

Senator Curtis S. Bramble proposes the following substitute bill:

**VEHICLE OWNER REGISTRATION AND INSURANCE
REQUIREMENTS**

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill allows an individual to show proof of registration and insurance for certain vehicles through digital means and requires certain vehicles to be added to the Uninsured Motorist Identification Database Program.

Highlighted Provisions:

This bill:

- ▶ defines terms and amends certain definitions;
- ▶ provides the option for an individual to display the vehicle registration card for an off-highway vehicle through digital means;
- ▶ provides the option for an individual to display proof of insurance for a boat through digital means;
- ▶ requires certain motorboats and street-legal all-terrain vehicles to pay the uninsured motorist identification fee, the same as other motor vehicles;
- ▶ requires the Uninsured Motorist Identification Database Program to include street-legal all-terrain vehicles and motorboats;
- ▶ includes a street-legal all-terrain vehicle in the definition of a motor vehicle for purposes of motor vehicle insurance provisions, including required coverage; and

2nd Sub. H.B. 184



26 ▶ makes technical changes.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **31A-22-301**, as last amended by Laws of Utah 2021, Chapter 245

34 **31A-22-315**, as last amended by Laws of Utah 2008, Chapter 382

35 **41-1a-102**, as last amended by Laws of Utah 2023, Chapters 33, 532

36 **41-1a-1218**, as last amended by Laws of Utah 2023, Chapter 33

37 **41-1a-1220**, as last amended by Laws of Utah 2008, Chapter 322

38 **41-6a-102**, as last amended by Laws of Utah 2023, Chapters 219, 532

39 **41-12a-103**, as last amended by Laws of Utah 2008, Chapter 371

40 **41-12a-303.2**, as last amended by Laws of Utah 2018, Chapters 30, 160

41 **41-12a-802**, as last amended by Laws of Utah 1998, Chapter 36

42 **41-12a-803**, as last amended by Laws of Utah 2012, Chapters 243, 347 and 347

43 **41-12a-804**, as last amended by Laws of Utah 2013, Chapter 138

44 **41-12a-805**, as last amended by Laws of Utah 2012, Chapter 243

45 **41-22-3**, as last amended by Laws of Utah 2023, Chapters 11, 64

46 **73-18-13.5**, as last amended by Laws of Utah 2022, Chapter 68

47 **73-18c-304**, as last amended by Laws of Utah 2015, Chapter 412

48

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

50 Section 1. Section **31A-22-301** is amended to read:

51 **31A-22-301. Definitions.**

52 As used in this part:

53 (1) (a) "Motor vehicle" means the same as that term is defined in Section **41-6a-102**.

54 (b) For purposes of this chapter, "motor vehicle" includes a street-legal all-terrain

55 vehicle.

56 (2) "Motor vehicle business" means a motor vehicle sales agency, repair shop, service

57 station, storage garage, or public parking place.

58 (3) "Motor vehicle liability policy" means a policy which satisfies the requirements of
59 Sections [31A-22-303](#) and [31A-22-304](#).

60 (4) "Motorboat" means the same as that term is defined in Section [73-18c-102](#).

61 [~~(4)~~] (5) "Occupying" means being in or on a motor vehicle as a passenger or operator,
62 or being engaged in the immediate acts of entering, boarding, or alighting from a motor
63 vehicle.

64 [~~(5)~~] (6) "Operator" means the same as that term is defined in Subsection
65 [41-12a-103](#)(7).

66 [~~(6)~~] (7) "Owner" means the same as that term is defined in Subsection [41-12a-103](#)(8).

67 [~~(7)~~] (8) "Pedestrian" means any natural person not occupying a motor vehicle.

68 (9) "Street-legal all-terrain vehicle" means the same as that term is define in Section
69 [41-6a-102](#).

70 Section 2. Section **31A-22-315** is amended to read:

71 **31A-22-315. Motor vehicle insurance reporting -- Penalty.**

72 (1) (a) As used in this section, "commercial motor vehicle insurance coverage" means
73 an insurance policy that:

74 (i) includes motor vehicle liability coverage, uninsured motorist coverage,
75 underinsured motorist coverage, or personal injury coverage; and

76 (ii) is defined by the department.

77 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
78 department shall make rules defining commercial motor vehicle insurance coverage.

79 (2) (a) Except as provided in Subsections (2)(b) and (c), each insurer that issues a
80 policy that includes motor vehicle liability coverage, uninsured motorist coverage,
81 underinsured motorist coverage, or personal injury coverage under this part shall before the
82 seventh and twenty-first day of each calendar month provide to the Department of Public
83 Safety's designated agent selected in accordance with Title 41, Chapter 12a, Part 8, Uninsured
84 Motorist Identification Database Program, a record of each motor vehicle or motorboat
85 insurance policy in effect for vehicles registered or garaged in Utah as of the previous
86 submission that was issued by the insurer.

87 (b) Each insurer that issues commercial motor vehicle insurance coverage shall before

88 the seventh day of each calendar month provide to the Department of Public Safety's
89 designated agent selected in accordance with Title 41, Chapter 12a, Part 8, Uninsured Motorist
90 Identification Database Program, a record of each commercial motor vehicle insurance policy
91 in effect for vehicles registered or garaged in Utah as of the previous month that was issued by
92 the insurer.

93 (c) An insurer that issues a policy that includes motor vehicle liability coverage,
94 uninsured motorist coverage, underinsured motorist coverage, or personal injury coverage
95 under this part is not required to provide a record of a motor vehicle insurance policy in effect
96 for a vehicle to the Department of Public Safety's designated agent under Subsection (2)(a) or
97 (b) if the policy covers a vehicle that is registered under Section [41-1a-221](#), [41-1a-222](#), or
98 [41-1a-301](#).

99 (d) This Subsection (2) does not preclude more frequent reporting.

100 (3) (a) A record provided by an insurer under Subsection (2)(a) shall include:

101 (i) the name, date of birth, and driver license number, if the insured provides a driver
102 license number to the insurer, of each insured owner or operator, and the address of the named
103 insured;

104 (ii) the make, year, and vehicle identification number of each insured vehicle; and

105 (iii) the policy number, effective date, and expiration date of each policy.

106 (b) A record provided by an insurer under Subsection (2)(b) shall include:

107 (i) the named insured;

108 (ii) the policy number, effective date, and expiration date of each policy; and

109 (iii) the following information, if available:

110 (A) the name, date of birth, and driver license number of each insured owner or
111 operator, and the address of the named insured; and

112 (B) the make, year, and vehicle identification number of each insured vehicle.

113 (4) Each insurer shall provide this information by an electronic means or by another
114 form the Department of Public Safety's designated agent agrees to accept.

115 (5) (a) The commissioner may, following procedures set forth in Title 63G, Chapter 4,
116 Administrative Procedures Act, assess a fine against an insurer of up to \$250 for each day the
117 insurer fails to comply with this section.

118 (b) If an insurer shows that the failure to comply with this section was inadvertent,

119 accidental, or the result of excusable neglect, the commissioner shall excuse the fine.

120 Section 3. Section **41-1a-102** is amended to read:

121 **41-1a-102. Definitions.**

122 As used in this chapter:

123 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

124 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
125 vehicles as operated and certified to by a weighmaster.

126 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
127 [41-22-2](#).

128 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
129 [41-22-2](#).

130 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
131 [41-22-2](#).

132 (6) "Alternative fuel vehicle" means:

133 (a) an electric motor vehicle;

134 (b) a hybrid electric motor vehicle;

135 (c) a plug-in hybrid electric motor vehicle; or

136 (d) a motor vehicle powered exclusively by a fuel other than:

137 (i) motor fuel;

138 (ii) diesel fuel;

139 (iii) natural gas; or

140 (iv) propane.

141 (7) "Amateur radio operator" means a person licensed by the Federal Communications
142 Commission to engage in private and experimental two-way radio operation on the amateur
143 band radio frequencies.

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

145 (9) "Automated driving system" means the same as that term is defined in Section
146 [41-26-102.1](#).

147 (10) "Branded title" means a title certificate that is labeled:

148 (a) rebuilt and restored to operation;

149 (b) flooded and restored to operation; or

150 (c) not restored to operation.

151 (11) "Camper" means a structure designed, used, and maintained primarily to be
152 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
153 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
154 camping.

155 (12) "Certificate of title" means a document issued by a jurisdiction to establish a
156 record of ownership between an identified owner and the described vehicle, vessel, or outboard
157 motor.

158 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
159 weighmaster.

160 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
161 maintained for the transportation of persons or property that operates:

162 (a) as a carrier for hire, compensation, or profit; or

163 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
164 owner's commercial enterprise.

165 (15) "Commission" means the State Tax Commission.

166 (16) "Consumer price index" means the same as that term is defined in Section
167 [59-13-102](#).

168 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
169 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
170 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
171 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

172 (18) "Diesel fuel" means the same as that term is defined in Section [59-13-102](#).

173 (19) "Division" means the Motor Vehicle Division of the commission, created in
174 Section [41-1a-106](#).

175 (20) "Dynamic driving task" means the same as that term is defined in Section
176 [41-26-102.1](#).

177 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an
178 electric motor drawing current from a rechargeable energy storage system.

179 (22) "Essential parts" means the integral and body parts of a vehicle of a type required
180 to be registered in this state, the removal, alteration, or substitution of which would tend to

181 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,
182 or mode of operation.

183 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
184 implement for drawing plows, mowing machines, and other implements of husbandry.

185 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
186 the owner's or operator's own use in the transportation of:

187 (i) farm products, including livestock and its products, poultry and its products,
188 floricultural and horticultural products;

189 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
190 agricultural, floricultural, horticultural, livestock, and poultry production; and

191 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
192 other purposes connected with the operation of a farm.

