

**Representative Raymond P. Ward** proposes the following substitute bill:

**VEHICLE REGISTRATION FEE REVISIONS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kay J. Christofferson**

Senate Sponsor: Wayne A. Harper

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**LONG TITLE**

**General Description:**

This bill increases vehicle registration fees on electric, hybrid, plug-in hybrid, and other vehicles.

**Highlighted Provisions:**

This bill:

- ▶ increases annual and six-month vehicle registration fees on electric, hybrid, plug-in hybrid, and other alternative fuel vehicles;
- ▶ for purposes of the road usage charge program, amends the definition of "alternative fuel vehicle" to exclude a hybrid vehicle;
- ▶ provides for a phased-in mileage rate for the road usage charge program; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-1a-1206**, as last amended by Laws of Utah 2020, Chapter 377



26 [72-1-213.1](#), as last amended by Laws of Utah 2020, Chapter 377



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

29 Section 1. Section **41-1a-1206** is amended to read:

30 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

34 (a) \$46.00 for each motorcycle;

35 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding  
36 motorcycles;

37 (c) unless the semitrailer or trailer is exempt from registration under Section [41-1a-202](#)  
38 or is registered under Section [41-1a-301](#):

39 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

40 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
41 gross unladen weight;

42 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
43 gross laden weight; plus

44 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

45 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm  
46 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

47 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

48 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not  
49 exceeding 14,000 pounds gross laden weight; plus

50 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

51 (g) \$45 for each vintage vehicle that is less than 40 years old; and

52 (h) in addition to the fee described in Subsection (1)(b):

53 (i) for each electric motor vehicle:

54 (A) \$90 during calendar year 2020; [~~and~~]

55 (B) \$120 beginning January 1, 2021[~~, and thereafter~~]; and

56 (C) \$300 beginning January 1, 2022, and thereafter;

- 57 (ii) for each hybrid electric motor vehicle:
- 58 (A) \$15 during calendar year 2020; [~~and~~]
- 59 (B) \$20 beginning January 1, 2021[~~, and thereafter~~]; and
- 60 (C) \$50 beginning January 1, 2022, and thereafter;
- 61 (iii) for each plug-in hybrid electric motor vehicle:
- 62 (A) \$39 during calendar year 2020; [~~and~~]
- 63 (B) \$52 beginning January 1, 2021[~~, and thereafter~~]; and
- 64 (C) \$260 beginning January 1, 2022, and thereafter; and
- 65 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is
- 66 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 67 (A) \$90 during calendar year 2020; [~~and~~]
- 68 (B) \$120 beginning January 1, 2021[~~, and thereafter~~.]; and
- 69 (C) \$300 beginning on January 1, 2022, and thereafter.
- 70 (2) (a) At the time application is made for registration or renewal of registration of a
- 71 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
- 72 registration fee shall be paid to the division as follows:
- 73 (i) \$34.50 for each motorcycle; and
- 74 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
- 75 excluding motorcycles.
- 76 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
- 77 of registration of a vehicle under this chapter for a six-month registration period under Section
- 78 [41-1a-215.5](#) a registration fee shall be paid to the division as follows:
- 79 (i) for each electric motor vehicle:
- 80 (A) \$69.75 during calendar year 2020; [~~and~~]
- 81 (B) \$93 beginning January 1, 2021[~~, and thereafter~~]; and
- 82 (C) \$232.50 beginning January 1, 2022, and thereafter;
- 83 (ii) for each hybrid electric motor vehicle:
- 84 (A) \$11.25 during calendar year 2020; [~~and~~]
- 85 (B) \$15 beginning January 1, 2021[~~, and thereafter~~]; and
- 86 (C) \$38.75 beginning January 1, 2022, and thereafter;
- 87 (iii) for each plug-in hybrid electric motor vehicle:

88 (A) \$30 during calendar year 2020; [~~and~~]  
 89 (B) \$40 beginning January 1, 2021[~~, and thereafter~~]; and  
 90 (C) \$201.50 beginning January 1, 2022, and thereafter; and  
 91 (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is  
 92 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:

93 (A) \$69.75 during calendar year 2020; [~~and~~]  
 94 (B) \$93 beginning January 1, 2021[~~, and thereafter.~~]; and  
 95 (C) \$232.50 beginning January 1, 2022, and thereafter.

