

HB0195S01 compared with HB0195

~~text~~ shows text that was in HB0195 but was deleted in HB0195S01.

text shows text that was not in HB0195 but was inserted into HB0195S01.

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.

Representative Adam Robertson proposes the following substitute bill:

VEHICLE, BOAT, AND TRAILER REGISTRATION

AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Adam Robertson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to vehicle registration renewal and decals.

Highlighted Provisions:

This bill:

- ▶ requires certain agencies to establish procedures for an individual to request automatic renewal of registration on a vehicle or boat;
- ▶ allows an individual to request automatic registration renewal;
- ▶ requires the Tax Commission to evaluate and implement electronic communication and document delivery options;
- ▶ repeals the requirement to display registration decals on certain vehicles;

HB0195S01 compared with HB0195

- ▶ repeals the requirement for the issuance and possession of registration cards for certain vehicles;
- ▶ repeals penalties for failure to display license plate decals and a registration card; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 41-1a-209, as last amended by Laws of Utah 2005, Chapter 47
- 41-1a-215, as last amended by Laws of Utah 2012, Chapter 397
- 41-1a-216, as last amended by Laws of Utah 2018, Chapter 20
- 41-1a-217, as last amended by Laws of Utah 2017, Chapter 406
- 41-1a-221, as last amended by Laws of Utah 2018, Chapter 20
- 41-1a-222, as last amended by Laws of Utah 2017, Chapter 24
- 41-1a-401, as last amended by Laws of Utah 2018, Chapters 260, 260, and 454
- 41-1a-402, as last amended by Laws of Utah 2018, Chapters 20 and 262
- 41-1a-407, as last amended by Laws of Utah 2018, Chapter 20
- 41-1a-422, as last amended by Laws of Utah 2020, Chapters 120, 322, 354, and 405
- 41-6a-208, as last amended by Laws of Utah 2019, Chapter 294
- 41-22-3, as last amended by Laws of Utah 2015, Chapter 412
- 41-22-8, as last amended by Laws of Utah 2018, Chapter 373
- 73-18-7, as last amended by Laws of Utah 2016, Chapter 303

REPEALS:

- 41-1a-212, as renumbered and amended by Laws of Utah 1992, Chapter 1
- 41-1a-213, as last amended by Laws of Utah 2017, Chapter 119
- 41-1a-214, as last amended by Laws of Utah 2018, Chapter 375
- 41-1a-219, as renumbered and amended by Laws of Utah 1992, Chapter 1
- 41-1a-220, as last amended by Laws of Utah 2015, Chapter 412

HB0195S01 compared with HB0195

41-1a-232, as enacted by Laws of Utah 2013, Chapter 391

41-1a-1212, as last amended by Laws of Utah 2014, Chapters 61, 237, and 237

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

Section 1. Section **41-1a-209** is amended to read:

41-1a-209. Application for registration -- Contents.

(1) An owner of a vehicle subject to registration under this part shall apply to the division for registration on forms furnished by the division.

(2) The application for registration shall include:

(a) the signature of an owner of the vehicle to be registered;

(b) the name, bona fide residence and mailing address of the owner, or business address of the owner if the owner is a firm, association, or corporation;

(c) a description of the vehicle including the make, model, type of body, the model year as specified by the manufacturer, ~~the number of cylinders,~~ and the identification number of the vehicle; ~~and]~~

(d) other information required by the division to enable it to determine whether the owner is lawfully entitled to register the vehicle; and

(e) an indication if the applicant is applying for automatic registration renewal as described in Section 41-1a-216.

Section 2. Section **41-1a-215** is amended to read:

41-1a-215. Staggered registration dates -- Exceptions.

(1) (a) Except as provided under Subsections (2) and (3), every vehicle registration~~;~~ ~~every registration card,~~ and every registration plate issued under this chapter for the first registration of the vehicle in this state, continues in effect for a period of 12 months beginning with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year.

(b) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the vehicle is extended to midnight of the next business day.

(2) The provisions of Subsection (1) do not apply to the following:

(a) registration issued to government vehicles under Section 41-1a-221;

HB0195S01 compared with HB0195

(b) registration issued to apportioned vehicles under Section 41-1a-301;
(c) multiyear registration issued under Section 41-1a-222;
(d) lifetime trailer registration issued under Section 41-1a-1206;
(e) partial year registration issued under Section 41-1a-1207;
(f) a six-month registration issued under Section 41-1a-215.5; or
(g) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and transporter under Title 41, Chapter 3, Part 5, Special Dealer License Plates.

(3) (a) Upon application of the owner or lessee of a fleet of commercial vehicles not apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax Commission may permit the vehicles to be registered for a registration period commencing on the first day of March, June, September, or December of any year and expiring on the last day of March, June, September, or December in the following year.

(b) Upon application of the owner or lessee of a fleet of commercial vehicles apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax Commission may permit the vehicles to be registered for a registration period commencing on the first day of January, April, July, or October of any year and expiring on the last day of March, June, September, or December in the following year.

~~[(4) When the expiration of a registration plate is extended by affixing a registration decal to it, the expiration of the decal governs the expiration date of the plate.]~~

Section 3. Section **41-1a-216** is amended to read:

41-1a-216. Renewal of registration.

(1) The division may receive applications for registration renewal [~~and issue new registration cards~~] at any time prior to the expiration of the registration, subject to the availability of renewal materials.

(2) (a) Except as provided in Subsections (2)(c) and (3), the new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.

(b) Except as provided in Subsection (2)(c), the year of registration expiration shall be changed to reflect the renewed registration period.

