

VEHICLE SUSPENSION LIFT LAWS

2001 GENERAL SESSION

STATE OF UTAH

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This act modifies the Motor Vehicle Code by amending motor vehicle frame height requirements and related provisions.

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

AMENDS:

- 41-6-148.29**, as enacted by Chapter 128, Laws of Utah 1987
- 41-6-148.31**, as last amended by Chapter 1, Laws of Utah 1992
- 41-6-148.32**, as last amended by Chapter 10, Laws of Utah 1989
- 41-6-148.33**, as enacted by Chapter 128, Laws of Utah 1987
- 41-6-150.10**, as last amended by Chapter 73, Laws of Utah 2000
- 53-1-108**, as enacted by Chapter 234, Laws of Utah 1993

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

Section 1. Section **41-6-148.29** is amended to read:

41-6-148.29. Vehicles subject to Sections 41-6-148.29 through 41-6-148.33 --

Definitions.

(1) Sections 41-6-148.29 through 41-6-148.33 apply to all motor vehicles with an original manufacturer's gross vehicle weight rating of [~~10,000~~] 15,000 pounds or less operated or parked on a

highway within the state.

(2) As used in Sections 41-6-148.29 through 41-6-148.33:

(a) "Commissioner" means the commissioner of the Department of Public Safety.

(b) "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.

(c) "Frame height" means the vertical distance between the ground and the lowest point on the frame. The distance is measured [~~from the ground to the lowest point on the frame where the front bumper is normally attached,~~] when the vehicle is unladen and on a level surface.

(d) "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.

(e) "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 (FMVSS).

(f) "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.

(g) "O.E.M." means original equipment manufacturer.

(h) "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.

~~[(i) "Original manufacturer's height" means the highest distance, inclusive of the largest tires, and highest suspension available as standard or optional equipment for the particular vehicle from the original manufacturer.]~~

~~[(j) "Reconstructed motor vehicle" means any motor vehicle constructed or assembled principally~~

~~with used parts or components.]~~

~~[(k) "Wheel base" means the shortest distance between the center of the front axle and the center of the rear axle.]~~

~~[(†) (i) "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.~~

(3) The provisions of Sections 41-6-148.29 through 41-6-148.33 do not apply to the following vehicles:

- (a) implements of husbandry;
- (b) farm tractors;
- (c) road machinery;
- (d) road rollers; and
- (e) historical vehicles or horseless carriages that have been restored as near to original condition as is reasonably possible.

Section 2. Section **41-6-148.31** is amended to read:

41-6-148.31. Standards applicable to vehicles.

(1) The following standards apply to vehicles under Sections 41-6-148.29 through 41-6-148.33:

~~[(a) Fractions shall be excluded in all measurements and calculations.]~~

~~[(b) Due to slight variances in production tolerances, violations are in excess of one inch beyond the limits set by this section.]~~

~~[(c) (i) Maximum heights are measured from a level surface to the bottom of the frame where the front bumper is attached by the original manufacturer.]~~

~~[(ii) The distance of the original manufacturer's height is measured with the vehicle unladen and resting on a level surface or at any other location determined by the commissioner.]~~

~~[(iii) The appropriate method of measurement among the following shall be used:]~~

~~[(A) from the ground to the lowest edge of the center line of the operator's door;]~~

~~[(B) from the ground to the lowest point where that door would meet the body on vehicles without~~

doors; or]

~~[(C) from the ground to the lowest point on the floor panel directly below the operator's position on vehicles designed without doors.]~~

~~[(iv) The commissioner shall periodically provide rules specifying approved maximum altered heights.]~~

~~[(d)]~~ (a) All replacement parts and equipment used in a mechanical alteration shall be designed and capable of performing the function for which they are intended and shall be equal to or greater in strength and durability than the original parts provided by the original manufacturer.

~~[(e) The lowest portion of the body floor shall be not more than two inches above the top of the frame.]~~

~~[(f) The]~~ (b) Except for original equipment, the use of spacers to increase wheel track width of any vehicle is prohibited.

~~[(g)]~~ (c) The use of axle blocks to alter the suspension on the front axle of any vehicle is prohibited.

(d) The stacking of two or more axle blocks of any vehicle is prohibited.

(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 the road worthiness and safe condition of the vehicle and whether it complies with Sections 41-6-148.29 through 41-6-148.33.

(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 of Public Safety shall suspend the registration of any motor vehicle equipped, altered, or modified in violation of Sections 41-6-148.29 through 41-6-148.33.

(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 41-6-148.29 through 41-6-148.33.

Section 3. Section **41-6-148.32** is amended to read:

41-6-148.32. Prohibitions.

(1) A person may not operate on any highway within the state a motor vehicle that is mechanically altered or changed [~~and weighs~~]:

~~[(a) less than 6,000 pounds unladen, if the vertical distance between the highway surface and the vehicle chassis and suspension components, other than the wheels, is less than one inch above the vertical distance between the highway surface and the lowest portion of the rim of any wheel in contact with the highway;]~~

~~[(b) 6,000 pounds or more unladen, if the lowest part of the body or chassis is closer to the ground than it was when the vehicle was manufactured by the O.E.M., or the distance between the ground and the bottom of the vehicle frame where the front bumper is normally attached is less than that distance was at the time the vehicle was manufactured.]~~

~~[(2) (a) A motor vehicle may not be altered or modified]~~

~~(a) in any way that may cause the vehicle body or chassis to come in contact with the roadway, expose the fuel tank to damage from collision, or cause the wheels to come in contact with the body under normal operation[-];~~

~~(b) [No part of the original braking, steering, or suspension system may be altered, modified, disconnected, or changed] 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.

