

TRANSPORTATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Kay J. Christofferson

LONG TITLE

Committee Note:

The Transportation Interim Committee recommended this bill.

Legislative Vote: 15 voting for 0 voting against 2 absent

General Description:

This bill amends various provisions related to motor vehicles, transportation, and a towing rotation pilot program.

Highlighted Provisions:

This bill:

- ▶ makes technical changes to correct inaccurate or outdated cross references;
- ▶ amends the definition of a vintage vehicle to a vehicle at least 40 years old;
- ▶ amends provisions related to an exemption from an emission inspection for a vintage vehicle to only include those with a model year of 1967 or older;
- ▶ amends provisions related to the Office of the Attorney General in prosecution of certain cases related to motor vehicle enforcement;
- ▶ allows the Department of Public Safety to establish a pilot program to establish a public-private partnership to manage certain tow rotation dispatch services;
- ▶ clarifies a definition related to local option sales and use taxes for public transit; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2023:



- 28 ▶ to the Office of the Attorney General -- Internal Service Fund -- Attorney General:
- 29 • from the Dedicated Credits Revenue Temporary Permit Account, \$192,000.

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

- 34 **41-1a-1206**, as last amended by Laws of Utah 2020, Chapter 377
- 35 **41-3-105**, as last amended by Laws of Utah 2020, Chapters 354 and 396
- 36 **41-6a-1642**, as last amended by Laws of Utah 2021, Chapter 322
- 37 **41-21-1**, as last amended by Laws of Utah 2016, Chapter 40
- 38 **53-3-105**, as last amended by Laws of Utah 2021, Chapter 284
- 39 **53-3-219**, as last amended by Laws of Utah 2021, Chapter 262
- 40 **59-12-2220**, as last amended by Laws of Utah 2019, Chapter 479
- 41 **72-5-309**, as last amended by Laws of Utah 2021, Chapter 162

42 ENACTS:

- 43 **53-1-106.2**, Utah Code Annotated 1953

44

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

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

47 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

- 51 (a) \$46.00 for each motorcycle;
- 52 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding
53 motorcycles;
- 54 (c) unless the semitrailer or trailer is exempt from registration under Section **41-1a-202**
55 or is registered under Section **41-1a-301**:
 - 56 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or
 - 57 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less
58 gross unladen weight;

- 59 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds
60 gross laden weight; plus
- 61 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 62 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm
63 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus
- 64 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 65 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not
66 exceeding 14,000 pounds gross laden weight; plus
- 67 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 68 (g) \$45 for each vintage vehicle [~~that is less than 40 years old~~]; and
- 69 (h) in addition to the fee described in Subsection (1)(b):
- 70 (i) for each electric motor vehicle:
- 71 (A) \$90 during calendar year 2020; and
- 72 (B) \$120 beginning January 1, 2021, and thereafter;
- 73 (ii) for each hybrid electric motor vehicle:
- 74 (A) \$15 during calendar year 2020; and
- 75 (B) \$20 beginning January 1, 2021, and thereafter;
- 76 (iii) for each plug-in hybrid electric motor vehicle:
- 77 (A) \$39 during calendar year 2020; and
- 78 (B) \$52 beginning January 1, 2021, and thereafter; and
- 79 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is
80 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 81 (A) \$90 during calendar year 2020; and
- 82 (B) \$120 beginning January 1, 2021, and thereafter.
- 83 (2) (a) At the time application is made for registration or renewal of registration of a
84 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
85 registration fee shall be paid to the division as follows:
- 86 (i) \$34.50 for each motorcycle; and
- 87 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
88 excluding motorcycles.
- 89 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal

90 of registration of a vehicle under this chapter for a six-month registration period under Section
91 41-1a-215.5 a registration fee shall be paid to the division as follows:

92 (i) for each electric motor vehicle:

93 (A) \$69.75 during calendar year 2020; and

94 (B) \$93 beginning January 1, 2021, and thereafter;

95 (ii) for each hybrid electric motor vehicle:

96 (A) \$11.25 during calendar year 2020; and

97 (B) \$15 beginning January 1, 2021, and thereafter;

98 (iii) for each plug-in hybrid electric motor vehicle:

99 (A) \$30 during calendar year 2020; and

100 (B) \$40 beginning January 1, 2021, and thereafter; and

101 (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is

102 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:

103 (A) \$69.75 during calendar year 2020; and

104 (B) \$93 beginning January 1, 2021, and thereafter.

105 (3) (a) (i) Beginning on January 1, 2019, the commission shall, on January 1, annually
106 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),
107 (1)(e)(i), (1)(f)(i), (1)(g), (2)(a), (4)(a), and (7), by taking the registration fee rate for the
108 previous year and adding an amount 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 (ii) Beginning on January 1, 2022, the commission shall, on January 1, annually adjust
113 the registration fees described in Subsections (1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),
114 (1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B) by taking the
115 registration fee rate for the previous year and adding an amount equal to the greater of:

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

118 (B) 0.

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

121 (4) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is
122 \$40.