(c) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the new registration shall be for a six-month registration period that

HB0195S01 compared with HB0195

begins with the first day of the calendar month following the last day of the expiration month of the previous registration period as recorded on the original registration even if the registration has expired.

(3) Subsection (2) does not apply if the owner can verify to the satisfaction of the division that the vehicle registration was not renewed prior to its expiration due to the fact that the vehicle was in storage, inoperable, or otherwise out of service.

~~[(4) If the registration renewal application is an application generated by the division through its automated system, the owner need not surrender the last registration card or duplicate.]~~

~~[(5)] (4)~~ A vehicle with an "EX" or "UHP" license plate, owned by an entity described in Section 41-1a-407, is exempt from registration renewal requirements.

(5) (a) The division shall establish a process by which an individual may request automatic renewal of registration.

(b) An individual may request automatic renewal of registration as provided by the division.

(c) If the vehicle is subject to an emissions inspection as described in Section 41-6a-1642 for the year for which a vehicle automatic registration is requested, the automatic renewal is not effective until the vehicle has passed an emissions inspection as required in Section 41-6a-1642.

(d) The division shall examine opportunities and implement procedures to:

(i) automate processes;

(ii) provide and implement options of electronic communication; and

(iii) provide and implement options for electronic delivery of documents, including registration cards.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules establishing procedures for an individual to apply for and the division to administer automatic renewal of registration ~~{ and }~~, automatic payment of fees and relevant taxes, and other electronic communication and delivery options as required in this chapter ~~{ and relevant taxes }~~.

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

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

HB0195S01 compared with HB0195

(1) (a) An applicant may renew a vehicle registration by:

~~[(a)]~~ (i) filing an application for registration renewal; and

~~[(b)]~~ (ii) paying the fees or taxes required under Subsection 41-1a-203(1).

(b) If an applicant is applying for automatic registration renewal as described in Section 41-1a-216, the applicant shall provide payment information and other required information as described in Section 41-1a-216 and relevant administrative rules made in accordance with Subsection 41-1a-216(8).

(2) The applicant shall ensure that the application for registration renewal and the payment for applicable fees or taxes is accompanied by a certificate of emissions inspection if required under Section 41-6a-1642.

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

~~[(a) the identical information with respect to the owner and the vehicle description required by Section 41-1a-213; and]~~

~~[(b) the new expiration date.]~~

(3) The division shall renew registration and notify the applicant of the new expiration date.

Section 5. Section **41-1a-221** is amended to read:

41-1a-221. Registration of vehicles of political subdivisions or state -- Expiration of registration -- Certification of information -- Failure to comply.

(1) (a) An entity referred to in Subsection 41-1a-407(1) shall register each vehicle that it owns, operates, or leases.

(b) This section does not apply to unmarked vehicles referred to in Section 41-1a-407.

(2) ~~[A registration card and]~~ A license plate issued to an entity under this section or Subsection 41-1a-407(1) are in full force and effect until the vehicle is no longer owned or operated by that entity.

(3) (a) If the owner of a vehicle subject to the provisions of this section transfers or assigns title or interest in the vehicle, the registration of that vehicle expires.

(b) The transferor shall remove the license plates and within 20 days from the date of transfer:

(i) destroy the license plates; or

(ii) forward the license plates to the division to be destroyed.

HB0195S01 compared with HB0195

(4) A violation of this section is an infraction.

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

41-1a-222. Application for multiyear registration -- Payment of taxes -- Penalties.

(1) The owner of any intrastate fleet of commercial vehicles which is based in the state may apply to the commission for registration in accordance with this section.

(a) The application shall be made on a form prescribed by the commission.

(b) (i) Upon payment of required fees and meeting other requirements prescribed by the commission, the division shall issue, to each vehicle for which application has been made[;] a multiyear license plate [~~and registration card~~].

~~[(i) The license plate decal and the registration card shall bear an expiration date fixed by the division and are valid until ownership of the vehicle to which they are issued is transferred by the applicant or until the expiration date, whichever comes first.]~~

(ii) An annual renewal application must be made by the owner if registration identification has been issued on an annual installment fee basis and the required fees must be paid on an annual basis.

(iii) License plates [~~and registration cards~~] issued pursuant to this section are valid for an eight-year period, commencing with the year of initial application in this state.

(c) When application for registration or renewal is made on an installment payment basis, the applicant shall submit acceptable evidence of a surety bond in a form, and with a surety, approved by the commission and in an amount equal to the total annual fees required for all vehicles registered to the applicant in accordance with this section.

(2) Each vehicle registered as part of a fleet of commercial vehicles must be titled in the name of the fleet.

(3) Each owner who registers fleets pursuant to this section shall pay the taxes or in lieu fees otherwise due pursuant to:

- (a) Section 41-1a-206;
- (b) Section 41-1a-207;
- (c) Subsection 41-1a-301(12);
- (d) Section 59-2-405.1;
- (e) Section 59-2-405.2; or
- (f) Section 59-2-405.3.

HB0195S01 compared with HB0195

(4) An owner who fails to comply with the provisions of this section is subject to the penalties in Section 41-1a-1301 and, if the commission so determines, will result in the loss of the privileges granted in this section.

Section 7. Section **41-1a-401** is amended to read:

41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of registration in lieu of plates.

(1) (a) Except as provided in Subsection (1)(c), the division upon registering a vehicle shall issue to the owner:

(i) one license plate for a motorcycle, trailer, or semitrailer;

(ii) one decal for a park model recreational vehicle, in lieu of a license plate, which shall be attached in plain sight to the rear of the park model recreational vehicle;

(iii) one decal for a camper, in lieu of a license plate, which shall be attached in plain sight to the rear of the camper; and

(iv) two identical license plates for every other vehicle.