~~[(3) The] (2) If the wheel track [may be] is increased [by use of tires and rims for a maximum total increase of six inches] beyond the O.E.M. specification, [provided] the top 50% of the tires [are] shall be covered by the original fenders, by rubber, or other flexible fender extenders under any loading condition.~~

~~[(4) Any motor vehicle having a wheel base greater than 100 inches may increase the O.E.M. height by use of a mechanical lift up to four inches. The largest tire size available from the O.E.M. as standard or optional equipment for the particular motor vehicle may also be increased up to four inches.~~

~~The maximum combined mechanical and tire lift is eight inches above O.E.M. height.]~~

~~[(5) (a) The maximum combined lift for motor vehicles with a wheel base of 100 inches or less shall be calculated by multiplying the O.E.M. wheel base times the O.E.M. wheel track. The product divided by a safety factor of 2,200 equals the maximum mechanical lift allowed.]~~

~~[(b) For example: 92 inches w/b multiplied by 58 inches w/t equals 5,336 divided by 2,200 equals 2 inches maximum mechanical lift. The largest tire size available from the O.E.M. as standard or optional equipment for a particular motor vehicle may be increased, but not to exceed the maximum mechanical lift calculated under this subsection.]~~

~~[(6) (a) Reconstructed motor vehicles are limited to the maximum combined lift allowed for the particular chassis used in accordance with the applicable provisions of this subsection.]~~

~~[(b) For example: a 1985 Ford Bronco having a 105-inch wheel base is allowed a maximum combined lift of eight inches above the O.E.M. height. Accordingly, the lower edge of the door, door edge line, or floor panel, as defined in this part, of any unladen body mounted on the chassis may not exceed 27 inches above the level surface upon which the vehicle rests.]~~

~~[(7) Any vehicle measured to determine compliance with this section shall be on a level surface.]~~

~~[(8) This section does not apply to motor vehicles weighing more than 26,000 pounds gross registered vehicle weight that are subject to state or federal motor carrier laws, rules, or regulations.]~~

(3) A person who violates the provisions of this section is guilty of a class C misdemeanor.

Section 4. Section **41-6-148.33** is amended to read:

41-6-148.33. Bumpers.

(1) Every motor vehicle shall be equipped with a bumper on both front and rear of the vehicle, except those that were not originally designed or manufactured with a bumper or bumpers.

(2) (a) On all motor vehicles under [~~10,000~~] 15,000 GVWR, bumpers 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) Bumpers shall be securely mounted, horizontal load bearing, and attached to the vehicle's frame

to effectively transfer impact when engaged.

(3) When any motor vehicle is originally or later equipped with bumpers, the bumpers shall be maintained in operational condition and shall comply with this [~~subsection~~] section.

Section 5. Section **41-6-150.10** is amended to read:

41-6-150.10. Mudguards or flaps at rear wheels of trucks, trailers, truck tractors, or altered motor vehicles -- Exemptions.

(1) The definitions in Section 41-6-148.29 apply to this section.

(2) (a) Except as provided in Subsections (3) and (4), when operated on a highway, [~~a motor vehicle~~] 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 [~~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~~].

(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.

(3) Wheel covers, mudguards, flaps, or splash aprons are not required 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.

(4) Wheel covers, mudguards, flaps, or splash aprons are not required on a vehicle operated or driven during fair weather on well-maintained, hard-surfaced roads if the motor vehicle:

(a) was made in America prior to 1935;

(b) is registered as a vintage vehicle; or

(c) is a replica vehicle as defined under Section 41-6-155.5.

(5) Except as provided in Subsection (4), 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.

Section 6. Section **53-1-108** is amended to read:

53-1-108. Commissioner's powers and duties.

(1) In addition to the responsibilities contained in this title, the commissioner shall:

(a) administer and enforce this title and Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act;

(b) appoint deputies, inspectors, examiners, clerical workers, and other employees as required to properly discharge the duties of the department;

(c) make rules:

(i) governing emergency use of signal lights on private vehicles; and

(ii) allowing privately owned vehicles to be designated for part-time emergency use, as provided

in Section 41-6-1.5; [~~and~~]

~~[(iii) specifying approved maximum altered heights for vehicles, as required by Section 41-6-148.31;]~~

(d) set standards for safety belt systems, as required by Section 41-6-182;

(e) serve as the chairman of the Disaster Emergency Advisory Council, as required by Section 63-5-4; and

(f) designate vehicles as "authorized emergency vehicles," as required by Section 41-6-1.

(2) The commissioner may:

(a) subject to the approval of the governor, establish division headquarters at various places in the state;

(b) issue to a special agent a certificate of authority to act as a peace officer and revoke that authority for cause, as authorized in Section 56-1-21.5;

(c) create specialized units within the commissioner's office for conducting internal affairs and aircraft operations as necessary to protect the public safety;

(d) cooperate with any recognized agency in the education of the public in safety and crime prevention and participate in public or private partnerships, subject to Subsection (3);

(e) cooperate in applying for and distributing highway safety program funds; and

(f) receive and distribute federal funding to further the objectives of highway safety in compliance with the Federal Assistance Management Program Act.

(3) (a) Money may not be expended under Subsection (2)(d) for public safety education unless it is specifically appropriated by the Legislature for that purpose.

(b) Any recognized agency receiving state money for public safety shall file with the auditor of the state an itemized statement of all its receipts and expenditures.

