

**MOTOR VEHICLE REGISTRATION AND INSURANCE**

**AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen G. Handy**

Senate Sponsor: Evan J. Vickers

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to motor vehicle registration and insurance.

**Highlighted Provisions:**

This bill:

- ▶ provides that certain new registration cards issued by the Tax Commission on or after November 1, 2013, may not display the address of the owner or the lessee on the registration card;

- ▶ provides that a card issued by an insurance company as evidence of owner's or operator's security on or after July 1, 2014, may not display the owner's or operator's address on the card; and

- ▶ makes technical corrections.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2013.

**Utah Code Sections Affected:**

AMENDS:

**31A-22-302**, as last amended by Laws of Utah 2012, Chapter 283

**41-1a-213**, as last amended by Laws of Utah 2006, Chapter 252

**41-1a-218**, as renumbered and amended by Laws of Utah 1992, Chapter 1

**41-12a-303.2**, as last amended by Laws of Utah 2010, Chapter 260

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

32 Section 1. Section 31A-22-302 is amended to read:

33 **31A-22-302. Required components of motor vehicle insurance policies --**34 **Exceptions.**35 (1) Every policy of insurance or combination of policies purchased to satisfy the  
36 owner's or operator's security requirement of Section 41-12a-301 shall include:

37 (a) motor vehicle liability coverage under Sections 31A-22-303 and 31A-22-304;

38 (b) uninsured motorist coverage under Section 31A-22-305, unless affirmatively  
39 waived under Subsection 31A-22-305(5);40 (c) underinsured motorist coverage under Section 31A-22-305.3, unless affirmatively  
41 waived under Subsection 31A-22-305.3(3); and42 (d) except as provided in Subsection (2) and subject to Subsection [~~(3)~~] (4), personal  
43 injury protection under Sections 31A-22-306 through 31A-22-309.44 (2) A policy of insurance or combination of policies, purchased to satisfy the owner's  
45 or operator's security requirement of Section 41-12a-301 for a motorcycle, off-highway vehicle,  
46 street-legal all-terrain vehicle, trailer, or semitrailer is not required to have personal injury  
47 protection under Sections 31A-22-306 through 31A-22-309.48 (3) A card issued by an insurance company as evidence of owner's or operator's  
49 security under Section 41-12a-303.2 on or after July 1, 2014, may not display the owner's or  
50 operator's address on the card.51 [~~(3)~~] (4) (a) First party medical coverages may be offered or included in policies issued  
52 to motorcycle, off-highway vehicle, street-legal all-terrain vehicle, trailer, and semitrailer  
53 owners or operators.54 (b) Owners and operators of motorcycles, off-highway vehicles, street-legal all-terrain  
55 vehicles, trailers, and semitrailers are not covered by personal injury protection coverages in  
56 connection with injuries incurred while operating any of these vehicles.57 [~~(4)~~] (5) First party medical coverage expenses shall be governed by the relative value

58 study provisions under Subsections 31A-22-307(2) and (3).

59 Section 2. Section **41-1a-213** is amended to read:

60 **41-1a-213. Contents of registration cards.**

61 (1) The registration card shall be delivered to the owner and shall contain:

62 (a) the date issued;

63 (b) the name [~~and address~~] of the owner;

64 (c) a description of the vehicle registered including the year, the make, the  
65 identification number, and the license plate assigned to the vehicle;

66 (d) the expiration date; and

67 (e) other information as determined by the commission.

68 (2) If a vehicle is leased for a period in excess of 45 days, the registration shall contain:

69 (a) the owner's name; and

70 (b) the name of the lessee[~~; and~~].

71 [~~(c) the bona fide residence address of the lessee.~~]

72 (3) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the  
73 registration card shall also contain the gross laden weight as given in the application for  
74 registration.

75 (4) (a) Except as provided in Subsection (4)(b), a new registration card issued by the  
76 commission on or after November 1, 2013, may not display the address of the owner or the  
77 lessee on the registration card.

78 (b) A new registration card issued by the commission for a vehicle registered under  
79 Section 41-1a-301 shall display the address of the owner or the lessee on the registration card.

80 Section 3. Section **41-1a-218** is amended to read:

81 **41-1a-218. Notice of change of address.**

82 If a person after making application for or obtaining a vehicle registration moves from  
83 the address named in the application [~~or shown upon a registration card~~], the person shall  
84 within 10 days of moving notify the division of his old and new addresses.