(b) The license plate [~~or decal~~] issued under Subsection (1)(a) is for the particular vehicle registered and may not be removed during the term for which the license plate [~~or decal~~] is issued or used upon any other vehicle than the registered vehicle.

(c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the ownership of which has been otherwise released, shall transfer the license plate issued to the person applying to register the vehicle if:

(A) the previous registered owner has included the license plate as part of the sale, trade, or ownership release; and

(B) the person applying to register the vehicle applies to transfer the license plate to the new registered owner of the vehicle.

(ii) The division may not transfer a personalized or special group license plate to a new registered owner under this Subsection (1)(c) if the new registered owner does not meet the qualification or eligibility requirements for that personalized or special group license plate under Sections 41-1a-410 through 41-1a-422.

(2) The division may receive applications for registration renewal, renew registration, and issue new license plates or decals at any time prior to the expiration of registration.

HB0195S01 compared with HB0195

(3) (a) (i) All license plates to be manufactured and issued by the division shall be treated with a fully reflective material on the plate face that provides effective and dependable reflective brightness during the service period of the license plate.

(ii) For a historical support special group license plate created under this part, the division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i) as soon as such material is available at a reasonable cost.

(b) The division shall prescribe all license plate material specifications and establish and implement procedures for conforming to the specifications.

(c) The specifications for the materials used such as the aluminum plate substrate, the reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may qualify as suppliers.

(d) The granting of contracts for the materials shall be by public bid.

(4) (a) The commission may issue, adopt, and require the use of indicia of registration it considers advisable in lieu of or in conjunction with license plates as provided in this part.

(b) All provisions of this part relative to license plates apply to these indicia of registration, so far as the provisions are applicable.

(5) A violation of this section is an infraction.

Section 8. Section **41-1a-402** is amended to read:

41-1a-402. Required colors, numerals, and letters -- Expiration.

(1) Each license plate shall have displayed on it:

(a) the registration number assigned to the vehicle for which it is issued; and

(b) the name of the state~~;~~and].

~~[(c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing the date of expiration displayed in accordance with Subsection (6).]~~

~~[(2) If registration is extended by affixing a registration decal to the license plate, the expiration date of the decal governs the expiration date of the license plate.]~~

~~[(3)]~~ (2) Except as provided in Subsection ~~[(4)]~~ (3), each original license plate that is not one of the special group license plates issued under Section 41-1a-418 shall be:

(a) a statehood centennial license plate with the same color, design, and slogan as the plates issued in conjunction with the statehood centennial;

(b) a Ski Utah license plate; or

HB0195S01 compared with HB0195

(c) an In God We Trust license plate.

~~[(4)] (3) [Beginning on the date that the division determines the existing inventories of statehood centennial license plates and Ski Utah license plates are exhausted, each] Each~~ license plate that is not one of the special group license plates issued under Section 41-1a-418 shall:

(a) (i) display the "Life Elevated" slogan; and

(ii) have a color and design approved by the 57th Legislature in the 2007 General Session that features:

(A) a skier with the "Greatest Snow on Earth" slogan; or

(B) Delicate Arch;

(b) be an In God We Trust license plate; or

(c) beginning on the date that the division determines the existing inventories of decals for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive license plate displaying the word "apportioned" or the abbreviation "APP."

~~[(5) (a)] (4) (a)~~ Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216, license plates shall be renewed annually.

~~[(b) (i) The division shall issue the vehicle owner a month decal and a year decal upon the vehicle's first registration with the division.]~~

~~[(ii) The division shall issue the vehicle owner only a year decal upon subsequent renewals of registration to validate registration renewal.]~~

~~[(6) The decals issued in accordance with Subsection (5) shall be applied as follows:]~~

~~[(a) for license plates issued beginning in 1974 through 1985, decals displayed on license plates with black lettering on a white background shall be applied to the lower left-hand corner of the rear of the license plate vehicles;]~~

~~[(b) decals displayed on statehood centennial license plates and on Ski Utah license plates issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of the rear license plate;]~~

~~[(c) decals displayed on special group license plates issued in accordance with Section 41-1a-418 shall be applied to the upper right-hand corner of the license plate unless there is a plate indentation on the upper left-hand corner of the license plate;]~~

~~[(d) decals displayed on license plates with the "Life Elevated" slogan issued in~~

HB0195S01 compared with HB0195

~~accordance with Subsection (4) shall be applied in the upper left-hand corner for the month decal and the upper right-hand corner for the year decal;~~

~~[(e) decals displayed on license plates with the "In God We Trust" slogan issued in accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the rear license plate unless there is a plate indentation on the upper left-hand corner of the license plate;]~~

~~[(f) decals issued for motorcycles shall be applied to the upper corner of the license plate opposite the word "Utah"; and]~~

~~[(g) decals displayed on license plates issued under Section 41-1a-416 shall be applied as appropriate for the year of the plate.]~~

~~[(7)(a) The month decal issued in accordance with Subsection (5) shall be displayed on the license plate in the left position.]~~

~~[(b) The year decal issued in accordance with Subsection (5) shall be displayed on the license plate in the right position.]~~

~~[(8) The current year decal issued in accordance with Subsection (5) shall be placed over or in place of the previous year decal.]~~

~~[(9)] (5) If a license plate, month decal, or year or decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 ~~[or 41-1a-1212].~~~~

~~[(10)] (6) (a) A violation of this section is an infraction.~~

~~(b) A court shall waive a fine for a violation under this section if:~~

~~(i) the registration for the vehicle was current at the time of the citation; and~~

~~(ii) the person to whom the citation was issued provides, within 21 business days, evidence that the license plate ~~[and decals are]~~ is properly displayed in compliance with this section.~~

Section 9. Section **41-1a-407** is amended to read:

41-1a-407. Plates issued to political subdivisions or state -- Use of "EX" letters -- Confidential information.

