

## HB0283S02 compared with HB0283S01

~~text~~ shows text that was in HB0283S01 but was deleted in HB0283S02.

text shows text that was not in HB0283S01 but was inserted into HB0283S02.

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**Representative Katy Hall** proposes the following substitute bill:

### VEHICLE REGISTRATION AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor:** Katy Hall

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill removes the requirement to display a registration decal on certain vehicles and creates a month-to-month vehicle registration option.

##### Highlighted Provisions:

This bill:

- ▶ removes the requirement for certain vehicles to display a month or year registration decal on the vehicle's license plate;
- ▶ creates a month-to-month vehicle registration option;
- ▶ describes which vehicles may enroll in the month-to-month vehicle registration program;
- ▶ provides framework and instructions for the month-to-month vehicle registration program within the Motor Vehicle Division;

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~~{ → amends provisions related to certain authority of private law enforcement on private institutions of higher education with regard to traffic enforcement and disposition of abandoned property;~~

- ‡ ▶ clarifies when and how the Motor Vehicle Division must notify each vehicle owner of vehicle registration expiration; and
- ▶ makes technical changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

#### AMENDS:

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

**41-1a-203**, as last amended by Laws of Utah 2021, Chapter 59

**41-1a-206**, as last amended by Laws of Utah 2006, Chapter 164

**41-1a-209**, as last amended by Laws of Utah 2021, Chapter 135

**41-1a-215**, as last amended by Laws of Utah 2012, Chapter 397

**41-1a-216**, as last amended by Laws of Utah 2021, Chapter 135

**41-1a-222**, as last amended by Laws of Utah 2023, Chapter 33

**41-1a-402**, as repealed and reenacted by Laws of Utah 2023, Chapter 33

**41-1a-1201**, as last amended by Laws of Utah 2023, Chapters 33, 212, 219, 335, and 372

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

**41-22-2**, as last amended by Laws of Utah 2022, Chapters 68, 88

**59-2-405**, as last amended by Laws of Utah 2008, Chapter 210

**59-2-405.1**, as last amended by Laws of Utah 2012, Chapter 397

**59-2-405.2**, as last amended by Laws of Utah 2023, Chapter 159

**59-2-405.3**, as last amended by Laws of Utah 2018, Chapter 432

**59-2-407**, as last amended by Laws of Utah 2023, Chapter 237

**73-18-22.3**, as enacted by Laws of Utah 2023, Chapter 159

#### ENACTS:

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41-1a-215.4, Utah Code Annotated 1953

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

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

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

As used in this chapter:

- (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- (2) "Actual weight" means the actual unladen weight of a vehicle or combination of vehicles as operated and certified to by a weighmaster.
- (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- (6) "Alternative fuel vehicle" means:
  - (a) an electric motor vehicle;
  - (b) a hybrid electric motor vehicle;
  - (c) a plug-in hybrid electric motor vehicle; or
  - (d) a motor vehicle powered exclusively by a fuel other than:
    - (i) motor fuel;
    - (ii) diesel fuel;
    - (iii) natural gas; or
    - (iv) propane.
- (7) "Amateur radio operator" means a person licensed by the Federal Communications Commission to engage in private and experimental two-way radio operation on the amateur band radio frequencies.
- (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- (9) "Automated driving system" means the same as that term is defined in Section 41-26-102.1.
- (10) "Branded title" means a title certificate that is labeled:

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- (a) rebuilt and restored to operation;
- (b) flooded and restored to operation; or
- (c) not restored to operation.

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

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

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

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

- (a) as a carrier for hire, compensation, or profit; or
- (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the owner's commercial enterprise.

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

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

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

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

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

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

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

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(22) "Essential parts" means the integral and body parts of a vehicle of a type required to be registered in this state, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type, or mode of operation.

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

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

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

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

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

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

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

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

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

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

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

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

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

(30) (a) "Identification number" means the identifying number assigned by the

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manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard motor.

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

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

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

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

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

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

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

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

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

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

(39) "Mobile home" means a transportable factory built housing unit built prior to June

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15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code).

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

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

(b) "Motor vehicle" does not include:

(i) an off-highway vehicle; or

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

(42) "Motorboat" means the same as that term is defined in Section 73-18-2.

(43) "Motorcycle" means:

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

(b) an autocycle.

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

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

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

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

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

(48) "Off-highway motorcycle" means the same as that term is defined in Section 41-22-2.

~~(48)~~ (49) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

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~~[(49)]~~ (50) (a) "Operate" means:

(i) to navigate a vessel; or

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

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

(B) an engaged automated driving system.

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

~~[(50)]~~ (51) "Original issue license plate" means a license plate that is of a format and type issued by the state in the same year as the model year of a vehicle that is a model year 1973 or older.

~~[(51)]~~ (52) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel supply, used to propel a vessel.

~~[(52)]~~ (53) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a security interest.

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

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

~~[(53)]~~ (54) "Park model recreational vehicle" means a unit that:

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

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

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

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

~~[(54)]~~ (55) "Personalized license plate" means a license plate that has displayed on it a



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combination of letters, numbers, or both as requested by the owner of the vehicle and assigned to the vehicle by the division.

~~[(55)]~~ (56) (a) "Pickup truck" means a two-axle motor vehicle with motive power manufactured, remanufactured, or materially altered to provide an open cargo area.

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

~~[(56)]~~ (57) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has the capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle while the vehicle is in motion.

~~[(57)]~~ (58) "Pneumatic tire" means a tire in which compressed air is designed to support the load.

~~[(58)]~~ (59) "Preceding year" means a period of 12 consecutive months fixed by the division that is within 16 months immediately preceding the commencement of the registration or license year in which proportional registration is sought. The division in fixing the period shall conform it to the terms, conditions, and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.

~~[(59)]~~ (60) "Public garage" means a building or other place where vehicles or vessels are kept and stored and where a charge is made for the storage and keeping of vehicles and vessels.

~~[(60)]~~ (61) "Receipt of surrender of ownership documents" means the receipt of surrender of ownership documents described in Section 41-1a-503.

~~[(61)]~~ (62) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state that is materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

~~[(62)]~~ (63) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.

~~[(63)]~~ (64) "Registration" means a document issued by a jurisdiction that allows operation of a vehicle or vessel on the highways or waters of this state for the time period for which the registration is valid and that is evidence of compliance with the registration requirements of the jurisdiction.

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~~[(64)]~~ (65) "Registration decal" means the decal issued by the division that is evidence of compliance with the division's registration requirements.

~~[(65)]~~ (66) (a) "Registration year" means a 12 consecutive month period commencing with the completion of the applicable registration criteria.

(b) For administration of a multistate agreement for proportional registration the division may prescribe a different 12-month period.

~~[(66)]~~ (67) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors to a sound working condition by substituting any inoperative part of the vehicle, vessel, or outboard motor, or by correcting the inoperative part.

~~[(67)]~~ (68) "Replica vehicle" means:

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

(b) a custom vehicle that meets the requirements under Subsection 41-6a-1507(1)(a)(i)(B).

~~[(68)]~~ (69) "Restored-modified vehicle" means a motor vehicle that has been restored and modified with modern parts and technology, including emission control technology and an on-board diagnostic system.

~~[(69)]~~ (70) "Road tractor" means a motor vehicle designed and used for drawing other vehicles and constructed so it does not carry any load either independently or any part of the weight of a vehicle or load that is drawn.

~~[(70)]~~ (71) "Sailboat" means the same as that term is defined in Section 73-18-2.

~~[(71)]~~ (72) "Security interest" means an interest that is reserved or created by a security agreement to secure the payment or performance of an obligation and that is valid against third parties.

~~[(72)]~~ (73) "Semitrailer" means a vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that some part of its weight and its load rests or is carried by another vehicle.

~~[(73)]~~ (74) "Special group license plate" means a type of license plate designed for a particular group of people or a license plate authorized and issued by the division in accordance with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

~~[(74)]~~ (75) (a) "Special interest vehicle" means a vehicle used for general transportation purposes and that is:

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- (i) 20 years or older from the current year; or
- (ii) a make or model of motor vehicle recognized by the division director as having unique interest or historic value.

(b) In making a determination under Subsection [~~(74)~~(a)] (75)(a), the division director shall give special consideration to:

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

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

~~(75)~~ (76) (a) "Special mobile equipment" means a vehicle:

- (i) not designed or used primarily for the transportation of persons or property;
- (ii) not designed to operate in traffic; and
- (iii) only incidentally operated or moved over the highways.

(b) "Special mobile equipment" includes:

- (i) farm tractors;
- (ii) off-road motorized construction or maintenance equipment including backhoes, bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
- (iii) ditch-digging apparatus.

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

~~(76)~~ (77) "Specially constructed vehicle" means a vehicle of a type required to be registered in this state, not originally constructed under a distinctive name, make, model, or type by a generally recognized manufacturer of vehicles, and not materially altered from its original construction.

~~(77)~~ (78) (a) "Standard license plate" means a license plate for general issue described in Subsection 41-1a-402(1).

(b) "Standard license plate" includes a license plate for general issue that the division

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issues before January 1, 2024.

~~[(78)]~~ (79) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard motor that meets the requirements of rules made by the commission pursuant to Subsection 41-1a-1101(5).

~~[(79)]~~ (80) "Symbol decal" means the decal that is designed to represent a special group and displayed on a special group license plate.

