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REGISTRATION OF NOVEL VEHICLES

2024 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: Daniel McCay

2 3 **LONG TITLE** 4 **General Description:** 5 This bill amends Title 41, Motor Vehicles, in relation to novel vehicles. 6 **Highlighted Provisions:** 7 This bill: 8 defines terms; 9 establishes a registration process for a novel vehicle; 10 provides a process for an individual to appeal to the State Tax Commission to review a 11 novel vehicle registration determination; 12 addresses requirements for a street-legal novel vehicle; and 13 • requires the State Tax Commission to provide an annual report to the Transportation 14 Interim Committee regarding the registration of novel vehicles. 15 Money Appropriated in this Bill: 16 None 17 **Other Special Clauses:** 18 This bill provides a special effective date. 19 **Utah Code Sections Affected:** 20 AMENDS: 21 **41-1a-201**, as last amended by Laws of Utah 2023, Chapter 532 22 **41-1a-205**, as last amended by Laws of Utah 2017, Chapters 149, 406 23 **41-6a-102**, as last amended by Laws of Utah 2023, Chapters 219, 532 24 **41-6a-1509**, as last amended by Laws of Utah 2022, Chapter 68 25 **41-6a-1601**, as last amended by Laws of Utah 2019, Chapter 428 26 **41-6a-1629**, as last amended by Laws of Utah 2014, Chapter 229

41-6a-1642, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532

- 41-22-10.3, as last amended by Laws of Utah 2015, Chapter 412
 53-8-205, as last amended by Laws of Utah 2017, Chapters 149, 406
 ENACTS:
 41-27-101, Utah Code Annotated 1953
 41-27-201, Utah Code Annotated 1953
 41-27-202, Utah Code Annotated 1953
 41-27-301, Utah Code Annotated 1953
- 3536

- *Be it enacted by the Legislature of the state of Utah:*
- 37 Section 1. Section **41-1a-201** is amended to read:
 - 41-1a-201. Function of registration -- Registration required -- Penalty.
- (1) Unless exempted, a person or automated driving system may not operate and an owner may not engage an automated driving system, give another person permission to engage an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles] Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle
- 46 <u>Registration</u>, or Title 73, Chapter 18, State Boating Act.
- 47 (2) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
- 48 (3) (a) In the event that materials are temporarily unavailable for registration items 49 required under Section 41-1a-402, the commission may delay initial vehicle 50 registration or renewal of vehicle registrations.
- 51 (b) In a circumstance described in Subsection (3)(a), a person does not violate 52 Subsection (1) for failure to register a vehicle during a delay period described in 53 Subsection (3)(a).
- Section 2. Section **41-1a-205** is amended to read:
- 41-1a-205 . Safety inspection certificate required for commercial motor vehicles and initial registration of street-legal ATVs, street-legal novel vehicles, and salvage vehicles.
- 58 (1) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509 is 59 subject to a safety inspection the first time that a person registers an off-highway vehicle 60 as a street-legal all-terrain vehicle.
- 61 (2) A street-legal novel vehicle registered in accordance with Section 41-27-201 is subject

62 <u>to a safety inspection the first time that a person registers a novel vehicle as a street-legal</u>
63 novel vehicle.

- 64 [(2)] (3) A salvage vehicle as defined in Section 41-1a-1001 is subject to a safety inspection
- when the owner makes the initial application to register the vehicle as a salvage vehicle.
- 66 [(3)] (4) A safety inspection certificate shall be displayed on:
- 67 (a) all registered commercial vehicles as defined in Section 72-9-102;
- 68 (b) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with 69 multiple axles;
- 70 (c) a combination unit;
- 71 (d) a bus or van for hire;
- 72 (e) a taxicab; and
- 73 (f) a motor vehicle operated by a ground transportation service provider as defined in Section 72-10-601.
- 75 [(4)] (5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
- Section 3. Section **41-6a-102** is amended to read:
- 77 **41-6a-102** . Definitions.
- As used in this chapter:
- 79 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for through vehicular traffic.
- 81 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 82 (3) "Authorized emergency vehicle" includes:
- 83 (a) fire department vehicles;
- 84 (b) police vehicles;
- 85 (c) ambulances; and
- (d) other publicly or privately owned vehicles as designated by the commissioner of the
 Department of Public Safety.
- 88 (4) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 89 (5) (a) "Bicycle" means a wheeled vehicle:
- 90 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 91 (ii) with a seat or saddle designed for the use of the operator;
- 92 (iii) designed to be operated on the ground; and
- 93 (iv) whose wheels are not less than 14 inches in diameter.
- 94 (b) "Bicycle" includes an electric assisted bicycle.
- 95 (c) "Bicycle" does not include scooters and similar devices.

96	(6) (a) "Bus" means a motor vehicle:
97	(i) designed for carrying more than 15 passengers and used for the transportation of
98	persons; or
99	(ii) designed and used for the transportation of persons for compensation.
100	(b) "Bus" does not include a taxicab.
101	(7) (a) "Circular intersection" means an intersection that has an island, generally circular
102	in design, located in the center of the intersection where traffic passes to the right of
103	the island.
104	(b) "Circular intersection" includes:
105	(i) roundabouts;
106	(ii) rotaries; and
107	(iii) traffic circles.
108	(8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
109	Subsection (18)(d)(i).
110	(9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
111	Subsection (18)(d)(ii).
112	(10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in
113	Subsection (18)(d)(iii).
114	(11) "Commissioner" means the commissioner of the Department of Public Safety.
115	(12) "Controlled-access highway" means a highway, street, or roadway:
116	(a) designed primarily for through traffic; and
117	(b) to or from which owners or occupants of abutting lands and other persons have no
118	legal right of access, except at points as determined by the highway authority having
119	jurisdiction over the highway, street, or roadway.
120	(13) "Crosswalk" means:
121	(a) that part of a roadway at an intersection included within the connections of the lateral
122	lines of the sidewalks on opposite sides of the highway measured from:
123	(i) (A) the curbs; or
124	(B) in the absence of curbs, from the edges of the traversable roadway; and
125	(ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
126	included within the extension of the lateral lines of the existing sidewalk at right
127	angles to the centerline; or
128	(b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
129	pedestrian crossing by lines or other markings on the surface.

130	(14) "Department" means the Department of Public Safety.
131	(15) "Direct supervision" means oversight at a distance within which:
132	(a) visual contact is maintained; and
133	(b) advice and assistance can be given and received.
134	(16) "Divided highway" means a highway divided into two or more roadways by:
135	(a) an unpaved intervening space;
136	(b) a physical barrier; or
137	(c) a clearly indicated dividing section constructed to impede vehicular traffic.
138	(17) "Echelon formation" means the operation of two or more snowplows arranged
139	side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
140	clear snow from two or more lanes at once.
141	(18) "Electric assisted bicycle" means a bicycle with an electric motor that:
142	(a) has a power output of not more than 750 watts;
143	(b) has fully operable pedals on permanently affixed cranks;
144	(c) is fully operable as a bicycle without the use of the electric motor; and
145	(d) is one of the following:
146	(i) an electric assisted bicycle equipped with a motor or electronics that:
147	(A) provides assistance only when the rider is pedaling; and
148	(B) ceases to provide assistance when the bicycle reaches the speed of 20 miles
149	per hour;
150	(ii) an electric assisted bicycle equipped with a motor or electronics that:
151	(A) may be used exclusively to propel the bicycle; and
152	(B) is not capable of providing assistance when the bicycle reaches the speed of
153	20 miles per hour; or
154	(iii) an electric assisted bicycle equipped with a motor or electronics that:
155	(A) provides assistance only when the rider is pedaling;
156	(B) ceases to provide assistance when the bicycle reaches the speed of 28 miles
157	per hour; and
158	(C) is equipped with a speedometer.
159	(19) (a) "Electric personal assistive mobility device" means a self-balancing device with:
160	(i) two nontandem wheels in contact with the ground;
161	(ii) a system capable of steering and stopping the unit under typical operating
162	conditions;
163	(iii) an electric propulsion system with average power of one horsepower or 750

