

Senator Wayne A. Harper proposes the following substitute bill:

TRANSPORTATION FUNDING REVISIONS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Johnny Anderson

LONG TITLE

General Description:

This bill modifies motor vehicle registration provisions.

Highlighted Provisions:

This bill:

- ▶ provides definitions;
- ▶ amends the Clean Fuels and Vehicle Technology Fund to authorize fund monies to be used to provide grants for the purchase of vehicle refueling equipment for a private sector business vehicle or a government vehicle;
- ▶ enacts an electric motor vehicle fee to be paid at the time application is made for registration or renewal of registration of an electric motor vehicle;
- ▶ requires the revenue from the electric motor vehicle fee be deposited in the Clean Fuels and Vehicle Technology Fund to provide grants to establish charging stations for electric vehicles and other clean fuel vehicle technology initiatives;
- ▶ increases motor vehicle registration fees for certain electric motor vehicles of 12,000 pounds or less gross laden weight;
- ▶ provides that the increased portion of certain registration fees shall be deposited in the Transportation Investment Fund of 2005;
- ▶ amends the penalty amount that is collected from an issuing dealer for a temporary



26 permit that is outstanding after 45 days from the date it is issued; and

27 ▶ makes technical corrections.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill takes effect on January 1, 2015.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **19-1-403**, as last amended by Laws of Utah 2011, Chapter 303

35 **41-1a-102**, as last amended by Laws of Utah 2013, Chapter 266

36 **41-1a-1201**, as last amended by Laws of Utah 2012, Chapters 207, 207, 356, 356, 397

37 and last amended by Coordination Clause, Laws of Utah 2012, Chapter 397

38 **41-1a-1206**, as last amended by Laws of Utah 2012, Chapters 356, 356, 397 and last

39 amended by Coordination Clause, Laws of Utah 2012, Chapter 397

40 **41-3-301**, as last amended by Laws of Utah 2008, Chapter 382

41 **41-3-302**, as last amended by Laws of Utah 2008, Chapter 382

42 ENACTS:

43 **41-1a-1225**, Utah Code Annotated 1953



44
45 *Be it enacted by the Legislature of the state of Utah:*

46 Section 1. Section **19-1-403** is amended to read:

47 **19-1-403. Clean Fuels and Vehicle Technology Fund -- Contents -- Loans or**
48 **grants made with fund money.**

49 (1) (a) There is created a revolving fund known as the Clean Fuels and Vehicle
50 Technology Fund.

51 (b) The fund consists of:

52 (i) appropriations to the fund;

53 (ii) other public and private contributions made under Subsection (1)(c);

54 (iii) interest earnings on cash balances; and

55 (iv) all money collected for loan repayments and interest on loans.

56 (c) The department may accept contributions from other public and private sources for

57 deposit into the fund.

58 (2) (a) Except as provided in Subsection (3), the department may make a loan or a
59 grant with money available in the fund for:

60 (i) the conversion of a private sector business vehicle or a government vehicle to use a
61 clean fuel, if certified by the Air Quality Board under Subsection 19-1-405(1)(a);

62 (ii) the purchase of:

63 (A) an OEM vehicle for use as a private sector business vehicle or government vehicle;

64 or

65 (B) a vehicle, certified by the Air Quality Board under Subsection 19-1-405(1)(d), for
66 use as a private sector business vehicle or government vehicle;

67 (iii) the retrofit, certified by the Air Quality Board under Subsection 19-1-405(1)(d), of
68 a private sector business vehicle or government vehicle;

69 (iv) a fuel system, certified by the Air Quality Board under Subsection 19-1-405(1)(d),
70 for a private sector business vehicle or government vehicle; or

71 (v) a state match of a federal or nonfederal grant for any item under this Subsection

72 (2)(a).

