{deleted text} shows text that was in HB0265 but was deleted in HB0265S01.

Inserted text shows text that was not in HB0265 but was inserted into HB0265S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Don L. Ipson proposes the following substitute bill:

SAFETY INSPECTION AMENDMENTS

2017 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Daniel McCay

Senate Sponsor: \(\)\ \text{Deidre M. Henderson}

LONG TITLE

General Description:

This bill modifies provisions relating to motor vehicle safety inspection programs.

Highlighted Provisions:

This bill:

- \{\text{repeals the requirement that certain vehicles obtain}\}\text{amends provisions related to}\)
 \text{motor vehicle safety inspections by requiring}} a safety inspection \{\text{certificate in order}\}\)
 \text{to be registered and to operate on a highway; and}
- makes technical changes} every two years beginning when the motor vehicle is 10 years old.

Money Appropriated in this Bill:

None

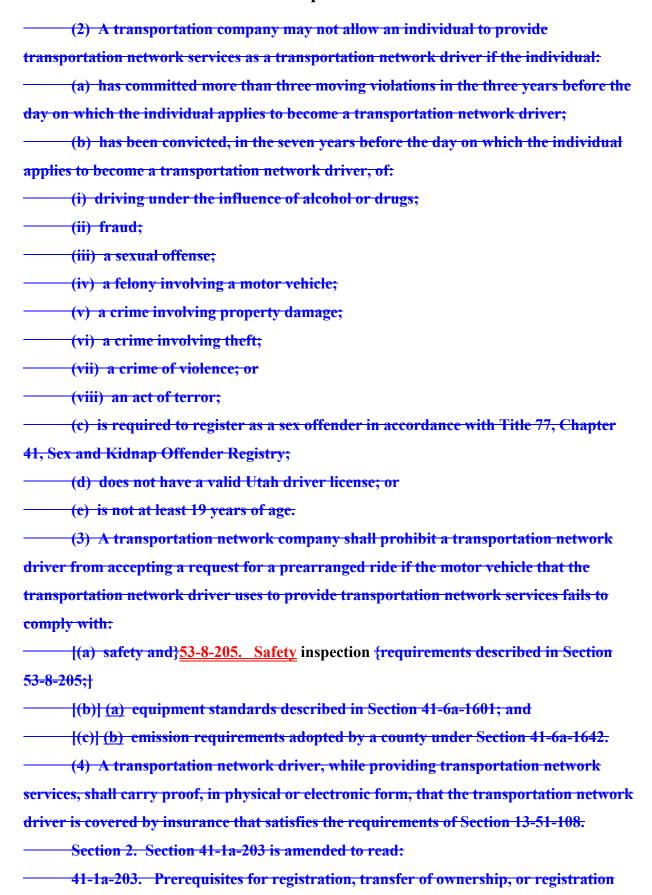
Other Special Clauses:

This bill provides a special effective date.

company's designee; and

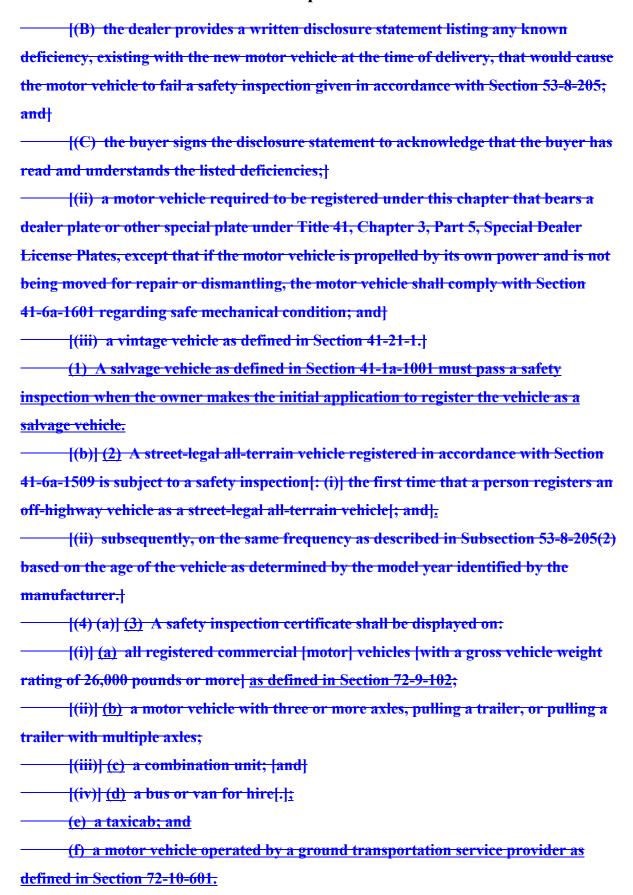
Utah Code Sections Affected: AMENDS: 13-51-107, as enacted by Laws of Utah 2015, Chapter 461 41-1a-203, as last amended by Laws of Utah 2010, Chapter 295 41-1a-205, as last amended by Laws of Utah 2015, Chapter 412 41-1a-217, as last amended by Laws of Utah 2005, Chapter 2 41-1a-226, as last amended by Laws of Utah 2015, Chapter 400 41-3-303, as last amended by Laws of Utah 2013, Chapter 207 41-6a-1508, as last amended by Laws of Utah 2015, Chapter 412 41-6a-1509, as last amended by Laws of Utah 2015, Chapters 412 and 454 41-6a-1642, as last amended by Laws of Utah 2015, Chapter 258 **53-8-205**, as last amended by Laws of Utah 2015, Chapter 412 } 53-8-206, as last amended by Laws of Utah 2015, Chapter 429 *Be it enacted by the Legislature of the state of Utah:* Section 1. Section {13-51-107}53-8-205 is amended to read: {13-51-107. Driver requirements. (1) Before a transportation network company allows an individual to use the transportation network company's software application as a transportation network driver, the transportation network company shall: (a) require the individual to submit to the transportation network company: (i) the individual's name, address, and age; (ii) a copy of the individual's driver license, including the driver license number; and (iii) proof that the vehicle that the individual will use to provide transportation network services is registered with the Division of Motor Vehicles; (b) require the individual to consent to a criminal background check of the individual by the transportation network company or the transportation network

