Representative Norman K Thurston proposes the following substitute bill:

1	REGISTRATION OF NOVEL VEHICLES
2	2024 GENERAL SESSION
3	STATE OF UTAH
4	Chief Sponsor: Norman K Thurston
5	Senate Sponsor: Daniel McCay
6	
7	LONG TITLE
8	General Description:
9	This bill amends Title 41, Motor Vehicles, in relation to novel vehicles.
10	Highlighted Provisions:
11	This bill:
12	 defines terms;
13	 establishes a registration process for a novel vehicle;
14	 provides a process for an individual to appeal to the State Tax Commission to
15	review a novel vehicle registration determination;
16	 addresses requirements for a street-legal novel vehicle; and
17	 requires the State Tax Commission to provide an annual report to the Transportation
18	Interim Committee regarding the registration of novel vehicles.
19	Money Appropriated in this Bill:
20	None
21	Other Special Clauses:
22	This bill provides a special effective date.
23	Utah Code Sections Affected:
24	AMENDS:
25	41-1a-201, as last amended by Laws of Utah 2023, Chapter 532

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26 27	41-1a-205, as last amended by Laws of Utah 2017, Chapters 149, 406
27	The 200, as fast amended by Laws of Oran 2017, Chapters 119, 100
	41-6a-102, as last amended by Laws of Utah 2023, Chapters 219, 532
28	41-6a-1509, as last amended by Laws of Utah 2022, Chapter 68
29	41-6a-1601, as last amended by Laws of Utah 2019, Chapter 428
30	41-6a-1629, as last amended by Laws of Utah 2014, Chapter 229
31	41-6a-1642, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532
32	41-22-10.3, as last amended by Laws of Utah 2015, Chapter 412
33	53-8-205, as last amended by Laws of Utah 2017, Chapters 149, 406
34	ENACTS:
35	41-27-101, Utah Code Annotated 1953
36	41-27-201, Utah Code Annotated 1953
37	41-27-202 , Utah Code Annotated 1953
38	41-27-301, Utah Code Annotated 1953
39	
10	Be it enacted by the Legislature of the state of Utah:
1	Section 1. Section 41-1a-201 is amended to read:
2	41-1a-201. Function of registration Registration required Penalty.
3	(1) Unless exempted, a person or automated driving system may not operate and an
14	owner may not engage an automated driving system, give another person permission to engage
15	owner may not engage an automated uriving system, give another person permission to engage
	an automated driving system, or give another person permission to engage
46	
	an automated driving system, or give another person permission to operate a motor vehicle,
16	an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle,
46 47	an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been
46 47 48	an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles]
16 17 18 19 50	an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles] <u>Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle Registration</u> , or Title 73,
16 17 18 19	an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles] <u>Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle Registration</u> , or Title 73, Chapter 18, State Boating Act.
46 47 48 49 50 51	 an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles] <u>Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle Registration, or Title 73, Chapter 18, State Boating Act.</u> (2) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
46 47 48 49 50 51 52	 an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles] <u>Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle Registration, or Title 73, Chapter 18, State Boating Act.</u> (2) Subject to Subsection 53-8-209(3), a violation of this section is an infraction. (3) (a) In the event that materials are temporarily unavailable for registration items
46 47 48 49 50 51 52 53	 an automated driving system, or give another person permission to operate a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been registered in accordance with this chapter, [Title 41, Chapter 22, Off-highway Vehicles] <u>Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle Registration, or Title 73, Chapter 18, State Boating Act.</u> (2) Subject to Subsection 53-8-209(3), a violation of this section is an infraction. (3) (a) In the event that materials are temporarily unavailable for registration items required under Section 41-1a-402, the commission may delay initial vehicle registration or

57	(3)(a).
58	Section 2. Section 41-1a-205 is amended to read:
59	41-1a-205. Safety inspection certificate required for commercial motor vehicles
60	and initial registration of street-legal ATVs, street-legal novel vehicles, and salvage
61	vehicles.
62	(1) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509
63	is subject to a safety inspection the first time that a person registers an off-highway vehicle as a
64	street-legal all-terrain vehicle.
65	(2) A street-legal novel vehicle registered in accordance with Section 41-27-201 is
66	subject to a safety inspection the first time that a person registers a novel vehicle as a
67	street-legal novel vehicle.
68	[(2)] (3) A salvage vehicle as defined in Section 41-1a-1001 is subject to a safety
69	inspection when the owner makes the initial application to register the vehicle as a salvage
70	vehicle.
71	[(3)] (4) A safety inspection certificate shall be displayed on:
72	(a) all registered commercial vehicles as defined in Section 72-9-102;
73	(b) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
74	multiple axles;
75	(c) a combination unit;
76	(d) a bus or van for hire;
77	(e) a taxicab; and
78	(f) a motor vehicle operated by a ground transportation service provider as defined in
79	Section 72-10-601.
80	[(4)] (5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
81	Section 3. Section 41-6a-102 is amended to read:
82	41-6a-102. Definitions.
83	As used in this chapter:
84	(1) "Alley" means a street or highway intended to provide access to the rear or side of
85	lots or buildings in urban districts and not intended for through vehicular traffic.
86	(2) "All-terrain type I vehicle" means the same as that term is defined in Section
87	41-22-2.

88	(3) "Authorized emergency vehicle" includes:
89	(a) fire department vehicles;
90	(b) police vehicles;
91	(c) ambulances; and
92	(d) other publicly or privately owned vehicles as designated by the commissioner of the
93	Department of Public Safety.
94	(4) "Autocycle" means the same as that term is defined in Section $53-3-102$.
95	(5) (a) "Bicycle" means a wheeled vehicle:
96	(i) propelled by human power by feet or hands acting upon pedals or cranks;
97	(ii) with a seat or saddle designed for the use of the operator;
98	(iii) designed to be operated on the ground; and
99	(iv) whose wheels are not less than 14 inches in diameter.
100	(b) "Bicycle" includes an electric assisted bicycle.
101	(c) "Bicycle" does not include scooters and similar devices.
102	(6) (a) "Bus" means a motor vehicle:
103	(i) designed for carrying more than 15 passengers and used for the transportation of
104	persons; or
105	(ii) designed and used for the transportation of persons for compensation.
106	(b) "Bus" does not include a taxicab.
107	(7) (a) "Circular intersection" means an intersection that has an island, generally
108	circular in design, located in the center of the intersection where traffic passes to the right of
109	the island.
110	(b) "Circular intersection" includes:
111	(i) roundabouts;
112	(ii) rotaries; and
113	(iii) traffic circles.
114	(8) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
115	Subsection (18)(d)(i).
116	(9) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
117	Subsection (18)(d)(ii).
118	(10) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in

