

EMISSIONS REGULATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

Senate Sponsor: Kirk A. Cullimore

LONG TITLE

General Description:

This bill prohibits the Division of Motor Vehicles from registering a motor vehicle in certain counties if the motor vehicles meets certain criteria.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ prohibits the Division of Motor Vehicles from registering a motor vehicle in certain counties if the motor vehicle has a gross vehicle weight rating of more than 14,000 pounds and emits a certain level of nitrogen oxides;
- ▶ removes a provision allowing a county to exempt certain vehicles from emissions inspections; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 19-2-102**, as last amended by Laws of Utah 2015, Chapter 154
- 41-1a-202**, as last amended by Laws of Utah 2023, Chapters 81, 532



28 **41-6a-1642**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532

29 ENACTS:

30 **19-2-105.5**, Utah Code Annotated 1953

31

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

33 Section 1. Section **19-2-102** is amended to read:

34 **19-2-102. Definitions.**

35 As used in this chapter:

36 (1) "Air pollutant" means a substance that qualifies as an air pollutant as defined in 42
37 U.S.C. Sec. 7602.

38 (2) "Air pollutant source" means private and public sources of emissions of air
39 pollutants.

40 (3) "Air pollution" means the presence of an air pollutant in the ambient air in the
41 quantities, for a duration, and under the conditions and circumstances that are injurious to
42 human health or welfare, animal or plant life, or property, or would unreasonably interfere with
43 the enjoyment of life or use of property, as determined by the rules adopted by the board.

44 (4) "Ambient air" means that portion of the atmosphere, external to buildings, to which
45 the general public has access.

46 (5) "Asbestos" means the asbestiform varieties of serpentine (chrysotile), riebeckite
47 (crocidolite), cummingtonite-grunerite, anthophyllite, actinolite-tremolite, and libby
48 amphibole.

49 (6) "Asbestos-containing material" means a material containing more than 1%
50 asbestos, as determined using the method adopted in 40 C.F.R. Part 61, Subpart M, National
51 Emission Standard for Asbestos.

52 (7) "Asbestos inspection" means an activity undertaken to determine the presence or
53 location, or to assess the condition of, asbestos-containing material or suspected
54 asbestos-containing material, whether by visual or physical examination, or by taking samples
55 of the material.

56 (8) "Brake horsepower" means the actual horsepower of an engine, measured by a
57 brake attached to the drive shaft and recorded on a dynamometer.

58 (9) "Brake horsepower hour" means a unit of energy or work, equal to the work done

59 by a mechanism with a power output of one brake horsepower over a period of one hour.

60 [~~(8)~~] (10) "Board" means the Air Quality Board.

61 [~~(9)~~] (11) "Clean school bus" means the same as that term is defined in 42 U.S.C. Sec.
62 16091.

63 [~~(10)~~] (12) "Director" means the director of the Division of Air Quality.

64 [~~(11)~~] (13) "Division" means the Division of Air Quality created in Section 19-1-105.

65 [~~(12)~~] (14) "Friable asbestos-containing material" means a material containing more
66 than 1% asbestos, as determined using the method adopted in 40 C.F.R. Part 61, Subpart M,
67 National Emission Standard for Asbestos, that hand pressure can crumble, pulverize, or reduce
68 to powder when dry.

69 [~~(13)~~] (15) "Indirect source" means a facility, building, structure, or installation which
70 attracts or may attract mobile source activity that results in emissions of a pollutant for which
71 there is a national standard.

72 (16) "Oxides of nitrogen" or "nitrogen oxides" means the same as that term is defined
73 in 40 C.F.R. Sec. 86.082-2.

74 Section 2. Section 19-2-105.5 is enacted to read:

75 **19-2-105.5. Heavy-duty motor vehicle prohibitions.**

76 The division shall:

77 (1) create and maintain a comprehensive list of the manufactured year, manufacturer,
78 and model of each motor vehicle that:

79 (a) has a gross vehicle weight rating of more than 14,000 pounds; and

80 (b) emits 0.21 grams, or more, of nitrogen oxides per brake horsepower hour; and

81 (2) make the list described in Subsection (1) available to the public on the division's
82 website.