(1) Except as provided in Subsection (2), each municipality, board of education, school district, state institution of learning, county, other governmental division, subdivision, or district, and the state shall:

HB0195S01 compared with HB0195

(a) place a license plate displaying the letters, "EX" on every vehicle owned and operated by it or leased for its exclusive use; and

(b) display an identification mark designating the vehicle as the property of the entity in a conspicuous place on both sides of the vehicle.

(2) The entity need not display the "EX" license plate or the identification mark required by Subsection (1) if:

(a) the vehicle is in the direct service of the governor, lieutenant governor, attorney general, state auditor, or state treasurer of Utah;

(b) the vehicle is used in official investigative work where secrecy is essential;

(c) the vehicle is used in an organized Utah Highway Patrol operation that is:

(i) conducted within a county of the first or second class as defined under Section 17-50-501, unless no more than one unmarked vehicle is used for the operation;

(ii) approved by the Commissioner of Public Safety;

(iii) of a duration of 14 consecutive days or less; and

(iv) targeted toward careless driving, aggressive driving, and accidents involving:

(A) violations of Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving;

(B) speeding violations for exceeding the posted speed limit by 21 or more miles per hour;

(C) speeding violations in a reduced speed school zone under Section 41-6a-604;

(D) violations of Section 41-6a-1002 related to pedestrian crosswalks; or

(E) violations of Section 41-6a-702 related to lane restrictions;

(d) the vehicle is provided to an official of the entity as part of a compensation package allowing unlimited personal use of that vehicle;

(e) the personal security of the occupants of the vehicle would be jeopardized if the "EX" license plate were in place; or

(f) the vehicle is used in routine enforcement on a state highway with four or more lanes involving:

(i) violations of Section 41-6a-701 related to operating a vehicle on the right side of a roadway;

(ii) violations of Section 41-6a-702 related to left lane restrictions;

HB0195S01 compared with HB0195

(iii) violations of Section 41-6a-704 related to overtaking and passing vehicles proceeding in the same direction;

(iv) violations of Section 41-6a-711 related to following a vehicle at a safe distance;
and

(v) violations of Section 41-6a-804 related to turning and changing lanes.

(3) Plates issued to Utah Highway Patrol vehicles may bear the capital letters "UHP," a beehive logo, and the call number of the trooper to whom the vehicle is issued.

(4) (a) The commission shall issue "EX" and "UHP" plates.

(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission shall make rules establishing the procedure for application for and distribution of the plates.

~~[(5) For a vehicle that qualifies for "EX" or "UHP" license plates, the entity is not required to display the month or year registration decals described in Section 41-1a-402.]~~

~~[(6)]~~ (5) (a) Information shall be confidential for vehicles that are not required to display the "EX" license plate or the identification mark under Subsections (2)(a), (b), (d), and (e).

(b) (i) If a law enforcement officer's identity must be kept secret, the law enforcement officer's agency head may request in writing that the division remove the license plate information of the officer's personal vehicles from all public access files and place it in a confidential file until the assignment is completed.

(ii) The agency head shall notify the division when the assignment is completed.

~~[(7)]~~ (6) A peace officer engaged in an organized operation under Subsection (2)(c) shall be in a uniform clearly identifying the law enforcement agency the peace officer is representing during the operation.

Section 10. Section ~~41-1a-422~~ is amended to read:

41-1a-422. Support special group license plates -- Contributor -- Voluntary contribution collection procedures.

(1) As used in this section:

(a) (i) Except as provided in Subsection (1)(a)(ii), "contributor" means a person who has donated or in whose name at least \$25 has been donated to:

(A) a scholastic scholarship fund of a single named institution;

HB0195S01 compared with HB0195

- (B) the Department of Veterans and Military Affairs for veterans programs;
- (C) the Division of Wildlife Resources for the Wildlife Resources Account created in Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection, access, and management of wildlife habitat;
- (D) the Department of Agriculture and Food for the benefit of conservation districts;
- (E) the Division of Parks and Recreation for the benefit of snowmobile programs;
- (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with the donation evenly divided between the two;
- (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America council as specified by the contributor;
- (H) No More Homeless Pets in Utah for distribution to organizations or individuals that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth development programs;
- (J) the Utah Association of Public School Foundations to support public education;
- (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to assist people who have severe housing needs;
- (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118 to support the families of fallen Utah Highway Patrol troopers and other Department of Public Safety employees;
- (M) the Division of Parks and Recreation for distribution to organizations that provide support for Zion National Park;
- (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support firefighter organizations;
- (O) the Share the Road Bicycle Support Restricted Account created in Section 72-2-127 to support bicycle operation and safety awareness programs;
- (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support cancer research programs;
- (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support autism awareness programs;
- (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account

HB0195S01 compared with HB0195

created in Section 9-17-102 to support humanitarian service and educational and cultural programs;

(S) Upon renewal of a prostate cancer support special group license plate, to the Cancer Research Restricted Account created in Section 26-21a-302 to support cancer research programs;