73 (b) The amount of a loan for any vehicle under Subsection (2)(a)(i) or (2)(a)(ii)(A) may
74 not exceed:

75 (i) the actual cost of the vehicle conversion;

76 (ii) the incremental cost of purchasing the OEM vehicle; or

77 (iii) the cost of purchasing the OEM vehicle if there is no documented incremental
78 cost.

79 (c) The amount of a grant for any vehicle under Subsection (2)(a)(i) or (2)(a)(ii)(A)
80 may not exceed:

81 (i) 50% of the actual cost of the vehicle conversion minus the amount of any tax credit
82 claimed under Section 59-7-605 or 59-10-1009 for the vehicle for which a grant is requested;

83 or

84 (ii) 50% of the incremental cost of purchasing an OEM vehicle minus the amount of
85 any tax credit claimed under Section 59-7-605 or 59-10-1009 for the vehicle for which a grant
86 is requested.

87 (d) (i) Except as provided in Subsection (3) and subject to the availability of money in

88 the fund, the department may make a loan or grant for the purchase of vehicle refueling
89 equipment for a private sector business vehicle or a government vehicle.

90 (ii) The maximum amount loaned or granted per installation of refueling equipment
91 may not exceed the actual cost of the refueling equipment.

92 [~~(iii) Except as provided in Subsection (3) and subject to the availability of money in~~
93 ~~the fund, the department may make a grant for a state match of a federal or nonfederal grant for~~
94 ~~the purchase of vehicle refueling equipment for a private sector business vehicle or a~~
95 ~~government vehicle.]~~

96 [~~(3) The department may not make a loan or grant under this part for an electric-hybrid~~
97 ~~vehicle.]~~

98 [(4)] (3) The department may:

99 (a) reimburse itself for the costs incurred in administering the fund from:

100 (i) the fund; or

101 (ii) application fees; and

102 (b) establish an application fee for a loan or grant from the fund by following the
103 procedures and requirements of Section 63J-1-504.

104 [(5)] (4) (a) The fund balance may not exceed \$10,000,000.

105 (b) Interest on cash balances and repayment of loans in excess of the amount necessary
106 to maintain the fund balance at \$10,000,000 shall be deposited in the General Fund.

107 [(6)] (5) (a) Loans made from money in the fund shall be supported by loan documents
108 evidencing the intent of the borrower to repay the loan.

109 (b) The original loan documents shall be filed with the Division of Finance and a copy
110 shall be filed with the department.

111 Section 2. Section **41-1a-102** is amended to read:

112 **41-1a-102. Definitions.**

113 As used in this chapter:

114 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

115 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
116 vehicles as operated and certified to by a weighmaster.

117 (3) "All-terrain type I vehicle" has the same meaning provided in Section 41-22-2.

118 (4) "All-terrain type II vehicle" has the same meaning provided in Section 41-22-2.

119 (5) "Amateur radio operator" means any person licensed by the Federal
120 Communications Commission to engage in private and experimental two-way radio operation
121 on the amateur band radio frequencies.

122 (6) "Branded title" means a title certificate that is labeled:

123 (a) rebuilt and restored to operation;

124 (b) flooded and restored to operation; or

125 (c) not restored to operation.

126 (7) "Camper" means any structure designed, used, and maintained primarily to be
127 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
128 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
129 camping.

130 (8) "Certificate of title" means a document issued by a jurisdiction to establish a record
131 of ownership between an identified owner and the described vehicle, vessel, or outboard motor.

132 (9) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
133 weighmaster.

134 (10) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
135 maintained for the transportation of persons or property that operates:

136 (a) as a carrier for hire, compensation, or profit; or

137 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
138 owner's commercial enterprise.

139 (11) "Commission" means the State Tax Commission.

140 (12) "Dealer" means a person engaged or licensed to engage in the business of buying,
141 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
142 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
143 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

144 (13) "Division" means the Motor Vehicle Division of the commission, created in
145 Section [41-1a-106](#).