164	watts;
165	(iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
166	(v) a deck design for a person to stand while operating the device.
167	(b) "Electric personal assistive mobility device" does not include a wheelchair.
168	(20) "Explosives" means a chemical compound or mechanical mixture commonly used or
169	intended for the purpose of producing an explosion and that contains any oxidizing and
170	combustive units or other ingredients in proportions, quantities, or packing so that an
171	ignition by fire, friction, concussion, percussion, or detonator of any part of the
172	compound or mixture may cause a sudden generation of highly heated gases, and the
173	resultant gaseous pressures are capable of producing destructive effects on contiguous
174	objects or of causing death or serious bodily injury.
175	(21) "Farm tractor" means a motor vehicle designed and used primarily as a farm
176	implement, for drawing plows, mowing machines, and other implements of husbandry.
177	(22) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as
178	determined by a Tagliabue or equivalent closed-cup test device.
179	(23) "Freeway" means a controlled-access highway that is part of the interstate system as
180	defined in Section 72-1-102.
181	(24) (a) "Golf cart" means a device that:
182	(i) is designed for transportation by players on a golf course;
183	(ii) has not less than three wheels in contact with the ground;
184	(iii) has an unladen weight of less than 1,800 pounds;
185	(iv) is designed to operate at low speeds; and
186	(v) is designed to carry not more than six persons including the driver.
187	(b) "Golf cart" does not include:
188	(i) a low-speed vehicle or an off-highway vehicle;
189	(ii) a motorized wheelchair;
190	(iii) an electric personal assistive mobility device;
191	(iv) an electric assisted bicycle;
192	(v) a motor assisted scooter;
193	(vi) a personal delivery device, as defined in Section 41-6a-1119; or
194	(vii) a mobile carrier, as defined in Section 41-6a-1120.
195	(25) "Gore area" means the area delineated by two solid white lines that is between a
196	continuing lane of a through roadway and a lane used to enter or exit the continuing lane
197	including similar areas between merging or splitting highways

198	(26) "Gross weight" means the weight of a vehicle without a load plus the weight of any
199	load on the vehicle.
200	(27) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
201	(a) manufactured to meet Federal Motor Vehicle Safety Standards; and
202	(b) equipped with retractable flanged wheels that allow the vehicle to travel on a
203	highway or railroad tracks.
204	(28) "Highway" means the entire width between property lines of every way or place of any
205	nature when any part of it is open to the use of the public as a matter of right for
206	vehicular travel.
207	(29) "Highway authority" means the same as that term is defined in Section 72-1-102.
208	(30) (a) "Intersection" means the area embraced within the prolongation or connection of
209	the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of
210	two or more highways that join one another.
211	(b) Where a highway includes two roadways 30 feet or more apart:
212	(i) every crossing of each roadway of the divided highway by an intersecting
213	highway is a separate intersection; and
214	(ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
215	every crossing of two roadways of the highways is a separate intersection.
216	(c) "Intersection" does not include the junction of an alley with a street or highway.
217	(31) "Island" means an area between traffic lanes or at an intersection for control of vehicle
218	movements or for pedestrian refuge designated by:
219	(a) pavement markings, which may include an area designated by two solid yellow lines
220	surrounding the perimeter of the area;
221	(b) channelizing devices;
222	(c) curbs;
223	(d) pavement edges; or
224	(e) other devices.
225	(32) "Lane filtering" means, when operating a motorcycle other than an autocycle, the act
226	of overtaking and passing another vehicle that is stopped in the same direction of travel
227	in the same lane.
228	(33) "Law enforcement agency" means the same as that term is as defined in Section
229	53-1-102.
230	(34) "Limited access highway" means a highway:

(a) that is designated specifically for through traffic; and

232	(b) over, from, or to which neither owners nor occupants of abutting lands nor other
233	persons have any right or easement, or have only a limited right or easement of
234	access, light, air, or view.
235	(35) "Local highway authority" means the legislative, executive, or governing body of a
236	county, municipal, or other local board or body having authority to enact laws relating to
237	traffic under the constitution and laws of the state.
238	(36) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:
239	(i) is designed to be operated at speeds of not more than 25 miles per hour; and
240	(ii) has a capacity of not more than six passengers, including a conventional driver or
241	fallback-ready user if on board the vehicle, as those terms are defined in Section
242	41-26-102.1.
243	(b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
244	(37) "Metal tire" means a tire, the surface of which in contact with the highway is wholly or
245	partly of metal or other hard nonresilient material.
246	(38) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
247	saddle that is less than 24 inches from the ground as measured on a level surface with
248	properly inflated tires.
249	(b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
250	(c) "Mini-motorcycle" does not include a motorcycle that is:
251	(i) designed for off-highway use; and
252	(ii) registered as an off-highway vehicle under Section 41-22-3.
253	(39) "Mobile home" means:
254	(a) a trailer or semitrailer that is:
255	(i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
256	place either permanently or temporarily; and
257	(ii) equipped for use as a conveyance on streets and highways; or
258	(b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
259	for use as a mobile home, as defined in Subsection (39)(a), but that is instead used
260	permanently or temporarily for:
261	(i) the advertising, sale, display, or promotion of merchandise or services; or
262	(ii) any other commercial purpose except the transportation of property for hire or the
263	transportation of property for distribution by a private carrier.
264	(40) "Mobility disability" means the inability of a person to use one or more of the person's
265	extremities or difficulty with motor skills, that may include limitations with walking.

266	grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other condition.
267	(41) (a) "Moped" means a motor-driven cycle having:
268	(i) pedals to permit propulsion by human power; and
269	(ii) a motor that:
270	(A) produces not more than two brake horsepower; and
271	(B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
272	on level ground.
273	(b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
274	centimeters and the moped shall have a power drive system that functions directly or
275	automatically without clutching or shifting by the operator after the drive system is
276	engaged.
277	(c) "Moped" does not include:
278	(i) an electric assisted bicycle; or
279	(ii) a motor assisted scooter.
280	(42) (a) "Motor assisted scooter" means a self-propelled device with:
281	(i) at least two wheels in contact with the ground;
282	(ii) a braking system capable of stopping the unit under typical operating conditions;
283	(iii) an electric motor not exceeding 2,000 watts;
284	(iv) either:
285	(A) handlebars and a deck design for a person to stand while operating the device;
286	or
287	(B) handlebars and a seat designed for a person to sit, straddle, or stand while
288	operating the device;
289	(v) a design for the ability to be propelled by human power alone; and
290	(vi) a maximum speed of 20 miles per hour on a paved level surface.
291	(b) "Motor assisted scooter" does not include:
292	(i) an electric assisted bicycle; or
293	(ii) a motor-driven cycle.
294	(43) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
295	propelled by electric power obtained from overhead trolley wires, but not operated
296	upon rails.
297	(b) "Motor vehicle" does not include:
298	(i) vehicles moved solely by human power;
299	(ii) motorized wheelchairs;