~~[(80)]~~ (81) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.

~~[(81)]~~ (82) (a) "Total fleet miles" means the total number of miles operated in all jurisdictions during the preceding year by power units.

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

~~[(82)]~~ (83) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.

~~[(83)]~~ (84) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

~~[(84)]~~ (85) "Trailer" means a vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

~~[(85)]~~ (86) "Transferee" means a person to whom the ownership of property is conveyed by sale, gift, or any other means except by the creation of a security interest.

~~[(86)]~~ (87) "Transferor" means a person who transfers the person's ownership in property by sale, gift, or any other means except by creation of a security interest.

~~[(87)]~~ (88) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

~~[(88)]~~ (89) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load that is drawn.

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~~[(89)]~~ (90) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper, park model recreational vehicle, manufactured home, and mobile home.

~~[(90)]~~ (91) "Vessel" means the same as that term is defined in Section 73-18-2.

~~[(91)]~~ (92) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.

~~[(92)]~~ (93) "Waters of this state" means the same as that term is defined in Section 73-18-2.

~~[(93)]~~ (94) "Weighmaster" means a person, association of persons, or corporation permitted to weigh vehicles under this chapter.

Section 2. Section **41-1a-203** is amended to read:

**41-1a-203. Prerequisites for registration, transfer of ownership, or registration renewal.**

(1) (a) (i) Except as provided in Subsection (1)(b), the division shall mail a notification to the owner of a vehicle at least 30 days before the date the vehicle's registration is due to expire.

(ii) The division shall ensure that mailing of notifications described in Section (1)(a)(i) begins as soon as practicable.

(b) (i) The division shall provide a process for a vehicle owner to choose to receive electronic notification of the pending expiration of a vehicle's registration.

(ii) If a vehicle owner chooses electronic notification, the division shall electronically notify ~~[by email]~~ the owner of a vehicle at least 30 days before the date the vehicle's registration is due to expire.

(iii) If a motor vehicle is registered on a month-to-month basis as described in Section 41-1a-215.4, in lieu of notification by mail, the division shall notify the motor vehicle owner each month via electronic notification of:

(A) the pending expiration and automatic renewal of the vehicle's registration; and

(B) whether the fee payment and renewal of the motor vehicle's registration were successfully completed.

(2) Except as otherwise provided, before registration of a vehicle, an owner shall:

(a) obtain an identification number inspection under Section 41-1a-204;

(b) obtain a certificate of emissions inspection, if required in the current year, as

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provided under Section 41-6a-1642;

(c) pay property taxes, the in lieu fee, or receive a property tax clearance under Section 41-1a-206 or 41-1a-207;

(d) pay the automobile driver education tax required by Section 41-1a-208;

(e) pay the applicable registration fee under Part 12, Fee and Tax Requirements;

(f) pay the uninsured motorist identification fee under Section 41-1a-1218, if applicable;

(g) pay the motor carrier fee under Section 41-1a-1219, if applicable;

(h) pay any applicable local emissions compliance fee under Section 41-1a-1223; and

(i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act.

(3) In addition to the requirements in Subsection (1), an owner of a vehicle that has not been previously registered or that is currently registered under a previous owner's name shall apply for a valid certificate of title in the owner's name before registration.

(4) The division may not issue a new registration, transfer of ownership, or registration renewal under Section 73-18-7 for a vessel or outboard motor that is subject to this chapter unless a certificate of title has been or is in the process of being issued in the same owner's name.

(5) The division may not issue a new registration, transfer of ownership, or registration renewal under Section 41-22-3 for an off-highway vehicle that is subject to this chapter unless a certificate of title has been or is in the process of being issued in the same owner's name.

(6) The division may not issue a registration renewal for a motor vehicle if the division has received a hold request for the motor vehicle for which a registration renewal has been requested as described in:

(a) Section 72-1-213.1; or

(b) Section 72-6-118.

Section 3. Section **41-1a-206** is amended to read:

### **41-1a-206. Payment of property taxes or in lieu fees before registration.**

(1) Except as provided in Subsection (2), the division before issuing any registration shall require from every applicant for the registration [~~a certificate from the county assessor in which the vehicle has situs for taxation~~] verification that:

(a) the property tax or in lieu fee on the vehicle for the current registration period has

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been paid;

(b) in the assessor's opinion the tax or in lieu fee is a lien on real property sufficient to secure the payment of the tax; or

(c) the vehicle is exempt by law from payment of property tax or the in lieu fee for the current registration period.

(2) The requirements of Subsection (1) do not apply to the registration of ambulances, peace officer patrol vehicles, fire engines, passenger cars and trucks owned and used by the United States government or by the state of Utah or by any of its political subdivisions, and motor vehicles assessed by the commission under Section 59-2-201.

Section 4. Section **41-1a-209** is amended to read:

### **41-1a-209. Application for registration -- Contents.**

(1) An owner of a vehicle subject to registration under this part shall apply to the division for registration on forms furnished by the division.

(2) The application for registration shall include:

(a) the signature of an owner of the vehicle to be registered;

(b) the name, bona fide residence and mailing address of the owner, or business address of the owner if the owner is a firm, association, or corporation;

(c) a description of the vehicle including the make, model, type of body, the model year as specified by the manufacturer, the number of cylinders, and the identification number of the vehicle;

(d) other information required by the division to enable it to determine whether the owner is lawfully entitled to register the vehicle; ~~and~~

(e) an indication if the applicant is applying for automatic registration renewal as described in Section 41-1a-216[:]; ~~and~~

(f) an indication specifying the type of vehicle registration for which the applicant is applying.

Section 5. Section **41-1a-215** is amended to read:

### **41-1a-215. Staggered registration dates -- Exceptions.**

(1) (a) Except as provided under Subsections (2) and (3), every vehicle registration, every registration card, and every registration plate issued under this chapter for the first registration of the vehicle in this state, continues in effect for a period of 12 months beginning

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with the first day of the calendar month of registration and does not expire until the last day of the same month in the following year.

(b) If the last day of the registration period falls on a day in which the appropriate state or county offices are not open for business, the registration of the vehicle is extended to midnight of the next business day.

(2) The provisions of Subsection (1) do not apply to the following:

(a) registration issued to government vehicles under Section 41-1a-221;

(b) registration issued to apportioned vehicles under Section 41-1a-301;

(c) multiyear registration issued under Section 41-1a-222;

(d) lifetime trailer registration issued under Section 41-1a-1206;

(e) a month-to-month registration issued under Section 41-1a-215.4;

~~(e)~~ (f) partial year registration issued under Section 41-1a-1207;

~~(f)~~ (g) a six-month registration issued under Section 41-1a-215.5; or

~~(g)~~ (h) plates issued to a dealer, dismantler, manufacturer, remanufacturer, and transporter under ~~[Title 41, Chapter 3, Part 5, Special Dealer License Plates]~~ Chapter 3, Part 5, Special Dealer License Plates.

(3) (a) Upon application of the owner or lessee of a fleet of commercial vehicles not apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax Commission may permit the vehicles to be registered for a registration period commencing on the first day of March, June, September, or December of any year and expiring on the last day of March, June, September, or December in the following year.

(b) Upon application of the owner or lessee of a fleet of commercial vehicles apportioned under Section 41-1a-301 and required to be registered in this state, the State Tax Commission may permit the vehicles to be registered for a registration period commencing on the first day of January, April, July, or October of any year and expiring on the last day of March, June, September, or December in the following year.

(4) When the expiration of a registration plate is extended by affixing a registration decal to it, the expiration of the decal governs the expiration date of the plate.

Section 6. Section **41-1a-215.4** is enacted to read:

**41-1a-215.4. Month-to-month vehicle registration.**

(1) (a) A person may register a vehicle described in Subsection (1)(b)(i) on a



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month-to-month basis if the person enrolls in:

(i) automatic registration renewal described in Subsection 41-1a-216(2)(d); and

(ii) electronic notification of registration renewal as described in Subsection 41-1a-203(1)(b)(iii).

(b) (i) Except as provided in Subsection (1)(b)(ii), all vehicles are eligible for month-to-month registration under this section.

(ii) The following vehicles are not eligible for month-to-month registration under this section:

(A) a motorboat or sailboat required to be registered under Section 73-18-7;

(B) a vehicle registered pursuant to Part 3, Proportional Registration;

(C) a vehicle registered as part of a fleet;

(D) an off-highway vehicle;

(E) a street-legal all-terrain vehicle registered in accordance with Section 41-1a-1509;

and

(F) a park model recreational vehicle.

(2) A month-to-month registration period begins on the first day of the calendar month and expires on the last day of the same calendar month.

(3) (a) A vehicle owner seeking month-to-month registration satisfies the requirements described in Section 41-1a-203 by:

(i) at the time of registration:

(A) obtaining an identification number inspection under Section 41-1a-204, if required;

and

(B) paying the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act, if applicable;

(ii) if required, obtaining a certificate of emissions inspection as provided under Section 41-6a-1642; and

(iii) paying the following fees and taxes each month if applicable for the type of vehicle being registered:

(A) property taxes or the in lieu fee described in Section 41-1a-206, 41-1a-207, or Title 59, Chapter 2, Part 4, Assessment of Transitory Personal Property and Interstate Carriers;

(B) the automobile driver education fee described in Section 41-1a-1204;

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(C) the relevant registration fees described in Section 41-1a-1206;

(D) the uninsured motorist identification fee described in Section 41-1a-1218;

(E) the motor carrier fee described in Section 41-1a-1219;

(F) the local option highway construction and transportation corridor preservation fee described in Section 41-1a-1222; and

(G) the local emissions compliance fee described in Section 41-1a-1223.