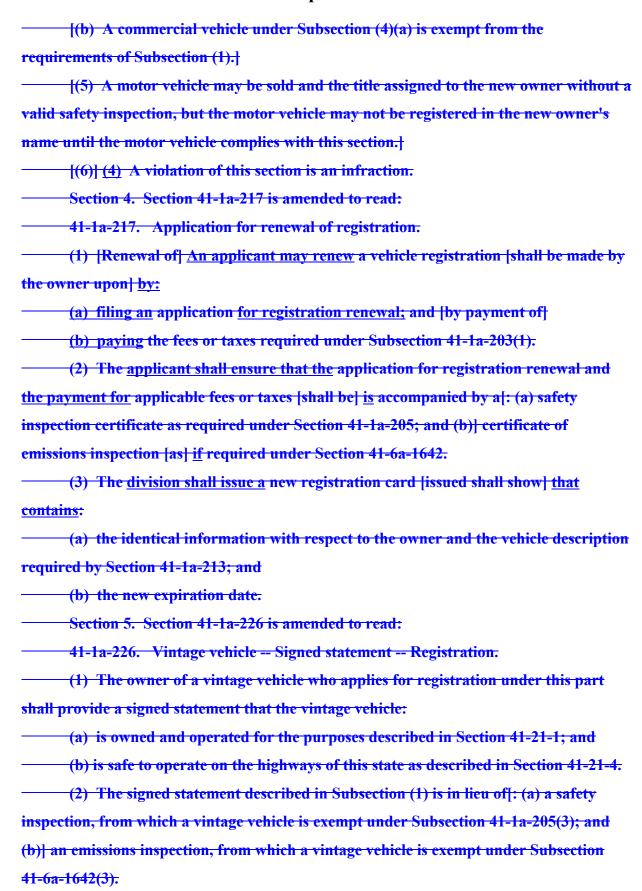
(c) obtain and review a report that lists the individual's driving history.

