

152 (iii) a group of individuals; or

153 (b) specified as trust land by agreement between the governor and the Ute tribe meeting  
154 the requirements of Subsections 59-13-201.5(3) and 59-13-301.5(3).

155 Section 2. Section **59-13-201** is amended to read:

156 **59-13-201. Rate -- Tax basis -- Exemptions -- Revenue deposited into the**  
157 **Transportation Fund -- Restricted account for boating uses -- Refunds -- Reduction of tax**  
158 **in limited circumstances.**

159 (1) (a) Subject to the provisions of this section, a tax is imposed [~~at the rate of 24-1/2~~  
160 ~~cents per gallon~~] upon all motor fuel that is sold, used, or received for sale or used in this  
161 state[-] at the rate of:

162 (i) until June 30, 2015, 24-1/2 cents per gallon; and

163 (ii) beginning on July 1, 2015, 14 cents per gallon.

164 (b) (i) Beginning on July 1, 2015, and in addition to the rate imposed under Subsection  
165 (1)(a), a tax is imposed at the rate of 3.69% of the statewide average rack price of a gallon of  
166 motor fuel per gallon upon all motor fuel that is sold, used, or received for sale or used in this  
167 state.

168 (ii) Subject to the requirement under Subsection (1)(b)(iii), the statewide average rack  
169 price of a gallon of motor fuel under Subsection (1)(b)(i) shall be determined by calculating the  
170 previous calendar year statewide average rack price of a gallon of regular unleaded motor fuel,  
171 excluding federal and state excise taxes, for the 12 months ending on the preceding December  
172 31 as published by an oil pricing service.

173 (iii) The statewide average rack price of a gallon of motor fuel determined under  
174 Subsection (1)(b)(ii) may not be less than \$2.84 per gallon.

175 (iv) The commission shall annually:

176 (A) determine the statewide average rack price of a gallon of motor fuel in accordance  
177 with Subsection (1)(b)(ii); ~~§~~ → [and] ← ~~§~~

178 (B) adjust the fuel tax imposed under Subsection (1)(b)(i), rounded to the nearest  
179 one-tenth of a cent, based on the determination under Subsection (1)(b)(ii) ~~§~~ → ; and

179a (C) post or otherwise make public the adjusted fuel tax rate as determined in  
179b Subsection (1)(b)(iv)(B) no later than 60 days prior to the annual effective date under  
179c Subsection (1)(b)(v) ← ~~§~~ .

180 (v) The fuel tax rate imposed under this Subsection (1)(b) and adjusted as required  
181 under Subsection (1)(b)(iv) shall take effect on July 1 of each year.

182 [~~(b)~~] (c) In lieu of the [~~tax~~] taxes imposed under [~~Subsection~~] Subsections (1)(a) and