

**REGISTRATION FOR ATV'S AND  
NONAUTOMOBILES**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: Curtis S. Bramble**

**This act modifies the Motor Vehicles Code and the Water and Irrigation Code by amending off-highway vehicle and motorboat and sailboat registration requirements.**

**This act provides that off-highway vehicle and boat registrations, registration cards, registration stickers, and registration decals are effective for 12 months. This act provides the process for obtaining an off-highway vehicle or boat renewal registration.**

**This act eliminates the provisions that the Board of Parks and Recreation establish the day and month that a registration expires for boats and off-highway vehicles. This act makes technical changes. This act takes effect January 1, 2004.**

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

AMENDS:

**41-22-5**, as last amended by Chapter 1, Laws of Utah 1986, Second Special Session

**73-18-7**, as last amended by Chapter 221, Laws of Utah 1993

ENACTS:

**41-22-3.5**, Utah Code Annotated 1953

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

Section 1. Section **41-22-3.5** is enacted to read:

**41-22-3.5. Staggered registration dates -- Registration renewal.**

**(1) Unless exempted under Section 41-22-9, every off-highway vehicle registration, every registration card, and every registration sticker issued under this chapter for the first registration of the off-highway vehicle in this state, continues in effect for a period of 12 months beginning with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year.**

**(2) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the off-highway vehicle is**

extended to 12 midnight of the next business day.

(3) (a) The division may receive applications for registration renewal and issue new registration cards at any time prior to the expiration of the registration, subject to the availability of renewal materials.

(b) Applications for registration renewal shall be made in accordance with Section 41-22-3.

(4) (a) The new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.

(b) The year of registration expiration shall be changed to reflect the renewed registration period.

(5) If the registration renewal application is an application generated by the division through its automated system, the owner need not surrender the last registration card or duplicate.

Section 2. Section **41-22-5** is amended to read:

**41-22-5. Rules of board relating to registration.**

~~[The]~~ In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,  
the board shall ~~[adopt]~~ make rules which provide:

~~[(1) determine the day and month when the annual registration expires;]~~

~~[(2) provide]~~ (1) for the issuance and control of dealer registrations for use by dealers and manufacturers for demonstrating and testing purposes; and

~~[(3) provide]~~ (2) for the issuance and control of temporary permits for use by purchasers of off-highway vehicles pending completion of the registration.

Section 3. Section **73-18-7** is amended to read:

**73-18-7. Registration requirements -- Exemptions -- Agents -- Records -- Period of registration and renewal -- Expiration -- Notice of transfer of interest or change of address -- Duplicate registration card -- Invalid registration -- Powers of board.**

(1) (a) Each motorboat and sailboat on the waters of this state shall be registered, unless it is exempt from registration as provided for in Section 73-18-9.

(b) A person may not place, or give permission for the placement of, a motorboat or

sailboat on any waters of this state or operate or give permission for the operation of a motorboat or sailboat on the waters of this state, unless the motorboat or sailboat is registered in accordance with this chapter or is exempt from registration as provided for in Section 73-18-9.

(2) (a) The owner of each motorboat or sailboat required to be registered by this state shall file an application for registration with the division on forms approved by the division.

(b) (i) The application shall be signed by the owner of the motorboat or sailboat and accompanied by a fee set by the board.

(ii) This fee may not exceed \$10 per year.

(c) The division, before issuing a registration card and registration decals, shall require from each applicant a certificate from the county assessor of the county in which the motorboat or sailboat has situs for taxation containing one of the following statements:

(i) the property tax on the motorboat or sailboat for the current year has been paid;

(ii) in the county assessor's opinion, the property tax is a lien on real property sufficient to secure the payment of the property tax; or

(iii) the motorboat or sailboat is exempt by law from payment of property tax for the current year.

(3) (a) Upon receipt of the application in the approved form, the division shall record the receipt and issue to the applicant registration decals and a registration card which state the number assigned to the motorboat or sailboat and the name and address of the owner.

(b) The registration card shall be available for inspection on the motorboat or sailboat for which it was issued, whenever that motorboat or sailboat is in operation.

(4) The assigned number shall:

(a) be painted or permanently attached to each side of the forward half of the motorboat or sailboat;

(b) consist of plain vertical block characters not less than three inches in height;

(c) contrast with the color of the background and be distinctly visible and legible;

(d) have spaces or hyphens equal to the width of a letter between the letter and numeral groupings; and

(e) read from left to right.

