

1 **VEHICLE REGISTRATION REVISIONS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jacob L. Anderegg**

5 House Sponsor: Marc K. Roberts

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to dismissal of penalties for failure to register a
10 vehicle.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ amends provisions to allow a court to dismiss an action against an individual for the
14 individual's failure to register a vehicle if the individual can show proof of proper
15 registration within certain time constraints.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **41-1a-1303**, as last amended by Laws of Utah 2015, Chapter 412

23 **53-8-209**, as last amended by Laws of Utah 2017, Chapter 149

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

26 Section 1. Section **41-1a-1303** is amended to read:

27 **41-1a-1303. Driving without registration or certificate of title.**



28 (1) Except as provided in Section 41-1a-211 or 41-1a-1303.5, a person may not drive
29 or move, or an owner may not knowingly permit to be driven or moved upon any highway any
30 vehicle of a type required to be registered in this state:

31 (a) that is not properly registered or for which a certificate of title has not been issued
32 or applied for; or

33 (b) for which the required fee has not been paid.

34 (2) [A] Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

35 Section 2. Section 53-8-209 is amended to read:

36 **53-8-209. Inspection by officers -- Certificate of inspection.**

37 (1) A peace officer may stop, inspect, and test a vehicle at any time upon reasonable
38 cause to believe that:

39 (a) a vehicle is unsafe or not equipped as required by law; or

40 (b) the vehicle's equipment is not in proper adjustment or repair.

41 (2) (a) (i) If a vehicle is found to be in unsafe condition or any required part or
42 equipment is not present or is not in proper repair and adjustment, the officer may give a
43 written notice to the driver and shall send a copy to the division.

44 (ii) The notice shall:

45 (A) require that the vehicle be placed in safe condition and the vehicle's equipment in
46 proper repair and adjustment;

47 (B) specify the repairs and adjustments needed; and

48 (C) require that a safety inspection certificate be obtained within five days.

49 (b) If a vehicle is, in the reasonable judgment of the peace officer, hazardous to
50 operate, the peace officer may require that the vehicle:

51 (i) not be operated under its own power; or

52 (ii) be driven to the nearest garage or other place of safety.

53 (c) (i) If the owner or driver does not comply with the notice requirements and secure a
54 safety inspection certificate within five days, the vehicle may not be operated on the highways
55 of this state.

56 (ii) A violation of Subsection (2)(c)(i) is an infraction.

57 (3) An owner or driver of a vehicle is not guilty of an infraction and is not required to
58 pay a fee or fine if the citation was issued for:

- 59 (a) expired registration in violation of Section [41-1a-201](#) or [41-1a-1303](#), and:
- 60 (i) the citation was issued within two months after the expiration of the vehicle's
- 61 registration; and
- 62 (ii) the owner or driver registers the vehicle within 14 days after the citation was
- 63 issued; or
- 64 (b) a violation of Section [41-1a-205](#), [41-6a-1601](#), or [53-8-205](#) or any other equipment
- 65 related infraction under Title 41, Chapter 6a, Part 16, Vehicle Equipment, and the owner or
- 66 driver obtains a safety inspection, emissions inspection, or proof of repair, as applicable, within
- 67 14 days after the citation was issued.