

SAFETY INSPECTION AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

Senate Sponsor: Deidre M. Henderson

6	Cosponsors:	Justin L. Fawson	Val L. Peterson
7	Walt Brooks	Timothy D. Hawkes	Paul Ray
8	Kay J. Christofferson	Michael S. Kennedy	Mike Schultz
9	Kim F. Coleman	John Knotwell	
10	Steve Eliason	Jefferson Moss	



LONG TITLE

General Description:

This bill modifies provisions relating to motor vehicle safety equipment and inspection programs and increases motor vehicle registration fees.

Highlighted Provisions:

This bill:

- ▶ repeals the requirement that certain vehicles obtain a safety inspection certificate in order to be registered and to operate on a highway;
  - ▶ repeals a provision making a seat belt violation a secondary offense;
  - ▶ increases registration fees for certain vehicles;
  - ▶ creates the Motor Vehicle Safety Impact Restricted Account and allows expenditure of the funds by the Utah Highway Patrol to:
    - hire new Highway Patrol troopers;
    - pay overtime for Highway Patrol troopers; and
    - acquire equipment to improve motor vehicle safety impacts and enforcement;
- and
- ▶ makes technical changes.

29 **Money Appropriated in this Bill:**

30 This bill appropriates for the fiscal year beginning July 1, 2017, and ending June 30,  
31 2018:

32 ▶ to the Department of Public Safety -- Programs and Operations as a one-time  
33 appropriation:

- 34 • from the General Fund;
- 35 • from the Department of Public Safety Restricted Account;

36 ▶ to the Department of Public Safety -- Programs and Operations as an ongoing  
37 appropriation:

- 38 • from the General Fund;
- 39 • from the Department of Public Safety Restricted Account.

40 **Other Special Clauses:**

41 This bill provides a special effective date.

42 **Utah Code Sections Affected:**

43 AMENDS:

44 **13-51-107**, as enacted by Laws of Utah 2015, Chapter 461

45 **41-1a-203**, as last amended by Laws of Utah 2010, Chapter 295

46 **41-1a-205**, as last amended by Laws of Utah 2015, Chapter 412

47 **41-1a-217**, as last amended by Laws of Utah 2005, Chapter 2

48 **41-1a-226**, as last amended by Laws of Utah 2015, Chapter 400

49 **41-1a-1201**, as last amended by Laws of Utah 2012, Chapters 207, 356, 397 and last  
50 amended by Coordination Clause, Laws of Utah 2012, Chapter 397

51 **41-1a-1206**, as last amended by Laws of Utah 2016, Chapter 303

52 **41-3-303**, as last amended by Laws of Utah 2013, Chapter 207

53 **41-6a-1508**, as last amended by Laws of Utah 2015, Chapter 412

54 **41-6a-1509**, as last amended by Laws of Utah 2015, Chapters 412 and 454

55 **41-6a-1642**, as last amended by Laws of Utah 2015, Chapter 258

56 **41-6a-1803**, as last amended by Laws of Utah 2015, Chapter 59

57 **41-6a-1805**, as last amended by Laws of Utah 2015, Chapter 59

58 **53-8-205**, as last amended by Laws of Utah 2015, Chapter 412

59 **53-8-206**, as last amended by Laws of Utah 2015, Chapter 429

60 ENACTS:

61 **53-8-214**, Utah Code Annotated 1953



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

64 Section 1. Section **13-51-107** is amended to read:

65 **13-51-107. Driver requirements.**

66 (1) Before a transportation network company allows an individual to use the  
67 transportation network company's software application as a transportation network driver, the  
68 transportation network company shall:

- 69 (a) require the individual to submit to the transportation network company:
  - 70 (i) the individual's name, address, and age;
  - 71 (ii) a copy of the individual's driver license, including the driver license number; and
  - 72 (iii) proof that the vehicle that the individual will use to provide transportation network

73 services is registered with the Division of Motor Vehicles;

- 74 (b) require the individual to consent to a criminal background check of the individual  
75 by the transportation network company or the transportation network company's designee; and

76 (c) obtain and review a report that lists the individual's driving history.

77 (2) A transportation company may not allow an individual to provide transportation  
78 network services as a transportation network driver if the individual:

- 79 (a) has committed more than three moving violations in the three years before the day  
80 on which the individual applies to become a transportation network driver;

81 (b) has been convicted, in the seven years before the day on which the individual  
82 applies to become a transportation network driver, of:

- 83 (i) driving under the influence of alcohol or drugs;
- 84 (ii) fraud;

- 85 (iii) a sexual offense;  
 86 (iv) a felony involving a motor vehicle;  
 87 (v) a crime involving property damage;  
 88 (vi) a crime involving theft;  
 89 (vii) a crime of violence; or  
 90 (viii) an act of terror;  
 91 (c) is required to register as a sex offender in accordance with Title 77, Chapter 41, Sex  
 92 and Kidnap Offender Registry;  
 93 (d) does not have a valid Utah driver license; or  
 94 (e) is not at least 19 years of age.

95 (3) A transportation network company shall prohibit a transportation network driver  
 96 from accepting a request for a prearranged ride if the motor vehicle that the transportation  
 97 network driver uses to provide transportation network services fails to comply with:

98 [~~(a) safety and inspection requirements described in Section 53-8-205;~~]

99 [~~(b)~~] (a) equipment standards described in Section 41-6a-1601; and

100 [~~(c)~~] (b) emission requirements adopted by a county under Section 41-6a-1642.

101 (4) A transportation network driver, while providing transportation network services,  
 102 shall carry proof, in physical or electronic form, that the transportation network driver is  
 103 covered by insurance that satisfies the requirements of Section 13-51-108.