(b) In addition to any electronic payment fee charged as described in Section 41-1a-1221, the cost of the monthly charge described in Subsection (3)(a)(iii) is equal to:

~~(i) for the first 12 months a vehicle is registered on a month-to-month basis, 10.5% of the annual cost of the applicable fee or tax for the same vehicle registered for a 12-month period rounded up to the nearest one cent; or~~

~~(ii) beginning on the thirteenth month, and for each month thereafter for that a vehicle is registered on a month-to-month basis,~~ 9.25% of the annual cost of the applicable fee or tax for the same vehicle registered for a 12-month period rounded up to the nearest one cent.

(c) The first time a vehicle is registered on a month-to-month basis, the person registering the vehicle:

(i) shall register directly with the division; and

(ii) may not register through a dealer.

(4) (a) If a person registers a vehicle on a month-to-month basis, the registration and payment of fees and taxes as provided in this section shall continue each month through an automated transaction, and the person may not cancel or stop payment unless the person electronically notifies the division that:

(i) the person has sold the vehicle or returned a leased vehicle;

(ii) the vehicle is destroyed;

(iii) the person has registered the vehicle in another state; or

(iv) the person has registered the vehicle under a different type of vehicle registration.

(b) The division may not issue a refund of an automatic payment required for a month-to-month registration as described in this section if a person fails to notify the division of change in registration status as described and required in Subsection (4)(a).

(5) For a vehicle registered on a month-to-month basis, the registration is revoked if:

(a) the person that registers the vehicle fails to make the monthly payment as required

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in this section; or

(b) the payment method is canceled or declined.

(6) If a vehicle registration is revoked under Subsection (5), and the division reasonably determines that the owner of the vehicle has not acted in good faith to ensure timely payment, the division may prohibit the vehicle from being registered on a month-to-month basis by the same owner for one year.

Section 7. Section **41-1a-216** is amended to read:

### **41-1a-216. Renewal of registration.**

(1) The division may receive applications for registration renewal and issue new registration cards at any time prior to the expiration of the registration, subject to the availability of renewal materials.

(2) (a) Except as provided in Subsections (2)(c), ~~(2)(d)~~, and (3), the new registration shall retain the same expiration month as recorded on the original registration even if the registration has expired.

(b) Except as provided in Subsection (2)(c) ~~and~~ and (d), the year of registration expiration shall be changed to reflect the renewed registration period.

(c) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the new registration shall be for a six-month registration period that begins with the first day of the calendar month following the last day of the expiration month of the previous registration period as recorded on the original registration even if the registration has expired.

(d) If a vehicle is registered on a month-to-month basis as described in Section 41-1a-215.4, the registration shall:

(i) automatically renew each month if:

(A) the owner of the vehicle has complied with the requirements under this part;

(B) the motor vehicle is in compliance with the emissions inspection requirement described in Section 41-6a-1642; and

(C) payment under Section 41-1a-1206 is made electronically each month; and

(ii) be for a one-month registration period that begins with the first day of each calendar month and ends on the last day of each respective calendar month.

(3) Subsection (2) does not apply if the owner can verify to the satisfaction of the

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division that the vehicle registration was not renewed prior to its expiration due to the fact that the vehicle was in storage, inoperable, or otherwise out of service.

(4) If the registration renewal application is an application generated by the division through its automated system, the owner need not surrender the last registration card or duplicate.

(5) A vehicle with an "EX" or "UHP" license plate, owned by an entity described in Section 41-1a-407, is exempt from registration renewal requirements.

(6) The division shall establish a process by which an individual may request automatic renewal of registration.

(7) An individual may request automatic renewal of registration as provided by the division.

(8) If the vehicle is subject to an emissions inspection as described in Section 41-6a-1642 for the year for which a vehicle automatic registration is requested, the automatic renewal is not effective until the vehicle has passed an emissions inspection as required in Section 41-6a-1642.

(9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules establishing procedures for an individual to apply for and the division to administer automatic renewal of registration and automatic payment of fees as required in this chapter and relevant taxes.

Section 8. Section **41-1a-222** is amended to read:

### **41-1a-222. Application for multiyear registration -- Payment of taxes -- Penalties.**

(1) The owner of any intrastate fleet of commercial vehicles which is based in the state may apply to the commission for registration in accordance with this section.

(a) The application shall be made on a form prescribed by the commission.

(b) Upon payment of required fees and meeting other requirements prescribed by the commission, the division shall issue, to each vehicle for which application has been made, a multiyear license plate and registration card.

(i) The ~~[registration decal and the]~~ registration card shall bear an expiration date fixed by the division and ~~[are]~~ is valid until ownership of the vehicle to which ~~[they are]~~ the registration card is issued is transferred by the applicant or until the expiration date, whichever comes first.

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(ii) An annual renewal application must be made by the owner if registration identification has been issued on an annual installment fee basis and the required fees must be paid on an annual basis.

(iii) License plates and registration cards issued pursuant to this section are valid for an eight-year period, commencing with the year of initial application in this state.

(c) When application for registration or renewal is made on an installment payment basis, the applicant shall submit acceptable evidence of a surety bond in a form, and with a surety, approved by the commission and in an amount equal to the total annual fees required for all vehicles registered to the applicant in accordance with this section.

(2) Each vehicle registered as part of a fleet of commercial vehicles must be titled in the name of the fleet.

(3) Each owner who registers fleets pursuant to this section shall pay the taxes or in lieu fees otherwise due pursuant to:

- (a) Section 41-1a-206;
- (b) Section 41-1a-207;
- (c) Subsection 41-1a-301(12);
- (d) Section 59-2-405.1;
- (e) Section 59-2-405.2; or
- (f) Section 59-2-405.3.

(4) An owner who fails to comply with the provisions of this section is subject to the penalties in Section 41-1a-1301 and, if the commission so determines, will result in the loss of the privileges granted in this section.

Section 9. Section **41-1a-402** is amended to read:

**41-1a-402. Standard license plates -- Required colors, numerals, and letters -- Expiration.**

(1) (a) Upon registering a vehicle, the division shall issue to the owner a standard license plate described in Subsection (1)(b) unless the division issues to the owner:

- (i) a special group license plate in accordance with Section 41-1a-418; or
- (ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.

(b) The division may offer up to four standard license plate options at one time, each with a different design as follows:

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- (i) two designs that incorporate one or more elements that represent the state's economy or geography;
  - (ii) one design that represents the state's values or culture; and
  - (iii) one design that commemorates a current event relevant to the state or a significant anniversary of a historic event relevant to the state.
- (c) The division shall offer:
- (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and
  - (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.
- (d) The division may not offer more than four standard license plate designs at any one time.
- (2) Before the division may offer a design described in Subsection (1)(b), the division shall:
- (a) consult with the Utah Department of Cultural and Community Engagement regarding the proposed design;
  - (b) identify which current standard license plate design will be replaced by the proposed design;
  - (c) submit the proposed design to the governor for approval; and
  - (d) if the governor approves the design pursuant to Subsection (2)(c), submit to the Transportation Interim Committee a request for the Legislature to approve the proposed design by concurrent resolution.
- (3) The division may issue a new standard license plate design only if:
- (a) the Legislature has by concurrent resolution approved the standard license plate design; and
  - (b) sufficient funds are appropriated for the initial costs of production.
- (4) (a) Except as provided in Subsection (4)(b), the division may not order or produce a standard license plate that is discontinued under this section.
- (b) The division may issue a discontinued standard license plate until the division exhausts the discontinued standard license plate's remaining stock.
- (5) (a) Each license plate shall have displayed on it:
- ~~(a)~~ (i) the registration number assigned to the vehicle for which the license plate is issued; ~~(i)~~ and

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~~[(b)]~~ (ii) the name of the state~~[-and]~~.

~~[(c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing the date of expiration displayed in accordance with Subsection (8):]~~

(b) In addition to Subsection (5)(a), an off-highway vehicle shall also display a registration decal showing the date of expiration as described in Subsection (8).

(c) The division shall issue and the following vehicles shall display a registration decal showing the date of expiration:

(i) a motorboat or sailboat required to be registered under Section 73-18-7;

(ii) an off-highway vehicle; and

(iii) a park model recreational vehicle.

(6) If registration is extended by affixing a registration decal to the license plate, the expiration date of the registration decal governs the expiration date of the license plate.

(7) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216, license plates shall be renewed annually.

(b) For an off-highway vehicle as described in Subsection (5)(b), the division shall issue:

(i) [The division shall issue the vehicle owner] a month registration decal and a year registration decal upon the vehicle's first registration with the division[-]; and

(ii) [The division shall issue the vehicle owner] only a year registration decal upon subsequent renewals of registration to validate registration renewal.

(8) Except as otherwise provided by rule:

(a) the month registration decal issued in accordance with Subsection (7) shall be displayed on the license plate in the left position; and

(b) the year registration decal issued in accordance with Subsection (7) shall be displayed on the license plate in the right position.

(9) The current year registration decal issued in accordance with Subsection (7) shall be placed over or in place of the previous year registration decal.

(10) If a license plate, month registration decal, or year registration decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.

