LEGISLATIVE GENERAL COUNSEL
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H.B. 221
1st Sub. (Buff)

Representative Fred C. Cox proposes the following substitute bill:

CLASSIC CAR INSPECTIONS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Fred C. Cox

Senate Sponsor: Karen Mayne

LONG TITLE

General Description:

This bill modifies the motor vehicles code by amending provisions relating a vintage vehicle.

Highlighted Provisions:

This bill:

- amends the definition of a vintage vehicle;
- provides that at the time application is made for registration or renewal of registration of a vintage vehicle that is less than 40 years old, a registration fee of $45 shall be paid;
- provides for the disposition of the registration fee of a vintage vehicle that is less than 40 years old; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2011.

Utah Code Sections Affected:

AMENDS:

41-1a-1201, as last amended by Laws of Utah 2010, Chapters 295 and 391

41-1a-1206, as last amended by Laws of Utah 2009, Chapter 241

41-21-1, as last amended by Laws of Utah 2009, Chapter 171

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), (5), and (6) and Sections 41-1a-422, 41-1a-1220, 41-1a-1221, and 41-1a-1223 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) 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) 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.

(5) (a) Except as provided in Subsection (5)(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), <u>(1)(f),</u> (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);

(iv) $3 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i); and

(v) $4.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i).

(b) When the highway general obligation bonds have been paid off and the highway projects completed that are intended to be paid from revenues deposited in the Centennial Highway Fund Restricted Account as determined by the Executive Appropriations Committee under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under Subsection (5)(a) for each vehicle shall be deposited in the Transportation Investment Fund of 2005 created by Section 72-2-124.

(6) The following portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005 created by Section 72-2-124:

(a) $20 of each registration fee collected under Subsections 41-1a-1206(1)(a), (1)(b), (1)(c), (1)(d)(i), (1)(e)(i), <u>(1)(f),</u> (2)(a), and (5); and

(b) 50 cents of each registration fee collected under Subsection 41-1a-1206(1)(e)(ii).

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

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

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

(a) $42.50 for each motorcycle;

(b) $41 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding motorcycles;

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

(i) $31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

(ii) $28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less gross unladen weight;

(d) (i) $53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

(ii) $9 for each 2,000 pounds over 14,000 pounds gross laden weight; [~~and~~]

(e) (i) $69.50 for each motor vehicle or combination of motor vehicles, excluding farm trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

(ii) $19 for each 2,000 pounds over 14,000 pounds gross laden weight<u>; and</u>

<u>(f) $45 for each vintage vehicle that is less than 40 years old</u>.

(2) (a) The initial registration fee for a vintage vehicle <u>that is 40 years old or older</u> is $40.

(b) A vintage vehicle <u>that is 40 years old or older</u> is exempt from the renewal of registration fees under Subsection (1).

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

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

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

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

(5) The owner of a commercial trailer or commercial semitrailer may, as an alternative to registering under Subsection (1)(c), apply for and obtain a special registration and license plate for a fee of $130.

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

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

(b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

(ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner submits to the division a certificate of emissions inspection or a waiver in compliance with Section 41-6a-1642.

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

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

Section 3. Section **41-21-1** is amended to read:

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

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

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

(B) (I) was manufactured after 1948 to resemble a vehicle that was manufactured in 1948 or before; and

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

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

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

(A) club activities;

(B) exhibitions;

(C) tours;

(D) parades;

(E) occasional transportation; and

(F) other similar uses.

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

(2) (a) "Vintage vehicle" means a motor vehicle that is [~~40~~] <u>30</u> years old or older, from the current year, primarily a collector's item, and used for participation in club activities, exhibitions, tours, parades, occasional transportation, and similar uses, but that is not used for general daily transportation.

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

Section 4. **Effective date.**

<u>This bill takes effect on July 1, 2011.</u>

FISCAL NOTE

H.B. 221 1st Sub. (Buff)

SHORT TITLE: Classic Car Inspections

SPONSOR: Cox, F.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill increases ongoing revenue to the Centennial Highway Fund by $6,700, ongoing revenue to the Transportation Fund by $6,700, and ongoing revenue to the Transportation Investment Fund of 2005 by $13,400.

STATE BUDGET DETAIL TABLE	FY 2011	FY 2012	FY 2013
Revenue:			
Transportation Fund	$0	$6,700	$6,700
Transportation Fund Restricted	$0	$6,700	$6,700
Transportation Fund Restricted	$0	$13,400	$13,400
Total Revenue	$0	$26,800	$26,800
Expenditure	$0	$0	$0
Net Impact, All Funds (Rev.-Exp.)	$0	$26,800	$26,800
Net Impact, General/Education Funds	$0	$0	$0

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Local governments lose annual emission inspection ($7.50) and compliance ($3.00) fees from about 6,700 individuals, totaling $70,400.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

By expanding the number of vehicles eligible for vintage classification, about 6,700 individuals experience an increase in annual registration costs by $4. These same individuals experience a decrease in annual emission inspection fees by $7.50 and compliance fees by $3.00. On the net, individuals and businesses experience a decrease in fees paid by $43,600.

2/1/2011, 08:44 AM, Lead Analyst: Young, T./Attorney: SCH

Office of the Legislative Fiscal Analyst