

Representative Raymond P. Ward proposes the following substitute bill:

VEHICLE REGISTRATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill modifies provisions related to motor vehicle registration.

Highlighted Provisions:

This bill:

- ▶ amends the motor vehicle registration fee for certain vehicles;
- ▶ defines terms;
- ▶ modifies eligibility for the Road Usage Charge Program (program);
- ▶ amends the Department of Transportation's rulemaking authority related to the program;
- ▶ sets the road usage charge rate and road usage charge cap for vehicles enrolled in the program;
- ▶ beginning January 1, 2032, allows the Transportation Commission to set the road usage charge rate for vehicles enrolled in the program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **41-1a-1206**, as last amended by Laws of Utah 2020, Chapter 377

29 **63I-2-272**, as last amended by Laws of Utah 2021, Chapter 358

30 **72-1-213.1**, as last amended by Laws of Utah 2021, Chapter 222

31

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

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

34 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

38 (a) \$46.00 for each motorcycle;

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

41 (c) unless the semitrailer or trailer is exempt from registration under Section **41-1a-202**
42 or is registered under Section **41-1a-301**:

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

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

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

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

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

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

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

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

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

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

57 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

58 (A) each electric motor vehicle[?]; and

59 (B) each motor vehicle not described in this Subsection (1)(h) that is fueled exclusively
60 by a source other than motor fuel, diesel fuel, natural gas, or propane;

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

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

63 (ii) \$21.75 for each hybrid electric motor vehicle[?]; and

64 [~~(A) \$15 during calendar year 2020; and~~]

65 [~~(B) \$20 beginning January 1, 2021, and thereafter;~~]

66 (iii) \$56.50 for each plug-in hybrid electric motor vehicle[?].

67 [~~(A) \$39 during calendar year 2020; and~~]

68 [~~(B) \$52 beginning January 1, 2021, and thereafter; and~~]

69 [~~(iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is~~
70 ~~fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane;~~]

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

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

73 (2) (a) At the time application is made for registration or renewal of registration of a
74 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a
75 registration fee shall be paid to the division as follows:

76 (i) \$34.50 for each motorcycle; and

77 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
78 excluding motorcycles.

79 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
80 of registration of a vehicle under this chapter for a six-month registration period under Section
81 41-1a-215.5 a registration fee shall be paid to the division as follows:

82 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

83 (A) each electric motor vehicle[?]; and

84 (B) each motor vehicle not described in this Subsection (2)(b) that is fueled exclusively
85 by a source other than motor fuel, diesel fuel, natural gas, or propane;

86 [~~(A) \$69.75 during calendar year 2020; and~~]

87 [~~(B) \$93 beginning January 1, 2021, and thereafter;~~]

88 (ii) \$16.50 for each hybrid electric motor vehicle[?]; and
89 [~~(A) \$11.25 during calendar year 2020; and~~]
90 [~~(B) \$15 beginning January 1, 2021, and thereafter;~~]
91 (iii) \$43.50 for each plug-in hybrid electric motor vehicle[?].
92 [~~(A) \$30 during calendar year 2020; and~~]
93 [~~(B) \$40 beginning January 1, 2021, and thereafter; and~~]
94 [~~(iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is~~
95 ~~fueled by a source other than motor fuel, diesel fuel, natural gas, or propane;~~]

96 [~~(A) \$69.75 during calendar year 2020; and~~]
97 [~~(B) \$93 beginning January 1, 2021, and thereafter;~~]

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

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

104 (B) 0.

105 (ii) Beginning on January 1, [~~2022~~] 2024, the commission shall, on January 1, annually
106 adjust the registration fees described in Subsections [~~(1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),~~
107 ~~(1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B)~~] (1)(h)(ii) and (iii) and
108 (2)(b)(ii) and (iii) by taking the registration fee rate for the previous year and adding an amount
109 equal to the greater of:

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

112 (B) 0.

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

115 (4) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is
116 \$40.

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

119 (c) A vehicle with a Purple Heart special group license plate issued in accordance with
120 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

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

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

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

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

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

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

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

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

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

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

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

144 Section 2. Section 63I-2-272 is amended to read:

145 **63I-2-272. Repeal dates -- Title 72.**

146 (1) Subsections 72-1-213(2) and (3)(a)(i), related to the Road Usage Charge Advisory
147 Committee, are repealed January 1, 2022.

148 (2) Subsections 72-1-213.1(13)(a) and (b), related to the road usage charge rate and
149 road usage charge cap, are repealed January 1, 2033.