(11) (a) A violation of this section is an infraction.

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(b) A court shall waive a fine for a violation under this section if:

(i) the registration for the vehicle was current at the time of the citation; and

(ii) the person to whom the citation was issued provides, within 21 business days,

evidence that the license plate and registration decals are properly displayed in compliance with this section.

(12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules regarding the placement and positioning of registration decals on license plates issued by the division.

Section 10. Section **41-1a-1201** is amended to read:

### **41-1a-1201. Disposition of fees.**

(1) All fees received and collected under this part shall be transmitted daily to the state treasurer.

(2) Except as provided in Subsections (3), (5), (6), (7), (8), and (9) and Sections 41-1a-1205, 41-1a-1220, 41-1a-1221, 41-1a-1222, 41-1a-1223, and 41-1a-1603, all fees collected under this part shall be deposited into the Transportation Fund.

(3) Funds generated under Subsections 41-1a-1211(1)(b)(ii), (6)(b)(ii), (7), and (9), and Section 41-1a-1212 shall be deposited into the License Plate Restricted Account created in Section 41-1a-122.

(4) (a) Except as provided in Subsections (3) and (4)(b) and Section 41-1a-1205, the expenses of the commission in enforcing and administering this part shall be provided for by legislative appropriation from the revenues of the Transportation Fund.

(b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and administering this part.

(c) Sixty cents of the registration fees imposed under Subsection 41-1a-1206(1) for each vehicle registered on a month-to-month basis under Section 41-1a-215.4 may be used by the commission to cover the costs incurred in enforcing and administering this part.

~~(c)~~ (d) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i) for each vintage vehicle that has a model year of 1981 or newer may be used by the commission to cover the costs incurred in enforcing and administering this part.



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(5) (a) ~~[The]~~ Except as provided in Subsection (5)(c), the following portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124:

~~(i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (1)(f), (4), and (7);~~

~~(ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and (1)(c)(ii);~~

~~(iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);~~

~~(iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);~~

~~(v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and~~

~~(vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).~~

(b) The following portions of the registration fees collected for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124:

(i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and

(ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

(c) The following portions of the registration fees imposed under Section 41-1a-1206 and collected for each vehicle registered on a month-to-month basis under Section 41-1a-215.4, for the first 12 months the vehicle is registered on a month to month basis, shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124:

~~(i) \$3.15 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (1)(f), (4), and (7);~~

~~(ii) \$2.21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and (1)(c)(ii);~~

~~(iii) 26 cents of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);~~

~~(iv) \$2.42 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);~~

~~(v) \$2.57 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and~~

~~(vi) 11 cents of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii);~~

~~(d) The following portions of the registration fees imposed under Section 41-1a-1206 and collected for each vehicle registered on a month-to-month basis under Section 41-1a-215.4, for any month after the first 12 months the vehicle is registered on a month to month basis,}~~

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shall be deposited into the Transportation Investment Fund of 2005 created in Section 72-2-124:

(i) \$2.78 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (1)(f), (4), and (7);

(ii) \$1.94 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and (1)(c)(ii);

(iii) 23 cents of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

(iv) \$2.13 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

(v) \$2.26 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

(vi) nine cents of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

(6) (a) [~~Ninety-four~~] Except as provided in ~~{Subsections}~~ Subsection (6)(~~fb~~) through (d)c, 94 cents of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

(b) Seventy-one cents of each registration fee imposed under Subsections 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

(c) Ten cents of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle registered on a month-to-month basis ~~{in the initial 12 months}~~ under Section 41-1a-215.4 shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

~~{~~ (d) Nine cents of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle registered on a month-to-month basis for any subsequent months after month 12 under Section 41-1a-215.4 shall be deposited into the Public Safety Restricted Account created in Section 53-3-106.

~~†~~ (7) (a) [~~One~~] Except as provided in ~~{Subsections}~~ Subsection (7)(~~fb~~) to (d)c, one dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.

(b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a)

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and (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.

(c) ~~†††~~ Eleven cents of each registration fee imposed under Subsections 41-1a-1206(1)(a), and (b), for each vehicle registered on a month-to-month basis ~~†in the initial 12 months †~~ under Section 41-1a-215.4 shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.

~~†~~ ~~—~~ (d) Nine cents of each registration fee imposed under Subsections 41-1a-1206(1)(a), and (b), for each vehicle registered on a month-to-month basis in any subsequent month after month 12 under Section 41-1a-215.4 shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214.

† (8) (a) [Fifty] Except as provided in Subsection (8)(b), 50 cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for each motorcycle shall be deposited into the Neuro-Rehabilitation Fund created in Section 26B-1-319.

(b) Five cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for each motorcycle registered on a month-to-month basis under Section 41-1a-215.4 shall be deposited into the Neuro-Rehabilitation Fund created in Section 26B-1-319.

(9) (a) (i) [Beginning on January 1, 2024,] Except as provided in ~~†Subsections†~~ Subsection (9)(a)(†ii) and (†iii)†ii, subject to Subsection (9)(b), \$2 of each registration fee imposed under Section 41-1a-1206 shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.

(ii) For a vehicle registered on a month-to-month basis †in the initial 12 months of registration † under Section 41-1a-215.4, subject to Subsection (9)(b), ~~†21†~~ 19 cents of each registration fee imposed under Section 41-1a-1206 shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.

~~†~~ ~~—~~ (iii) For a vehicle registered on a month-to-month basis in any subsequent month after month 12 under Section 41-1a-215.4, subject to Subsection (9)(b), 19 cents of each registration fee imposed under Section 41-1a-1206 shall be deposited into the Rural Transportation Infrastructure Fund created in Section 72-2-133.

† (b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described in Subsection (9)(a) shall be annually adjusted by taking the amount deposited the previous

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year and adding an amount equal to the greater of:

(i) an amount calculated by multiplying the amount deposited by the previous year by the actual percentage change during the previous fiscal year in the Consumer Price Index; and

(ii) 0.

(c) The amounts calculated as described in Subsection (9)(b) shall be rounded up to the nearest 1 cent.

Section 11. Section **41-6a-1642** is amended to read:

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

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

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

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

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

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

(i) the federal government;

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

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

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

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

(A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

(B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and 2014;

(C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

(D) Volkswagen Golf Sportwagen, model year 2015;

(E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

(F) Volkswagen Beetle, model years 2013, 2014, and 2015;

(G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and

(H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and

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

(A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

(B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

(C) Audi A6 Quattro, model years 2014, 2015, and 2016;

(D) Audi A7 Quattro, model years 2014, 2015, and 2016;

(E) Audi A8, model years 2014, 2015, and 2016;

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

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

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

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

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

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

(B) the motor vehicle modification is a change to an engine that is newer than the

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engine with which the motor vehicle was originally equipped, or the engine includes technology that increases the facility of the administration of an emissions test, such as an on-board diagnostics system.

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

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

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

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

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

(i) emissions standards;

(ii) test procedures;

(iii) inspections stations;

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

(v) certificates of emissions inspections.

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) a motor vehicle that:

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

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

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

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

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

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

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

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

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

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

(A) for the transportation of farm products, including livestock and its products,

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poultry and its products, floricultural and horticultural products; and

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

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

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

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

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

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

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

(b) model year of 1997 or older.

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

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

(i) a model year of 2007 or newer;

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

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

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

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

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

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

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



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or university campus or property.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(f) If the vehicle is registered on a month-to-month basis as described in Section 41-1a-215.4, the owner may use an emissions inspection certificate issued during the previous 12 months to satisfy the requirement under this section.

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

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

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

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

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

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

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

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

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

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

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

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

- (i) is primarily a collector's item used for:
  - (A) participation in club activities;
  - (B) exhibitions;
  - (C) tours; or
  - (D) parades; or
- (ii) is only used for occasional transportation.

Section 12. Section **41-22-2** is amended to read:

### **41-22-2. Definitions.**

As used in this chapter:

(1) "Advisory council" means an advisory council appointed by the Division of Outdoor Recreation that has within the advisory council's duties advising on policies related to the use of off-highway vehicles.

(2) "All-terrain type I vehicle" means any motor vehicle 52 inches or less in width, having an unladen dry weight of 1,500 pounds or less, traveling on three or more low pressure tires, having a seat designed to be straddled by the operator, and designed for or capable of travel over unimproved terrain.

(3) (a) "All-terrain type II vehicle" means any motor vehicle 80 inches or less in width, traveling on four or more low pressure tires, having a steering wheel, non-straddle seating, a rollover protection system, and designed for or capable of travel over unimproved terrain, and is:

- (i) an electric-powered vehicle; or
- (ii) a vehicle powered by an internal combustion engine and has an unladen dry weight of 3,500 pounds or less.

(b) "All-terrain type II vehicle" does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use, or farm tractors as defined under Section 41-1a-102.

(4) (a) "All-terrain type III vehicle" means any other motor vehicle, not defined in Subsection (2), (3), (12), or [~~(22)~~] (23), designed for or capable of travel over unimproved terrain.

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(b) "All-terrain type III vehicle" does not include golf carts, any vehicle designed to carry a person with a disability, any vehicle not specifically designed for recreational use, or farm tractors as defined under Section 41-1a-102.

(5) "Commission" means the Outdoor Adventure Commission.

(6) "Cross-country" means across natural terrain and off an existing highway, road, route, or trail.