96 (3) (a) (i) Beginning on January 1, 2019, the commission shall, on January 1, annually  
 97 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),  
 98 (1)(e)(i), (1)(f)(i), (1)(g), (2)(a), (4)(a), and (7), by taking the registration fee rate for the  
 99 previous year and adding an amount equal to the greater of:

100 (A) an amount calculated by multiplying the registration fee of the previous year by the  
 101 actual percentage change during the previous fiscal year in the Consumer Price Index; and  
 102 (B) 0.

103 (ii) Beginning on January 1, [~~2022~~] 2023, the commission shall, on January 1, annually  
 104 adjust the registration fees described in Subsections [~~(1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),~~  
 105 ~~(1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B)] (1)(h)(i)(C),  
 106 (1)(h)(ii)(C), (1)(h)(iii)(C), (1)(h)(iv)(C), (2)(b)(i)(C), (2)(b)(ii)(C), (2)(b)(iii)(C), and  
 107 (2)(b)(iv)(C), by taking the registration fee rate for the previous year and adding an amount  
 108 equal to the greater of:~~

109 (A) an amount calculated by multiplying the registration fee of the previous year by the  
 110 actual percentage change during the previous fiscal year in the Consumer Price Index; and  
 111 (B) 0.

112 (b) The amounts calculated as described in Subsection (3)(a) shall be rounded up to the  
 113 nearest 25 cents.

114 (4) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is  
 115 \$40.

116 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of  
 117 registration fees under Subsection (1).

118 (c) A vehicle with a Purple Heart special group license plate issued in accordance with

119 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

120 (d) A camper is exempt from the registration fees under Subsection (1).

121 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
122 motor vehicle shall register for the total gross laden weight of all units of the combination if the  
123 total gross laden weight of the combination exceeds 12,000 pounds.

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

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

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

131 (8) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm  
132 truck unless:

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

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

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

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

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

143 Section 2. Section 72-1-213.1 is amended to read:

144 **72-1-213.1. Road usage charge program.**

145 (1) As used in this section:

146 (a) "Account manager" means an entity under contract with the department to  
147 administer and manage the road usage charge program.

148 (b) "Alternative fuel vehicle" means [the same as that term is defined in Section  
149 41-1a-102.];

- 150            (i) an electric motor vehicle;
- 151            (ii) a plug-in hybrid electric motor vehicle; or
- 152            (iii) a motor vehicle powered exclusively by a fuel other than:
  - 153            (A) motor fuel;
  - 154            (B) diesel fuel;
  - 155            (C) natural gas; or
  - 156            (D) propane.
- 157            (c) "Payment period" means the interval during which an owner is required to report
- 158 mileage and pay the appropriate road usage charge according to the terms of the program.
- 159            (d) "Program" means the road usage charge program established and described in this
- 160 section.
- 161            (2) There is established a road usage charge program as described in this section.
- 162            (3) (a) The department shall implement and oversee the administration of the program,
- 163 which shall begin on January 1, 2020.
- 164            (b) To implement and administer the program, the department may contract with an
- 165 account manager.
- 166            (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of
- 167 the alternative fuel vehicle in the program.
- 168            (b) If an application for enrollment into the program is approved by the department, the
- 169 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying
- 170 the fee described in Subsection [41-1a-1206](#)(1)(h) or (2)(b).
- 171            (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 172 and consistent with this section, the department:
  - 173            (i) shall make rules to establish:
    - 174            (A) processes and terms for enrollment into and withdrawal or removal from the
    - 175 program;
    - 176            (B) payment periods and other payment methods and procedures for the program;
    - 177            (C) standards for mileage reporting mechanisms for an owner or lessee of an
    - 178 alternative fuel vehicle to report mileage as part of participation in the program;
    - 179            (D) standards for program functions for mileage recording, payment processing,
    - 180 account management, and other similar aspects of the program;

181 (E) contractual terms between an owner or lessee of an alternative fuel vehicle owner  
182 and an account manager for participation in the program;

183 (F) contractual terms between the department and an account manager, including  
184 authority for an account manager to enforce the terms of the program;

185 (G) procedures to provide security and protection of personal information and data  
186 connected to the program, and penalties for account managers for violating privacy protection  
187 rules;

188 (H) penalty procedures for a program participant's failure to pay a road usage charge or  
189 tampering with a device necessary for the program; and

190 (I) department oversight of an account manager, including privacy protection of  
191 personal information and access and auditing capability of financial and other records related to  
192 administration of the program; and

193 (ii) may make rules to establish:

194 (A) an enrollment cap for certain alternative fuel vehicle types to participate in the  
195 program;

196 (B) a process for collection of an unpaid road usage charge or penalty; or

197 (C) integration of the program with other similar programs, such as tolling.