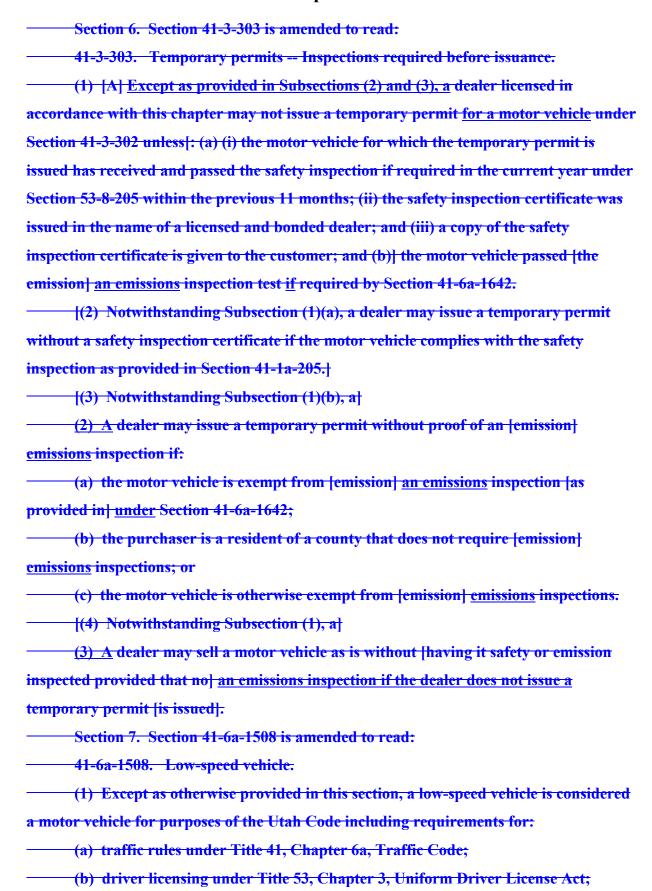


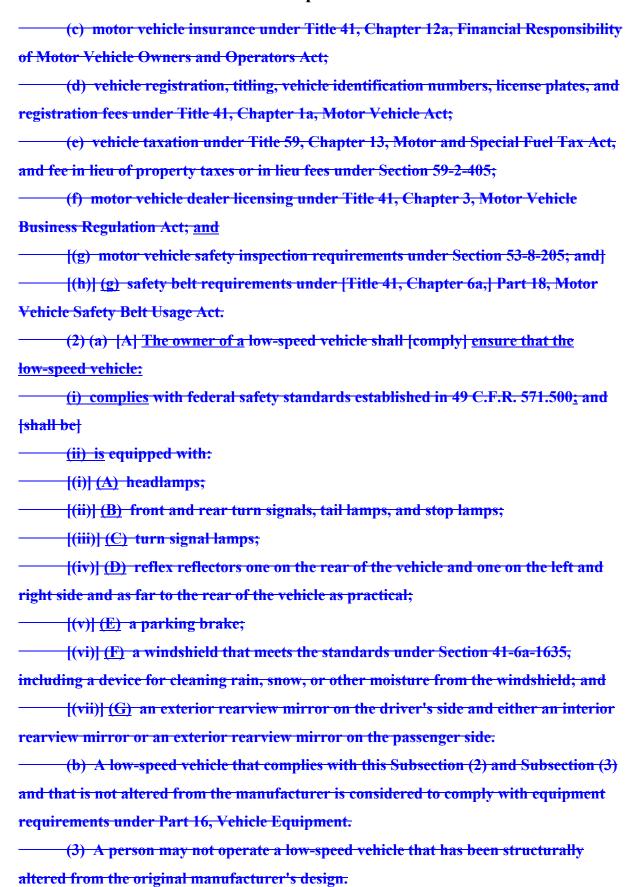
renewal. (1) Except as otherwise provided, [prior to] before registration of a vehicle, an owner shall: (a) obtain an identification number inspection under Section 41-1a-204; (b) obtain a safety\required -- Frequency of safety inspection -- Safety inspection certificate {, if} required {in the current year, as provided under Sections 41-1a-205 and 53-8-205;1 [(c)] (b) obtain a certificate of emissions inspection, if required in the current vear, as provided under Section 41-6a-1642; [(d)] (c) pay property taxes, the in lieu fee, or receive a property tax clearance under Section 41-1a-206 or 41-1a-207; [(e)] (d) pay the automobile driver education tax required by Section 41-1a-208; [(f)] (e) pay the applicable registration fee under Part 12, Fee and Tax Requirements; [(g)] (f) pay the uninsured motorist identification fee under Section 41-1a-1218, if applicable; [(h)] (g) pay the motor carrier fee under Section 41-1a-1219, if applicable; -[(i)] (h) pay any applicable local emissions compliance fee under Section 41-1a-1223; and (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act. (2) In addition to the requirements in Subsection (1), an owner [whose] of a vehicle that has not been previously registered or that is currently registered under a previous owner's name shall [also] apply for a valid certificate of title in the owner's name [prior to] before registration. (3) [A] The division may not issue a new registration, transfer of ownership, or registration renewal under Section 73-18-7 [may not be issued] for a vessel or outboard motor that is subject to [the title provisions of] this chapter unless a certificate of title has been or is in the process of being issued in the same owner's name. (4) [A] The division may not issue a new registration, transfer of ownership, or registration renewal under Section 41-22-3 [may not be issued] for an off-highway vehicle