(7) "Dealer" means a person engaged in the business of selling off-highway vehicles at wholesale or retail.

(8) "Division" means the Division of Outdoor Recreation.

(9) "Low pressure tire" means any pneumatic tire six inches or more in width designed for use on wheels with rim diameter of 14 inches or less and utilizing an operating pressure of 10 pounds per square inch or less as recommended by the vehicle manufacturer.

(10) "Manufacturer" means a person engaged in the business of manufacturing off-highway vehicles.

(11) (a) "Motor vehicle" means every vehicle which is self-propelled.

(b) "Motor vehicle" includes an off-highway vehicle.

(12) "Motorcycle" means every motor vehicle having a saddle for the use of the operator and designed to travel on not more than two tires.

(13) "Off-highway implement of husbandry" means every all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, motorcycle, or snowmobile that is used by the owner or the owner's agent for agricultural operations.

(14) "Off-highway motorcycle" means a motorcycle that is designed primarily to be operated off-highway and is registered only for off-highway use.

~~(14)~~ (15) "Off-highway vehicle" means any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III vehicle, or off-highway motorcycle.

~~(15)~~ (16) "Operate" means to control the movement of or otherwise use an off-highway vehicle.

~~(16)~~ (17) "Operator" means the person who is in actual physical control of an off-highway vehicle.

~~(17)~~ (18) "Organized user group" means an off-highway vehicle organization incorporated as a nonprofit corporation in the state under Title 16, Chapter 6a, Utah Revised

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Nonprofit Corporation Act, for the purpose of promoting the interests of off-highway vehicle recreation.

~~[(18)]~~ (19) "Owner" means a person, other than a person with a security interest, having a property interest or title to an off-highway vehicle and entitled to the use and possession of that vehicle.

~~[(19)]~~ (20) "Public land" means land owned or administered by any federal or state agency or any political subdivision of the state.

~~[(20)]~~ (21) "Register" means the act of assigning a registration number to an off-highway vehicle.

~~[(21)]~~ (22) "Roadway" is used as defined in Section 41-6a-102.

~~[(22)]~~ (23) "Snowmobile" means any motor vehicle designed for travel on snow or ice and steered and supported in whole or in part by skis, belts, cleats, runners, or low pressure tires.

~~[(23)]~~ (24) "Street or highway" means the entire width between boundary lines of every way or place of whatever nature, when any part of it is open to the use of the public for vehicular travel.

~~[(24)]~~ (25) "Street-legal all-terrain vehicle" or "street-legal ATV" has the same meaning as defined in Section 41-6a-102.

Section 13. Section **59-2-405** is amended to read:

**59-2-405. Uniform fee on tangible personal property required to be registered with the state -- Distribution of revenues -- Appeals.**

(1) The property described in Subsection (2), except Subsection (2)(b)(ii), is exempt from ad valorem property taxes pursuant to Utah Constitution Article XIII, Section 2, Subsection (6).

(2) (a) Except as provided in Subsection (2)(b), there is levied as provided in this part a statewide uniform fee in lieu of the ad valorem tax on:

(i) motor vehicles required to be registered with the state that weigh 12,001 pounds or more;

(ii) motorcycles as defined in Section 41-1a-102 that are required to be registered with the state;

(iii) watercraft required to be registered with the state;

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(iv) recreational vehicles required to be registered with the state; and

(v) all other tangible personal property required to be registered with the state before it is used on a public highway, on a public waterway, on public land, or in the air.

(b) The following tangible personal property is exempt from the statewide uniform fee imposed by this section:

(i) aircraft;

(ii) state-assessed commercial vehicles;

(iii) tangible personal property subject to a uniform fee imposed by:

(A) Section 59-2-405.1;

(B) Section 59-2-405.2; or

(C) Section 59-2-405.3; and

(iv) personal property that is exempt from state or county ad valorem property taxes under the laws of this state or of the federal government.

(3) [~~Beginning on January 1, 1999, the uniform fee is 1.5% of the fair market value of the personal property, as established by the commission.~~]

(a) On January 1 of each year, the commission shall establish the uniform fee, which shall be 1.5% of the fair market value of the personal property.

(b) For a vehicle described in Subsection (2)(a) that is registered on a month-to-month basis as described in Section 41-1a-215.4, the uniform fee for purposes of this section is ~~1.5%~~

~~(i) 10.5% of the amount established by the commission in accordance with Subsection (3)(a) for the first 12 months a vehicle is registered on a month-to-month basis; or~~

~~(ii) 9.25% of the amount established by the commission in accordance with Subsection (3)(a) in any month after the first 12 months that a vehicle is registered on a month-to-month basis.~~

(4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is brought into the state and is required to be registered in Utah shall, as a condition of registration, be subject to the uniform fee unless all property taxes or uniform fees imposed by the state of origin have been paid for the current calendar year.

(5) (a) The revenues collected in each county from the uniform fee shall be distributed by the county to each taxing entity in which the property described in Subsection (2) is located in the same proportion in which revenue collected from ad valorem real property tax is

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distributed.

(b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in the same proportion in which revenue collected from ad valorem real property tax is distributed.

(6) An appeal relating to the uniform fee imposed on the tangible personal property described in Subsection (2) shall be filed pursuant to Section 59-2-1005.

Section 14. Section **59-2-405.1** is amended to read:

### **59-2-405.1. Uniform fee on certain vehicles weighing 12,000 pounds or less --**

#### **Distribution of revenues -- Appeals.**

(1) The property described in Subsection (2) is exempt from ad valorem property taxes pursuant to Utah Constitution, Article XIII, Section 2, Subsection (6).

(2) (a) Except as provided in Subsection (2)(b), there is levied as provided in this part a statewide uniform fee in lieu of the ad valorem tax on:

(i) motor vehicles as defined in Section 41-1a-102 that:

(A) are required to be registered with the state; and

(B) weigh 12,000 pounds or less; and

(ii) state-assessed commercial vehicles required to be registered with the state that weigh 12,000 pounds or less.

(b) The following tangible personal property is exempt from the statewide uniform fee imposed by this section:

(i) aircraft;

(ii) tangible personal property subject to a uniform fee imposed by:

(A) Section 59-2-405;

(B) Section 59-2-405.2; or

(C) Section 59-2-405.3; and

(iii) tangible personal property that is exempt from state or county ad valorem property taxes under the laws of this state or of the federal government.

(3) (a) Except as provided in Subsections (3)(b) [~~and (c)~~] through (d), beginning on January 1, 1999, the uniform fee for purposes of this section is as follows:

Age of Vehicle	Uniform Fee
12 or more years	\$10



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9 or more years but less than 12 years	\$50
6 or more years but less than 9 years	\$80
3 or more years but less than 6 years	\$110
Less than 3 years	\$150

(b) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this section is as follows:

Age of Vehicle	Uniform Fee
12 or more years	\$7.75
9 or more years but less than 12 years	\$38.50
6 or more years but less than 9 years	\$61.50
3 or more years but less than 6 years	\$84.75
Less than 3 years	\$115.50

(c) For a vehicle registered on a month-to-month basis as described in Section 41-1a-215.4, the uniform fee for purposes of this section is:

- ~~\_\_\_\_\_ (i) 10; 9.5%; 25%~~ of the amount stated in Subsection (3)(a) ~~for the first 12 months a vehicle is registered on a month-to-month basis; or~~
- ~~\_\_\_\_\_ (ii) 9.5% of the amount stated in Subsection (3)(a) for any month after the first 12 months a vehicle is registered on a month-to-month basis.~~

~~(c)~~ (d) Notwithstanding Subsections (3)(a) ~~and (b)~~ through (c), beginning on September 1, 2001, for a motor vehicle issued a temporary sports event registration certificate in accordance with Section 41-3-306, the uniform fee for purposes of this section is \$5 for the event period specified on the temporary sports event registration certificate regardless of the age of the motor vehicle.

(4) Notwithstanding Section 59-2-407, property subject to the uniform fee that is brought into the state and is required to be registered in Utah shall, as a condition of registration, be subject to the uniform fee unless all property taxes or uniform fees imposed by the state of origin have been paid for the current calendar year.

(5) (a) The revenues collected in each county from the uniform fee shall be distributed

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by the county to each taxing entity in which the property described in Subsection (2) is located in the same proportion in which revenue collected from ad valorem real property tax is distributed.

(b) Each taxing entity shall distribute the revenues received under Subsection (5)(a) in the same proportion in which revenue collected from ad valorem real property tax is distributed.

Section 15. Section **59-2-405.2** is amended to read:

**59-2-405.2. Definitions -- Uniform statewide fee on certain tangible personal property -- Distribution of revenues -- Rulemaking authority -- Determining the length of a vessel.**

(1) As used in this section:

(a) (i) Except as provided in Subsection (1)(a)(ii), "all-terrain vehicle" means a motor vehicle that:

(A) is an:

(I) all-terrain type I vehicle as defined in Section 41-22-2;

(II) all-terrain type II vehicle as defined in Section 41-22-2; or

(III) all-terrain type III vehicle as defined in Section 41-22-2;

(B) is required to be registered in accordance with Title 41, Chapter 22, Off-highway Vehicles; and

(C) has:

(I) an engine with more than 150 cubic centimeters displacement;

(II) a motor that produces more than five horsepower; or

(III) an electric motor; and

(ii) notwithstanding Subsection (1)(a)(i), "all-terrain vehicle" does not include a snowmobile.