300	(111) an electric personal assistive mobility device;
301	(iv) an electric assisted bicycle;
302	(v) a motor assisted scooter;
303	(vi) a personal delivery device, as defined in Section 41-6a-1119; or
304	(vii) a mobile carrier, as defined in Section 41-6a-1120.
305	(44) "Motorcycle" means:
306	(a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
307	and designed to travel with not more than three wheels in contact with the ground; o
308	(b) an autocycle.
309	(45) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
310	having:
311	(i) an engine with less than 150 cubic centimeters displacement; or
312	(ii) a motor that produces not more than five horsepower.
313	(b) "Motor-driven cycle" does not include:
314	(i) an electric personal assistive mobility device;
315	(ii) a motor assisted scooter; or
316	(iii) an electric assisted bicycle.
317	(46) "Off-highway implement of husbandry" means the same as that term is defined under
318	Section 41-22-2.
319	(47) "Off-highway vehicle" means the same as that term is defined under Section 41-22-2.
320	(48) "Operate" means the same as that term is defined in Section 41-1a-102.
321	(49) "Operator" means:
322	(a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
323	(b) an automated driving system, as defined in Section 41-26-102.1, that operates a
324	vehicle.
325	(50) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or other
326	device operated, alone or coupled with another device, on stationary rails.
327	(51) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
328	occupied or not.
329	(b) "Park" or "parking" does not include:
330	(i) the standing of a vehicle temporarily for the purpose of and while actually
331	engaged in loading or unloading property or passengers; or
332	(ii) a motor vehicle with an engaged automated driving system that has achieved a
333	minimal risk condition, as those terms are defined in Section 41-26-102.1

334	(52) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace
335	Officer Classifications, to direct or regulate traffic or to make arrests for violations of
336	traffic laws.
337	(53) "Pedestrian" means a person traveling:
338	(a) on foot; or
339	(b) in a wheelchair.
340	(54) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
341	pedestrians.
342	(55) "Person" means a natural person, firm, copartnership, association, corporation,
343	business trust, estate, trust, partnership, limited liability company, association, joint
344	venture, governmental agency, public corporation, or any other legal or commercial
345	entity.
346	(56) "Pole trailer" means a vehicle without motive power:
347	(a) designed to be drawn by another vehicle and attached to the towing vehicle by means
348	of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
349	and
350	(b) that is ordinarily used for transporting long or irregular shaped loads including poles,
351	pipes, or structural members generally capable of sustaining themselves as beams
352	between the supporting connections.
353	(57) "Private road or driveway" means every way or place in private ownership and used
354	for vehicular travel by the owner and those having express or implied permission from
355	the owner, but not by other persons.
356	(58) "Railroad" means a carrier of persons or property upon cars operated on stationary rails.
357	(59) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
358	public body or official or by a railroad and intended to give notice of the presence of
359	railroad tracks or the approach of a railroad train.
360	(60) "Railroad train" means a locomotive propelled by any form of energy, coupled with or
361	operated without cars, and operated upon rails.
362	(61) "Restored-modified vehicle" means the same as the term defined in Section 41-1a-102.
363	(62) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful
364	manner in preference to another vehicle or pedestrian approaching under circumstances
365	of direction, speed, and proximity that give rise to danger of collision unless one grants
366	precedence to the other.

(63) (a) "Roadway" means that portion of highway improved, designed, or ordinarily

368	used for vehicular travel.
369	(b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
370	them are used by persons riding bicycles or other human-powered vehicles.
371	(c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
372	highway includes two or more separate roadways.
373	(64) "Safety zone" means the area or space officially set apart within a roadway for the
374	exclusive use of pedestrians and that is protected, marked, or indicated by adequate
375	signs as to be plainly visible at all times while set apart as a safety zone.
376	(65) (a) "School bus" means a motor vehicle that:
377	(i) complies with the color and identification requirements of the most recent edition
378	of "Minimum Standards for School Buses"; and
379	(ii) is used to transport school children to or from school or school activities.
380	(b) "School bus" does not include a vehicle operated by a common carrier in
381	transportation of school children to or from school or school activities.
382	(66) (a) "Semitrailer" means a vehicle with or without motive power:
383	(i) designed for carrying persons or property and for being drawn by a motor vehicle
384	and
385	(ii) constructed so that some part of its weight and that of its load rests on or is
386	carried by another vehicle.
387	(b) "Semitrailer" does not include a pole trailer.
388	(67) "Shoulder area" means:
389	(a) that area of the hard-surfaced highway separated from the roadway by a pavement
390	edge line as established in the current approved "Manual on Uniform Traffic Control
391	Devices"; or
392	(b) that portion of the road contiguous to the roadway for accommodation of stopped
393	vehicles, for emergency use, and for lateral support.
394	(68) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of
395	a roadway, and the adjacent property lines intended for the use of pedestrians.
396	(69) (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt that is
397	designated for the use of a bicycle.
398	(b) "Soft-surface trail" does not mean a trail:
399	(i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
400	federal law, regulation, or rule; or
401	(ii) located in whole or in part on land granted to the state or a political subdivision

402	subject to a conservation easement that prohibits the use of a motorized vehicle.
403	(70) "Solid rubber tire" means a tire of rubber or other resilient material that does not
404	depend on compressed air for the support of the load.
405	(71) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied or
406	not, for the purpose of and while actually engaged in receiving or discharging
407	passengers.
408	(72) "Stop" when required means complete cessation from movement.
409	(73) "Stop" or "stopping" when prohibited means any halting even momentarily of a
410	vehicle, whether occupied or not, except when:
411	(a) necessary to avoid conflict with other traffic; or
412	(b) in compliance with the directions of a peace officer or traffic-control device.
413	(74) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
414	vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
415	the requirements of Section 41-6a-1509 to operate on highways in the state in
416	accordance with Section 41-6a-1509.
417	(75) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under
418	Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to
419	operate on highways in the state in accordance with Section 41-6a-1509.
420	[(75)] (76) "Tow truck operator" means the same as that term is defined in Section 72-9-102
421	[(76)] (77) "Tow truck motor carrier" means the same as that term is defined in Section
422	72-9-102.
423	[(77)] (78) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
424	conveyances either singly or together while using any highway for the purpose of travel.
425	[(78)] (79) "Traffic signal preemption device" means an instrument or mechanism designed,
426	intended, or used to interfere with the operation or cycle of a traffic-control signal.
427	[(79)] (80) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
428	with this chapter placed or erected by a highway authority for the purpose of regulating,
429	warning, or guiding traffic.
430	[(80)] (81) "Traffic-control signal" means a device, whether manually, electrically, or
431	mechanically operated, by which traffic is alternately directed to stop and permitted to
432	proceed.
433	[(81)] (82) (a) "Trailer" means a vehicle with or without motive power designed for
434	carrying persons or property and for being drawn by a motor vehicle and constructed

so that no part of its weight rests upon the towing vehicle.

