

MOTOR VEHICLE REGISTRATION FEES

2009 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ralph Okerlund

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code and the Transportation Code by amending provisions relating to motor vehicle registration fees.

Highlighted Provisions:

This bill:

- ▶ increases certain motor vehicle registration fees by \$1 until June 30, 2012;
- ▶ provides that until June 30, 2012, the State Tax Commission shall retain certain fees and use them to administer the motor vehicle laws;
- ▶ provides that certain registration fees retained by the State Tax Commission are exempt from the limitation on certain Transportation Fund appropriations; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2009.

Utah Code Sections Affected:

AMENDS:

41-1a-1201, as last amended by Laws of Utah 2008, Chapter 143

41-1a-1206, as last amended by Laws of Utah 2008, Chapter 210

72-2-103, as last amended by Laws of Utah 2002, Fifth Special Session, Chapter 13



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

Section 1. Section **41-1a-1201** is amended to read:

41-1a-1201. Disposition of fees.

(1) All fees received and collected under this part shall be transmitted daily to the state treasurer.

(2) Except as provided in Subsections (3), (4), and (6), and Sections 41-1a-422, 41-1a-1220, and 41-1a-1221, all fees collected under this part shall be deposited in the Transportation Fund.

(3) (a) Funds generated under Subsections 41-1a-1211(1)(b)(i), (6)(b)(i), and (7) and Section 41-1a-1212 may be used by the commission as a dedicated credit to cover the costs incurred in issuing license plates under Part 4, License Plates and Registration Indicia.

(b) Until June 30, 2012, \$1 of each registration fee collected under Subsections 41-1a-1206(1)(a), (1)(b), (1)(c), (1)(d)(i), (1)(e)(i), (2)(a), and (5) shall be used by the commission as a nonlapsing dedicated credit to be used toward the costs of administering this title.

~~(b)~~ (c) Fees for statehood centennial license plates shall be collected and deposited in the Transportation Fund, less production and administrative costs incurred by the commission.

(4) All funds available to the commission for purchase and distribution of license plates and decals are nonlapsing.

(5) Except as provided in Subsection (3) and Section 41-1a-1205, the expenses of the commission in enforcing and administering this part shall be provided for by legislative appropriation from the revenues of the Transportation Fund.

(6) (a) Except as provided in Subsection (6)(b), the following portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited in the Centennial Highway Fund Restricted Account created under Section 72-2-118:

(i) \$10 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (2), and (5);

(ii) \$1 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i), (1)(c)(ii), and (1)(d)(ii);

(iii) \$2 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

59 (iv) \$3 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i); and
 60 (v) \$4.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i).

61 (b) When the highway general obligation bonds have been paid off and the highway
 62 projects completed that are intended to be paid from revenues deposited in the Centennial
 63 Highway Fund Restricted Account as determined by the Executive Appropriations Committee
 64 under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under
 65 Subsection (6)(a) for each vehicle shall be deposited in the Transportation Investment Fund of
 66 2005 created by Section 72-2-124.

67 Section 2. Section **41-1a-1206** is amended to read:

68 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

69 (1) Except as provided in Subsection (2), at the time application is made for
 70 registration or renewal of registration of a vehicle or combination of vehicles under this
 71 chapter, a registration fee shall be paid to the division as follows:

72 (a) (i) ~~[\$22.50]~~ until June 30, 2012, \$23.50 for each motorcycle; and

73 (ii) beginning on July 1, 2012, \$22.50 for each motorcycle;

74 (b) (i) ~~[\$21]~~ until June 30, 2012, \$22 for each motor vehicle of 12,000 pounds or less
 75 gross laden weight, excluding motorcycles; and

76 (ii) beginning on July 1, 2012, \$21 for each motor vehicle of 12,000 pounds or less
 77 gross laden weight, excluding motorcycles;

78 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202
 79 or is registered under Section 41-1a-301:

80 (i) (A) ~~[\$11]~~ until June 30, 2012, \$12 for each trailer or semitrailer over 750 pounds
 81 gross unladen weight; ~~[or]~~ and

82 (B) beginning on July 1, 2012, \$11 for each trailer or semitrailer over 750 pounds gross
 83 unladen weight; or

84 (ii) (A) ~~[\$8.50]~~ until June 30, 2012, \$9.50 for each commercial trailer or commercial
 85 semitrailer of 750 pounds or less gross unladen weight; and

86 (B) beginning on July 1, 2012, \$8.50 for each commercial trailer or commercial
 87 semitrailer of 750 pounds or less gross unladen weight;