(b) "Camper" means a camper:

(i) as defined in Section 41-1a-102; and

(ii) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration.

(c) (i) "Canoe" means a vessel that:

(A) is long and narrow;

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- (B) has curved sides; and
- (C) is tapered:
  - (I) to two pointed ends; or
  - (II) to one pointed end and is blunt on the other end; and
- (ii) "canoe" includes:
  - (A) a collapsible inflatable canoe;
  - (B) a kayak;
  - (C) a racing shell;
  - (D) a rowing scull; or
  - (E) notwithstanding the definition of vessel in Subsection (1)(cc), a canoe with an outboard motor.
- (d) "Dealer" is as defined in Section 41-1a-102.
- (e) "Jon boat" means a vessel that:
  - (i) has a square bow; and
  - (ii) has a flat bottom.
- (f) "Motor vehicle" is as defined in Section 41-22-2.
- (g) "Other motorcycle" means a motor vehicle that:
  - (i) is:
    - (A) a motorcycle as defined in Section 41-1a-102; and
    - (B) designed primarily for use and operation over unimproved terrain;
  - (ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration; and
  - (iii) has:
    - (A) an engine with more than 150 cubic centimeters displacement; or
    - (B) a motor that produces more than five horsepower.
- (h) (i) "Other trailer" means a portable vehicle without motive power that is primarily used:
  - (A) to transport tangible personal property; and
  - (B) for a purpose other than a commercial purpose; and
  - (ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for purposes of Subsection (1)(h)(i)(B), the commission may by rule define what constitutes a

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purpose other than a commercial purpose.

- (i) "Outboard motor" is as defined in Section 41-1a-102.
- (j) "Park model recreational vehicle" is as defined in Section 41-1a-102.
- (k) "Personal watercraft" means a personal watercraft:
  - (i) as defined in Section 73-18-2; and
  - (ii) that is required to be registered in accordance with Title 73, Chapter 18, State

Boating Act.

(l) (i) "Pontoon" means a vessel that:

(A) is:

- (I) supported by one or more floats; and
- (II) propelled by either inboard or outboard power; and

(B) is not:

- (I) a houseboat; or
- (II) a collapsible inflatable vessel; and

(ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may by rule define the term "houseboat."

(m) "Qualifying adjustment, exemption, or reduction" means an adjustment, exemption, or reduction:

- (i) of all or a portion of a qualifying payment;
- (ii) granted by a county during the refund period; and
- (iii) received by a qualifying person.

(n) (i) "Qualifying payment" means the payment made:

(A) of a uniform statewide fee in accordance with this section:

- (I) by a qualifying person;
- (II) to a county; and
- (III) during the refund period; and

(B) on an item of qualifying tangible personal property; and

(ii) if a qualifying person received a qualifying adjustment, exemption, or reduction for an item of qualifying tangible personal property, the qualifying payment for that qualifying tangible personal property is equal to the difference between:

(A) the payment described in this Subsection (1)(n) for that item of qualifying tangible

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personal property; and

(B) the amount of the qualifying adjustment, exemption, or reduction.

(o) "Qualifying person" means a person that paid a uniform statewide fee:

(i) during the refund period;

(ii) in accordance with this section; and

(iii) on an item of qualifying tangible personal property.

(p) "Qualifying tangible personal property" means a:

(i) qualifying vehicle; or

(ii) qualifying watercraft.

(q) "Qualifying vehicle" means:

(i) an all-terrain vehicle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters;

(ii) an other motorcycle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters;

(iii) a small motor vehicle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters;

(iv) a snowmobile with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters; or

(v) a street motorcycle with an engine displacement that is 100 or more cubic centimeters but 150 or less cubic centimeters.

(r) "Qualifying watercraft" means a:

(i) canoe;

(ii) collapsible inflatable vessel;

(iii) jon boat;

(iv) pontoon;

(v) sailboat; or

(vi) utility boat.

(s) "Refund period" means the time period:

(i) beginning on January 1, 2006; and

(ii) ending on December 29, 2006.

(t) "Sailboat" means a sailboat as defined in Section 73-18-2.

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(u) (i) "Small motor vehicle" means a motor vehicle that:

(A) is required to be registered in accordance with Title 41, Motor Vehicles; and

(B) has:

(I) an engine with 150 or less cubic centimeters displacement; or

(II) a motor that produces five or less horsepower; and

(ii) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may by rule develop a process for an owner of a motor vehicle to certify whether the motor vehicle has:

(A) an engine with 150 or less cubic centimeters displacement; or

(B) a motor that produces five or less horsepower.

(v) "Snowmobile" means a motor vehicle that:

(i) is a snowmobile as defined in Section 41-22-2;

(ii) is required to be registered in accordance with Title 41, Chapter 22, Off-highway Vehicles; and

(iii) has:

(A) an engine with more than 150 cubic centimeters displacement; or

(B) a motor that produces more than five horsepower.

(w) "Street-legal all-terrain vehicle" means the same as that term is defined in Section 41-6a-102.

(x) "Street motorcycle" means a motor vehicle that:

(i) is:

(A) a motorcycle as defined in Section 41-1a-102; and

(B) designed primarily for use and operation on highways;

(ii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2, Registration; and

(iii) has:

(A) an engine with more than 150 cubic centimeters displacement; or

(B) a motor that produces more than five horsepower.

(y) "Tangible personal property owner" means a person that owns an item of qualifying tangible personal property.

(z) "Tent trailer" means a portable vehicle without motive power that:

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- (i) is constructed with collapsible side walls that:
  - (A) fold for towing by a motor vehicle; and
  - (B) unfold at a campsite;
- (ii) is designed as a temporary dwelling for travel, recreational, or vacation use;
- (iii) is required to be registered in accordance with Title 41, Chapter 1a, Part 2,

Registration; and

(iv) does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

(aa) (i) Except as provided in Subsection (1)(aa)(ii), "travel trailer" means a travel trailer:

- (A) as defined in Section 41-1a-102; and
- (B) that is required to be registered in accordance with Title 41, Chapter 1a, Part 2,

Registration; and

(ii) notwithstanding Subsection (1)(aa)(i), "travel trailer" does not include:

- (A) a camper; or
- (B) a tent trailer.

(bb) (i) "Utility boat" means a vessel that:

(A) has:

- (I) two or three bench seating;
- (II) an outboard motor; and
- (III) a hull made of aluminum, fiberglass, or wood; and

(B) does not have:

- (I) decking;
- (II) a permanent canopy; or
- (III) a floor other than the hull; and

(ii) notwithstanding Subsection (1)(bb)(i), "utility boat" does not include a collapsible inflatable vessel.

(cc) "Vessel" means a vessel:

- (i) as defined in Section 73-18-2, including an outboard motor of the vessel; and
- (ii) that is required to be registered in accordance with Title 73, Chapter 18, State

Boating Act.

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(2) (a) In accordance with Utah Constitution Article XIII, Section 2, Subsection (6), [~~beginning on January 1, 2006,~~] the tangible personal property described in Subsection (2)(b) is:

(i) exempt from the tax imposed by Section 59-2-103; and  
(ii) in lieu of the tax imposed by Section 59-2-103, subject to uniform statewide fees as provided in this section.

(b) The following tangible personal property applies to Subsection (2)(a) if that tangible personal property is required to be registered with the state:

(i) an all-terrain vehicle;  
(ii) a camper;  
(iii) an other motorcycle;  
(iv) an other trailer;  
(v) a personal watercraft;  
(vi) a small motor vehicle;  
(vii) a snowmobile;  
(viii) a street motorcycle;  
(ix) a tent trailer;  
(x) a travel trailer;  
(xi) a park model recreational vehicle; and  
(xii) a vessel if that vessel is less than 31 feet in length as determined under Subsection ~~[(8)]~~ (9).

(3) Except as provided in Subsection (4) or (5), and for purposes of this section, the uniform statewide fees are:

(a) for a snowmobile:

Age of Snowmobile	Uniform Statewide Fee
12 or more years	\$10
9 or more years but less than 12 years	\$20
6 or more years but less than 9 years	\$30
3 or more years but less than 6 years	\$35



## HB0283S02 compared with HB0283S01

Less than 3 years \$45

(b) for an all-terrain vehicle that is not a street-legal all-terrain vehicle or another motorcycle:

Age of All-Terrain Vehicle or Other Motorcycle Uniform Statewide Fee	Uniform Statewide Fee
12 or more years	\$4
9 or more years but less than 12 years	\$8
6 or more years but less than 9 years	\$12
3 or more years but less than 6 years	\$14
Less than 3 years	\$18

(c) for a street-legal all-terrain vehicle:

Age of Street-Legal All-Terrain Vehicle	Uniform Statewide Fee
12 or more years	\$4
9 or more years but less than 12 years	\$14
6 or more years but less than 9 years	\$20
3 or more years but less than 6 years	\$28
Less than 3 years	\$38

(d) for a camper or a tent trailer:

Age of Camper or Tent Trailer	Uniform Statewide Fee
12 or more years	\$10
9 or more years but less than 12 years	\$25
6 or more years but less than 9 years	\$35
3 or more years but less than 6 years	\$50
Less than 3 years	\$70

## HB0283S02 compared with HB0283S01

(e) for an other trailer:

