

Representative Tyler Clancy proposes the following substitute bill:

AIR QUALITY AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Tyler Clancy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill addresses motor vehicle emission issues related to air quality.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ addresses enforcement of vehicle registration requirements related to emission standards, including:
 - addressing revocation of a vehicle registration for avoiding emissions testing;
 - clarifying civil penalties by counties; and
 - providing for counties to notify the Motor Vehicle Division of the use of an address that is not a bona fide address to avoid emissions testing;
- ▶ imposes a local emissions compliance fee on certain heavy duty vehicles;
- ▶ requires that revenue generated by the new local emissions compliance fee be used for emission related enforcement; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **41-1a-110**, as last amended by Laws of Utah 2023, Chapter 212

30 **41-1a-1223**, as last amended by Laws of Utah 2020, Chapter 83

31 **41-6a-1642**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532



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

34 Section 1. Section **41-1a-110** is amended to read:

35 **41-1a-110. Authority of division to suspend or revoke registration, certificate of**
36 **title, license plate, or permit.**

37 (1) Except as provided in Subsections (3) and (4), the division may suspend or revoke
38 a registration, certificate of title, license plate, or permit if:

39 (a) the division is satisfied that a registration, certificate of title, license plate, or permit
40 was fraudulently procured or erroneously issued;

41 (b) the division determines that a registered vehicle is mechanically unfit or unsafe to
42 be operated or moved upon the highways;

43 (c) a registered vehicle has been dismantled;

44 (d) the division determines that the required fee has not been paid and the fee is not
45 paid upon reasonable notice and demand;

46 (e) a registration decal, license plate, or permit is knowingly displayed upon a vehicle
47 other than the one for which issued;

48 (f) the division determines that the owner has committed any offense under this chapter
49 involving the registration, certificate of title, registration card, license plate, registration decal,
50 or permit; or

51 (g) the division receives notification by the Department of Transportation that the
52 owner has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

53 (2) (a) The division shall revoke the registration of a vehicle if the division receives
54 notification by the:

55 (i) Department of Public Safety that a person:

56 (A) has been convicted of operating a registered motor vehicle in violation of Section

57 41-12a-301 or 41-12a-303.2; or

58 (B) is under an administrative action taken by the Department of Public Safety for
59 operating a registered motor vehicle in violation of Section 41-12a-301; or

60 (ii) designated agent that the owner of a motor vehicle:

61 (A) has failed to provide satisfactory proof of owner's or operator's security to the
62 designated agent after the second notice provided under Section 41-12a-804; or

63 (B) provided a false or fraudulent statement to the designated agent.

64 (b) The division shall notify the Driver License Division if the division revokes the
65 registration of a vehicle under Subsection (2)(a)(ii)(A).

66 (3) The division may not suspend or revoke the registration of a vessel or outboard
67 motor unless authorized under Section 73-18-7.3.

68 (4) The division may not suspend or revoke the registration of an off-highway vehicle
69 unless authorized under Section 41-22-17.

70 (5) The division shall charge a registration reinstatement fee under Section 41-1a-1220,
71 if the registration is revoked under Subsection (2).

72 (6) (a) Except as provided in Subsections (3), (4), and (7), the division may suspend or
73 revoke a registered vehicle's registration if the division is notified by a local health department,
74 as defined in Section 26A-1-102, that the registered vehicle is unable to meet state or local air
75 emissions standards pursuant to Section 41-6a-1642 or violates Subsection 41-6a-1626(2)(a) or
76 (b).

77 (b) (i) If the division receives information as described in Subsection 41-6a-1642(14)
78 regarding a claim of a possible address discrepancy or violation, the division shall:

79 (A) notify the vehicle owner of the possible address discrepancy or violation; and

80 (B) require the vehicle owner to verify the bona fide residence and mailing address for
81 the vehicle owner or cure the discrepancy or violation.