193 (b) "Farm truck" does not include the operation of trucks by commercial processors of
194 agricultural products.

195 (25) "Fleet" means one or more commercial vehicles.

196 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into
197 this state from another state, territory, or country other than in the ordinary course of business
198 by or through a manufacturer or dealer, and not registered in this state.

199 (27) "Gross laden weight" means the actual weight of a vehicle or combination of
200 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

201 (28) "Highway" or "street" means the entire width between property lines of every way
202 or place of whatever nature when any part of it is open to the public, as a matter of right, for
203 purposes of vehicular traffic.

204 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion
205 energy from onboard sources of stored energy that are both:

206 (a) an internal combustion engine or heat engine using consumable fuel; and

207 (b) a rechargeable energy storage system where energy for the storage system comes
208 solely from sources onboard the vehicle.

209 (30) (a) "Identification number" means the identifying number assigned by the
210 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
211 motor.

212 (b) "Identification number" includes a vehicle identification number, state assigned
213 identification number, hull identification number, and motor serial number.

214 (31) "Implement of husbandry" means a vehicle designed or adapted and used
215 exclusively for an agricultural operation and only incidentally operated or moved upon the
216 highways.

217 (32) (a) "In-state miles" means the total number of miles operated in this state during
218 the preceding year by fleet power units.

219 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
220 total number of miles that those vehicles were towed on Utah highways during the preceding
221 year.

222 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
223 province, territory, or possession of the United States or foreign country.

224 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
225 possession of the United States or any foreign country.

226 (35) "Lienholder" means a person with a security interest in particular property.

227 (36) "Manufactured home" means a transportable factory built housing unit constructed
228 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards
229 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body
230 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more
231 square feet, and which is built on a permanent chassis and designed to be used as a dwelling
232 with or without a permanent foundation when connected to the required utilities, and includes
233 the plumbing, heating, air-conditioning, and electrical systems.

234 (37) "Manufacturer" means a person engaged in the business of constructing,
235 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
236 outboard motors for the purpose of sale or trade.

237 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured
238 for use by armed forces and that is maintained in a condition that represents the vehicle's
239 military design and markings regardless of current ownership or use.

240 (39) "Mobile home" means a transportable factory built housing unit built prior to June
241 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
242 Manufactured Housing and Safety Standards Act (HUD Code).

243 (40) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).

244 (41) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
245 operation on the highways.

246 (b) "Motor vehicle" does not include:

247 (i) an off-highway vehicle; or

248 (ii) a motor assisted scooter as defined in Section [41-6a-102](#).

249 (42) "Motorboat" means the same as that term is defined in Section [~~73-18-2~~]
250 [73-18c-102](#).

251 (43) "Motorcycle" means:

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

254 (b) an autocyycle.

255 (44) "Natural gas" means a fuel of which the primary constituent is methane.

256 (45) (a) "Nonresident" means a person who is not a resident of this state as defined by
257 Section [41-1a-202](#), and who does not engage in intrastate business within this state and does
258 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

259 (b) A person who engages in intrastate business within this state and operates in that
260 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
261 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
262 considered a resident of this state, insofar as that vehicle is concerned in administering this
263 chapter.

264 (46) "Odometer" means a device for measuring and recording the actual distance a
265 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
266 periodically reset.

267 (47) "Off-highway implement of husbandry" means the same as that term is defined in
268 Section [41-22-2](#).

269 (48) "Off-highway vehicle" means the same as that term is defined in Section [41-22-2](#).

270 (49) (a) "Operate" means:

271 (i) to navigate a vessel; or

272 (ii) collectively, the activities performed in order to perform the entire dynamic driving
273 task for a given motor vehicle by:

274 (A) a human driver as defined in Section 41-26-102.1; or

275 (B) an engaged automated driving system.

276 (b) "Operate" includes testing of an automated driving system.

277 (50) "Original issue license plate" means a license plate that is of a format and type
278 issued by the state in the same year as the model year of a vehicle that is a model year 1973 or
279 older.

280 (51) "Outboard motor" means a detachable self-contained propulsion unit, excluding
281 fuel supply, used to propel a vessel.

282 (52) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
283 vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a
284 security interest.

285 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
286 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
287 stated in the agreement and with an immediate right of possession vested in the conditional
288 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
289 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
290 chapter.

291 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
292 owner until the lessee exercises the lessee's option to purchase the vehicle.

293 (53) "Park model recreational vehicle" means a unit that:

294 (a) is designed and marketed as temporary living quarters for recreational, camping,
295 travel, or seasonal use;

296 (b) is not permanently affixed to real property for use as a permanent dwelling;

297 (c) requires a special highway movement permit for transit; and

298 (d) is built on a single chassis mounted on wheels with a gross trailer area not
299 exceeding 400 square feet in the setup mode.

300 (54) "Personalized license plate" means a license plate that has displayed on it a
301 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
302 to the vehicle by the division.

303 (55) (a) "Pickup truck" means a two-axle motor vehicle with motive power
304 manufactured, remanufactured, or materially altered to provide an open cargo area.

305 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
306 camper, camper shell, tarp, removable top, or similar structure.

307 (56) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that
308 has the capability to charge the battery or batteries used for vehicle propulsion from an
309 off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle
310 while the vehicle is in motion.

311 (57) "Pneumatic tire" means a tire in which compressed air is designed to support the
312 load.

313 (58) "Preceding year" means a period of 12 consecutive months fixed by the division
314 that is within 16 months immediately preceding the commencement of the registration or
315 license year in which proportional registration is sought. The division in fixing the period shall
316 conform it to the terms, conditions, and requirements of any applicable agreement or
317 arrangement for the proportional registration of vehicles.

318 (59) "Public garage" means a building or other place where vehicles or vessels are kept
319 and stored and where a charge is made for the storage and keeping of vehicles and vessels.

320 (60) "Receipt of surrender of ownership documents" means the receipt of surrender of
321 ownership documents described in Section [41-1a-503](#).

322 (61) "Reconstructed vehicle" means a vehicle of a type required to be registered in this
323 state that is materially altered from its original construction by the removal, addition, or
324 substitution of essential parts, new or used.

325 (62) "Recreational vehicle" means the same as that term is defined in Section
326 [13-14-102](#).

327 (63) "Registration" means a document issued by a jurisdiction that allows operation of
328 a vehicle or vessel on the highways or waters of this state for the time period for which the
329 registration is valid and that is evidence of compliance with the registration requirements of the
330 jurisdiction.

331 (64) "Registration decal" means the decal issued by the division that is evidence of
332 compliance with the division's registration requirements.

333 (65) (a) "Registration year" means a 12 consecutive month period commencing with
334 the completion of the applicable registration criteria.

335 (b) For administration of a multistate agreement for proportional registration the

336 division may prescribe a different 12-month period.

337 (66) "Repair or replacement" means the restoration of vehicles, vessels, or outboard
338 motors to a sound working condition by substituting any inoperative part of the vehicle, vessel,
339 or outboard motor, or by correcting the inoperative part.

340 (67) "Replica vehicle" means:

341 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

342 (b) a custom vehicle that meets the requirements under Subsection

343 41-6a-1507(1)(a)(i)(B).

344 (68) "Restored-modified vehicle" means a motor vehicle that has been restored and
345 modified with modern parts and technology, including emission control technology and an
346 on-board diagnostic system.

347 (69) "Road tractor" means a motor vehicle designed and used for drawing other
348 vehicles and constructed so it does not carry any load either independently or any part of the
349 weight of a vehicle or load that is drawn.

350 (70) "Sailboat" means the same as that term is defined in Section 73-18-2.

351 (71) "Security interest" means an interest that is reserved or created by a security
352 agreement to secure the payment or performance of an obligation and that is valid against third
353 parties.

354 (72) "Semitrailer" means a vehicle without motive power designed for carrying persons
355 or property and for being drawn by a motor vehicle and constructed so that some part of its
356 weight and its load rests or is carried by another vehicle.

357 (73) "Special group license plate" means a type of license plate designed for a
358 particular group of people or a license plate authorized and issued by the division in accordance
359 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

360 (74) (a) "Special interest vehicle" means a vehicle used for general transportation
361 purposes and that is:

362 (i) 20 years or older from the current year; or

363 (ii) a make or model of motor vehicle recognized by the division director as having
364 unique interest or historic value.

365 (b) In making a determination under Subsection (74)(a), the division director shall give
366 special consideration to:

367 (i) a make of motor vehicle that is no longer manufactured;
368 (ii) a make or model of motor vehicle produced in limited or token quantities;
369 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
370 designed exclusively for educational purposes or museum display; or

371 (iv) a motor vehicle of any age or make that has not been substantially altered or
372 modified from original specifications of the manufacturer and because of its significance is
373 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
374 leisure pursuit.

375 (75) (a) "Special mobile equipment" means a vehicle:

376 (i) not designed or used primarily for the transportation of persons or property;

377 (ii) not designed to operate in traffic; and

378 (iii) only incidentally operated or moved over the highways.

379 (b) "Special mobile equipment" includes:

380 (i) farm tractors;

381 (ii) off-road motorized construction or maintenance equipment including backhoes,
382 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

383 (iii) ditch-digging apparatus.

384 (c) "Special mobile equipment" does not include a commercial vehicle as defined
385 under Section [72-9-102](#).

386 (76) "Specially constructed vehicle" means a vehicle of a type required to be registered
387 in this state, not originally constructed under a distinctive name, make, model, or type by a
388 generally recognized manufacturer of vehicles, and not materially altered from its original
389 construction.

390 (77) (a) "Standard license plate" means a license plate for general issue described in
391 Subsection [41-1a-402\(1\)](#).

392 (b) "Standard license plate" includes a license plate for general issue that the division
393 issues before January 1, 2024.