119	Subsection (18)(d)(iii).
120	(11) "Commissioner" means the commissioner of the Department of Public Safety.
121	(12) "Controlled-access highway" means a highway, street, or roadway:
122	(a) designed primarily for through traffic; and
123	(b) to or from which owners or occupants of abutting lands and other persons have no
124	legal right of access, except at points as determined by the highway authority having
125	jurisdiction over the highway, street, or roadway.
126	(13) "Crosswalk" means:
127	(a) that part of a roadway at an intersection included within the connections of the
128	lateral lines of the sidewalks on opposite sides of the highway measured from:
129	(i) (A) the curbs; or
130	(B) in the absence of curbs, from the edges of the traversable roadway; and
131	(ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
132	included within the extension of the lateral lines of the existing sidewalk at right angles to the
133	centerline; or
134	(b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
135	pedestrian crossing by lines or other markings on the surface.
136	(14) "Department" means the Department of Public Safety.
137	(15) "Direct supervision" means oversight at a distance within which:
138	(a) visual contact is maintained; and
139	(b) advice and assistance can be given and received.
140	(16) "Divided highway" means a highway divided into two or more roadways by:
141	(a) an unpaved intervening space;
142	(b) a physical barrier; or
143	(c) a clearly indicated dividing section constructed to impede vehicular traffic.
144	(17) "Echelon formation" means the operation of two or more snowplows arranged
145	side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to clear snow
146	from two or more lanes at once.
147	(18) "Electric assisted bicycle" means a bicycle with an electric motor that:
148	(a) has a power output of not more than 750 watts;
149	(b) has fully operable pedals on permanently affixed cranks:

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

150	(c) is fully operable as a bicycle without the use of the electric motor; and
151	(d) is one of the following:
152	(i) an electric assisted bicycle equipped with a motor or electronics that:
153	(A) provides assistance only when the rider is pedaling; and
154	(B) ceases to provide assistance when the bicycle reaches the speed of 20 miles per
155	hour;
156	(ii) an electric assisted bicycle equipped with a motor or electronics that:
157	(A) may be used exclusively to propel the bicycle; and
158	(B) is not capable of providing assistance when the bicycle reaches the speed of 20
159	miles per hour; or
160	(iii) an electric assisted bicycle equipped with a motor or electronics that:
161	(A) provides assistance only when the rider is pedaling;
162	(B) ceases to provide assistance when the bicycle reaches the speed of 28 miles per
163	hour; and
164	(C) is equipped with a speedometer.
165	(19) (a) "Electric personal assistive mobility device" means a self-balancing device
166	with:
167	(i) two nontandem wheels in contact with the ground;
168	(ii) a system capable of steering and stopping the unit under typical operating
169	conditions;
170	(iii) an electric propulsion system with average power of one horsepower or 750 watts;
171	(iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
172	(v) a deck design for a person to stand while operating the device.
173	(b) "Electric personal assistive mobility device" does not include a wheelchair.
174	(20) "Explosives" means a chemical compound or mechanical mixture commonly used
175	or intended for the purpose of producing an explosion and that contains any oxidizing and
176	combustive units or other ingredients in proportions, quantities, or packing so that an ignition
177	by fire, friction, concussion, percussion, or detonator of any part of the compound or mixture
178	may cause a sudden generation of highly heated gases, and the resultant gaseous pressures are
179	capable of producing destructive effects on contiguous objects or of causing death or serious
180	bodily injury.

181	(21) "Farm tractor" means a motor vehicle designed and used primarily as a farm
182	implement, for drawing plows, mowing machines, and other implements of husbandry.
183	(22) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
184	as determined by a Tagliabue or equivalent closed-cup test device.
185	(23) "Freeway" means a controlled-access highway that is part of the interstate system
186	as defined in Section 72-1-102.
187	(24) (a) "Golf cart" means a device that:
188	(i) is designed for transportation by players on a golf course;
189	(ii) has not less than three wheels in contact with the ground;
190	(iii) has an unladen weight of less than 1,800 pounds;
191	(iv) is designed to operate at low speeds; and
192	(v) is designed to carry not more than six persons including the driver.
193	(b) "Golf cart" does not include:
194	(i) a low-speed vehicle or an off-highway vehicle;
195	(ii) a motorized wheelchair;
196	(iii) an electric personal assistive mobility device;
197	(iv) an electric assisted bicycle;
198	(v) a motor assisted scooter;
199	(vi) a personal delivery device, as defined in Section 41-6a-1119; or
200	(vii) a mobile carrier, as defined in Section 41-6a-1120.
201	(25) "Gore area" means the area delineated by two solid white lines that is between a
202	continuing lane of a through roadway and a lane used to enter or exit the continuing lane
203	including similar areas between merging or splitting highways.
204	(26) "Gross weight" means the weight of a vehicle without a load plus the weight of
205	any load on the vehicle.
206	(27) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
207	(a) manufactured to meet Federal Motor Vehicle Safety Standards; and
208	(b) equipped with retractable flanged wheels that allow the vehicle to travel on a
209	highway or railroad tracks.
210	(28) "Highway" means the entire width between property lines of every way or place of
211	any nature when any part of it is open to the use of the public as a matter of right for vehicular

212	travel.
213	(29) "Highway authority" means the same as that term is defined in Section 72-1-102.
214	(30) (a) "Intersection" means the area embraced within the prolongation or connection
215	of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two or
216	more highways that join one another.
217	(b) Where a highway includes two roadways 30 feet or more apart:
218	(i) every crossing of each roadway of the divided highway by an intersecting highway
219	is a separate intersection; and
220	(ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
221	every crossing of two roadways of the highways is a separate intersection.
222	(c) "Intersection" does not include the junction of an alley with a street or highway.
223	(31) "Island" means an area between traffic lanes or at an intersection for control of
224	vehicle movements or for pedestrian refuge designated by:
225	(a) pavement markings, which may include an area designated by two solid yellow
226	lines surrounding the perimeter of the area;
227	(b) channelizing devices;
228	(c) curbs;
229	(d) pavement edges; or
230	(e) other devices.
231	(32) "Lane filtering" means, when operating a motorcycle other than an autocycle, the
232	act of overtaking and passing another vehicle that is stopped in the same direction of travel in
233	the same lane.
234	(33) "Law enforcement agency" means the same as that term is as defined in Section
235	53-1-102.
236	(34) "Limited access highway" means a highway:
237	(a) that is designated specifically for through traffic; and
238	(b) over, from, or to which neither owners nor occupants of abutting lands nor other
239	persons have any right or easement, or have only a limited right or easement of access, light,
240	air, or view.
241	(35) "Local highway authority" means the legislative, executive, or governing body of
242	a county, municipal, or other local board or body having authority to enact laws relating to

