

30 41-6a-1507, as renumbered and amended by Laws of Utah 2005, Chapter 2

31 41-6a-1633, as renumbered and amended by Laws of Utah 2005, Chapter 2

32 41-6a-1642, as last amended by Laws of Utah 2008, Chapter 210

33 41-21-1, as last amended by Laws of Utah 1992, Chapter 218



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

36 Section 1. Section 41-1a-102 is amended to read:

37 **41-1a-102. Definitions.**

38 As used in this chapter:

39 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

40 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
41 vehicles as operated and certified to by a weighmaster.

42 (3) "Affidavit of Mobile Home Affixture" means the affidavit of affixture described in
43 Title 59, Chapter 2, Part 6, Mobile Homes.

44 (4) "All-terrain type I vehicle" has the same meaning provided in Section 41-22-2.

45 (5) "All-terrain type II vehicle" has the same meaning provided in Section 41-22-2.

46 (6) "Amateur radio operator" means any person licensed by the Federal
47 Communications Commission to engage in private and experimental two-way radio operation
48 on the amateur band radio frequencies.

49 (7) "Branded title" means a title certificate that is labeled:

50 (a) rebuilt and restored to operation;

51 (b) flooded and restored to operation; or

52 (c) not restored to operation.

53 (8) "Camper" means any structure designed, used, and maintained primarily to be
54 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
55 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
56 camping.

57 (9) "Certificate of title" means a document issued by a jurisdiction to establish a

58 record of ownership between an identified owner and the described vehicle, vessel, or
59 outboard motor.

60 (10) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
61 weighmaster.

62 (11) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
63 maintained for the transportation of persons or property that operates:

64 (a) as a carrier for hire, compensation, or profit; or

65 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
66 owner's commercial enterprise.

67 (12) "Commission" means the State Tax Commission.

68 (13) "Dealer" means a person engaged or licensed to engage in the business of buying,
69 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
70 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
71 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

72 (14) "Division" means the Motor Vehicle Division of the commission, created in
73 Section 41-1a-106.

74 (15) "Essential parts" means all integral and body parts of a vehicle of a type required
75 to be registered in this state, the removal, alteration, or substitution of which would tend to
76 conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of
77 operation.

78 (16) "Farm tractor" means every motor vehicle designed and used primarily as a farm
79 implement for drawing plows, mowing machines, and other implements of husbandry.

80 (17) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
81 his own use in the transportation of:

82 (i) farm products, including livestock and its products, poultry and its products,
83 floricultural and horticultural products;

84 (ii) farm supplies, including tile, fence, and every other thing or commodity used in
85 agricultural, floricultural, horticultural, livestock, and poultry production; and

86 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
87 other purposes connected with the operation of a farm.

88 (b) "Farm truck" does not include the operation of trucks by commercial processors of
89 agricultural products.

90 (18) "Fleet" means one or more commercial vehicles.

91 (19) "Foreign vehicle" means a vehicle of a type required to be registered, brought into
92 this state from another state, territory, or country other than in the ordinary course of business
93 by or through a manufacturer or dealer, and not registered in this state.

94 (20) "Gross laden weight" means the actual weight of a vehicle or combination of
95 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

96 (21) "Highway" or "street" means the entire width between property lines of every way
97 or place of whatever nature when any part of it is open to the public, as a matter of right, for
98 purposes of vehicular traffic.

99 (22) (a) "Identification number" means the identifying number assigned by the
100 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
101 motor.

102 (b) "Identification number" includes a vehicle identification number, state assigned
103 identification number, hull identification number, and motor serial number.

104 (23) "Implement of husbandry" means every vehicle designed or adapted and used
105 exclusively for an agricultural operation and only incidentally operated or moved upon the
106 highways.

107 (24) (a) "In-state miles" means the total number of miles operated in this state during
108 the preceding year by fleet power units.

109 (b) If fleets are composed entirely of trailers or semitrailers, "in-state miles" means the
110 total number of miles that those vehicles were towed on Utah highways during the preceding
111 year.

112 (25) "Interstate vehicle" means any commercial vehicle operated in more than one
113 state, province, territory, or possession of the United States or foreign country.

114 (26) "Jurisdiction" means a state, district, province, political subdivision, territory, or
115 possession of the United States or any foreign country.

116 (27) "Lienholder" means a person with a security interest in particular property.