88 (d) (i) (A) ~~[\$33]~~ until June 30, 2012, \$34 for each farm truck over 12,000 pounds, but
 89 not exceeding 14,000 pounds gross laden weight; ~~[plus]~~ and

90 (B) beginning on July 1, 2012, \$33 for each farm truck over 12,000 pounds, but not
91 exceeding 14,000 pounds gross laden weight; plus

92 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight; and

93 (e) (i) (A) [~~\$49.50~~ until June 30, 2012, \$50.50 for each motor vehicle or combination
94 of motor vehicles, excluding farm trucks, over 12,000 pounds, but not exceeding 14,000
95 pounds gross laden weight; ~~[plus]~~ and

96 (B) beginning on July 1, 2012, \$49.50 for each motor vehicle or combination of motor
97 vehicles, excluding farm trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross
98 laden weight; plus

99 (ii) \$18.50 for each 2,000 pounds over 14,000 pounds gross laden weight.

100 (2) (a) ~~[The]~~ (i) Until June 30, 2012, the initial registration fee for a vintage vehicle is
101 [\$20] \$21.

102 (ii) Beginning on July 1, 2012, the initial registration fee for a vintage vehicle is \$20.

103 (b) A vintage vehicle is exempt from the renewal of registration fees under Subsection
104 (1).

105 (c) A vehicle with a Purple Heart special group license plate issued in accordance with
106 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

107 (3) If a motor vehicle is operated in combination with a semitrailer or trailer, each
108 motor vehicle shall register for the total gross laden weight of all units of the combination if the
109 total gross laden weight of the combination exceeds 12,000 pounds.

110 (4) (a) Registration fee categories under this section are based on the gross laden
111 weight declared in the licensee's application for registration.

112 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part
113 of 2,000 pounds is a full unit.

114 (5) The owner of a commercial trailer or commercial semitrailer may, as an alternative
115 to registering under Subsection (1)(c), apply for and obtain a special registration and license
116 plate for a fee of ~~[\$110]~~:

117 (a) until June 30, 2012, \$111; and

118 (b) beginning on July 1, 2012, \$110.

119 (6) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
120 truck unless:

121 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and
122 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or
123 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
124 submits to the division a certificate of emissions inspection or a waiver in compliance with
125 Section 41-6a-1642.

126 (7) A violation of Subsection (6) is a class B misdemeanor that shall be punished by a
127 fine of not less than \$200.

128 (8) Trucks used exclusively to pump cement, bore wells, or perform crane services
129 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees
130 required for those vehicles under this section.

131 Section 3. Section **72-2-103** is amended to read:

132 **72-2-103. Limitations on Transportation Fund appropriations to agencies not a**
133 **part of the Department of Transportation -- Exceptions.**

134 (1) Except as provided under Subsection (2), the amount appropriated or transferred
135 from the Transportation Fund each year may not exceed a combined total of \$11,600,000 to:

- 136 (a) the Department of Public Safety;
- 137 (b) the State Tax Commission;
- 138 (c) the Division of Finance; and
- 139 (d) any other state agency that is not a part of the Department of Transportation.

140 (2) The following amounts are exempt from the appropriation and transfer limitations
141 of Subsection (1):

142 (a) amounts deposited in the Department of Public Safety Restricted Account created
143 under Section 53-3-106;

144 (b) revenue generated by the uninsured motorist identification fee under Section
145 41-1a-1218;

146 (c) revenue generated by the motor carrier fee under Section 41-1a-1219 or Section
147 72-9-706; ~~and~~

148 (d) revenue generated by the Motorcycle Rider Education Program under Section
149 53-3-905[;]; ~~and~~

150 (e) amounts used by the State Tax Commission as a nonlapsing dedicated credit under
151 Subsection 41-1a-1201(3)(b).

152 Section 4. **Effective date.**

153 This bill takes effect on July 1, 2009.

Legislative Review Note
as of **2-24-09 11:00 AM**

Office of Legislative Research and General Counsel

S.B. 234 - Motor Vehicle Registration Fees

Fiscal Note

2009 General Session
State of Utah

State Impact

Enactment of this bill increases the registration fees on vehicles by \$1 until the end of FY 2012. These fees increase revenue as a nonlapsing dedicated credit to the Utah State Tax Commission by \$2,620,000 in FY 2010 and \$2,676,000 in FY 2011.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
Dedicated Credits	\$0	\$2,620,000	\$2,676,000	\$0	\$2,620,000	\$2,676,000
Total	\$0	\$2,620,000	\$2,676,000	\$0	\$2,620,000	\$2,676,000

Individual, Business and/or Local Impact

Registration fees charged individuals and businesses will increase by \$1. Local taxing entities are unaffected.