150 [(2)] (3) Section 72-1-216.1 is repealed January 1, 2023.

151 Section 3. Section 72-1-213.1 is amended to read:

152 **72-1-213.1. Road usage charge program.**

153 (1) As used in this section:

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

156 (b) "Alternative fuel vehicle" means ~~[the same as that term is defined in Section~~
157 ~~41-1a-102.]~~;

158 (i) an electric motor vehicle as defined in Section 41-1a-102; or

159 (ii) a motor vehicle powered exclusively by a fuel other than:

160 (A) motor fuel;

161 (B) diesel fuel;

162 (C) natural gas; or

163 (D) propane.

164 (c) "Payment period" means the interval during which an owner is required to report
165 mileage and pay the appropriate road usage charge according to the terms of the program.

166 (d) "Program" means the road usage charge program established and described in this
167 section.

168 (e) "Road usage charge cap" means the maximum fee charged to a participant in the
169 program for a registration period.

170 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in
171 the program.

172 (2) There is established a road usage charge program as described in this section.

173 (3) (a) The department shall implement and oversee the administration of the program,
174 which shall begin on January 1, 2020.

175 (b) To implement and administer the program, the department may contract with an
176 account manager.

177 (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of
178 the alternative fuel vehicle in the program.

179 (b) If an application for enrollment into the program is approved by the department, the
180 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying

181 the fee described in Subsection [41-1a-1206](#)(1)(h) or (2)(b).

182 (5) ~~[(a)]~~ In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
183 Act, and consistent with this section, the department:

184 ~~[(i)]~~ (a) shall make rules to establish:

185 ~~[(A)]~~ (i) processes and terms for enrollment into and withdrawal or removal from the
186 program;

187 ~~[(B)]~~ (ii) payment periods and other payment methods and procedures for the program;

188 ~~[(C)]~~ (iii) standards for mileage reporting mechanisms for an owner or lessee of an
189 alternative fuel vehicle to report mileage as part of participation in the program;

190 ~~[(D)]~~ (iv) standards for program functions for mileage recording, payment processing,
191 account management, and other similar aspects of the program;

192 ~~[(E)]~~ (v) contractual terms between an owner or lessee of an alternative fuel vehicle
193 owner and an account manager for participation in the program;

194 ~~[(F)]~~ (vi) contractual terms between the department and an account manager, including
195 authority for an account manager to enforce the terms of the program;

196 ~~[(G)]~~ (vii) procedures to provide security and protection of personal information and
197 data connected to the program, and penalties for account managers for violating privacy
198 protection rules;

199 ~~[(H)]~~ (viii) penalty procedures for a program participant's failure to pay a road usage
200 charge or tampering with a device necessary for the program; and

201 ~~[(I)]~~ (ix) department oversight of an account manager, including privacy protection of
202 personal information and access and auditing capability of financial and other records related to
203 administration of the program; and

204 ~~[(ii)]~~ (b) may make rules to establish:

205 ~~[(A)]~~ (i) an enrollment cap for certain alternative fuel vehicle types to participate in the
206 program;

207 ~~[(B)]~~ (ii) a process for collection of an unpaid road usage charge or penalty; or

208 ~~[(C)]~~ (iii) integration of the program with other similar programs, such as tolling.

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

211 ~~[(6)]~~ In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

212 and consistent with this section, the commission shall, after consultation with the department,
213 make rules to establish the road usage charge mileage rate for each type of alternative fuel
214 vehicle.]

215 [(7)] (6) Revenue generated by the road usage charge program and relevant penalties
216 shall be deposited into the Road Usage Charge Program Special Revenue Fund.

217 [(8)] (7) (a) The department may:

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

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

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

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

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

228 (C) the penalty for failure to pay a road usage charge within the time period described
229 in Subsection [(8)] (7)(a)(iii); and

230 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel
231 vehicle, if the road usage charge and penalty are not paid within the time period described in
232 Subsection [(8)] (7)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's
233 registration; and

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

237 (b) The department shall send the correspondence and notice described in Subsection
238 [(8)] (7)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

239 [(9)] (8) (a) The Division of Motor Vehicles and the department shall share and
240 provide access to information pertaining to an alternative fuel vehicle and participation in the
241 program including:

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

243 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to
244 pay a road usage charge or penalty imposed under this section within the time period described
245 in Subsection ~~[(8)]~~ (7)(a)(iii); and

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

247 (b) If the department requests a hold on the registration in accordance with this section,
248 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title
249 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

250 ~~[(10)]~~ (9) The owner of an alternative fuel vehicle may apply for enrollment in the
251 program or withdraw from the program according to the terms established by the department
252 pursuant to rules made under Subsection (5).