436	(b) "Trailer" does not include a pole trailer.
437	[(82)] (83) "Truck" means a motor vehicle designed, used, or maintained primarily for the
438	transportation of property.
439	[(83)] (84) "Truck tractor" means a motor vehicle:
440	(a) designed and used primarily for drawing other vehicles; and
441	(b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
442	tractor.
443	[(84)] (85) "Two-way left turn lane" means a lane:
444	(a) provided for vehicle operators making left turns in either direction;
445	(b) that is not used for passing, overtaking, or through travel; and
446	(c) that has been indicated by a lane traffic-control device that may include lane
447	markings.
448	[(85)] (86) "Urban district" means the territory contiguous to and including any street, in
449	which structures devoted to business, industry, or dwelling houses are situated at
450	intervals of less than 100 feet, for a distance of a quarter of a mile or more.
451	[(86)] (87) "Vehicle" means a device in, on, or by which a person or property is or may be
452	transported or drawn on a highway, except a mobile carrier, as defined in Section
453	41-6a-1120, or a device used exclusively on stationary rails or tracks.
454	Section 4. Section 41-6a-1509 is amended to read:
455	41-6a-1509 . Street-legal all-terrain vehicle Operation on highways
456	Registration and licensing requirements Equipment requirements.
457	(1) (a) Except as provided in Subsection (1)(b), an individual may operate an all-terrain
458	type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that meets the
459	requirements of this section as a street-legal ATV on a street or highway.
460	(b) An individual may not operate an all-terrain type I vehicle, all-terrain type II vehicle
461	or all-terrain type III vehicle as a street-legal ATV on a highway if:
462	(i) the highway is an interstate system as defined in Section 72-1-102; or
463	(ii) the highway is in a county of the first class and both of the following criterion is
464	met:
465	(A) the highway is near a grade separated portion of the highway; and
466	(B) the highway has a posted speed limit higher than 50 miles per hour.
467	(c) Nothing in this section authorizes the operation of a street-legal ATV in an area that
468	is not open to motor vehicle use.
469	(2) (a) Except as provided in Subsection (2)(b) an individual may operate a vehicle that

470	is registered as a novel vehicle on a street or highway, if the vehicle meets the
471	requirements of this section as a street-legal novel vehicle.
472	(b) An individual may not operate a vehicle registered as a novel vehicle as a street-legal
473	novel vehicle on a highway if:
474	(i) the highway is an interstate system as defined in Section 72-1-102; or
475	(ii) the highway is in a county of the first class and both of the following criterion are
476	met:
477	(A) the highway is near a grade separated portion of the highway; and
478	(B) the highway has a posted speed limit higher than 50 miles per hour.
479	(c) Nothing in this section authorizes the operation of a street-legal novel vehicle in an
480	area that is not open to motor vehicle use.
481	[(2)] (3) A street-legal ATV shall comply with Section 59-2-405.2, Subsection 41-1a-205
482	(1), Subsection 53-8-205(1)(b), and the same requirements as:
483	(a) a motorcycle for:
484	(i) traffic rules under this chapter;
485	(ii) titling, odometer statement, vehicle identification, license plates, and registration,
486	excluding registration fees, under Chapter 1a, Motor Vehicle Act; and
487	(iii) the county motor vehicle emissions inspection and maintenance programs under
488	Section 41-6a-1642;
489	(b) a motor vehicle for:
490	(i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and
491	(ii) motor vehicle insurance under Chapter 12a, Financial Responsibility of Motor
492	Vehicle Owners and Operators Act; and
493	(c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under
494	Chapter 22, Off-highway Vehicles, and Chapter 3, Motor Vehicle Business
495	Regulation Act, unless otherwise specified in this section.
496	(4) A street-legal novel vehicle shall comply with Subsection 41-1a-205(1), Subsection
497	53-8-205(1)(b), and the requirements for registration as a novel vehicle under Section
498	<u>41-27-201.</u>
499	[(3)] (5) (a) The owner of an all-terrain type I vehicle being operated as a street-legal
500	ATV shall ensure that the vehicle is equipped with:
501	(i) one or more headlamps that meet the requirements of Section 41-6a-1603;
502	(ii) one or more tail lamps;
503	(iii) a tail lamp or other lamp constructed and placed to illuminate the registration

504	plate with a white light;
505	(iv) one or more red reflectors on the rear;
506	(v) one or more stop lamps on the rear;
507	(vi) amber or red electric turn signals, one on each side of the front and rear;
508	(vii) a braking system, other than a parking brake, that meets the requirements of
509	Section 41-6a-1623;
510	(viii) a horn or other warning device that meets the requirements of Section
511	41-6a-1625;
512	(ix) a muffler and emission control system that meets the requirements of Section
513	41-6a-1626;
514	(x) rearview mirrors on the right and left side of the driver in accordance with Section
515	41-6a-1627;
516	(xi) a windshield, unless the operator wears eye protection while operating the
517	vehicle;
518	(xii) a speedometer, illuminated for nighttime operation;
519	(xiii) for vehicles designed by the manufacturer for carrying one or more passengers,
520	a seat designed for passengers; and
521	(xiv) tires that:
522	(A) are not larger than the tires that the all-terrain vehicle manufacturer made
523	available for the all-terrain vehicle model; and
524	(B) have at least 2/32 inches or greater tire tread.
525	(b) The owner of an all-terrain type II vehicle or all-terrain type III vehicle being
526	operated as a street-legal all-terrain vehicle or of a vehicle registered as a novel
527	vehicle being operated as a street-legal novel vehicle shall ensure that the vehicle is
528	equipped with:
529	(i) two headlamps that meet the requirements of Section 41-6a-1603;
530	(ii) two tail lamps;
531	(iii) a tail lamp or other lamp constructed and placed to illuminate the registration
532	plate with a white light;
533	(iv) one or more red reflectors on the rear;
534	(v) two stop lamps on the rear;
535	(vi) amber or red electric turn signals, one on each side of the front and rear;
536	(vii) a braking system, other than a parking brake, that meets the requirements of
537	Section 41-6a-1623:

538	(viii) a horn or other warning device that meets the requirements of Section
539	41-6a-1625;
540	(ix) a muffler and emission control system that meets the requirements of Section
541	41-6a-1626;
542	(x) rearview mirrors on the right and left side of the driver in accordance with Section
543	41-6a-1627;
544	(xi) a windshield, unless the operator wears eye protection while operating the
545	vehicle;
546	(xii) a speedometer, illuminated for nighttime operation;
547	(xiii) for vehicles designed by the manufacturer for carrying one or more passengers,
548	a seat designed for passengers;
549	(xiv) for vehicles with side-by-side or tandem seating, seatbelts for each vehicle
550	occupant;
551	(xv) a seat with a height between 20 and 40 inches when measured at the forward
552	edge of the seat bottom; and
553	(xvi) tires that:
554	(A) do not exceed 44 inches in height; and
555	(B) have at least 2/32 inches or greater tire tread.
556	(c) The owner of a street-legal all-terrain vehicle is not required to equip the vehicle with
557	wheel covers, mudguards, flaps, or splash aprons.
558	[(4)] (a) Subject to the requirements of Subsection $[(4)(b)]$ (6)(b), an operator of a
559	street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a
560	highway, may not exceed the lesser of:
561	(i) the posted speed limit; or
562	(ii) 50 miles per hour.
563	(b) An operator of a street-legal all-terrain vehicle, when operating a street-legal
564	all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per
565	hour, shall:
566	(i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
567	roadway; and
568	(ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the
569	front and back of both sides of the vehicle.
570	(7) (a) Subject to the requirements of Subsection (7)(b), an operator of a street-legal
571	novel vehicle, when operating as a street-legal novel vehicle on a highway, may not