243	traffic under the constitution and laws of the state.
244	(36) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:
245	(i) is designed to be operated at speeds of not more than 25 miles per hour; and
246	(ii) has a capacity of not more than six passengers, including a conventional driver or
247	fallback-ready user if on board the vehicle, as those terms are defined in Section 41-26-102.1.
248	(b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
249	(37) "Metal tire" means a tire, the surface of which in contact with the highway is
250	wholly or partly of metal or other hard nonresilient material.
251	(38) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a seat or
252	saddle that is less than 24 inches from the ground as measured on a level surface with properly
253	inflated tires.
254	(b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
255	(c) "Mini-motorcycle" does not include a motorcycle that is:
256	(i) designed for off-highway use; and
257	(ii) registered as an off-highway vehicle under Section 41-22-3.
258	(39) "Mobile home" means:
259	(a) a trailer or semitrailer that is:
260	(i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
261	place either permanently or temporarily; and
262	(ii) equipped for use as a conveyance on streets and highways; or
263	(b) a trailer or a semitrailer whose chassis and exterior shell is designed and
264	constructed for use as a mobile home, as defined in Subsection (39)(a), but that is instead used
265	permanently or temporarily for:
266	(i) the advertising, sale, display, or promotion of merchandise or services; or
267	(ii) any other commercial purpose except the transportation of property for hire or the
268	transportation of property for distribution by a private carrier.
269	(40) "Mobility disability" means the inability of a person to use one or more of the
270	person's extremities or difficulty with motor skills, that may include limitations with walking,
271	grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other condition.
272	(41) (a) "Moped" means a motor-driven cycle having:
273	(i) pedals to permit propulsion by human power; and

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

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

2nd Sub. (Gray) H.B. 441 336 minimal risk condition, as those terms are defined in Section 41-26-102.1. (52) "Peace officer" means a peace officer authorized under Title 53, Chapter 13, Peace 337 338 Officer Classifications, to direct or regulate traffic or to make arrests for violations of traffic 339 laws. 340 (53) "Pedestrian" means a person traveling: 341 (a) on foot; or 342 (b) in a wheelchair. 343 (54) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate 344 pedestrians. 345 (55) "Person" means a natural person, firm, copartnership, association, corporation, 346 business trust, estate, trust, partnership, limited liability company, association, joint venture, 347 governmental agency, public corporation, or any other legal or commercial entity. (56) "Pole trailer" means a vehicle without motive power: 348 349 (a) designed to be drawn by another vehicle and attached to the towing vehicle by 350 means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle; and 351 (b) that is ordinarily used for transporting long or irregular shaped loads including 352 poles, pipes, or structural members generally capable of sustaining themselves as beams 353 between the supporting connections. 354 (57) "Private road or driveway" means every way or place in private ownership and 355 used for vehicular travel by the owner and those having express or implied permission from the 356 owner, but not by other persons. (58) "Railroad" means a carrier of persons or property upon cars operated on stationary 357 358 rails. 359 (59) "Railroad sign or signal" means a sign, signal, or device erected by authority of a 360 public body or official or by a railroad and intended to give notice of the presence of railroad 361 tracks or the approach of a railroad train. 362 (60) "Railroad train" means a locomotive propelled by any form of energy, coupled 363 with or operated without cars, and operated upon rails. 364 (61) "Restored-modified vehicle" means the same as the term defined in Section 365 41-1a-102. 366 (62) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful

367	manner in preference to another vehicle or pedestrian approaching under circumstances of
368	direction, speed, and proximity that give rise to danger of collision unless one grants
369	precedence to the other.
370	(63) (a) "Roadway" means that portion of highway improved, designed, or ordinarily
371	used for vehicular travel.
372	(b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
373	them are used by persons riding bicycles or other human-powered vehicles.
374	(c) "Roadway" refers to any roadway separately but not to all roadways collectively, if
375	a highway includes two or more separate roadways.
376	(64) "Safety zone" means the area or space officially set apart within a roadway for the
377	exclusive use of pedestrians and that is protected, marked, or indicated by adequate signs as to
378	be plainly visible at all times while set apart as a safety zone.
379	(65) (a) "School bus" means a motor vehicle that:
380	(i) complies with the color and identification requirements of the most recent edition of
381	"Minimum Standards for School Buses"; and
382	(ii) is used to transport school children to or from school or school activities.
383	(b) "School bus" does not include a vehicle operated by a common carrier in
384	transportation of school children to or from school or school activities.
385	(66) (a) "Semitrailer" means a vehicle with or without motive power:
386	(i) designed for carrying persons or property and for being drawn by a motor vehicle;
387	and
388	(ii) constructed so that some part of its weight and that of its load rests on or is carried
389	by another vehicle.
390	(b) "Semitrailer" does not include a pole trailer.
391	(67) "Shoulder area" means:
392	(a) that area of the hard-surfaced highway separated from the roadway by a pavement
393	edge line as established in the current approved "Manual on Uniform Traffic Control Devices";
394	or
395	(b) that portion of the road contiguous to the roadway for accommodation of stopped
396	vehicles, for emergency use, and for lateral support.
397	(68) "Sidewalk" means that portion of a street between the curb lines, or the lateral

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398 lines of a roadway, and the adjacent property lines intended for the use of pedestrians. 399 (69) (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt that 400 is designated for the use of a bicycle. 401 (b) "Soft-surface trail" does not mean a trail: 402 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a 403 federal law, regulation, or rule; or 404 (ii) located in whole or in part on land granted to the state or a political subdivision 405 subject to a conservation easement that prohibits the use of a motorized vehicle. 406 (70) "Solid rubber tire" means a tire of rubber or other resilient material that does not 407 depend on compressed air for the support of the load. 408 (71) "Stand" or "standing" means the temporary halting of a vehicle, whether occupied 409 or not, for the purpose of and while actually engaged in receiving or discharging passengers. 410 (72) "Stop" when required means complete cessation from movement. (73) "Stop" or "stopping" when prohibited means any halting even momentarily of a 411 412 vehicle, whether occupied or not, except when: 413 (a) necessary to avoid conflict with other traffic; or 414 (b) in compliance with the directions of a peace officer or traffic-control device. (74) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I 415 416 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet the requirements of Section 41-6a-1509 to operate on highways in the state in accordance with 417 418 Section 41-6a-1509. (75) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under 419 420 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to operate 421 on highways in the state in accordance with Section 41-6a-1509. 422 $\left[\frac{(75)}{(75)}\right]$ (76) "Tow truck operator" means the same as that term is defined in Section 423 72-9-102. [(76)] (77) "Tow truck motor carrier" means the same as that term is defined in Section 424 425 72-9-102. 426 [(77)] (78) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other 427 conveyances either singly or together while using any highway for the purpose of travel. 428 [(78)] (79) "Traffic signal preemption device" means an instrument or mechanism

