

**Representative Don L. Ipson** proposes the following substitute bill:

**MOTOR VEHICLE SAFETY INSPECTION AMENDMENTS**

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: John Dougall**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to ~~the~~ motor vehicle safety inspections.

**Highlighted Provisions:**

This bill:

- ▶ provides that if a title of a used motor vehicle is being transferred, a safety inspection issued for the motor vehicle during the previous 11 months may be used to satisfy the safety inspection requirement;
- ▶ reduces the frequency of the requirement that an owner of certain vehicles is required to obtain a safety inspection certificate prior to registering the vehicle;
- ▶ increases the registration fee for motor vehicles and motorcycles to offset the reduced revenues from the repeal of the safety inspection certificate fee;
- ▶ provides that a portion of the revenues from the increased motor vehicle and motorcycle registration fees shall be:
  - deposited in the Public Safety Restricted Account; and
  - used to pay a portion of the costs to employ highway patrol officers to police or patrol the highways within this state; and
- ▶ makes conforming changes.

**Money Appropriated in this Bill:**



**3rd Sub. H.B. 298**

26 This bill appropriates:

27 ▶ \$882,000 from the General Fund to the Utah Highway Patrol for six new highway  
28 patrol officers;

29 ▶ \$315,000 from the Transportation Fund Restricted - Department of Public Safety  
30 Account for seven additional highway patrol officers beginning January 1, 2013;

31 and

32 ▶ \$630,000 from the Highway Patrol - Safety Inspections program to the Highway  
33 Patrol Field Operations program putting seven more officers in the field.

34 **Other Special Clauses:**

35 This bill provides an effective date.

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **41-1a-205**, as last amended by Laws of Utah 2008, Chapters 36 and 210

39 **41-1a-1201**, as last amended by Laws of Utah 2011, Chapters 189 and 268

40 **41-1a-1206**, as last amended by Laws of Utah 2011, Chapter 268

41 **41-3-303**, as last amended by Laws of Utah 2005, Chapter 2

42 **53-3-106**, as last amended by Laws of Utah 2011, Chapter 428

43 **53-8-204**, as last amended by Laws of Utah 2009, Chapter 183

44 **53-8-205**, as last amended by Laws of Utah 2009, Chapters 155 and 311

45 **53-8-206**, as last amended by Laws of Utah 2009, Chapter 311



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

48 Section 1. Section **41-1a-205** is amended to read:

49 **41-1a-205. Safety inspection certificate required for renewal or registration of**  
50 **motor vehicle -- Exemptions.**

51 (1) If required in the current year, a safety inspection certificate, as required by Section  
52 53-8-205, or proof of exemption from safety inspection shall be presented at the time of, and as  
53 a condition of, registration or renewal of registration of a motor vehicle.

54 (2) (a) Except as provided in Subsections (2)(b), (c), and (d), the safety inspection  
55 required under this section may be made no more than two months prior to the renewal of  
56 registration.

57 (b) (i) If the title of a used motor vehicle is being transferred, a safety inspection  
58 certificate issued for the motor vehicle during the previous [~~two~~] 11 months may be used to  
59 satisfy the requirement under Subsection (1).

60 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety  
61 inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle  
62 dealer's name during the previous [~~six~~] 11 months may be used to satisfy the requirement under  
63 Subsection (1).

64 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a  
65 safety inspection certificate issued during the previous [~~six~~] 11 months may be used to satisfy  
66 the requirement under Subsection (1).

67 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the safety inspection  
68 required under this section may be made no more than 11 months prior to the renewal of  
69 registration.

70 (3) (a) The following motor vehicles are exempt from this section:

71 (i) except as provided in Subsection (3)(b), a new motor vehicle when registered the  
72 first time, if:

73 (A) a new car predelivery inspection has been made by a dealer;

74 (B) the dealer provides a written disclosure statement listing any known deficiency,  
75 existing with the new motor vehicle at the time of delivery, that would cause the motor vehicle  
76 to fail a safety inspection given in accordance with Section 53-8-205; and

77 (C) the buyer signs the disclosure statement to acknowledge that the buyer has read and  
78 understands the listed deficiencies;

79 (ii) a motor vehicle required to be registered under this chapter that bears a dealer plate  
80 or other special plate under Title 41, Chapter 3, Part 5, Special Dealer License Plates, except  
81 that if the motor vehicle is propelled by its own power and is not being moved for repair or  
82 dismantling, the motor vehicle shall comply with Section 41-6a-1601 regarding safe  
83 mechanical condition; and

84 (iii) a vintage vehicle as defined in Section 41-21-1.