572	exceed the lesser of:
573	(i) the posted speed limit; or
574	(ii) 50 miles per hour.
575	(b) An operator of a street-legal novel vehicle, when operating a street-legal novel
576	vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:
577	(i) operate the street-legal novel vehicle on the extreme right hand side of the
578	roadway; and
579	(ii) equip the street-legal novel vehicle with a reflector or reflective tape to the front
580	and back of both sides of the vehicle.
581	[(5)] (8) (a) A nonresident operator of an off-highway vehicle that is authorized to be
582	operated on the highways of another state has the same rights and privileges as a
583	street-legal ATV or street-legal novel vehicle that is granted operating privileges on
584	the highways of this state, subject to the restrictions under this section and rules made
585	by the Division of Outdoor Recreation, after notifying the Outdoor Adventure
586	Commission, if the other state offers reciprocal operating privileges to Utah residents.
587	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
588	Division of Outdoor Recreation, after notifying the Outdoor Adventure Commission,
589	shall establish eligibility requirements for reciprocal operating privileges for
590	nonresident users granted under Subsection [$(5)(a)$] $(8)(a)$.
591	[(6)] (9) Nothing in this chapter restricts the owner of an off-highway vehicle from
592	operating the off-highway vehicle in accordance with Section 41-22-10.5.
593	[(7)] (10) A violation of this section is an infraction.
594	Section 5. Section 41-6a-1601 is amended to read:
595	41-6a-1601. Operation of unsafe or improperly equipped vehicles on public
596	highways Exceptions.
597	(1) (a) A person may not operate or move and an owner may not cause or knowingly
598	permit to be operated or moved on a highway a vehicle or combination of vehicles
599	that:
600	(i) is in an unsafe condition that may endanger any person;
601	(ii) does not contain those parts or is not at all times equipped with lamps and other
602	equipment in proper condition and adjustment as required in this chapter;
603	(iii) is equipped in any manner in violation of this chapter; or
604	(iv) emits pollutants in excess of the limits allowed under the rules of the Air Quality
605	Board created under Title 19, Chapter 2, Air Conservation Act, or under rules

606	made by local health departments.
607	(b) A person may not do any act forbidden or fail to perform any act required under this
608	chapter.
609	(2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
610	and in coordination with the rules made under Section 53-8-204, the department shall
611	make rules setting minimum standards covering the design, construction, condition,
612	and operation of vehicle equipment for safely operating a motor vehicle on the
613	highway as required under this part.
614	(b) The rules under Subsection (2)(a):
615	(i) shall conform as nearly as practical to Federal Motor Vehicle Safety Standards
616	and Regulations;
617	(ii) may incorporate by reference, in whole or in part, the federal standards under
618	Subsection (2)(b)(i) and nationally recognized and readily available standards and
619	codes on motor vehicle safety;
620	(iii) shall include provisions for the issuance of a permit under Section 41-6a-1602;
621	(iv) shall include standards for the emergency lights of authorized emergency
622	vehicles;
623	(v) may provide standards and specifications applicable to lighting equipment on
624	school buses consistent with:
625	(A) this part;
626	(B) federal motor vehicle safety standards; and
627	(C) current specifications of the Society of Automotive Engineers;
628	(vi) shall provide procedures for the submission, review, approval, disapproval,
629	issuance of an approval certificate, and expiration or renewal of approval of any
630	part as required under Section 41-6a-1620;
631	(vii) shall establish specifications for the display or etching of a vehicle identification
632	number on a vehicle;
633	(viii) shall establish specifications in compliance with this part for a flare, fusee,
634	electric lantern, warning flag, or portable reflector used in compliance with this
635	part;
636	(ix) shall establish approved safety and law enforcement purposes when video
637	display is visible to the motor vehicle operator; and
638	(x) shall include standards and specifications for both original equipment and parts
639	included when a vehicle is manufactured and aftermarket equipment and parts

640		included after the original manufacture of a vehicle.
641		(c) The following standards and specifications for vehicle equipment are adopted:
642		(i) 49 C.F.R. 571.209 related to safety belts;
643		(ii) 49 C.F.R. 571.213 related to child restraint devices;
644		(iii) 49 C.F.R. 393, 396, and 396 Appendix G related to commercial motor vehicles
645		and trailers operated in interstate commerce;
646		(iv) 49 C.F.R. 571 Standard 108 related to lights and illuminating devices; and
647		(v) 40 C.F.R. 82.30 through 82.42 and Part 82, Subpart B, Appendix A and B related
648		to air conditioning equipment.
649	(3)	Nothing in this chapter or the rules made by the department prohibit:
650		(a) equipment required by the United States Department of Transportation; or
651		(b) the use of additional parts and accessories on a vehicle not inconsistent with the
652		provisions of this chapter or the rules made by the department.
653	(4)	Except as specifically made applicable, this chapter and rules of the department with
654		respect to equipment required on vehicles do not apply to:
655		(a) implements of husbandry;
656		(b) road machinery;
657		(c) road rollers;
658		(d) farm tractors;
659		(e) motorcycles;
660		(f) motor-driven cycles;
661		(g) motor assisted scooters;
662		(h) vehicles moved solely by human power;
663		(i) off-highway vehicles registered under Section 41-22-3 either:
664		(i) on a highway designated as open for off-highway vehicle use; or
665		(ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3); or
666		(j) off-highway implements of husbandry when operated in the manner prescribed by
667		Subsections 41-22-5.5(3) through (5).
668	(5)	The vehicles referred to in Subsections (4)(i) and (j) are subject to the equipment
669		requirements of Title 41, Chapter 22, Off-highway Vehicles, and the rules made under
670		that chapter.
671	(6)	(a) (i) Except as provided in Subsection (6)(a)(ii), a federal motor vehicle safety
672		standard supersedes any conflicting provision of this chapter.
673		(ii) Federal motor vehicle safety standards do not supersede the provisions of Section

674	41-6a-1509 governing the requirements for and use of street-legal all-terrain	
675	vehicles or street-legal novel vehicles on highways.	
676	(b) The department:	
677	(i) shall report any conflict found under Subsection (6)(a) to the appropriate	
678	committees or officials of the Legislature; and	
679	(ii) may adopt a rule to replace the superseded provision.	
680	(7) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.	
681	Section 6. Section 41-6a-1629 is amended to read:	
682	41-6a-1629 . Vehicles subject to Sections 41-6a-1629 through 41-6a-1633	
683	Definitions.	
684	(1) As used in Sections 41-6a-1629 through 41-6a-1633:	
685	(a) "Frame" means the main longitudinal structural members of the chassis of the vehic	le
686	or, for vehicles with unitized body construction, the lowest longitudinal structural	
687	member of the body of the vehicle.	
688	(b) "Frame height" means the vertical distance between the ground and the lowest point	t
689	on the frame. The distance is measured when the vehicle is unladen and on a level	
690	surface.	
691	(c) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross	
692	vehicle weight rating, whether or not the vehicle is modified by use of parts not	
693	originally installed by the original manufacturer.	
694	(d) "Manufacturer" means any person engaged in manufacturing or assembling new	
695	motor vehicles utilizing new parts or components, or a person defined as a	
696	manufacturer in current applicable Federal Motor Vehicle Safety Standards and	
697	Regulations.	
698	(e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the	
699	axles, chassis, suspension, or body by any means, including tires and wheels, and	
700	excluding any load, which affects the frame height of the motor vehicle.	
701	(f) "O.E.M." means original equipment manufacturer.	
702	(g) "Original equipment" means an item of motor vehicle equipment, including tires,	
703	which were installed in or on a motor vehicle or available as an option for the	
704	particular vehicle from the original manufacturer at the time of its delivery to the fir	st
705	purchaser.	
706	(h) "Wheel track" means the shortest distance between the center of the tire treads on the	ıe
707	same axle. On vehicles having dissimilar axle widths, the axle with the widest	