104 Section 2. Section 41-1a-203 is amended to read:

105 **41-1a-203. Prerequisites for registration, transfer of ownership, or registration**  
 106 **renewal.**

107 (1) Except as otherwise provided, [~~prior to~~] before registration of a vehicle, an owner  
 108 shall:

109 (a) obtain an identification number inspection under Section 41-1a-204;

110 [~~(b) obtain a safety inspection certificate, if required in the current year, as provided~~  
 111 ~~under Sections 41-1a-205 and 53-8-205;~~]

112 [~~(c)~~] (b) obtain a certificate of emissions [inspection, if required in the current year, as

113 provided under Section 41-6a-1642;

114 ~~[(d)]~~ (c) pay property taxes, the in lieu fee, or receive a property tax clearance under  
115 Section 41-1a-206 or 41-1a-207;

116 ~~[(e)]~~ (d) pay the automobile driver education tax required by Section 41-1a-208;

117 ~~[(f)]~~ (e) pay the applicable registration fee under Part 12, Fee and Tax Requirements;

118 ~~[(g)]~~ (f) pay the uninsured motorist identification fee under Section 41-1a-1218, if  
119 applicable;

120 ~~[(h)]~~ (g) pay the motor carrier fee under Section 41-1a-1219, if applicable;

121 ~~[(i)]~~ (h) pay any applicable local emissions compliance fee under Section 41-1a-1223;

122 and

123 ~~[(j)]~~ (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act.

124 (2) In addition to the requirements in Subsection (1), an owner ~~[whose]~~ of a vehicle  
125 that has not been previously registered or that is currently registered under a previous owner's  
126 name shall ~~[also]~~ apply for a valid certificate of title in the owner's name ~~[prior to]~~ before  
127 registration.

128 (3) ~~[A]~~ The division may not issue a new registration, transfer of ownership, or  
129 registration renewal under Section 73-18-7 ~~[may not be issued]~~ for a vessel or outboard motor  
130 that is subject to ~~[the title provisions of]~~ this chapter unless a certificate of title has been or is in  
131 the process of being issued in the same owner's name.

132 (4) ~~[A]~~ The division may not issue a new registration, transfer of ownership, or  
133 registration renewal under Section 41-22-3 ~~[may not be issued]~~ for an off-highway vehicle that  
134 is subject to ~~[the titling provisions of]~~ this chapter unless a certificate of title has been or is in  
135 the process of being issued in the same owner's name.

136 Section 3. Section 41-1a-205 is amended to read:

137 **41-1a-205. Safety inspection certificate required for commercial motor vehicles**  
138 **and initial registration of street-legal ATVs and salvage vehicles.**

139 ~~[(1) If required in the current year, a safety inspection certificate, as required by Section~~  
140 ~~53-8-205, or proof of exemption from safety inspection shall be presented at the time of, and as~~

141 a condition of, registration or renewal of registration of a motor vehicle.]

142 ~~[(2) (a) Except as provided in Subsections (2)(b), (c), and (d), the safety inspection~~  
143 ~~required under this section may be made no more than two months prior to the renewal of~~  
144 ~~registration.]~~

145 ~~[(b) (i) If the title of a used motor vehicle is being transferred, a safety inspection~~  
146 ~~certificate issued for the motor vehicle during the previous 11 months may be used to satisfy~~  
147 ~~the requirement under Subsection (1).]~~

148 ~~[(ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety~~  
149 ~~inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle~~  
150 ~~dealer's name during the previous 11 months may be used to satisfy the requirement under~~  
151 ~~Subsection (1).]~~

152 ~~[(c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a~~  
153 ~~safety inspection certificate issued during the previous 11 months may be used to satisfy the~~  
154 ~~requirement under Subsection (1).]~~

155 ~~[(d) If the motor vehicle is part of a fleet of 101 or more vehicles, the safety inspection~~  
156 ~~required under this section may be made no more than 11 months prior to the renewal of~~  
157 ~~registration.]~~

158 ~~[(e) If the application for renewal of registration is for a six-month registration period~~  
159 ~~under Section [41-1a-215.5](#), a safety inspection certificate issued during the previous eight~~  
160 ~~months may be used to satisfy the requirement under Subsection (1).]~~

161 ~~[(3) (a) The following motor vehicles are exempt from this section:]~~

162 ~~[(i) except as provided in Subsection (3)(b), a new motor vehicle when registered the~~  
163 ~~first time, if:]~~

164 ~~[(A) a new car predelivery inspection has been made by a dealer;]~~

165 ~~[(B) the dealer provides a written disclosure statement listing any known deficiency,~~  
166 ~~existing with the new motor vehicle at the time of delivery, that would cause the motor vehicle~~  
167 ~~to fail a safety inspection given in accordance with Section [53-8-205](#); and]~~

168 ~~[(C) the buyer signs the disclosure statement to acknowledge that the buyer has read~~

169 and understands the listed deficiencies;]

170 [~~(ii) a motor vehicle required to be registered under this chapter that bears a dealer~~  
171 ~~plate or other special plate under Title 41, Chapter 3, Part 5, Special Dealer License Plates,~~  
172 ~~except that if the motor vehicle is propelled by its own power and is not being moved for repair~~  
173 ~~or dismantling, the motor vehicle shall comply with Section [41-6a-1601](#) regarding safe~~  
174 ~~mechanical condition; and]~~

175 [~~(iii) a vintage vehicle as defined in Section [41-21-1](#).]~~

176 [~~(b)~~] (1) A street-legal all-terrain vehicle registered in accordance with Section  
177 [41-6a-1509](#) is subject to a safety inspection[~~-(i)~~] the first time that a person registers an  
178 off-highway vehicle as a street-legal all-terrain vehicle[~~;-and~~].

179 [~~(ii) subsequently, on the same frequency as described in Subsection [53-8-205](#)(2) based~~  
180 ~~on the age of the vehicle as determined by the model year identified by the manufacturer.]~~

181 (2) A salvage vehicle as defined in Section 41-1a-1001 is subject to a safety inspection  
182 when the owner makes the initial application to register the vehicle as a salvage vehicle.

183 [~~(4)(a)~~] (3) A safety inspection certificate shall be displayed on:

184 [~~(i)~~] (a) all registered commercial [~~motor~~] vehicles [~~with a gross vehicle weight rating~~  
185 ~~of 26,000 pounds or more]~~ as defined in Section [72-9-102](#);

186 [~~(ii)~~] (b) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer  
187 with multiple axles;

188 [~~(iii)~~] (c) a combination unit; [~~and~~]

189 [~~(iv)~~] (d) a bus or van for hire[~~;-~~];

190 (e) a taxicab; and

191 (f) a motor vehicle operated by a ground transportation service provider as defined in  
192 Section [72-10-601](#).