429 designed, intended, or used to interfere with the operation or cycle of a traffic-control signal. [(79)] (80) "Traffic-control device" means a sign, signal, marking, or device not 430 431 inconsistent with this chapter placed or erected by a highway authority for the purpose of regulating, warning, or guiding traffic. 432 433 [(80)] (81) "Traffic-control signal" means a device, whether manually, electrically, or 434 mechanically operated, by which traffic is alternately directed to stop and permitted to proceed. [(81)] (82) (a) "Trailer" means a vehicle with or without motive power designed for 435 436 carrying persons or property and for being drawn by a motor vehicle and constructed so that no 437 part of its weight rests upon the towing vehicle. 438 (b) "Trailer" does not include a pole trailer. 439 [(82)] (83) "Truck" means a motor vehicle designed, used, or maintained primarily for 440 the transportation of property. 441 [(83)] (84) "Truck tractor" means a motor vehicle: (a) designed and used primarily for drawing other vehicles; and 442 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck 443 444 tractor. 445 [(84)] (85) "Two-way left turn lane" means a lane: 446 (a) provided for vehicle operators making left turns in either direction: (b) that is not used for passing, overtaking, or through travel; and 447 448 (c) that has been indicated by a lane traffic-control device that may include lane 449 markings. 450 [(85)] (86) "Urban district" means the territory contiguous to and including any street, in which structures devoted to business, industry, or dwelling houses are situated at intervals of 451 452 less than 100 feet, for a distance of a guarter of a mile or more. 453 [(86)] (87) "Vehicle" means a device in, on, or by which a person or property is or may 454 be transported or drawn on a highway, except a mobile carrier, as defined in Section 455 41-6a-1120, or a device used exclusively on stationary rails or tracks. 456 Section 4. Section 41-6a-1509 is amended to read: 457 41-6a-1509. Street-legal all-terrain vehicle -- Operation on highways --458 **Registration and licensing requirements -- Equipment requirements.** 459 (1) (a) Except as provided in Subsection (1)(b), an individual may operate an all-terrain

460	type I vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that meets the
461	requirements of this section as a street-legal ATV on a street or highway.
462	(b) An individual may not operate an all-terrain type I vehicle, all-terrain type II
463	vehicle, or all-terrain type III vehicle as a street-legal ATV on a highway if:
464	(i) the highway is an interstate system as defined in Section 72-1-102; or
465	(ii) the highway is in a county of the first class and both of the following criterion is
466	met:
467	(A) the highway is near a grade separated portion of the highway; and
468	(B) the highway has a posted speed limit higher than 50 miles per hour.
469	(c) Nothing in this section authorizes the operation of a street-legal ATV in an area that
470	is not open to motor vehicle use.
471	(2) (a) Except as provided in Subsection (2)(b), an individual may operate a vehicle
472	that is registered as a novel vehicle on a street or highway, if the vehicle meets the
473	requirements of this section as a street-legal novel vehicle.
474	(b) An individual may not operate a vehicle registered as a novel vehicle as a
475	street-legal novel vehicle on a highway if:
476	(i) the highway is an interstate system as defined in Section 72-1-102; or
477	(ii) the highway is in a county of the first class and both of the following criterion are
478	met:
479	(A) the highway is near a grade separated portion of the highway; and
480	(B) the highway has a posted speed limit higher than 50 miles per hour.
481	(c) Nothing in this section authorizes the operation of a street-legal novel vehicle in an
482	area that is not open to motor vehicle use.
483	[(2)] (3) A street-legal ATV shall comply with Section 59-2-405.2, Subsection
484	41-1a-205(1), Subsection 53-8-205(1)(b), and the same requirements as:
485	(a) a motorcycle for:
486	(i) traffic rules under this chapter;
487	(ii) titling, odometer statement, vehicle identification, license plates, and registration,
488	excluding registration fees, under Chapter 1a, Motor Vehicle Act; and
489	(iii) the county motor vehicle emissions inspection and maintenance programs under
490	Section 41-6a-1642;

491	(b) a motor vehicle for:
492	(i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and
493	(ii) motor vehicle insurance under Chapter 12a, Financial Responsibility of Motor
494	Vehicle Owners and Operators Act; and
495	(c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under
496	Chapter 22, Off-highway Vehicles, and Chapter 3, Motor Vehicle Business Regulation Act,
497	unless otherwise specified in this section.
498	(4) A street-legal novel vehicle shall comply with Subsection 41-1a-205(1), Subsection
499	53-8-205(1)(b), and the requirements for registration as a novel vehicle under Section
500	<u>41-27-201</u>
501	[(3)] (a) The owner of an all-terrain type I vehicle being operated as a street-legal
502	ATV shall ensure that the vehicle is equipped with:
503	(i) one or more headlamps that meet the requirements of Section 41-6a-1603;
504	(ii) one or more tail lamps;
505	(iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
506	with a white light;
507	(iv) one or more red reflectors on the rear;
508	(v) one or more stop lamps on the rear;
509	(vi) amber or red electric turn signals, one on each side of the front and rear;
510	(vii) a braking system, other than a parking brake, that meets the requirements of
511	Section 41-6a-1623;
512	(viii) a horn or other warning device that meets the requirements of Section
513	
515	41-6a-1625;
514	41-6a-1625;(ix) a muffler and emission control system that meets the requirements of Section
514	(ix) a muffler and emission control system that meets the requirements of Section
514 515	(ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626;
514 515 516	 (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626; (x) rearview mirrors on the right and left side of the driver in accordance with Section
514 515 516 517	 (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626; (x) rearview mirrors on the right and left side of the driver in accordance with Section 41-6a-1627;
514 515 516 517 518	 (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626; (x) rearview mirrors on the right and left side of the driver in accordance with Section 41-6a-1627; (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
514 515 516 517 518 519	 (ix) a muffler and emission control system that meets the requirements of Section 41-6a-1626; (x) rearview mirrors on the right and left side of the driver in accordance with Section 41-6a-1627; (xi) a windshield, unless the operator wears eye protection while operating the vehicle; (xii) a speedometer, illuminated for nighttime operation;