146 (14) "Electric vehicle" means a motor vehicle that is powered solely by an electric
147 motor drawing current from a rechargeable energy storage system.

148 [~~14~~] (15) "Essential parts" means all integral and body parts of a vehicle of a type
149 required to be registered in this state, the removal, alteration, or substitution of which would

150 tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or
151 mode of operation.

152 ~~[(15)]~~ (16) "Farm tractor" means every motor vehicle designed and used primarily as a
153 farm implement for drawing plows, mowing machines, and other implements of husbandry.

154 ~~[(16)]~~ (17) (a) "Farm truck" means a truck used by the owner or operator of a farm
155 solely for his own use in the transportation of:

156 (i) farm products, including livestock and its products, poultry and its products,
157 floricultural and horticultural products;

158 (ii) farm supplies, including tile, fence, and every other thing or commodity used in
159 agricultural, floricultural, horticultural, livestock, and poultry production; and

160 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
161 other purposes connected with the operation of a farm.

162 (b) "Farm truck" does not include the operation of trucks by commercial processors of
163 agricultural products.

164 ~~[(17)]~~ (18) "Fleet" means one or more commercial vehicles.

165 ~~[(18)]~~ (19) "Foreign vehicle" means a vehicle of a type required to be registered,
166 brought into this state from another state, territory, or country other than in the ordinary course
167 of business by or through a manufacturer or dealer, and not registered in this state.

168 ~~[(19)]~~ (20) "Gross laden weight" means the actual weight of a vehicle or combination
169 of vehicles, equipped for operation, to which shall be added the maximum load to be carried.

170 ~~[(20)]~~ (21) "Highway" or "street" means the entire width between property lines of
171 every way or place of whatever nature when any part of it is open to the public, as a matter of
172 right, for purposes of vehicular traffic.

173 ~~[(21)]~~ (22) (a) "Identification number" means the identifying number assigned by the
174 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
175 motor.

176 (b) "Identification number" includes a vehicle identification number, state assigned
177 identification number, hull identification number, and motor serial number.

178 ~~[(22)]~~ (23) "Implement of husbandry" means every vehicle designed or adapted and
179 used exclusively for an agricultural operation and only incidentally operated or moved upon the
180 highways.

181 ~~[(23)]~~ (24) (a) "In-state miles" means the total number of miles operated in this state
182 during the preceding year by fleet power units.

183 (b) If fleets are composed entirely of trailers or semitrailers, "in-state miles" means the
184 total number of miles that those vehicles were towed on Utah highways during the preceding
185 year.

186 ~~[(24)]~~ (25) "Interstate vehicle" means any commercial vehicle operated in more than
187 one state, province, territory, or possession of the United States or foreign country.

188 ~~[(25)]~~ (26) "Jurisdiction" means a state, district, province, political subdivision,
189 territory, or possession of the United States or any foreign country.

190 ~~[(26)]~~ (27) "Lienholder" means a person with a security interest in particular property.

191 ~~[(27)]~~ (28) "Manufactured home" means a transportable factory built housing unit
192 constructed on or after June 15, 1976, according to the Federal Home Construction and Safety
193 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is
194 eight body feet or more in width or 40 body feet or more in length, or when erected on site, is
195 400 or more square feet, and which is built on a permanent chassis and designed to be used as a
196 dwelling with or without a permanent foundation when connected to the required utilities, and
197 includes the plumbing, heating, air-conditioning, and electrical systems.

198 ~~[(28)]~~ (29) "Manufacturer" means a person engaged in the business of constructing,
199 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
200 outboard motors for the purpose of sale or trade.

201 ~~[(29)]~~ (30) "Mobile home" means a transportable factory built housing unit built prior
202 to June 15, 1976, in accordance with a state mobile home code which existed prior to the
203 Federal Manufactured Housing and Safety Standards Act (HUD Code).

204 ~~[(30)]~~ (31) "Motorboat" has the same meaning as provided in Section [73-18-2](#).

