

Senator Wayne A. Harper proposes the following substitute bill:

ADVANCED AIR MOBILITY AND AERONAUTICS

AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Kay J. Christofferson

LONG TITLE

General Description:

This bill amends provision related to aeronautics and advanced air mobility systems.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires roadable aircraft to be registered as both a motor vehicle and as an aircraft;
- ▶ provides for the distribution of registration fees for roadable aircraft and advanced air mobility systems;
- ▶ amends definitions related to airports of regional significance;
- ▶ provides for the leasing of navigable airspace above highway rights-of-way in certain circumstances;
- ▶ extends certain land use protections to public use vertiports;
- ▶ clarifies that flight is generally permitted in airspace over state lands and waters;
- ▶ prohibits government entities from purchasing or operating an unmanned aircraft system manufactured or assembled in certain foreign countries for inspection of certain critical infrastructure; and
- ▶ makes technical changes.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **41-1a-102**, as last amended by Laws of Utah 2023, Chapters 33, 532

33 **41-1a-203**, as last amended by Laws of Utah 2021, Chapter 59

34 **41-1a-205**, as last amended by Laws of Utah 2017, Chapters 149, 406

35 **41-1a-501**, as last amended by Laws of Utah 1992, Chapter 218 and renumbered and
36 amended by Laws of Utah 1992, Chapter 1

37 **41-1a-1201**, as last amended by Laws of Utah 2023, Chapters 33, 212, 219, 335, and
38 372

39 **41-1a-1206**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 464

40 **41-6a-1642**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 532

41 **59-12-602**, as last amended by Laws of Utah 2023, Chapter 361

42 **72-2-126**, as last amended by Laws of Utah 2022, Chapter 99

43 **72-10-102**, as last amended by Laws of Utah 2023, Chapter 216

44 **72-10-109**, as last amended by Laws of Utah 2023, Chapter 216

45 **72-10-110**, as last amended by Laws of Utah 2023, Chapter 216

46 **72-10-401**, as last amended by Laws of Utah 2023, Chapter 65

47 **72-10-403**, as last amended by Laws of Utah 2023, Chapter 65

48 ENACTS:

49 **72-10-1101**, Utah Code Annotated 1953

50 **72-10-1201**, Utah Code Annotated 1953

51 **72-10-1202**, Utah Code Annotated 1953



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

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

55 **41-1a-102. Definitions.**

56 As used in this chapter:

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

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

60 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
61 [41-22-2](#).

62 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
63 [41-22-2](#).

64 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
65 [41-22-2](#).

66 (6) "Alternative fuel vehicle" means:

67 (a) an electric motor vehicle;

68 (b) a hybrid electric motor vehicle;

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

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

71 (i) motor fuel;

72 (ii) diesel fuel;

73 (iii) natural gas; or

74 (iv) propane.

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

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

79 (9) "Automated driving system" means the same as that term is defined in Section
80 [41-26-102.1](#).

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

82 (a) rebuilt and restored to operation;

83 (b) flooded and restored to operation; or

84 (c) not restored to operation.

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

88 camping.

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

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

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

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

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

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

100 (16) "Consumer price index" means the same as that term is defined in Section
101 [59-13-102](#).

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

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

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

109 (20) "Dynamic driving task" means the same as that term is defined in Section
110 [41-26-102.1](#).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

150 highways.

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

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

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

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

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

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

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

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

174 (39) "Mobile home" means a transportable factory built housing unit built prior to June
175 15, 1976, in accordance with a state mobile home code which existed prior to the Federal
176 Manufactured Housing and Safety Standards Act (HUD Code).

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

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

180 (b) "Motor vehicle" includes a roadable aircraft.