394 (78) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
395 motor that meets the requirements of rules made by the commission pursuant to Subsection
396 [41-1a-1101\(5\)](#).

397 (79) "Symbol decal" means the decal that is designed to represent a special group and

398 displayed on a special group license plate.

399 (80) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.

400 (81) (a) "Total fleet miles" means the total number of miles operated in all jurisdictions
401 during the preceding year by power units.

402 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
403 the number of miles that those vehicles were towed on the highways of all jurisdictions during
404 the preceding year.

405 (82) "Tow truck motor carrier" means the same as that term is defined in Section
406 [72-9-102](#).

407 (83) "Tow truck operator" means the same as that term is defined in Section [72-9-102](#).

408 (84) "Trailer" means a vehicle without motive power designed for carrying persons or
409 property and for being drawn by a motor vehicle and constructed so that no part of its weight
410 rests upon the towing vehicle.

411 (85) "Transferee" means a person to whom the ownership of property is conveyed by
412 sale, gift, or any other means except by the creation of a security interest.

413 (86) "Transferor" means a person who transfers the person's ownership in property by
414 sale, gift, or any other means except by creation of a security interest.

415 (87) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle
416 without motive power, designed as a temporary dwelling for travel, recreational, or vacation
417 use that does not require a special highway movement permit when drawn by a self-propelled
418 motor vehicle.

419 (88) "Truck tractor" means a motor vehicle designed and used primarily for drawing
420 other vehicles and not constructed to carry a load other than a part of the weight of the vehicle
421 and load that is drawn.

422 (89) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
423 camper, park model recreational vehicle, manufactured home, and mobile home.

424 (90) "Vessel" means the same as that term is defined in Section [73-18-2](#).

425 (91) "Vintage vehicle" means the same as that term is defined in Section [41-21-1](#).

426 (92) "Waters of this state" means the same as that term is defined in Section [73-18-2](#).

427 (93) "Weighmaster" means a person, association of persons, or corporation permitted
428 to weigh vehicles under this chapter.

429 Section 4. Section **41-1a-1218** is amended to read:

430 **41-1a-1218. Uninsured motorist identification fee for tracking motor vehicle**
431 **insurance -- Exemption -- Deposit.**

432 (1) (a) Except as provided in Subsections (1)(b) and (c), at the time application is made
433 for registration or renewal of registration [~~of a motor vehicle~~] under this chapter, the applicant
434 shall pay an uninsured motorist identification fee of:

435 (i) \$1 on each motor vehicle[-] or street-legal all-terrain vehicle; or

436 (ii) \$2 on each motorboat.

437 (b) Except as provided in Subsection (1)(c), at the time application is made for
438 registration or renewal of registration of a motor vehicle for a six-month registration period
439 under Section [41-1a-215.5](#), the applicant shall pay an uninsured motorist identification fee of
440 75 cents on each motor vehicle.

441 (c) The following are exempt from the fee required under Subsection (1)(a) or (b):

442 (i) a commercial vehicle registered as part of a fleet under Section [41-1a-222](#) or
443 Section [41-1a-301](#);

444 (ii) a motor vehicle that is exempt from the registration fee under Section [41-1a-1209](#)
445 or Subsection [41-1a-419\(3\)](#); and

446 (iii) a motor vehicle with a Purple Heart special group license plate issued:

447 (A) on or before December 31, 2023; or

448 (B) in accordance with Part 16, Sponsored Special Group License Plates.

449 (2) The revenue generated under this section shall be deposited in the Uninsured
450 Motorist Identification Restricted Account created in Section [41-12a-806](#).

451 Section 5. Section **41-1a-1220** is amended to read:

452 **41-1a-1220. Registration reinstatement fee.**

453 (1) (a) [~~At~~] Except as provided in Subsection (1)(b), at the time application is made
454 for reinstatement or renewal of registration of a motor vehicle after a revocation of the
455 registration under Subsection [41-1a-110\(2\)](#), the applicant shall pay a registration reinstatement
456 fee of \$100.

457 (b) The registration reinstatement fee does not apply to a motorboat.

458 (2) The fee imposed under Subsection (1):

459 (a) is in addition to any other fee imposed under this chapter; and

460 (b) shall be deposited in the Uninsured Motorist Identification Restricted Account
461 created in Section [41-12a-806](#).

462 (3) The division shall waive the registration reinstatement fee imposed under this
463 section if:

464 (a) the registration was revoked under Subsection [41-1a-110\(2\)\(a\)\(ii\)](#); and

465 (b) a person had owner's or operator's security in effect for the vehicle at the time of the
466 alleged violation or on the day following the time limit provided after the second notice under
467 Subsection [41-12a-804\(2\)](#).

468 Section 6. Section **41-6a-102** is amended to read:

469 **41-6a-102. Definitions.**

470 As used in this chapter:

471 (1) "Alley" means a street or highway intended to provide access to the rear or side of
472 lots or buildings in urban districts and not intended for through vehicular traffic.

473 (2) "All-terrain type I vehicle" means the same as that term is defined in Section
474 [41-22-2](#).

475 (3) "All-terrain type II vehicle" means the same as that term is defined in Section
476 [41-22-2](#).

477 (4) "All-terrain type III vehicle" means the same as that term is defined in Section
478 [41-22-2](#).

479 [~~3~~] (5) "Authorized emergency vehicle" includes:

480 (a) fire department vehicles;

481 (b) police vehicles;

482 (c) ambulances; and

483 (d) other publicly or privately owned vehicles as designated by the commissioner of the
484 Department of Public Safety.

485 [~~4~~] (6) "Autocycle" means the same as that term is defined in Section [53-3-102](#).

486 [~~5~~] (7) (a) "Bicycle" means a wheeled vehicle:

487 (i) propelled by human power by feet or hands acting upon pedals or cranks;

488 (ii) with a seat or saddle designed for the use of the operator;

489 (iii) designed to be operated on the ground; and

490 (iv) whose wheels are not less than 14 inches in diameter.

491 (b) "Bicycle" includes an electric assisted bicycle.

492 (c) "Bicycle" does not include scooters and similar devices.

493 ~~[(6)]~~ (8) (a) "Bus" means a motor vehicle:

494 (i) designed for carrying more than 15 passengers and used for the transportation of
495 persons; or

496 (ii) designed and used for the transportation of persons for compensation.

497 (b) "Bus" does not include a taxicab.

498 ~~[(7)]~~ (9) (a) "Circular intersection" means an intersection that has an island, generally
499 circular in design, located in the center of the intersection where traffic passes to the right of
500 the island.

501 (b) "Circular intersection" includes:

502 (i) roundabouts;

503 (ii) rotaries; and

504 (iii) traffic circles.

505 ~~[(8)]~~ (10) "Class 1 electric assisted bicycle" means an electric assisted bicycle
506 described in Subsection ~~[(18)(d)(i)]~~ (20)(d)(i).

507 ~~[(9)]~~ (11) "Class 2 electric assisted bicycle" means an electric assisted bicycle
508 described in Subsection ~~[(18)(d)(ii)]~~ (20)(d)(ii).

509 ~~[(10)]~~ (12) "Class 3 electric assisted bicycle" means an electric assisted bicycle
510 described in Subsection ~~[(18)(d)(iii)]~~ (20)(d)(iii).

511 ~~[(11)]~~ (13) "Commissioner" means the commissioner of the Department of Public
512 Safety.

513 ~~[(12)]~~ (14) "Controlled-access highway" means a highway, street, or roadway:

514 (a) designed primarily for through traffic; and

515 (b) to or from which owners or occupants of abutting lands and other persons have no
516 legal right of access, except at points as determined by the highway authority having
517 jurisdiction over the highway, street, or roadway.

518 ~~[(13)]~~ (15) "Crosswalk" means:

519 (a) that part of a roadway at an intersection included within the connections of the
520 lateral lines of the sidewalks on opposite sides of the highway measured from:

521 (i) (A) the curbs; or

522 (B) in the absence of curbs, from the edges of the traversable roadway; and
523 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
524 included within the extension of the lateral lines of the existing sidewalk at right angles to the
525 centerline; or

526 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
527 pedestrian crossing by lines or other markings on the surface.

528 [~~(14)~~] (16) "Department" means the Department of Public Safety.

529 [~~(15)~~] (17) "Direct supervision" means oversight at a distance within which:

530 (a) visual contact is maintained; and

531 (b) advice and assistance can be given and received.

532 [~~(16)~~] (18) "Divided highway" means a highway divided into two or more roadways
533 by:

534 (a) an unpaved intervening space;

535 (b) a physical barrier; or

536 (c) a clearly indicated dividing section constructed to impede vehicular traffic.

537 [~~(17)~~] (19) "Echelon formation" means the operation of two or more snowplows
538 arranged side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
539 clear snow from two or more lanes at once.