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

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

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

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

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

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

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

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

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

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

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

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

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

150 Section 2. Section 41-3-105 is amended to read:

151 **41-3-105. Administrator's powers and duties -- Administrator and investigators**

152 **to be law enforcement officers.**

153 (1) The administrator may make rules to carry out the purposes of this chapter and
154 Sections 41-1a-1001 through 41-1a-1006 according to the procedures and requirements of Title
155 63G, Chapter 3, Utah Administrative Rulemaking Act.

156 (2) (a) The administrator may employ clerks, deputies, and assistants necessary to
157 discharge the duties under this chapter and may designate the duties of those clerks, deputies,
158 and assistants.

159 (b) The administrator, assistant administrator, and all investigators shall be law
160 enforcement officers certified by peace officer standards and training as required by Section
161 53-13-103.

162 (3) (a) The administrator may investigate any suspected or alleged violation of:

- 163 (i) this chapter;
- 164 (ii) Title 41, Chapter 1a, Motor Vehicle Act;
- 165 (iii) any law concerning motor vehicle fraud; or
- 166 (iv) any rule made by the administrator.

167 (b) The administrator may bring an action in the name of the state against any person to
168 enjoin a violation found under Subsection (3)(a).

169 (4) (a) The administrator may prescribe forms to be used for applications for licenses.

170 (b) The administrator may require information from the applicant concerning the
171 applicant's fitness to be licensed.

172 (c) Each application for a license shall contain:

173 (i) if the applicant is an individual, the name and residence address of the applicant and
174 the trade name, if any, under which the applicant intends to conduct business;

175 (ii) if the applicant is a partnership, the name and residence address of each partner,
176 whether limited or general, and the name under which the partnership business will be
177 conducted;

178 (iii) if the applicant is a corporation, the name of the corporation, and the name and
179 residence address of each of its principal officers and directors;

180 (iv) a complete description of the principal place of business, including:

181 (A) the municipality, with the street and number, if any;

182 (B) if located outside of any municipality, a general description so that the location can

183 be determined; and

184 (C) any other places of business operated and maintained by the applicant in
185 conjunction with the principal place of business;

186 (v) if the application is for a new motor vehicle dealer's license, the name of each
187 motor vehicle the applicant has been enfranchised to sell or exchange, the name and address of
188 the manufacturer or distributor who has enfranchised the applicant, and the name and address
189 of each individual who will act as a salesperson under authority of the license;

190 (vi) at least five years of business history;

191 (vii) the federal tax identification number issued to the dealer;

192 (viii) the sales and use tax license number issued to the dealer under Title 59, Chapter
193 12, Sales and Use Tax Act; and

194 (ix) if the application is for a direct-sale manufacturer's license:

195 (A) the name of each line-make the applicant will sell, display for sale, or offer for sale
196 or exchange;

197 (B) the name and address of each individual who will act as a direct-sale manufacturer
198 salesperson under authority of the license;

199 (C) a complete description of the direct-sale manufacturer's authorized service center,
200 including the address and any other place of business the applicant operates and maintains in
201 conjunction with the authorized service center;

202 (D) a sworn statement that the applicant complies with each qualification for a
203 direct-sale manufacturer under this chapter;

204 (E) a sworn statement that if at any time the applicant fails to comply with a
205 qualification for a direct-sale manufacturer under this chapter, the applicant will inform the
206 division in writing within 10 business days after the day on which the noncompliance occurs;
207 and

208 (F) an acknowledgment that if the applicant fails to comply with a qualification for a
209 direct-sale manufacturer under this chapter, the administrator will deny, suspend, or revoke the
210 applicant's direct-sale manufacturer license in accordance with Section [41-3-209](#).

211 (5) The administrator may adopt a seal with the words "Motor Vehicle Enforcement
212 Administrator, State of Utah," to authenticate the acts of the administrator's office.

213 (6) (a) The administrator may require that a licensee erect or post signs or devices on

214 the licensee's principal place of business and any other sites, equipment, or locations operated
215 and maintained by the licensee in conjunction with the licensee's business.

216 (b) The signs or devices shall state the licensee's name, principal place of business,
217 type and number of licenses, and any other information that the administrator considers
218 necessary to identify the licensee.

219 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah
220 Administrative Rulemaking Act, determining allowable size and shape of signs or devices,
221 lettering and other details of signs or devices, and location of signs or devices.

222 (7) (a) The administrator shall provide for quarterly meetings of the advisory board and
223 may call special meetings.

224 (b) Notices of all meetings shall be sent to each member not fewer than five days
225 before the meeting.

226 (8) The administrator, the officers and inspectors of the division designated by the
227 commission, and peace officers shall:

228 (a) make arrests upon view and without warrant for any violation committed in their
229 presence of any of the provisions of this chapter, or Title 41, Chapter 1a, Motor Vehicle Act;

230 (b) when on duty, upon reasonable belief that a motor vehicle, trailer, or semitrailer is
231 being operated in violation of any provision of Title 41, Chapter 1a, Motor Vehicle Act, require
232 the driver of the vehicle to stop, exhibit the person's driver license and the registration card
233 issued for the vehicle, and submit to an inspection of the vehicle, the license plates, and
234 registration card;

235 (c) serve all warrants relating to the enforcement of the laws regulating the operation of
236 motor vehicles, trailers, and semitrailers;

237 (d) investigate traffic accidents and secure testimony of any witnesses or persons
238 involved; and

239 (e) investigate reported thefts of motor vehicles, trailers, and semitrailers.