205 ~~[(31)]~~ (32) "Motorcycle" means a motor vehicle having a saddle for the use of the rider
206 and designed to travel on not more than three wheels in contact with the ground.

207 ~~[(32)]~~ (33) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for
208 use and operation on the highways.

209 (b) "Motor vehicle" does not include an off-highway vehicle.

210 ~~[(33)]~~ (34) (a) "Nonresident" means a person who is not a resident of this state as
211 defined by Section [41-1a-202](#), and who does not engage in intrastate business within this state

212 and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.

213 (b) A person who engages in intrastate business within this state and operates in that
214 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
215 interstate commerce, maintains any vehicle in this state as the home station of that vehicle is
216 considered a resident of this state, insofar as that vehicle is concerned in administering this
217 chapter.

218 [~~(34)~~] (35) "Odometer" means a device for measuring and recording the actual distance
219 a vehicle travels while in operation, but does not include any auxiliary odometer designed to be
220 periodically reset.

221 [~~(35)~~] (36) "Off-highway implement of husbandry" has the same meaning as provided
222 in Section 41-22-2.

223 [~~(36)~~] (37) "Off-highway vehicle" has the same meaning as provided in Section
224 41-22-2.

225 [~~(37)~~] (38) "Operate" means to drive or be in actual physical control of a vehicle or to
226 navigate a vessel.

227 [~~(38)~~] (39) "Outboard motor" means a detachable self-contained propulsion unit,
228 excluding fuel supply, used to propel a vessel.

229 [~~(39)~~] (40) (a) "Owner" means a person, other than a lienholder, holding title to a
230 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
231 subject to a security interest.

232 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
233 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
234 stated in the agreement and with an immediate right of possession vested in the conditional
235 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
236 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
237 chapter.

238 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
239 owner until the lessee exercises his option to purchase the vehicle.

240 [~~(40)~~] (41) "Personalized license plate" means a license plate that has displayed on it a
241 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
242 to the vehicle by the division.

243 ~~[(41)]~~ (42) (a) "Pickup truck" means a two-axle motor vehicle with motive power
244 manufactured, remanufactured, or materially altered to provide an open cargo area.

245 (b) "Pickup truck" includes motor vehicles with the open cargo area covered with a
246 camper, camper shell, tarp, removable top, or similar structure.

247 ~~[(42)]~~ (43) "Pneumatic tire" means every tire in which compressed air is designed to
248 support the load.

249 ~~[(43)]~~ (44) "Preceding year" means a period of 12 consecutive months fixed by the
250 division that is within 16 months immediately preceding the commencement of the registration
251 or license year in which proportional registration is sought. The division in fixing the period
252 shall conform it to the terms, conditions, and requirements of any applicable agreement or
253 arrangement for the proportional registration of vehicles.

254 ~~[(44)]~~ (45) "Public garage" means every building or other place where vehicles or
255 vessels are kept and stored and where a charge is made for the storage and keeping of vehicles
256 and vessels.

257 ~~[(45)]~~ (46) "Receipt of surrender of ownership documents" means the receipt of
258 surrender of ownership documents described in Section [41-1a-503](#).

259 ~~[(46)]~~ (47) "Reconstructed vehicle" means every vehicle of a type required to be
260 registered in this state that is materially altered from its original construction by the removal,
261 addition, or substitution of essential parts, new or used.

262 ~~[(47)]~~ (48) "Recreational vehicle" has the same meaning as provided in Section
263 [13-14-102](#).

264 ~~[(48)]~~ (49) "Registration" means a document issued by a jurisdiction that allows
265 operation of a vehicle or vessel on the highways or waters of this state for the time period for
266 which the registration is valid and that is evidence of compliance with the registration
267 requirements of the jurisdiction.

268 ~~[(49)]~~ (50) (a) "Registration year" means a 12 consecutive month period commencing
269 with the completion of all applicable registration criteria.