117 (28) "Manufactured home" means a transportable factory built housing unit
118 constructed on or after June 15, 1976, according to the Federal Home Construction and Safety
119 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is
120 eight body feet or more in width or 40 body feet or more in length, or when erected on site, is
121 400 or more square feet, and which is built on a permanent chassis and designed to be used as
122 a dwelling with or without a permanent foundation when connected to the required utilities,
123 and includes the plumbing, heating, air-conditioning, and electrical systems.

124 (29) "Manufacturer" means a person engaged in the business of constructing,
125 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
126 outboard motors for the purpose of sale or trade.

127 (30) "Mobile home" means a transportable factory built housing unit built prior to
128 June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
129 Manufactured Housing and Safety Standards Act (HUD Code).

130 (31) "Motorboat" has the same meaning as provided in Section 73-18-2.

131 (32) "Motorcycle" means a motor vehicle having a saddle for the use of the rider and
132 designed to travel on not more than three wheels in contact with the ground.

133 (33) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
134 operation on the highways.

135 (b) "Motor vehicle" does not include an off-highway vehicle.

136 (34) (a) "Nonresident" means a person who is not a resident of this state as defined by
137 Section 41-1a-202, and who does not engage in intrastate business within this state and does
138 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

139 (b) A person who engages in intrastate business within this state and operates in that
140 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
141 interstate commerce, maintains any vehicle in this state as the home station of that vehicle is

142 considered a resident of this state, insofar as that vehicle is concerned in administering this
143 chapter.

144 (35) "Odometer" means a device for measuring and recording the actual distance a
145 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
146 periodically reset.

147 (36) "Off-highway implement of husbandry" has the same meaning as provided in
148 Section 41-22-2.

149 (37) "Off-highway vehicle" has the same meaning as provided in Section 41-22-2.

150 (38) "Operate" means to drive or be in actual physical control of a vehicle or to
151 navigate a vessel.

152 (39) "Outboard motor" means a detachable self-contained propulsion unit, excluding
153 fuel supply, used to propel a vessel.

154 (40) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
155 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a
156 security interest.

157 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
158 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
159 stated in the agreement and with an immediate right of possession vested in the conditional
160 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
161 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
162 chapter.

163 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
164 owner until the lessee exercises his option to purchase the vehicle.

165 (41) "Personalized license plate" means a license plate that has displayed on it a
166 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
167 to the vehicle by the division.

168 (42) (a) "Pickup truck" means a two-axle motor vehicle with motive power
169 manufactured, remanufactured, or materially altered to provide an open cargo area.

170 (b) "Pickup truck" includes motor vehicles with the open cargo area covered with a
171 camper, camper shell, tarp, removable top, or similar structure.

172 (43) "Pneumatic tire" means every tire in which compressed air is designed to support
173 the load.

174 (44) "Preceding year" means a period of 12 consecutive months fixed by the division
175 that is within 16 months immediately preceding the commencement of the registration or
176 license year in which proportional registration is sought. The division in fixing the period
177 shall conform it to the terms, conditions, and requirements of any applicable agreement or
178 arrangement for the proportional registration of vehicles.

179 (45) "Public garage" means every building or other place where vehicles or vessels are
180 kept and stored and where a charge is made for the storage and keeping of vehicles and
181 vessels.

182 (46) "Reconstructed vehicle" means every vehicle of a type required to be registered in
183 this state that is materially altered from its original construction by the removal, addition, or
184 substitution of essential parts, new or used.

185 (47) "Recreational vehicle" has the same meaning as provided in Section 13-14-102.

186 (48) "Registration" means a document issued by a jurisdiction that allows operation of
187 a vehicle or vessel on the highways or waters of this state for the time period for which the
188 registration is valid and that is evidence of compliance with the registration requirements of
189 the jurisdiction.

190 (49) (a) "Registration year" means a 12 consecutive month period commencing with
191 the completion of all applicable registration criteria.

192 (b) For administration of a multistate agreement for proportional registration the
193 division may prescribe a different 12-month period.

194 (50) "Repair or replacement" means the restoration of vehicles, vessels, or outboard
195 motors to a sound working condition by substituting any inoperative part of the vehicle,
196 vessel, or outboard motor, or by correcting the inoperative part.

197 (51) "Replica vehicle" means:

198 (a) a street rod that meets the requirements under Subsection 41-21-1(1)(a)(i)(B); or

199 (b) a custom vehicle that meets the requirements under Subsection

200 41-6a-1507(1)(a)(i)(B).

201 [~~51~~] (52) "Road tractor" means every motor vehicle designed and used for drawing
202 other vehicles and constructed so it does not carry any load either independently or any part of
203 the weight of a vehicle or load that is drawn.