522	(xiv) tires that:
523	(A) are not larger than the tires that the all-terrain vehicle manufacturer made available
524	for the all-terrain vehicle model; and
525	(B) have at least 2/32 inches or greater tire tread.
526	(b) The owner of an all-terrain type II vehicle or all-terrain type III vehicle being
527	operated as a street-legal all-terrain vehicle or of a vehicle registered as a novel vehicle being
528	operated as a street-legal novel vehicle shall ensure that the vehicle is equipped with:
529	(i) two headlamps that meet the requirements of Section 41-6a-1603;
530	(ii) two tail lamps;
531	(iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
532	with a white light;
533	(iv) one or more red reflectors on the rear;
534	(v) two stop lamps on the rear;
535	(vi) amber or red electric turn signals, one on each side of the front and rear;
536	(vii) a braking system, other than a parking brake, that meets the requirements of
537	Section 41-6a-1623;
538	(viii) a horn or other warning device that meets the requirements of Section
539	41-6a-1625;
540	(ix) a muffler and emission control system that meets the requirements of Section
541	41-6a-1626;
542	(x) rearview mirrors on the right and left side of the driver in accordance with Section
543	41-6a-1627;
544	(xi) a windshield, unless the operator wears eye protection while operating the vehicle;
545	(xii) a speedometer, illuminated for nighttime operation;
546	(xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
547	seat designed for passengers;
548	(xiv) for vehicles with side-by-side or tandem seating, seatbelts for each vehicle
549	occupant;
550	(xv) a seat with a height between 20 and 40 inches when measured at the forward edge
551	of the seat bottom; and
552	(xvi) tires that:

(A) do not exceed 44 inches in height; and
(B) have at least 2/32 inches or greater tire tread.
(c) The owner of a street-legal all-terrain vehicle is not required to equip the vehicle
with wheel covers, mudguards, flaps, or splash aprons.
[(4)] (6) (a) Subject to the requirements of Subsection $[(4)(b)]$ (6)(b), an operator of a
street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway,
may not exceed the lesser of:
(i) the posted speed limit; or
(ii) 50 miles per hour.
(b) An operator of a street-legal all-terrain vehicle, when operating a street-legal
all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:
(i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
roadway; and
(ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the
front and back of both sides of the vehicle.
(7) (a) Subject to the requirements of Subsection (7)(b), an operator of a street-legal
novel vehicle, when operating as a street-legal novel vehicle on a highway, may not exceed the
lesser of:
(i) the posted speed limit; or
(ii) 50 miles per hour.
(b) An operator of a street-legal novel vehicle, when operating a street-legal novel
vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:
(i) operate the street-legal novel vehicle on the extreme right hand side of the roadway;
and
(ii) equip the street-legal novel vehicle with a reflector or reflective tape to the front
and back of both sides of the vehicle.
[(5)] (a) A nonresident operator of an off-highway vehicle that is authorized to be
operated on the highways of another state has the same rights and privileges as a street-legal
ATV or street-legal novel vehicle that is granted operating privileges on the highways of this
state, subject to the restrictions under this section and rules made by the Division of Outdoor
Recreation, after notifying the Outdoor Adventure Commission, if the other state offers

584	reciprocal operating privileges to Utah residents.
585	(b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
586	Division of Outdoor Recreation, after notifying the Outdoor Adventure Commission, shall
587	establish eligibility requirements for reciprocal operating privileges for nonresident users
588	granted under Subsection [$(5)(a)$] $(8)(a)$.
589	[(6)] (9) Nothing in this chapter restricts the owner of an off-highway vehicle from
590	operating the off-highway vehicle in accordance with Section 41-22-10.5.
591	$\left[\frac{(7)}{(10)}\right]$ A violation of this section is an infraction.
592	Section 5. Section 41-6a-1601 is amended to read:
593	41-6a-1601. Operation of unsafe or improperly equipped vehicles on public
594	highways Exceptions.
595	(1) (a) A person may not operate or move and an owner may not cause or knowingly
596	permit to be operated or moved on a highway a vehicle or combination of vehicles that:
597	(i) is in an unsafe condition that may endanger any person;
598	(ii) does not contain those parts or is not at all times equipped with lamps and other
599	equipment in proper condition and adjustment as required in this chapter;
600	(iii) is equipped in any manner in violation of this chapter; or
601	(iv) emits pollutants in excess of the limits allowed under the rules of the Air Quality
602	Board created under Title 19, Chapter 2, Air Conservation Act, or under rules made by local
603	health departments.
604	(b) A person may not do any act forbidden or fail to perform any act required under this
605	chapter.
606	(2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
607	and in coordination with the rules made under Section 53-8-204, the department shall make
608	rules setting minimum standards covering the design, construction, condition, and operation of
609	vehicle equipment for safely operating a motor vehicle on the highway as required under this
610	part.
611	(b) The rules under Subsection (2)(a):
612	(i) shall conform as nearly as practical to Federal Motor Vehicle Safety Standards and
613	Regulations;
614	(ii) may incorporate by reference, in whole or in part, the federal standards under

615	Subsection (2)(b)(i) and nationally recognized and readily available standards and codes on
616	motor vehicle safety;
617	(iii) shall include provisions for the issuance of a permit under Section 41-6a-1602;
618	(iv) shall include standards for the emergency lights of authorized emergency vehicles;
619	(v) may provide standards and specifications applicable to lighting equipment on
620	school buses consistent with:
621	(A) this part;
622	(B) federal motor vehicle safety standards; and
623	(C) current specifications of the Society of Automotive Engineers;
624	(vi) shall provide procedures for the submission, review, approval, disapproval,
625	issuance of an approval certificate, and expiration or renewal of approval of any part as
626	required under Section 41-6a-1620;
627	(vii) shall establish specifications for the display or etching of a vehicle identification
628	number on a vehicle;
629	(viii) shall establish specifications in compliance with this part for a flare, fusee,
630	electric lantern, warning flag, or portable reflector used in compliance with this part;
631	(ix) shall establish approved safety and law enforcement purposes when video display
632	is visible to the motor vehicle operator; and
633	(x) shall include standards and specifications for both original equipment and parts
634	included when a vehicle is manufactured and aftermarket equipment and parts included after
635	the original manufacture of a vehicle.
636	(c) The following standards and specifications for vehicle equipment are adopted:
637	(i) 49 C.F.R. 571.209 related to safety belts;
638	(ii) 49 C.F.R. 571.213 related to child restraint devices;
639	(iii) 49 C.F.R. 393, 396, and 396 Appendix G related to commercial motor vehicles
640	and trailers operated in interstate commerce;
641	(iv) 49 C.F.R. 571 Standard 108 related to lights and illuminating devices; and
642	(v) 40 C.F.R. 82.30 through 82.42 and Part 82, Subpart B, Appendix A and B related
643	to air conditioning equipment.
644	(3) Nothing in this chapter or the rules made by the department prohibit:
645	(a) equipment required by the United States Department of Transportation; or