708	distance is used for all calculations.
709	(2) (a) Except as provided in Subsections (2)(b) and (c), the provisions of Sections
710	41-6a-1629 through 41-6a-1633 apply to all motor vehicles operated or parked on a
711	highway.
712	(b) The provisions of Sections 41-6a-1629 through 41-6a-1633 do not apply to the
713	following vehicles:
714	(i) implements of husbandry;
715	(ii) farm tractors;
716	(iii) road machinery;
717	(iv) road rollers; and
718	(v) historical vehicles or horseless carriages that have been restored as near to
719	original condition as is reasonably possible.
720	(c) The provisions of Subsection 41-6a-1631(2) and Sections 41-6a-1632 and 41-6a-1633
721	do not apply to a street-legal all-terrain vehicle or a street-legal novel vehicle
722	operated in accordance with Section 41-6a-1509.
723	Section 7. Section 41-6a-1642 is amended to read:
724	41-6a-1642. Emissions inspection County program.
725	(1) The legislative body of each county required under federal law to utilize a motor vehicle
726	emissions inspection and maintenance program or in which an emissions inspection and
727	maintenance program is necessary to attain or maintain any national ambient air quality
728	standard shall require:
729	(a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is
730	exempt from emissions inspection and maintenance program requirements be
731	presented:
732	(i) as a condition of registration or renewal of registration; and
733	(ii) at other times as the county legislative body may require to enforce inspection
734	requirements for individual motor vehicles, except that the county legislative body
735	may not routinely require a certificate of emissions inspection, or waiver of the
736	certificate, more often than required under Subsection (9); and
737	(b) compliance with this section for a motor vehicle registered or principally operated in
738	the county and owned by or being used by a department, division, instrumentality,
739	agency, or employee of:
740	(i) the federal government;
741	(ii) the state and any of its agencies; or

742	(iii) a political subdivision of the state, including school districts.
743	(2) (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions
744	inspection and maintenance program certificate of emissions inspection as described
745	in Subsection (1), but the program may not deny vehicle registration based solely on
746	the presence of a defeat device covered in the Volkswagen partial consent decrees or
747	a United States Environmental Protection Agency-approved vehicle modification in
748	the following vehicles:
749	(i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
750	emissions are mitigated in the state pursuant to a partial consent decree, including:
751	(A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015
752	(B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013,
753	and 2014;
754	(C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
755	(D) Volkswagen Golf Sportwagen, model year 2015;
756	(E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
757	(F) Volkswagen Beetle, model years 2013, 2014, and 2015;
758	(G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
759	(H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
760	(ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
761	emissions are mitigated in the state to a settlement, including:
762	(A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015,
763	and 2016;
764	(B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
765	(C) Audi A6 Quattro, model years 2014, 2015, and 2016;
766	(D) Audi A7 Quattro, model years 2014, 2015, and 2016;
767	(E) Audi A8, model years 2014, 2015, and 2016;
768	(F) Audi A8L, model years 2014, 2015, and 2016;
769	(G) Audi Q5, model years 2014, 2015, and 2016; and
770	(H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
771	(b) (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain
772	a motor vehicle emissions inspection and maintenance program certificate of
773	emissions inspection as described in Subsection (1).
774	(ii) A county emissions program may not refuse to perform an emissions inspection

or indicate a failed emissions test of the vehicle based solely on a modification to

776	the engine or component of the motor vehicle if:
777	(A) the modification is not likely to result in the motor vehicle having increased
778	emissions relative to the emissions of the motor vehicle before the
779	modification; and
780	(B) the motor vehicle modification is a change to an engine that is newer than the
781	engine with which the motor vehicle was originally equipped, or the engine
782	includes technology that increases the facility of the administration of an
783	emissions test, such as an on-board diagnostics system.
784	(iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite
785	to registration of a restored-modified vehicle:
786	(A) the owner shall present the signed statement described in Subsection
787	41-1a-226(4); and
788	(B) the county emissions program shall perform the emissions test.
789	(iv) If a motor vehicle is registered as a restored-modified vehicle and the registration
790	certificate is notated as described in Subsection 41-1a-226(4), a county emissions
791	program may not refuse to perform an emissions test based solely on the
792	restored-modified status of the motor vehicle.
793	(3) (a) The legislative body of a county identified in Subsection (1), in consultation with
794	the Air Quality Board created under Section 19-1-106, shall make regulations or
795	ordinances regarding:
796	(i) emissions standards;
797	(ii) test procedures;
798	(iii) inspections stations;
799	(iv) repair requirements and dollar limits for correction of deficiencies; and
800	(v) certificates of emissions inspections.
801	(b) In accordance with Subsection (3)(a), a county legislative body:
802	(i) shall make regulations or ordinances to attain or maintain ambient air quality
803	standards in the county, consistent with the state implementation plan and federal
804	requirements;
805	(ii) may allow for a phase-in of the program by geographical area; and
806	(iii) shall comply with the analyzer design and certification requirements contained in
807	the state implementation plan prepared under Title 19, Chapter 2, Air
808	Conservation Act.
809	(c) The county legislative body and the Air Quality Board shall give preference to an

810	inspection and maintenance program that:
811	(i) is decentralized, to the extent the decentralized program will attain and maintain
812	ambient air quality standards and meet federal requirements;
813	(ii) is the most cost effective means to achieve and maintain the maximum benefit
814	with regard to ambient air quality standards and to meet federal air quality
815	requirements as related to vehicle emissions; and
816	(iii) provides a reasonable phase-out period for replacement of air pollution emission
817	testing equipment made obsolete by the program.
818	(d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
819	(i) may be accomplished in accordance with applicable federal requirements; and
820	(ii) does not otherwise interfere with the attainment and maintenance of ambient air
821	quality standards.
822	(4) The following vehicles are exempt from an emissions inspection program and the
823	provisions of this section:
824	(a) an implement of husbandry as defined in Section 41-1a-102;
825	(b) a motor vehicle that:
826	(i) meets the definition of a farm truck under Section 41-1a-102; and
827	(ii) has a gross vehicle weight rating of 12,001 pounds or more;
828	(c) a vintage vehicle as defined in Section 41-21-1:
829	(i) if the vintage vehicle has a model year of 1982 or older; or
830	(ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner
831	provides proof of vehicle insurance that is a type specific to a vehicle collector;
832	(d) a custom vehicle as defined in Section 41-6a-1507;
833	(e) a vehicle registered as a novel vehicle under Section 41-27-201;
834	[(e)] (f) to the extent allowed under the current federally approved state implementation
835	plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a
836	motor vehicle that is less than two years old on January 1 based on the age of the
837	vehicle as determined by the model year identified by the manufacturer;
838	[(f)] (g) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight
839	rating of 12,000 pounds or less, if the registered owner of the pickup truck provides a
840	signed statement to the legislative body stating the truck is used:
841	(i) by the owner or operator of a farm located on property that qualifies as land in
842	agricultural use under Sections 59-2-502 and 59-2-503; and
843	(ii) exclusively for the following purposes in operating the farm:

844	(A) for the transportation of farm products, including livestock and its products,
845	poultry and its products, floricultural and horticultural products; and
846	(B) in the transportation of farm supplies, including tile, fence, and every other
847	thing or commodity used in agricultural, floricultural, horticultural, livestock,
848	and poultry production and maintenance;
849	[(g)] (h) a motorcycle as defined in Section 41-1a-102;
850	[(h)] (i) an electric motor vehicle as defined in Section 41-1a-102; and
851	[(i)] (j) a motor vehicle with a model year of 1967 or older.
852	(5) The county shall issue to the registered owner who signs and submits a signed statement
853	under Subsection $[(4)(f)]$ $(4)(g)$ a certificate of exemption from emissions inspection
854	requirements for purposes of registering the exempt vehicle.
855	(6) A legislative body of a county described in Subsection (1) may exempt from an
856	emissions inspection program a diesel-powered motor vehicle with a:
857	(a) gross vehicle weight rating of more than 14,000 pounds; or
858	(b) model year of 1997 or older.
859	(7) The legislative body of a county required under federal law to utilize a motor vehicle
860	emissions inspection program shall require:
861	(a) a computerized emissions inspection for a diesel-powered motor vehicle that has:
862	(i) a model year of 2007 or newer;
863	(ii) a gross vehicle weight rating of 14,000 pounds or less; and
864	(iii) a model year that is five years old or older; and
865	(b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:
866	(i) with a gross vehicle weight rating of 14,000 pounds or less;
867	(ii) that has a model year of 1998 or newer; and
868	(iii) that has a model year that is five years old or older.
869	(8) (a) Subject to Subsection (8)(c), the legislative body of each county required under
870	federal law to utilize a motor vehicle emissions inspection and maintenance program
871	or in which an emissions inspection and maintenance program is necessary to attain
872	or maintain any national ambient air quality standard may require each college or
873	university located in a county subject to this section to require its students and
874	employees who park a motor vehicle not registered in a county subject to this section
875	to provide proof of compliance with an emissions inspection accepted by the county
876	legislative body if the motor vehicle is parked on the college or university campus or
877	property.