82 (ii) If the vehicle owner fails to verify the bona fide residence and mailing address as
83 required in Section 41-1a-209 or otherwise cure the discrepancy or violation within 30 days of
84 the day the vehicle owner notification described in Subsection (6)(b)(i) is sent, the division
85 shall:

86 (A) notify the owner of the division's intent to revoke the registration of the vehicle and
87 the vehicle owner's right to appeal; and

88 (B) provide the vehicle owner reasonable notice and a hearing.

89 (c) If a vehicle owner receives a notification described in Subsection (6)(b)(i), the
90 vehicle owner shall provide the division verification of the bona fide residence and mailing
91 address relevant to the vehicle by providing the division:

92 (i) at least three pieces of mail sent to the bona fide residence and mailing address; or

93 (ii) other evidence that the vehicle is located and operated primarily from the provided
94 bona fide address.

95 (d) If the division notifies a vehicle owner of the division's intent to revoke a vehicle
96 registration as provided in Subsection (6)(b)(ii), and the vehicle owner fails to make good faith
97 efforts to comply with the registration requirements of this chapter and emissions inspection
98 requirements described in Section 41-6a-1642 within 60 days following the day on which the
99 notice is sent, the division shall:

100 (i) revoke the registration of the vehicle; and

101 (ii) notify the relevant county described in Subsection 41-6a-1642(14).

102 (7) The division may not suspend or revoke a registered vehicle's registration under
103 Subsection (6) if the registered vehicle has a manufacturer's gross vehicle weight rating that is
104 greater than 26,000 pounds.

105 Section 2. Section **41-1a-1223** is amended to read:

106 **41-1a-1223. Local emissions compliance fee -- Exemptions -- Transfer -- County**
107 **ordinance -- Notice -- Heavy duty vehicle fees.**

108 (1) (a) (i) A county legislative body of a county that is required to utilize a motor
109 vehicle emissions inspection and maintenance program or in which an emissions inspection
110 and maintenance program is necessary to attain or maintain any national ambient air quality
111 standard in accordance with Section 41-6a-1642 may impose a local emissions compliance fee
112 of up to:

113 (A) \$3 on each motor vehicle registration within the county for a motor vehicle
114 registration under Section 41-1a-215; or

115 (B) \$2.25 on each motor vehicle registration within the county for a six-month
116 registration period under Section 41-1a-215.5.

117 (ii) A fee imposed under Subsection (1)(a)(i) shall be set in whole dollar increments.

118 (b) If imposed under Subsection (1)(a)(i), at the time application is made for

119 registration or renewal of registration of a motor vehicle under this chapter, the applicant shall
120 pay the local emissions compliance fee established by the county legislative body.

121 (c) The following are exempt from the fee required under Subsection (1)(a)(i):

122 (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209 or
123 Subsection 41-1a-419(3);

124 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;

125 and

126 (iii) an electric motor vehicle.

127 (2) The revenue generated from the fees collected under this section shall be
128 transferred to the county that imposed the fee.

129 (3) To impose or change the amount of a fee under this section, the county legislative
130 body shall pass an ordinance:

131 (a) approving the fee;

132 (b) setting the amount of the fee; and

133 (c) providing an effective date for the fee as provided in Subsection (4).

134 (4) (a) If a county legislative body enacts, changes, or repeals a fee under this section,
135 the enactment, change, or repeal shall take effect on January 1 if the commission receives
136 notice meeting the requirements of Subsection (4)(b) from the county prior to October 1.

137 (b) The notice described in Subsection (4)(a) shall:

138 (i) state that the county will enact, change, or repeal a fee under this section;

139 (ii) include a copy of the ordinance imposing the fee; and

140 (iii) if the county enacts or changes the fee under this section, state the amount of the
141 fee.

142 (5) (a) A county legislative body of a county that is required to use a motor vehicle
143 emissions inspection and maintenance program or in which an emissions inspection and
144 maintenance program is necessary to attain or maintain any national ambient air quality
145 standard in accordance with Section 41-6a-1642 shall impose a local emissions fee of \$50 on
146 each motor vehicle registration within the county that has a gross vehicle weight rating of
147 14,000 pounds or more and equipped with a diesel-powered motor.

148 (b) In addition to paying any other fee under this part, the applicant shall pay this
149 emissions compliance fee required by the county unless exempt under Subsection (5)(c).