240 (9) The administrator shall provide security for an area within the commission
241 designated as a secure area under Section [76-8-311.1](#).

242 (10) [~~The administrator may contract with a public prosecutor to provide additional~~]
243 The Office of the Attorney General shall represent the administrator to provide prosecution of
244 this chapter.

245 Section 3. Section **41-6a-1642** is amended to read:

246 **41-6a-1642. Emissions inspection -- County program.**

247 (1) The legislative body of each county required under federal law to utilize a motor
248 vehicle emissions inspection and maintenance program or in which an emissions inspection
249 and maintenance program is necessary to attain or maintain any national ambient air quality
250 standard shall require:

251 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
252 is exempt from emissions inspection and maintenance program requirements be presented:

253 (i) as a condition of registration or renewal of registration; and

254 (ii) at other times as the county legislative body may require to enforce inspection
255 requirements for individual motor vehicles, except that the county legislative body may not
256 routinely require a certificate of emissions inspection, or waiver of the certificate, more often
257 than required under Subsection (9); and

258 (b) compliance with this section for a motor vehicle registered or principally operated
259 in the county and owned by or being used by a department, division, instrumentality, agency, or
260 employee of:

261 (i) the federal government;

262 (ii) the state and any of its agencies; or

263 (iii) a political subdivision of the state, including school districts.

264 (2) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions
265 inspection and maintenance program certificate of emissions inspection as described in
266 Subsection (1), but the program may not deny vehicle registration based solely on the presence
267 of a defeat device covered in the Volkswagen partial consent decrees or a United States
268 Environmental Protection Agency-approved vehicle modification in the following vehicles:

269 (a) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
270 emissions are mitigated in the state pursuant to a partial consent decree, including:

271 (i) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

272 (ii) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
273 2014;

274 (iii) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

275 (iv) Volkswagen Golf Sportwagen, model year 2015;

- 276 (v) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
- 277 (vi) Volkswagen Beetle, model years 2013, 2014, and 2015;
- 278 (vii) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
- 279 (viii) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
- 280 (b) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
- 281 emissions are mitigated in the state to a settlement, including:
- 282 (i) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
- 283 2016;
- 284 (ii) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
- 285 (iii) Audi A6 Quattro, model years 2014, 2015, and 2016;
- 286 (iv) Audi A7 Quattro, model years 2014, 2015, and 2016;
- 287 (v) Audi A8, model years 2014, 2015, and 2016;
- 288 (vi) Audi A8L, model years 2014, 2015, and 2016;
- 289 (vii) Audi Q5, model years 2014, 2015, and 2016; and
- 290 (viii) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 291 (3) (a) The legislative body of a county identified in Subsection (1), in consultation
- 292 with the Air Quality Board created under Section [19-1-106](#), shall make regulations or
- 293 ordinances regarding:
- 294 (i) emissions standards;
- 295 (ii) test procedures;
- 296 (iii) inspections stations;
- 297 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 298 (v) certificates of emissions inspections.
- 299 (b) In accordance with Subsection (3)(a), a county legislative body:
- 300 (i) shall make regulations or ordinances to attain or maintain ambient air quality
- 301 standards in the county, consistent with the state implementation plan and federal
- 302 requirements;
- 303 (ii) may allow for a phase-in of the program by geographical area; and
- 304 (iii) shall comply with the analyzer design and certification requirements contained in
- 305 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.
- 306 (c) The county legislative body and the Air Quality Board shall give preference to an

307 inspection and maintenance program that:

308 (i) is decentralized, to the extent the decentralized program will attain and maintain
309 ambient air quality standards and meet federal requirements;

310 (ii) is the most cost effective means to achieve and maintain the maximum benefit with
311 regard to ambient air quality standards and to meet federal air quality requirements as related to
312 vehicle emissions; and

313 (iii) provides a reasonable phase-out period for replacement of air pollution emission
314 testing equipment made obsolete by the program.

315 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

316 (i) may be accomplished in accordance with applicable federal requirements; and

317 (ii) does not otherwise interfere with the attainment and maintenance of ambient air
318 quality standards.