540 [~~(18)~~] (20) "Electric assisted bicycle" means a bicycle with an electric motor that:

541 (a) has a power output of not more than 750 watts;

542 (b) has fully operable pedals on permanently affixed cranks;

543 (c) is fully operable as a bicycle without the use of the electric motor; and

544 (d) is one of the following:

545 (i) an electric assisted bicycle equipped with a motor or electronics that:

546 (A) provides assistance only when the rider is pedaling; and

547 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per
548 hour;

549 (ii) an electric assisted bicycle equipped with a motor or electronics that:

550 (A) may be used exclusively to propel the bicycle; and

551 (B) is not capable of providing assistance when the bicycle reaches the speed of 20
552 miles per hour; or

- 553 (iii) an electric assisted bicycle equipped with a motor or electronics that:
554 (A) provides assistance only when the rider is pedaling;
555 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per
556 hour; and
557 (C) is equipped with a speedometer.
- 558 ~~[(19)]~~ (21) (a) "Electric personal assistive mobility device" means a self-balancing
559 device with:
560 (i) two nontandem wheels in contact with the ground;
561 (ii) a system capable of steering and stopping the unit under typical operating
562 conditions;
563 (iii) an electric propulsion system with average power of one horsepower or 750 watts;
564 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
565 (v) a deck design for a person to stand while operating the device.
- 566 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 567 ~~[(20)]~~ (22) "Explosives" means a chemical compound or mechanical mixture
568 commonly used or intended for the purpose of producing an explosion and that contains any
569 oxidizing and combustive units or other ingredients in proportions, quantities, or packing so
570 that an ignition by fire, friction, concussion, percussion, or detonator of any part of the
571 compound or mixture may cause a sudden generation of highly heated gases, and the resultant
572 gaseous pressures are capable of producing destructive effects on contiguous objects or of
573 causing death or serious bodily injury.
- 574 ~~[(21)]~~ (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
575 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 576 ~~[(22)]~~ (24) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or
577 less, as determined by a Tagliabue or equivalent closed-cup test device.
- 578 ~~[(23)]~~ (25) "Freeway" means a controlled-access highway that is part of the interstate
579 system as defined in Section [72-1-102](#).
- 580 ~~[(24)]~~ (26) (a) "Golf cart" means a device that:
581 (i) is designed for transportation by players on a golf course;
582 (ii) has not less than three wheels in contact with the ground;
583 (iii) has an unladen weight of less than 1,800 pounds;

- 584 (iv) is designed to operate at low speeds; and
- 585 (v) is designed to carry not more than six persons including the driver.
- 586 (b) "Golf cart" does not include:
- 587 (i) a low-speed vehicle or an off-highway vehicle;
- 588 (ii) a motorized wheelchair;
- 589 (iii) an electric personal assistive mobility device;
- 590 (iv) an electric assisted bicycle;
- 591 (v) a motor assisted scooter;
- 592 (vi) a personal delivery device, as defined in Section [41-6a-1119](#); or
- 593 (vii) a mobile carrier, as defined in Section [41-6a-1120](#).
- 594 [~~25~~] [\(27\)](#) "Gore area" means the area delineated by two solid white lines that is
- 595 between a continuing lane of a through roadway and a lane used to enter or exit the continuing
- 596 lane including similar areas between merging or splitting highways.
- 597 [~~26~~] [\(28\)](#) "Gross weight" means the weight of a vehicle without a load plus the
- 598 weight of any load on the vehicle.
- 599 [~~27~~] [\(29\)](#) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 600 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 601 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
- 602 highway or railroad tracks.
- 603 [~~28~~] [\(30\)](#) "Highway" means the entire width between property lines of every way or
- 604 place of any nature when any part of it is open to the use of the public as a matter of right for
- 605 vehicular travel.
- 606 [~~29~~] [\(31\)](#) "Highway authority" means the same as that term is defined in Section
- 607 [72-1-102](#).
- 608 [~~30~~] [\(32\)](#) (a) "Intersection" means the area embraced within the prolongation or
- 609 connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways
- 610 of two or more highways that join one another.
- 611 (b) Where a highway includes two roadways 30 feet or more apart:
- 612 (i) every crossing of each roadway of the divided highway by an intersecting highway
- 613 is a separate intersection; and
- 614 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then

615 every crossing of two roadways of the highways is a separate intersection.

616 (c) "Intersection" does not include the junction of an alley with a street or highway.

617 ~~[(31)]~~ (33) "Island" means an area between traffic lanes or at an intersection for control
618 of vehicle movements or for pedestrian refuge designated by:

619 (a) pavement markings, which may include an area designated by two solid yellow
620 lines surrounding the perimeter of the area;

621 (b) channelizing devices;

622 (c) curbs;

623 (d) pavement edges; or

624 (e) other devices.

625 ~~[(32)]~~ (34) "Lane filtering" means, when operating a motorcycle other than an
626 autocycle, the act of overtaking and passing another vehicle that is stopped in the same
627 direction of travel in the same lane.

628 ~~[(33)]~~ (35) "Law enforcement agency" means the same as that term is as defined in
629 Section [53-1-102](#).

630 ~~[(34)]~~ (36) "Limited access highway" means a highway:

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

632 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
633 persons have any right or easement, or have only a limited right or easement of access, light,
634 air, or view.

635 ~~[(35)]~~ (37) "Local highway authority" means the legislative, executive, or governing
636 body of a county, municipal, or other local board or body having authority to enact laws
637 relating to traffic under the constitution and laws of the state.

638 ~~[(36)]~~ (38) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:

639 (i) is designed to be operated at speeds of not more than 25 miles per hour; and

640 (ii) has a capacity of not more than six passengers, including a conventional driver or
641 fallback-ready user if on board the vehicle, as those terms are defined in Section [41-26-102.1](#).

642 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

643 ~~[(37)]~~ (39) "Metal tire" means a tire, the surface of which in contact with the highway
644 is wholly or partly of metal or other hard nonresilient material.

645 ~~[(38)]~~ (40) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a

646 seat or saddle that is less than 24 inches from the ground as measured on a level surface with
647 properly inflated tires.

648 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

649 (c) "Mini-motorcycle" does not include a motorcycle that is:

650 (i) designed for off-highway use; and

651 (ii) registered as an off-highway vehicle under Section [41-22-3](#).

652 ~~[(39)]~~ [\(41\)](#) "Mobile home" means:

653 (a) a trailer or semitrailer that is:

654 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
655 place either permanently or temporarily; and

656 (ii) equipped for use as a conveyance on streets and highways; or

657 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and
658 constructed for use as a mobile home, as defined in Subsection ~~[(39)(a)]~~ [\(41\)\(a\)](#), but that is
659 instead used permanently or temporarily for:

660 (i) the advertising, sale, display, or promotion of merchandise or services; or

661 (ii) any other commercial purpose except the transportation of property for hire or the
662 transportation of property for distribution by a private carrier.

663 ~~[(40)]~~ [\(42\)](#) "Mobility disability" means the inability of a person to use one or more of
664 the person's extremities or difficulty with motor skills, that may include limitations with
665 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
666 condition.

667 ~~[(41)]~~ [\(43\)](#) (a) "Moped" means a motor-driven cycle having:

668 (i) pedals to permit propulsion by human power; and

669 (ii) a motor that:

670 (A) produces not more than two brake horsepower; and

671 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour on
672 level ground.

673 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
674 centimeters and the moped shall have a power drive system that functions directly or
675 automatically without clutching or shifting by the operator after the drive system is engaged.

676 (c) "Moped" does not include:

- 677 (i) an electric assisted bicycle; or
678 (ii) a motor assisted scooter.
679 ~~[(42)]~~ (44) (a) "Motor assisted scooter" means a self-propelled device with:
680 (i) at least two wheels in contact with the ground;
681 (ii) a braking system capable of stopping the unit under typical operating conditions;
682 (iii) an electric motor not exceeding 2,000 watts;
683 (iv) either:
684 (A) handlebars and a deck design for a person to stand while operating the device; or
685 (B) handlebars and a seat designed for a person to sit, straddle, or stand while operating
686 the device;
687 (v) a design for the ability to be propelled by human power alone; and
688 (vi) a maximum speed of 20 miles per hour on a paved level surface.
689 (b) "Motor assisted scooter" does not include:
690 (i) an electric assisted bicycle; or
691 (ii) a motor-driven cycle.
692 ~~[(43)]~~ (45) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that
693 is propelled by electric power obtained from overhead trolley wires, but not operated upon
694 rails.
695 (b) "Motor vehicle" does not include:
696 (i) vehicles moved solely by human power;
697 (ii) motorized wheelchairs;
698 (iii) an electric personal assistive mobility device;
699 (iv) an electric assisted bicycle;
700 (v) a motor assisted scooter;
701 (vi) a personal delivery device, as defined in Section [41-6a-1119](#); or
702 (vii) a mobile carrier, as defined in Section [41-6a-1120](#).
703 ~~[(44)]~~ (46) "Motorcycle" means:
704 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
705 and designed to travel with not more than three wheels in contact with the ground; or
706 (b) an auticycle.
707 ~~[(45)]~~ (47) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized

708 bicycle having:

709 (i) an engine with less than 150 cubic centimeters displacement; or

710 (ii) a motor that produces not more than five horsepower.

711 (b) "Motor-driven cycle" does not include:

712 (i) an electric personal assistive mobility device;

713 (ii) a motor assisted scooter; or

714 (iii) an electric assisted bicycle.

715 [~~46~~] (48) "Off-highway implement of husbandry" means the same as that term is

716 defined under Section [41-22-2](#).

717 [~~47~~] (49) "Off-highway vehicle" means the same as that term is defined under Section

718 [41-22-2](#).

719 [~~48~~] (50) "Operate" means the same as that term is defined in Section [41-1a-102](#).

720 [~~49~~] (51) "Operator" means:

721 (a) a human driver, as defined in Section [41-26-102.1](#), that operates a vehicle; or

722 (b) an automated driving system, as defined in Section [41-26-102.1](#), that operates a

723 vehicle.

724 [~~50~~] (52) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling
725 stock, or other device operated, alone or coupled with another device, on stationary rails.

726 [~~51~~] (53) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle
727 is occupied or not.

728 (b) "Park" or "parking" does not include:

729 (i) the standing of a vehicle temporarily for the purpose of and while actually engaged

730 in loading or unloading property or passengers; or

731 (ii) a motor vehicle with an engaged automated driving system that has achieved a
732 minimal risk condition, as those terms are defined in Section [41-26-102.1](#).

733 [~~52~~] (54) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,

734 Peace Officer Classifications, to direct or regulate traffic or to make arrests for violations of

735 traffic laws.