204 [~~52~~] (53) "Sailboat" has the same meaning as provided in Section 73-18-2.

205 [~~53~~] (54) "Security interest" means an interest that is reserved or created by a
206 security agreement to secure the payment or performance of an obligation and that is valid
207 against third parties.

208 [~~54~~] (55) "Semitrailer" means every vehicle without motive power designed for
209 carrying persons or property and for being drawn by a motor vehicle and constructed so that
210 some part of its weight and its load rests or is carried by another vehicle.

211 [~~55~~] (56) "Special group license plate" means a type of license plate designed for a
212 particular group of people or a license plate authorized and issued by the division in
213 accordance with Section 41-1a-418.

214 [~~56~~] (57) (a) "Special interest vehicle" means a vehicle used for general
215 transportation purposes and that is:

216 (i) 20 years or older from the current year; or

217 (ii) a make or model of motor vehicle recognized by the division director as having
218 unique interest or historic value.

219 (b) In making his determination under Subsection [~~56~~] (57)(a), the division director
220 shall give special consideration to:

221 (i) a make of motor vehicle that is no longer manufactured;

222 (ii) a make or model of motor vehicle produced in limited or token quantities;

223 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
224 designed exclusively for educational purposes or museum display; or

225 (iv) a motor vehicle of any age or make that has not been substantially altered or

226 modified from original specifications of the manufacturer and because of its significance is
227 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
228 leisure pursuit.

229 ~~[(57)]~~ (58) (a) "Special mobile equipment" means every vehicle:

230 (i) not designed or used primarily for the transportation of persons or property;

231 (ii) not designed to operate in traffic; and

232 (iii) only incidentally operated or moved over the highways.

233 (b) "Special mobile equipment" includes:

234 (i) farm tractors;

235 (ii) off-road motorized construction or maintenance equipment including backhoes,
236 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

237 (iii) ditch-digging apparatus.

238 (c) "Special mobile equipment" does not include a commercial vehicle as defined
239 under Section 72-9-102.

240 ~~[(58)]~~ (59) "Specially constructed vehicle" means every vehicle of a type required to
241 be registered in this state, not originally constructed under a distinctive name, make, model, or
242 type by a generally recognized manufacturer of vehicles, and not materially altered from its
243 original construction.

244 ~~[(59)]~~ (60) "Title" means the right to or ownership of a vehicle, vessel, or outboard
245 motor.

246 ~~[(60)]~~ (61) (a) "Total fleet miles" means the total number of miles operated in all
247 jurisdictions during the preceding year by power units.

248 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
249 the number of miles that those vehicles were towed on the highways of all jurisdictions during
250 the preceding year.

251 ~~[(61)]~~ (62) "Trailer" means a vehicle without motive power designed for carrying
252 persons or property and for being drawn by a motor vehicle and constructed so that no part of
253 its weight rests upon the towing vehicle.

254 [~~(62)~~] (63) "Transferee" means a person to whom the ownership of property is
255 conveyed by sale, gift, or any other means except by the creation of a security interest.

256 [~~(63)~~] (64) "Transferor" means a person who transfers his ownership in property by
257 sale, gift, or any other means except by creation of a security interest.

258 [~~(64)~~] (65) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
259 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
260 vacation use that does not require a special highway movement permit when drawn by a
261 self-propelled motor vehicle.

262 [~~(65)~~] (66) "Truck tractor" means a motor vehicle designed and used primarily for
263 drawing other vehicles and not constructed to carry a load other than a part of the weight of
264 the vehicle and load that is drawn.

265 [~~(66)~~] (67) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway
266 vehicle, manufactured home, and mobile home.

267 [~~(67)~~] (68) "Vessel" has the same meaning as provided in Section 73-18-2.

268 [~~(68)~~] (69) "Vintage vehicle" has the same meaning as provided in Section 41-21-1.

269 [~~(69)~~] (70) "Waters of this state" has the same meaning as provided in Section
270 73-18-2.

271 [~~(70)~~] (71) "Weighmaster" means a person, association of persons, or corporation
272 permitted to weigh vehicles under this chapter.