319 (4) The following vehicles are exempt from an emissions inspection program and the
320 provisions of this section:

321 (a) an implement of husbandry as defined in Section [41-1a-102](#);

322 (b) a motor vehicle that:

323 (i) meets the definition of a farm truck under Section [41-1a-102](#); and

324 (ii) has a gross vehicle weight rating of 12,001 pounds or more;

325 (c) a vintage vehicle as defined in Section [41-21-1](#) if the vintage vehicle has a model
326 year of 1967 or older;

327 (d) a custom vehicle as defined in Section [41-6a-1507](#);

328 (e) to the extent allowed under the current federally approved state implementation
329 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor
330 vehicle that is less than two years old on January 1 based on the age of the vehicle as
331 determined by the model year identified by the manufacturer;

332 (f) a pickup truck, as defined in Section [41-1a-102](#), with a gross vehicle weight rating
333 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed
334 statement to the legislative body stating the truck is used:

335 (i) by the owner or operator of a farm located on property that qualifies as land in
336 agricultural use under Sections [59-2-502](#) and [59-2-503](#); and

337 (ii) exclusively for the following purposes in operating the farm:

338 (A) for the transportation of farm products, including livestock and its products,
339 poultry and its products, floricultural and horticultural products; and

340 (B) in the transportation of farm supplies, including tile, fence, and every other thing or
341 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production
342 and maintenance;

343 (g) a motorcycle as defined in Section 41-1a-102;

344 (h) an electric motor vehicle as defined in Section 41-1a-102; and

345 (i) a motor vehicle with a model year of 1967 or older.

346 (5) The county shall issue to the registered owner who signs and submits a signed
347 statement under Subsection (4)(f) a certificate of exemption from emissions inspection
348 requirements for purposes of registering the exempt vehicle.

349 (6) A legislative body of a county described in Subsection (1) may exempt from an
350 emissions inspection program a diesel-powered motor vehicle with a:

351 (a) gross vehicle weight rating of more than 14,000 pounds; or

352 (b) model year of 1997 or older.

353 (7) The legislative body of a county required under federal law to utilize a motor
354 vehicle emissions inspection program shall require:

355 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

356 (i) a model year of 2007 or newer;

357 (ii) a gross vehicle weight rating of 14,000 pounds or less; and

358 (iii) a model year that is five years old or older; and

359 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

360 (i) with a gross vehicle weight rating of 14,000 pounds or less;

361 (ii) that has a model year of 1998 or newer; and

362 (iii) that has a model year that is five years old or older.

363 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under
364 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
365 which an emissions inspection and maintenance program is necessary to attain or maintain any
366 national ambient air quality standard may require each college or university located in a county
367 subject to this section to require its students and employees who park a motor vehicle not
368 registered in a county subject to this section to provide proof of compliance with an emissions

369 inspection accepted by the county legislative body if the motor vehicle is parked on the college
370 or university campus or property.

371 (b) College or university parking areas that are metered or for which payment is
372 required per use are not subject to the requirements of this Subsection (8).

373 (c) The legislative body of a county shall make the reasons for implementing the
374 provisions of this Subsection (8) part of the record at the time that the county legislative body
375 takes its official action to implement the provisions of this Subsection (8).

376 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection
377 for each motor vehicle that meets the inspection and maintenance program requirements
378 established in ~~[rules]~~ regulations or ordinances made under Subsection (3).

379 (b) The frequency of the emissions inspection shall be determined based on the age of
380 the vehicle as determined by model year and shall be required annually subject to the
381 provisions of Subsection (9)(c).

382 (c) (i) To the extent allowed under the current federally approved state implementation
383 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative
384 body of a county identified in Subsection (1) shall only require the emissions inspection every
385 two years for each vehicle.

386 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six
387 years old on January 1.

388 (iii) For a county required to implement a new vehicle emissions inspection and
389 maintenance program on or after December 1, 2012, under Subsection (1), but for which no
390 current federally approved state implementation plan exists, a vehicle shall be tested at a
391 frequency determined by the county legislative body, in consultation with the Air Quality
392 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or
393 maintain any national ambient air quality standard.

394 (iv) If a county legislative body establishes or changes the frequency of a vehicle
395 emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment
396 or change shall take effect on January 1 if the State Tax Commission receives notice meeting
397 the requirements of Subsection (9)(c)(v) from the county before October 1.

398 (v) The notice described in Subsection (9)(c)(iv) shall:

399 (A) state that the county will establish or change the frequency of the vehicle emissions

400 inspection and maintenance program under this section;

401 (B) include a copy of the ordinance establishing or changing the frequency; and

402 (C) if the county establishes or changes the frequency under this section, state how
403 frequently the emissions testing will be required.

404 (d) If an emissions inspection is only required every two years for a vehicle under
405 Subsection (9)(c), the inspection shall be required for the vehicle in:

406 (i) odd-numbered years for vehicles with odd-numbered model years; or

407 (ii) in even-numbered years for vehicles with even-numbered model years.

408 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection
409 required under this section may be made no more than two months before the renewal of
410 registration.

411 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an
412 emissions inspection certificate issued for the motor vehicle during the previous 11 months to
413 satisfy the requirement under this section.

414 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may
415 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded
416 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under
417 this section.

418 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the
419 lessee may use an emissions inspection certificate issued during the previous 11 months to
420 satisfy the requirement under this section.

421 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not
422 use an emissions inspection made more than 11 months before the renewal of registration to
423 satisfy the requirement under this section.

424 (e) If the application for renewal of registration is for a six-month registration period
425 under Section [41-1a-215.5](#), the owner may use an emissions inspection certificate issued during
426 the previous eight months to satisfy the requirement under this section.

427 (11) (a) A county identified in Subsection (1) shall collect information about and
428 monitor the program.