193 [~~(b) A commercial vehicle under Subsection (4)(a) is exempt from the requirements of~~  
194 ~~Subsection (1).]~~

195 [~~(5) A motor vehicle may be sold and the title assigned to the new owner without a~~  
196 ~~valid safety inspection, but the motor vehicle may not be registered in the new owner's name~~

197 ~~until the motor vehicle complies with this section.]~~

198 ~~[(6)] (4)~~ A violation of this section is an infraction.

199 Section 4. Section **41-1a-217** is amended to read:

200 **41-1a-217. Application for renewal of registration.**

201 (1) ~~[Renewal of]~~ An applicant may renew a vehicle registration ~~[shall be made by the~~  
202 ~~owner upon]~~ by:

203 (a) filing an application for registration renewal; and ~~[by payment of]~~

204 (b) paying the fees or taxes required under Subsection **41-1a-203**(1).

205 (2) The applicant shall ensure that the application for registration renewal and the  
206 payment for applicable fees or taxes ~~[shall be]~~ is accompanied by a ~~[(a) safety inspection~~  
207 ~~certificate as required under Section 41-1a-205; and (b)]~~ certificate of emissions inspection ~~[as]~~  
208 if required under Section **41-6a-1642**.

209 (3) The division shall issue a new registration card ~~[issued shall show]~~ that contains:

210 (a) the identical information with respect to the owner and the vehicle description  
211 required by Section **41-1a-213**; and

212 (b) the new expiration date.

213 Section 5. Section **41-1a-226** is amended to read:

214 **41-1a-226. Vintage vehicle -- Signed statement -- Registration.**

215 (1) The owner of a vintage vehicle who applies for registration under this part shall  
216 provide a signed statement that the vintage vehicle:

217 (a) is owned and operated for the purposes described in Section **41-21-1**; and

218 (b) is safe to operate on the highways of this state as described in Section **41-21-4**.

219 (2) The signed statement described in Subsection (1) is in lieu of ~~[(a) a safety~~  
220 ~~inspection, from which a vintage vehicle is exempt under Subsection 41-1a-205(3); and (b)]~~ an  
221 emissions inspection, from which a vintage vehicle is exempt under Subsection **41-6a-1642**(3).

222 Section 6. Section **41-1a-1201** is amended to read:

223 **41-1a-1201. Disposition of fees.**

224 (1) All fees received and collected under this part shall be transmitted daily to the state

225 treasurer.

226 (2) Except as provided in Subsections (3), (6), [~~and~~] (7), and (8) and Sections  
227 41-1a-422, 41-1a-1220, 41-1a-1221, and 41-1a-1223 all fees collected under this part shall be  
228 deposited in the Transportation Fund.

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

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

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

237 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)  
238 and (b) for each vehicle registered for a six-month registration period under Section  
239 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and  
240 administering this part.

241 (6) (a) The following portions of the registration fees imposed under Section  
242 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005  
243 created under Section 72-2-124:

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

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

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

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

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

251 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

252 (b) The following portions of the registration fees collected for each vehicle registered

253 for a six-month registration period under Section 41-1a-215.5 shall be deposited in the  
254 Transportation Investment Fund of 2005 created by Section 72-2-124:

255 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a); and

256 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(b).

257 (7) (a) Ninety-four cents of each registration fee imposed under Subsections  
258 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted  
259 Account created in Section 53-3-106.

260 (b) Seventy-one cents of each registration fee imposed under Subsections  
261 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under  
262 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in  
263 Section 53-3-106.

264 (8) (a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)  
265 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted  
266 Account created in Section 53-3-214.

267 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a)  
268 and (b) for each vehicle registered for a six-month registration period under Section  
269 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account  
270 created in Section 53-3-214.

271 Section 7. Section 41-1a-1206 is amended to read:

272 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

276 (a) [~~\$44.50~~] \$45.50 for each motorcycle;

277 (b) [~~\$43~~] \$44 for each motor vehicle of 12,000 pounds or less gross laden weight,  
278 excluding motorcycles;

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

- 281 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or  
282 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
283 gross unladen weight;
- 284 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
285 gross laden weight; plus
- 286 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 287 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm  
288 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus
- 289 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 290 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not  
291 exceeding 14,000 pounds gross laden weight; plus
- 292 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight; and
- 293 (g) \$45 for each vintage vehicle that is less than 40 years old.
- 294 (2) At the time application is made for registration or renewal of registration of a  
295 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a  
296 registration fee shall be paid to the division as follows:
- 297 (a) [~~\$33.50~~] \$34.50 for each motorcycle; and
- 298 (b) [~~\$32.50~~] \$33.50 for each motor vehicle of 12,000 pounds or less gross laden  
299 weight, excluding motorcycles.
- 300 (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is  
301 \$40.
- 302 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of  
303 registration fees under Subsection (1).
- 304 (c) A vehicle with a Purple Heart special group license plate issued in accordance with  
305 Section [41-1a-421](#) is exempt from the registration fees under Subsection (1).
- 306 (d) A camper is exempt from the registration fees under Subsection (1).
- 307 (4) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
308 motor vehicle shall register for the total gross laden weight of all units of the combination if the

309 total gross laden weight of the combination exceeds 12,000 pounds.

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

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

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

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

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

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

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

324 (8) A violation of Subsection (7) is an infraction that shall be punished by a fine of not  
325 less than \$200.

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

329 Section 8. Section 41-3-303 is amended to read:

330 **41-3-303. Temporary permits -- Inspections required before issuance.**

331 (1) [A] Except as provided in Subsections (2) and (3), a dealer licensed in accordance  
332 with this chapter may not issue a temporary permit for a motor vehicle under Section 41-3-302  
333 unless[-(a) (i) the motor vehicle for which the temporary permit is issued has received and  
334 passed the safety inspection if required in the current year under Section 53-8-205 within the  
335 previous 11 months; (ii) the safety inspection certificate was issued in the name of a licensed  
336 and bonded dealer; and (iii) a copy of the safety inspection certificate is given to the customer;

337 and (b)] the motor vehicle passed [~~the emission~~] an emissions inspection test if required by  
338 Section 41-6a-1642.

339 [~~(2) Notwithstanding Subsection (1)(a), a dealer may issue a temporary permit without~~  
340 a safety inspection certificate if the motor vehicle complies with the safety inspection as  
341 provided in Section ~~41-1a-205~~.]