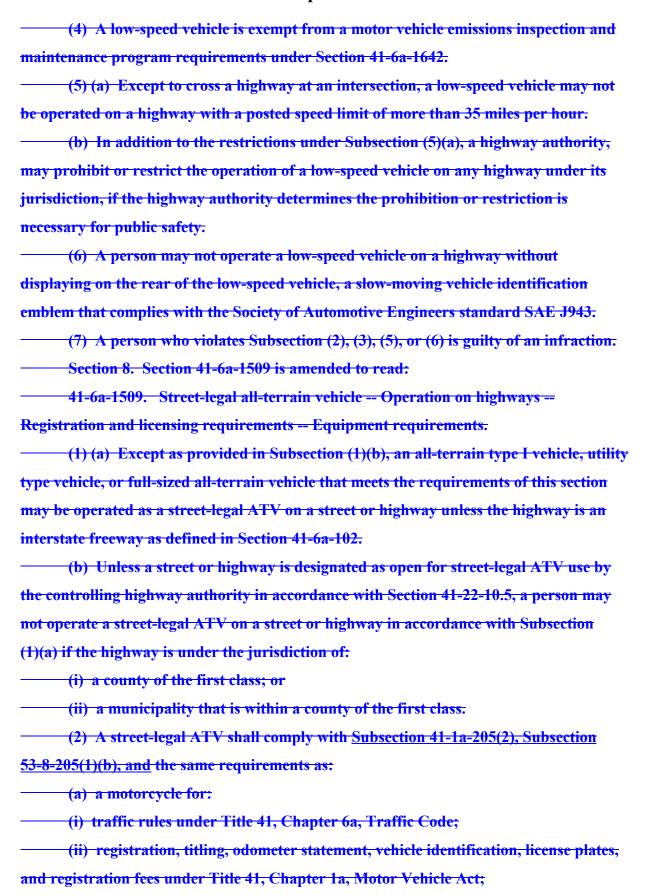
that is subject to [the titling provisions of] this chapter unless a certificate of title has been or is in the process of being issued in the same owner's name. Section 3. Section 41-1a-205 is amended to read: 41-1a-205. Safety inspection certificate required for commercial motor vehicles and initial registration of street-legal ATVs. (1) If required in the current year, a safety inspection certificate, as required by Section 53-8-205, or proof of exemption from safety inspection shall be presented at the time of, and as a condition of, registration or renewal of registration of a motor vehicle. (2) (a) Except as provided in Subsections (2)(b), (c), and (d), the safety inspection required under this section may be made no more than two months prior to the renewal of registration. (b) (i) If the title of a used motor vehicle is being transferred, a safety inspection certificate issued for the motor vehicle during the previous 11 months may be used to satisfy the requirement under Subsection (1).] (ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle dealer's name during the previous 11 months may be used to satisfy the requirement under Subsection (1). (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a safety inspection certificate issued during the previous 11 months may be used to satisfy the requirement under Subsection (1).] I(d) If the motor vehicle is part of a fleet of 101 or more vehicles, the safety inspection required under this section may be made no more than 11 months prior to the renewal of registration. (e) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, a safety inspection certificate issued during the previous eight months may be used to satisfy the requirement under Subsection (1).] (3) (a) The following motor vehicles are exempt from this section: (i) except as provided in Subsection (3)(b), a new motor vehicle when registered the first time, if: (A) a new car predelivery inspection has been made by a dealer;