429 (b) A county identified in Subsection (1) shall supply this information to an appropriate
430 legislative committee, as designated by the Legislative Management Committee, at times

431 determined by the designated committee to identify program needs, including funding needs.

432 (12) If approved by the county legislative body, a county that had an established
433 emissions inspection fee as of January 1, 2002, may increase the established fee that an
434 emissions inspection station may charge by \$2.50 for each year that is exempted from
435 emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

436 (13) (a) Except as provided in Subsection [41-1a-1223\(1\)\(c\)](#), a county identified in
437 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration
438 within the county in accordance with the procedures and requirements of Section [41-1a-1223](#).

439 (b) A county that imposes a local emissions compliance fee may use revenues
440 generated from the fee for the establishment and enforcement of an emissions inspection and
441 maintenance program in accordance with the requirements of this section.

442 (c) A county that imposes a local emissions compliance fee may use revenues
443 generated from the fee to promote programs to maintain a local, state, or national ambient air
444 quality standard.

445 Section 4. Section **41-21-1** is amended to read:

446 **41-21-1. Definitions.**

447 (1) "Autocycle" means the same as that term is defined in Section [53-3-102](#).

448 (2) "Motorcycle" means:

449 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
450 more than three wheels in contact with the ground; or

451 (b) an autocycle.

452 (3) (a) "Street rod" means a motor vehicle or motorcycle that:

453 (i) (A) was manufactured in 1948 or before; or

454 (B) (I) was manufactured after 1948 to resemble a vehicle that was manufactured in
455 1948 or before; and

456 (II) (Aa) has been altered from the manufacturer's original design; or

457 (Bb) has a body constructed from non-original materials; and

458 (ii) is primarily a collector's item that is used for:

459 (A) club activities;

460 (B) exhibitions;

461 (C) tours;

- 462 (D) parades;
- 463 (E) occasional transportation; and
- 464 (F) other similar uses.

465 (b) "Street rod" does not include a motor vehicle or motorcycle that is used for general,
466 daily transportation.

467 (4) (a) "Vintage travel trailer" means a travel trailer, camping trailer, or fifth wheel
468 trailer that is:

- 469 (i) [~~30~~] 40 years old or older, from the current year; and
- 470 (ii) primarily a collector's item that is used for:
 - 471 (A) participation in club activities;
 - 472 (B) exhibitions;
 - 473 (C) tours;
 - 474 (D) parades;
 - 475 (E) occasional recreational or vacation use; and
 - 476 (F) other similar uses.

477 (b) "Vintage travel trailer" does not include a travel trailer, camping trailer, or fifth
478 wheel trailer that is used for the general, daily transportation of persons or property.

479 (5) (a) "Vintage vehicle" means a motor vehicle or motorcycle that:

- 480 (i) is [~~30~~] 40 years old or older from the current year;
- 481 (ii) displays a unique vehicle type special group license plate issued in accordance with

482 Section [41-1a-418](#); and

- 483 (iii) is primarily a collector's item that is used for:
 - 484 (A) participation in club activities;
 - 485 (B) exhibitions;
 - 486 (C) tours;
 - 487 (D) parades;
 - 488 (E) occasional transportation; and
 - 489 (F) other similar uses.

490 (b) "Vintage vehicle" does not include a motor vehicle or motorcycle that is used for
491 general, daily transportation.

492 (c) "Vintage vehicle" includes a:

493 (i) street rod; and

494 (ii) vintage travel trailer.

495 Section 5. Section **53-1-106.2** is enacted to read:

496 **53-1-106.2. Towing dispatch pilot program.**

497 (1) The department shall evaluate the availability of vendors, products, and technology
498 capable of increasing efficiency, effectiveness, and transparency in the dispatching of towing
499 providers and management of towing rotations in counties of the first or second class as
500 classified under Section [17-50-501](#) that experience high demand for tow truck services.

501 (2) The department shall evaluate vendors, products, and technology for:

502 (a) the following requirements and capabilities:

503 (i) decreasing delays associated with requesting and dispatching a tow truck motor
504 carrier from an established tow rotation;

505 (ii) increasing information, transparency, and data collection associated with tow
506 rotation operations, including dispatching, response time, completion, clearance, and storage;
507 and

508 (iii) increasing responder and traffic safety by reducing secondary crashes, responder
509 time on scene, and the impacts of traffic accidents on traffic flow and safety; and

510 (b) costs and distribution of costs for the implementation of product programs,
511 equipment, technology, and other requirements.

512 (3) Based on the information and findings of the request for information described in
513 this section, the department may:

514 (a) issue a request for proposals to establish a public-private partnership pilot program
515 to achieve the goals described in Subsection (2); and

516 (b) establish a pilot program to contract with a vendor to provide towing dispatch
517 management as described in this section.

518 Section 6. Section **53-3-105** is amended to read:

519 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**
520 **and identification cards.**

521 The following fees apply under this chapter:

522 (1) An original class D license application under Section [53-3-205](#) is \$52.

