

SAFETY INSPECTIONS ON SECONDHAND VEHICLES

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kathleen Riebe

House Sponsor: _____

LONG TITLE

Committee Note:

The Law Enforcement and Criminal Justice Interim Committee recommended this bill.

Legislative Vote: 10 voting for 0 voting against 6 absent

General Description:

This bill requires safety inspections for used motor vehicles sold by a dealer.

Highlighted Provisions:

This bill:

requires a used motor vehicle dealer to subject a motor vehicle to a safety inspection before issuing a temporary permit.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-3-303, as last amended by Laws of Utah 2017, Chapter 406

53-8-205, as last amended by Laws of Utah 2017, Chapters 149 and 406

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

Section 1. Section **41-3-303** is amended to read:



28 **41-3-303. Temporary permits -- Inspections required before issuance.**

29 (1) Except as provided in Subsections (2) and (3), a dealer licensed in accordance with
30 this chapter may not issue a temporary permit for a motor vehicle under Section 41-3-302
31 unless the motor vehicle passed an emissions inspection test if required by Section 41-6a-1642.

32 (2) A dealer may issue a temporary permit without proof of an emissions inspection if:

33 (a) the motor vehicle is exempt from an emissions inspection under Section
34 41-6a-1642;

35 (b) the purchaser is a resident of a county that does not require emissions inspections;

36 or

37 (c) the motor vehicle is otherwise exempt from emissions inspections.

38 (3) A dealer may sell a motor vehicle as is without an emissions inspection if the dealer
39 does not issue a temporary permit.

40 (4) A dealer licensed to sell used motor vehicles in accordance with this chapter may
41 not issue a temporary permit for a used motor vehicle under Section 41-3-302 unless the used
42 motor vehicle has passed a vehicle safety inspection in accordance with Section 53-8-205
43 within the previous 180 days.

44 Section 2. Section 53-8-205 is amended to read:

45 **53-8-205. Safety inspection required for certain vehicles -- Out-of-state permits.**

46 (1) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety
47 inspection when an application is made for initial registration as a salvage vehicle.

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

51 (c) In accordance with Section 41-3-303, a used motor vehicle is required to pass a
52 safety inspection when being sold by a dealer licensed to sell used motor vehicles.

53 [~~(c)~~] (d) The owner of a commercial vehicle, as defined in Section 72-9-102, shall:

54 (i) ensure that the commercial vehicle passes a safety inspection annually; or

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

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

59 ~~(e)~~ (f) An owner of one or more of the following types of vehicles shall ensure that
60 the vehicle passes a safety inspection annually:

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

63 (ii) a combination unit;

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

65 (iv) a taxicab.

66 (2) A safety inspection station shall issue two safety inspection certificates to the owner
67 of:

68 (a) each motor vehicle that passes a safety inspection under this section; and

69 (b) a street-legal all-terrain vehicle that meets all the equipment requirements in

70 Section [41-6a-1509](#).

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

74 (4) The division may authorize the acceptance of a safety inspection certificate issued
75 in another state having a safety inspection law similar to Utah's law.

76 (5) Subject to Subsection [53-8-209\(3\)](#), a violation of this section is an infraction.