

NEW CAR SAFETY AND EMISSIONS INSPECTION

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Don L. Ipson

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill modifies the Traffic Code and the Public Safety Code by amending provisions relating to motor vehicle safety and emissions inspections.

Highlighted Provisions:

This bill:

- ▶ provides that to the extent allowed under the current federally approved state implementation plan, a motor vehicle that is less than two years old on January 1, based on the age of the vehicle as determined by the model year identified by the manufacturer, is exempt from the requirement to obtain an emissions inspection;
- ▶ provides that a motor vehicle that is less than two years old on January 1, based on the age of the vehicle as determined by the model year identified by the manufacturer, is exempt from the requirement to pass a safety inspection; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on October 1, 2012.

H→ This bill coordinates with H.B. 298, Motor Vehicle Safety Inspection Amendments, by omitting substantive changes. ←H

Utah Code Sections Affected:

AMENDS:

41-6a-1642, as last amended by Laws of Utah 2011, Chapter 36



28 **53-8-205**, as last amended by Laws of Utah 2009, Chapters 155 and 311

28a **H→ Utah Code Sections Affected by Coordination Clause:**

28b **53-8-205, as last amended by Laws of Utah 2009, Chapters 155 and 311 ←H**

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

31 Section 1. Section **41-6a-1642** is amended to read:

32 **41-6a-1642. Emissions inspection -- County program.**

33 (1) The legislative body of each county required under federal law to utilize a motor
34 vehicle emissions inspection and maintenance program or in which an emissions inspection
35 and maintenance program is necessary to attain or maintain any national ambient air quality
36 standard shall require:

37 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
38 is exempt from emissions inspection and maintenance program requirements be presented:

39 (i) as a condition of registration or renewal of registration; and

40 (ii) at other times as the county legislative body may require to enforce inspection
41 requirements for individual motor vehicles, except that the county legislative body may not
42 routinely require a certificate of emission inspection, or waiver of the certificate, more often
43 than required under Subsection (6); and

44 (b) compliance with this section for a motor vehicle registered or principally operated
45 in the county and owned by or being used by a department, division, instrumentality, agency, or
46 employee of:

47 (i) the federal government;

48 (ii) the state and any of its agencies; or

49 (iii) a political subdivision of the state, including school districts.

50 (2) (a) The legislative body of a county identified in Subsection (1), in consultation
51 with the Air Quality Board created under Section 19-1-106, shall make regulations or
52 ordinances regarding:

53 (i) emissions standards;

54 (ii) test procedures;

55 (iii) inspections stations;

56 (iv) repair requirements and dollar limits for correction of deficiencies; and

57 (v) certificates of emissions inspections.

58 (b) The regulations or ordinances shall:

183 safety inspection when an application is made for initial registration as a salvage vehicle.

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

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

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

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

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

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

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

198 (5) The division may:

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

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

204 Section 3. **Effective date.**

205 This bill takes effect on October 1, 2012.

205a **H→ Section 4. Coordinating H.B. 407 with H.B. 298 -- Omitting substantive changes.**

205b **If this H.B. 407 and H.B. 298, Motor Vehicle Safety Inspection Amendments, both**
205c **pass and become law, the Legislature intends that the Office of Legislative Research and**
205d **General Counsel, in preparing the Utah Code database for publication, not make the changes**
205e **in H.B. 407 to Section 53-8-205. ←H**

Legislative Review Note
as of 2-23-12 4:56 PM

Office of Legislative Research and General Counsel