

**VEHICLE SALE AND SECURITY INTEREST  
AMENDMENTS**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: David H. Steele**

**This act modifies the Motor Vehicles Code by defining terminal rental adjustment clause and providing that a motor vehicle or trailer lease agreement that is subject to a terminal rental adjustment clause does not create a sale or security interest.**

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

ENACTS:

**41-1a-609**, Utah Code Annotated 1953

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

Section 1. Section **41-1a-609** is enacted to read:

**41-1a-609. Terminal rental adjustment clauses.**

(1) As used in this section, "terminal rental adjustment clause" means a provision of an agreement that permits or requires the rental price to be adjusted upward or downward by reference to the amount realized by the lessor under the agreement upon sale or other disposition of the property.

(2) Notwithstanding any other provision of law, a motor vehicle or trailer lease agreement that is subject to a terminal rental adjustment clause does not create a sale or security interest.

(3) The provisions of this section do not affect:

(a) the rights and obligations of a valid security interest under this chapter; or

(b) the calculation of sales and use tax payable under Title 59, Chapter 12, Sales and Use Tax Act.