

**Senator Wayne A. Harper** proposes the following substitute bill:

**TRANSPORTATION AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Kay J. Christofferson

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**LONG TITLE**

**General Description:**

This bill amends provisions related to transportation issues including motor vehicles, vintage vehicles, transportation projects, throughput infrastructure, and a towing rotation pilot program.

**Highlighted Provisions:**

This bill:

▶ makes technical changes to correct inaccurate or outdated cross references;  
▶ at the time of registration, requires a vintage vehicle that has a model year of 1980 or newer to:

- provide proof of an emissions inspection; or
- provide proof of vehicle insurance that is a type specific to a collector vehicle;

▶ for a vintage vehicle that has a model year of 1980 or newer:

- increases the registration fee by 50 cents; and
- allows the State Tax Commission to use 50 cents of the increased registration fee to cover the costs to administer the vintage vehicle registration program;

▶ for a vintage vehicle, removes the requirement to display a front license plate;

▶ amends provisions related to the Throughput Infrastructure Fund;

▶ allows the Legislature to appropriate certain money in the Throughput Infrastructure



- 26 Fund for a road project primarily used to transport hydrocarbons;
- 27       ▶ amends provisions related to the Office of the Attorney General in prosecution of
- 28 certain cases related to motor vehicle enforcement;
- 29       ▶ allows the Department of Public Safety to establish a pilot program to establish a
- 30 public-private partnership to manage certain tow rotation dispatch services;
- 31       ▶ clarifies a definition related to local option sales and use taxes for public transit; and
- 32       ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

- 34 This bill appropriates in fiscal year 2023:
- 35       ▶ to the Office of the Attorney General -- Internal Service Fund -- Attorney General:
- 36           • from the Dedicated Credits Revenue Temporary Permit Account, \$192,000.

37 **Other Special Clauses:**

38 This bill provides a special effective date.

39 **Utah Code Sections Affected:**

40 AMENDS:

- 41 [17B-2a-807.2](#), as enacted by Laws of Utah 2019, Chapter 479
- 42 [35A-8-302](#), as last amended by Laws of Utah 2021, Chapter 339
- 43 [35A-8-309](#), as last amended by Laws of Utah 2021, Chapter 367
- 44 [41-1a-226](#), as last amended by Laws of Utah 2017, Chapter 406
- 45 [41-1a-404](#), as last amended by Laws of Utah 2015, Chapters 81 and 412
- 46 [41-1a-1201](#), as last amended by Laws of Utah 2018, Chapter 424
- 47 [41-1a-1206](#), as last amended by Laws of Utah 2020, Chapter 377
- 48 [41-3-105](#), as last amended by Laws of Utah 2020, Chapters 354 and 396
- 49 [41-6a-1642](#), as last amended by Laws of Utah 2021, Chapter 322
- 50 [53-3-105](#), as last amended by Laws of Utah 2021, Chapter 284
- 51 [53-3-219](#), as last amended by Laws of Utah 2021, Chapter 262
- 52 [59-12-2220](#), as last amended by Laws of Utah 2019, Chapter 479
- 53 [72-1-213](#), as last amended by Laws of Utah 2019, Chapter 479
- 54 [72-1-213.1](#), as last amended by Laws of Utah 2021, Chapter 222
- 55 [72-1-213.2](#), as enacted by Laws of Utah 2021, Chapters 222 and 222
- 56 [72-5-309](#), as last amended by Laws of Utah 2021, Chapter 162

57 [72-5-403](#), as last amended by Laws of Utah 2012, Chapter 121

58 ENACTS:

59 [53-1-106.2](#), Utah Code Annotated 1953



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

62 Section 1. Section **17B-2a-807.2** is amended to read:

63 **17B-2a-807.2. Existing large public transit district board of trustees --**

64 **Appointment -- Quorum -- Compensation -- Terms.**

65 (1) (a) (i) For a large public transit district created before January 1, 2019, and except  
66 as provided in Subsection (7), the board of trustees shall consist of three members appointed as  
67 described in Subsection (1)(b).

68 (ii) For purposes of a large public transit district created before January 1, 2019, the  
69 nominating regions are as follows:

70 (A) a central region that is Salt Lake County;

71 (B) a southern region that is comprised of Utah County and the portion of Tooele  
72 County that is part of the large public transit district; and

73 (C) a northern region that is comprised of Davis County, Weber County, and the  
74 portion of Box Elder County that is part of the large public transit district.

75 (iii) (A) If a large public transit district created before January 1, 2019, annexes an  
76 additional county into the large public transit district pursuant to Section [17B-1-402](#), following  
77 the issuance of the certificate of annexation by the lieutenant governor, the political  
78 subdivisions making up the large public transit district shall submit to the Legislature for  
79 approval a proposal for the creation of three regions for nominating members to the board of  
80 trustees of the large public transit district.

81 (B) If a large public transit district created before January 1, 2019, has a change to the  
82 boundaries of the large public transit district, the Legislature, after receiving and considering  
83 the proposal described in Subsection (1)(a)(iii)(A), shall designate the three regions for  
84 nominating members to the board of trustees of the large public transit district.

85 (b) (i) Except as provided in Subsection (5), the governor, with advice and consent of  
86 the Senate, shall appoint the members of the board of trustees, making:

87 (A) one appointment from individuals nominated from the central region as described

88 in Subsection (2);

89 (B) one appointment from individuals nominated from the southern region described in  
90 Subsection (3); and

91 (C) one appointment from individuals nominated from the northern region described in  
92 Subsection (4).

93 (2) For the appointment from the central region, the governor shall appoint one  
94 individual selected from five individuals nominated as follows:

95 (a) two individuals nominated by the council of governments of Salt Lake County; and

96 (b) three individuals nominated by the mayor of Salt Lake County, with approval of the  
97 Salt Lake County council.

98 (3) For the appointment from the southern region, the governor shall appoint one  
99 individual selected from five individuals nominated as follows:

100 (a) two individuals nominated by the council of governments of Utah County;

101 (b) two individuals nominated by the county commission of Utah County; and

102 (c) one individual nominated by the county commission of Tooele County.

103 (4) For the appointment from the northern region, the governor shall appoint one  
104 individual selected from five individuals nominated as follows:

105 (a) one individual nominated by the council of governments of Davis County;

106 (b) one individual nominated by the council of governments of Weber County;

107 (c) one individual nominated by the county commission of Davis County;

108 (d) one individual nominated by the county commission of Weber County; and

109 (e) one individual nominated by the county commission of Box Elder County.

110 (5) (a) The nominating counties described in Subsections (2) through (4) shall ensure  
111 that nominations are submitted to the governor no later than June 1 of each respective  
112 nominating year.

113 [~~5~~] (b) If the governor fails to appoint one of the individuals nominated as described  
114 in Subsection (2), (3), or (4), as applicable, within 60 days of the nominations, the following  
115 appointment procedures apply:

116 [~~a~~] (i) for an appointment for the central region, the Salt Lake County council shall  
117 appoint an individual, with confirmation by the Senate;

118 [~~b~~] (ii) for an appointment for the southern region, the Utah County commission shall

119 appoint an individual, in consultation with the Tooele County commission, with confirmation  
120 by the Senate; and

121 ~~[(c)]~~ (iii) for an appointment for the northern region, the Davis County commission and  
122 the Weber County commission, collectively, and in consultation with the Box Elder County  
123 commission, shall appoint an individual, with confirmation by the Senate.