Age of Other Trailer	Uniform Statewide Fee
12 or more years	\$10
9 or more years but less than 12 years	\$15
6 or more years but less than 9 years	\$20
3 or more years but less than 6 years	\$25
Less than 3 years	\$30

(f) for a personal watercraft:

Age of Personal Watercraft	Uniform Statewide Fee
12 or more years	\$10
9 or more years but less than 12 years	\$25
6 or more years but less than 9 years	\$35
3 or more years but less than 6 years	\$45
Less than 3 years	\$55

(g) for a small motor vehicle:

Age of Small Motor Vehicle	Uniform Statewide Fee
6 or more years	\$10
3 or more years but less than 6 years	\$15
Less than 3 years	\$25

(h) for a street motorcycle:

Age of Street Motorcycle	Uniform Statewide Fee
12 or more years	\$10
9 or more years but less than 12 years	\$35
6 or more years but less than 9 years	\$50
3 or more years but less than 6 years	\$70

## HB0283S02 compared with HB0283S01

Less than 3 years \$95

(i) for a travel trailer or park model recreational vehicle:

Age of Travel Trailer or Park Model Recreational Vehicle	Uniform Statewide Fee
12 or more years	\$20
9 or more years but less than 12 years	\$65
6 or more years but less than 9 years	\$90
3 or more years but less than 6 years	\$135
Less than 3 years	\$175

(j) \$10 regardless of the age of the vessel if the vessel is:

(i) less than 15 feet in length;

(ii) a canoe;

(iii) a jon boat; or

(iv) a utility boat;

(k) for a collapsible inflatable vessel, pontoon, or sailboat, regardless of age:

Length of Vessel	Uniform Statewide Fee
15 feet or more in length but less than 19 feet in length	\$15
19 feet or more in length but less than 23 feet in length	\$25
23 feet or more in length but less than 27 feet in length	\$40
27 feet or more in length but less than 31 feet in length	\$75

(l) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 15 feet or more in length but less than 19 feet in length:

Age of Vessel	Uniform Statewide Fee
12 or more years	\$25
9 or more years but less than 12 years	\$65

## HB0283S02 compared with HB0283S01

6 or more years but less than 9 years	\$80
3 or more years but less than 6 years	\$110
Less than 3 years	\$150

(m) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 19 feet or more in length but less than 23 feet in length:

Age of Vessel	Uniform Statewide Fee
12 or more years	\$50
9 or more years but less than 12 years	\$120
6 or more years but less than 9 years	\$175
3 or more years but less than 6 years	\$220
Less than 3 years	\$275

(n) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 23 feet or more in length but less than 27 feet in length:

Age of Vessel	Uniform Statewide Fee
12 or more years	\$100
9 or more years but less than 12 years	\$180
6 or more years but less than 9 years	\$240
3 or more years but less than 6 years	\$310
Less than 3 years	\$400

(o) for a vessel, other than a canoe, collapsible inflatable vessel, jon boat, pontoon, sailboat, or utility boat, that is 27 feet or more in length but less than 31 feet in length:

Age of Vessel	Uniform Statewide Fee
12 or more years	\$120
9 or more years but less than 12 years	\$250
6 or more years but less than 9 years	\$350

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3 or more years but less than 6 years	\$500
Less than 3 years	\$700

(4) For registrations under Section 41-1a-215.5, the uniform fee for purposes of this section is as follows:

(a) for a street motorcycle:

Age of Street Motorcycle	Uniform Statewide Fee
12 or more years	\$7.75
9 or more years but less than 12 years	\$27
6 or more years but less than 9 years	\$38.50
3 or more years but less than 6 years	\$54
Less than 3 years	\$73

(b) for a small motor vehicle:

Age of Small Motor Vehicle	Uniform Statewide Fee
6 or more years	\$7.75
3 or more years but less than 6 years	\$11.50
Less than 3 years	\$19.25

(5) For a vehicle registered on a month-to-month basis as described in Section 41-1a-215.4, the uniform statewide fee for purposes of this section is:

~~\_\_\_\_\_ (a) 10%~~ 9.5% ~~25%~~ of the amount stated in Subsection (3) or (4) ~~for the first 12 months a vehicle is registered on a month-to-month basis; or~~

~~\_\_\_\_\_ (b) 9.5% of the amount stated in Subsection (3) or (4) for any month after the first 12 months a vehicle is registered on a month-to-month basis}.~~

~~[(5)] (6)~~ Notwithstanding Section 59-2-407, tangible personal property subject to the uniform statewide fees imposed by this section that is brought into the state shall, as a condition of registration, be subject to the uniform statewide fees unless all property taxes or uniform fees imposed by the state of origin have been paid for the current calendar year.

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~~[(6)]~~ (7) (a) Except as provided in Subsection ~~[(7)]~~ (8), the revenues collected in each county from the uniform statewide fees imposed by this section shall be distributed by the county to each taxing entity in which each item of tangible personal property subject to the uniform statewide fees is located in the same proportion in which revenues collected from the ad valorem property tax are distributed.

(b) Each taxing entity described in Subsection ~~[(6)(a)]~~ (7)(a) that receives revenues from the uniform statewide fees imposed by this section shall distribute the revenues in the same proportion in which revenues collected from the ad valorem property tax are distributed.

~~[(7)]~~ (8) The commission shall deposit 50% of the revenue collected from the statewide uniform fee on a vessel that is imposed under this section into the Utah Boating Grant Account created in Section 73-18-22.3. The remaining 50% is subject to the requirements of Subsection ~~[(6)]~~ (7).

~~[(8)]~~ (9) (a) For purposes of the uniform statewide fee imposed by this section, the length of a vessel shall be determined as provided in this Subsection ~~[(8)]~~ (9).

(b) (i) Except as provided in Subsection ~~[(8)(b)(ii)]~~ (9)(b)(ii), the length of a vessel shall be measured as follows:

(A) the length of a vessel shall be measured in a straight line; and

(B) the length of a vessel is equal to the distance between the bow of the vessel and the stern of the vessel.

(ii) Notwithstanding Subsection ~~[(8)(b)(i)]~~ (9)(b)(i), the length of a vessel may not include the length of:

(A) a swim deck;

(B) a ladder;

(C) an outboard motor; or

(D) an appurtenance or attachment similar to Subsections ~~[(8)(b)(i)(A)]~~ (9)(b)(i)(A) through (C) as determined by the commission by rule.

(iii) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may by rule define what constitutes an appurtenance or attachment similar to Subsections ~~[(8)(b)(i)(A)]~~ (9)(b)(i)(A) through (C).

(c) The length of a vessel:

(i) (A) for a new vessel, is the length:

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(I) listed on the manufacturer's statement of origin if the length of the vessel measured under Subsection [(8)(b)] (9)(b) is equal to the length of the vessel listed on the manufacturer's statement of origin; or

(II) listed on a form submitted to the commission by a dealer in accordance with Subsection [(8)(d)] (9)(d) if the length of the vessel measured under Subsection [(8)(b)] (9)(d) is not equal to the length of the vessel listed on the manufacturer's statement of origin; or

(B) for a vessel other than a new vessel, is the length:

(I) corresponding to the model number if the length of the vessel measured under Subsection [(8)(b)] (9)(b) is equal to the length of the vessel determined by reference to the model number; or

(II) listed on a form submitted to the commission by an owner of the vessel in accordance with Subsection [(8)(d)] (9)(d) if the length of the vessel measured under Subsection [(8)(b)] (9)(b) is not equal to the length of the vessel determined by reference to the model number; and

(ii) (A) is determined at the time of the:

(I) first registration as defined in Section 41-1a-102 that occurs on or after January 1, 2006; or

(II) first renewal of registration that occurs on or after January 1, 2006; and

(B) may be determined after the time described in Subsection [(8)(c)(ii)(A)] (9)(c)(ii)(A) only if the commission requests that a dealer or an owner submit a form to the commission in accordance with Subsection [(8)(d)] (9)(d).

(d) (i) A form under Subsection [(8)(c)] (9)(c) shall:

(A) be developed by the commission;

(B) be provided by the commission to:

(I) a dealer; or

(II) an owner of a vessel;

(C) provide for the reporting of the length of a vessel;

(D) be submitted to the commission at the time the length of the vessel is determined in accordance with Subsection [(8)(c)(ii)] (9)(c)(ii);

(E) be signed by:

(I) if the form is submitted by a dealer, that dealer; or

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(II) if the form is submitted by an owner of the vessel, an owner of the vessel; and

(F) include a certification that the information set forth in the form is true.

(ii) A certification made under Subsection [~~(8)(d)(i)(F)~~] (9)(d)(i)(F) is considered as if made under oath and subject to the same penalties as provided by law for perjury.

(iii) (A) A dealer or an owner that submits a form to the commission under Subsection [~~(8)(c)~~] (9)(c) is considered to have given the dealer's or owner's consent to an audit or review by:

(I) the commission;

(II) the county assessor; or

(III) the commission and the county assessor.

(B) The consent described in Subsection [~~(8)(d)(iii)(A)~~] (9)(d)(iii)(A) is a condition to the acceptance of any form.

[~~(9)~~] (10) (a) A county that collected a qualifying payment from a qualifying person during the refund period shall issue a refund to the qualifying person as described in Subsection [~~(9)(b)~~] (10)(b) if:

(i) the difference described in Subsection [~~(9)(b)~~] (10)(b) is \$1 or more; and

(ii) the qualifying person submitted a form in accordance with Subsections [~~(9)(c)~~] (10)(c) and (d).