85 (b) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509  
86 is subject to a safety inspection the first time that a person registers an off-highway vehicle as a  
87 street-legal all-terrain vehicle.

88 (4) (a) A safety inspection certificate shall be displayed on:

89 (i) all registered commercial motor vehicles with a gross vehicle weight rating of  
90 26,000 pounds or more;

91 (ii) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with  
92 multiple axles;

93 (iii) a combination unit; and

94 (iv) a bus or van for hire.

95 (b) A commercial vehicle under Subsection (4)(a) is exempt from the requirements of  
96 Subsection (1).

97 (5) A motor vehicle may be sold and the title assigned to the new owner without a  
98 valid safety inspection, but the motor vehicle may not be registered in the new owner's name  
99 until the motor vehicle complies with this section.

100 Section 2. Section **41-1a-1201** is amended to read:

101 **41-1a-1201. Disposition of fees.**

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

104 (2) Except as provided in Subsections (3), (6), ~~and (7)~~, and (8) and Sections  
105 41-1a-422, 41-1a-1220, 41-1a-1221, and 41-1a-1223 all fees collected under this part shall be  
106 deposited in the Transportation Fund.

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

110 (4) In accordance with Section 63J-1-602.2, all funds available to the commission for  
111 the purchase and distribution of license plates and decals are nonlapsing.

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

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

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

119 (1)(f), (2), and (5);

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

121 (1)(c)(ii), and (1)(d)(ii);

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

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

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

125 (b) When the highway general obligation bonds have been paid off and the highway

126 projects completed that are intended to be paid from revenues deposited in the Centennial

127 Highway Fund Restricted Account as determined by the Executive Appropriations Committee

128 under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under

129 Subsection (6)(a) for each vehicle shall be deposited in the Transportation Investment Fund of

130 2005 created by Section 72-2-124.

131 (7) The following portions of the registration fees imposed under Section 41-1a-1206

132 for each vehicle shall be deposited in the Transportation Investment Fund of 2005 created by

133 Section 72-2-124:

134 (a) \$20 of each registration fee collected under Subsections 41-1a-1206(1)(a), (1)(b),

135 (1)(c), (1)(d)(i), (1)(e)(i), (1)(f), (2)(a), and (5); and

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

137 (8) Ninety-four cents of each registration fee imposed under Subsections

138 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted

139 Account created in Section 53-3-106.

140 Section 3. Section **41-1a-1206** is amended to read:

141 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

142 (1) Except as provided in Subsection (2), at the time application is made for

143 registration or renewal of registration of a vehicle or combination of vehicles under this

144 chapter, a registration fee shall be paid to the division as follows:

145 (a) [~~\$42.50~~] \$44.50 for each motorcycle;

146 (b) [~~\$41~~] \$43 for each motor vehicle of 12,000 pounds or less gross laden weight,

147 excluding motorcycles;

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

149 or is registered under Section 41-1a-301:

- 150 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or  
151 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
152 gross unladen weight;
- 153 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
154 gross laden weight; plus
- 155 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 156 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm  
157 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus  
158 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight; and
- 159 (f) \$45 for each vintage vehicle that is less than 40 years old.
- 160 (2) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is  
161 \$40.
- 162 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of  
163 registration fees under Subsection (1).
- 164 (c) A vehicle with a Purple Heart special group license plate issued in accordance with  
165 Section 41-1a-421 is exempt from the registration fees under Subsection (1).
- 166 (3) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
167 motor vehicle shall register for the total gross laden weight of all units of the combination if the  
168 total gross laden weight of the combination exceeds 12,000 pounds.
- 169 (4) (a) Registration fee categories under this section are based on the gross laden  
170 weight declared in the licensee's application for registration.
- 171 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part  
172 of 2,000 pounds is a full unit.
- 173 (5) The owner of a commercial trailer or commercial semitrailer may, as an alternative  
174 to registering under Subsection (1)(c), apply for and obtain a special registration and license  
175 plate for a fee of \$130.
- 176 (6) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm  
177 truck unless:
- 178 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and  
179 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or  
180 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner

181 submits to the division a certificate of emissions inspection or a waiver in compliance with  
182 Section 41-6a-1642.