342 [~~(3) Notwithstanding Subsection (1)(b), a]~~

343 (2) A dealer may issue a temporary permit without proof of an [~~emission~~] emissions  
344 inspection if:

345 (a) the motor vehicle is exempt from [~~emission~~] an emissions inspection [~~as provided~~  
346 ~~in~~] under Section 41-6a-1642;

347 (b) the purchaser is a resident of a county that does not require [~~emission~~] emissions  
348 inspections; or

349 (c) the motor vehicle is otherwise exempt from [~~emission~~] emissions inspections.

350 [~~(4) Notwithstanding Subsection (1), a]~~

351 (3) A dealer may sell a motor vehicle as is without [~~having it safety or emission~~  
352 ~~inspected provided that no~~] an emissions inspection if the dealer does not issue a temporary  
353 permit [~~is issued~~].

354 Section 9. Section **41-6a-1508** is amended to read:

355 **41-6a-1508. Low-speed vehicle.**

356 (1) Except as otherwise provided in this section, a low-speed vehicle is considered a  
357 motor vehicle for purposes of the Utah Code including requirements for:

358 (a) traffic rules under Title 41, Chapter 6a, Traffic Code;

359 (b) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;

360 (c) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of  
361 Motor Vehicle Owners and Operators Act;

362 (d) vehicle registration, titling, vehicle identification numbers, license plates, and  
363 registration fees under Title 41, Chapter 1a, Motor Vehicle Act;

364 (e) vehicle taxation under Title 59, Chapter 13, Motor and Special Fuel Tax Act, and

365 fee in lieu of property taxes or in lieu fees under Section 59-2-405;

366 (f) motor vehicle dealer licensing under Title 41, Chapter 3, Motor Vehicle Business  
367 Regulation Act; and

368 [~~(g)~~] motor vehicle safety inspection requirements under Section 53-8-205; and]

369 [~~(h)~~] (g) safety belt requirements under [Title 41, Chapter 6a,] Part 18, Motor Vehicle  
370 Safety Belt Usage Act.

371 (2) (a) [A] The owner of a low-speed vehicle shall [comply] ensure that the low-speed  
372 vehicle:

373 (i) complies with federal safety standards established in 49 C.F.R. 571.500; and [~~shall~~  
374 ~~be~~]

375 (ii) is equipped with:

376 [~~(i)~~] (A) headlamps;

377 [~~(ii)~~] (B) front and rear turn signals, tail lamps, and stop lamps;

378 [~~(iii)~~] (C) turn signal lamps;

379 [~~(iv)~~] (D) reflex reflectors one on the rear of the vehicle and one on the left and right  
380 side and as far to the rear of the vehicle as practical;

381 [~~(v)~~] (E) a parking brake;

382 [~~(vi)~~] (F) a windshield that meets the standards under Section 41-6a-1635, including a  
383 device for cleaning rain, snow, or other moisture from the windshield; and

384 [~~(vii)~~] (G) an exterior rearview mirror on the driver's side and either an interior  
385 rearview mirror or an exterior rearview mirror on the passenger side.

386 (b) A low-speed vehicle that complies with this Subsection (2) and Subsection (3) and  
387 that is not altered from the manufacturer is considered to comply with equipment requirements  
388 under Part 16, Vehicle Equipment.

389 (3) A person may not operate a low-speed vehicle that has been structurally altered  
390 from the original manufacturer's design.

391 (4) A low-speed vehicle is exempt from a motor vehicle emissions inspection and  
392 maintenance program requirements under Section 41-6a-1642.

393 (5) (a) Except to cross a highway at an intersection, a low-speed vehicle may not be  
394 operated on a highway with a posted speed limit of more than 35 miles per hour.

395 (b) In addition to the restrictions under Subsection (5)(a), a highway authority, may  
396 prohibit or restrict the operation of a low-speed vehicle on any highway under its jurisdiction, if  
397 the highway authority determines the prohibition or restriction is necessary for public safety.

398 (6) A person may not operate a low-speed vehicle on a highway without displaying on  
399 the rear of the low-speed vehicle, a slow-moving vehicle identification emblem that complies  
400 with the Society of Automotive Engineers standard SAE J943.

401 (7) A person who violates Subsection (2), (3), (5), or (6) is guilty of an infraction.

402 Section 10. Section **41-6a-1509** is amended to read:

403 **41-6a-1509. Street-legal all-terrain vehicle -- Operation on highways --**  
404 **Registration and licensing requirements -- Equipment requirements.**

405 (1) (a) Except as provided in Subsection (1)(b), an all-terrain type I vehicle, utility type  
406 vehicle, or full-sized all-terrain vehicle that meets the requirements of this section may be  
407 operated as a street-legal ATV on a street or highway unless the highway is an interstate  
408 freeway as defined in Section [41-6a-102](#).

409 (b) Unless a street or highway is designated as open for street-legal ATV use by the  
410 controlling highway authority in accordance with Section [41-22-10.5](#), a person may not operate  
411 a street-legal ATV on a street or highway in accordance with Subsection (1)(a) if the highway  
412 is under the jurisdiction of:

- 413 (i) a county of the first class; or
- 414 (ii) a municipality that is within a county of the first class.

415 (2) A street-legal ATV shall comply with [Subsection 41-1a-205\(1\)](#), [Subsection](#)  
416 [53-8-205\(1\)\(b\)](#), and the same requirements as:

- 417 (a) a motorcycle for:
  - 418 (i) traffic rules under Title 41, Chapter 6a, Traffic Code;
  - 419 (ii) registration, titling, odometer statement, vehicle identification, license plates, and  
420 registration fees under Title 41, Chapter 1a, Motor Vehicle Act;

421 (iii) fees in lieu of property taxes or in lieu of fees under Section 59-2-405.2; and  
422 (iv) the county motor vehicle emissions inspection and maintenance programs under  
423 Section 41-6a-1642;

424 (b) a motor vehicle for:

425 (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and  
426 (ii) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of  
427 Motor Vehicle Owners and Operators Act; and

428 ~~[(iii) safety inspection requirements under Title 53, Chapter 8, Part 2, Motor Vehicle  
429 Safety Inspection Act, except that a street-legal ATV shall be subject to a safety inspection: (A)  
430 when registered for the first time; and]~~

431 ~~[(B) subsequently, on the same frequency as described in Subsection 53-8-205(2)  
432 based on the age of the vehicle as determined by the model year identified by the manufacturer;  
433 and]~~

434 (c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under Title  
435 41, Chapter 22, Off-Highway Vehicles, and Title 41, Chapter 3, Motor Vehicle Business  
436 Regulation Act, unless otherwise specified in this section.