124 (6) (a) Each nominee shall be a qualified executive with technical and administrative  
125 experience and training appropriate for the position.

126 (b) The board of trustees of a large public transit district shall be full-time employees  
127 of the public transit district.

128 (c) The compensation package for the board of trustees shall be determined by the local  
129 advisory council as described in Section [17B-2a-808.2](#).

130 (d) (i) Subject to Subsection (6)(d)(iii), for a board of trustees of a large public transit  
131 district, "quorum" means at least two members of the board of trustees.

132 (ii) Action by a majority of a quorum constitutes an action of the board of trustees.

133 (iii) A meeting of a quorum of a board of trustees of a large public transit district is  
134 subject to Section [52-4-103](#) regarding convening of a three-member board of trustees and what  
135 constitutes a public meeting.

136 (7) (a) Subject to Subsection (8), each member of the board of trustees of a large public  
137 transit district shall serve for a term of four years.

138 (b) A member of the board of trustees may serve an unlimited number of terms.

139 (c) Notwithstanding Subsection (2), (3), or (4), as applicable, at the expiration of a  
140 term of a member of the board of trustees, if the respective nominating entities and individuals  
141 for the respective region described in Subsection (2), (3), or (4), unanimously agree to retain  
142 the existing member of the board of trustees, the respective nominating individuals or bodies  
143 described in Subsection (2), (3), or (4) are not required to make nominations to the governor,  
144 and the governor may reappoint the existing member to the board of trustees.

145 (8) Each member of the board of trustees of a large public transit district shall serve at  
146 the pleasure of the governor.

147 (9) Subject to Subsections (7) and (8), a board of trustees of a large public transit  
148 district that is in place as of February 1, 2019, may remain in place.

149 (10) The governor shall designate one member of the board of trustees as chair of the

150 board of trustees.

151 (11) (a) If a vacancy occurs, the nomination and appointment procedures to replace the  
152 individual shall occur in the same manner described in Subsection (2), (3), or (4), and, if  
153 applicable, Subsection (5), for the respective member of the board of trustees creating the  
154 vacancy.

155 (b) If a vacancy occurs on the board of trustees of a large public transit district, the  
156 respective nominating region shall nominate individuals to the governor as described in this  
157 section within 60 days after the vacancy occurs.

158 (c) If the respective nominating region does not nominate to fill the vacancy within 60  
159 days, the governor shall appoint an individual to fill the vacancy.

160 (d) A replacement board member shall serve for the remainder of the unexpired term,  
161 but may serve an unlimited number of terms as provided in Subsection (7)(b).

162 Section 2. Section **35A-8-302** is amended to read:

163 **35A-8-302. Definitions.**

164 As used in this part:

165 (1) "Bonus payments" means that portion of the bonus payments received by the  
166 United States government under the Leasing Act paid to the state under Section 35 of the  
167 Leasing Act, 30 U.S.C. Sec. 191, together with any interest that had accrued on those  
168 payments.

169 (2) "Impact board" means the Permanent Community Impact Fund Board created under  
170 Section [35A-8-304](#).

171 (3) "Impact fund" means the Permanent Community Impact Fund established by this  
172 chapter.

173 (4) "Interlocal agency" means a legal or administrative entity created by a subdivision  
174 or combination of subdivisions under the authority of Title 11, Chapter 13, Interlocal  
175 Cooperation Act.

176 (5) "Leasing Act" means the Mineral Lands Leasing Act of 1920, 30 U.S.C. Sec. 181 et  
177 seq.

178 (6) "Qualifying sales and use tax distribution reduction" means that, for the calendar  
179 year beginning on January 1, 2008, the total sales and use tax distributions a city received  
180 under Section [59-12-205](#) were reduced by at least 15% from the total sales and use tax

181 distributions the city received under Section 59-12-205 for the calendar year beginning on  
182 January 1, 2007.

183 (7) (a) "Planning" means any of the following performed by or on behalf of the state, a  
184 subdivision, or an interlocal entity:

185 (i) a study, analysis, plan, or survey; or

186 (ii) activities necessary to obtain a permit or land use approval, including review to  
187 determine the need, cost, or feasibility of obtaining a permit or land use approval.

188 (b) "Planning" includes:

189 (i) the preparation of maps and guidelines;

190 (ii) land use planning;

191 (iii) a study or analysis of:

192 (A) the social or economic impacts associated with natural resource development;

193 (B) the demand for the transportation of individuals or goods;

194 (C) state, regional, and local development and growth;

195 (D) population and employment;

196 (E) development related to natural resources; and

197 (F) as related to any other activity described in this Subsection (7), engineering,

198 financial analysis, legal analysis, or any other analysis helpful to the state, subdivision, or

199 interlocal agency; and

200 (iv) any activity described in this Subsection (7) regardless of whether the activity is  
201 for a public facility or a public service.

202 (8) "Public facility" means a facility:

203 (a) in whole or in part, owned, controlled, or operated by the state, a subdivision, or an  
204 interlocal agency; and

205 (b) that serves a public purpose.

206 (9) (a) "Public service" means a service that:

207 (i) is provided, in whole or in part, by or on behalf of the state, a subdivision, or an  
208 interlocal agency; and

209 (ii) serves a public purpose.

210 (b) "Public service" includes:

211 (i) a service described in Subsection (9)(a) regardless of whether the service is

212 provided in connection with a public facility;

213 (ii) the cost of providing a service described in Subsection (9)(a), including  
214 administrative costs, wages, and legal fees; and

215 (iii) a contract with a public postsecondary institution to fund research, education, or a  
216 public service program.

217 (10) "Subdivision" means a county, city, town, county service area, special service  
218 district, special improvement district, water conservancy district, water improvement district,  
219 sewer improvement district, housing authority, building authority, school district, or public  
220 postsecondary institution organized under the laws of this state.

221 (11) (a) "Throughput infrastructure project" means the following facilities, whether  
222 located within, partially within, or outside of the state:

223 (i) a bulk commodities ocean terminal;

224 (ii) a pipeline for the transportation of liquid or gaseous hydrocarbons;

225 (iii) a highway used primarily for the transportation of hydrocarbons;

226 [~~(iii)~~] (iv) electric transmission lines and ancillary facilities;

227 [~~(iv)~~] (v) a shortline freight railroad and ancillary facilities;

228 [~~(v)~~] (vi) a plant or facility for storing, distributing, or producing hydrogen, including  
229 the liquification of hydrogen, for use as a fuel in zero emission motor vehicles, for electricity  
230 generation, or for industrial use; or

231 [~~(vi)~~] (vii) a plant for the production of zero emission hydrogen fueled trucks.

232 (b) "Throughput infrastructure project" includes:

233 (i) an ownership interest or a joint or undivided ownership interest in a facility;

234 (ii) a membership interest in the owner of a facility; or

235 (iii) a contractual right, whether secured or unsecured, to use all or a portion of the  
236 throughput, transportation, or transmission capacity of a facility.