85 Section 4. Section **41-12a-303.2** is amended to read:

86           **41-12a-303.2. Evidence of owner's or operator's security to be carried when**  
87 **operating motor vehicle -- Defense -- Penalties.**

88           (1) As used in this section:

89           (a) "Division" means the Motor Vehicle Division of the State Tax Commission.

90           (b) "Registration materials" means the evidences of motor vehicle registration,  
91 including all registration cards, license plates, temporary permits, and nonresident temporary  
92 permits.

93           (2) (a) (i) A person operating a motor vehicle shall:

94           (A) have in the person's immediate possession evidence of owner's or operator's  
95 security for the motor vehicle the person is operating; and

96           (B) display it upon demand of a peace officer.

97           (ii) A person is exempt from the requirements of Subsection (2)(a)(i) if the person is  
98 operating:

99           (A) a government-owned or leased motor vehicle; or

100           (B) an employer-owned or leased motor vehicle and is driving it with the employer's  
101 permission.

102           (b) Evidence of owner's or operator's security includes any one of the following:

103           (i) a copy of the operator's valid:

104           (A) insurance policy;

105           (B) insurance policy declaration page;

106           (C) binder notice;

107           (D) renewal notice; or

108           (E) card issued by an insurance company as evidence of insurance;

109           (ii) a certificate of insurance issued under Section 41-12a-402;

110           (iii) a certified copy of a surety bond issued under Section 41-12a-405;

111           (iv) a certificate of the state treasurer issued under Section 41-12a-406;

112           (v) a certificate of self-funded coverage issued under Section 41-12a-407; or

113           (vi) information that the vehicle or driver is insured from the Uninsured Motorist

114 Identification Database Program created under Title 41, Chapter 12a, Part 8.

115 (c) A card issued by an insurance company as evidence of owner's or operator's  
116 security under Subsection (2)(b)(i)(E) on or after July 1, 2014, may not display the owner's or  
117 operator's address on the card.

118 [~~(c)~~] (d) (i) Evidence of owner's or operator's security from the Uninsured Motorist  
119 Identification Database Program described under Subsection (2)(b)(vi) supercedes any  
120 evidence of owner's or operator's security described under Subsection (2)(b)(i)(D) or (E).

121 (ii) A peace officer may not cite or arrest a person for a violation of Subsection (2)(a) if  
122 the Uninsured Motorist Identification Database Program created under Title 41, Chapter 12a,  
123 Part 8, information indicates that the vehicle or driver is insured.

124 (3) It is an affirmative defense to a charge under this section that the person had  
125 owner's or operator's security in effect for the vehicle the person was operating at the time of  
126 the person's citation or arrest.

127 (4) (a) Evidence of owner's or operator's security as defined under Subsection (2)(b) or  
128 a written statement from an insurance producer or company verifying that the person had the  
129 required motor vehicle insurance coverage on the date specified is considered proof of owner's  
130 or operator's security for purposes of Subsection (3) and Section 41-12a-804.

131 (b) The court considering a citation issued under this section shall allow the evidence  
132 or a written statement under Subsection (4)(a) and a copy of the citation to be faxed or mailed  
133 to the clerk of the court to satisfy Subsection (3).

134 (c) The notice under Section 41-12a-804 shall specify that the written statement under  
135 Subsection (4)(a) and a copy of the notice shall be faxed or mailed to the designated agent to  
136 satisfy the proof of owner's or operator's security required under Section 41-12a-804.

137 (5) A violation of this section is a class B misdemeanor, and the fine shall be not less  
138 than:

139 (a) \$400 for a first offense; and

140 (b) \$1,000 for a second and subsequent offense within three years of a previous  
141 conviction or bail forfeiture.

142 (6) Upon receiving notification from a court of a conviction for a violation of this  
143 section, the department:

144 (a) shall suspend the person's driver license; and

145 (b) may not renew the person's driver license or issue a driver license to the person  
146 until the person gives the department proof of owner's or operator's security.

147 (i) This proof of owner's or operator's security shall be given by any of the ways  
148 required under Section 41-12a-401.

149 (ii) This proof of owner's or operator's security shall be maintained with the department  
150 for a three-year period.

151 (iii) An insurer that provides a certificate of insurance as provided under Section  
152 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of termination  
153 is filed with the department no later than 10 days after termination as required under Section  
154 41-12a-404.

155 (iv) If a person who has canceled the certificate of insurance applies for a license  
156 within three years from the date proof of owner's or operator's security was originally required,  
157 the department shall refuse the application unless the person reestablishes proof of owner's or  
158 operator's security and maintains the proof for the remainder of the three-year period.

159 **Section 5. Effective date.**

160 This bill takes effect on July 1, 2013.