437 (3) (a) ~~[An]~~ The owner of an all-terrain type I vehicle ~~[and]~~ or a utility type vehicle  
438 being operated as a street-legal ATV shall ~~[be]~~ ensure that the vehicle is equipped with:

439 (i) one or more headlamps that meet the requirements of Section 41-6a-1603;  
440 (ii) one or more tail lamps;  
441 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate  
442 with a white light;

443 (iv) one or more red reflectors on the rear;  
444 (v) one or more stop lamps on the rear;  
445 (vi) amber or red electric turn signals, one on each side of the front and rear;  
446 (vii) a braking system, other than a parking brake, that meets the requirements of  
447 Section 41-6a-1623;

448 (viii) a horn or other warning device that meets the requirements of Section

- 449 41-6a-1625;
- 450 (ix) a muffler and emission control system that meets the requirements of Section
- 451 41-6a-1626;
- 452 (x) rearview mirrors on the right and left side of the driver in accordance with Section
- 453 41-6a-1627;
- 454 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
- 455 (xii) a speedometer, illuminated for nighttime operation;
- 456 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
- 457 seat designed for passengers, including a footrest and handhold for each passenger;
- 458 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and
- 459 (xv) tires that:
- 460 (A) are not larger than the tires that the all-terrain vehicle manufacturer made available
- 461 for the all-terrain vehicle model; and
- 462 (B) have at least 2/32 inches or greater tire tread.
- 463 (b) [A] The owner of a full-sized all-terrain vehicle being operated as a street-legal
- 464 all-terrain vehicle shall [be] ensure that the vehicle is equipped with:
- 465 (i) two headlamps that meet the requirements of Section 41-6a-1603;
- 466 (ii) two tail lamps;
- 467 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
- 468 with a white light;
- 469 (iv) one or more red reflectors on the rear;
- 470 (v) two stop lamps on the rear;
- 471 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 472 (vii) a braking system, other than a parking brake, that meets the requirements of
- 473 Section 41-6a-1623;
- 474 (viii) a horn or other warning device that meets the requirements of Section
- 475 41-6a-1625;
- 476 (ix) a muffler and emission control system that meets the requirements of Section

477 41-6a-1626;

478 (x) rearview mirrors on the right and left side of the driver in accordance with Section

479 41-6a-1627;

480 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;

481 (xii) a speedometer, illuminated for nighttime operation;

482 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a  
483 seat designed for passengers, including a footrest and handhold for each passenger;

484 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and

485 (xv) tires that:

486 (A) do not exceed 44 inches in height; and

487 (B) have at least 2/32 inches or greater tire tread.

488 (c) ~~[A]~~ The owner of a street-legal all-terrain vehicle is not required to ~~[be equipped]~~  
489 equip the vehicle with wheel covers, mudguards, flaps, or splash aprons.

490 (4) (a) Subject to the ~~[requirement in]~~ requirements of Subsection (4)(b), an operator of  
491 a street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway,  
492 may not exceed the lesser of:

493 (i) the posted speed limit; or

494 (ii) 50 miles per hour.

495 (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal  
496 all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:

497 (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the  
498 roadway; and

499 (ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the front  
500 and back of both sides of the vehicle.

501 (5) (a) A nonresident operator of an off-highway vehicle that is authorized to be  
502 operated on the highways of another state has the same rights and privileges as a street-legal  
503 ATV that is granted operating privileges on the highways of this state, subject to the  
504 restrictions under this section and rules made by the Board of Parks and Recreation, if the other

505 state offers reciprocal operating privileges to Utah residents.

506 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
507 Board of Parks and Recreation shall establish eligibility requirements for reciprocal operating  
508 privileges for nonresident users granted under Subsection (5)(a).

509 (6) Nothing in this chapter [~~shall restrict the operation of~~] restricts the owner of an  
510 off-highway vehicle from operating the off-highway vehicle in accordance with Section  
511 41-22-10.5.

512 (7) A violation of this section is an infraction.

513 Section 11. Section **41-6a-1642** is amended to read:

514 **41-6a-1642. Emissions inspection -- County program.**

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

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

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

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

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

529 (i) the federal government;

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

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

532 (2) (a) The legislative body of a county identified in Subsection (1), in consultation

533 with the Air Quality Board created under Section 19-1-106, shall make regulations or  
534 ordinances regarding:

- 535 (i) emissions standards;
- 536 (ii) test procedures;
- 537 (iii) inspections stations;
- 538 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 539 (v) certificates of emissions inspections.

540 (b) The regulations or ordinances shall:

541 (i) be made to attain or maintain ambient air quality standards in the county, consistent  
542 with the state implementation plan and federal requirements;

543 (ii) may allow for a phase-in of the program by geographical area; and

544 (iii) be compliant with the analyzer design and certification requirements contained in  
545 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

546 (c) The county legislative body and the Air Quality Board shall give preference to an  
547 inspection and maintenance program that is:

548 (i) decentralized, to the extent the decentralized program will attain and maintain  
549 ambient air quality standards and meet federal requirements;

550 (ii) the most cost effective means to achieve and maintain the maximum benefit with  
551 regard to ambient air quality standards and to meet federal air quality requirements as related to  
552 vehicle emissions; and

553 (iii) providing a reasonable phase-out period for replacement of air pollution emission  
554 testing equipment made obsolete by the program.

555 (d) The provisions of Subsection (2)(c)(iii) apply only to the extent the phase-out:

556 (i) may be accomplished in accordance with applicable federal requirements; and

557 (ii) does not otherwise interfere with the attainment and maintenance of ambient air  
558 quality standards.

