting the fees **h** **AS PROVIDED IN SUBSECTION**

20a **(2) (a)** **h** .

21 (b) The reimbursement fee shall be based on **h** **TWO DOLLARS PER STANDARD UNIT FOR**

21a **THE FIRST 5,000 STANDARD UNITS IN EACH COUNTY AND** **h** one dollar per standard unit **h** **FOR**

21b **ALL OTHER STANDARD UNITS** **h** and shall be

22 annually adjusted by the commission beginning July 1, 1999.

23 (c) The adjustment shall be equal to any increase in the Consumer Price Index for all urban

24 consumers, prepared by the United States Bureau of Labor Statistics, during the preceding calendar

25 year.

26 (d) The reimbursement fees shall be appropriated by the Legislature.

27 (4) All counties that elect to collect the uniform fee and any other Title 41 fees as provided
28 by contract shall be subject to similar contractual terms.

29 (5) The party performing the collection services by contract shall use appropriate
30 automated systems software and equipment compatible with the system used by the other
31 contracting party in order to ensure the integrity of the current motor vehicle data base and county

1 tax systems, or successor data bases and systems.

2 (6) If the county elects not to collect the uniform fee and the Title 41 fees, the commission
3 shall:

4 (a) collect the uniform fee and Title 41 fees in each county or regional center as negotiated
5 by the counties with the commission in accordance with the requirements of this section; and

6 (b) provide information to the county in a format and media consistent with the county's
7 requirements.

8 (7) This section shall not limit the authority given to the county in Section 59-2-1302.

8a h (8)(a) IN ACCORDANCE WITH TITLE 63, CHAPTER 46a, UTAH ADMINISTRATIVE
8b RULEMAKING ACT, THE COMMISSION SHALL MAKE RULES SPECIFYING THE PERFORMANCE
8c STANDARDS AND APPLICABLE TRAINING REQUIREMENTS FOR ALL CONTRACTS REQUIRED
8d BY THIS SECTION.

8e (b) BEGINNING ON JULY 1, 1998, EACH NEW CONTRACT ENTERED INTO UNDER THIS
8f SECTION SHALL BE SUBJECT TO THE RULES MADE UNDER SUBSECTION (8)(a).

8g Section 2. Legislative intent.

8h IT IS THE INTENT OF THE LEGISLATURE THAT THE COMMISSION SHALL REPORT TO
8i THE REVENUE AND TAXATION INTERIM COMMITTEE DURING THE 1998 INTERIM ON THE RULES
8j MADE AS REQUIRED UNDER SUBSECTION 59-2-406(8) AND ON THE IMPLEMENTATION OF THE
8k OTHER CHANGES TO SECTION 59-2-406 IN H.B. 177, "COLLECTION OF MOTOR VEHICLE FEES
8l AMENDMENT." h

9 Section h [2] 3 h . Effective date.

10 This act takes effect on July 1, 1998.

Legislative Review Note
as of 11-3-97 12:46 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Committee Note

The Transportation Interim Committee recommended this bill.

lilac-January 30, 1998