736 [~~53~~] (55) "Pedestrian" means a person traveling:

737 (a) on foot; or

738 (b) in a wheelchair.

739 [~~(54)~~] (56) "Pedestrian traffic-control signal" means a traffic-control signal used to
740 regulate pedestrians.

741 [~~(55)~~] (57) "Person" means a natural person, firm, copartnership, association,
742 corporation, business trust, estate, trust, partnership, limited liability company, association,
743 joint venture, governmental agency, public corporation, or any other legal or commercial entity.

744 [~~(56)~~] (58) "Pole trailer" means a vehicle without motive power:

745 (a) designed to be drawn by another vehicle and attached to the towing vehicle by
746 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and

747 (b) that is ordinarily used for transporting long or irregular shaped loads including
748 poles, pipes, or structural members generally capable of sustaining themselves as beams
749 between the supporting connections.

750 [~~(57)~~] (59) "Private road or driveway" means every way or place in private ownership
751 and used for vehicular travel by the owner and those having express or implied permission
752 from the owner, but not by other persons.

753 [~~(58)~~] (60) "Railroad" means a carrier of persons or property upon cars operated on
754 stationary rails.

755 [~~(59)~~] (61) "Railroad sign or signal" means a sign, signal, or device erected by
756 authority of a public body or official or by a railroad and intended to give notice of the presence
757 of railroad tracks or the approach of a railroad train.

758 [~~(60)~~] (62) "Railroad train" means a locomotive propelled by any form of energy,
759 coupled with or operated without cars, and operated upon rails.

760 [~~(61)~~] (63) "Restored-modified vehicle" means the same as the term defined in Section
761 [41-1a-102](#).

762 [~~(62)~~] (64) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
763 lawful manner in preference to another vehicle or pedestrian approaching under circumstances
764 of direction, speed, and proximity that give rise to danger of collision unless one grants
765 precedence to the other.

766 [~~(63)~~] (65) (a) "Roadway" means that portion of highway improved, designed, or
767 ordinarily used for vehicular travel.

768 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
769 them are used by persons riding bicycles or other human-powered vehicles.

770 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
771 a highway includes two or more separate roadways.

772 [~~(64)~~] (66) "Safety zone" means the area or space officially set apart within a roadway
773 for the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
774 signs as to be plainly visible at all times while set apart as a safety zone.

775 [~~(65)~~] (67) (a) "School bus" means a motor vehicle that:

776 (i) complies with the color and identification requirements of the most recent edition of
777 "Minimum Standards for School Buses"; and

778 (ii) is used to transport school children to or from school or school activities.

779 (b) "School bus" does not include a vehicle operated by a common carrier in
780 transportation of school children to or from school or school activities.

781 [~~(66)~~] (68) (a) "Semitrailer" means a vehicle with or without motive power:

782 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
783 and

784 (ii) constructed so that some part of its weight and that of its load rests on or is carried
785 by another vehicle.

786 (b) "Semitrailer" does not include a pole trailer.

787 [~~(67)~~] (69) "Shoulder area" means:

788 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
789 edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
790 or

791 (b) that portion of the road contiguous to the roadway for accommodation of stopped
792 vehicles, for emergency use, and for lateral support.

793 [~~(68)~~] (70) "Sidewalk" means that portion of a street between the curb lines, or the
794 lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

795 [~~(69)~~] (71) (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
796 that is designated for the use of a bicycle.

797 (b) "Soft-surface trail" does not mean a trail:

798 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
799 federal law, regulation, or rule; or

800 (ii) located in whole or in part on land granted to the state or a political subdivision

801 subject to a conservation easement that prohibits the use of a motorized vehicle.

802 ~~[(70)]~~ (72) "Solid rubber tire" means a tire of rubber or other resilient material that
803 does not depend on compressed air for the support of the load.

804 ~~[(71)]~~ (73) "Stand" or "standing" means the temporary halting of a vehicle, whether
805 occupied or not, for the purpose of and while actually engaged in receiving or discharging
806 passengers.

807 ~~[(72)]~~ (74) "Stop" when required means complete cessation from movement.

808 ~~[(73)]~~ (75) "Stop" or "stopping" when prohibited means any halting even momentarily
809 of a vehicle, whether occupied or not, except when:

810 (a) necessary to avoid conflict with other traffic; or

811 (b) in compliance with the directions of a peace officer or traffic-control device.

812 ~~[(74)]~~ (76) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain
813 type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
814 the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with
815 Section 41-6a-1509.

816 ~~[(75)]~~ (77) "Tow truck operator" means the same as that term is defined in Section
817 72-9-102.

818 ~~[(76)]~~ (78) "Tow truck motor carrier" means the same as that term is defined in Section
819 72-9-102.

820 ~~[(77)]~~ (79) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
821 conveyances either singly or together while using any highway for the purpose of travel.

822 ~~[(78)]~~ (80) "Traffic signal preemption device" means an instrument or mechanism
823 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal.

824 ~~[(79)]~~ (81) "Traffic-control device" means a sign, signal, marking, or device not
825 inconsistent with this chapter placed or erected by a highway authority for the purpose of
826 regulating, warning, or guiding traffic.

827 ~~[(80)]~~ (82) "Traffic-control signal" means a device, whether manually, electrically, or
828 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

829 ~~[(81)]~~ (83) (a) "Trailer" means a vehicle with or without motive power designed for
830 carrying persons or property and for being drawn by a motor vehicle and constructed so that no
831 part of its weight rests upon the towing vehicle.

832 (b) "Trailer" does not include a pole trailer.

833 [~~(82)~~] (84) "Truck" means a motor vehicle designed, used, or maintained primarily for
834 the transportation of property.

835 [~~(83)~~] (85) "Truck tractor" means a motor vehicle:

836 (a) designed and used primarily for drawing other vehicles; and

837 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
838 tractor.

839 [~~(84)~~] (86) "Two-way left turn lane" means a lane:

840 (a) provided for vehicle operators making left turns in either direction;

841 (b) that is not used for passing, overtaking, or through travel; and

842 (c) that has been indicated by a lane traffic-control device that may include lane
843 markings.

844 [~~(85)~~] (87) "Urban district" means the territory contiguous to and including any street,
845 in which structures devoted to business, industry, or dwelling houses are situated at intervals of
846 less than 100 feet, for a distance of a quarter of a mile or more.

847 [~~(86)~~] (88) "Vehicle" means a device in, on, or by which a person or property is or may
848 be transported or drawn on a highway, except a mobile carrier, as defined in Section
849 [41-6a-1120](#), or a device used exclusively on stationary rails or tracks.

850 Section 7. Section **41-12a-103** is amended to read:

851 **41-12a-103. Definitions.**

852 As used in this chapter:

853 (1) "Department" means the Department of Public Safety.

854 (2) "Judgment" means any judgment that is final by:

855 (a) expiration without appeal of the time within which an appeal might have been
856 perfected; or

857 (b) final affirmation on appeal, rendered by a court of competent jurisdiction of any
858 state or of the United States, upon a cause of action for damages:

859 (i) arising out of the ownership, maintenance, or use of any motor vehicle, including
860 damages for care and loss of services because of bodily injury to or death of any person, or
861 because of injury to or destruction of property including the loss of use of the property; or

862 (ii) on a settlement agreement.

863 (3) "License" or "license certificate" have the same meanings as under Section
864 [53-3-102](#).

865 (4) (a) "Motor vehicle" means every self-propelled vehicle that is designed for use
866 upon a highway, including trailers and semitrailers designed for use with other motorized
867 vehicles.

868 (b) "Motor vehicle" does not include traction engines, road rollers, farm tractors,
869 tractor cranes, power shovels, and well drillers, and every vehicle that is propelled by electric
870 power obtained from overhead wires but not operated upon rails.

871 (5) "Motorboat" means the same as that term is defined in Section [73-18c-102](#).

872 [~~(5)~~] (6) "Nonresident" means every person who is not a resident of Utah.

873 [~~(6)~~] (7) "Nonresident's operating privilege" means the privilege conferred upon a
874 person who is not a resident of Utah by the laws of Utah pertaining to the operation by him of a
875 motor vehicle, or the use of a motor vehicle owned by him, in Utah.

876 [~~(7)~~] (8) "Operator" means every person who is in actual physical control of a motor
877 vehicle.

878 [~~(8)~~] (9) "Owner" means:

879 (a) a person who holds legal title to a motor vehicle;

880 (b) a lessee in possession;

881 (c) a conditional vendee or lessee if a motor vehicle is the subject of a conditional sale
882 or lease with the right of purchase upon performance of the conditions stated in the agreement
883 and with an immediate right of possession in the conditional vendee or lessee; or

884 (d) a mortgagor if a motor vehicle is the subject of a mortgage with the mortgagor
885 entitled to possession.

886 [~~(9)~~] (10) "Owner's or operator's security," "owner's security," or "operator's security"
887 means any of the following:

888 (a) an insurance policy or combination of policies conforming to Section [31A-22-302](#),
889 which is issued by an insurer authorized to do business in Utah;

890 (b) an insurance policy or combination of policies issued or renewed prior to January 1,
891 2009 that:

892 (i) conformed to the minimum coverage limits of Section [31A-22-304](#) prior to January
893 1, 2009; and

894 (ii) conform to the current requirements other than the minimum coverage limits of
895 policies issued in accordance with Section 31A-22-302;

896 (c) a surety bond issued by an insurer authorized to do a surety business in Utah in
897 which the surety is subject to the minimum coverage limits and other requirements of policies
898 conforming to Section 31A-22-302, which names the department as a creditor under the bond
899 for the use of persons entitled to the proceeds of the bond;

900 (d) a deposit with the state treasurer of cash or securities complying with Section
901 41-12a-406;

902 (e) maintaining a certificate of self-funded coverage under Section 41-12a-407; or

903 (f) a policy conforming to Section 31A-22-302 issued by the Risk Management Fund
904 created in Section 63A-4-201.