237 Section 3. Section **35A-8-309** is amended to read:

238 **35A-8-309. Throughput Infrastructure Fund administered by impact board --**  
239 **Uses -- Review by board -- Annual report -- First project.**

240 (1) (a) [~~The~~] Subject to Subsection (1)(b), the impact board shall:

241 [~~(a)~~] (i) make grants and loans from the Throughput Infrastructure Fund created in  
242 Section **35A-8-308** for a throughput infrastructure project;



243           ~~[(b)]~~ (ii) use money transferred to the Throughput Infrastructure Fund in accordance  
244 with statute to provide a loan or grant to finance the cost of acquisition or construction of a  
245 throughput infrastructure project to one or more local political subdivisions, including a Utah  
246 interlocal agency created under Title 11, Chapter 13, Interlocal Cooperation Act;

247           ~~[(c)]~~ (iii) administer the Throughput Infrastructure Fund in a manner that will keep a  
248 portion of the fund revolving;

249           ~~[(d)]~~ (iv) determine provisions for repayment of loans;

250           ~~[(e)]~~ (v) establish criteria for awarding loans and grants; and

251           ~~[(f)]~~ (vi) establish criteria for determining eligibility for assistance under this section.

252           (b) Notwithstanding Subsection (1)(a), the Legislature may appropriate money in the  
253 Throughput Infrastructure Fund created in Section [35A-8-308](#) for a throughput infrastructure  
254 project.

255           (2) The cost of acquisition or construction of a throughput infrastructure project  
256 includes amounts for working capital, reserves, transaction costs, and other amounts  
257 determined by the impact board to be allocable to a throughput infrastructure project.

258           (3) The impact board may restructure or forgive all or part of a local political  
259 subdivision's or interlocal agency's obligation to repay loans for extenuating circumstances.

260           (4) To receive assistance under this section, a local political subdivision or an  
261 interlocal agency shall submit a formal application containing the information that the impact  
262 board requires.

263           (5) (a) The impact board shall:

264           (i) review the proposed uses of the Throughput Infrastructure Fund for a loan or grant  
265 before approving the loan or grant and may condition its approval on whatever assurances the  
266 impact board considers necessary to ensure that proceeds of the loan or grant will be used in  
267 accordance with this section;

268           (ii) ensure that each loan specifies terms for interest deferments, accruals, and  
269 scheduled principal repayment; and

270           (iii) ensure that repayment terms are evidenced by bonds, notes, or other obligations of  
271 the appropriate local political subdivision or interlocal agency issued to the impact board and  
272 payable from the net revenues of a throughput infrastructure project.

273           (b) An instrument described in Subsection (5)(a)(iii) may be:

274 (i) non-recourse to the local political subdivision or interlocal agency; and  
275 (ii) limited to a pledge of the net revenues from a throughput infrastructure project.

276 (6) (a) Subject to the restriction in Subsection (6)(b), the impact board shall allocate  
277 from the Throughput Infrastructure Fund to the board those amounts that are appropriated by  
278 the Legislature for the administration of the Throughput Infrastructure Fund.

279 (b) The amount described in Subsection (6)(a) may not exceed 2% of the annual  
280 receipts to the fund.

281 (7) The board shall include in the annual written report described in Section

282 [35A-1-109](#):

283 (a) the number and type of loans and grants made under this section; and

284 (b) a list of local political subdivisions or interlocal agencies that received assistance  
285 under this section.

286 (8) (a) ~~[The]~~ Subject to Subsection (1)(b), the first throughput infrastructure project  
287 considered by the impact board shall be a bulk commodities ocean terminal project.

288 (b) Upon receipt of an application from an interlocal agency created for the sole  
289 purpose of undertaking a throughput infrastructure project that is a bulk commodities ocean  
290 terminal project, the impact board shall:

291 (i) grant up to 2% of the money in the Throughput Infrastructure Fund to the interlocal  
292 agency to pay or reimburse costs incurred by the interlocal agency preliminary to its acquisition  
293 of the throughput infrastructure project; and

294 (ii) fund the interlocal agency's application if the application meets all criteria  
295 established by the impact board.

296 Section 4. Section **41-1a-226** is amended to read:

297 **41-1a-226. Vintage vehicle -- Signed statement -- Registration.**

298 (1) The owner of a vintage vehicle who applies for registration under this part shall  
299 provide a signed statement that the vintage vehicle:

300 (a) is owned and operated for the purposes described in Section [41-21-1](#); and

301 (b) is safe to operate on the highways of this state as described in Section [41-21-4](#).

302 (2) ~~[The]~~ For a vintage vehicle with a model year of 1980 or older, the signed  
303 statement described in Subsection (1) is in lieu of an emissions inspection, from which a  
304 vintage vehicle is exempt under Subsection [41-6a-1642](#)(4).

305 (3) Before registration of a vintage vehicle that has a model year of 1981 or newer, an  
306 owner shall:

307 (a) obtain a certificate of emissions inspection as provided in Section 41-6a-1642; or

308 (b) provide proof of vehicle insurance coverage for the vintage vehicle that is a type  
309 specific to a vehicle collector.

310 Section 5. Section 41-1a-404 is amended to read:

311 **41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.**

312 (1) License plates issued for a vehicle other than a motorcycle, trailer, vintage vehicle,  
313 or semitrailer shall be attached to the vehicle, one in the front and the other in the rear.

314 (2) (a) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached  
315 to the rear of the motorcycle, trailer, or semitrailer.

316 (b) (i) An owner of a vintage vehicle shall ensure that a license plate is attached to the  
317 rear of the vintage vehicle.

318 (ii) An owner of a vintage vehicle is not required to display a license plate on the front  
319 of the vintage vehicle.

320 (3) Except as provided in Subsection (5), a license plate shall at all times be:

321 (a) securely fastened:

322 (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from  
323 swinging;

324 (ii) at a height of not less than 12 inches from the ground, measuring from the bottom  
325 of the plate; and

326 (iii) in a place and position to be clearly visible; and

327 (b) maintained:

328 (i) free from foreign materials; and

329 (ii) in a condition to be clearly legible.

330 (4) Enforcement by a state or local law enforcement officer of the requirement under  
331 Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary  
332 action when the vehicle has been detained for a suspected violation by any person in the  
333 vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a  
334 license plate to the front of the vehicle, or for another offense.

335 (5) The provisions of Subsections (3)(a)(iii) and (3)(b) do not apply to a license plate

336 that is obscured exclusively by one or more of the following devices or by the cargo the device  
337 is carrying, if the device is installed according to manufacturer specifications or generally  
338 accepted installation practices:

- 339 (a) a trailer hitch;
  - 340 (b) a wheelchair lift or wheelchair carrier;
  - 341 (c) a trailer being towed by the vehicle;
  - 342 (d) a bicycle rack, ski rack, or luggage rack; or
  - 343 (e) a similar cargo carrying device.
- 344 (6) A violation of this section is an infraction.

345 Section 6. Section **41-1a-1201** is amended to read:

346 **41-1a-1201. Disposition of fees.**

347 (1) All fees received and collected under this part shall be transmitted daily to the state  
348 treasurer.

349 (2) Except as provided in Subsections (3), (6), (7), (8), and (9) and Sections [41-1a-422](#),  
350 [41-1a-1220](#), [41-1a-1221](#), and [41-1a-1223](#) all fees collected under this part shall be deposited  
351 ~~in~~ into the Transportation Fund.

352 (3) Funds generated under Subsections [41-1a-1211](#)(1)(b)(ii), (6)(b)(ii), and (7) and  
353 Section [41-1a-1212](#) may be used by the commission to cover the costs incurred in issuing  
354 license plates under Part 4, License Plates and Registration Indicia.