523 (2) An original provisional license application for a class D license under Section

- 524 [53-3-205](#) is \$39.
- 525 (3) An original limited term license application under Section [53-3-205](#) is \$32.
- 526 (4) An original application for a motorcycle endorsement under Section [53-3-205](#) is
- 527 \$18.
- 528 (5) An original application for a taxicab endorsement under Section [53-3-205](#) is \$14.
- 529 (6) A learner permit application under Section [53-3-210.5](#) is \$19.
- 530 (7) A renewal of a class D license under Section [53-3-214](#) is \$52 unless Subsection
- 531 (12) applies.
- 532 (8) A renewal of a provisional license application for a class D license under Section
- 533 [53-3-214](#) is \$52.
- 534 (9) A renewal of a limited term license application under Section [53-3-214](#) is \$32.
- 535 (10) A renewal of a motorcycle endorsement under Section [53-3-214](#) is \$18.
- 536 (11) A renewal of a taxicab endorsement under Section [53-3-214](#) is \$14.
- 537 (12) A renewal of a class D license for an individual 65 and older under Section
- 538 [53-3-214](#) is \$27.
- 539 (13) An extension of a class D license under Section [53-3-214](#) is \$42 unless Subsection
- 540 (17) applies.
- 541 (14) An extension of a provisional license application for a class D license under
- 542 Section [53-3-214](#) is \$42.
- 543 (15) An extension of a motorcycle endorsement under Section [53-3-214](#) is \$18.
- 544 (16) An extension of a taxicab endorsement under Section [53-3-214](#) is \$14.
- 545 (17) An extension of a class D license for an individual 65 and older under Section
- 546 [53-3-214](#) is \$22.
- 547 (18) An original or renewal application for a commercial class A, B, or C license or an
- 548 original or renewal of a provisional commercial class A or B license under Part 4, Uniform
- 549 Commercial Driver License Act, is \$52.
- 550 (19) A commercial class A, B, or C license skills test is \$78.
- 551 (20) Each original CDL endorsement for passengers, hazardous material, double or
- 552 triple trailers, or tankers is \$9.
- 553 (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial
- 554 Driver License Act, is \$9.

555 (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver
556 License Act, is \$9.

557 (23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.

558 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.

559 (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.

560 (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.

561 (26) (a) A license reinstatement application under Section 53-3-205 is \$40.

562 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or
563 combination of alcohol and any drug-related offense is \$45 in addition to the fee under
564 Subsection (26)(a).

565 (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or
566 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or
567 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under
568 Part 4, Uniform Commercial Driver License Act, is \$255.

569 (b) This administrative fee is in addition to the fees under Subsection (26).

570 (28) (a) An administrative fee for providing the driving record of a driver under
571 Section 53-3-104 or 53-3-420 is \$8.

572 (b) The division may not charge for a report furnished under Section 53-3-104 to a
573 municipal, county, state, or federal agency.

574 (29) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.

575 (30) (a) Except as provided under Subsections (30)(b) and (c), an identification card
576 application under Section 53-3-808 is \$23.

577 (b) An identification card application under Section 53-3-808 for a person with a
578 disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

579 (c) A fee may not be charged for an identification card application if the individual
580 applying:

581 (i) (A) has not been issued a Utah driver license;

582 (B) is indigent; and

583 (C) is at least 18 years [~~of age~~] old; or

584 (ii) submits written verification that the individual is homeless, as defined in Section
585 26-18-411, a person who is homeless, as defined in Section 35A-5-302, or a child or youth who

586 is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

587 (A) a homeless shelter, as defined in Section [~~10-9a-526~~] [35A-16-305](#);

588 (B) a permanent housing, permanent, supportive, or transitional facility, as defined in
589 Section [35A-5-302](#);

590 (C) the Department of Workforce Services; or

591 (D) a local educational agency liaison for homeless children and youth designated
592 under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

593 (31) (a) An extension of a regular identification card under Subsection [53-3-807](#)(4) for
594 a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

595 (b) The fee described in Subsection (31)(a) is waived if the applicant submits written
596 verification that the individual is homeless, as defined in Section [26-18-411](#), or a person who is
597 homeless, as defined in Section [35A-5-302](#), or a child or youth who is homeless, as defined in
598 42 U.S.C. Sec. 11434a(2), from:

599 (i) a homeless shelter, as defined in Section [~~10-9a-526~~] [35A-16-305](#);

600 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in
601 Section [35A-5-302](#);

602 (iii) the Department of Workforce Services;

603 (iv) a homeless service provider as verified by the Department of Workforce Services
604 as described in Section [26-2-12.6](#); or

605 (v) a local educational agency liaison for homeless children and youth designated under
606 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

607 (32) (a) An extension of a regular identification card under Subsection [53-3-807](#)(5) is
608 \$23.

609 (b) The fee described in Subsection (32)(a) is waived if the applicant submits written
610 verification that the individual is homeless, as defined in Section [26-18-411](#), or a person who is
611 homeless, as defined in Section [35A-5-302](#), from:

612 (i) a homeless shelter, as defined in Section [~~10-9a-526~~] [35A-16-305](#);

613 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in
614 Section [35A-5-302](#);

615 (iii) the Department of Workforce Services; or

616 (iv) a homeless service provider as verified by the Department of Workforce Services

617 as described in Section 26-2-12.6.