(T) the Choose Life Adoption Support Restricted Account created in Section 62A-4a-608 to support programs that promote adoption;

(U) the National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 62A-1-202;

(V) the Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120;

(W) the Children with Cancer Support Restricted Account created in Section 26-21a-304 for programs that provide assistance to children with cancer;

(X) the National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102;

(Y) the Children with Heart Disease Support Restricted Account created in Section 26-58-102;

(Z) the Utah Intracurricular Student Organization Support for Agricultural Education and Leadership Restricted Account created in Section 4-42-102;

(AA) the Division of Wildlife Resources for the Support for State-Owned Shooting Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and operation and maintenance of existing, state-owned firearm shooting ranges;

(BB) the Utah State Historical Society to further the mission and purpose of the Utah State Historical Society;

(CC) the Motorcycle Safety Awareness Support Restricted Account created in Section 72-2-130; [or]

(DD) the Transportation of Veterans to Memorials Support Restricted Account created in Section 71-14-102;

(EE) clean air support causes, with half of the donation deposited into the Clean Air Support Restricted Account created in Section 19-1-109, and half of the donation deposited into the Clean Air Fund created in Section 59-10-1319; or

HB0195S01 compared with HB0195

(FF) the Latino Community Support Restricted Account created in Section 13-1-16.

(ii) (A) For a veterans special group license plate described in Subsection 41-1a-421(1)(a)(v) or 41-1a-422(4), "contributor" means a person who has donated or in whose name at least a \$25 donation at the time of application and \$10 annual donation thereafter has been made.

(B) For a Utah Housing Opportunity special group license plate, "contributor" means a person who:

(I) has donated or in whose name at least \$30 has been donated at the time of application and annually after the time of application; and

(II) is a member of a trade organization for real estate licensees that has more than 15,000 Utah members.

(C) For an Honoring Heroes special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(D) For a firefighter support special group license plate, "contributor" means a person who:

(I) has donated or in whose name at least \$15 has been donated at the time of application and annually after the time of application; and

(II) is a currently employed, volunteer, or retired firefighter.

(E) For a cancer research special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually after the time of application.

(F) For a Utah Law Enforcement Memorial Support special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(b) "Institution" means a state institution of higher education as defined under Section 53B-3-102 or a private institution of higher education in the state accredited by a regional or national accrediting agency recognized by the United States Department of Education.

(2) (a) An applicant for original or renewal collegiate special group license plates under Subsection (1)(a)(i) must be a contributor to the institution named in the application and present the original contribution verification form under Subsection (2)(b) or make a

HB0195S01 compared with HB0195

contribution to the division at the time of application under Subsection (3).

(b) An institution with a support special group license plate shall issue to a contributor a verification form designed by the commission containing:

- (i) the name of the contributor;
- (ii) the institution to which a donation was made;
- (iii) the date of the donation; and
- (iv) an attestation that the donation was for a scholastic scholarship.

(c) The state auditor may audit each institution to verify that the money collected by the institutions from contributors is used for scholastic scholarships.

(d) After an applicant has been issued collegiate license plates [~~or renewal decals~~], the commission shall charge the institution whose plate was issued, a fee determined in accordance with Section 63J-1-504 for management and administrative expenses incurred in issuing and renewing the collegiate license plates.

(e) If the contribution is made at the time of application, the contribution shall be collected, treated, and deposited as provided under Subsection (3).

(3) (a) An applicant for original or renewal support special group license plates under this section must be a contributor to the sponsoring organization associated with the license plate.

(b) This contribution shall be:

(i) unless collected by the named institution under Subsection (2), collected by the division;

(ii) considered a voluntary contribution for the funding of the activities specified under this section and not a motor vehicle registration fee;

(iii) deposited into the appropriate account less actual administrative costs associated with issuing the license plates; and

(iv) for a firefighter special group license plate, deposited into the appropriate account less:

(A) the costs of reordering firefighter special group license plate decals; and

(B) the costs of replacing recognition special group license plates with new license plates under Subsection 41-1a-1211(13).

(c) The donation described in Subsection (1)(a) must be made in the 12 months prior to

HB0195S01 compared with HB0195

registration or renewal of registration.

(d) The donation described in Subsection (1)(a) shall be a one-time donation made to the division when issuing original:

- (i) snowmobile license plates; or
- (ii) conservation license plates.

(4) Veterans license plates shall display one of the symbols representing the Army, Navy, Air Force, Marines, Coast Guard, or American Legion.

Section 11. Section **41-6a-208** is amended to read:

41-6a-208. Regulatory powers of local highway authorities -- Traffic-control device affecting state highway -- Necessity of erecting traffic-control devices.

(1) As used in this section:

(a) (i) "Ground transportation vehicle" means a motor vehicle used for the transportation of persons, used in ride or shared ride, on demand, or for hire transportation of passengers or baggage over public highways.

(ii) "Ground transportation vehicle" includes a:

- (A) shared ride vehicle;
- (B) bus;
- (C) courtesy vehicle;
- (D) hotel vehicle;
- (E) limousine;
- (F) minibus;
- (G) special transportation vehicle;
- (H) specialty vehicle;
- (I) taxicab;
- (J) van; or
- (K) trailer being towed by a ground transportation vehicle.

(b) "Idle" means the operation of a vehicle engine while the vehicle is stationary or not in the act of performing work or its normal function.