559 (3) The following vehicles are exempt from the provisions of this section:

560 (a) an implement of husbandry;

561 (b) a motor vehicle that:  
562 (i) meets the definition of a farm truck under Section 41-1a-102; and  
563 (ii) has a gross vehicle weight rating of 12,001 pounds or more;  
564 (c) a vintage vehicle as defined in Section 41-21-1;  
565 (d) a custom vehicle as defined in Section 41-6a-1507; and  
566 (e) to the extent allowed under the current federally approved state implementation  
567 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor  
568 vehicle that is less than two years old on January 1 based on the age of the vehicle as  
569 determined by the model year identified by the manufacturer.

570 (4) (a) The legislative body of a county identified in Subsection (1) shall exempt a  
571 pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds or  
572 less from the emission inspection requirements of this section, if the registered owner of the  
573 pickup truck provides a signed statement to the legislative body stating the truck is used:

574 (i) by the owner or operator of a farm located on property that qualifies as land in  
575 agricultural use under Sections 59-2-502 and 59-2-503; and

576 (ii) exclusively for the following purposes in operating the farm:

577 (A) for the transportation of farm products, including livestock and its products,  
578 poultry and its products, floricultural and horticultural products; and

579 (B) in the transportation of farm supplies, including tile, fence, and every other thing or  
580 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production  
581 and maintenance.

582 (b) The county shall provide to the registered owner who signs and submits a signed  
583 statement under this section a certificate of exemption from emission inspection requirements  
584 for purposes of registering the exempt vehicle.

585 (5) (a) Subject to Subsection (5)(c), the legislative body of each county required under  
586 federal law to utilize a motor vehicle emissions inspection and maintenance program or in  
587 which an emissions inspection and maintenance program is necessary to attain or maintain any  
588 national ambient air quality standard may require each college or university located in a county

589 subject to this section to require its students and employees who park a motor vehicle not  
590 registered in a county subject to this section to provide proof of compliance with an emissions  
591 inspection accepted by the county legislative body if the motor vehicle is parked on the college  
592 or university campus or property.

593 (b) College or university parking areas that are metered or for which payment is  
594 required per use are not subject to the requirements of this Subsection (5).

595 (c) The legislative body of a county shall make the reasons for implementing the  
596 provisions of this Subsection (5) part of the record at the time that the county legislative body  
597 takes its official action to implement the provisions of this Subsection (5).

598 (6) (a) An emissions inspection station shall issue a certificate of emissions inspection  
599 for each motor vehicle that meets the inspection and maintenance program requirements  
600 established in rules made under Subsection (2).

601 (b) The frequency of the emissions inspection shall be determined based on the age of  
602 the vehicle as determined by model year and shall be required annually subject to the  
603 provisions of Subsection (6)(c).

604 (c) (i) To the extent allowed under the current federally approved state implementation  
605 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative  
606 body of a county identified in Subsection (1) shall only require the emissions inspection every  
607 two years for each vehicle.

608 (ii) The provisions of Subsection (6)(c)(i) apply only to a vehicle that is less than six  
609 years old on January 1.

610 (iii) For a county required to implement a new vehicle emissions inspection and  
611 maintenance program on or after December 1, 2012, under Subsection (1), but for which no  
612 current federally approved state implementation plan exists, a vehicle shall be tested at a  
613 frequency determined by the county legislative body, in consultation with the Air Quality  
614 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or  
615 maintain any national ambient air quality standard.

616 (iv) If a county legislative body establishes or changes the frequency of a vehicle

617 emissions inspection and maintenance program under Subsection (6)(c)(iii), the establishment  
618 or change shall take effect on January 1 if the Tax Commission receives notice meeting the  
619 requirements of Subsection (6)(c)(v) from the county [~~prior to~~] before October 1.

620 (v) The notice described in Subsection (6)(c)(iv) shall:

621 (A) state that the county will establish or change the frequency of the vehicle emissions  
622 inspection and maintenance program under this section;

623 (B) include a copy of the ordinance establishing or changing the frequency; and

624 (C) if the county establishes or changes the frequency under this section, state how  
625 frequently the emissions testing will be required.

626 (d) If an emissions inspection is only required every two years for a vehicle under  
627 Subsection (6)(c), the inspection shall be required for the vehicle in:

628 (i) odd-numbered years for vehicles with odd-numbered model years; or

629 (ii) in even-numbered years for vehicles with even-numbered model years.

630 [~~(7) The emissions inspection shall be required within the same time limit applicable to~~  
631 ~~a safety inspection under Section 41-1a-205.]~~

632 (7) (a) Except as provided in Subsections (7)(b), (c), and (d), the emissions inspection  
633 required under this section may be made no more than two months before the renewal of  
634 registration.

635 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an  
636 emissions inspection certificate issued for the motor vehicle during the previous 11 months to  
637 satisfy the requirement under this section.

638 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may  
639 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded  
640 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under  
641 this section.

642 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the  
643 lessee may use an emissions inspection certificate issued during the previous 11 months to  
644 satisfy the requirement under this section.

645           (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not  
646 use an emissions inspection made more than 11 months before the renewal of registration to  
647 satisfy the requirement under this section.

648           (e) If the application for renewal of registration is for a six-month registration period  
649 under Section [41-1a-215.5](#), the owner may use an emissions inspection certificate issued during  
650 the previous eight months to satisfy the requirement under this section.

651           (8) (a) A county identified in Subsection (1) shall collect information about and  
652 monitor the program.

653           (b) A county identified in Subsection (1) shall supply this information to an appropriate  
654 legislative committee, as designated by the Legislative Management Committee, at times  
655 determined by the designated committee to identify program needs, including funding needs.

656           (9) If approved by the county legislative body, a county that had an established  
657 emissions inspection fee as of January 1, 2002, may increase the established fee that an  
658 emissions inspection station may charge by \$2.50 for each year that is exempted from  
659 emissions inspections under Subsection (6)(c) up to a \$7.50 increase.

660           (10) (a) A county identified in Subsection (1) may impose a local emissions  
661 compliance fee on each motor vehicle registration within the county in accordance with the  
662 procedures and requirements of Section [41-1a-1223](#).

663           (b) A county that imposes a local emissions compliance fee shall use revenues  
664 generated from the fee for the establishment and enforcement of an emissions inspection and  
665 maintenance program in accordance with the requirements of this section.