270 (b) For administration of a multistate agreement for proportional registration the
271 division may prescribe a different 12-month period.

272 ~~[(50)]~~ (51) "Repair or replacement" means the restoration of vehicles, vessels, or
273 outboard motors to a sound working condition by substituting any inoperative part of the

274 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

275 ~~[(51)]~~ (52) "Replica vehicle" means:

276 (a) a street rod that meets the requirements under Subsection 41-21-1(1)(a)(i)(B); or

277 (b) a custom vehicle that meets the requirements under Subsection

278 41-6a-1507(1)(a)(i)(B).

279 ~~[(52)]~~ (53) "Road tractor" means every motor vehicle designed and used for drawing

280 other vehicles and constructed so it does not carry any load either independently or any part of

281 the weight of a vehicle or load that is drawn.

282 ~~[(53)]~~ (54) "Sailboat" has the same meaning as provided in Section 73-18-2.

283 ~~[(54)]~~ (55) "Security interest" means an interest that is reserved or created by a security

284 agreement to secure the payment or performance of an obligation and that is valid against third

285 parties.

286 ~~[(55)]~~ (56) "Semitrailer" means every vehicle without motive power designed for

287 carrying persons or property and for being drawn by a motor vehicle and constructed so that

288 some part of its weight and its load rests or is carried by another vehicle.

289 ~~[(56)]~~ (57) "Special group license plate" means a type of license plate designed for a

290 particular group of people or a license plate authorized and issued by the division in accordance

291 with Section 41-1a-418.

292 ~~[(57)]~~ (58) (a) "Special interest vehicle" means a vehicle used for general

293 transportation purposes and that is:

294 (i) 20 years or older from the current year; or

295 (ii) a make or model of motor vehicle recognized by the division director as having

296 unique interest or historic value.

297 (b) In making ~~[his]~~ a determination under Subsection ~~[(57)]~~ (58)(a), the division

298 director shall give special consideration to:

299 (i) a make of motor vehicle that is no longer manufactured;

300 (ii) a make or model of motor vehicle produced in limited or token quantities;

301 (iii) a make or model of motor vehicle produced as an experimental vehicle or one

302 designed exclusively for educational purposes or museum display; or

303 (iv) a motor vehicle of any age or make that has not been substantially altered or

304 modified from original specifications of the manufacturer and because of its significance is

305 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
306 leisure pursuit.

307 (59) "Specially constructed vehicle" means every vehicle of a type required to be
308 registered in this state, not originally constructed under a distinctive name, make, model, or
309 type by a generally recognized manufacturer of vehicles, and not materially altered from its
310 original construction.

311 [~~58~~] (60) (a) "Special mobile equipment" means every vehicle:

312 (i) not designed or used primarily for the transportation of persons or property;

313 (ii) not designed to operate in traffic; and

314 (iii) only incidentally operated or moved over the highways.

315 (b) "Special mobile equipment" includes:

316 (i) farm tractors;

317 (ii) off-road motorized construction or maintenance equipment including backhoes,
318 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

319 (iii) ditch-digging apparatus.

320 (c) "Special mobile equipment" does not include a commercial vehicle as defined
321 under Section [72-9-102](#).

322 [~~60~~] (61) "Title" means the right to or ownership of a vehicle, vessel, or outboard
323 motor.

324 [~~61~~] (62) (a) "Total fleet miles" means the total number of miles operated in all
325 jurisdictions during the preceding year by power units.

326 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
327 the number of miles that those vehicles were towed on the highways of all jurisdictions during
328 the preceding year.

329 [~~62~~] (63) "Trailer" means a vehicle without motive power designed for carrying
330 persons or property and for being drawn by a motor vehicle and constructed so that no part of
331 its weight rests upon the towing vehicle.

