

**COLLECTION OF UNIFORM MOTOR VEHICLE  
FEES AMENDMENT**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Don E. Bush**

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

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

AMENDS:

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

This act enacts uncodified material.

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

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

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

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

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

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

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

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

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

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

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

(iii) plate fees for vehicles;

(iv) permit fees; and

(v) impound fees.

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

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

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

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

(c) meet the performance standards and comply with applicable training requirements specified in the ~~[contract]~~ rules made under Subsection (8)(a); and

(d) be subject to a penalty of 1/2 the difference between the reimbursement fee specified under Subsection (3) and the reimbursement fee for fiscal year 1997-98 if performance is below the performance standards specified in the ~~[contract]~~ rules made under Subsection (8)(a).

(3) ~~(a)~~ The commission shall recommend a reimbursement fee ~~[in accordance with Section 63-38-3.2, sufficient to cover the costs of]~~ for collecting the fees as provided in Subsection (2)(a).

(b) The reimbursement fee shall be based on two dollars per standard unit for the first 5,000 standard units in each county and one dollar per standard unit for all other standard units and shall be annually adjusted by the commission beginning July 1, 1999.

(c) The adjustment shall be equal to any increase in the Consumer Price Index for all urban consumers, prepared by the United States Bureau of Labor Statistics, during the preceding calendar year.

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

(4) All counties that elect to collect the uniform fee and any other Title 41 fees as provided

by contract shall be subject to similar contractual terms.

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

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

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

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

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

(8) (a) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission shall make rules specifying the performance standards and applicable training requirements for all contracts required by this section.

(b) Beginning on July 1, 1998, each new contract entered into under this section shall be subject to the rules made under Subsection (8)(a).

**Section 2. Interim report.**

It is the intent of the Legislature that the commission shall report to the Revenue and Taxation Interim Committee during the 1998 interim on the rules made as required under Subsection 59-2-406(8) and on the implementation of the other changes to Section 59-2-406 in H.B. 177, "Collection of Motor Vehicle Fees Amendment."

**Section 3. Effective date.**

This act takes effect on July 1, 1998.