(5) Any vessel with a valid marine document issued by the United States Coast Guard is exempt from the number display requirements of Subsection (4).

(6) The nonresident owner of any motorboat or sailboat already covered by a valid number, which has been assigned to it pursuant to federal law or a federally-approved numbering system of his resident state, shall be exempt from registration while operating the motorboat or sailboat on the waters of this state unless he is operating in excess of the reciprocity period provided for in Subsection 73-18-9 (1).

(7) (a) If the ownership of a motorboat or sailboat changes, a new application form with the fee shall be filed with the division and a new registration card and registration decals shall be issued in the same manner as provided for in Subsections (2) and (3).

(b) The current number assigned to the vessel shall be reassigned to the new owner to display on the motorboat or sailboat.

(8) If the United States Coast Guard has in force an overall system of identification numbering for motorboats or sailboats within the United States, the numbering system employed under this chapter by the board shall be in conformity with that system.

(9) The division may authorize any person to act as its agent for the registration of motorboats and sailboats. Any number assigned and any registration card and registration decals issued by an agent of the division in conformity with this chapter and rules of the board shall be valid.

(10) (a) All records of the division made or kept pursuant to this section shall be classified by the Motor Vehicle Division in the same manner as motor vehicle records are classified under Section 41-1a-116.

(b) Division records are available for inspection in the same manner as motor vehicle records pursuant to Section 41-1a-116.

(11) (a) Each registration, registration card, and decal issued under this chapter shall continue in effect for a period ~~[set by the board]~~ of 12 months beginning with the first day of the calendar month of registration. A registration may be renewed by the owner in the same manner

provided for in the initial application. The current number assigned to the vessel shall be reassigned when the registration is renewed.

~~[(12) The board shall fix a day and month of the year on which registrations, registration cards, and registration decals expire.]~~

(b) Each registration, registration card, and registration decal expires the last day of the month in the year following the calendar month of registration.

(c) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the motorboat or sailboat is extended to 12 midnight of the next business day.

(d) The division may receive applications for registration renewal and issue new registration cards at any time prior to the expiration of the registration, subject to the availability of renewal materials.

(e) The new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.

(f) The year of registration shall be changed to reflect the renewed registration period.

(g) If the registration renewal application is an application generated by the division through its automated system, the owner need not surrender the last registration card or duplicate.

~~[(13)]~~ (12) (a) The owner shall notify the division of the transfer of all or any part of his interest, other than creation of a security interest, in a motorboat or sailboat registered in this state under Subsections (2) and (3) or of the destruction or abandonment of the motorboat or sailboat.

(b) This notification must take place within 15 days of the transfer, destruction, or abandonment.

(c) The transfer, destruction, or abandonment of a motorboat or sailboat terminates its registration except if a transfer of a part interest which does not affect the owner's right to operate a motorboat or sailboat, the transfer shall not terminate the registration.

~~[(14)]~~ (13) (a) The registered owner shall notify the division within 15 days if his address changes from the address appearing on the registration card and shall, as a part of this

notification, furnish the division with his new address.

(b) The board may provide in its rules for the surrender of the registration card bearing the former address and its replacement with a new registration card bearing the new address, or for the alteration of an outstanding registration card to show the new address of the holder.

~~[(15)]~~ (14) (a) If the registration card is lost or stolen, a fee of \$4 may be collected by the division for the issuance of a duplicate.

(b) If the registration decals are lost or stolen, a fee of \$3 may be collected by the division for the issuance of duplicate decals.

~~[(16)]~~ (15) A number other than the number assigned to a motorboat or sailboat or a number for a motorboat or sailboat granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on either side of the bow of a motorboat or sailboat.

~~[(17)]~~ (16) A motorboat or sailboat registration and number shall be invalid if obtained by knowingly falsifying an application for registration.

~~[(18)]~~ (17) The board may:

- (a) designate the suffix to assigned numbers;
- (b) adopt rules for the display of registration decals;
- (c) adopt rules for the issuance and display of dealer numbers and registrations; and
- (d) adopt rules for the issuance and display of temporary registrations.

Section 4. **Effective date.**

This act takes effect on January 1, 2004.