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

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

188 Section 4. Section **41-3-303** is amended to read:

189 **41-3-303. Temporary permits -- Inspections required before issuance.**

190 (1) A dealer licensed in accordance with this chapter may not issue a temporary permit  
191 under Section 41-3-302 unless:

192 (a) (i) the motor vehicle for which the temporary permit is issued has received and  
193 passed the safety inspection if required [by] in the current year under Section 53-8-205 within  
194 the previous six months;

195 (ii) the safety inspection certificate was issued in the name of a licensed and bonded  
196 dealer; and

197 (iii) a copy of the safety inspection certificate is given to the customer; and

198 (b) the motor vehicle passed the emission inspection test required by Section  
199 41-6a-1642.

200 (2) Notwithstanding Subsection (1)(a), a dealer may issue a temporary permit without a  
201 safety inspection certificate if the motor vehicle complies with the safety inspection as  
202 provided in Section 41-1a-205.

203 (3) Notwithstanding Subsection (1)(b), a dealer may issue a temporary permit without  
204 proof of an emission inspection if:

205 (a) the motor vehicle is exempt from emission inspection as provided in Section  
206 41-6a-1642;

207 (b) the purchaser is a resident of a county that does not require emission inspections; or

208 (c) the motor vehicle is otherwise exempt from emission inspections.

209 (4) Notwithstanding Subsection (1), a dealer may sell a motor vehicle as is without  
210 having it safety or emission inspected provided that no temporary permit is issued.

211 Section 5. Section **53-3-106** is amended to read:

212 **53-3-106. Disposition of revenues under this chapter -- Restricted account created**  
 213 **-- Uses as provided by appropriation -- Nonlapsing.**

214 (1) There is created within the Transportation Fund a restricted account known as the  
 215 "Department of Public Safety Restricted Account."

216 (2) The account consists of money generated from the following revenue sources:

217 (a) all money received under this chapter;

218 (b) administrative fees received according to the fee schedule authorized under this  
 219 chapter and Section 63J-1-504; [~~and~~]

220 (c) ~~§~~ **→ [moneys] beginning on January 1, 2013, money ←§** received in accordance with  
 220a Section 41-1a-1201; and

221 [~~↔~~] (d) any appropriations made to the account by the Legislature.

222 (3) (a) The account shall earn interest.

223 (b) All interest earned on account money shall be deposited in the account.

224 (4) The expenses of the department in carrying out this chapter shall be provided for by  
 225 legislative appropriation from this account.

226 (5) The amount in excess of \$45 of the fees collected under Subsection 53-3-105(24)  
 227 shall be appropriated by the Legislature from this account to the department to implement the  
 228 provisions of Section 53-1-117, except that of the amount in excess of \$45, \$40 shall be  
 229 deposited in the State Laboratory Drug Testing Account created in Section 26-1-34.

230 (6) All money received under Subsection 41-6a-1406(6)(b)(ii) shall be appropriated by  
 231 the Legislature from this account to the department to implement the provisions of Section  
 232 53-1-117.

233 (7) Beginning in fiscal year 2009-10, the Legislature shall appropriate \$100,000  
 234 annually from the account to the state medical examiner appointed under Section 26-4-4 for  
 235 use in carrying out duties related to highway crash deaths under Subsection 26-4-7(1).

236 (8) The division shall remit the fees collected under Subsection 53-3-105(28) to the  
 237 Bureau of Criminal Identification to cover the costs for the services the Bureau of Criminal  
 238 Identification provides under Section 53-3-205.5.

238a ~~§~~ **→ (9)(a) Beginning on January 1, 2013, the Legislature shall appropriate all money**  
 238b **received in the account under Section 41-1a-1201 to the Utah Highway Patrol Division for field**  
 238c **operations.**

238d **(b) The Legislature may appropriate additional money from the account to the Utah**  
 238e **Highway Patrol Division for law enforcement purposes.**

239 [~~↔~~] (10) ~~←§~~ Appropriations to the department from the account are nonlapsing.