355 (4) In accordance with Section [63J-1-602.2](#), all funds available to the commission for  
356 the purchase and distribution of license plates and decals are nonlapsing.

357 (5) (a) Except as provided in Subsections (3) and (5)(b) and Section [41-1a-1205](#), the  
358 expenses of the commission in enforcing and administering this part shall be provided for by  
359 legislative appropriation from the revenues of the Transportation Fund.

360 (b) Three dollars of the registration fees imposed under Subsections [41-1a-1206](#)(2)(a)  
361 and (b) for each vehicle registered for a six-month registration period under Section  
362 [41-1a-215.5](#) may be used by the commission to cover the costs incurred in enforcing and  
363 administering this part.

364 (c) Fifty cents of the registration fee imposed under Subsection [41-1a-1206](#)(1)(g) for  
365 each vintage vehicle that has a model year of 1981 or newer may be used by the commission to  
366 cover the costs incurred in enforcing and administering this part.

367 (6) (a) The following portions of the registration fees imposed under Section  
368 41-1a-1206 for each vehicle shall be deposited [in] into the Transportation Investment Fund of  
369 2005 created under Section 72-2-124:

370 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),  
371 (1)(f), (4), and (7);

372 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and  
373 (1)(c)(ii);

374 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

375 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

376 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

377 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

378 (b) The following portions of the registration fees collected for each vehicle registered  
379 for a six-month registration period under Section 41-1a-215.5 shall be deposited [in] into the  
380 Transportation Investment Fund of 2005 created by Section 72-2-124:

381 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and

382 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

383 (7) (a) Ninety-four cents of each registration fee imposed under Subsections

384 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited [in] into the Public Safety  
385 Restricted Account created in Section 53-3-106.

386 (b) Seventy-one cents of each registration fee imposed under Subsections  
387 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under  
388 Section 41-1a-215.5 shall be deposited [in] into the Public Safety Restricted Account created in  
389 Section 53-3-106.

390 (8) (a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)  
391 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted  
392 Account created in Section 53-8-214.

393 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a)  
394 and (b) for each vehicle registered for a six-month registration period under Section  
395 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account  
396 created in Section 53-8-214.

397 (9) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for

398 each motorcycle shall be deposited ~~[in]~~ into the Spinal Cord and Brain Injury Rehabilitation  
399 Fund created in Section 26-54-102.

400 Section 7. Section 41-1a-1206 is amended to read:

401 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

405 (a) \$46.00 for each motorcycle;

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

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

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

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

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

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

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

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

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

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

422 (g) ~~[\$45]~~ \$45.50 for each vintage vehicle that ~~[is less than 40 years old]~~ has a model  
423 year of 1981 or newer; and

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

425 (i) for each electric motor vehicle:

426 (A) \$90 during calendar year 2020; and

427 (B) \$120 beginning January 1, 2021, and thereafter;

428 (ii) for each hybrid electric motor vehicle:

- 429 (A) \$15 during calendar year 2020; and
- 430 (B) \$20 beginning January 1, 2021, and thereafter;
- 431 (iii) for each plug-in hybrid electric motor vehicle:
- 432 (A) \$39 during calendar year 2020; and
- 433 (B) \$52 beginning January 1, 2021, and thereafter; and
- 434 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is
- 435 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 436 (A) \$90 during calendar year 2020; and
- 437 (B) \$120 beginning January 1, 2021, and thereafter.
- 438 (2) (a) At the time application is made for registration or renewal of registration of a
- 439 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
- 440 registration fee shall be paid to the division as follows:
- 441 (i) \$34.50 for each motorcycle; and
- 442 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
- 443 excluding motorcycles.
- 444 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
- 445 of registration of a vehicle under this chapter for a six-month registration period under Section
- 446 [41-1a-215.5](#) a registration fee shall be paid to the division as follows:
- 447 (i) for each electric motor vehicle:
- 448 (A) \$69.75 during calendar year 2020; and
- 449 (B) \$93 beginning January 1, 2021, and thereafter;
- 450 (ii) for each hybrid electric motor vehicle:
- 451 (A) \$11.25 during calendar year 2020; and
- 452 (B) \$15 beginning January 1, 2021, and thereafter;
- 453 (iii) for each plug-in hybrid electric motor vehicle:
- 454 (A) \$30 during calendar year 2020; and
- 455 (B) \$40 beginning January 1, 2021, and thereafter; and
- 456 (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is
- 457 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 458 (A) \$69.75 during calendar year 2020; and
- 459 (B) \$93 beginning January 1, 2021, and thereafter.

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

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

466 (B) 0.

467 (ii) Beginning on January 1, 2022, the commission shall, on January 1, annually adjust  
468 the registration fees described in Subsections (1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),  
469 (1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B) by taking the  
470 registration fee rate for the previous year and adding an amount equal to the greater of:

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

473 (B) 0.

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

476 (4) (a) The initial registration fee for a vintage vehicle that [~~is 40 years old~~] has a  
477 model year of 1980 or older is \$40.

478 (b) A vintage vehicle that [~~is 40 years old~~] has a model year of 1980 or older is exempt  
479 from the renewal of registration fees under Subsection (1).

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

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

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

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

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

490 (7) The owner of a commercial trailer or commercial semitrailer may, as an alternative



491 to registering under Subsection (1)(c), apply for and obtain a special registration and license  
492 plate for a fee of \$130.

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

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

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

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

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

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

505 Section 8. Section 41-3-105 is amended to read:

506 **41-3-105. Administrator's powers and duties -- Administrator and investigators**  
507 **to be law enforcement officers.**

508 (1) The administrator may make rules to carry out the purposes of this chapter and  
509 Sections 41-1a-1001 through 41-1a-1006 according to the procedures and requirements of Title  
510 63G, Chapter 3, Utah Administrative Rulemaking Act.

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

514 (b) The administrator, assistant administrator, and all investigators shall be law  
515 enforcement officers certified by peace officer standards and training as required by Section  
516 53-13-103.

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

518 (i) this chapter;

519 (ii) Title 41, Chapter 1a, Motor Vehicle Act;

520 (iii) any law concerning motor vehicle fraud; or

521 (iv) any rule made by the administrator.

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

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

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

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

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

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

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

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

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

537 (B) if located outside of any municipality, a general description so that the location can  
538 be determined; and

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

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

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

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

547 (viii) the sales and use tax license number issued to the dealer under Title 59, Chapter  
548 12, Sales and Use Tax Act; and

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

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

552 (B) the name and address of each individual who will act as a direct-sale manufacturer

553 salesperson under authority of the license;

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

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

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

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

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

568 (6) (a) The administrator may require that a licensee erect or post signs or devices on  
569 the licensee's principal place of business and any other sites, equipment, or locations operated  
570 and maintained by the licensee in conjunction with the licensee's business.

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

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

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

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

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

583 (a) make arrests upon view and without warrant for any violation committed in their

584 presence of any of the provisions of this chapter, or Title 41, Chapter 1a, Motor Vehicle Act;

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

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

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

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

595 (9) The administrator shall provide security for an area within the commission  
596 designated as a secure area under Section 76-8-311.1.