905 [~~(10)~~] (11) "Registration" means the issuance of the certificates and registration plates
906 issued under the laws of Utah pertaining to the registration of motor vehicles.

907 [~~(11)~~] (12) "Self-insurance" has the same meaning as provided in Section 31A-1-301.

908 Section 8. Section 41-12a-303.2 is amended to read:

909 **41-12a-303.2. Evidence of owner's or operator's security to be carried when**
910 **operating motor vehicle -- Defense -- Penalties.**

911 (1) As used in this section:

912 (a) "Division" means the Motor Vehicle Division of the State Tax Commission.

913 (b) "Registration materials" means the evidences of motor vehicle registration,
914 including all registration cards, license plates, temporary permits, and nonresident temporary
915 permits.

916 (2) (a) (i) A person operating a motor vehicle shall:

917 (A) have in the person's immediate possession evidence of owner's or operator's
918 security for the motor vehicle the person is operating; and

919 (B) display it upon demand of a peace officer.

920 (ii) A person is exempt from the requirements of Subsection (2)(a)(i) if the person is
921 operating:

922 (A) a government-owned or leased motor vehicle; or

923 (B) an employer-owned or leased motor vehicle and is driving it with the employer's
924 permission.

925 (iii) A person operating a vehicle that is owned by a rental company, as defined in
926 Section 31A-22-311, may comply with Subsection (2)(a)(i) by having in the person's
927 immediate possession, or displaying, the rental vehicle's rental agreement, as defined in Section
928 31A-22-311.

929 (b) Evidence of owner's or operator's security includes any one of the following:

930 (i) a copy of the operator's valid:

931 (A) insurance policy;

932 (B) insurance policy declaration page;

933 (C) binder notice;

934 (D) renewal notice; or

935 (E) card issued by an insurance company as evidence of insurance;

936 (ii) a certificate of insurance issued under Section 41-12a-402;

937 (iii) a certified copy of a surety bond issued under Section 41-12a-405;

938 (iv) a certificate of the state treasurer issued under Section 41-12a-406;

939 (v) a certificate of self-funded coverage issued under Section 41-12a-407; or

940 (vi) information that the vehicle or driver is insured from the Uninsured Motorist
941 Identification Database Program created under Title 41, Chapter 12a, Part 8, Uninsured
942 Motorist Identification Database Program.

943 (c) A card issued by an insurance company as evidence of owner's or operator's
944 security under Subsection (2)(b)(i)(E) on or after July 1, 2014, may not display the owner's or
945 operator's address on the card.

946 (d) (i) A person may provide to a peace officer evidence of owner's or operator's
947 security described in this Subsection (2) in:

948 (A) a hard copy format; or

949 (B) an electronic format using a mobile electronic device.

950 (ii) If a person provides evidence of owner's or operator's security in an electronic
951 format using a mobile electronic device under this Subsection (2)(d), the peace officer viewing
952 the owner's or operator's security on the mobile electronic device may not view any other
953 content on the mobile electronic device.

954 (iii) Notwithstanding any other provision under this section, a peace officer is not
955 subject to civil liability or criminal penalties under this section if the peace officer inadvertently

956 views content other than the evidence of owner's or operator's security on the mobile electronic
957 device.

958 (e) (i) Evidence of owner's or operator's security from the Uninsured Motorist
959 Identification Database Program described under Subsection (2)(b)(vi) supercedes any
960 evidence of owner's or operator's security described under:

- 961 (A) Subsection (2)(b)(i)(D) or (E)[-]; or
- 962 (B) for a motorboat, Subsection [73-18c-304\(1\)\(b\)](#).

963 (ii) A peace officer may not cite or arrest a person for a violation of Subsection (2)(a) if
964 the Uninsured Motorist Identification Database Program created under Title 41, Chapter 12a,
965 Part 8, Uninsured Motorist Identification Database Program, information indicates that the
966 vehicle or driver is insured.

967 (3) It is an affirmative defense to a charge or in an administrative action under this
968 section that the person had owner's or operator's security in effect for the vehicle the person
969 was operating at the time of the person's citation or arrest.

970 (4) (a) The following are considered proof of owner's or operator's security for
971 purposes of Subsection (3) and Section [41-12a-804](#):

- 972 (i) evidence defined in Subsection (2)(b);
- 973 (ii) a written statement from an insurance producer or company verifying that the
974 person had the required motor vehicle insurance coverage on the date specified; or
- 975 (iii) a written statement from an insurance producer or company, or provision in an
976 insurance policy, indicating that the policy provides coverage for a newly purchased car and the
977 coverage extended to the date specified.

978 (b) The court considering a citation issued under this section shall allow the evidence
979 or a written statement under Subsection (4)(a) and a copy of the citation to be electronically
980 submitted or mailed to the clerk of the court to satisfy Subsection (3).

981 (c) The notice under Section [41-12a-804](#) shall specify that the written statement under
982 Subsection (4)(a) and a copy of the notice shall be faxed or mailed to the designated agent to
983 satisfy the proof of owner's or operator's security required under Section [41-12a-804](#).

984 (5) (a) A person who is convicted of violating Subsection (2)(a)(i):

- 985 (i) is guilty of an infraction for a first offense and subject to a fine of not less than
986 \$400; and

987 (ii) is guilty of a class C misdemeanor for each offense subsequent to the first offense
988 that is committed within three years after the day on which the person commits the first offense
989 and subject to a fine of not less than \$1,000.

990 (b) A court may waive up to \$300 of a fine charged under Subsection (5)(a) if the
991 person demonstrates that the owner's or operator's security required under Section 41-12a-301
992 was obtained after the violation but before sentencing.

993 (6) Upon receiving notification from a court of a conviction for a violation of this
994 section, the department:

995 (a) shall suspend the person's driver license; and

996 (b) may not renew the person's driver license or issue a driver license to the person
997 until the person gives the department proof of owner's or operator's security.

998 (i) This proof of owner's or operator's security shall be given by any of the ways
999 required under Section 41-12a-401.

1000 (ii) This proof of owner's or operator's security shall be maintained with the department
1001 for a three-year period.

1002 (iii) An insurer that provides a certificate of insurance as provided under Section
1003 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of termination
1004 is filed with the department no later than 10 days after termination as required under Section
1005 41-12a-404.

1006 (iv) If a person who has canceled the certificate of insurance applies for a license
1007 within three years from the date proof of owner's or operator's security was originally required,
1008 the department shall refuse the application unless the person reestablishes proof of owner's or
1009 operator's security and maintains the proof for the remainder of the three-year period.

1010 Section 9. Section 41-12a-802 is amended to read:

1011 **41-12a-802. Definitions.**

1012 As used in this part:

1013 (1) "Account" means the Uninsured Motorist Identification Restricted Account created
1014 in Section 41-12a-806.

1015 (2) "Database" means the Uninsured Motorist Identification Database created in
1016 Section 41-12a-803.

1017 (3) "Designated agent" means the third party the department contracts with under

1018 Section [41-12a-803](#).

1019 (4) "Division" means the Driver License Division created in Section [53-3-103](#).

1020 (5) (a) "Motor vehicle" has the same meaning as set forth in Section [41-1a-102](#).

1021 (b) "Motor vehicle" includes a street-legal all-terrain vehicle.

1022 (6) "Motor Vehicle Division" means the Motor Vehicle Division of the State Tax
1023 Commission created in Section [41-1a-106](#).

1024 (7) "Program" means the Uninsured Motorist Identification Database Program created
1025 in Section [41-12a-803](#).

1026 (8) "Street-legal all-terrain vehicle" means the same as that term is defined in Section
1027 [41-6a-102](#).

1028 Section 10. Section **41-12a-803** is amended to read:

1029 **41-12a-803. Program creation -- Administration -- Selection of designated agent**
1030 **-- Duties -- Rulemaking -- Audits.**

1031 (1) There is created the Uninsured Motorist Identification Database Program to:

1032 (a) establish an Uninsured Motorist Identification Database to verify compliance with:

1033 (i) motor vehicle owner's or operator's security requirements under Section [41-12a-301](#)

1034 and other provisions under this part; and

1035 (ii) motorboat owner's or operator's security requirements under Section [73-18c-304](#)

1036 and other provisions under this part;

1037 (b) assist in reducing the number of uninsured motor vehicles on the highways of the
1038 state and uninsured motorboats on the waters of the state;

1039 (c) assist in increasing compliance with motor vehicle and motorboat registration and
1040 sales and use tax laws;

1041 (d) assist in protecting a financial institution's bona fide security interest in a motor
1042 vehicle or motorboat; and

1043 (e) assist in the identification and prevention of identity theft and other crimes.

1044 (2) The program shall be administered by the department with the assistance of the
1045 designated agent and the Motor Vehicle Division.

1046 (3) (a) The department shall contract in accordance with Title 63G, Chapter 6a, Utah
1047 Procurement Code, with a third party to establish and maintain an Uninsured Motorist
1048 Identification Database for the purposes established under this part.

1049 (b) The contract may not obligate the department to pay the third party more money
1050 than is available in the account.

1051 (4) (a) The third party under contract under this section is the department's designated
1052 agent, and shall develop and maintain a computer database from the information provided by:

1053 (i) insurers under Section 31A-22-315;

1054 (ii) the division under Subsection (6); and

1055 (iii) the Motor Vehicle Division under Section 41-1a-120.

1056 (b) (i) The database shall be developed and maintained in accordance with guidelines
1057 established by the department so that state and local law enforcement agencies and financial
1058 institutions as defined in Section 7-1-103 can efficiently access the records of the database,
1059 including reports useful for the implementation of the provisions of this part.