240 Section 6. Section **53-8-204** is amended to read:

241 **53-8-204. Division duties -- Official inspection stations -- Permits -- Fees --**

242 **Suspension or revocation -- Utah-based interstate commercial motor carriers.**

243 (1) The division shall:

244 (a) conduct examinations of every safety inspection station permit applicant and safety  
245 inspector certificate applicant to determine whether the applicant is properly equipped and  
246 qualified to make safety inspections;

247 (b) issue safety inspection station permits and safety inspector certificates to qualified  
248 applicants;

249 (c) establish application, renewal, and reapplication fees in accordance with Section  
250 63J-1-504 for safety inspection station permits and safety inspector certificates;

251 (d) provide instructions and all necessary forms, including safety inspection  
252 certificates, to safety inspection stations for the inspection of motor vehicles and the issuance  
253 of the safety inspection certificates;

254 [~~(e) charge a \$2 fee for each safety inspection certificate;~~]

255 [~~(f)~~] (e) investigate complaints regarding safety inspection stations and safety  
256 inspectors;

257 [~~(g)~~] (f) compile and publish all applicable safety inspection laws, rules, instructions,  
258 and standards and distribute them to all safety inspection stations and provide updates to the  
259 compiled laws, rules, instructions, and standards as needed;

260 [~~(h)~~] (g) establish a fee in accordance with Section 63J-1-504 to cover the cost of  
261 compiling and publishing the safety inspection laws, rules, instructions, and standards and any  
262 updates; and

263 [~~(i)~~] (h) assist the council in conducting its meetings and hearings.

264 (2) (a) [~~(i)~~] Receipts from the fees established in accordance with Subsection  
265 (1)[~~(h)~~](g) are fixed collections to be used by the division for the expenses of the Utah  
266 Highway Patrol incurred under Subsection (1)[~~(h)~~](g).

267 [~~(i)~~] (b) Funds received in excess of the expenses under Subsection (1)[~~(h)~~](g) shall be  
268 deposited in the Transportation Fund.

269 [~~(b) (i) The first \$.75 of the fee under Subsection (1)(e) is a dedicated credit to be used  
270 solely by the Utah Highway Patrol for the expenses of administering this section.]~~]

271 [~~(ii) The remaining funds collected under Subsection (1)(e) shall be deposited in the  
272 Transportation Fund.]~~]

273 [~~(iii) The dedicated credits described under Subsection (2)(b)(i) are in addition to any~~]

274 ~~other appropriations provided to administer the safety inspection program duties under this~~  
275 ~~section.]~~

276 (3) The division may:

277 (a) before issuing a safety inspection permit, require an applicant, other than a fleet  
278 station or government station, to file a bond that will provide a guarantee that the applicant  
279 safety inspection station will make compensation for any damage to a motor vehicle during an  
280 inspection or adjustment due to negligence on the part of an applicant or the applicant's  
281 employees;

282 (b) establish procedures governing the issuance of safety inspection certificates to  
283 Utah-based interstate commercial motor carriers;

284 (c) suspend, revoke, or refuse renewal of any safety inspection station permit issued  
285 when the division finds that the safety inspection station is not:

286 (i) properly equipped; or

287 (ii) complying with rules made by the division; and

288 (d) suspend, revoke, or refuse renewal of any safety inspection station permit or safety  
289 inspector certificate issued when the station or inspector has violated any safety inspection law  
290 or rule.

291 (4) The division shall maintain a record of safety inspection station permits and safety  
292 inspector certificates issued, suspended, revoked, or refused renewal under Subsection (3)(c).

293 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
294 division shall make rules:

295 (a) setting minimum standards covering the design, construction, condition, and  
296 operation of motor vehicle equipment for safely operating a motor vehicle on the highway;

297 (b) establishing motor vehicle safety inspection procedures to ensure a motor vehicle  
298 can be operated safely;

299 (c) establishing safety inspection station building, equipment, and personnel  
300 requirements necessary to qualify to perform safety inspections;

301 (d) establishing age, training, examination, and renewal requirements to qualify for a  
302 safety inspector certificate;

303 (e) establishing program guidelines for a school district that elects to implement a  
304 safety inspection apprenticeship program for high school students;

- 305 (f) establishing requirements:
- 306 (i) designed to protect consumers from unwanted or unneeded repairs or adjustments;
- 307 (ii) for maintaining safety inspection records;
- 308 (iii) for providing reports to the division; and
- 309 (iv) for maintaining and protecting safety inspection certificates;
- 310 (g) establishing procedures for a motor vehicle that fails a safety inspection;
- 311 (h) setting bonding amounts for safety inspection stations if bonds are required under

312 Subsection (3)(a); and

- 313 (i) establishing procedures for a safety inspection station to follow if the station is
- 314 going out of business.