273 Section 2. Section **41-1a-514** is amended to read:

274 **41-1a-514. Certificate of title -- Contents.**

275 (1) The division upon approving an application for a certificate of title shall issue a
276 certificate of title. The face of the certificate of title shall include:

277 (a) the date issued;

278 (b) the name and address of the owner;

279 (c) a description of the vehicle, vessel, or outboard motor titled, including the year,
280 make, and identification number;

281 (d) a statement of the owner's title and of one lien or encumbrance, if any, upon the

282 vehicle, vessel, or outboard motor;

283 (e) any brand on the title; and

284 (f) an odometer statement, if applicable.

285 (2) The certificate of title shall bear the seal of the division.

286 (3) The certificate of title shall contain adequate space for:

287 (a) the assignment and warranty of title or interest by the owner;

288 (b) the release of interest by a recorded lien holder; and

289 (c) the notation of one lien or encumbrance, if any, existing at the time of transfer.

290 (4) The model year that is listed on the certificate of title of a replica vehicle shall be

291 the model year that the body of the vehicle resembles.

292 (5) The certificate of title of a replica vehicle shall indicate that the vehicle is a replica
293 vehicle.

294 Section 3. Section **41-6a-1507** is amended to read:

295 **41-6a-1507. Custom vehicles -- Defined -- Compliance with all laws and**
296 **standards -- Exceptions -- Revocation -- Signed statement required.**

297 (1) (a) As used in this section, [~~"replica"~~] "custom vehicle" means a motor vehicle that:

298 (i) (A) is at least 25 years old and of a model year after 1948; or

299 ~~[(i) with a body that is or resembles the body of a motor vehicle with a model year~~
300 ~~prior to 1975; and]~~

301 ~~[(ii) that may have a significant drive train or equipment upgrade.];~~

302 ~~[(b) A replica vehicle is for occasional pleasure rides and is not used for general daily~~
303 ~~transportation.];~~

304 ~~[(c) A replica vehicle does not include a vintage vehicle as defined in Section 41-21-1,~~
305 ~~nor a special interest vehicle as defined in Section 41-1a-102.];~~

306 (B) (I) was manufactured to resemble a vehicle that is at least 25 years old and of a
307 model year after 1948; and

308 (II) (Aa) has been altered from the manufacturer's original design; or

309 (Bb) has a body constructed of non-original materials; and

310 (ii) is primarily a collector's item that is used for:

311 (A) club activities;

312 (B) exhibitions;

313 (C) tours;

314 (D) parades;

315 (E) occasional transportation; and

316 (F) other similar uses.

317 (b) A custom vehicle does not include:

318 (i) a motor vehicle that is used for general, daily transportation;

319 (ii) a vintage vehicle as defined in Section 41-21-1; or

320 (iii) a special interest vehicle as defined in Section 41-1a-102.

321 (2) Except as specified under this section, a [~~replica~~] custom vehicle shall meet all
322 safety, [~~emissions,~~] registration, insurance, fees, and taxes required under this title.

323 (3) (a) Except as provided in Subsection (3)(b), all safety equipment of a [~~replica~~]
324 custom vehicle shall at least meet the safety standards applicable to the model year of the
325 vehicle being replicated. Any replacement equipment shall comply with the design standards
326 of the replacement equipment's manufacture.

327 (b) A [~~replica~~] custom vehicle shall comply with current vehicle brake and stopping
328 standards.

329 [~~(c) A replica vehicle shall comply with emissions standards applicable to the model~~
330 ~~year of the engine of the replica vehicle.~~]

331 (4) A custom vehicle is exempt from motor vehicle emissions inspection and
332 maintenance program requirements under Section 41-6a-1642.

333 [~~(4)~~] (5) The tax commission may revoke or deny the registration of a [~~replica~~] custom
334 vehicle for failure to comply with this section.

335 [~~(5)~~] (6) The owner of a [~~replica~~] custom vehicle shall provide a signed statement
336 certifying that the [~~replica~~] custom vehicle is owned and operated for the purposes enumerated
337 in this section to the safety inspection [~~and emissions inspection~~] station in order to qualify for

338 the exceptions provided under this section.

339 Section 4. Section **41-6a-1633** is amended to read:

340 **41-6a-1633. Mudguards or flaps at rear wheels of trucks, trailers, truck tractors,**
341 **or altered motor vehicles -- Exemptions.**

342 (1) (a) Except as provided in Subsection (2), when operated on a highway, the
343 following vehicles shall be equipped with wheel covers, mudguards, flaps, or splash aprons
344 behind the rearmost wheels to prevent, as far as practicable, the wheels from throwing dirt,
345 water, or other materials on other vehicles:

346 (i) a vehicle that has been altered:

347 (A) from the original manufacturer's frame height; or

348 (B) in any other manner so that the motor vehicle's wheels may throw dirt, water, or
349 other materials on other vehicles;

350 (ii) any truck with a gross vehicle weight rating of 10,500 pounds or more;

351 (iii) any truck tractor; and

352 (iv) any trailer or semitrailer with an unladen weight of 750 pounds or more.