1060 (ii) (A) The reports shall be in a form and contain information approved by the
1061 department.

1062 (B) The reports may be made available through the Internet or through other electronic
1063 medium, if the department determines that sufficient security is provided to ensure compliance
1064 with Section 41-12a-805 regarding limitations on disclosure of information in the database.

1065 (5) With information provided by the department and the Motor Vehicle Division, the
1066 designated agent shall, at least monthly for submissions under Subsection 31A-22-315(2)(b) or
1067 at least twice a month for submissions under Subsection 31A-22-315(2)(a):

1068 (a) update the database with the motor vehicle and motorboat insurance information
1069 provided by the insurers in accordance with Section 31A-22-315; and

1070 (b) compare all current motor vehicle and motorboat registrations against the database.

1071 (6) The division shall provide the designated agent with the name, date of birth,
1072 address, and driver license number of all persons on the driver license database.

1073 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1074 department shall make rules and develop procedures in cooperation with the Motor Vehicle
1075 Division to use the database for the purpose of administering and enforcing this part.

1076 (8) (a) The designated agent shall archive computer data files at least semi-annually for
1077 auditing purposes.

1078 (b) The internal audit unit of the tax commission provided under Section 59-1-206
1079 shall audit the program at least every three years.

1080 (c) The audit under Subsection (8)(b) shall include verification of:
1081 (i) billings made by the designated agent; and
1082 (ii) the accuracy of the designated agent's matching of vehicle registration with
1083 insurance data.

1084 (9) Upon request, the designated agent shall make available the information provided
1085 by insurers under Section 31A-22-315.5 to:

- 1086 (a) state and local law enforcement agencies; and
- 1087 (b) financial institutions as defined in Section 7-1-103.

1088 Section 11. Section 41-12a-804 is amended to read:

1089 **41-12a-804. Notice -- Proof -- Revocation of registration -- False statements --**
1090 **Penalties -- Exemptions -- Sales tax enforcement.**

1091 (1) If the comparison under Section 41-12a-803 shows that a motor vehicle or
1092 motorboat is not insured for three consecutive months, the Motor Vehicle Division shall direct
1093 that the designated agent provide notice to the owner of the motor vehicle or motorboat that the
1094 owner has 15 days to provide:

- 1095 (a) proof of owner's or operator's security in a form allowed under Subsection
1096 41-12a-303.2(2); or
- 1097 (b) proof of exemption from the owner's or operator's security requirements.

1098 (2) If an owner of a motor vehicle or motorboat fails to provide satisfactory proof of
1099 owner's or operator's security to the designated agent, the designated agent shall:

1100 (a) provide a second notice to the owner of the motor vehicle or motorboat that the
1101 owner now has 15 days to provide:

- 1102 (i) proof of owner's or operator's security in a form allowed under Subsection
1103 41-12a-303.2(2); or
- 1104 (ii) proof of exemption from the owner's or operator's security requirements;

1105 (b) for each notice provided, indicate information relating to the owner's failure to
1106 provide proof of owner's or operator's security in the database; and

1107 (c) provide this information to state and local law enforcement agencies as requested in
1108 accordance with the provisions under Section 41-12a-805.

1109 (3) The Motor Vehicle Division:

- 1110 (a) shall revoke the registration upon receiving notification under Subsection

1111 41-1a-110(2);

1112 (b) shall provide appropriate notices of the revocation, the legal consequences of
1113 operating a vehicle with revoked registration and without owner's or operator's security, and
1114 instructions on how to get the registration reinstated; and

1115 (c) may direct the designated agent to provide the notices under this Subsection (3).

1116 (4) Any action by the Motor Vehicle Division to revoke the registration of a motor
1117 vehicle or motorboat under this section may be in addition to an action by a law enforcement
1118 agency to impose the penalties under Section 41-12a-302 or 41-12a-303.2.

1119 (5) (a) A person may not provide a false or fraudulent statement to the Motor Vehicle
1120 Division or designated agent.

1121 (b) In addition to any other penalties, a person who violates Subsection (5)(a) is guilty
1122 of a class B misdemeanor.

1123 (6) The department and the Motor Vehicle Division shall direct the designated agent to
1124 exempt from this section a farm truck that:

1125 (a) meets the definition of a farm truck under Section 41-1a-102; and

1126 (b) is registered as a farm truck under Title 41, Chapter 1a, Motor Vehicle Act.

1127 (7) This part does not affect other actions or penalties that may be taken or imposed for
1128 violation of the owner's and operator's security requirements of this chapter.

1129 (8) If a comparison under Section 41-12a-803 shows that a motor vehicle or motorboat
1130 may not be in compliance with motor vehicle or motorboat registration or sales and use tax
1131 laws, the Motor Vehicle Division may direct that the designated agent provide notice to the
1132 owner of a motor vehicle or motorboat that information exists which indicates the possible
1133 violation.

1134 Section 12. Section 41-12a-805 is amended to read:

1135 **41-12a-805. Disclosure of insurance information -- Penalty.**

1136 (1) Information in the database established under Section 41-12a-803 provided by a
1137 person to the designated agent is considered to be the property of the person providing the
1138 information.

1139 (2) The information may not be disclosed from the database under Title 63G, Chapter
1140 2, Government Records Access and Management Act, or otherwise, except as follows:

1141 (a) for the purpose of investigating, litigating, or enforcing the owner's or operator's

1142 security requirement under Section 41-12a-301, the designated agent shall verify insurance
1143 information through the state computer network for a state or local government agency or
1144 court;

1145 (b) for the purpose of investigating, litigating, or enforcing the owner's or operator's
1146 security requirement under Section 41-12a-301, the designated agent shall, upon request, issue
1147 to any state or local government agency or court a certificate documenting the insurance
1148 information, according to the database, of a specific individual or motor vehicle or motorboat
1149 for the time period designated by the government agency;

1150 (c) upon request, the department or its designated agent shall disclose whether or not a
1151 person is an insured individual and the insurance company name to:

1152 (i) that individual or, if that individual is deceased, any interested person of that
1153 individual, as defined in Section 75-1-201;

1154 (ii) the parent or legal guardian of that individual if the individual is an unemancipated
1155 minor;

1156 (iii) the legal guardian of that individual if the individual is legally incapacitated;

1157 (iv) a person who has power of attorney from the insured individual;

1158 (v) a person who submits a notarized release from the insured individual dated no more
1159 than 90 days before the date the request is made; or

1160 (vi) a person suffering loss or injury in a motor vehicle or motorboat accident in which
1161 the insured individual is involved, but only as part of an accident report as authorized in
1162 Section 41-12a-202;

1163 (d) for the purpose of investigating, enforcing, or prosecuting laws or issuing citations
1164 by state or local law enforcement agencies related to the:

1165 (i) registration and renewal of registration of a motor vehicle under Title 41, Chapter
1166 1a, Motor Vehicle Act;

1167 (ii) registration and renewal of registration of a motorboat under Title 73, Chapter 18,
1168 State Boating Act;

1169 ~~[(i)]~~ (iii) purchase of a motor vehicle or motorboat under Title 59, Chapter 12, Sales
1170 and Use Tax Act; and

1171 ~~[(iii)]~~ (iv) owner's or operator's security requirements under Section 41-12a-301 or
1172 73-18c-304;

1173 (e) upon request of a peace officer acting in an official capacity under the provisions of
1174 Subsection (2)(d), the department or the designated agent shall, upon request, disclose relevant
1175 information for investigation, enforcement, or prosecution;

1176 (f) for the purpose of the state auditor, the legislative auditor general, or other auditor
1177 of the state conducting audits of the program;

1178 (g) upon request of a financial institution as defined under Section 7-1-103 for the
1179 purpose of protecting the financial institution's bona fide security interest in a motor vehicle or
1180 motorboat; and

1181 (h) upon the request of a state or local law enforcement agency for the purpose of
1182 investigating and prosecuting identity theft and other crimes.

1183 (3) (a) The department may allow the designated agent to prepare and deliver upon
1184 request, a report on the insurance information of a person or motor vehicle or motorboat in
1185 accordance with this section.

1186 (b) The report may be in the form of:

1187 (i) a certified copy that is considered admissible in any court proceeding in the same
1188 manner as the original; or

1189 (ii) information accessible through the Internet or through other electronic medium if
1190 the department determines that sufficient security is provided to ensure compliance with this
1191 section.

1192 (c) The department may allow the designated agent to charge a fee established by the
1193 department under Section 63J-1-504 for each:

1194 (i) document authenticated, including each certified copy;

1195 (ii) record accessed by the Internet or by other electronic medium; and

1196 (iii) record provided to a financial institution under Subsection (2)(g).

1197 (4) A person who knowingly releases or discloses information from the database for a
1198 purpose other than those authorized in this section or to a person who is not entitled to it is
1199 guilty of a third degree felony.

1200 (5) An insurer is not liable to any person for complying with Sections 31A-22-315 and
1201 31A-22-315.5 by providing information to the designated agent.

1202 (6) Neither the state nor the department's designated agent is liable to any person for
1203 gathering, managing, or using the information in the database as provided in Sections

1204 31A-22-315 and 31A-22-315.5 and this part.

1205 Section 13. Section 41-22-3 is amended to read:

1206 **41-22-3. Registration of vehicles -- Application -- Issuance of sticker and card --**
1207 **Proof of property tax payment -- Records.**

1208 (1) (a) Unless exempted under Section 41-22-9, a person may not operate or place and
1209 an owner may not give another person permission to operate or place any off-highway vehicle
1210 on any public land, trail, street, or highway in this state unless the off-highway vehicle is
1211 registered under this chapter for the current year.