- 150 (c) The following are exempt from the fee required under Subsection (5)(a):
151 (i) a vehicle with a gross vehicle weight rating of 14,000 pounds or more and equipped
152 with a diesel-powered motor manufactured on or after January 1, 2010;
153 (ii) a vehicle with a gross vehicle weight rating of 14,000 pounds or more and equipped
154 with a diesel-powered motor manufactured before January 1, 2010 that has a vehicle emissions
155 control information label indicating that the motor is rated to emit no more than .20 grams of
156 oxides of nitrogen per brake horsepower hour, as verified by an emissions inspection station
157 within the county;
158 (iii) a motor vehicle that is exempt from the registration fee under Section [41-1a-1209](#);
159 (iv) an implement of husbandry;
160 (v) a farm truck; or
161 (vi) a heavy duty vehicle used exclusively off-highway, such as a heavy duty vehicle
162 used in mining operations.
163 (d) A fee imposed under this Subsection (5) is subject to Subsections (2), (3), and (4).
164 (e) A county shall use the revenue generated from the fee collected under this
165 Subsection (5) exclusively for the enforcement of law preventing improper:
166 (i) vehicle registration; or
167 (ii) tampering with vehicle emissions control devices.
168 Section 3. Section **41-6a-1642** is amended to read:
169 **41-6a-1642. Emissions inspection -- County program.**
170 (1) The legislative body of each county required under federal law to utilize a motor
171 vehicle emissions inspection and maintenance program or in which an emissions inspection
172 and maintenance program is necessary to attain or maintain any national ambient air quality
173 standard shall require:
174 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
175 is exempt from emissions inspection and maintenance program requirements be presented:
176 (i) as a condition of registration or renewal of registration; and
177 (ii) at other times as the county legislative body may require to enforce inspection
178 requirements for individual motor vehicles, except that the county legislative body may not
179 routinely require a certificate of emissions inspection, or waiver of the certificate, more often
180 than required under Subsection (9); and

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

- 184 (i) the federal government;
- 185 (ii) the state and any of its agencies; or
- 186 (iii) a political subdivision of the state, including school districts.

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

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

- 195 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
- 196 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
197 2014;
- 198 (C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
- 199 (D) Volkswagen Golf Sportwagen, model year 2015;
- 200 (E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
- 201 (F) Volkswagen Beetle, model years 2013, 2014, and 2015;
- 202 (G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
- 203 (H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and

204 (ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
205 emissions are mitigated in the state to a settlement, including:

- 206 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
207 2016;
- 208 (B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
- 209 (C) Audi A6 Quattro, model years 2014, 2015, and 2016;
- 210 (D) Audi A7 Quattro, model years 2014, 2015, and 2016;
- 211 (E) Audi A8, model years 2014, 2015, and 2016;

212 (F) Audi A8L, model years 2014, 2015, and 2016;

213 (G) Audi Q5, model years 2014, 2015, and 2016; and

214 (H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.

215 (b) (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a
216 motor vehicle emissions inspection and maintenance program certificate of emissions
217 inspection as described in Subsection (1).

218 (ii) A county emissions program may not refuse to perform an emissions inspection or
219 indicate a failed emissions test of the vehicle based solely on a modification to the engine or
220 component of the motor vehicle if:

221 (A) the modification is not likely to result in the motor vehicle having increased
222 emissions relative to the emissions of the motor vehicle before the modification; and

223 (B) the motor vehicle modification is a change to an engine that is newer than the
224 engine with which the motor vehicle was originally equipped, or the engine includes
225 technology that increases the facility of the administration of an emissions test, such as an
226 on-board diagnostics system.

