

1 **MOTOR VEHICLE SAFETY INSPECTION**

2 1998 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Wayne A. Harper**

5 AN ACT RELATING TO MOTOR VEHICLES; AMENDING THE FREQUENCY OF
6 REQUIRED VEHICLE SAFETY INSPECTIONS; AND PROVIDING AN EFFECTIVE
7 DATE.

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

9 AMENDS:

10 **41-1a-203**, as last amended by Chapter 360, Laws of Utah 1997

11 **41-1a-205**, as last amended by Chapter 234, Laws of Utah 1993

12 **53-8-205**, as renumbered and amended by Chapters 26 and 234, Laws of Utah 1993

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

14 Section 1. Section **41-1a-203** is amended to read:

15 **41-1a-203. Prerequisites for registration.**

16 (1) Except as otherwise provided, prior to registration a vehicle must have:

17 (a) an identification number inspection under Section 41-1a-204;

18 (b) passed the safety inspection, if required in the current year, as provided under Sections
19 41-1a-205 and 53-8-205;

20 (c) passed the emissions inspection as provided under Section 41-6-163.6;

21 (d) paid property taxes, the in lieu fee, or received a property tax clearance under Section
22 41-1a-206 or 41-1a-207;

23 (e) paid the automobile driver education tax required by Section 41-1a-208;

24 (f) paid the applicable registration fee under Part 12, Fee and Tax Requirements;

25 (g) paid the uninsured motorist identification fee under Section 41-1a-1218, if applicable;

26 and

27 (h) paid the motor carrier fee under Section 41-1a-1219, if applicable.

1 (2) In addition to the requirements in Subsection (1), an owner whose vehicle has not been
2 previously registered or that is currently registered under a previous owner's name must also apply
3 for a valid certificate of title in the owner's name prior to registration.

4 (3) A new registration, transfer of ownership, or registration renewal under Section
5 73-18-7 may not be issued for a vessel or outboard motor that is subject to the title provisions of
6 this chapter unless a certificate of title has been or is in the process of being issued in the same
7 owner's name.

8 (4) A new registration, transfer of ownership, or registration renewal under Section
9 41-22-3 may not be issued for an off-highway vehicle that is subject to the titling provisions of this
10 chapter unless a certificate of title has been or is in the process of being issued in the same owner's
11 name.

12 Section 2. Section **41-1a-205** is amended to read:

13 **41-1a-205. Safety inspection certificate required for renewal or registration of motor**
14 **vehicle -- Exemptions.**

15 (1) [A] If required in the current year, a safety inspection certificate, as required by Section
16 53-8-205, or proof of exemption from safety inspection shall be presented at the time of, and as
17 a condition of, registration or renewal of registration of a motor vehicle.

18 (2) (a) The safety inspection required under this section may be made no more than two
19 months prior to the renewal of registration, except as provided in Subsection (2)(b).

20 (b) (i) To renew the registration of a used car, the title of which has been transferred or is
21 to be transferred, a safety inspection certificate received by the previous owner during the past two
22 months may be presented to the division.

23 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety inspection
24 certificate issued in a licensed and bonded motor vehicle dealer's name during the previous six
25 months may be presented to the division.

26 (3) The following motor vehicles are exempt from this section:

27 (a) a new motor vehicle when registered the first time, provided a new car predelivery
28 inspection has been made by a dealer; and

29 (b) a motor vehicle required to be registered under this chapter that bears a dealer plate or
30 other special plate under Title 41, Chapter 3, Part 5, Special Dealer License Plates, except that if
31 the motor vehicle is propelled by its own power and is not being moved for repair or dismantling,

1 the motor vehicle shall comply with Section 41-6-155 regarding safe mechanical condition.

2 (4) (a) A safety inspection certificate shall be displayed on:

3 (i) all registered commercial motor vehicles with a gross vehicle weight rating of 26,000
4 pounds or more;

5 (ii) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
6 multiple axles;

7 (iii) a combination unit; and

8 (iv) a bus or van for hire.

9 (b) A commercial vehicle under Subsection (a) is exempt from the requirements of
10 Subsection (1).

11 (5) A motor vehicle may be sold and the title assigned to the new owner without a valid
12 safety inspection, but the motor vehicle may not be registered in the new owner's name until the
13 motor vehicle complies with this section.

14 Section 3. Section **53-8-205** is amended to read:

15 **53-8-205. Safety inspection required -- Safety inspection certificate required -- Out**
16 **of state permits.**

17 (1) (a) Except as provided in Subsection (b), a person may not operate on a highway a
18 motor vehicle required to be registered in this state unless the motor vehicle has passed a safety
19 inspection.

20 (b) Subsection (a) does not apply to:

21 (i) vehicles exempt from registration under Section 41-1a-205; and

22 (ii) off-highway vehicles.

23 (2) The safety inspection shall:

24 (a) be made at least [~~once each year~~] every two years as follows:

25 (i) in odd-numbered years for a vehicle with an odd-numbered model year; and

26 (ii) in even-numbered years for a vehicle with an even-numbered model year;

27 (b) be made by a safety inspector certified by the division at a safety inspection station
28 authorized by the division; and

29 (c) cover an inspection of the motor vehicle mechanism, brakes, and equipment to ensure
30 proper adjustment and condition as required by department rules.

31 (3) A safety inspection station shall issue a safety inspection certificate to the owner of

1 each motor vehicle that passes a safety inspection under this section.

2 (4) The division may:

3 (a) authorize the acceptance in this state of a safety inspection certificate issued in another
4 state having a safety inspection law similar to this state; and

5 (b) extend the time within which a safety inspection certificate must be obtained by the
6 resident owner of a vehicle that was not in this state during the time a safety inspection was
7 required.

8 Section 4. **Effective date.**

9 This act takes effect on July 1, 1998.

Legislative Review Note
as of 12-4-97 12:38 PM

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

Office of Legislative Research and General Counsel