332 [~~63~~] (64) "Transferee" means a person to whom the ownership of property is
333 conveyed by sale, gift, or any other means except by the creation of a security interest.

334 [~~64~~] (65) "Transferor" means a person who transfers his ownership in property by
335 sale, gift, or any other means except by creation of a security interest.

336 ~~[(65)]~~ (66) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
337 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
338 vacation use that does not require a special highway movement permit when drawn by a
339 self-propelled motor vehicle.

340 ~~[(66)]~~ (67) "Truck tractor" means a motor vehicle designed and used primarily for
341 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
342 vehicle and load that is drawn.

343 ~~[(67)]~~ (68) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
344 manufactured home, and mobile home.

345 ~~[(68)]~~ (69) "Vessel" has the same meaning as provided in Section 73-18-2.

346 ~~[(69)]~~ (70) "Vintage vehicle" has the same meaning as provided in Section 41-21-1.

347 ~~[(70)]~~ (71) "Waters of this state" has the same meaning as provided in Section 73-18-2.

348 ~~[(71)]~~ (72) "Weighmaster" means a person, association of persons, or corporation
349 permitted to weigh vehicles under this chapter.

350 Section 3. Section **41-1a-1201** is amended to read:

351 **41-1a-1201. Disposition of fees.**

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

354 (2) Except as provided in Subsections (3), (6), and (7) and Sections 41-1a-422,
355 41-1a-1220, 41-1a-1221, and 41-1a-1223 all fees collected under this part shall be deposited in
356 the Transportation Fund.

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

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

362 (5) (a) Except as provided in Subsections (3) and (5)(b) and Section 41-1a-1205, the
363 expenses of the commission in enforcing and administering this part shall be provided for by
364 legislative appropriation from the revenues of the Transportation Fund.

365 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)
366 and (b) for each vehicle registered for a six-month registration period under Section

367 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and
368 administering this part.

369 (6) (a) The following portions of the registration fees imposed under Section
370 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005
371 created under Section 72-2-124:

372 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b)(i),
373 (1)(f), (3), and (6);

374 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and
375 (1)(c)(ii);

376 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

377 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

378 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); [~~and~~]

379 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii)[-]; and

380 (vii) \$70 of the registration fee imposed under Subsection 41-1a-1206(1)(b)(ii).

381 (b) The following portions of the registration fees collected for each vehicle registered
382 for a six-month registration period under Section 41-1a-215.5 shall be deposited in the
383 Transportation Investment Fund of 2005 created by Section 72-2-124:

384 (i) \$23.25 of [~~each~~] the registration fee [~~collected~~] imposed under Subsection
385 41-1a-1206(2)(a); [~~and~~]

386 (ii) \$23 of [~~each~~] the registration fee [~~collected~~] imposed under Subsection
387 41-1a-1206(2)(b)(i)[-]; and

388 (iii) \$53 of the registration fee imposed under Subsection 41-1a-1206(2)(b)(ii).

389 (7) (a) Ninety-four cents of each registration fee imposed under Subsections
390 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted
391 Account created in Section 53-3-106.

392 (b) Seventy-one cents of each registration fee imposed under Subsections
393 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under
394 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in
395 Section 53-3-106.

396 Section 4. Section 41-1a-1206 is amended to read:

397 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

398 (1) Except as provided in Subsections (2) and (3), at the time application is made for
399 registration or renewal of registration of a vehicle or combination of vehicles under this
400 chapter, a registration fee shall be paid to the division as follows:

401 (a) \$44.50 for each motorcycle;

402 (b) (i) \$43 for each motor vehicle of 12,000 pounds or less gross laden weight,
403 excluding motorcycles[;] or electric motor vehicles not registered under Section 41-1a-301; or

404 (ii) \$83 for each electric motor vehicle not registered under Section 41-1a-301;

405 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202
406 or is registered under Section 41-1a-301:

407 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

408 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less
409 gross unladen weight;

410 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds
411 gross laden weight; plus

412 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

413 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm
414 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

415 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight; and

416 (f) \$45 for each vintage vehicle that is less than 40 years old.