253 ~~[(11)]~~ (10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle
254 shall:

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

256 (b) pay the road usage fee for each payment period ~~[as set by the department and the~~
257 ~~commission pursuant to Subsections (5) and (6)]~~ in accordance with Subsection (5); and

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

260 ~~[(12)]~~ (11) (a) On or before June 1, 2021, and except for the vehicles excluded in
261 Subsection ~~[(12)]~~ (11)(b), the department shall submit to a legislative committee designated by
262 the Legislative Management Committee a written plan to enroll all vehicles registered in the
263 state in the program by December 31, 2031.

264 (b) The plan described in Subsection ~~[(12)]~~ (11)(a) may exclude authorized carriers
265 described in Subsection 59-12-102(17)(a).

266 (c) ~~[Beginning in 2021, on]~~ On or before October 1 of each year, the department shall
267 submit annually an electronic report recommending strategies to expand enrollment in the
268 program to meet the deadline provided in Subsection ~~[(12)]~~ (11)(a).

269 ~~[(13)]~~ (12) ~~[Beginning in 2021, the]~~ The department shall submit annually, on or
270 before October 1, to the legislative committee that receives the report described in Subsection
271 ~~[(12)]~~ (11)(a), an electronic report that:

272 (a) states for the preceding fiscal year:

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

274 (ii) the participation rate in the program; and
275 (iii) the department's costs to administer the program; and
276 (b) provides for the current fiscal year, an estimate of:
277 (i) the revenue that will be collected from the program;
278 (ii) the participation rate in the program; and
279 (iii) the department's costs to administer the program.
280 (13) (a) Beginning on January 1, 2023:
281 (i) the road usage charge rate is 1.0 cent per mile; and
282 (ii) the road usage charge cap is:
283 (A) \$130.25 for an annual registration period; and
284 (B) \$100.75 for a six-month registration period.
285 (b) Beginning on January 1, 2026:
286 (i) the road usage charge rate is 1.25 cents per mile; and
287 (ii) the road usage charge cap is:
288 (A) \$180 for an annual registration period; and
289 (B) \$139 for a six-month registration period.
290 (c) Beginning on January 1, 2032:
291 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes a
292 different road usage charge rate in accordance with Subsection (14); and
293 (ii) the road usage charge cap is:
294 (A) \$240 for an annual registration period; and
295 (B) \$185 for a six-month registration period.
296 (d) Beginning in 2024, the department shall, on January 1, annually adjust the road
297 usage charge rates described in this Subsection (13) by taking the road usage charge rate for the
298 previous year and adding an amount equal to the greater of:
299 (i) an amount calculated by multiplying the road usage charge rate of the previous year
300 by the actual percentage change during the previous fiscal year in the Consumer Price Index as
301 determined by the State Tax Commission; and
302 (ii) 0.
303 (e) Beginning in 2024, the State Tax Commission shall, on January 1, annually adjust
304 the road usage charge caps described in this Subsection (13) by taking the road usage charge

305 cap for the previous year and adding an amount equal to the greater of:

306 (i) an amount calculated by multiplying the road usage charge cap of the previous year
307 by the actual percentage change during the previous fiscal year in the Consumer Price Index;

308 and

309 (ii) 0.

310 (f) The amounts calculated as described in Subsection (13)(d) shall be rounded up to
311 the nearest .01 cent.

312 (g) The amounts calculated as described in Subsection (13)(e) shall be rounded up to
313 the nearest 25 cents.

314 (h) On or before January 1 of each year, the department shall publish:

315 (i) the adjusted road usage charge rate described in Subsection (13)(d); and

316 (ii) adjusted road usage charge cap described in Subsection (13)(e).

317 (14) (a) Beginning January 1, 2032, the commission may establish by rule made in
318 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road usage
319 charge rate for each type of alternative fuel vehicle.

320 (b) (i) Before making rules in accordance with Subsection (14)(a), the commission
321 shall consult with the department regarding the road usage charge rate for each type of
322 alternative fuel vehicle.

323 (ii) The department shall cooperate with and make recommendations to the
324 commission regarding the road usage charge rate for each type of alternative fuel vehicle.

325 **Section 4. Effective date.**

326 This bill takes effect on January 1, 2023.