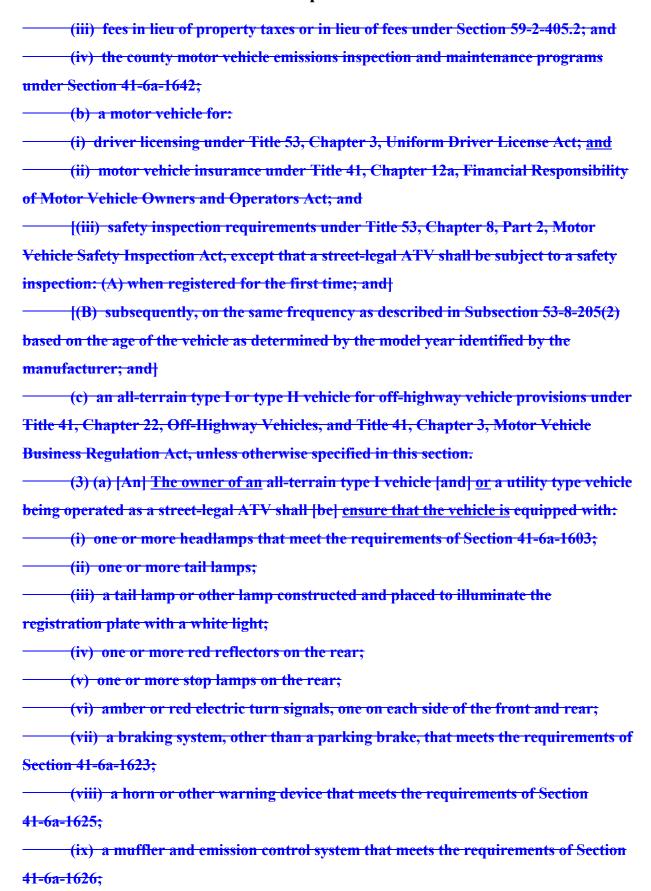


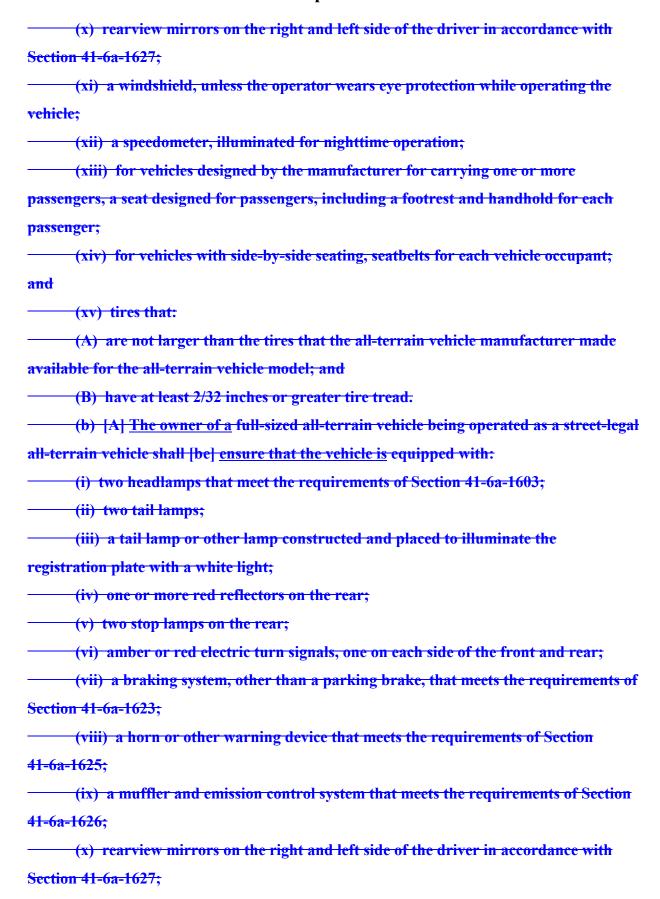


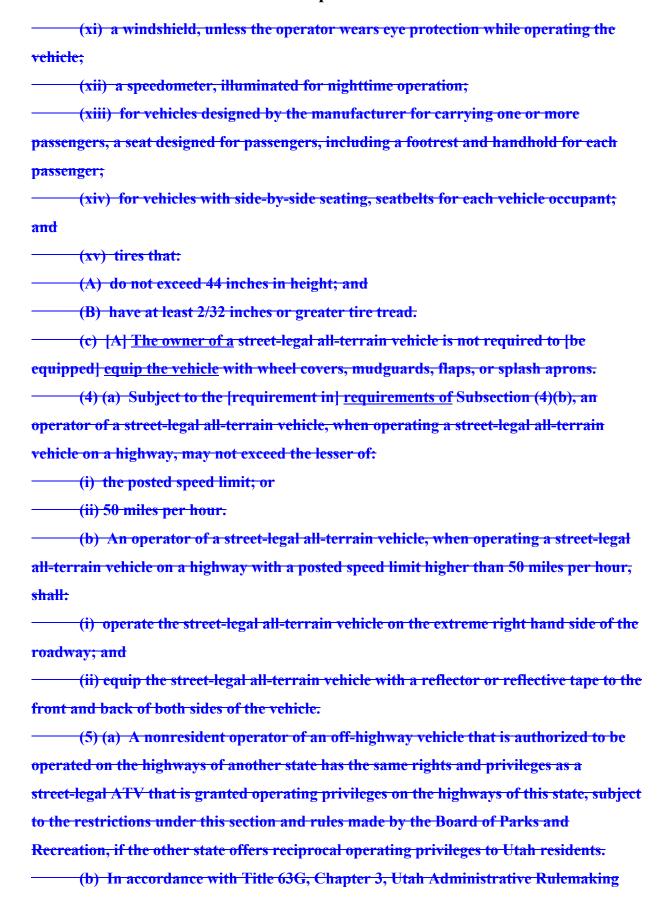




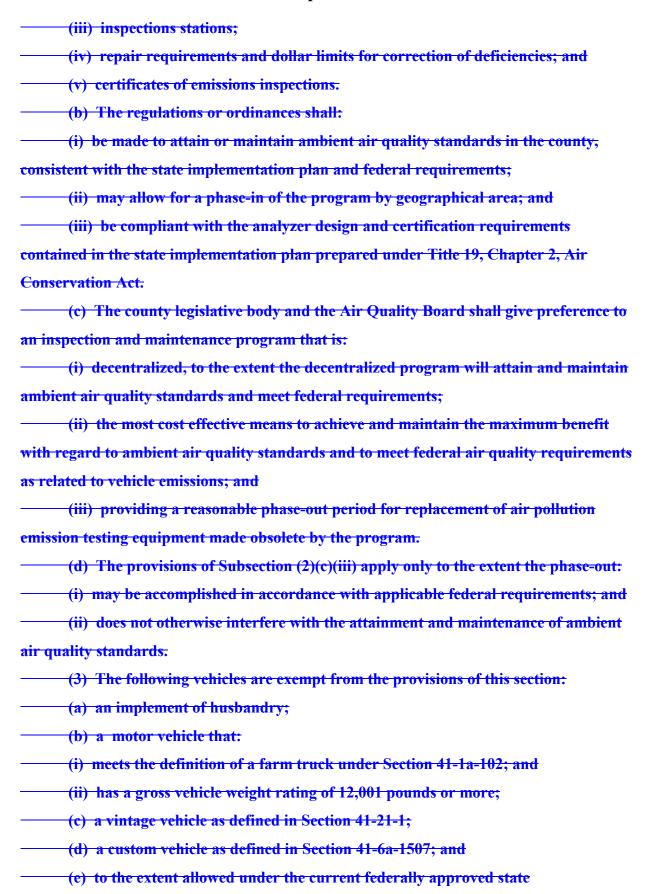




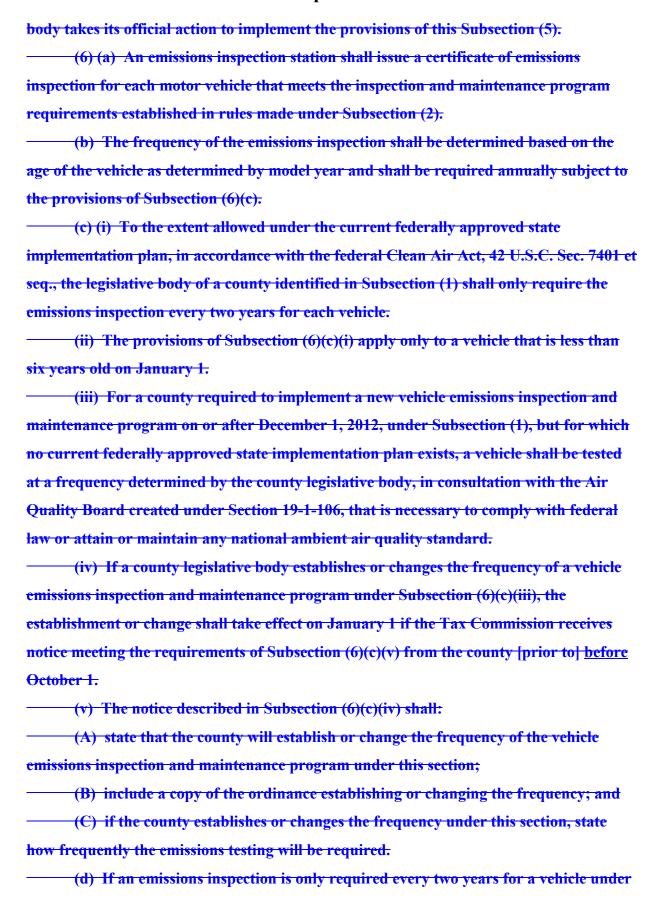


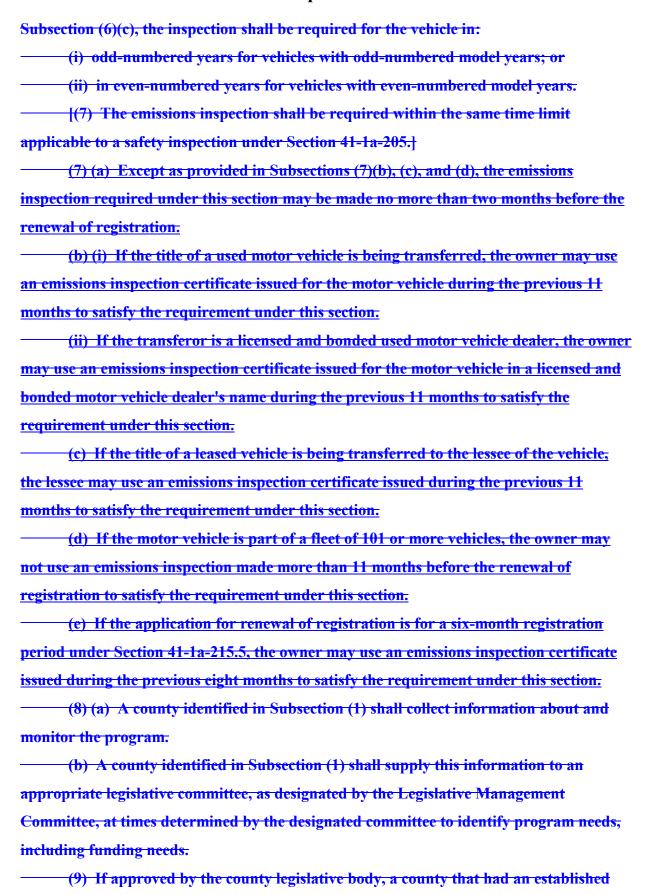


Act, the Board of Parks and Recreation shall establish eligibility requirements for reciprocal operating privileges for nonresident users granted under Subsection (5)(a). (6) Nothing in this chapter [shall restrict the operation of] restricts the owner of an off-highway vehicle from operating the off-highway vehicle in accordance with Section 41-22-10.5. (7) A violation of this section is an infraction. Section 9. Section 41-6a-1642 is amended to read: 41-6a-1642. Emissions inspection -- County program. (1) The legislative body of each county required under federal law to utilize a motor vehicle emissions inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard shall require: (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is exempt from emissions inspection and maintenance program requirements be presented: (i) as a condition of registration or renewal of registration; and (ii) at other times as the county legislative body may require to enforce inspection requirements for individual motor vehicles, except that the county legislative body may not routinely require a certificate of emission inspection, or waiver of the certificate, more often than required under Subsection (6); and (b) compliance with this section for a motor vehicle registered or principally operated in the county and owned by or being used by a department, division, instrumentality, agency, or employee of: (i) the federal government; (ii) the state and any of its agencies; or (iii) a political subdivision of the state, including school districts. (2) (a) The legislative body of a county identified in Subsection (1), in consultation with the Air Quality Board created under Section 19-1-106, shall make regulations or ordinances regarding: (i) emissions standards; (ii) test procedures;



implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor vehicle that is less than two years old on January 1 based on the age of the vehicle as determined by the model year identified by the manufacturer. (4) (a) The legislative body of a county identified in Subsection (1) shall exempt a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds or less from the emission inspection requirements of this section, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used: (i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under Sections 59-2-502 and 59-2-503; and (ii) exclusively for the following purposes in operating the farm: (A) for the transportation of farm products, including livestock and its products, poultry and its products, floricultural and horticultural products; and (B) in the transportation of farm supplies, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance. (b) The county shall provide to the registered owner who signs and submits a signed statement under this section a certificate of exemption from emission inspection requirements for purposes of registering the exempt vehicle. (5) (a) Subject to Subsection (5)(c), the legislative body of each county required under federal law to utilize a motor vehicle emissions inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard may require each college or university located in a county subject to this section to require its students and employees who park a motor vehicle not registered in a county subject to this section to provide proof of compliance with an emissions inspection accepted by the county legislative body if the motor vehicle is parked on the college or university campus or property. (b) College or university parking areas that are metered or for which payment is required per use are not subject to the requirements of this Subsection (5). (c) The legislative body of a county shall make the reasons for implementing the provisions of this Subsection (5) part of the record at the time that the county legislative



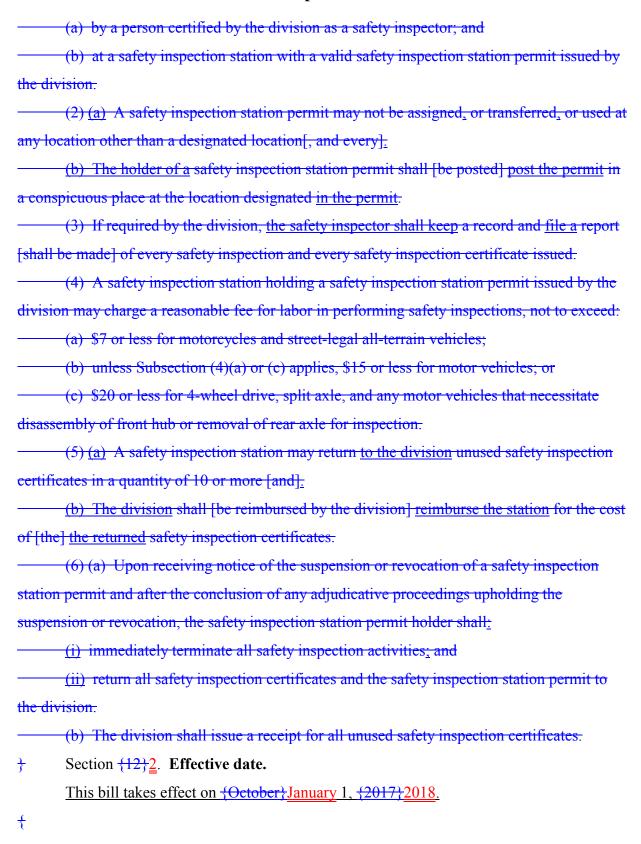


emissions inspection fee as of January 1, 2002, may increase the established fee that an emissions inspection station may charge by \$2.50 for each year that is exempted from emissions inspections under Subsection (6)(c) up to a \$7.50 increase. (10) (a) A county identified in Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration within the county in accordance with the procedures and requirements of Section 41-1a-1223. (b) A county that imposes a local emissions compliance fee shall use revenues generated from the fee for the establishment and enforcement of an emissions inspection and maintenance program in accordance with the requirements of this section. Section 10. Section 53-8-205 is amended to read: 53-8-205. Safety inspection required for certain vehicles }-- Out-of-state permits. $\{(1)$ (a) Except as provided in Subsection (1)(b), a person may not operate on a highway a motor vehicle required to be registered in this state unless the motor vehicle has passed a safety inspection if required in the current year. (b) Subsection (1)(a) does not apply to: (i) a vehicle that is exempt from registration under Section 41-1a-205; (ii) an off-highway vehicle, unless the off-highway vehicle is being registered as a street-legal all-terrain vehicle in accordance with Section 41-6a-1509; (iii) a vintage vehicle as defined in Section 41-21-1; (iv) a commercial vehicle with a gross vehicle weight rating over 26,000 pounds that: {}} $\{\{\}\}$ (A) is operating with an apportioned registration under Section 41-1a-301; and $\{\{\}\}\}$ (B) has a valid annual federal inspection that complies with the requirements of 49 C.F.R. Sec. 396.17; and { } } (v) a trailer, semitrailer, or trailering equipment attached to a commercial motor