618 (33) In addition to any license application fees collected under this chapter, the division
619 shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the
620 fees that the Bureau of Criminal Identification is authorized to collect for the services the
621 Bureau of Criminal Identification provides under Section 53-3-205.5.

622 (34) An original mobility vehicle permit application under Section 41-6a-1118 is \$30.

623 (35) A renewal of a mobility vehicle permit under Section 41-6a-1118 is \$30.

624 (36) A duplicate mobility vehicle permit under Section 41-6a-1118 is \$12.

625 Section 7. Section 53-3-219 is amended to read:

626 **53-3-219. Suspension of minor's driving privileges.**

627 (1) The division shall immediately suspend all driving privileges of any person upon
628 receipt of an order suspending driving privileges under Section 32B-4-409, Section 32B-4-410,
629 Subsection 76-9-701(1), or Section 80-6-707.

630 (2) (a) (i) Upon receipt of the first order suspending a person's driving privileges under
631 Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or Section 80-6-707, the
632 division shall:

633 (A) impose a suspension for a period of one year;

634 (B) if the person has not been issued an operator license, deny the person's application
635 for a license or learner's permit for a period of one year; or

636 (C) if the person is under the age of eligibility for a driver license, deny the person's
637 application for a license or learner's permit beginning on the date of conviction and continuing
638 for one year beginning on the date of eligibility for a driver license.

639 (ii) Upon receipt of the first order suspending a person's driving privileges under this
640 section, the division shall reduce the suspension period under Subsection (2)(a)(i)(A), (B), or
641 (C) if ordered by the court in accordance with Subsection 32B-4-409(5)(b), 32B-4-410(4)(b),
642 76-9-701(4)(b), or 80-6-707(3)(a).

643 (b) (i) Upon receipt of a second or subsequent order suspending a person's driving
644 privileges under Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or
645 Subsection [~~80-4-707~~] 80-6-707(3)(b), the division shall:

646 (A) impose a suspension for a period of two years;

647 (B) if the person has not been issued an operator license or is under the age of

648 eligibility for a driver license, deny the person's application for a license or learner's permit for
649 a period of two years; or

650 (C) if the person is under the age of eligibility for a driver license, deny the person's
651 application for a license or learner's permit beginning on the date of conviction and continuing
652 for two years beginning on the date of eligibility for a driver license.

653 (ii) Upon receipt of the second or subsequent order suspending a person's driving
654 privileges under Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or Section
655 80-6-707, the division shall reduce the suspension period if ordered by the court in accordance
656 with Subsection 32B-4-409(5)(c), 32B-4-410(4)(c), 76-9-701(4)(c), or 80-6-707(3)(b).

657 (3) The Driver License Division shall subtract from any suspension or revocation
658 period for a conviction of a violation of Section 32B-4-409 the number of days for which a
659 license was previously suspended under Section 53-3-231, if the previous sanction was based
660 on the same occurrence upon which the record of conviction is based.

661 (4) After reinstatement of the license described in Subsection (1), a report authorized
662 under Section 53-3-104 may not contain evidence of the suspension of a minor's license under
663 this section if the minor has not been convicted of any other offense for which the suspension
664 under Subsection (1) may be extended.

665 Section 8. Section 59-12-2220 is amended to read:

666 **59-12-2220. County option sales and use tax to fund a system for public transit --**
667 **Base -- Rate.**

668 (1) Subject to the other provisions of this part and subject to the requirements of this
669 section, beginning on July 1, 2019, the following counties may impose a sales and use tax
670 under this section:

671 (a) a county legislative body may impose the sales and use tax on the transactions
672 described in Subsection 59-12-103(1) located within the county, including the cities and towns
673 within the county if:

674 (i) the entire boundary of a county is annexed into a large public transit district; and

675 (ii) the maximum amount of sales and use tax authorizations allowed pursuant to

676 Section 59-12-2203 and authorized under the following sections has been imposed:

677 (A) Section 59-12-2213;

678 (B) Section 59-12-2214;

- 679 (C) Section [59-12-2215](#);
- 680 (D) Section [59-12-2216](#);
- 681 (E) Section [59-12-2217](#);
- 682 (F) Section [59-12-2218](#); and
- 683 (G) Section [59-12-2219](#);
- 684 (b) if the county is not annexed into a large public transit district, the county legislative
- 685 body may impose the sales and use tax on the transactions described in Subsection
- 686 [59-12-103](#)(1) located within the county, including the cities and towns within the county if:
- 687 (i) the county is an eligible political subdivision as defined in Section [59-12-2219](#); or
- 688 (ii) a city or town within the boundary of the county is an eligible political subdivision
- 689 as defined in Section [59-12-2219](#); or
- 690 (c) a county legislative body of a county not described in Subsection (1)(a) may impose
- 691 the sales and use tax on the transactions described in Subsection [59-12-103](#)(1) located within
- 692 the county, including the cities and towns within the county, if there is a public transit district
- 693 within the boundary of the county.
- 694 (2) For purposes of Subsection (1) and subject to the other provisions of this section, a
- 695 county legislative body that imposes a sales and use tax under this section may impose the tax
- 696 at a rate of .2%.
- 697 (3) A county imposing a sales and use tax under this section shall expend the revenues
- 698 collected from the sales and use tax for capital expenses and service delivery expenses of:
- 699 (a) a public transit district;
- 700 (b) an eligible political subdivision, as that term is defined in Section [59-12-2219](#); or
- 701 (c) another entity providing a service for public transit or a transit facility within the
- 702 county as those terms are defined in Section [17B-2a-802](#).
- 703 (4) Notwithstanding Section [59-12-2208](#), a county legislative body may, but is not
- 704 required to, submit an opinion question to the county's registered voters in accordance with
- 705 Section [59-12-2208](#) to impose a sales and use tax under this section.
- 706 (5) (a) Notwithstanding any other provision in this section, if a county wishes to
- 707 impose a sales and use tax under this section, the county legislative body shall pass the
- 708 ordinance to impose a sales and use tax under this section on or before June 30, 2023.
- 709 (b) The county legislative body may not pass an ordinance to impose a sales and use