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

599 Section 9. Section 41-6a-1642 is amended to read:

600 **41-6a-1642. Emissions inspection -- County program.**

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

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

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

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

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

- 615 (i) the federal government;
- 616 (ii) the state and any of its agencies; or
- 617 (iii) a political subdivision of the state, including school districts.
- 618 (2) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions
- 619 inspection and maintenance program certificate of emissions inspection as described in
- 620 Subsection (1), but the program may not deny vehicle registration based solely on the presence
- 621 of a defeat device covered in the Volkswagen partial consent decrees or a United States
- 622 Environmental Protection Agency-approved vehicle modification in the following vehicles:
- 623 (a) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
- 624 emissions are mitigated in the state pursuant to a partial consent decree, including:
- 625 (i) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
- 626 (ii) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
- 627 2014;
- 628 (iii) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
- 629 (iv) Volkswagen Golf Sportwagen, model year 2015;
- 630 (v) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
- 631 (vi) Volkswagen Beetle, model years 2013, 2014, and 2015;
- 632 (vii) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
- 633 (viii) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
- 634 (b) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
- 635 emissions are mitigated in the state to a settlement, including:
- 636 (i) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
- 637 2016;
- 638 (ii) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
- 639 (iii) Audi A6 Quattro, model years 2014, 2015, and 2016;
- 640 (iv) Audi A7 Quattro, model years 2014, 2015, and 2016;
- 641 (v) Audi A8, model years 2014, 2015, and 2016;
- 642 (vi) Audi A8L, model years 2014, 2015, and 2016;
- 643 (vii) Audi Q5, model years 2014, 2015, and 2016; and
- 644 (viii) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 645 (3) (a) The legislative body of a county identified in Subsection (1), in consultation

646 with the Air Quality Board created under Section 19-1-106, shall make regulations or  
647 ordinances regarding:

- 648 (i) emissions standards;
- 649 (ii) test procedures;
- 650 (iii) inspections stations;
- 651 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 652 (v) certificates of emissions inspections.

653 (b) In accordance with Subsection (3)(a), a county legislative body:

654 (i) shall make regulations or ordinances to attain or maintain ambient air quality  
655 standards in the county, consistent with the state implementation plan and federal  
656 requirements;

657 (ii) may allow for a phase-in of the program by geographical area; and

658 (iii) shall comply with the analyzer design and certification requirements contained in  
659 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

660 (c) The county legislative body and the Air Quality Board shall give preference to an  
661 inspection and maintenance program that:

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

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

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

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

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

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

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

675 (a) an implement of husbandry as defined in Section 41-1a-102;

676 (b) a motor vehicle that:

- 677 (i) meets the definition of a farm truck under Section 41-1a-102; and  
678 (ii) has a gross vehicle weight rating of 12,001 pounds or more;  
679 (c) a vintage vehicle as defined in Section 41-21-1[;];  
680 (i) if the vintage vehicle has a model year of 1980 or older; or  
681 (ii) for a vintage vehicle that has a model year of 1981 or newer, if the owner provides  
682 proof of vehicle insurance that is a type specific to a vehicle collector;  
683 (d) a custom vehicle as defined in Section 41-6a-1507;  
684 (e) to the extent allowed under the current federally approved state implementation  
685 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor  
686 vehicle that is less than two years old on January 1 based on the age of the vehicle as  
687 determined by the model year identified by the manufacturer;  
688 (f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating  
689 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed  
690 statement to the legislative body stating the truck is used:  
691 (i) by the owner or operator of a farm located on property that qualifies as land in  
692 agricultural use under Sections 59-2-502 and 59-2-503; and  
693 (ii) exclusively for the following purposes in operating the farm:  
694 (A) for the transportation of farm products, including livestock and its products,  
695 poultry and its products, floricultural and horticultural products; and  
696 (B) in the transportation of farm supplies, including tile, fence, and every other thing or  
697 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production  
698 and maintenance;  
699 (g) a motorcycle as defined in Section 41-1a-102;  
700 (h) an electric motor vehicle as defined in Section 41-1a-102; and  
701 (i) a motor vehicle with a model year of 1967 or older.  
702 (5) The county shall issue to the registered owner who signs and submits a signed  
703 statement under Subsection (4)(f) a certificate of exemption from emissions inspection  
704 requirements for purposes of registering the exempt vehicle.  
705 (6) A legislative body of a county described in Subsection (1) may exempt from an  
706 emissions inspection program a diesel-powered motor vehicle with a:  
707 (a) gross vehicle weight rating of more than 14,000 pounds; or

708 (b) model year of 1997 or older.

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

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

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

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

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

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

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

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

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

719 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under  
720 federal law to utilize a motor vehicle emissions inspection and maintenance program or in  
721 which an emissions inspection and maintenance program is necessary to attain or maintain any  
722 national ambient air quality standard may require each college or university located in a county  
723 subject to this section to require its students and employees who park a motor vehicle not  
724 registered in a county subject to this section to provide proof of compliance with an emissions  
725 inspection accepted by the county legislative body if the motor vehicle is parked on the college  
726 or university campus or property.

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

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

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

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

738 (c) (i) To the extent allowed under the current federally approved state implementation



739 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative  
740 body of a county identified in Subsection (1) shall only require the emissions inspection every  
741 two years for each vehicle.

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

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

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

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

755 (A) state that the county will establish or change the frequency of the vehicle emissions  
756 inspection and maintenance program under this section;

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

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

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

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

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

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

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

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

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

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

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

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

785 (b) A county identified in Subsection (1) shall supply this information to an appropriate  
786 legislative committee, as designated by the Legislative Management Committee, at times  
787 determined by the designated committee to identify program needs, including funding needs.

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

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

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

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

801 Section 10. Section **53-1-106.2** is enacted to read:

802 **53-1-106.2. Towing dispatch pilot program.**

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

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

808 (a) the following requirements and capabilities:

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

811 (ii) increasing information, transparency, and data collection associated with tow  
812 rotation operations, including dispatching, response time, completion, clearance, and storage;  
813 and

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

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

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

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

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

824 Section 11. Section **53-3-105** is amended to read:

825 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**  
826 **and identification cards.**

827 The following fees apply under this chapter:

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

829 (2) An original provisional license application for a class D license under Section  
830 [53-3-205](#) is \$39.

831 (3) An original limited term license application under Section [53-3-205](#) is \$32.

- 832 (4) An original application for a motorcycle endorsement under Section 53-3-205 is  
833 \$18.
- 834 (5) An original application for a taxicab endorsement under Section 53-3-205 is \$14.
- 835 (6) A learner permit application under Section 53-3-210.5 is \$19.
- 836 (7) A renewal of a class D license under Section 53-3-214 is \$52 unless Subsection  
837 (12) applies.
- 838 (8) A renewal of a provisional license application for a class D license under Section  
839 53-3-214 is \$52.
- 840 (9) A renewal of a limited term license application under Section 53-3-214 is \$32.
- 841 (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
- 842 (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
- 843 (12) A renewal of a class D license for an individual 65 and older under Section  
844 53-3-214 is \$27.
- 845 (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection  
846 (17) applies.
- 847 (14) An extension of a provisional license application for a class D license under  
848 Section 53-3-214 is \$42.
- 849 (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
- 850 (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
- 851 (17) An extension of a class D license for an individual 65 and older under Section  
852 53-3-214 is \$22.
- 853 (18) An original or renewal application for a commercial class A, B, or C license or an  
854 original or renewal of a provisional commercial class A or B license under Part 4, Uniform  
855 Commercial Driver License Act, is \$52.
- 856 (19) A commercial class A, B, or C license skills test is \$78.
- 857 (20) Each original CDL endorsement for passengers, hazardous material, double or  
858 triple trailers, or tankers is \$9.
- 859 (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial  
860 Driver License Act, is \$9.
- 861 (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver  
862 License Act, is \$9.