83 Section 3. Section 41-1a-202 is amended to read:

84 **41-1a-202. Definitions -- Vehicles exempt from registration -- Registration of**
85 **vehicles after establishing residency -- Vehicles prohibited from registration.**

86 (1) In this section:

87 (a) "Domicile" means the place:

88 (i) where an individual has a fixed permanent home and principal establishment;

89 (ii) to which the individual if absent, intends to return; and

90 (iii) in which the individual and his family voluntarily reside, not for a special or
91 temporary purpose, but with the intention of making a permanent home.

92 (b) (i) "Resident" means any of the following:

93 (A) an individual who:

94 (I) has established a domicile in this state;

95 (II) regardless of domicile, remains in this state for an aggregate period of six months
96 or more during any calendar year;

97 (III) engages in a trade, profession, or occupation in this state or who accepts
98 employment in other than seasonal work in this state and who does not commute into the state;

99 (IV) declares himself to be a resident of this state for the purpose of obtaining a driver
100 license or motor vehicle registration; or

101 (V) declares himself a resident of Utah to obtain privileges not ordinarily extended to
102 nonresidents, including going to school, or placing children in school without paying
103 nonresident tuition or fees; or

104 (B) any individual, partnership, limited liability company, firm, corporation,
105 association, or other entity that:

106 (I) maintains a main office, branch office, or warehouse facility in this state and that
107 bases and operates a motor vehicle in this state; or

108 (II) operates a motor vehicle in intrastate transportation for other than seasonal work.

109 (ii) "Resident" does not include any of the following:

110 (A) a member of the military temporarily stationed in Utah;

111 (B) an out-of-state student, as classified by the institution of higher education, enrolled
112 with the equivalent of seven or more quarter hours, regardless of whether the student engages
113 in a trade, profession, or occupation in this state or accepts employment in this state; and

114 (C) an individual domiciled in another state or a foreign country that:

115 (I) is engaged in public, charitable, educational, or religious services for a government
116 agency or an organization that qualifies for tax-exempt status under Internal Revenue Code
117 Section 501(c)(3);

118 (II) is not compensated for services rendered other than expense reimbursements; and

119 (III) is temporarily in Utah for a period not to exceed 24 months.

120 (iii) Notwithstanding Subsections (1)(b)(i) and (ii), "resident" includes the owner of a

121 vehicle equipped with an automated driving system as defined in Section [41-26-102.1](#) if the
122 vehicle is physically present in the state for more than 30 consecutive days in a calendar year.

123 (2) (a) Registration under this chapter is not required for any:

124 (i) vehicle registered in another state and owned by a nonresident of the state or
125 operating under a temporary registration permit issued by the division or a dealer authorized by
126 this chapter, driven or moved upon a highway in conformance with the provisions of this
127 chapter relating to manufacturers, transporters, dealers, lien holders, or interstate vehicles;

128 (ii) vehicle driven or moved upon a highway only for the purpose of crossing the
129 highway from one property to another;

130 (iii) implement of husbandry, whether of a type otherwise subject to registration or not,
131 that is only incidentally operated or moved upon a highway;

132 (iv) special mobile equipment;

133 (v) vehicle owned or leased by the federal government;

134 (vi) motor vehicle not designed, used, or maintained for the transportation of
135 passengers for hire or for the transportation of property if the motor vehicle is registered in
136 another state and is owned and operated by a nonresident of this state;

137 (vii) vehicle or combination of vehicles designed, used, or maintained for the
138 transportation of persons for hire or for the transportation of property if the vehicle or
139 combination of vehicles is registered in another state and is owned and operated by a
140 nonresident of this state and if the vehicle or combination of vehicles has a gross laden weight
141 of 26,000 pounds or less;

142 (viii) trailer of 750 pounds or less unladen weight and not designed, used, and
143 maintained for hire for the transportation of property or person;

144 (ix) single-axle trailer unless that trailer is:

145 (A) a commercial vehicle;

146 (B) a trailer designed, used, and maintained for hire for the transportation of property
147 or person; or