315 (6) The rules of the division:

- 316 (a) shall conform as nearly as practical to federal motor vehicle safety standards

317 including 49 ~~§~~ **→** [~~CFR~~] **C.F.R. Parts** ~~←~~ **§** 393, 396, 396 Appendix G, and Federal Motor Vehicle

317a Safety Standards

- 318 205; and
- 319 (b) may incorporate by reference, in whole or in part, the federal standards under
- 320 Subsection (6)(a) and nationally recognized and readily available standards and codes on motor
- 321 vehicle safety.

322 Section 7. Section **53-8-205** is amended to read:

323 **53-8-205. Safety inspection required -- Frequency of safety inspection -- Safety**

324 **inspection certificate required -- Out-of-state permits.**

325 (1) (a) Except as provided in Subsection (1)(b), a person may not operate on a highway

326 a motor vehicle required to be registered in this state unless the motor vehicle has passed a

327 safety inspection if required in the current year.

328 (b) Subsection (1)(a) does not apply to:

- 329 (i) a vehicle that is exempt from registration under Section 41-1a-205;
- 330 (ii) an off-highway vehicle, unless the off-highway vehicle is being registered as a
- 331 street-legal all-terrain vehicle in accordance with Section 41-6a-1509;
- 332 (iii) a vintage vehicle as defined in Section 41-21-1;
- 333 (iv) a commercial vehicle with a gross vehicle weight rating over 26,000 pounds that:
- 334 (A) is operating with an apportioned registration under Section 41-1a-301; and
- 335 (B) has a valid annual federal inspection that complies with the requirements of 49

336 C.F.R. ~~§~~ Sec. ~~§~~ 396.17; and

337 (v) a trailer, semitrailer, or trailering equipment attached to a commercial motor vehicle  
338 described in Subsection (1)(a)(iv) that has a valid annual federal inspection that complies with  
339 the requirements of 49 C.F.R. ~~§~~ Sec. ~~§~~ 396.17.

340 (2) Except as provided in Subsection (3), the frequency of the safety inspection shall be  
341 determined based on the age of the vehicle determined by model year and shall:

342 (a) be required each year for a vehicle that is ~~[eight]~~ ~~§~~ [12] 10 ~~§~~ or more years old on  
342a January 1;

343 or

344 ~~[(b) every two years for each vehicle that is less than eight years old on January 1 as~~  
345 ~~follows:]~~

346 ~~[(i) in odd-numbered years for a vehicle with an odd-numbered model year; and]~~

347 ~~[(ii) in even-numbered years for a vehicle with an even-numbered model year;]~~

348 (b) for each vehicle that is less than ~~§~~ [12] 10 ~~§~~ years old on January 1, be required in  
348a the fourth

349 year ~~§~~ [;] and ~~§~~ the eighth year ~~§~~ [; and the tenth year] ~~§~~ ;

350 (c) be made by a safety inspector certified by the division at a safety inspection station  
351 authorized by the division;

352 (d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to  
353 ensure proper adjustment and condition as required by department rules; and

354 (e) include an inspection for the display of license plates in accordance with Section  
355 41-1a-404.

356 (3) (a) (i) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a  
357 safety inspection when an application is made for initial registration as a salvage vehicle.

358 (ii) After initial registration as a salvage vehicle, the frequency of the safety inspection  
359 shall correspond with the model year, as provided in Subsection (2).

360 (b) A motor vehicle with a gross vehicle weight rating of 10,001 pounds or more is  
361 required to pass a safety inspection annually.

362 (4) (a) A safety inspection station shall issue two safety inspection certificates to the  
363 owner of:

364 (i) each motor vehicle that passes a safety inspection under this section; and

365 (ii) a street-legal all-terrain vehicle that meets all the equipment requirements in  
366 Section 41-6a-1509.