710 tax under this section on or after July 1, 2023.

711 (c) Notwithstanding the deadline described in Subsection (5)(a), any sales and use tax
712 imposed under this section on or before June 30, 2023, may remain in effect.

713 (6) (a) Revenue collected from a sales and use tax under this section may not be used
714 to supplant existing General Fund appropriations that a county has budgeted for transportation
715 or public transit as of the date the tax becomes effective for a county.

716 (b) The limitation under Subsection (6)(a) does not apply to a designated transportation
717 or public transit capital or reserve account a county may have established prior to the date the
718 tax becomes effective.

719 Section 9. Section **72-5-309** is amended to read:

720 **72-5-309. Acceptance of rights-of-way -- Notice of acknowledgment required.**

721 (1) The governor or the governor's designee may assess whether the grant of the R.S.
722 2477 has been accepted with regard to any right-of-way so as to vest title of the right-of-way in
723 the state and the applicable political subdivision as provided for in Section [72-5-103](#).

724 (2) If the governor or governor's designee concludes that the grant has been accepted as
725 to any right-of-way, the governor or a designee shall issue a notice of acknowledgment of the
726 acceptance of the R.S. 2477 grant as to that right-of-way.

727 (3) A notice of acknowledgment of the R.S. 2477 grant shall include:

728 (a) a statement of reasons for the acknowledgment;

729 (b) a general description of the right-of-way or rights-of-way subject to the notice of
730 acknowledgment, including the county in which it is located, and notice of where a center-line
731 description derived from Global Positioning System data may be viewed or obtained;

732 (c) a statement that the owner of the servient estate in the land over which the
733 right-of-way or rights-of-way subject to the notice runs or any person with a competing
734 dominant estate ownership claim may file a petition with the district court for a decision
735 regarding the correctness or incorrectness of the acknowledgment; and

736 (d) a statement of the time limit provided in Section [72-5-310](#) for filing a petition.

737 (4) (a) (i) The governor or the governor's designee may record a notice of
738 acknowledgment, and any supporting affidavit, map, or other document purporting to establish
739 or affect the state's property interest in the right-of-way or rights-of-way, in the office of the
740 county recorder in the county where the right-of-way or rights-of-way exist.

741 (ii) (A) A notice of acknowledgment recorded in the county recorder's office is not
742 required to be accompanied by a paper copy of the center-line description.

743 (B) A paper copy of each center-line description together with the notice of
744 acknowledgment shall be placed in the state archives created in Section 63A-12-101 and made
745 available to the public upon request in accordance with Title 63G, Chapter 2, Government
746 Records Access and Management Act.

747 (C) An electronic copy of the center-line description identified in a notice of
748 acknowledgment shall be available upon request at:

749 (I) the county recorder's office; or

750 (II) the Utah Geospatial Resource Center created in Section [63F-1-506] 63A-16-505.

751 (b) A notice of acknowledgment recorded in the county recorder's office is conclusive
752 evidence of acceptance of the R.S. 2477 grant upon:

753 (i) expiration of the 60-day period for filing a petition under Section 72-5-310 without
754 the filing of a petition; or

755 (ii) a final court decision that the notice of acknowledgment was not incorrect.

756 Section 10. **Appropriation.**

757 The Legislature has reviewed the following proprietary funds. Under the terms and
758 conditions of Utah Code 63J-1-410, for any included Internal Service Fund, the Legislature
759 approves budgets, full-time permanent positions, and capital acquisition amounts as indicated,
760 and appropriates to the funds, as indicated, estimated revenue from rates, fees, and other
761 charges. The Legislature authorizes the State Division of Finance to transfer amounts between
762 funds and accounts as indicated.

763 ITEM 1

764 To the Office of the Attorney General - Internal Service Fund -Attorney General

765 From Dedicated Credits Revenue \$192,000

766 Schedule of Programs:

767 Criminal Division \$192,000

768 Budgeted FTE 1.0

769 The Legislature intends that the Office of the Attorney General use the appropriation
770 under this item to provide prosecution of Title 41, Chapter 3, Motor Vehicle Business
771 Regulation Act.