646	(b) the use of additional parts and accessories on a vehicle not inconsistent with the
647	provisions of this chapter or the rules made by the department.
648	(4) Except as specifically made applicable, this chapter and rules of the department
649	with respect to equipment required on vehicles do not apply to:
650	(a) implements of husbandry;
651	(b) road machinery;
652	(c) road rollers;
653	(d) farm tractors;
654	(e) motorcycles;
655	(f) motor-driven cycles;
656	(g) motor assisted scooters;
657	(h) vehicles moved solely by human power;
658	(i) off-highway vehicles registered under Section 41-22-3 either:
659	(i) on a highway designated as open for off-highway vehicle use; or
660	(ii) in the manner prescribed by Subsections 41-22-10.3(1) through (3); or
661	(j) off-highway implements of husbandry when operated in the manner prescribed by
662	Subsections 41-22-5.5(3) through (5).
663	(5) The vehicles referred to in Subsections (4)(i) and (j) are subject to the equipment
664	requirements of Title 41, Chapter 22, Off-highway Vehicles, and the rules made under that
665	chapter.
666	(6) (a) (i) Except as provided in Subsection (6)(a)(ii), a federal motor vehicle safety
667	standard supersedes any conflicting provision of this chapter.
668	(ii) Federal motor vehicle safety standards do not supersede the provisions of Section
669	41-6a-1509 governing the requirements for and use of street-legal all-terrain vehicles or
670	street-legal novel vehicles on highways.
671	(b) The department:
672	(i) shall report any conflict found under Subsection (6)(a) to the appropriate
673	committees or officials of the Legislature; and
674	(ii) may adopt a rule to replace the superseded provision.
675	(7) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
676	

677	41-6a-1629. Vehicles subject to Sections 41-6a-1629 through 41-6a-1633
678	Definitions.
679	(1) As used in Sections 41-6a-1629 through 41-6a-1633:
680	(a) "Frame" means the main longitudinal structural members of the chassis of the
681	vehicle or, for vehicles with unitized body construction, the lowest longitudinal structural
682	member of the body of the vehicle.
683	(b) "Frame height" means the vertical distance between the ground and the lowest point
684	on the frame. The distance is measured when the vehicle is unladen and on a level surface.
685	(c) "Gross vehicle weight rating (GVWR)" means the original manufacturer's gross
686	vehicle weight rating, whether or not the vehicle is modified by use of parts not originally
687	installed by the original manufacturer.
688	(d) "Manufacturer" means any person engaged in manufacturing or assembling new
689	motor vehicles utilizing new parts or components, or a person defined as a manufacturer in
690	current applicable Federal Motor Vehicle Safety Standards and Regulations.
691	(e) "Mechanical alteration" or "mechanical lift" means modification or alteration of the
692	axles, chassis, suspension, or body by any means, including tires and wheels, and excluding
693	any load, which affects the frame height of the motor vehicle.
694	(f) "O.E.M." means original equipment manufacturer.
695	(g) "Original equipment" means an item of motor vehicle equipment, including tires,
696	which were installed in or on a motor vehicle or available as an option for the particular vehicle
697	from the original manufacturer at the time of its delivery to the first purchaser.
698	(h) "Wheel track" means the shortest distance between the center of the tire treads on
699	the same axle. On vehicles having dissimilar axle widths, the axle with the widest distance is
700	used for all calculations.
701	(2) (a) Except as provided in Subsections (2)(b) and (c), the provisions of Sections
702	41-6a-1629 through 41-6a-1633 apply to all motor vehicles operated or parked on a highway.
703	(b) The provisions of Sections 41-6a-1629 through 41-6a-1633 do not apply to the
704	following vehicles:
705	(i) implements of husbandry;
706	(ii) farm tractors;
707	(iii) road machinery;

708	(iv) road rollers; and
709	(v) historical vehicles or horseless carriages that have been restored as near to original
710	condition as is reasonably possible.
711	(c) The provisions of Subsection $41-6a-1631(2)$ and Sections $41-6a-1632$ and
712	41-6a-1633 do not apply to a street-legal all-terrain vehicle or a street-legal novel vehicle
713	operated in accordance with Section 41-6a-1509.
714	Section 7. Section 41-6a-1642 is amended to read:
715	41-6a-1642. Emissions inspection County program.
716	(1) The legislative body of each county required under federal law to utilize a motor
717	vehicle emissions inspection and maintenance program or in which an emissions inspection
718	and maintenance program is necessary to attain or maintain any national ambient air quality
719	standard shall require:
720	(a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle
721	is exempt from emissions inspection and maintenance program requirements be presented:
722	(i) as a condition of registration or renewal of registration; and
723	(ii) at other times as the county legislative body may require to enforce inspection
724	requirements for individual motor vehicles, except that the county legislative body may not
725	routinely require a certificate of emissions inspection, or waiver of the certificate, more often
726	than required under Subsection (9); and
727	(b) compliance with this section for a motor vehicle registered or principally operated
728	in the county and owned by or being used by a department, division, instrumentality, agency, or
729	employee of:
730	(i) the federal government;
731	(ii) the state and any of its agencies; or
732	(iii) a political subdivision of the state, including school districts.
733	(2) (a) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle
734	emissions inspection and maintenance program certificate of emissions inspection as described
735	in Subsection (1), but the program may not deny vehicle registration based solely on the
736	presence of a defeat device covered in the Volkswagen partial consent decrees or a United
737	States Environmental Protection Agency-approved vehicle modification in the following
738	vehicles:

