

Senator Stuart C. Reid proposes the following substitute bill:

REVOCATION OF MOTOR VEHICLE REGISTRATION

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stuart C. Reid

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicle Act by amending provisions relating to the authority of the Motor Vehicle Division to revoke the registration of a vehicle.

Highlighted Provisions:

This bill:

- ▶ provides that the Division of Motor Vehicles shall revoke the registration of a vehicle if:
 - the division receives notification by a court or municipality that the vehicle is the offending vehicle for four or more outstanding civil parking citations;
 - at least 120 days have elapsed since the fourth outstanding civil parking citation was issued to the registered owner of the vehicle; ~~§~~ ~~§~~ [f] and [f] ~~§~~ ~~§~~
 - the civil parking citations are not currently being contested or appealed; ~~§~~ ~~§~~ [; and
 - 19a ~~the vehicle is not owned by a rental company;]~~ ~~§~~ ~~§~~
- ▶ provides that a municipality shall send written notification to the last known address informing the registered owner of the offending vehicle that:
 - the vehicle is the offending vehicle for four or more outstanding civil parking citations; and
 - if the owner of the vehicle does not comply with the terms stated on the outstanding civil parking citations, the registration of the vehicle will be



26 revoked;

27 ▶ provides that a court or municipality shall allow 30 days or more to elapse from the
28 time the written notification is sent to the registered owner of the offending vehicle
29 before sending notification to the division;

30 ▶ provides that before the division reinstates the registration of a vehicle:

31 • the court or municipality shall notify the division that the owner of the vehicle
32 has complied with the terms stated on the outstanding civil parking citations;

33 and

34 • the division shall charge a registration reinstatement fee;

35 ▶ provides that the division shall not revoke the registration of a vehicle unless the
36 division receives a donation sufficient to pay for certain implementation costs;

37 ▶ provides that the division shall begin revoking registrations within a specified time;

38 **§→ [and]**

38a ▶ **provides that the registration of a vehicle owned by a rental company may not be**
38b **revoked under certain circumstances; and ←§**

39 ▶ makes technical changes.

40 **Money Appropriated in this Bill:**

41 None

42 **Other Special Clauses:**

43 This bill takes effect on October 1, 2011.

44 **Utah Code Sections Affected:**

45 AMENDS:

46 **41-1a-110**, as last amended by Laws of Utah 2008, Chapter 322

47 **41-1a-1220**, as last amended by Laws of Utah 2008, Chapter 322

48 **41-12a-806**, as last amended by Laws of Utah 2008, Chapter 322

49 **63J-1-602.2**, as enacted by Laws of Utah 2010, Chapter 265 and last amended by
50 Coordination Clause, Laws of Utah 2010, Chapter 265

51

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

53 Section 1. Section **41-1a-110** is amended to read:

54 **41-1a-110. Authority of division to suspend or revoke registration, certificate of**
55 **title, license plate, or permit.**

56 (1) Except as provided in Subsections [~~(3)~~] (4) and [~~(4)~~] (5), the division may suspend

88 offending vehicle for four or more outstanding civil parking citations;

89 (ii) at least 120 days have elapsed since the fourth outstanding civil parking citation
 90 under Subsection (3)(a)(i) was issued to the registered owner of the vehicle; ~~§~~ ~~→~~ ~~§~~ ~~→~~ [F] and [H] ~~←~~ ~~§~~ ~~←~~ ~~§~~

91 (iii) the civil parking citations under Subsection (3)(a)(i) are not currently being
 92 contested or appealed ~~§~~ ~~→~~ [~~§~~ ~~→~~]; and

92a —— (iv) the vehicle is not owned by a rental company as defined in Section 31A-22-311 ~~←~~ ~~§~~ ~~←~~ ~~§~~ .

93 (b) (i) Before notifying the division under Subsection (3)(a), a municipality shall send
 94 written notification to the last known address on the motor vehicle system informing the
 95 registered owner of the offending vehicle that:

96 (A) the vehicle is the offending vehicle for four or more outstanding civil parking
 97 citations; and

98 (B) if the owner of the vehicle does not comply with the terms stated on the
 99 outstanding civil parking citations, the registration of the vehicle will be revoked.

100 (ii) A court or municipality shall allow 30 days or more to elapse from the time the
 101 written notification under Subsection (3)(b)(i) is sent before sending notification to the division
 102 under Subsection (3)(a)(i).

103 (c) Before the division reinstates the registration of a vehicle revoked under Subsection
 104 (3)(a):

105 (i) the court or municipality shall notify the division that the owner of the vehicle has
 106 complied with the terms stated on the outstanding civil parking citations; and

107 (ii) the division shall charge a registration reinstatement fee under Subsection
 108 41-1a-1220(2).

109 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 110 division shall make rules establishing procedures for a court or municipality to notify the
 111 division under Subsections (3)(a) and (c).

112 (e) (i) The division shall not revoke the registration of a vehicle under this Subsection
 113 (3) unless the division receives a donation sufficient to pay for the initial costs of implementing
 114 this Subsection (3) from a participating municipality.

115 (ii) The division shall begin revoking registrations after receiving notification from a
 116 court or municipality under Subsection (3)(a) the latter of:

117 (A) within six months of receiving a sufficient donation under Subsection (3)(e)(i); or

118 (B) October 1, 2011.

118a **~~§~~ ~~→~~ (f) This Subsection (3) does not apply to a vehicle owned by a rental company as defined in**
 118b **Section 31A-22-311. ~~←~~ ~~§~~**