353 (b) The wheel covers, mudguards, flaps, or splash aprons shall:

354 (i) be at least as wide as the tires they are protecting;

355 (ii) be directly in line with the tires; and

356 (iii) have a ground clearance of not more than 50% of the diameter of a rear-axle
357 wheel, under any conditions of loading of the motor vehicle.

358 (2) Wheel covers, mudguards, flaps, or splash aprons are not required:

359 (a) if the motor vehicle, trailer, or semitrailer is designed and constructed so that the
360 requirements of Subsection (1) are accomplished by means of fenders, body construction, or
361 other means of enclosure; or

362 (b) on a vehicle operated or driven during fair weather on well-maintained,
363 hard-surfaced roads if the motor vehicle:

364 (i) was made in America prior to 1935;

365 (ii) is registered as a vintage vehicle; or

366 (iii) is a [~~replica~~] custom vehicle as defined under Section 41-6a-1507.

367 (3) Except as provided in Subsection (2)(b), rear wheels not covered at the top by
368 fenders, bodies, or other parts of the vehicle shall be covered at the top by protective means
369 extending rearward at least to the center line of the rearmost axle.

370 Section 5. Section **41-6a-1642** is amended to read:

371 **41-6a-1642. Emissions inspection -- County program.**

372 (1) The legislative body of each county required under federal law to utilize a motor
373 vehicle emissions inspection and maintenance program or in which an emissions inspection
374 and maintenance program is necessary to attain or maintain any national ambient air quality
375 standard shall require:

376 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
377 is exempt from emissions inspection and maintenance program requirements be presented:

378 (i) as a condition of registration or renewal of registration; and

379 (ii) at other times as the county legislative body may require to enforce inspection
380 requirements for individual motor vehicles, except that the county legislative body may not
381 routinely require a certificate of emission inspection, or waiver of the certificate, more often
382 than required under Subsection (6); and

383 (b) compliance with this section for a motor vehicle registered or principally operated
384 in the county and owned by or being used by a department, division, instrumentality, agency,
385 or employee of:

386 (i) the federal government;

387 (ii) the state and any of its agencies; or

388 (iii) a political subdivision of the state, including school districts.

389 (2) (a) The legislative body of a county identified in Subsection (1), in consultation
390 with the Air Quality Board created under Section 19-1-106, shall make regulations or
391 ordinances regarding:

392 (i) emissions standards;

393 (ii) test procedures;

- 394 (iii) inspections stations;
- 395 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 396 (v) certificates of emissions inspections.
- 397 (b) The regulations or ordinances shall:
- 398 (i) be made to attain or maintain ambient air quality standards in the county,
- 399 consistent with the state implementation plan and federal requirements; and
- 400 (ii) may allow for a phase-in of the program by geographical area.
- 401 (c) The county legislative body and the Air Quality Board shall give preference to an
- 402 inspection and maintenance program that is:
- 403 (i) decentralized, to the extent the decentralized program will attain and maintain
- 404 ambient air quality standards and meet federal requirements;
- 405 (ii) the most cost effective means to achieve and maintain the maximum benefit with
- 406 regard to ambient air quality standards and to meet federal air quality requirements as related
- 407 to vehicle emissions; and
- 408 (iii) providing a reasonable phase-out period for replacement of air pollution emission
- 409 testing equipment made obsolete by the program.
- 410 (d) The provisions of Subsection (2)(c)(iii) apply only to the extent the phase-out:
- 411 (i) may be accomplished in accordance with applicable federal requirements; and
- 412 (ii) does not otherwise interfere with the attainment and maintenance of ambient air
- 413 quality standards.
- 414 (3) The following vehicles are exempt from the provisions of this section:
- 415 (a) an implement of husbandry;
- 416 (b) a motor vehicle that:
- 417 (i) meets the definition of a farm truck under Section 41-1a-102; and
- 418 (ii) has a gross vehicle weight rating of 12,001 pounds or more; ~~and~~
- 419 (c) a vintage vehicle as defined in Section 41-21-1[-]; and
- 420 (d) a custom vehicle as defined in Section 41-6a-1507.
- 421 (4) (a) The legislative body of a county identified in Subsection (1) shall exempt a

422 pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds
423 or less from the emission inspection requirements of this section, if the registered owner of the
424 pickup truck provides a signed statement to the legislative body stating the truck is used:

425 (i) by the owner or operator of a farm located on property that qualifies as land in
426 agricultural use under Sections 59-2-502 and 59-2-503; and

427 (ii) exclusively for the following purposes in operating the farm:

428 (A) for the transportation of farm products, including livestock and its products,
429 poultry and its products, floricultural and horticultural products; and

430 (B) in the transportation of farm supplies, including tile, fence, and every other thing
431 or commodity used in agricultural, floricultural, horticultural, livestock, and poultry
432 production and maintenance.