739	(i) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions
740	are mitigated in the state pursuant to a partial consent decree, including:
741	(A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
742	(B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
743	2014;
744	(C) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;
745	(D) Volkswagen Golf Sportwagen, model year 2015;
746	(E) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;
747	(F) Volkswagen Beetle, model years 2013, 2014, and 2015;
748	(G) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and
749	(H) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and
750	(ii) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide
751	emissions are mitigated in the state to a settlement, including:
752	(A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
753	2016;
754	(B) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;
755	(C) Audi A6 Quattro, model years 2014, 2015, and 2016;
756	(D) Audi A7 Quattro, model years 2014, 2015, and 2016;
757	(E) Audi A8, model years 2014, 2015, and 2016;
758	(F) Audi A8L, model years 2014, 2015, and 2016;
759	(G) Audi Q5, model years 2014, 2015, and 2016; and
760	(H) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.
761	(b) (i) An owner of a restored-modified vehicle subject to Subsection (1) shall obtain a
762	motor vehicle emissions inspection and maintenance program certificate of emissions
763	inspection as described in Subsection (1).
764	(ii) A county emissions program may not refuse to perform an emissions inspection or
765	indicate a failed emissions test of the vehicle based solely on a modification to the engine or
766	component of the motor vehicle if:
767	(A) the modification is not likely to result in the motor vehicle having increased
768	emissions relative to the emissions of the motor vehicle before the modification; and
769	(B) the motor vehicle modification is a change to an engine that is newer than the

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

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

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

863 inspection accepted by the county legislative body if the motor vehicle is parked on the college 864 or university campus or property. 865 (b) College or university parking areas that are metered or for which payment is 866 required per use are not subject to the requirements of this Subsection (8). 867 (c) The legislative body of a county shall make the reasons for implementing the 868 provisions of this Subsection (8) part of the record at the time that the county legislative body 869 takes its official action to implement the provisions of this Subsection (8). 870 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection 871 for each motor vehicle that meets the inspection and maintenance program requirements 872 established in regulations or ordinances made under Subsection (3). 873 (b) The frequency of the emissions inspection shall be determined based on the age of 874 the vehicle as determined by model year and shall be required annually subject to the 875 provisions of Subsection (9)(c). 876 (c) (i) To the extent allowed under the current federally approved state implementation 877 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative 878 body of a county identified in Subsection (1) shall only require the emissions inspection every 879 two years for each vehicle. 880 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six 881 years old on January 1. (iii) For a county required to implement a new vehicle emissions inspection and 882 883 maintenance program on or after December 1, 2012, under Subsection (1), but for which no 884 current federally approved state implementation plan exists, a vehicle shall be tested at a 885 frequency determined by the county legislative body, in consultation with the Air Quality 886 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or 887 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.

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(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

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894 inspection and maintenance program under this section; 895 (B) include a copy of the ordinance establishing or changing the frequency; and 896 (C) if the county establishes or changes the frequency under this section, state how 897 frequently the emissions testing will be required. 898 (d) If an emissions inspection is only required every two years for a vehicle under 899 Subsection (9)(c), the inspection shall be required for the vehicle in: 900 (i) odd-numbered years for vehicles with odd-numbered model years; or 901 (ii) in even-numbered years for vehicles with even-numbered model years. 902 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection 903 required under this section may be made no more than two months before the renewal of 904 registration. 905 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an 906 emissions inspection certificate issued for the motor vehicle during the previous 11 months to 907 satisfy the requirement under this section. 908 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may 909 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded 910 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under 911 this section. 912 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the 913 lessee may use an emissions inspection certificate issued during the previous 11 months to 914 satisfy the requirement under this section. 915 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not 916 use an emissions inspection made more than 11 months before the renewal of registration to 917 satisfy the requirement under this section. 918 (e) If the application for renewal of registration is for a six-month registration period 919 under Section 41-1a-215.5, the owner may use an emissions inspection certificate issued during 920 the previous eight months to satisfy the requirement under this section. 921 (11) (a) A county identified in Subsection (1) shall collect information about and 922 monitor the program. 923 (b) A county identified in Subsection (1) shall supply this information to an appropriate 924 legislative committee, as designated by the Legislative Management Committee, at times

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925 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.
- 949 (15) A county legislative body described in Subsection (1) may exempt a motor vehicle950 from an emissions inspection if:
- 951

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

- (b) the county determines that the motor vehicle was driven less than 1,500 milesduring the preceding 12-month period; and
- 954 (c) the owner provides to the county legislative body a statement signed by the owner955 that states the motor vehicle:

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956	(i) is primarily a collector's item used for:
957	(A) participation in club activities;
958	(B) exhibitions;
959	(C) tours; or
960	(D) parades; or
961	(ii) is only used for occasional transportation.
962	Section 8. Section 41-22-10.3 is amended to read:
963	41-22-10.3. Operation of vehicles on highways Limits.
964	A person may not operate an off-highway vehicle upon any street or highway, not
965	designated as open to off-highway vehicle use, except:
966	(1) when crossing a street or highway and the operator comes to a complete stop before
967	crossing, proceeds only after yielding the right of way to oncoming traffic, and crosses at a
968	right angle;
969	(2) when loading or unloading an off-highway vehicle from a vehicle or trailer, which
970	shall be done with due regard for safety, and at the nearest practical point of operation;
971	(3) when an emergency exists, during any period of time and at those locations when
972	the operation of conventional motor vehicles is impractical or when the operation is directed by
973	a peace officer or other public authority; or
974	(4) when operating a street-legal all-terrain vehicle or a street-legal novel vehicle on a
975	highway in accordance with Section 41-6a-1509.
976	(5) A violation of this section is an infraction.
977	Section 9. Section 41-27-101 is enacted to read:
978	CHAPTER 27. NOVEL VEHICLE REGISTRATION
979	Part 1. General Provisions
980	<u>41-27-101.</u> Definitions.
981	As used in this chapter:
982	(1) "Commission" means the State Tax Commission.
983	(2) "Division" means the Motor Vehicle Division.
984	(3) "Novel vehicle" means a vehicle:
985	(a) that is not expressly exempt from registration; and
986	(b) (i) that does not fit within a vehicle category;