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

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

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

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

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

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

871 (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or  
872 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or  
873 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under  
874 Part 4, Uniform Commercial Driver License Act, is \$255.

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

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

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

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

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

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

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

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

888 (B) is indigent; and

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

890 (ii) submits written verification that the individual is homeless, as defined in Section  
891 26-18-411, a person who is homeless, as defined in Section 35A-5-302, or a child or youth who  
892 is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

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

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

896 (C) the Department of Workforce Services; or

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

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

901 (b) The fee described in Subsection (31)(a) is waived if the applicant submits written  
902 verification that the individual is homeless, as defined in Section [26-18-411](#), or a person who is  
903 homeless, as defined in Section [35A-5-302](#), or a child or youth who is homeless, as defined in  
904 42 U.S.C. Sec. 11434a(2), from:

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

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

908 (iii) the Department of Workforce Services;

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

911 (v) a local educational agency liaison for homeless children and youth designated under  
912 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

913 (32) (a) An extension of a regular identification card under Subsection [53-3-807](#)(5) is  
914 \$23.

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

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

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

921 (iii) the Department of Workforce Services; or

922 (iv) a homeless service provider as verified by the Department of Workforce Services  
923 as described in Section [26-2-12.6](#).

924 (33) In addition to any license application fees collected under this chapter, the division

925 shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the  
926 fees that the Bureau of Criminal Identification is authorized to collect for the services the  
927 Bureau of Criminal Identification provides under Section 53-3-205.5.

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

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

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

931 Section 12. Section 53-3-219 is amended to read:

932 **53-3-219. Suspension of minor's driving privileges.**

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

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

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

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

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

945 (ii) Upon receipt of the first order suspending a person's driving privileges under this  
946 section, the division shall reduce the suspension period under Subsection (2)(a)(i)(A), (B), or  
947 (C) if ordered by the court in accordance with Subsection 32B-4-409(5)(b), 32B-4-410(4)(b),  
948 76-9-701(4)(b), or 80-6-707(3)(a).

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

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

953 (B) if the person has not been issued an operator license or is under the age of  
954 eligibility for a driver license, deny the person's application for a license or learner's permit for  
955 a period of two years; or

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

959 (ii) Upon receipt of the second or subsequent order suspending a person's driving  
960 privileges under Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or Section  
961 80-6-707, the division shall reduce the suspension period if ordered by the court in accordance  
962 with Subsection 32B-4-409(5)(c), 32B-4-410(4)(c), 76-9-701(4)(c), or 80-6-707(3)(b).

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

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

971 Section 13. Section 59-12-2220 is amended to read:

972 **59-12-2220. County option sales and use tax to fund a system for public transit --**  
973 **Base -- Rate.**

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

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

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

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

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

983 (A) Section 59-12-2213;

984 (B) Section 59-12-2214;

985 (C) Section 59-12-2215;

986 (D) Section 59-12-2216;



987 (E) Section [59-12-2217](#);

988 (F) Section [59-12-2218](#); and

989 (G) Section [59-12-2219](#);

990 (b) if the county is not annexed into a large public transit district, the county legislative  
991 body may impose the sales and use tax on the transactions described in Subsection  
992 [59-12-103](#)(1) located within the county, including the cities and towns within the county if:

993 (i) the county is an eligible political subdivision as defined in Section [59-12-2219](#); or

994 (ii) a city or town within the boundary of the county is an eligible political subdivision  
995 as defined in Section [59-12-2219](#); or

996 (c) a county legislative body of a county not described in Subsection (1)(a) may impose  
997 the sales and use tax on the transactions described in Subsection [59-12-103](#)(1) located within  
998 the county, including the cities and towns within the county, if there is a public transit district  
999 within the boundary of the county.

1000 (2) For purposes of Subsection (1) and subject to the other provisions of this section, a  
1001 county legislative body that imposes a sales and use tax under this section may impose the tax  
1002 at a rate of .2%.

1003 (3) A county imposing a sales and use tax under this section shall expend the revenues  
1004 collected from the sales and use tax for capital expenses and service delivery expenses of:

1005 (a) a public transit district;

1006 (b) an eligible political subdivision, as that term is defined in Section [59-12-2219](#); or

1007 (c) another entity providing a service for public transit or a transit facility within the  
1008 county as those terms are defined in Section [17B-2a-802](#).

1009 (4) Notwithstanding Section [59-12-2208](#), a county legislative body may, but is not  
1010 required to, submit an opinion question to the county's registered voters in accordance with  
1011 Section [59-12-2208](#) to impose a sales and use tax under this section.

1012 (5) (a) Notwithstanding any other provision in this section, if a county wishes to  
1013 impose a sales and use tax under this section, the county legislative body shall pass the  
1014 ordinance to impose a sales and use tax under this section on or before June 30, 2023.

1015 (b) The county legislative body may not pass an ordinance to impose a sales and use  
1016 tax under this section on or after July 1, 2023.

1017 (c) Notwithstanding the deadline described in Subsection (5)(a), any sales and use tax

1018 imposed under this section on or before June 30, 2023, may remain in effect.

1019 (6) (a) Revenue collected from a sales and use tax under this section may not be used  
1020 to supplant existing General Fund appropriations that a county has budgeted for transportation  
1021 or public transit as of the date the tax becomes effective for a county.

1022 (b) The limitation under Subsection (6)(a) does not apply to a designated transportation  
1023 or public transit capital or reserve account a county may have established prior to the date the  
1024 tax becomes effective.

1025 Section 14. Section **72-1-213** is amended to read:

1026 **72-1-213. Road usage charge study -- Recommendations.**

1027 (1) (a) The department shall study a road usage charge mileage-based revenue system,  
1028 including a demonstration program, as an alternative to the motor and special tax.

1029 (b) The demonstration program may consider:

1030 (i) the necessity of protecting all personally identifiable information used in reporting  
1031 highway use;

1032 (ii) alternatives to recording and reporting highway use;

1033 (iii) alternatives to administration of a road usage charge program; and

1034 (iv) other factors as determined by the department.

1035 (2) (a) Beginning in 2019, and no later than September 30 of each year, the department  
1036 shall prepare and submit a report of its findings based on the results of the road usage charge  
1037 demonstration program to the:

1038 (i) Transportation Commission;

1039 (ii) Transportation Interim Committee of the Legislature; and

1040 (iii) Revenue and Taxation Interim Committee of the Legislature.