148 (C) a travel trailer, camping trailer, or fifth wheel trailer of 750 pounds or more laden
149 weight;

150 (x) manufactured home or mobile home;

151 (xi) off-highway vehicle currently registered under Section [41-22-3](#) if the off-highway

152 vehicle is:

153 (A) being towed;

154 (B) operated on a street or highway designated as open to off-highway vehicle use; or

155 (C) operated in the manner prescribed in Subsections 41-22-10.3(1) through (3);

156 (xii) off-highway implement of husbandry operated in the manner prescribed in

157 Subsections 41-22-5.5(3) through (5);

158 (xiii) modular and prebuilt homes conforming to the uniform building code and

159 presently regulated by the United States Department of Housing and Urban Development that

160 are not constructed on a permanent chassis;

161 (xiv) electric assisted bicycle defined under Section 41-6a-102;

162 (xv) motor assisted scooter defined under Section 41-6a-102; or

163 (xvi) electric personal assistive mobility device defined under Section 41-6a-102.

164 (b) For purposes of an implement of husbandry as described in Subsection (2)(a)(iii),

165 incidental operation on a highway includes operation that is:

166 (i) transportation of raw agricultural materials or other agricultural related operations;

167 and

168 (ii) limited to 100 miles round trip on a highway.

169 (3) Unless otherwise exempted under Subsection (2), registration under this chapter is

170 required for any motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, or

171 restored-modified vehicle within 60 days of the owner establishing residency in this state.

172 (4) A motor vehicle that is registered under Section 41-3-306 is exempt from the

173 registration requirements of this part for the time period that the registration under Section

174 41-3-306 is valid.

175 (5) A vehicle that has been issued a nonrepairable certificate may not be registered

176 under this chapter.

177 (6) (a) Beginning January 1, 2027, the division may not register a motor vehicle

178 included on the list described in Section 19-2-105.5 in the following counties:

179 (i) Box Elder;

180 (ii) Davis;

181 (iii) Salt Lake;

182 (iv) Tooele;

183 (v) Utah; or

184 (vi) Weber.

185 (b) The division shall provide a link on the division's website directing an individual to
186 the list of prohibited motor vehicles described in Section [19-2-105.5](#).

187 Section 4. Section **41-6a-1642** is amended to read:

188 **41-6a-1642. Emissions inspection -- County program.**

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

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

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

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

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

203 (i) the federal government;

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

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

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

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

- 214 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
- 215 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
- 216 2014;
- 217 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
- 218 (D) Volkswagen Golf Sportwagen, model year 2015;
- 219 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
- 220 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;
- 221 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
- 222 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
- 223 (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
- 224 emissions are mitigated in the state to a settlement, including:
 - 225 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
 - 226 2016;
 - 227 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
 - 228 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;
 - 229 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;
 - 230 (E) Audi A8, model years 2014, 2015, and 2016;
 - 231 (F) Audi A8L, model years 2014, 2015, and 2016;
 - 232 (G) Audi Q5, model years 2014, 2015, and 2016; and
 - 233 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
- 234 (b) (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a
- 235 motor vehicle emissions inspection and maintenance program certificate of emissions
- 236 inspection as described in Subsection (1).
- 237 (ii) A county emissions program may not refuse to perform an emissions inspection or
- 238 indicate a failed emissions test of the vehicle based solely on a modification to the engine or
- 239 component of the motor vehicle if:
 - 240 (A) the modification is not likely to result in the motor vehicle having increased
 - 241 emissions relative to the emissions of the motor vehicle before the modification; and
 - 242 (B) the motor vehicle modification is a change to an engine that is newer than the
 - 243 engine with which the motor vehicle was originally equipped, or the engine includes
 - 244 technology that increases the facility of the administration of an emissions test, such as an

245 on-board diagnostics system.

246 (iii) The first time an owner seeks to obtain an emissions inspection as a prerequisite to
247 registration of a restored-modified vehicle:

248 (A) the owner shall present the signed statement described in Subsection 41-1a-226(4);
249 and

250 (B) the county emissions program shall perform the emissions test.