433 (b) The county shall provide to the registered owner who signs and submits a signed
434 statement under this section a certificate of exemption from emission inspection requirements
435 for purposes of registering the exempt vehicle.

436 (5) (a) Subject to Subsection (5)(c), the legislative body of each county required under
437 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
438 which an emissions inspection and maintenance program is necessary to attain or maintain any
439 national ambient air quality standard may require each college or university located in a
440 county subject to this section to require its students and employees who park a motor vehicle
441 not registered in a county subject to this section to provide proof of compliance with an
442 emissions inspection accepted by the county legislative body if the motor vehicle is parked on
443 the college or university campus or property.

444 (b) College or university parking areas that are metered or for which payment is
445 required per use are not subject to the requirements of this Subsection (5).

446 (c) The legislative body of a county shall make the reasons for implementing the
447 provisions of this Subsection (5) part of the record at the time that the county legislative body
448 takes its official action to implement the provisions of this Subsection (5).

449 (6) (a) An emissions inspection station shall issue a certificate of emissions inspection

450 for each motor vehicle that meets the inspection and maintenance program requirements
451 established in rules made under Subsection (2).

452 (b) The frequency of the emissions inspection shall be determined based on the age of
453 the vehicle as determined by model year and shall be required annually subject to the
454 provisions of Subsection (6)(c).

455 (c) (i) To the extent allowed under the current federally approved state implementation
456 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative
457 body of a county identified in Subsection (1) shall only require the emissions inspection every
458 two years for each vehicle.

459 (ii) The provisions of Subsection (6)(c)(i) apply only to a vehicle that is less than six
460 years old on January 1.

461 (d) If an emissions inspection is only required every two years for a vehicle under
462 Subsection (6)(c), the inspection shall be required for the vehicle in:

463 (i) odd-numbered years for vehicles with odd-numbered model years; or

464 (ii) in even-numbered years for vehicles with even-numbered model years.

465 (7) The emissions inspection shall be required within the same time limit applicable to
466 a safety inspection under Section 41-1a-205.

467 (8) (a) A county identified in Subsection (1) shall collect information about and
468 monitor the program.

469 (b) A county identified in Subsection (1) shall supply this information to an
470 appropriate legislative committee, as designated by the Legislative Management Committee, at
471 times determined by the designated committee to identify program needs, including funding
472 needs.

473 (9) If approved by the county legislative body, a county that had an established
474 emissions inspection fee as of January 1, 2002, may increase the established fee that an
475 emissions inspection station may charge by \$2.50 for each year that is exempted from
476 emissions inspections under Subsection (6)(c) up to a \$7.50 increase.

477 Section 6. Section **41-21-1** is amended to read:

478 **41-21-1. Street rod and vintage vehicle defined.**

479 (1) (a) "Street rod" means a motor vehicle that:

480 (i) (A) was manufactured in 1948 or before; or

481 (B) (I) was manufactured after 1948 to resemble a vehicle that was manufactured in

482 1948 or before; and

483 (II) (Aa) has been altered from the manufacturer's original design; or

484 (Bb) has a body constructed from non-original materials; and

485 (ii) is primarily a collector's item that is used for:

486 (A) club activities;

487 (B) exhibitions;

488 (C) tours;

489 (D) parades;

490 (E) occasional transportation; and

491 (F) other similar uses.

492 (b) A street rod does not include a motor vehicle that is used for general, daily

493 transportation.

494 (2) (a) "Vintage vehicle" means a motor vehicle that is 40 years old or older, from the

495 current year, primarily a collector's item, and used for participation in club activities,

496 exhibitions, tours, parades, occasional transportation, and similar uses, but that is not used for

497 general daily transportation.

498 (b) "Vintage vehicle" includes a street rod.

499 **Section 7. Effective date.**

500 This bill takes effect on January 1, 2010.