(2) The provisions of this chapter do not prevent a local highway authority for a highway under its jurisdiction and within the reasonable exercise of police power, from:

- (a) regulating or prohibiting stopping, standing, or parking;

HB0195S01 compared with HB0195

- (b) regulating traffic by means of a peace officer or a traffic-control device;
- (c) regulating or prohibiting processions or assemblages on a highway;
- (d) designating particular highways or roadways for use by traffic moving in one direction under Section 41-6a-709;
- (e) establishing speed limits for vehicles in public parks, which supersede Section 41-6a-603 regarding speed limits;
- (f) designating any highway as a through highway or designating any intersection or junction of roadways as a stop or yield intersection or junction;
- (g) restricting the use of a highway under Section 72-7-408;
- (h) requiring the registration and inspection of bicycles, including requiring a registration fee;
 - (i) regulating or prohibiting:
 - (i) certain turn movements of a vehicle; or
 - (ii) specified types of vehicles;
 - (j) altering or establishing speed limits under Section 41-6a-603;
 - (k) requiring written accident reports under Section 41-6a-403;
 - (l) designating no-passing zones under Section 41-6a-708;
 - (m) prohibiting or regulating the use of controlled-access highways by any class or kind of traffic under Section 41-6a-715;
- (n) prohibiting or regulating the use of heavily traveled streets by any class or kind of traffic found to be incompatible with the normal and safe movement of traffic;
- (o) establishing minimum speed limits under Subsection 41-6a-605(3);
- (p) prohibiting pedestrians from crossing a highway in a business district or any designated highway except in a crosswalk under Section 41-6a-1001;
- (q) restricting pedestrian crossings at unmarked crosswalks under Section 41-6a-1010;
- (r) regulating persons upon skates, coasters, sleds, skateboards, and other toy vehicles;
- (s) adopting and enforcing temporary or experimental ordinances as necessary to cover emergencies or special conditions;
- (t) prohibiting drivers of ambulances from exceeding maximum speed limits;
- (u) adopting other traffic ordinances as specifically authorized by this chapter; or
- (v) adopting an ordinance that requires a ground transportation vehicle to conform to

HB0195S01 compared with HB0195

state safety standards and reasonable annual appearance requirements, in consultation with a transportation advisory board of the local highway authority.

(3) A local highway authority may not:

(a) in accordance with Title 72, Chapter 3, Part 1, Highways in General, erect or maintain any official traffic-control device at any location which regulates the traffic on a highway not under the local highway authority's jurisdiction, unless written approval is obtained from the highway authority having jurisdiction over the highway;

(b) prohibit or restrict the use of a cellular phone by the operator or passenger of a motor vehicle;

(c) enact an ordinance that prohibits or restricts an owner or operator of a vehicle from causing or permitting the vehicle's engine to idle unless the ordinance:

(i) is primarily educational;

(ii) provides that a person must be issued at least one warning citation before imposing a fine;

(iii) has the same fine structure as a parking violation;

(iv) provides for the safety of law enforcement personnel who enforce the ordinance;

and

(v) provides that the ordinance may be enforced on:

(A) public property; or

(B) private property that is open to the general public unless the private property

owner:

(I) has a private business that has a drive-through service as a component of the private property owner's business operations and posts a sign provided by or acceptable to the local highway authority informing its customers and the public of the local highway authority's time limit for idling vehicle engines; or

(II) adopts an idle reduction education policy approved by the local highway authority;

(d) enact an ordinance that prohibits a vehicle from being licensed as a ground transportation vehicle:

(i) if the vehicle to be licensed otherwise passes all state safety inspection requirements established by the Utah Highway Patrol Division in accordance with Section 53-8-204; and

(ii) (A) based on the manufacture date of the vehicle; or

HB0195S01 compared with HB0195

(B) based on the number of miles the vehicle has accumulated;

(e) enact an ordinance, regulation, rule, fee, or criminal or civil fine pertaining to a registration violation under Section 41-1a-201 [~~or a registration decal issued under Section 41-1a-402~~] that conflicts with or is more stringent than the registration requirements under Title 41, Motor Vehicles;

(f) enact an ordinance that:

(i) is inconsistent with the provisions of this chapter; or

(ii) prohibits the use of a bicycle on any public street or highway, except as allowed by Section 41-6a-714, unless the local highway authority has:

(A) documented that the local highway authority has reviewed the safety history of the highway and considered other reasonable alternatives, including signage and routes; and

(B) clearly marked a safe alternative route for the prohibited section of highway; or

(g) enact an ordinance, regulation, or rule that requires the owner or driver of a ground transportation vehicle to maintain liability insurance coverage in an amount that is greater than the minimum amount of liability coverage a transportation network company or transportation network driver is required to maintain under Subsection 13-51-108(1)(b).

(4) An ordinance enacted under Subsection (2)(d), (e), (f), (g), (i), (j), (l), (m), (n), or (q) is not effective until official traffic-control devices giving notice of the local traffic ordinances are erected upon or at the entrances to the highway or part of it affected as is appropriate.

(5) An ordinance enacted by a local highway authority that violates Subsection (3) is not effective.

Section 12. Section **41-22-3** is amended to read:

41-22-3. Registration of vehicles -- Application -- Issuance of sticker -- Proof of property tax payment -- Records.

(1) (a) Unless exempted under Section 41-22-9, a person may not operate or transport and an owner may not give another person permission to operate or transport any off-highway vehicle on any public land, trail, street, or highway in this state unless the off-highway vehicle is registered under this chapter for the current year.

(b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway vehicle which can be used or transported on any public land, trail, street, or highway in this

HB0195S01 compared with HB0195

state, unless the off-highway vehicle is registered or is in the process of being registered under this chapter for the current year.

