

152 (ii) to mitigate impacts associated with off-highway vehicle use.

153 (c) An unused balance of the money deposited under Subsection (3)(a) exceeding
154 \$350,000 at the end of each fiscal year shall be deposited in the Off-highway Vehicle Account
155 under Subsection (1).

156 (4) One dollar of each off-highway vehicle registration fee collected under Subsection
157 41-22-8(1) shall be deposited into the Utah Highway Patrol Aero Bureau Restricted Account
158 created in Section 53-8-303.

159 (5) (a) The Motor Vehicle Division shall collect a fee for any new or replacement
160 license plate issued under this chapter.

161 (b) The fee described in Subsection (5)(a) shall be an amount equal to the fee for a new
162 or replacement license plate as established pursuant to Section 63J-1-504.

163 (c) ~~H→ [The Motor Vehicle Division shall deposit the fee described in Subsection (5)(a) into~~
164 ~~the License Plate Restricted Account created under Section 41-1a-122.] The commission shall use~~
164a ~~the revenue generated by the fee described in Subsection (5)(a) to cover the costs of issuing~~
164b ~~license plates under this chapter in the same manner as described in Subsection 41-1a-1201(3).~~

164c ←H

165 [(5)] (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
166 Act, the division, after notifying the commission, shall make rules as necessary to implement
167 this section.

168 Section 4. Section 41-22-31 is repealed and reenacted to read:

169 **41-22-31. Division to set standards for safety program -- Safety certificates issued**
170 **-- Cooperation with public and private entities -- State immunity from suit.**

171 (1) (a) The division shall:

172 (i) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
173 make rules, after notifying the commission, that establish curriculum standards for a
174 comprehensive off-highway vehicle safety education and training program as described in this
175 section; and

176 (ii) implement the program.

177 (b) (i) The division shall design the program to develop and instill the knowledge,
178 attitudes, habits, and skills necessary for the safe and ethical operation of an off-highway
179 vehicle.

180 (ii) Components of the program shall include:

181 (A) the preparation and dissemination of off-highway vehicle information and safety
182 advice to the public;

214 associations, private and public corporations, and local government units to implement the
 215 program established under this section.

216 (7) In addition to the governmental immunity granted in Title 63G, Chapter 7,
 217 Governmental Immunity Act of Utah, the state is immune from suit for any act, or failure to
 218 act, in any capacity relating to the off-highway vehicle safety education and training program.
 219 The state is also not responsible for any insufficiency or inadequacy in the quality of training
 220 provided by this program.

221 (8) A person convicted of a violation of this section is guilty of an infraction and shall
 222 be fined not more than \$150 per offense.

223 Section 5. Section **41-22-32** is amended to read:

224 **41-22-32. Approval of safety courses.**

225 (1) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 226 the division may make rules, after consultation with the commission, that establish standards
 227 for an off-highway vehicle safety course for instruction on the safe operation of an off-highway
 228 vehicle.

229 (b) The division shall require that the information described in Subsection
 230 [~~41-22-31(1)(c)(iii)~~] 41-22-31(1)(b)(ii) be part of an off-highway vehicle safety course for
 231 instruction on the safe operation of an off-highway vehicle.

232 (2) If a private organization meets the standards set by the division under Subsection
 233 (1), the division shall approve the off-highway vehicle safety course as compliant with the
 234 standards and purposes of this chapter.

235 Section 6. **Effective date.**

236 **H→ [This] If approved by two-thirds of all the members elected to each house, this ←H**
 236a bill takes effect upon approval by the governor, or the day following the
 237 constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's
 238 signature, or in the case of a veto, the date of veto override.

239 Section 7. **Retrospective operation.**

240 The following sections have retrospective operation to January 1, 2023:

241 (1) Section 41-22-3; and

242 (2) Section 41-22-19.

243