251 (iv) If a motor vehicle is registered as a restored-modified vehicle and the registration
252 certificate is notated as described in Subsection 41-1a-226(4), a county emissions program may
253 not refuse to perform an emissions test based solely on the restored-modified status of the
254 motor vehicle.

255 (3) (a) The legislative body of a county identified in Subsection (1), in consultation
256 with the Air Quality Board created under Section 19-1-106, shall make regulations or
257 ordinances regarding:

258 (i) emissions standards;

259 (ii) test procedures;

260 (iii) inspections stations;

261 (iv) repair requirements and dollar limits for correction of deficiencies; and

262 (v) certificates of emissions inspections.

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

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

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

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

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

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

274 (ii) is the most cost effective means to achieve and maintain the maximum benefit with
275 regard to ambient air quality standards and to meet federal air quality requirements as related to

276 vehicle emissions; and

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

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

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

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

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

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

286 (b) a motor vehicle that:

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

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

289 (c) a vintage vehicle as defined in Section 41-21-1:

290 (i) if the vintage vehicle has a model year of 1982 or older; or

291 (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides
292 proof of vehicle insurance that is a type specific to a vehicle collector;

293 (d) a custom vehicle as defined in Section 41-6a-1507;

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

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

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

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

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

306 (B) in the transportation of farm supplies, including tile, fence, and every other thing or

307 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production
308 and maintenance;

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

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

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

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

315 (6) (a) ~~[A]~~ Except as provided in Subsection (6)(b), a legislative body of a county
316 described in Subsection (1) may exempt from an emissions inspection program a
317 diesel-powered motor vehicle with a:

318 ~~[(a)]~~ (i) gross vehicle weight rating of more than 14,000 pounds; or

319 ~~[(b)]~~ (ii) model year of 1997 or older.

320 (b) Beginning January 1, 2027, a legislative body of a county described in Subsection
321 (1) may not exempt from an emissions inspection program a diesel-powered motor vehicle with
322 a gross vehicle weight rating of more than 14,000 pounds.

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

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

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

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

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

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

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

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

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

333 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under
334 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
335 which an emissions inspection and maintenance program is necessary to attain or maintain any
336 national ambient air quality standard may require each college or university located in a county
337 subject to this section to require its students and employees who park a motor vehicle not

338 registered in a county subject to this section to provide proof of compliance with an emissions
339 inspection accepted by the county legislative body if the motor vehicle is parked on the college
340 or university campus or property.

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

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

346 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection
347 for each motor vehicle that meets the inspection and maintenance program requirements
348 established in regulations or ordinances made under Subsection (3).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

399 (b) A county identified in Subsection (1) shall supply this information to an appropriate

400 legislative committee, as designated by the Legislative Management Committee, at times
401 determined by the designated committee to identify program needs, including funding needs.

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

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

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

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

415 (14) (a) If a county has reason to believe that a vehicle owner has provided an address
416 as required in Section [41-1a-209](#) to register or attempt to register a motor vehicle in a county
417 other than the county of the bona fide residence of the owner in order to avoid an emissions
418 inspection required under this section, the county may investigate and gather evidence to
419 determine whether the vehicle owner has used a false address or an address other than the
420 vehicle owner's bona fide residence or place of business.

421 (b) If a county conducts an investigation as described in Subsection (14)(a) and
422 determines that the vehicle owner has used a false or improper address in an effort to avoid an
423 emissions inspection as required in this section, the county may impose a civil penalty of
424 \$1,000.

425 (15) A county legislative body described in Subsection (1) may exempt a motor vehicle
426 from an emissions inspection if:

427 (a) the motor vehicle is 30 years old or older;

428 (b) the county determines that the motor vehicle was driven less than 1,500 miles
429 during the preceding 12-month period; and

430 (c) the owner provides to the county legislative body a statement signed by the owner

431 that states the motor vehicle:

432 (i) is primarily a collector's item used for:

433 (A) participation in club activities;

434 (B) exhibitions;

435 (C) tours; or

436 (D) parades; or

437 (ii) is only used for occasional transportation.

438 Section 5. **Effective date.**

439 This bill takes effect on May 1, 2024.