

1 **REGISTRATION FOR ATV'S AND**
2 **NONAUTOMOBILES**
3 2003 GENERAL SESSION
4 STATE OF UTAH

5 **Sponsor: Curtis S. Bramble**

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

8 **This act provides that off-highway vehicle and boat registrations, registration cards,**
9 **registration stickers, and registration decals are effective for 12 months. This act**

10 **provides the process for obtaining an off-highway vehicle or boat renewal registration.**

11 **This act eliminates the provision that the Board of Parks and Recreation establish the**
12 **day and month that a registration expires for boats and off-highway vehicles. This act**

13 **makes technical changes. This act takes effect October 1, 2003.**

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

15 AMENDS:

16 **41-22-5**, as last amended by Chapter 1, Laws of Utah 1986, Second Special Session

17 **73-18-7**, as last amended by Chapter 221, Laws of Utah 1993

18 ENACTS:

19 **41-22-3.5**, Utah Code Annotated 1953

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

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

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

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



28 (2) If the last day of the registration period falls on a day in which the appropriate state
 29 or county offices are not open for business, the registration of the off-highway vehicle is
 30 extended to 12 midnight of the next business day.

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

34 (b) Applications for registration renewal shall be made in accordance with Section
 35 41-22-3.

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

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

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

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

44 **41-22-5. Rules of board relating to registration.**

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

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

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

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

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

53 **73-18-7. Registration requirements -- Exemptions -- Agents -- Records -- Period**
 54 **of registration and renewal -- Expiration -- Notice of transfer of interest or change of**
 55 **address -- Duplicate registration card -- Invalid registration -- Powers of board.**

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

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

59 sailboat on any waters of this state or operate or give permission for the operation of a
60 motorboat or sailboat on the waters of this state, unless the motorboat or sailboat is registered
61 in accordance with this chapter or is exempt from registration as provided for in Section
62 73-18-9.

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

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

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

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

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

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

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

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

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

81 (4) The assigned number shall:

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

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

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

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

88 (e) read from left to right.

89 (5) Any vessel with a valid marine document issued by the United States Coast Guard

90 is exempt from the number display requirements of Subsection (4).

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

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

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

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

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

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

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

113 (11) (a) Each registration, registration card, and decal issued under this chapter shall
114 continue in effect for a period [~~set by the board~~] of 12 months beginning with the first day of
115 the calendar month of registration. A registration may be renewed by the owner in the same
116 manner provided for in the initial application. The current number assigned to the vessel shall
117 be reassigned when the registration is renewed.

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

120 (b) Each registration, registration card, and registration decal expires the last day of the

121 month in the year following the calendar month of registration.

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

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

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

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

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

134 [~~13~~] (12) (a) The owner shall notify the division of the transfer of all or any part of
135 his interest, other than creation of a security interest, in a motorboat or sailboat registered in
136 this state under Subsections (2) and (3) or of the destruction or abandonment of the motorboat
137 or sailboat.

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

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

143 [~~14~~] (13) (a) The registered owner shall notify the division within 15 days if his
144 address changes from the address appearing on the registration card and shall, as a part of this
145 notification, furnish the division with his new address.

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

149 [~~15~~] (14) (a) If the registration card is lost or stolen, a fee of \$4 may be collected by
150 the division for the issuance of a duplicate.

151 (b) If the registration decals are lost or stolen, a fee of \$3 may be collected by the

152 division for the issuance of duplicate decals.

153 ~~[(16)]~~ (15) A number other than the number assigned to a motorboat or sailboat or a
154 number for a motorboat or sailboat granted reciprocity under this chapter may not be painted,
155 attached, or otherwise displayed on either side of the bow of a motorboat or sailboat.

156 ~~[(17)]~~ (16) A motorboat or sailboat registration and number shall be invalid if obtained
157 by knowingly falsifying an application for registration.

158 ~~[(18)]~~ (17) The board may:

159 (a) designate the suffix to assigned numbers;

160 (b) adopt rules for the display of registration decals;

161 (c) adopt rules for the issuance and display of dealer numbers and registrations; and

162 (d) adopt rules for the issuance and display of temporary registrations.

163 Section 4. **Effective date.**

164 This act takes effect on October 1, 2003.

Legislative Review Note
as of 2-14-03 1:31 PM

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

Office of Legislative Research and General Counsel

State Impact

Provisions of this bill will require \$15,300 in ongoing funds for the Tax Commission to purchase decals indicating a month of expiration, plus \$6,600 in one-time funds for decal and computer redesign costs.

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
General Fund	\$21,900	\$15,300	\$0	\$0
TOTAL	\$21,900	\$15,300	\$0	\$0

Individual and Business Impact

Individuals whose off-highway vehicles and boats are initially registered after the effective date of this bill will have valid registrations for 12 months rather than a fixed expiration date in common with all owners.

Office of the Legislative Fiscal Analyst