417 (2) At the time application is made for registration or renewal of registration of a
418 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a
419 registration fee shall be paid to the division as follows:

420 (a) \$33.50 for each motorcycle; and

421 (b) (i) \$32.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
422 excluding motorcycles[-] or electric motor vehicles not registered under Section 41-1a-301; or

423 (ii) \$62.50 for each electric motor vehicle not registered under Section 41-1a-301.

424 (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is
425 \$40.

426 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of
427 registration fees under Subsection (1).

428 (c) A vehicle with a Purple Heart special group license plate issued in accordance with

429 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

430 (4) If a motor vehicle is operated in combination with a semitrailer or trailer, each
431 motor vehicle shall register for the total gross laden weight of all units of the combination if the
432 total gross laden weight of the combination exceeds 12,000 pounds.

433 (5) (a) Registration fee categories under this section are based on the gross laden
434 weight declared in the licensee's application for registration.

435 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part
436 of 2,000 pounds is a full unit.

437 (6) The owner of a commercial trailer or commercial semitrailer may, as an alternative
438 to registering under Subsection (1)(c), apply for and obtain a special registration and license
439 plate for a fee of \$130.

440 (7) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
441 truck unless:

442 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and

443 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

444 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
445 submits to the division a certificate of emissions inspection or a waiver in compliance with
446 Section 41-6a-1642.

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

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

452 Section 5. Section 41-1a-1225 is enacted to read:

453 **41-1a-1225. Electric motor vehicle fee -- Exemption -- Deposit.**

454 (1) (a) Except as provided in Subsections (1)(b) and (c), at the time application is made
455 for registration or renewal of registration of an electric motor vehicle under this chapter, the
456 applicant shall pay an electric motor vehicle fee of \$10 on each electric motor vehicle.

457 (b) Except as provided in Subsection (1)(c), at the time application is made for
458 registration or renewal of registration of an electric motor vehicle for a six-month registration
459 period under Section 41-1a-215.5, the applicant shall pay an electric motor vehicle fee of \$7.50

460 on each electric motor vehicle.

461 (c) The following are exempt from the fee required under Subsection (1)(a) or (b):

462 (i) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or
463 Section 41-1a-301;

464 (ii) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209
465 or Subsection 41-1a-419(3); and

466 (iii) a motor vehicle with a Purple Heart special group license plate issued in
467 accordance with Section 41-1a-421.

468 (2) The revenue generated under this section shall be deposited in the Clean Fuels and
469 Vehicle Technology Fund created in Section 19-1-403 to provide grants to establish charging
470 stations for electric vehicles and other clean fuel vehicle technology initiatives.

471 Section 6. Section 41-3-301 is amended to read:

472 **41-3-301. Sale by dealer, sale by auction -- Temporary permit -- Delivery of**
473 **certificate of title or origin -- Notice to division.**

474 (1) (a) (i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of
475 any motor vehicle for which a temporary permit is issued under Section 41-3-302 shall within
476 45 days submit a certificate of title or manufacturer's certificate of origin for that motor vehicle,
477 endorsed according to law, to the Motor Vehicle Division, accompanied by all documents
478 required to obtain a new certificate of title and registration in the new owner's name.

479 (ii) Each dealer is responsible and liable for the registration fee for a vehicle described
480 in Subsection (1)(a)(i).

481 (b) If a temporary permit is not issued, the certificate of title or manufacturer's
482 certificate of origin shall be delivered to the vendee, endorsed according to law, within 48
483 hours, unless the vendee is a dealer or dismantler in which case the title or manufacturer's
484 certificate of origin shall be delivered within 21 days.

485 (c) (i) A motor vehicle consigned to an auction and sold is considered sold by the
486 consignor to the auction and then sold by the auction to the consignee.