987	(ii) with unique characteristics that make it unclear whether the vehicle fits within a
988	vehicle category; or
989	(iii) that a reasonable person would not consider the vehicle to be clearly included in an
990	existing vehicle category.
991	(4) "Vehicle" means a motor vehicle, combination of vehicles, trailer, semitrailer,
992	vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model
993	recreational vehicle.
994	(5) (a) "Vehicle category" means a vehicle type:
995	(i) that is defined in this title or Title 73, Chapter 18, State Boating Act; and
996	(ii) for which registration is required under:
997	(A) this chapter;
998	(B) Chapter 1a, Motor Vehicle Act;
999	(C) Chapter 22, Off-highway Vehicles; or
1000	(D) Title 73, Chapter 18, State Boating Act.
1001	(b) "Vehicle category" does not include a novel vehicle.
1002	(6) "VIN" means a vehicle identification number or a hull identification number.
1003	Section 10. Section 41-27-201 is enacted to read:
1004	Part 2. Registration Process
1005	<u>41-27-201.</u> Novel vehicle registration.
1006	(1) An owner registering a vehicle shall provide the VIN, if applicable.
1007	(2) The division shall identify a vehicle category based on the VIN.
1008	(3) If the vehicle does not have a VIN, or if the division is unable to determine the
1009	vehicle category based on the VIN:
1010	(a) the owner shall provide the division with a description of the vehicle, including the
1011	vehicle's purpose; and
1012	(b) if the description of the vehicle fits with an existing category of vehicle, the vehicle
1013	shall be registered in accordance with that vehicle category.
1014	(4) The vehicle shall be registered as a novel vehicle if:
1015	(a) the vehicle is not expressly exempt from registration; and
1016	(b) (i) the vehicle does not fit within a vehicle category;
1017	(ii) the unique characteristics of the vehicle make it unclear whether the vehicle fits

1018	within a vehicle category; or
1019	(iii) a reasonable person would not consider the vehicle to be clearly included in an
1020	existing vehicle category.
1021	(5) A person registering a novel vehicle shall pay:
1022	(a) in accordance with Section 59-2-405, an annual \$1 fee in lieu of property tax; and
1023	(b) an annual \$1 registration fee, to be deposited into the Transportation Fund.
1024	(6) The division shall issue a registration sticker or license plate for a vehicle that is
1025	registered as a novel vehicle, as appropriate.
1026	(7) A vehicle registered as a street-legal novel vehicle is subject to the requirements
1027	described in Section 41-6a-1509.
1028	(8) The division may provide title to a novel vehicle.
1029	(9) Except as expressly provided in this chapter:
1030	(a) a novel vehicle that is not a watercraft is subject to the provisions applicable to an
1031	off-highway vehicle under Chapter 22, Off-Highway Vehicles; and
1032	(b) a novel vehicle that is a watercraft is subject to the provisions applicable to a
1033	motorboat under Title 73, Chapter 18, State Boating Act.
1034	Section 11. Section 41-27-202 is enacted to read:
1035	<u>41-27-202.</u> Appeal to commission.
1036	(1) If an owner disagrees with the division's decision, the owner may, within 14 days
1037	after the day on which the division makes the decision, appeal the decision to the commission
1038	by:
1039	(a) filing a notice of appeal with the commission; and
1040	(b) including any additional information regarding the vehicle.
1041	(2) (a) In reviewing a decision described in Subsection (1), the commission may:
1042	(i) admit additional evidence; and
1043	(ii) make a correction or change in the vehicle category determination made by the
1044	division.
1045	(b) The owner shall register the vehicle in accordance with the commission's
1046	determination.
1047	(c) The division shall reduce the fee required to register a vehicle under Subsection
1048	(2)(b) by the amount paid by the owner of the vehicle under Subsection $41-27-201(4)$.

1049	(3) The commission shall decide an appeal filed under Subsection (1) as soon as
1050	practicable and promptly notify:
1051	(a) the owner; and
1052	(b) the division.
1053	Section 12. Section 41-27-301 is enacted to read:
1054	Part 3. Commission Reporting
1055	<u>41-27-301.</u> Novel vehicle report to Transportation Interim Committee.
1056	(1) The commission shall, at or before the October interim meeting of the
1057	Transportation Interim Committee, present a report on novel vehicle registrations that includes:
1058	(a) the number of vehicles registered as novel vehicles; and
1059	(b) a description of the vehicles registered as novel vehicles.
1060	(2) The Transportation Interim Committee shall review the report described in
1061	Subsection (1) and determine whether to propose legislation relating to registration of a
1062	particular type of novel vehicle.
1063	(3) A vehicle previously registered as a novel vehicle shall continue to be registered as
1064	a novel vehicle, unless the Legislature amends the Utah Code to:
1065	(a) require the vehicle to be registered otherwise; or
1066	(b) exempt the vehicle from registration.
1067	Section 13. Section 53-8-205 is amended to read:
1068	53-8-205. Safety inspection required for certain vehicles Out-of-state permits.
1069	(1) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety
1070	inspection when an application is made for initial registration as a salvage vehicle.
1071	(b) An off-highway vehicle being registered for the first time as a street-legal all-terrain
1072	vehicle as described in Section 41-6a-1509 is required to pass a safety inspection when the
1073	owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.
1074	(c) A novel vehicle being registered for the first time as a street-legal novel vehicle as
1075	described in Section 41-27-201 is required to pass a safety inspection when the owner makes
1076	the initial application to register the vehicle as a street-legal novel vehicle.
1077	[(c)] (d) The owner of a commercial vehicle, as defined in Section 72-9-102, shall:
1078	(i) ensure that the commercial vehicle passes a safety inspection annually; or
1079	(ii) provide evidence of a valid annual federal inspection that complies with the

1080	requirements of 49 C.F.R. Sec. 396.17.
1081	[(d)] (e) The owner of a vehicle operated by a ground transportation service provider as
1082	defined in Section 72-10-601 shall ensure that the vehicle passes a safety inspection annually.
1083	[(e)] (f) An owner of one or more of the following types of vehicles shall ensure that
1084	the vehicle passes a safety inspection annually:
1085	(i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
1086	multiple axles;
1087	(ii) a combination unit;
1088	(iii) a bus or van for hire; or
1089	(iv) a taxicab.
1090	(2) A safety inspection station shall issue two safety inspection certificates to the owner
1091	of:
1092	(a) each motor vehicle that passes a safety inspection under this section; and
1093	(b) a street-legal all-terrain vehicle that meets all the equipment requirements in
1094	Section 41-6a-1509.
1095	(3) A person operating a motor vehicle required to have an annual safety inspection
1096	shall have in the person's immediate possession a safety inspection certificate or other evidence
1097	of compliance.
1098	(4) The division may authorize the acceptance of a safety inspection certificate issued
1099	in another state having a safety inspection law similar to Utah's law.
1100	(5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.
1101	Section 14. Effective date.
1102	This bill takes effect on January 1, 2025.