666           Section 12. Section **41-6a-1803** is amended to read:

667           **41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

668           (1) (a) The operator of a motor vehicle operated on a highway shall:

669           (i) wear a properly adjusted and fastened safety belt;

670           (ii) provide for the protection of each person younger than eight years of age by using a  
671 child restraint device to restrain each person in the manner prescribed by the manufacturer of  
672 the device; and

673 (iii) provide for the protection of each person eight years of age up to 16 years of age  
674 by securing, or causing to be secured, a properly adjusted and fastened safety belt on each  
675 person.

676 (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight  
677 years of age who is 57 inches tall or taller:

678 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint  
679 device; and

680 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection  
681 (1)(a)(iii).

682 (2) A person 16 years of age or older who is a passenger in a motor vehicle operated on  
683 a highway shall wear a properly adjusted and fastened safety belt.

684 (3) If more than one person is not using a child restraint device or wearing a safety belt  
685 in violation of Subsection (1), it is considered only one offense, and the driver may receive  
686 only one citation for that offense.

687 ~~[(4) Beginning on July 1, 2018, and for a person 19 years of age or older who violates~~  
688 ~~Subsection (1)(a)(i) or (2), enforcement by a state or local law enforcement officer shall be only~~  
689 ~~as a secondary action when the person has been detained for a suspected violation of Title 41,~~  
690 ~~Motor Vehicles, other than Subsection (1)(a)(i) or (2), or for another offense.]~~

691 Section 13. Section **41-6a-1805** is amended to read:

692 **41-6a-1805. Penalty for violation.**

693 (1) (a) A person who violates Section **41-6a-1803** is guilty of an infraction and shall be  
694 fined a maximum of \$45.

695 (b) Until July 1, 2018, a peace officer may not issue a citation to an individual for a  
696 violation of Section **41-6a-1803** if the person has not previously been warned for a violation of  
697 Section **41-6a-1803** but shall issue the individual a warning informing the individual that  
698 operating or being a passenger in a vehicle without wearing a properly adjusted and fastened  
699 safety belt is prohibited.

700 (c) The court shall waive all of the fine for a violation of ~~[Section **41-6a-1803** if a~~

701 ~~person: (i) shows evidence of completion of a 30 minute course approved by the commissioner~~  
702 ~~of the Department of Public Safety that includes education on the benefits of using a safety belt~~  
703 ~~or child restraint device; and (ii) if the violation is for an offense under] Subsection~~  
704 ~~41-6a-1803(1)(b)[;] if the person submits proof of acquisition, rental, or purchase of a child~~  
705 ~~restraint device.~~

706 (2) Points for a motor vehicle reportable violation, as defined under Section 53-3-102,  
707 may not be assessed against a person for a violation of Section 41-6a-1803.

708 Section 14. Section 53-8-205 is amended to read:

709 **53-8-205. Safety inspection required for certain vehicles -- Out-of-state permits.**

710 ~~[(1) (a) Except as provided in Subsection (1)(b), a person may not operate on a~~  
711 ~~highway a motor vehicle required to be registered in this state unless the motor vehicle has~~  
712 ~~passed a safety inspection if required in the current year.]~~

713 ~~[(b) Subsection (1)(a) does not apply to:]~~

714 ~~[(i) a vehicle that is exempt from registration under Section 41-1a-205;]~~

715 ~~[(ii) an off-highway vehicle, unless the off-highway vehicle is being registered as a~~  
716 ~~street-legal all-terrain vehicle in accordance with Section 41-6a-1509;]~~

717 ~~[(iii) a vintage vehicle as defined in Section 41-21-1;]~~

718 ~~[(iv) a commercial vehicle with a gross vehicle weight rating over 26,000 pounds that:]~~

719 ~~[(A) is operating with an apportioned registration under Section 41-1a-301; and]~~

720 ~~[(B) has a valid annual federal inspection that complies with the requirements of 49~~  
721 ~~C.F.R. Sec. 396.17; and]~~

722 ~~[(v) a trailer, semitrailer, or trailering equipment attached to a commercial motor~~  
723 ~~vehicle described in Subsection (1)(b)(iv) that has a valid annual federal inspection that~~  
724 ~~complies with the requirements of 49 C.F.R. Sec. 396.17.]~~

725 ~~[(2) Except as provided in Subsection (3), the frequency of the safety inspection shall~~  
726 ~~be determined based on the age of the vehicle determined by model year and shall:]~~

727 ~~[(a) be required each year for a vehicle that is 10 or more years old on January 1; or]~~

728 ~~[(b) for each vehicle that is less than 10 years old on January 1, be required in the~~

729 ~~fourth year and the eighth year;~~

730 ~~[(e) be made by a safety inspector certified by the division at a safety inspection station~~  
731 ~~authorized by the division;]~~

732 ~~[(d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to~~  
733 ~~ensure proper adjustment and condition as required by department rules; and]~~

734 ~~[(e) include an inspection for the display of license plates in accordance with Section~~  
735 ~~41-1a-404.]~~

736 ~~[(3)(a)(i)]~~ (1)(a) A salvage vehicle as defined in Section [41-1a-1001](#) is required to  
737 pass a safety inspection when an application is made for initial registration as a salvage vehicle.

738 ~~[(ii) After initial registration as a salvage vehicle, the frequency of the safety inspection~~  
739 ~~shall correspond with the model year, as provided in Subsection (2).]~~

740 (b) An off-highway vehicle being registered for the first time as a street-legal all-terrain  
741 vehicle as described in Section [41-6a-1509](#) is required to pass a safety inspection when the  
742 owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.

743 ~~[(b)]~~ (c) ~~[Beginning on the date that the Motor Vehicle Division has implemented the~~  
744 ~~Motor Vehicle Division's GenTax system,]~~ The owner of a commercial vehicle, as defined in  
745 Section [41-1a-102](#), with a gross vehicle weight rating of 10,001 pounds or more is required to  
746 pass] [72-9-102](#), shall:

747 (i) ensure that the commercial vehicle passes a safety inspection annually ~~[or comply~~  
748 ~~with Subsection (1)(b)(iv)(B)];~~ or

749 (ii) provide evidence of a valid annual federal inspection that complies with the  
750 requirements of 49 C.F.R. Sec. 396.17.

751 (d) The owner of a vehicle operated by a ground transportation service provider as  
752 defined in Section [72-10-601](#) shall ensure that the vehicle passes a safety inspection annually.

