

**DIESEL-POWERED MOTOR VEHICLE
EMISSIONS INSPECTION PROGRAM
AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory S. Bell

House Sponsor: Julie Fisher

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending provisions relating to the diesel-powered motor vehicle emissions opacity inspection and maintenance program.

Highlighted Provisions:

This bill:

- ▶ provides that an implement of husbandry and a farm truck that has a gross vehicle weight rating of 12,001 pounds or more is exempt from the diesel-powered motor vehicle emissions opacity inspection and maintenance program;

- ▶ provides that a legislative body of a county shall exempt a pickup truck with a gross vehicle weight rating of 12,000 pounds or less from the diesel-powered motor vehicle emissions opacity inspection and maintenance program if the registered owner of the pickup truck provides a signed statement to the legislative body that the pickup truck is used by an owner or operator of a farm on agricultural land exclusively for the purposes of operating the farm;

- ▶ requires the legislative body of a county to issue a certificate of exemption to certain pickup trucks that are used by an owner or operator of a farm; and

- ▶ makes technical changes.

Monies Appropriated in this Bill:



28 None

29 **Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **41-6a-1644**, as renumbered and amended by Laws of Utah 2005, Chapter 2



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

36 Section 1. Section **41-6a-1644** is amended to read:

37 **41-6a-1644. Diesel emissions program -- Implementation -- Monitoring.**

38 (1) The legislative body of each county required by the comprehensive plan for air
39 pollution control developed by the Air Quality Board under Subsection 19-2-104(3)(e) to use
40 an emissions opacity inspection and maintenance program for diesel-powered motor vehicles
41 shall:

42 [~~(1)~~] (a) make regulations or ordinances to implement and enforce the requirement
43 established by the Air Quality Board;

44 [~~(2)~~] (b) collect information about and monitor the program; and

45 [~~(3)~~] (c) by August 1 of each year, supply written information to the Department of
46 Environmental Quality to identify program status.

47 (2) The following vehicles are exempt from an emissions opacity inspection and
48 maintenance program for diesel-powered motor vehicles established by a legislative body of a
49 county under Subsection (1):

50 (a) an implement of husbandry; and

51 (b) a motor vehicle that:

52 (i) meets the definition of a farm truck under Section 41-1a-102; and

53 (ii) has a gross vehicle weight rating of 12,001 pounds or more.

54 (3) (a) The legislative body of a county identified in Subsection (1) shall exempt a
55 pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds or
56 less from the emissions opacity inspection and maintenance program requirements of this
57 section, if the registered owner of the pickup truck provides a signed statement to the
58 legislative body stating the truck is used:

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

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

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

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

67 (b) The county shall provide to the registered owner who signs and submits a signed
68 statement under this section a certificate of exemption from emissions opacity inspection and
69 maintenance program requirements for purposes of registering the exempt vehicle.

Legislative Review Note
as of 1-28-09 11:30 AM

Office of Legislative Research and General Counsel

Fiscal Note

**S.B. 136 - Diesel-powered Motor Vehicle Emissions Inspection Program
Amendments**

2009 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Local governments that certify these vehicles will be impacted; farm owners (individuals and businesses) will benefit.