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

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

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

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

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

239 (i) emissions standards;

240 (ii) test procedures;

241 (iii) inspections stations;

242 (iv) repair requirements and dollar limits for correction of deficiencies; [and]

- 243 (v) certificates of emissions inspections[-]; and
- 244 (vi) administration of a civil penalty as described in Subsection (14)(b).
- 245 (b) In accordance with Subsection (3)(a), a county legislative body:
- 246 (i) shall make regulations or ordinances to attain or maintain ambient air quality
- 247 standards in the county, consistent with the state implementation plan and federal
- 248 requirements;
- 249 (ii) may allow for a phase-in of the program by geographical area; and
- 250 (iii) shall comply with the analyzer design and certification requirements contained in
- 251 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.
- 252 (c) The county legislative body and the Air Quality Board shall give preference to an
- 253 inspection and maintenance program that:
- 254 (i) is decentralized, to the extent the decentralized program will attain and maintain
- 255 ambient air quality standards and meet federal requirements;
- 256 (ii) is the most cost effective means to achieve and maintain the maximum benefit with
- 257 regard to ambient air quality standards and to meet federal air quality requirements as related to
- 258 vehicle emissions; and
- 259 (iii) provides a reasonable phase-out period for replacement of air pollution emission
- 260 testing equipment made obsolete by the program.
- 261 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:
- 262 (i) may be accomplished in accordance with applicable federal requirements; and
- 263 (ii) does not otherwise interfere with the attainment and maintenance of ambient air
- 264 quality standards.
- 265 (4) The following vehicles are exempt from an emissions inspection program and the
- 266 provisions of this section:
- 267 (a) an implement of husbandry as defined in Section [41-1a-102](#);
- 268 (b) a motor vehicle that:
- 269 (i) meets the definition of a farm truck under Section [41-1a-102](#); and
- 270 (ii) has a gross vehicle weight rating of 12,001 pounds or more;
- 271 (c) a vintage vehicle as defined in Section [41-21-1](#):
- 272 (i) if the vintage vehicle has a model year of 1982 or older; or
- 273 (ii) for a vintage vehicle that has a model year of 1983 or newer, if the owner provides

274 proof of vehicle insurance that is a type specific to a vehicle collector;

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

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

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

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

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

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

288 (B) in the transportation of farm supplies, including tile, fence, and every other thing or
289 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production
290 and maintenance;

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

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

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

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

297 (6) A legislative body of a county described in Subsection (1) may exempt from an
298 emissions inspection program a diesel-powered motor vehicle with a:

299 (a) gross vehicle weight rating of more than 14,000 pounds; or

300 (b) model year of 1997 or older.

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

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

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

305 (ii) a gross vehicle weight rating of 14,000 pounds or less; and
306 (iii) a model year that is five years old or older; and
307 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:
308 (i) with a gross vehicle weight rating of 14,000 pounds or less;
309 (ii) that has a model year of 1998 or newer; and
310 (iii) that has a model year that is five years old or older.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

366 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the

367 lessee may use an emissions inspection certificate issued during the previous 11 months to
368 satisfy the requirement under this section.

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

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

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

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

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

384 (13) (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in
385 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration
386 within the county in accordance with the procedures and requirements of Section 41-1a-1223.

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

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

393 (14) (a) If a county has reason to believe that a vehicle owner has provided an address
394 as required in Section 41-1a-209 to register or attempt to register a motor vehicle in a county
395 other than the county of the bona fide residence of the owner in order to avoid an emissions
396 inspection required under this section, the county may:

397 (i) investigate and gather evidence to determine whether the vehicle owner has used a

398 false address or an address other than the vehicle owner's bona fide residence or place of
399 business[-]; or

400 (ii) provide relevant information and evidence to the Motor Vehicle Division for an
401 investigation and verification of a bona fide address as described in Subsection [41-1a-110\(6\)](#).

402 (b) If a county conducts an investigation as described in Subsection (14)(a)(i) and
403 determines that the vehicle owner has used a false or improper address in an effort to avoid an
404 emissions inspection as required in this section, the county may impose a civil penalty of
405 \$1,000.

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

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

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

411 (c) the owner provides to the county legislative body a statement signed by the owner
412 that states the motor vehicle:

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

414 (A) participation in club activities;

415 (B) exhibitions;

416 (C) tours; or

417 (D) parades; or

418 (ii) is only used for occasional transportation.

419 Section 4. **Effective date.**

420 This bill takes effect on May 1, 2024.