198 ~~[(b) The department shall make recommendations to and consult with the commission  
199 regarding road usage mileage rates for each type of alternative fuel vehicle.]~~

200 (b) A road usage charge is imposed on each vehicle that enrolls in the program at the  
201 following rates:

202 (i) beginning on the date a vehicle is enrolled in the program, and for one year  
203 thereafter, 1 cent per mile;

204 (ii) beginning on the first day of the second year that a vehicle is enrolled in the  
205 program, and for one year thereafter, 1.1 cents per mile;

206 (iii) beginning on the first day of the third year that a vehicle is enrolled in the program,  
207 and for one year thereafter, 1.2 cents per mile;

208 (iv) beginning on the first day of the fourth year that a vehicle is enrolled in the  
209 program, and for one year thereafter, 1.3 cents per mile;

210 (v) beginning on the first day of the fifth year that a vehicle is enrolled in the program,  
211 and for one year thereafter, 1.4 cents per mile; and

212 (vi) beginning on the first day of the sixth year that a vehicle is enrolled in the  
213 program, and thereafter, 1.5 cents per mile.

214 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and  
215 consistent with this section, the commission shall, after consultation with the department, make  
216 rules to establish the road usage charge mileage rate for each type of alternative fuel vehicle.

217 (7) (a) Revenue generated by the road usage charge program and relevant penalties  
218 shall be deposited into the Transportation Fund.

219 (b) The department may use revenue generated by the program to cover the costs of  
220 administering the program.

221 (8) (a) The department may:

222 (i) (A) impose a penalty for failure to timely pay a road usage charge according to the  
223 terms of the program or tampering with a device necessary for the program; and

224 (B) request that the Division of Motor Vehicles place a hold on the registration of the  
225 owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge according to  
226 the terms of the program;

227 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner  
228 or lessee of:

229 (A) the road usage charge program, implementation, and procedures;

230 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to  
231 the department;

232 (C) the penalty for failure to pay a road usage charge within the time period described  
233 in Subsection (8)(a)(iii); and

234 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel  
235 vehicle, if the road usage charge and penalty are not paid within the time period described in  
236 Subsection (8)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's  
237 registration; and

238 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage  
239 charge to the department within 30 days of the date when the department sends written notice  
240 of the road usage charge to the owner or lessee.

241 (b) The department shall send the correspondence and notice described in Subsection  
242 (8)(a) to the owner of the alternative fuel vehicle according to the terms of the program.



243 (9) (a) The Division of Motor Vehicles and the department shall share and provide  
244 access to information pertaining to an alternative fuel vehicle and participation in the program  
245 including:

246 (i) registration and ownership information pertaining to an alternative fuel vehicle;

247 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to  
248 pay a road usage charge or penalty imposed under this section within the time period described  
249 in Subsection (8)(a)(iii); and

250 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

251 (b) If the department requests a hold on the registration in accordance with this section,  
252 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title  
253 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

254 (10) The owner of an alternative fuel vehicle may apply for enrollment in the program  
255 or withdraw from the program according to the terms established by the department pursuant to  
256 rules made under Subsection (5).

257 (11) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

258 (a) report mileage driven as required by the department pursuant to Subsection (5);

259 (b) pay the road usage fee for each payment period as set by the department and the  
260 commission pursuant to Subsections (5) and (6); and

261 (c) comply with all other provisions of this section and other requirements of the  
262 program.

263 (12) (a) On or before June 1, 2021, and except for the vehicles excluded in Subsection  
264 (12)(b), the department shall submit to a legislative committee designated by the Legislative  
265 Management Committee a written plan to enroll all vehicles registered in the state in the  
266 program by December 31, 2031.

267 (b) The plan described in Subsection (12)(a) may exclude authorized carriers described  
268 in Subsection [59-12-102\(17\)\(a\)](#).

269 (c) Beginning in 2021, on or before October 1 of each year, the department shall  
270 submit annually an electronic report recommending strategies to expand enrollment in the  
271 program to meet the deadline provided in Subsection (12)(a).

272 (13) Beginning in 2021, the department shall submit annually, on or before October 1,  
273 to the legislative committee that receives the report described in Subsection (12)(a), an

274 electronic report that:

275 (a) states for the preceding fiscal year:

276 (i) the amount of revenue collected from the program;

277 (ii) the participation rate in the program; and

278 (iii) the department's costs to administer the program; and

279 (b) provides for the current fiscal year, an estimate of:

280 (i) the revenue that will be collected from the program;

281 (ii) the participation rate in the program; and

282 (iii) the department's costs to administer the program.