1041 (b) The report shall review the following issues:

1042 (i) cost;

1043 (ii) privacy, including recommendations regarding public and private access, including  
1044 by law enforcement, to data collected and stored for purposes of the road usage charge to  
1045 ensure individual privacy rights are protected;

1046 (iii) jurisdictional issues;

1047 (iv) feasibility;

1048 (v) complexity;

- 1049 (vi) acceptance;
- 1050 (vii) use of revenues;
- 1051 (viii) security and compliance, including a discussion of processes and security
- 1052 measures necessary to minimize fraud and tax evasion rates;
- 1053 (ix) data collection technology, including a discussion of the advantages and
- 1054 disadvantages of various types of data collection equipment and the privacy implications and
- 1055 considerations of the equipment;
- 1056 (x) potential for additional driver services; and
- 1057 (xi) implementation issues.
- 1058 (c) The report may make recommendations to the Legislature and other policymaking
- 1059 bodies on the potential use and future implementation of a road usage charge within the state.
- 1060 (3) Upon full implementation of a road user charge program for alternative fuel
- 1061 vehicles, which shall occur no later than January 1, 2020, as set forth in Section 72-1-213.1, the
- 1062 department, in coordination with the Motor Vehicle Division, shall offer the option to an owner
- 1063 of an alternative fuel vehicle as defined in Section 41-1a-102 to:
- 1064 (a) pay an increased motor vehicle registration fee required in Subsection
- 1065 41-1a-1206(1)(h) or (2)(b); or
- 1066 (b) participate in a road user charge program.
- 1067 Section 15. Section 72-1-213.1 is amended to read:
- 1068 **72-1-213.1. Road usage charge program.**
- 1069 (1) As used in this section:
- 1070 (a) "Account manager" means an entity under contract with the department to
- 1071 administer and manage the road usage charge program.
- 1072 (b) "Alternative fuel vehicle" means the same as that term is defined in Section
- 1073 41-1a-102.
- 1074 (c) "Payment period" means the interval during which an owner is required to report
- 1075 mileage and pay the appropriate road usage charge according to the terms of the program.
- 1076 (d) "Program" means the road usage charge program established and described in this
- 1077 section.
- 1078 (2) There is established a road usage charge program as described in this section.
- 1079 (3) (a) The department shall implement and oversee the administration of the program,

1080 which shall begin on January 1, 2020.

1081 (b) To implement and administer the program, the department may contract with an  
1082 account manager.

1083 (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of  
1084 the alternative fuel vehicle in the program.

1085 (b) If an application for enrollment into the program is approved by the department, the  
1086 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying  
1087 the fee described in Subsection 41-1a-1206(1)(h) or (2)(b).

1088 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1089 and consistent with this section, the department:

1090 (i) shall make rules to establish:

1091 (A) processes and terms for enrollment into and withdrawal or removal from the  
1092 program;

1093 (B) payment periods and other payment methods and procedures for the program;

1094 (C) standards for mileage reporting mechanisms for an owner or lessee of an  
1095 alternative fuel vehicle to report mileage as part of participation in the program;

1096 (D) standards for program functions for mileage recording, payment processing,  
1097 account management, and other similar aspects of the program;

1098 (E) contractual terms between an owner or lessee of an alternative fuel vehicle owner  
1099 and an account manager for participation in the program;

1100 (F) contractual terms between the department and an account manager, including  
1101 authority for an account manager to enforce the terms of the program;

1102 (G) procedures to provide security and protection of personal information and data  
1103 connected to the program, and penalties for account managers for violating privacy protection  
1104 rules;

1105 (H) penalty procedures for a program participant's failure to pay a road usage charge or  
1106 tampering with a device necessary for the program; and

1107 (I) department oversight of an account manager, including privacy protection of  
1108 personal information and access and auditing capability of financial and other records related to  
1109 administration of the program; and

1110 (ii) may make rules to establish:

1111 (A) an enrollment cap for certain alternative fuel vehicle types to participate in the  
1112 program;

1113 (B) a process for collection of an unpaid road usage charge or penalty; or

1114 (C) integration of the program with other similar programs, such as tolling.

1115 (b) The department shall make recommendations to and consult with the commission  
1116 regarding road usage mileage rates for each type of alternative fuel vehicle.

1117 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and  
1118 consistent with this section, the commission shall, after consultation with the department, make  
1119 rules to establish the road usage charge mileage rate for each type of alternative fuel vehicle.

1120 (7) Revenue generated by the road usage charge program and relevant penalties shall  
1121 be deposited into the Road Usage Charge Program Special Revenue Fund.

1122 (8) (a) The department may:

1123 (i) (A) impose a penalty for failure to timely pay a road usage charge according to the  
1124 terms of the program or tampering with a device necessary for the program; and

1125 (B) request that the Division of Motor Vehicles place a hold on the registration of the  
1126 owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge according to  
1127 the terms of the program;

1128 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner  
1129 or lessee of:

1130 (A) the road usage charge program, implementation, and procedures;

1131 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to  
1132 the department;

1133 (C) the penalty for failure to pay a road usage charge within the time period described  
1134 in Subsection (8)(a)(iii); and

1135 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel  
1136 vehicle, if the road usage charge and penalty are not paid within the time period described in  
1137 Subsection (8)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's  
1138 registration; and

1139 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage  
1140 charge to the department within 30 days of the date when the department sends written notice  
1141 of the road usage charge to the owner or lessee.

1142 (b) The department shall send the correspondence and notice described in Subsection  
1143 (8)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

1144 (9) (a) The Division of Motor Vehicles and the department shall share and provide  
1145 access to information pertaining to an alternative fuel vehicle and participation in the program  
1146 including:

1147 (i) registration and ownership information pertaining to an alternative fuel vehicle;

1148 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to  
1149 pay a road usage charge or penalty imposed under this section within the time period described  
1150 in Subsection (8)(a)(iii); and

1151 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

1152 (b) If the department requests a hold on the registration in accordance with this section,  
1153 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title  
1154 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

1155 (10) The owner of an alternative fuel vehicle may apply for enrollment in the program  
1156 or withdraw from the program according to the terms established by the department pursuant to  
1157 rules made under Subsection (5).

1158 (11) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

1159 (a) report mileage driven as required by the department pursuant to Subsection (5);

1160 (b) pay the road usage fee for each payment period as set by the department and the  
1161 commission pursuant to Subsections (5) and (6); and

1162 (c) comply with all other provisions of this section and other requirements of the  
1163 program.

1164 ~~[(12) (a) On or before June 1, 2021, and except for the vehicles excluded in Subsection~~  
1165 ~~(12)(b), the department shall submit to a legislative committee designated by the Legislative~~  
1166 ~~Management Committee a written plan to enroll all vehicles registered in the state in the~~  
1167 ~~program by December 31, 2031.]~~

1168 ~~[(b) The plan described in Subsection (12)(a) may exclude authorized carriers~~  
1169 ~~described in Subsection [59-12-102\(17\)\(a\)](#).]~~

1170 ~~[(c) Beginning in 2021, on or before October 1 of each year, the department shall~~  
1171 ~~submit annually an electronic report recommending strategies to expand enrollment in the~~  
1172 ~~program to meet the deadline provided in Subsection (12)(a).]~~

1173 ~~[(13)]~~ (12) Beginning in 2021, the department shall submit annually, on or before  
 1174 October 1, to the ~~[legislative committee that receives the report described in Subsection~~  
 1175 ~~(12)(a)]~~ Transportation Interim Committee, an electronic report that:

- 1176 (a) states for the preceding fiscal year:
- 1177 (i) the amount of revenue collected from the program;
- 1178 (ii) the participation rate in the program; and
- 1179 (iii) the department's costs to administer the program; and
- 1180 (b) provides for the current fiscal year, an estimate of:
- 1181 (i) the revenue that will be collected from the program;
- 1182 (ii) the participation rate in the program; and
- 1183 (iii) the department's costs to administer the program.