487 (ii) Both the consignor and auction are subject to this section.

488 (d) (i) (A) A motor vehicle consigned to a wholesale motor vehicle auction and sold to
489 a licensed dealer or dismantler is considered sold by the consignor to the licensed dealer or
490 dismantler.

491 (B) Both the consignor and the wholesale motor vehicle auction are subject to the title
492 delivery requirements of Subsection (1)(b).

493 (C) The consignor, or the wholesale motor vehicle auction as the consignor's agent,
494 shall endorse the certificate of title according to law. By endorsing the certificate of title as
495 agent of the consignor, the wholesale motor vehicle auction does not become the owner, seller,
496 or assignor of title.

497 (ii) (A) A wholesale motor vehicle auction may purchase or sell motor vehicles in its
498 own name.

499 (B) If a wholesale motor vehicle auction purchases or sells a motor vehicle in its own
500 name, the wholesale motor vehicle auction is subject to Subsections (1)(a) and (1)(b).

501 (2) (a) (i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of a
502 motor vehicle for which a temporary permit is issued under Section 41-3-302, shall within 45
503 days give written notice of the sale to the Motor Vehicle Division upon a form provided by the
504 Motor Vehicle Division.

505 (ii) The notice shall contain:

506 (A) the date of the sale;

507 (B) the names and addresses of the dealer and the purchaser;

508 (C) a description of the motor vehicle;

509 (D) the motor vehicle's odometer reading at the time of the sale; and

510 (E) other information required by the division.

511 (b) If no temporary permit is issued, the notice shall be filed with the division within
512 45 days after the sale, and a duplicate copy shall be given to the purchaser at the time of sale,
513 unless the purchaser is a dealer or dismantler.

514 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah
515 Administrative Rulemaking Act, providing that the notice required under Subsections (2)(a)
516 and (2)(b) may be filed in electronic form or on magnetic media.

517 Section 7. Section 41-3-302 is amended to read:

518 **41-3-302. Temporary permits -- Purchasers of motor vehicles -- Penalty for use**
519 **after expiration -- Sale and rescission.**

520 (1) (a) [(†)] A dealer or the division may issue a temporary permit.

521 [(†)] (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking

522 Act, the administrator shall makes rules for the issuance of a temporary permit under
523 Subsection (1)(a)(~~(i)~~).

524 ~~[(iii)]~~ (c) The division shall furnish the forms for temporary permits issued by dealers
525 under Subsection (1)(a)(~~(i)~~).

526 ~~[(b)]~~ (2) A dealer may issue a temporary permit to a bona fide purchaser of a motor
527 vehicle for a period not to exceed 45 days on a motor vehicle sold to the purchaser by the
528 dealer.

529 ~~[(c) The]~~ (3) Except as provided in Subsection (4), the dealer ~~[is responsible and liable~~
530 ~~for the registration fee of]~~ shall pay a fee of \$50 for each motor vehicle for which ~~[the]~~ a permit
531 is issued under this section.

532 ~~[(d) All issued temporary permits that are outstanding after 45 days from the date they~~
533 ~~are issued are delinquent and a penalty equal to the registration fee shall be collected from the~~
534 ~~issuing dealer.]~~

535 ~~[(2) If a temporary permit is issued by a dealer under this section and the sale of the~~
536 ~~motor vehicle is subsequently rescinded, the temporary permit may be voided and the issuing~~
537 ~~dealer is not liable for the registration fee or penalty.]~~

538 (4) A dealer is not required to pay the fee required under Subsection (3):

539 (a) if a Utah registration is obtained for the motor vehicle within the time frame
540 allowed under Subsection (2); or

541 (b) if the sale of the motor vehicle for which the temporary permit is issued under this
542 section is subsequently rescinded and the temporary permit is voided.

543 Section 8. **Effective date.**

544 This bill takes effect on January 1, 2015.