(2) (a) The owner of an off-highway vehicle subject to registration under this chapter shall apply to the Motor Vehicle Division for registration on forms approved by the Motor Vehicle Division.

(b) An owner of an off-highway vehicle may apply for automatic registration renewal as described in Section 41-1a-216.

(3) Each application for registration of an off-highway vehicle shall be accompanied by:

(a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of sale showing ownership, make, model, horsepower or displacement, and serial number; or

~~[(b) the past registration card; or]~~

~~[(c)]~~ (b) the fee for a duplicate registration sticker.

(4) (a) Upon each annual registration, the Motor Vehicle Division shall issue a registration sticker ~~[and a registration card]~~ for each off-highway vehicle registered.

(b) The registration sticker shall:

(i) contain a unique number using numbers, letters, or combination of numbers and letters to identify the off-highway vehicle for which it is issued;

(ii) be affixed to the off-highway vehicle for which it is issued in a plainly visible position as prescribed by rule of the board under Section 41-22-5.1; and

(iii) be maintained free of foreign materials and in a condition to be clearly legible.

~~[(c) At all times, a registration card shall be kept with the off-highway vehicle and shall be available for inspection by a law enforcement officer.]~~

(5) (a) Except as provided by Subsection (5)(c), an applicant for a ~~[registration card and]~~ registration sticker shall provide the Motor Vehicle Division a certificate, described under Subsection (5)(b), from the county assessor of the county in which the off-highway vehicle has situs for taxation.

(b) The certificate required under Subsection (5)(a) shall state one of the following:

(i) the property tax on the off-highway vehicle for the current year has been paid;

(ii) in the county assessor's opinion, the tax is a lien on real property sufficient to secure the payment of the tax; or

HB0195S01 compared with HB0195

(iii) the off-highway vehicle is exempt by law from payment of property tax for the current year.

(c) An off-highway vehicle for which an off-highway implement of husbandry sticker has been issued in accordance with Section 41-22-5.5 is exempt from the requirement under this Subsection (5).

(6) (a) All records of the division made or kept under this section shall be classified by the Motor Vehicle Division in the same manner as motor vehicle records are classified under Section 41-1a-116.

(b) Division records are available for inspection in the same manner as motor vehicle records under Section 41-1a-116.

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

Section 13. Section **41-22-8** is amended to read:

41-22-8. Registration fees.

(1) The board shall establish the fees which shall be paid in accordance with this chapter, subject to the following:

(a) (i) Except as provided in Subsection (1)(a)(ii) or (iii), the fee for each off-highway vehicle registration may not exceed \$35.

(ii) The fee for each snowmobile registration may not exceed \$26.

(iii) The fee for each street-legal all-terrain vehicle may not exceed \$72.

~~[(b) The fee for each duplicate registration card may not exceed \$3.]~~

~~[(c)]~~ (b) The fee for each duplicate registration sticker may not exceed \$5.

(2) A fee may not be charged for an off-highway vehicle that is owned and operated by the United States Government, this state, or its political subdivisions.

(3) (a) In addition to the fees under this section, Section 41-22-33, and Section 41-22-34, the Motor Vehicle Division shall require a person to pay one dollar to register an off-highway vehicle under Section 41-22-3.

(b) The Motor Vehicle Division shall deposit the fees the Motor Vehicle Division collects under Subsection (3)(a) into the Spinal Cord and Brain Injury Rehabilitation Fund described in Section 26-54-102.

Section 14. Section **73-18-7** is amended to read:

73-18-7. Registration requirements -- Exemptions -- Fee -- Agents -- Records --

HB0195S01 compared with HB0195

Period of registration and renewal -- Expiration -- Notice of transfer of interest or change of address -- Duplicate registration card -- Invalid registration -- Powers of board.

(1) (a) Except as provided by Section 73-18-9, the owner of each motorboat and sailboat on the waters of this state shall register it with the division as provided in this chapter.

(b) A person may not place, give permission for the placement of, operate, or give permission for the operation of a motorboat or sailboat on the waters of this state, unless the motorboat or sailboat is registered as provided in this chapter.

(2) (a) The owner of a motorboat or sailboat required to be registered shall file an application for registration with the division on forms approved by the division.

(b) The owner of the motorboat or sailboat shall sign the application and pay the fee set by the board in accordance with Section 63J-1-504.

(c) Before receiving ~~the~~ a registration card and ~~the~~ registration decals, the applicant shall provide the division with a certificate from the county assessor of the county in which the motorboat or sailboat has situs for taxation, stating that:

(i) the property tax on the motorboat or sailboat for the current year has been paid;

(ii) in the county assessor's opinion, the property tax is a lien on real property sufficient to secure the payment of the property tax; or

(iii) the motorboat or sailboat is exempt by law from payment of property tax for the current year.

(d) If the board modifies the fee under Subsection (2)(b), the modification shall take effect on the first day of the calendar quarter after 90 days from the day on which the board provides the State Tax Commission:

(i) notice from the board stating that the board will modify the fee; and

(ii) a copy of the fee modification.

(e) (i) The division may enter into an agreement with the Motor Vehicle Division created in Section 41-1a-106 to administer the registration requirements described in this chapter.

(ii) An individual may request automatic registration renewal as described in Section 41-1a-216.

(3) ~~(a)~~ Upon receipt of the application in the approved form, the division shall record the receipt and issue to the applicant registration decals ~~and~~ and a registration card ~~and~~

HB0195S01 compared with HB0195

that state the number assigned to the motorboat or sailboat and the name and address of the owner.