1184 Section 16. Section **72-1-213.2** is amended to read:

1185 **72-1-213.2. Road Usage Charge Program Special Revenue Fund -- Revenue.**

1186 (1) There is created a special revenue fund within the Transportation Fund known as  
 1187 the "Road Usage Charge Program Special Revenue Fund."

1188 (2) (a) The fund shall be funded from the following sources:

- 1189 ~~[(a)]~~ (i) revenue collected by the department under Section [72-1-213.1](#);
- 1190 ~~[(b)]~~ (ii) appropriations made to the fund by the Legislature;
- 1191 ~~[(c)]~~ (iii) contributions from other public and private sources for deposit into the fund;
- 1192 ~~[(d)]~~ (iv) interest earnings on cash balances; and
- 1193 ~~[(e)]~~ (v) money collected for repayments and interest on fund money.

1194 (b) If the revenue derived from the sources described in Subsection (2)(a) is  
 1195 insufficient to cover the costs of administering the road usage charge program, the department  
 1196 may transfer into the fund revenue deposited into the Transportation Fund from the fee  
 1197 described in Subsections [41-1a-1206\(1\)\(h\)](#) and (2)(b) in an amount sufficient to enable the  
 1198 department to administer the road usage charge program.

1199 (3) (a) Revenue generated by the road usage charge program and relevant penalties  
 1200 shall be deposited into the Road Usage Charge Program Special Revenue Fund.

1201 (b) Revenue in the Road Usage Charge Program Special Revenue Fund is nonlapsing.

1202 (4) Upon appropriation by the Legislature, the department may use revenue deposited  
 1203 into the Road Usage Charge Program Special Revenue Fund:

1204 (a) to cover the costs of administering the program; and

1205 (b) for state transportation purposes.

1206 Section 17. Section **72-5-309** is amended to read:

1207 **72-5-309. Acceptance of rights-of-way -- Notice of acknowledgment required.**

1208 (1) The governor or the governor's designee may assess whether the grant of the R.S.  
1209 2477 has been accepted with regard to any right-of-way so as to vest title of the right-of-way in  
1210 the state and the applicable political subdivision as provided for in Section [72-5-103](#).

1211 (2) If the governor or governor's designee concludes that the grant has been accepted as  
1212 to any right-of-way, the governor or a designee shall issue a notice of acknowledgment of the  
1213 acceptance of the R.S. 2477 grant as to that right-of-way.

1214 (3) A notice of acknowledgment of the R.S. 2477 grant shall include:

1215 (a) a statement of reasons for the acknowledgment;

1216 (b) a general description of the right-of-way or rights-of-way subject to the notice of  
1217 acknowledgment, including the county in which it is located, and notice of where a center-line  
1218 description derived from Global Positioning System data may be viewed or obtained;

1219 (c) a statement that the owner of the servient estate in the land over which the  
1220 right-of-way or rights-of-way subject to the notice runs or any person with a competing  
1221 dominant estate ownership claim may file a petition with the district court for a decision  
1222 regarding the correctness or incorrectness of the acknowledgment; and

1223 (d) a statement of the time limit provided in Section [72-5-310](#) for filing a petition.

1224 (4) (a) (i) The governor or the governor's designee may record a notice of  
1225 acknowledgment, and any supporting affidavit, map, or other document purporting to establish  
1226 or affect the state's property interest in the right-of-way or rights-of-way, in the office of the  
1227 county recorder in the county where the right-of-way or rights-of-way exist.

1228 (ii) (A) A notice of acknowledgment recorded in the county recorder's office is not  
1229 required to be accompanied by a paper copy of the center-line description.

1230 (B) A paper copy of each center-line description together with the notice of  
1231 acknowledgment shall be placed in the state archives created in Section [63A-12-101](#) and made  
1232 available to the public upon request in accordance with Title 63G, Chapter 2, Government  
1233 Records Access and Management Act.

1234 (C) An electronic copy of the center-line description identified in a notice of



1235 acknowledgment shall be available upon request at:

1236 (I) the county recorder's office; or

1237 (II) the Utah Geospatial Resource Center created in Section [~~63F-1-506~~] [63A-16-505](#).

1238 (b) A notice of acknowledgment recorded in the county recorder's office is conclusive  
1239 evidence of acceptance of the R.S. 2477 grant upon:

1240 (i) expiration of the 60-day period for filing a petition under Section [72-5-310](#) without  
1241 the filing of a petition; or

1242 (ii) a final court decision that the notice of acknowledgment was not incorrect.

1243 Section 18. Section ~~72-5-403~~ is amended to read:

1244 **72-5-403. Transportation corridor preservation powers.**

1245 (1) The department, counties, and municipalities may:

1246 (a) act in cooperation with one another and other government entities to promote  
1247 planning for and enhance the preservation of transportation corridors and to more effectively  
1248 use the money available in the Marda Dillree Corridor Preservation Fund created in Section  
1249 [72-2-117](#);

1250 (b) undertake transportation corridor planning, review, and preservation processes; and

1251 (c) acquire fee simple rights and other rights of less than fee simple, including  
1252 easement and development rights, or the rights to limit development, including rights in  
1253 alternative transportation corridors, and to make these acquisitions up to a projected 30 years in  
1254 advance of using those rights in actual transportation facility construction.

1255 (2) In addition to the powers described under Subsection (1), counties and  
1256 municipalities may:

1257 (a) limit development for transportation corridor preservation by land use regulation  
1258 and by official maps; and

1259 (b) by ordinance prescribe procedures for approving limited development in  
1260 transportation corridors until the time transportation facility construction begins.

1261 (3) (a) The department shall identify and the commission shall approve transportation  
1262 corridors as high priority transportation corridors for transportation corridor preservation.

1263 (b) The department shall notify a county or municipality if the county or municipality  
1264 has land within its boundaries that is located within the boundaries of a high priority  
1265 transportation corridor.

1266 (c) The department may, on a voluntary basis, acquire private property rights within the  
 1267 boundaries of a high priority transportation corridor for which a notification has been received  
 1268 in accordance with Section [~~10-9a-509 or 17-27a-508~~] [10-9a-206](#) or [17-27a-206](#).

1269 Section 19. **Appropriation.**

1270 The Legislature has reviewed the following proprietary funds. Under the terms and  
 1271 conditions of Utah Code [63J-1-410](#), for any included Internal Service Fund, the Legislature  
 1272 approves budgets, full-time permanent positions, and capital acquisition amounts as indicated,  
 1273 and appropriates to the funds, as indicated, estimated revenue from rates, fees, and other  
 1274 charges. The Legislature authorizes the State Division of Finance to transfer amounts between  
 1275 funds and accounts as indicated.

1276 ITEM 1

1277 To the Office of the Attorney General - Internal Service Fund -Attorney General

1278 From Dedicated Credits Revenue \$192,000

1279 Schedule of Programs:

1280 Criminal Division \$192,000

1281 Budgeted FTE 1.0

1282 The Legislature intends that the Office of the Attorney General use the appropriation  
 1283 under this item to provide prosecution of Title 41, Chapter 3, Motor Vehicle Business  
 1284 Regulation Act.

1285 Section 20. **Effective date.**

1286 This bill takes effect on May 4, 2022, except that the amendments to Sections  
 1287 [41-1a-226](#), [41-1a-1201](#), [41-1a-1206](#), and [41-6a-1642](#) in this bill take effect on January 1, 2023.