1212 (b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway
1213 vehicle which can be used on any public land, trail, street, or highway in this state, unless the
1214 off-highway vehicle is registered or is in the process of being registered under this chapter for
1215 the current year.

1216 (c) Unless specifically provided in this chapter, the division shall administer license
1217 plates, decals, and registration of off-highway vehicles in accordance with Chapter 1a, Motor
1218 Vehicle Act.

1219 (2) (a) The owner of an off-highway vehicle subject to registration under this chapter
1220 shall apply to the Motor Vehicle Division for registration on forms approved by the Motor
1221 Vehicle Division.

1222 (b) An owner of an off-highway vehicle may apply for automatic registration renewal
1223 as described in Section 41-1a-216.

1224 (3) Each application for registration of an off-highway vehicle shall be accompanied
1225 by:

1226 (a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of
1227 sale showing ownership, make, model, horsepower or displacement, and serial number;

1228 (b) the past registration card; or

1229 (c) the fee for a duplicate.

1230 (4) (a) (i) Beginning on January 1, 2023, except as provided in Subsection (4)(e), the
1231 first time an off-highway vehicle is registered, the Motor Vehicle Division shall issue one
1232 off-highway vehicle license plate, a registration decal, and a registration card.

1233 (ii) If an off-highway vehicle has been registered previously in this state but has not
1234 been issued an off-highway vehicle license plate, beginning on January 1, 2023, upon

1235 application for registration renewal, the Motor Vehicle Division shall issue one off-highway
1236 vehicle license plate, a registration decal, and a registration card.

1237 (b) Upon each annual registration, the Motor Vehicle Division shall issue a registration
1238 decal and a registration card for each off-highway vehicle registered.

1239 (c) The off-highway vehicle license plate:

1240 (i) shall contain a unique five-digit number, using numbers, letters, or a combination of
1241 numbers and letters, to identify the off-highway vehicle for which it is issued;

1242 (ii) shall be affixed to the rear of the off-highway vehicle for which it is issued in a
1243 plainly visible and upright position as prescribed by rule of the division under Section
1244 [41-22-5.1](#);

1245 (iii) shall be maintained free of foreign materials and in a condition to be clearly
1246 legible;

1247 (iv) shall be a distinct tan color with black lettering to identify the license plate as an
1248 off-highway vehicle license plate;

1249 (v) shall have a location to attach the registration decal; and

1250 (vi) may not be a personalized license plate or a special group license plate.

1251 (d) (i) At all times, ~~[a registration card]~~ proof of registration shall be kept with the
1252 off-highway vehicle and shall be available for inspection by a law enforcement officer.

1253 (ii) An individual may show proof of registration by displaying:

1254 (A) a digital copy or photograph of the registration card on a mobile electronic device;

1255 (B) proof of registration on a mobile electronic device through a mobile application
1256 approved by the relevant state agency; or

1257 (C) an original registration card issued by the Motor Vehicle Division.

1258 (e) An off-highway vehicle that is a motorcycle or a snowmobile is:

1259 (i) not required to obtain or display an off-highway vehicle license plate; and

1260 (ii) required to obtain and display an off-highway vehicle registration sticker.

1261 (5) (a) Except as provided by Subsection (5)(c), an applicant for a registration card and
1262 registration decal shall provide the Motor Vehicle Division a certificate, described under
1263 Subsection (5)(b), from the county assessor of the county in which the off-highway vehicle has
1264 situs for taxation.

1265 (b) The certificate required under Subsection (5)(a) shall state one of the following:

- 1266 (i) the property tax on the off-highway vehicle for the current year has been paid;
- 1267 (ii) in the county assessor's opinion, the tax is a lien on real property sufficient to
- 1268 secure the payment of the tax; or
- 1269 (iii) the off-highway vehicle is exempt by law from payment of property tax for the
- 1270 current year.
- 1271 (c) An off-highway vehicle for which an off-highway implement of husbandry sticker
- 1272 has been issued in accordance with Section 41-22-5.5 is:
- 1273 (i) exempt from the requirement under this Subsection (5);
- 1274 (ii) not required to obtain or purchase an off-highway vehicle license plate; and
- 1275 (iii) required to obtain and display an off-highway vehicle registration sticker.
- 1276 (6) (a) All records of the division made or kept under this section shall be classified by
- 1277 the Motor Vehicle Division in the same manner as motor vehicle records are classified under
- 1278 Section 41-1a-116.
- 1279 (b) Division records are available for inspection in the same manner as motor vehicle
- 1280 records under Section 41-1a-116.
- 1281 (7) A violation of this section is an infraction.
- 1282 Section 14. Section 73-18-13.5 is amended to read:
- 1283 **73-18-13.5. Motorboat accidents -- Investigation and report of operator security**
- 1284 **-- Agency action if no security -- Surrender of registration materials.**
- 1285 (1) Upon request of a peace officer investigating an accident involving a motorboat as
- 1286 defined in Section 73-18c-102, the operator of the motorboat shall provide evidence of the
- 1287 owner's or operator's security required under Section 73-18c-301.
- 1288 (2) The peace officer shall record on a form approved by the division:
- 1289 (a) the information provided by the operator;
- 1290 (b) whether the operator provided insufficient or no information; and
- 1291 (c) whether the peace officer finds reasonable cause to believe that any information
- 1292 given is not correct.
- 1293 (3) The peace officer shall deposit all completed forms with the peace officer's agency,
- 1294 which shall forward the forms to the division no later than 10 days after receipt.
- 1295 (4) (a) The division shall revoke the registration of a motorboat as defined in Section
- 1296 73-18c-102 involved in an accident unless the owner or operator can demonstrate to the

1297 division compliance with the owner's or operator's security requirement of Section 73-18c-301
1298 at the time of the accident.

1299 (b) Any registration revoked shall be renewed in accordance with Section 73-18-7.

1300 (5) A person may appeal a revocation issued under Subsection (4) in accordance with
1301 procedures established by the division, after notifying the commission, by rule that are
1302 consistent with Title 63G, Chapter 4, Administrative Procedures Act.

1303 (6) (a) Any person whose registration is revoked under Subsection (4) shall return the
1304 registration card and decals for the motorboat to the division.

1305 (b) If the person fails to return the registration materials as required, they shall be
1306 confiscated under Section 73-18-13.6.

1307 (7) The division may, after notifying the commission, make rules for the enforcement
1308 of this section.

1309 (8) In this section, "evidence of owner's or operator's security" includes any one of the
1310 following:

1311 (a) the operator's:

1312 (i) insurance policy;

1313 (ii) binder notice;

1314 (iii) renewal notice; or

1315 (iv) card issued by an insurance company as evidence of insurance;

1316 (b) a copy of a surety bond, certified by the surety, which conforms to Section
1317 73-18c-102;

1318 (c) a certificate of the state treasurer issued under Section 73-18c-305; or

1319 (d) a certificate of self-funded coverage issued under Section 73-18c-306.

1320 (9) A person may provide evidence of owner's or operator's security as described in
1321 Subsection (8)(a) by displaying:

1322 (a) a digital copy or photograph of the evidence of owner's or operator's security; or

1323 (b) evidence of owner's or operator's security through a mobile application.

1324 Section 15. Section 73-18c-304 is amended to read:

1325 **73-18c-304. Evidence of owner's or operator's security to be carried when**
1326 **operating motorboat -- Defense -- Penalties.**

1327 (1) (a) (i) Except as provided in Subsection (1)(a)(ii), a person operating a motorboat

1328 shall:

1329 (A) have in the person's immediate possession evidence of owner's or operator's
1330 security for the motorboat the person is operating; and

1331 (B) display it upon demand of a peace officer.

1332 (ii) A person operating a government-owned or government-leased motorboat is
1333 exempt from the requirements of Subsection (1)(a)(i).

1334 (b) Evidence of owner's or operator's security includes any one of the following:

1335 (i) the operator's:

1336 (A) insurance policy;

1337 (B) binder notice;

1338 (C) renewal notice; or

1339 (D) card issued by an insurance company as evidence of insurance;

1340 (ii) a copy of a surety bond, certified by the surety, which conforms to Section
1341 [73-18c-102](#);

1342 (iii) a certificate of the state treasurer issued under Section [73-18c-305](#); ~~or~~

1343 (iv) a certificate of self-funded coverage issued under Section [73-18c-306](#)~~[-]~~;

1344 (v) a digital copy or photograph of the evidence of owner's or operator's security
1345 described in Subsections (1)(b)(i) through (iv); or

1346 (vi) a mobile application displaying evidence of owner's or operator's security
1347 described in Subsections (1)(b)(i) through (iv).

1348 (2) It is an affirmative defense to a charge under this section that the person had
1349 owner's or operator's security in effect for the motorboat the person was operating at the time of
1350 the person's citation or arrest.

1351 (3) (a) A letter from an insurance producer or company verifying that the person had
1352 the required liability insurance coverage on the date specified is considered proof of owner's or
1353 operator's security for purposes of Subsection (2).

1354 (b) The court considering a citation issued under this section shall allow the letter
1355 under Subsection (3)(a) and a copy of the citation to be faxed or mailed to the clerk of the court
1356 to satisfy Subsection (2).

1357 (4) A violation of this section is a class C misdemeanor.

1358 (5) If a person is convicted of a violation of this section and if the person is the owner

1359 of a motorboat, the court shall:

1360 (a) require the person to surrender the person's registration materials to the court; and

1361 (b) forward the registration materials, together with a copy of the conviction, to the
1362 division.

1363 (6) (a) Upon receiving notification from a court of a conviction for a violation of this
1364 section, the division shall revoke the person's motorboat registration.

1365 (b) Any registration revoked shall be renewed in accordance with Section [73-18-7](#).

1366 Section 16. **Effective date.**

1367 This bill takes effect on January 1, 2025.