(b) The refund amount shall be calculated as follows:

(i) for a qualifying vehicle, the refund amount is equal to the difference between:

(A) the qualifying payment the qualifying person paid on the qualifying vehicle during the refund period; and

(B) the amount of the statewide uniform fee:

(I) for that qualifying vehicle; and

(II) that the qualifying person would have been required to pay:

(Aa) during the refund period; and

(Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1, been in effect during the refund period; and

(ii) for a qualifying watercraft, the refund amount is equal to the difference between:

(A) the qualifying payment the qualifying person paid on the qualifying watercraft during the refund period; and



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(B) the amount of the statewide uniform fee:

(I) for that qualifying watercraft;

(II) that the qualifying person would have been required to pay:

(Aa) during the refund period; and

(Bb) in accordance with this section had Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1, been in effect during the refund period.

(c) Before the county issues a refund to the qualifying person in accordance with Subsection [~~(9)(a)~~] (10)(a) the qualifying person shall submit a form to the county to verify the qualifying person is entitled to the refund.

(d) (i) A form under Subsection [~~(9)(c) or (10)~~] (10)(c) or (11) shall:

(A) be developed by the commission;

(B) be provided by the commission to the counties;

(C) be provided by the county to the qualifying person or tangible personal property owner;

(D) provide for the reporting of the following:

(I) for a qualifying vehicle:

(Aa) the type of qualifying vehicle; and

(Bb) the amount of cubic centimeters displacement;

(II) for a qualifying watercraft:

(Aa) the length of the qualifying watercraft;

(Bb) the age of the qualifying watercraft; and

(Cc) the type of qualifying watercraft;

(E) be signed by the qualifying person or tangible personal property owner; and

(F) include a certification that the information set forth in the form is true.

(ii) A certification made under Subsection [~~(9)(d)(i)(F)~~] (10)(d)(i)(F) is considered as if made under oath and subject to the same penalties as provided by law for perjury.

(iii) (A) A qualifying person or tangible personal property owner that submits a form to a county under Subsection [~~(9)(c) or (10)~~] (10)(c) or (11) is considered to have given the qualifying person's consent to an audit or review by:

(I) the commission;

(II) the county assessor; or

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(III) the commission and the county assessor.

(B) The consent described in Subsection [~~(9)(d)(iii)(A)~~] (10)(d)(iii)(A) is a condition to the acceptance of any form.

(e) The county shall make changes to the commission's records with the information received by the county from the form submitted in accordance with Subsection [~~(9)(c)~~] (10)(c).

~~[(10)]~~ (11) A county shall change its records regarding an item of qualifying tangible personal property if the tangible personal property owner submits a form to the county in accordance with Subsection [~~(9)(d)~~] (10)(d).

~~[(11)]~~ (12) (a) For purposes of this Subsection [~~(11)]~~ (12), "owner of tangible personal property" means a person that was required to pay a uniform statewide fee:

- (i) during the refund period;
- (ii) in accordance with this section; and
- (iii) on an item of tangible personal property subject to the uniform statewide fees imposed by this section.

(b) A county that collected revenues from uniform statewide fees imposed by this section during the refund period shall notify an owner of tangible personal property:

- (i) of the tangible personal property classification changes made to this section pursuant to Laws of Utah 2006, Fifth Special Session, Chapter 3, Section 1;
- (ii) that the owner of tangible personal property may obtain and file a form to modify the county's records regarding the owner's tangible personal property; and
- (iii) that the owner may be entitled to a refund pursuant to Subsection [~~(9)~~] (10).

Section 16. Section **59-2-405.3** is amended to read:

### **59-2-405.3. Uniform statewide fee on motor homes -- Distribution of revenues.**

(1) For purposes of this section, "motor home" means:

- (a) a motor home, as defined in Section 13-14-102, that is required to be registered with the state; or
- (b) a self-propelled vehicle that is:
  - (i) modified for primary use as a temporary dwelling for travel, recreational, or vacation use; and
  - (ii) required to be registered with the state.

(2) In accordance with Utah Constitution Article XIII, Section 2, Subsection (6), a

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motor home is:

(a) exempt from the tax imposed by Section 59-2-103; and

(b) in lieu of the tax imposed by Section 59-2-103, subject to a uniform statewide fee described in Subsection (3).

(3) (a) ~~[The]~~ Except as provided in Subsection (3)(b), the uniform statewide fee for a motor home is:

Age of Motor Home	Uniform Statewide Fee
15 or more years	\$90
12 or more years but less than 15 years	\$180
9 or more years but less than 12 years	\$315
6 or more years but less than 9 years	\$425
3 or more years but less than 6 years	\$540
Less than 3 years	\$690

(b) For a vehicle registered on a month-to-month basis as described in Section 41-1a-215.4, the uniform statewide fee for purposes of this section is:

~~—— (i) 10%;~~ 9.5%; ~~25%~~ of the amount stated in Subsection (3)(a) for the first 12 months a vehicle is registered on a month-to-month basis; or

~~—— (ii) 9.5% of the amount stated in Subsection (3)(a) for any month after the first 12 months a vehicle is registered on a month-to-month basis.~~

(4) Notwithstanding Section 59-2-407, a motor home subject to the uniform statewide fee imposed by this section that is brought into the state shall, as a condition of registration, be subject to the uniform statewide fee unless all property taxes or uniform fees imposed by the state of origin have been paid for the current calendar year.

(5) (a) Each county shall distribute the revenue collected by the county from the uniform statewide fee imposed by this section to each taxing entity in which each motor home subject to the uniform statewide fee is located in the same proportion in which revenue collected from the ad valorem property tax is distributed.

(b) Each taxing entity described in Subsection (5)(a) that receives revenue from the uniform statewide fee imposed by this section shall distribute the revenue in the same

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proportion in which revenue collected from the ad valorem property tax is distributed.

(6) An appeal relating to the uniform statewide fee imposed on a motor home by this section shall be filed pursuant to Section 59-2-1005.

Section 17. Section **59-2-407** is amended to read:

### **59-2-407. Administration of uniform fees.**

(1) (a) Except as provided in Subsection 59-2-405(4) or 59-2-405.3(4), the uniform fee authorized in Sections 59-2-405, 59-2-405.3, and 72-10-110.5 shall be assessed at the same time and in the same manner as ad valorem personal property taxes under Chapter 2, Part 13, Collection of Taxes, except that in listing personal property subject to the uniform fee with real property as permitted by Section 59-2-1302, the assessor or, if this duty has been reassigned in an ordinance under Section 17-16-5.5, the treasurer shall list only the amount of the uniform fee due, and not the taxable value of the property subject to the uniform fee.

(b) Except as provided in Subsections 59-2-405.1(4), [~~59-2-405.2(5)~~] 59-2-405.2(6), and 59-2-405.3(4), the uniform fee imposed by Section 59-2-405.1, 59-2-405.2, or 59-2-405.3 shall be assessed at the time of:

- (i) registration as defined in Section 41-1a-102; and
- (ii) renewal of registration.

(2) The remedies for nonpayment of the uniform fees authorized by Sections 59-2-405, 59-2-405.1, 59-2-405.2, 59-2-405.3, and 72-10-110.5 shall be the same as those provided in Chapter 2, Part 13, Collection of Taxes, for nonpayment of ad valorem personal property taxes.

(3) Any disclosure of information to a county for purposes of distributing a uniform fee under this part is not subject to Title 77, Chapter 38, Part 6, Safe at Home Program.

Section 18. Section **73-18-22.3** is amended to read:

### **73-18-22.3. Utah Boating Grant Account -- Grant program administered by the Division of Outdoor Recreation.**

(1) There is created within the General Fund a restricted account known as the "Utah Boating Grant Account."

(2) The Utah Boating Grant Account shall consist of:

(a) revenue deposited into the Utah Boating Grant Account under Subsection [~~59-2-405.2(7)~~] 59-2-405.2(8) from the statewide uniform fee on a vessel that is less than 31 feet in length and required to be registered with the state;

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- (b) legislative appropriations;
  - (c) contributions, grants, gifts, transfers, bequests, and donations specifically directed to the Utah Boating Grant Account; and
  - (d) interest and earnings on the Utah Boating Grant Account.
- (3) An entity eligible for a grant funded through the Utah Boating Grant Account is:
- (a) a water conservancy district;
  - (b) a state agency;
  - (c) a county; or
  - (d) a municipality, as defined in Section 10-1-104.
- (4) Subject to appropriation, money in the Utah Boating Grant Account may be used for:
- (a) construction, repair, and replacement of a publicly owned boating facility, including a boat ramp, courtesy dock, or parking lot;
  - (b) resource protection of waterway shorelines to prevent or minimize erosion created by vessel wave action;
  - (c) drought access mitigation;
  - (d) alternative access development for non-motorized vessels to decrease conflicts, congestion, and safety concerns on existing motorboat access ramps;
  - (e) search and rescue equipment; and
  - (f) the payment of the administrative costs of the Division of Outdoor Recreation in administering a grant under this section.
- (5) The Division of Outdoor Recreation shall administer the grants under this section pursuant to rules made, after notifying the Outdoor Adventure Commission, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (6) The Division of Outdoor Recreation shall consult with the advisory committee described in Section 73-18-3.5 before issuing a grant under this section.

### Section 19. **Effective date.**

This bill takes effect on January 1, 2025.