878 (b) College or university parking areas that are metered or for which payment is required 879 per use are not subject to the requirements of this Subsection (8). 880 (c) The legislative body of a county shall make the reasons for implementing the 881 provisions of this Subsection (8) part of the record at the time that the county 882 legislative body takes its official action to implement the provisions of this 883 Subsection (8). 884 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection 885 for each motor vehicle that meets the inspection and maintenance program 886 requirements established in regulations or ordinances made under Subsection (3). 887 (b) The frequency of the emissions inspection shall be determined based on the age of 888 the vehicle as determined by model year and shall be required annually subject to the 889 provisions of Subsection (9)(c). 890 (c) (i) To the extent allowed under the current federally approved state 891 implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 892 7401 et seq., the legislative body of a county identified in Subsection (1) shall 893 only require the emissions inspection every two years for each vehicle. 894 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six 895 years old on January 1. 896 (iii) For a county required to implement a new vehicle emissions inspection and 897 maintenance program on or after December 1, 2012, under Subsection (1), but for 898 which no current federally approved state implementation plan exists, a vehicle 899 shall be tested at a frequency determined by the county legislative body, in 900 consultation with the Air Quality Board created under Section 19-1-106, that is 901 necessary to comply with federal law or attain or maintain any national ambient 902 air quality standard. 903 (iv) If a county legislative body establishes or changes the frequency of a vehicle 904 emissions inspection and maintenance program under Subsection (9)(c)(iii), the 905 establishment or change shall take effect on January 1 if the State Tax 906 Commission receives notice meeting the requirements of Subsection (9)(c)(v)907 from the county before October 1. 908 (v) The notice described in Subsection (9)(c)(iv) shall: 909 (A) state that the county will establish or change the frequency of the vehicle 910 emissions inspection and maintenance program under this section;

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

912	(C) if the county establishes or changes the frequency under this section, state how
913	frequently the emissions testing will be required.
914	(d) If an emissions inspection is only required every two years for a vehicle under
915	Subsection (9)(c), the inspection shall be required for the vehicle in:
916	(i) odd-numbered years for vehicles with odd-numbered model years; or
917	(ii) in even-numbered years for vehicles with even-numbered model years.
918	(10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection
919	required under this section may be made no more than two months before the
920	renewal of registration.
921	(b) (i) If the title of a used motor vehicle is being transferred, the owner may use an
922	emissions inspection certificate issued for the motor vehicle during the previous
923	11 months to satisfy the requirement under this section.
924	(ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner
925	may use an emissions inspection certificate issued for the motor vehicle in a
926	licensed and bonded motor vehicle dealer's name during the previous 11 months to
927	satisfy the requirement under this section.
928	(c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the
929	lessee may use an emissions inspection certificate issued during the previous 11
930	months to satisfy the requirement under this section.
931	(d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not use
932	an emissions inspection made more than 11 months before the renewal of registration
933	to satisfy the requirement under this section.
934	(e) If the application for renewal of registration is for a six-month registration period
935	under Section 41-1a-215.5, the owner may use an emissions inspection certificate
936	issued during the previous eight months to satisfy the requirement under this section.
937	(11) (a) A county identified in Subsection (1) shall collect information about and
938	monitor the program.
939	(b) A county identified in Subsection (1) shall supply this information to an appropriate
940	legislative committee, as designated by the Legislative Management Committee, at
941	times determined by the designated committee to identify program needs, including
942	funding needs.
943	(12) If approved by the county legislative body, a county that had an established emissions
944	inspection fee as of January 1, 2002, may increase the established fee that an emissions
945	inspection station may charge by \$2.50 for each year that is exempted from emissions

946	inspections under Subsection (9)(c) up to a \$7.50 increase.
947	(13) (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in
948	Subsection (1) may impose a local emissions compliance fee on each motor vehicle
949	registration within the county in accordance with the procedures and requirements of
950	Section 41-1a-1223.
951	(b) A county that imposes a local emissions compliance fee may use revenues generated
952	from the fee for the establishment and enforcement of an emissions inspection and
953	maintenance program in accordance with the requirements of this section.
954	(c) A county that imposes a local emissions compliance fee may use revenues generated
955	from the fee to promote programs to maintain a local, state, or national ambient air
956	quality standard.
957	(14) (a) If a county has reason to believe that a vehicle owner has provided an address as
958	required in Section 41-1a-209 to register or attempt to register a motor vehicle in a
959	county other than the county of the bona fide residence of the owner in order to avoid
960	an emissions inspection required under this section, the county may investigate and
961	gather evidence to determine whether the vehicle owner has used a false address or
962	an address other than the vehicle owner's bona fide residence or place of business.
963	(b) If a county conducts an investigation as described in Subsection (14)(a) and
964	determines that the vehicle owner has used a false or improper address in an effort to
965	avoid an emissions inspection as required in this section, the county may impose a
966	civil penalty of \$1,000.
967	(15) A county legislative body described in Subsection (1) may exempt a motor vehicle
968	from an emissions inspection if:
969	(a) the motor vehicle is 30 years old or older;
970	(b) the county determines that the motor vehicle was driven less than 1,500 miles during
971	the preceding 12-month period; and
972	(c) the owner provides to the county legislative body a statement signed by the owner
973	that states the motor vehicle:
974	(i) is primarily a collector's item used for:
975	(A) participation in club activities;
976	(B) exhibitions;
977	(C) tours; or
978	(D) parades; or

(ii) is only used for occasional transportation.