367 (b) A safety inspection station shall use one safety inspection certificate issued under  
368 this Subsection (4) for processing the vehicle registration.

369 (c) A person operating a motor vehicle shall have in the person's immediate possession  
370 a safety inspection certificate or other evidence of compliance with the requirement to obtain a  
371 safety inspection under this section.

372 (5) The division may:

373 (a) authorize the acceptance in this state of a safety inspection certificate issued in  
374 another state having a safety inspection law similar to this state; and

375 (b) extend the time within which a safety inspection certificate must be obtained by the  
376 resident owner of a vehicle that was not in this state during the time a safety inspection was  
377 required.

378 Section 8. Section **53-8-206** is amended to read:

379 **53-8-206. Safety inspection -- Station requirements -- Permits not transferable --**  
380 **Certificate of inspection -- Fees -- Unused certificates -- Suspension or revocation of**  
381 **permits.**

382 (1) The safety inspection required under Section 53-8-205 may only be performed:

383 (a) by a person certified by the division as a safety inspector; and

384 (b) at a safety inspection station with a valid safety inspection station permit issued by  
385 the division.

386 (2) A safety inspection station permit may not be assigned or transferred or used at any  
387 location other than a designated location, and every safety inspection station permit shall be  
388 posted in a conspicuous place at the location designated.

389 (3) If required by the division, a record and report shall be made of every safety  
390 inspection and every safety inspection certificate issued.

391 (4) A safety inspection station holding a safety inspection station permit issued by the  
392 division may charge[: (a) a fee as reimbursement for the safety inspection certificate fee as  
393 specified in Subsection 53-8-204(1)(e); and (b)] a reasonable fee for labor in performing safety  
394 inspections, not to exceed:

395 [(i)] (a) \$7 or less for motorcycles and street-legal all-terrain vehicles;

396 [(ii)] (b) unless Subsection (4)[(b)(i)](a) or [(iii)] (c) applies, \$15 or less for motor  
397 vehicles; or

398 [(iii)] (c) \$20 or less for 4-wheel drive, split axle, and any motor vehicles that  
399 necessitate disassembly of front hub or removal of rear axle for inspection.

400 (5) A safety inspection station may return unused safety inspection certificates in a  
401 quantity of 10 or more and shall be reimbursed by the division for the cost of the safety  
402 inspection certificates.

403 (6) (a) Upon receiving notice of the suspension or revocation of a safety inspection  
404 station permit, the safety inspection station permit holder shall immediately terminate all safety  
405 inspection activities and return all safety inspection certificates and the safety inspection station  
406 permit to the division.

407 (b) The division shall issue a receipt for all unused safety inspection certificates.

408 Section 9. **Appropriation.**

409 Under the terms and conditions of Utah Code Title 63J Chapter 1, Budgetary  
410 Procedures Act, the following sums of money are appropriated from resources not otherwise  
411 appropriated, or reduced from amounts previously appropriated, out of the funds or fund  
412 accounts indicated for the fiscal year beginning July 1, 2012 and ending June 30, 2013. These  
413 are additions to amounts previously appropriated for fiscal year 2013.

414 To Department of Public Safety -- Programs and Operations

415 From General Fund \$540,000

416 From General Fund, One-time \$342,000

417 From Transportation Fund Restricted -- Department of Public  
418 Safety Account \$1,005,500

419 From Dedicated Credits (\$690,500)

420 Schedule of Programs:

421 Highway Patrol -- Safety Inspections (\$630,000)

422 Highway Patrol -- Field Operations \$1,827,000

423 Section 10. **Effective date.**

424 (1) Except as provided in Subsection (2), this bill takes effect on July 1, 2012.

425 (2) The amendments to the following sections take effect on January 1, 2013:

426 (a) Section 41-1a-205;

427 (b) Section 41-1a-1201;

428 (c) Section 41-1a-1206;

429            (d) Section 41-3-303;  
430            **Ŝ→** [~~(e) Section 53-3-106;~~] **←Ŝ**  
431            **Ŝ→** [~~(f)~~] (e) **←Ŝ** Section 53-8-204;  
432            **Ŝ→** [~~(g)~~] (f) **←Ŝ** Section 53-8-205; and  
433            **Ŝ→** [~~(h)~~] (g) **←Ŝ** Section 53-8-206.