- vehicle described in Subsection (1)(b)(iv) that has a valid annual federal inspection that complies with the requirements of 49 C.F.R. Sec. 396.17.
- (2) Except as provided in Subsection (3), the frequency of the safety inspection shall be determined based on the age of the vehicle determined by model year and shall:
- (a) be required [each year for a vehicle that is 10 or more years old on January 1; or] in the tenth year, and every even-numbered year of the vehicle's age thereafter;

- [(b) for each vehicle that is less than 10 years old on January 1, be required in the fourth year and the eighth year;]
- [(c)](b) be made by a safety inspector certified by the division at a safety inspection station authorized by the division; {}}
- [(d)](c) cover an inspection of the motor vehicle mechanism, brakes, and equipment to ensure proper adjustment and condition as required by department rules; and {}}
- [(e)] (d) include an inspection for the display of license plates in accordance with Section 41-1a-404. $\{ \} \}$
- {[}(3) (a) (i){](1) (a)} A salvage vehicle as defined in Section 41-1a-1001 {[] is required to{] must} pass a safety inspection when {[] an{] the owner makes the initial} application {[] is made for initial registration{] to register the vehicle} as a salvage vehicle.
- {{}}(ii) After initial registration as a salvage vehicle, the frequency of the safety inspection shall correspond with the model year, as provided in Subsection (2).{{}}
- (b) An off-highway vehicle being registered for the first time as a street-legal all-terrain vehicle as described in Section 41-6a-1509 is required to pass a safety inspection when the owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.
- [(b)] (c) [}
- (b) Beginning on the date that the Motor Vehicle Division has implemented the Motor Vehicle Division's GenTax system, {}} {The owner of} a commercial vehicle {} as defined in Section {{}}41-1a-102 {} with a gross vehicle weight rating of 10,001 pounds or more is required to pass {} 72-9-102, must:
- (i) ensure that the commercial vehicle passes} a safety inspection annually $\{\{\}\}$ or comply with Subsection $(1)(b)(iv)(B)\{\{\}\}$ or
- (ii) provide evidence of a valid annual federal inspection that complies with the requirements of 49 C.F.R. Sec. 396.17.
- (d) The owner of a vehicle operated by a ground transportation service provider as defined in Section 72-10-601 shall ensure that the vehicle passes a safety inspection annually.
- (e) An owner of one or more of the following types of vehicles shall ensure that the vehicle passes a safety inspection annually:
- (i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with multiple axles;

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(ii) a combination unit;
       (iii) a bus or van for hire; or
       (iv) a taxicab.
       <del>[(4) (a)] (2)}</del>.
       (4) (a) A safety inspection station shall issue two safety inspection certificates to the
owner of:
       \{\{\}\} each motor vehicle that passes a safety inspection under this section; and
       \{\{\}\} (ii)\{\} (b)\{\} a street-legal all-terrain vehicle that meets all the equipment requirements
in Section 41-6a-1509.
       (b) A safety inspection station shall use one safety inspection certificate issued
under this Subsection (4) for processing the vehicle registration.
       (c) A person operating a motor vehicle shall have in the person's immediate
possession a safety inspection certificate or other evidence of compliance with the requirement
to obtain a safety inspection under this section.
       (3) A person operating a motor vehicle required to have an annual safety inspection
shall have in the person's immediate possession a safety inspection certificate or other evidence
of compliance.
       \{(5)\}
       (5) The division may \{ \{ \} \}: (a) \{ \} \} authorize the acceptance \{ \{ \} \} in this state \{ \} \} of a safety
inspection certificate issued in another state having a safety inspection law similar to {{}}this
state; and { | Utah's law.}
       (b) extend the time within which a safety inspection certificate must be obtained by
the resident owner of a vehicle that was not in this state during the time a safety inspection was
required.
       \{\{\}\} A violation of this section is an infraction.
       Section 11. Section 53-8-206 is amended to read:
       53-8-206. Safety inspection -- Station requirements -- Permits not transferable --
Certificate of inspection -- Fees -- Unused certificates -- Suspension or revocation of
permits.
       (1) The safety inspection required under [Section 53-8-205] this part may only be
performed:
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Legislative Review Note

Office of Legislative Research and General Counsel}