980	Section 8. Section 41-22-10.3 is amended to read:
981	41-22-10.3 . Operation of vehicles on highways Limits.
982	A person may not operate an off-highway vehicle upon any street or highway, not
983	designated as open to off-highway vehicle use, except:
984	(1) when crossing a street or highway and the operator comes to a complete stop before
985	crossing, proceeds only after yielding the right of way to oncoming traffic, and crosses
986	at a right angle;
987	(2) when loading or unloading an off-highway vehicle from a vehicle or trailer, which shall
988	be done with due regard for safety, and at the nearest practical point of operation;
989	(3) when an emergency exists, during any period of time and at those locations when the
990	operation of conventional motor vehicles is impractical or when the operation is directed
991	by a peace officer or other public authority; or
992	(4) when operating a street-legal all-terrain vehicle or a street-legal novel vehicle on a
993	highway in accordance with Section 41-6a-1509.
994	(5) A violation of this section is an infraction.
995	Section 9. Section 41-27-101 is enacted to read:
996	CHAPTER 27. NOVEL VEHICLE REGISTRATION
997	Part 1. General Provisions
998	<u>41-27-101</u> . Definitions.
999	As used in this chapter:
1000	(1) "Commission" means the State Tax Commission.
1001	(2) "Division" means the Motor Vehicle Division.
1002	(3) "Novel vehicle" means a vehicle:
1003	(a) that is not expressly exempt from registration; and
1004	(b) (i) that does not fit within a vehicle category;
1005	(ii) with unique characteristics that make it unclear whether the vehicle fits within a
1006	vehicle category; or
1007	(iii) that a reasonable person would not consider the vehicle to be clearly included in
1008	an existing vehicle category.
1009	(4) "Vehicle" means a motor vehicle, combination of vehicles, trailer, semitrailer, vintage
1010	vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model
1011	recreational vehicle.
1012	(5) (a) "Vehicle category" means a vehicle type:

1013	(i) that is defined in this title or Title 73, Chapter 18, State Boating Act; and
1014	(ii) for which registration is required under:
1015	(A) this chapter;
1016	(B) Chapter 1a, Motor Vehicle Act;
1017	(C) Chapter 22, Off-highway Vehicles; or
1018	(D) Title 73, Chapter 18, State Boating Act.
1019	(b) "Vehicle category" does not include a novel vehicle.
1020	(6) "VIN" means a vehicle identification number or a hull identification number.
1021	Section 10. Section 41-27-201 is enacted to read:
1022	Part 2. Registration Process
1023	41-27-201 . Novel vehicle registration.
1024	(1) An owner registering a vehicle shall provide the VIN, if applicable.
1025	(2) The division shall identify a vehicle category based on the VIN.
1026	(3) If the vehicle does not have a VIN, or if the division is unable to determine the vehicle
1027	category based on the VIN:
1028	(a) the owner shall provide the division with a description of the vehicle, including the
1029	vehicle's purpose; and
1030	(b) if the description of the vehicle fits with an existing category of vehicle, the vehicle
1031	shall be registered in accordance with that vehicle category.
1032	(4) The vehicle shall be registered as a novel vehicle if:
1033	(a) the vehicle is not expressly exempt from registration; and
1034	(b) (i) the vehicle does not fit within a vehicle category;
1035	(ii) the unique characteristics of the vehicle make it unclear whether the vehicle fits
1036	within a vehicle category; or
1037	(iii) a reasonable person would not consider the vehicle to be clearly included in an
1038	existing vehicle category.
1039	(5) A person registering a novel vehicle shall pay:
1040	(a) in accordance with Section 59-2-405, an annual \$1 fee in lieu of property tax; and
1041	(b) an annual \$1 registration fee, to be deposited into the Transportation Fund.
1042	(6) The division shall issue a registration sticker or license plate for a vehicle that is
1043	registered as a novel vehicle, as appropriate.
1044	(7) A vehicle registered as a street-legal novel vehicle is subject to the requirements
1045	described in Section 41-69-1509

1046	<u>(8)</u>	The division may provide title to a novel vehicle.
1047	<u>(9)</u>	Except as expressly provided in this chapter:
1048		(a) a novel vehicle that is not a watercraft is subject to the provisions applicable to an
1049		off-highway vehicle under Chapter 22, Off-Highway Vehicles; and
1050		(b) a novel vehicle that is a watercraft is subject to the provisions applicable to a
1051		motorboat under Title 73, Chapter 18, State Boating Act.
1052		Section 11. Section 41-27-202 is enacted to read:
1053		41-27-202 . Appeal to commission.
1054	<u>(1)</u>	If an owner disagrees with the division's decision, the owner may, within 14 days after
1055		the day on which the division makes the decision, appeal the decision to the commission
1056		<u>by:</u>
1057		(a) filing a notice of appeal with the commission; and
1058		(b) including any additional information regarding the vehicle.
1059	<u>(2)</u>	(a) In reviewing a decision described in Subsection (1), the commission may:
1060		(i) admit additional evidence; and
1061		(ii) make a correction or change in the vehicle category determination made by the
1062		division.
1063		(b) The owner shall register the vehicle in accordance with the commission's
1064		determination.
1065		(c) The division shall reduce the fee required to register a vehicle under Subsection
1066		(2)(b) by the amount paid by the owner of the vehicle under Subsection 41-27-201(4).
1067	<u>(3)</u>	The commission shall decide an appeal filed under Subsection (1) as soon as practicable
1068		and promptly notify:
1069		(a) the owner; and
1070		(b) the division.
1071		Section 12. Section 41-27-301 is enacted to read:
1072		Part 3. Commission Reporting
1073		41-27-301 . Novel vehicle report to Transportation Interim Committee.
1074	<u>(1)</u>	The commission shall, at or before the October interim meeting of the Transportation
1075		Interim Committee, present a report on novel vehicle registrations that includes:
1076		(a) the number of vehicles registered as novel vehicles; and
1077		(b) a description of the vehicles registered as novel vehicles.
1078	(2)	The Transportation Interim Committee shall review the report described in Subsection

1079	(1) and determine whether to propose legislation relating to registration of a particular
1080	type of novel vehicle.
1081	(3) A vehicle previously registered as a novel vehicle shall continue to be registered as a
1082	novel vehicle, unless the Legislature amends the Utah Code to:
1083	(a) require the vehicle to be registered otherwise; or
1084	(b) exempt the vehicle from registration.
1085	Section 13. Section 53-8-205 is amended to read:
1086	53-8-205 . Safety inspection required for certain vehicles Out-of-state permits.
1087	(1) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety
1088	inspection when an application is made for initial registration as a salvage vehicle.
1089	(b) An off-highway vehicle being registered for the first time as a street-legal all-terrain
1090	vehicle as described in Section 41-6a-1509 is required to pass a safety inspection
1091	when the owner makes the initial application to register the vehicle as a street-legal
1092	all-terrain vehicle.
1093	(c) A novel vehicle being registered for the first time as a street-legal novel vehicle as
1094	described in Section 41-27-201 is required to pass a safety inspection when the owner
1095	makes the initial application to register the vehicle as a street-legal novel vehicle.
1096	[(e)] (d) The owner of a commercial vehicle, as defined in Section 72-9-102, shall:
1097	(i) ensure that the commercial vehicle passes a safety inspection annually; or
1098	(ii) provide evidence of a valid annual federal inspection that complies with the
1099	requirements of 49 C.F.R. Sec. 396.17.
1100	[(d)] (e) The owner of a vehicle operated by a ground transportation service provider as
1101	defined in Section 72-10-601 shall ensure that the vehicle passes a safety inspection
1102	annually.
1103	[(e)] (f) An owner of one or more of the following types of vehicles shall ensure that the
1104	vehicle passes a safety inspection annually:
1105	(i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
1106	multiple axles;
1107	(ii) a combination unit;
1108	(iii) a bus or van for hire; or
1109	(iv) a taxicab.
1110	(2) A safety inspection station shall issue two safety inspection certificates to the owner of:
1111	(a) each motor vehicle that passes a safety inspection under this section; and
1112	(b) a street-legal all-terrain vehicle that meets all the equipment requirements in Section

1113	41-6a-1509.
1114	(3) A person operating a motor vehicle required to have an annual safety inspection shall
1115	have in the person's immediate possession a safety inspection certificate or other
1116	evidence of compliance.
1117	(4) The division may authorize the acceptance of a safety inspection certificate issued in
1118	another state having a safety inspection law similar to Utah's law.
1119	(5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
1120	Section 14. Effective date.
1121	This bill takes effect on January 1, 2025.