~~§§~~(b) The registration card shall be available for inspection on the motorboat or sailboat for which it was issued, whenever that motorboat or sailboat is in operation. ~~§§~~

(4) The assigned number shall:

(a) be painted or permanently attached to each side of the forward half of the motorboat or sailboat;

(b) consist of plain vertical block characters not less than three inches in height;

(c) contrast with the color of the background and be distinctly visible and legible;

(d) have spaces or hyphens equal to the width of a letter between the letter and numeral groupings; and

(e) read from left to right.

(5) A motorboat or sailboat with a valid marine document issued by the United States Coast Guard is exempt from the number display requirements of Subsection (4).

(6) The nonresident owner of any motorboat or sailboat already covered by a valid number that has been assigned to it according to federal law or a federally approved numbering system of the owner's resident state is exempt from registration while operating the motorboat or sailboat on the waters of this state unless the owner is operating in excess of the reciprocity period provided for in Subsection 73-18-9(1).

(7) (a) If the ownership of a motorboat or sailboat changes, the new owner shall file a new application form and fee with the division, and the division shall issue a new registration card and registration decals in the same manner as provided for in Subsections (2) and (3).

(b) The division shall reassign the current number assigned to the motorboat or sailboat to the new owner to display on the motorboat or sailboat.

(8) If the United States Coast Guard has in force an overall system of identification numbering for motorboats or sailboats within the United States, the numbering system employed under this chapter by the board shall conform with that system.

(9) (a) The division may authorize any person to act as its agent for the registration of motorboats and sailboats.

(b) A number assigned ~~§§~~, a registration card, ~~§§~~ and registration decals issued by an agent of the division in conformity with this chapter and rules of the board are valid.

HB0195S01 compared with HB0195

(10) (a) The Motor Vehicle Division shall classify all records of the division made or kept according to this section in the same manner that motor vehicle records are classified under Section 41-1a-116.

(b) Division records are available for inspection in the same manner as motor vehicle records pursuant to Section 41-1a-116.

(11) (a) (i) Each registration~~{}~~, registration card,~~{}~~ and decal issued under this chapter shall continue in effect for 12 months, beginning with the first day of the calendar month of registration.

(ii) A registration may be renewed by the owner in the same manner provided for in the initial application.

(iii) The division shall reassign the current number assigned to the motorboat or sailboat when the registration is renewed.

(b) Each registration~~{}~~, registration card,~~{}~~ and registration decal expires the last day of the month in the year following the calendar month of registration.

(c) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the motorboat or sailboat is extended to 12 midnight of the next business day.

(d) The division may receive applications for registration renewal ~~{}~~ and issue new registration cards ~~{}~~ and renew registration at any time before the expiration of the registration, subject to the availability of renewal materials.

(e) The new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.

(f) The year of registration shall be changed to reflect the renewed registration period.

~~{}~~(g) If the registration renewal application is an application generated by the division through its automated system, the owner is not required to surrender the last registration card or duplicate.~~{}~~

(12) (a) An owner shall notify the division of:

(i) the transfer of all or any part of the owner's interest, other than creation of a security interest, in a motorboat or sailboat registered in this state under Subsections (2) and (3); and

(ii) the destruction or abandonment of the owner's motorboat or sailboat.

(b) Notification must take place within 15 days of the transfer, destruction, or

HB0195S01 compared with HB0195

abandonment.

(c) (i) The transfer, destruction, or abandonment of a motorboat or sailboat terminates its registration.

(ii) Notwithstanding Subsection (12)(c)(i), a transfer of a part interest that does not affect the owner's right to operate a motorboat or sailboat does not terminate the registration.

(13) ~~(a)~~ A registered owner shall notify the division within 15 days if the owner's address changes from the address appearing on the registration ~~card~~ ~~record~~ and shall, as a part of this notification, furnish the division with the owner's new address.

~~(b)~~ The board may provide in its rules for: ~~(i)~~

~~(i)~~ the surrender of the registration card bearing the former address; and ~~(ii)~~

~~(ii)~~ (A) the replacement of the card with a new registration card bearing the new address; or ~~(B)~~

~~(B)~~ the alteration of an existing registration card to show the owner's new address. ~~(14)~~

~~(14)~~ (a) If a registration card is lost or stolen, the division may collect a fee of \$4 for the issuance of a duplicate card. ~~(b)~~

~~(b)~~ ~~(14)~~ If a registration decal is lost or stolen, the division may collect a fee of \$3 for the issuance of a duplicate decal.

(15) A number other than the number assigned to a motorboat or sailboat or a number for a motorboat or sailboat granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on either side of the bow of a motorboat or sailboat.

(16) A motorboat or sailboat registration and number are invalid if obtained by knowingly falsifying an application for registration.

(17) The board may designate the suffix to assigned numbers, and by following the procedures and requirements of Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for:

(a) the display of registration decals;

(b) the issuance and display of dealer numbers and registrations; and

(c) the issuance and display of temporary registrations.

(18) A violation of this section is an infraction.

Section 15. **Repealer.**

HB0195S01 compared with HB0195

This bill repeals:

Section **41-1a-212**, **Division to issue registration card.**

Section **41-1a-213**, **Contents of registration cards.**

Section **41-1a-214**, **Registration card to be exhibited.**

Section **41-1a-219**, **Change of name -- New registration.**

Section **41-1a-220**, **Lost or damaged registration card.**

Section **41-1a-232**, **Special rental company vehicle registration decals and license plates.**

Section **41-1a-1212**, **Fee for replacement of license plate decals.**

Section 16. **Effective date.**

This bill takes effect on January 1, 2022.