

HB0110S02 compared with HB0110S01

~~deleted text~~ shows text that was in HB0110S01 but was deleted in HB0110S02.

inserted text shows text that was not in HB0110S01 but was inserted into HB0110S02.

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Representative Patrice M. Arent proposes the following substitute bill:

MOTOR VEHICLE EMISSIONS AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patrice M. Arent

Senate Sponsor: Todd Weiler

Cosponsors:

Jacob L. Anderegg

Johnny Anderson

Stewart Barlow

Joel K. Briscoe

Rebecca Chavez-Houck

Kay J. Christofferson

Rich Cunningham

Sophia M. DiCaro

Susan Duckworth

Rebecca P. Edwards

Justin L. Fawson

Craig Hall

Stephen G. Handy

Sandra Hollins

Brian S. King

Justin J. Miller

Carol Spackman Moss

Lee B. Perry

Marie H. Poulson

Edward H. Redd

Angela Romero

V. Lowry Snow

Mark A. Wheatley

LONG TITLE

General Description:

This bill modifies provisions related to motor vehicle emissions.

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Highlighted Provisions:

This bill:

- ▶ gives the Division of Motor Vehicles the authority to suspend a vehicle's registration if the vehicle does not meet air emission standards.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-110, as last amended by Laws of Utah 2008, Chapter 322

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

Section 1. Section **41-1a-110** is amended to read:

41-1a-110. Authority of division to suspend or revoke registration, certificate of title, license plate, or permit.

(1) Except as provided in Subsections (3) and (4), the division may suspend or revoke a registration, certificate of title, license plate, or permit if:

(a) the division is satisfied that a registration, certificate of title, license plate, or permit was fraudulently procured or erroneously issued;

(b) the division determines that a registered vehicle is mechanically unfit or unsafe to be operated or moved upon the highways;

(c) a registered vehicle has been dismantled;

(d) the division determines that the required fee has not been paid and the fee is not paid upon reasonable notice and demand;

(e) a registration decal, license plate, or permit is knowingly displayed upon a vehicle other than the one for which issued;

(f) the division determines that the owner has committed any offense under this chapter involving the registration, certificate of title, registration card, license plate, registration decal, or permit; or

(g) the division receives notification by the Department of Transportation that the

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owner has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

(2) (a) The division shall revoke the registration of a vehicle if the division receives notification by the:

(i) Department of Public Safety that a person:

(A) has been convicted of operating a registered motor vehicle in violation of Section 41-12a-301 or 41-12a-303.2; or

(B) is under an administrative action taken by the Department of Public Safety for operating a registered motor vehicle in violation of Section 41-12a-301; or

(ii) designated agent that the owner of a motor vehicle:

(A) has failed to provide satisfactory proof of owner's or operator's security to the designated agent after the second notice provided under Section 41-12a-804; or

(B) provided a false or fraudulent statement to the designated agent.

(b) The division shall notify the Driver License Division if the division revokes the registration of a vehicle under Subsection (2)(a)(ii)(A).

(3) The division may not suspend or revoke the registration of a vessel or outboard motor unless authorized under Section 73-18-7.3.

(4) The division may not suspend or revoke the registration of an off-highway vehicle unless authorized under Section 41-22-17.

(5) The division shall charge a registration reinstatement fee under Section 41-1a-1220, if the registration is revoked under Subsection (1)(f).

(6) Except as provided in Subsections (3), (4), and (~~4~~7), the division may suspend or revoke a registered vehicle's registration if the division is notified by a ~~county~~ local health department, as defined in Section 26A-1-102, that ~~the~~ the registered vehicle is unable to meet state or local air emissions standards.

(7) The division may not suspend or revoke a registered vehicle's registration under Subsection (6) if the registered vehicle has a manufacturer's gross vehicle weight rating that is greater than 26,000 pounds.