753 (e) An owner of one or more of the following types of vehicles shall ensure that the  
754 vehicle passes a safety inspection annually:

755 (i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with  
756 multiple axles;

757 (ii) a combination unit;

758 (iii) a bus or van for hire; or

759 (iv) a taxicab.

760 ~~[(4)(a)]~~ (2) A safety inspection station shall issue two safety inspection certificates to  
761 the owner of:

762 ~~[(i)]~~ (a) each motor vehicle that passes a safety inspection under this section; and

763 ~~[(ii)]~~ (b) a street-legal all-terrain vehicle that meets all the equipment requirements in  
764 Section 41-6a-1509.

765 ~~[(b) A safety inspection station shall use one safety inspection certificate issued under  
766 this Subsection (4) for processing the vehicle registration.]~~

767 ~~[(c) A person operating a motor vehicle shall have in the person's immediate  
768 possession a safety inspection certificate or other evidence of compliance with the requirement  
769 to obtain a safety inspection under this section.]~~

770 (3) A person operating a motor vehicle required to have an annual safety inspection  
771 shall have in the person's immediate possession a safety inspection certificate or other evidence  
772 of compliance.

773 ~~[(5)]~~ (4) The division may~~[(a)]~~ authorize the acceptance ~~[in this state]~~ of a safety  
774 inspection certificate issued in another state having a safety inspection law similar to ~~[this state;~~  
775 ~~and]~~ Utah's law.

776 ~~[(b) extend the time within which a safety inspection certificate must be obtained by  
777 the resident owner of a vehicle that was not in this state during the time a safety inspection was  
778 required.]~~

779 ~~[(6)]~~ (5) A violation of this section is an infraction.

780 Section 15. Section **53-8-206** is amended to read:

781 **53-8-206. Safety inspection -- Station requirements -- Permits not transferable --**  
782 **Certificate of inspection -- Fees -- Unused certificates -- Suspension or revocation of**  
783 **permits.**

784 (1) The safety inspection required under ~~[Section 53-8-205]~~ this part may only be

785 performed:

786 (a) by a person certified by the division as a safety inspector; and

787 (b) at a safety inspection station with a valid safety inspection station permit issued by  
788 the division.

789 (2) (a) A safety inspection station permit may not be assigned, or transferred, or used at  
790 any location other than a designated location~~[, and every]~~.

791 (b) The holder of a safety inspection station permit shall ~~[be posted]~~ post the permit in  
792 a conspicuous place at the location designated in the permit.

793 (3) If required by the division, the safety inspector shall keep a record and file a report  
794 ~~[shall be made]~~ of every safety inspection and every safety inspection certificate issued.

795 (4) A safety inspection station holding a safety inspection station permit issued by the  
796 division may charge a reasonable fee for labor in performing safety inspections, not to exceed:

797 (a) \$7 or less for motorcycles and street-legal all-terrain vehicles;

798 (b) unless Subsection (4)(a) or (c) applies, \$15 or less for motor vehicles; or

799 (c) \$20 or less for 4-wheel drive, split axle, and any motor vehicles that necessitate  
800 disassembly of front hub or removal of rear axle for inspection.

801 (5) (a) A safety inspection station may return to the division unused safety inspection  
802 certificates in a quantity of 10 or more ~~[and]~~.

803 (b) The division shall ~~[be reimbursed by the division]~~ reimburse the station for the cost  
804 of ~~[the]~~ the returned safety inspection certificates.

805 (6) (a) Upon receiving notice of the suspension or revocation of a safety inspection  
806 station permit and after the conclusion of any adjudicative proceedings upholding the  
807 suspension or revocation, the safety inspection station permit holder shall:

808 (i) immediately terminate all safety inspection activities; and

809 (ii) return all safety inspection certificates and the safety inspection station permit to  
810 the division.

811 (b) The division shall issue a receipt for all unused safety inspection certificates.

812 Section 16. Section **53-8-214** is enacted to read:

813 **53-8-214. Creation of the Motor Vehicle Safety Impact Restricted Account.**

814 (1) There is created a restricted account within the General Fund known as the Motor  
 815 Vehicle Safety Impact Restricted Account.

816 (2) The account includes:

817 (a) deposits made to the restricted account from registration fees as described in  
 818 Subsection [41-1a-1201\(8\)](#);

819 (b) donations or deposits made to the account; and

820 (c) any interest earned on the account.

821 (3) Upon appropriation, the division may use funds in the account to improve motor  
 822 vehicle safety, mitigate impacts, and enforce safety provisions, including the following:

823 (a) hiring new Highway Patrol troopers;

824 (b) payment of overtime for Highway Patrol troopers; and

825 (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.

826 (4) The division shall annually report to the Executive Offices and Criminal Justice  
 827 Appropriations Subcommittee to justify expenditures and use of funds in the account.

828 **Section 17. Appropriation.**

829 The following sums of money are appropriated for the fiscal year beginning July 1,  
 830 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for  
 831 fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
 832 Act, the Legislature appropriates the following sums of money from the funds or accounts  
 833 indicated for the use and support of the government of the state of Utah.

834 **ITEM 1**

835 To Department of Public Safety -- Programs and Operations

836 From General Fund (\$199,800)

837 From General Fund, One-time \$99,900

838 From Department of Public Safety Restricted Account (\$684,100)

839 From Department of Public Safety Restricted Account, One-time \$342,100

840 Schedule of Programs:

841	<u>Highway Patrol -- Safety Inspections</u>	<u>(\$441,900)</u>	
842	<u>ITEM 2</u>		
843	<u>To Department of Public Safety -- Programs and Operations</u>		
844	<u>From General Fund</u>		<u>\$199,800</u>
845	<u>From General Fund, One-time</u>		<u>(\$99,900)</u>
846	<u>From Department of Public Safety Restricted Account</u>		<u>\$684,100</u>
847	<u>From Department of Public Safety Restricted Account, One-time</u>		<u>(\$342,100)</u>
848	<u>Schedule of Programs:</u>		
849	<u>Highway Patrol -- Field Operations</u>	<u>\$441,900</u>	
850	Section 18. <b>Effective date.</b>		
851	<u>This bill takes effect on January 1, 2018.</u>		