- 181 ~~[(b)]~~ (c) "Motor vehicle" does not include:
- 182 (i) an off-highway vehicle; or
- 183 (ii) a motor assisted scooter as defined in Section 41-6a-102.
- 184 (42) "Motorboat" means the same as that term is defined in Section 73-18-2.
- 185 (43) "Motorcycle" means:
- 186 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
- 187 more than three wheels in contact with the ground; or
- 188 (b) an autocyce.
- 189 (44) "Natural gas" means a fuel of which the primary constituent is methane.
- 190 (45) (a) "Nonresident" means a person who is not a resident of this state as defined by
- 191 Section 41-1a-202, and who does not engage in intrastate business within this state and does
- 192 not operate in that business any motor vehicle, trailer, or semitrailer within this state.
- 193 (b) A person who engages in intrastate business within this state and operates in that
- 194 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
- 195 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
- 196 considered a resident of this state, insofar as that vehicle is concerned in administering this
- 197 chapter.
- 198 (46) "Odometer" means a device for measuring and recording the actual distance a
- 199 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
- 200 periodically reset.
- 201 (47) "Off-highway implement of husbandry" means the same as that term is defined in
- 202 Section 41-22-2.
- 203 (48) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.
- 204 (49) (a) "Operate" means:
- 205 (i) to navigate a vessel; or
- 206 (ii) collectively, the activities performed in order to perform the entire dynamic driving
- 207 task for a given motor vehicle by:
- 208 (A) a human driver as defined in Section 41-26-102.1; or
- 209 (B) an engaged automated driving system.
- 210 (b) "Operate" includes testing of an automated driving system.
- 211 (50) "Original issue license plate" means a license plate that is of a format and type

212 issued by the state in the same year as the model year of a vehicle that is a model year 1973 or
213 older.

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

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

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

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

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

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

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

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

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

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

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

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

241 (56) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that
242 has the capability to charge the battery or batteries used for vehicle propulsion from an

243 off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle
244 while the vehicle is in motion.

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

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

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

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

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

259 (62) "Recreational vehicle" means the same as that term is defined in Section
260 [13-14-102](#).

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

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

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

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

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

274 (67) "Replica vehicle" means:

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

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

277 [41-6a-1507\(1\)\(a\)\(i\)\(B\)](#).

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

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

284 (70) "Roadable aircraft" means the same as that term is defined in Section [72-10-102](#).

285 [~~(70)~~] (71) "Sailboat" means the same as that term is defined in Section [73-18-2](#).

286 [~~(71)~~] (72) "Security interest" means an interest that is reserved or created by a security
287 agreement to secure the payment or performance of an obligation and that is valid against third
288 parties.

289 [~~(72)~~] (73) "Semitrailer" means a vehicle without motive power designed for carrying
290 persons or property and for being drawn by a motor vehicle and constructed so that some part
291 of its weight and its load rests or is carried by another vehicle.

292 [~~(73)~~] (74) "Special group license plate" means a type of license plate designed for a
293 particular group of people or a license plate authorized and issued by the division in accordance
294 with Section [41-1a-418](#) or Part 16, Sponsored Special Group License Plates.

295 [~~(74)~~] (75) (a) "Special interest vehicle" means a vehicle used for general
296 transportation purposes and that is:

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

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

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

302 (i) a make of motor vehicle that is no longer manufactured;

303 (ii) a make or model of motor vehicle produced in limited or token quantities;

304 (iii) a make or model of motor vehicle produced as an experimental vehicle or one

305 designed exclusively for educational purposes or museum display; or

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

310 [~~75~~] (76) (a) "Special mobile equipment" means a vehicle:

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

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

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

314 (b) "Special mobile equipment" includes:

315 (i) farm tractors;

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

318 (iii) ditch-digging apparatus.

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

321 [~~76~~] (77) "Specially constructed vehicle" means a vehicle of a type required to be
322 registered in this state, not originally constructed under a distinctive name, make, model, or
323 type by a generally recognized manufacturer of vehicles, and not materially altered from its
324 original construction.

325 [~~77~~] (78) (a) "Standard license plate" means a license plate for general issue
326 described in Subsection 41-1a-402(1).

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

329 [~~78~~] (79) "State impound yard" means a yard for the storage of a vehicle, vessel, or
330 outboard motor that meets the requirements of rules made by the commission pursuant to
331 Subsection 41-1a-1101(5).

332 [~~79~~] (80) "Symbol decal" means the decal that is designed to represent a special
333 group and displayed on a special group license plate.

334 [~~80~~] (81) "Title" means the right to or ownership of a vehicle, vessel, or outboard
335 motor.

336 ~~[(81)]~~ (82) (a) "Total fleet miles" means the total number of miles operated in all
337 jurisdictions during the preceding year by power units.

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

341 ~~[(82)]~~ (83) "Tow truck motor carrier" means the same as that term is defined in Section
342 [72-9-102](#).

343 ~~[(83)]~~ (84) "Tow truck operator" means the same as that term is defined in Section
344 [72-9-102](#).

345 ~~[(84)]~~ (85) "Trailer" means a vehicle without motive power designed for carrying
346 persons or property and for being drawn by a motor vehicle and constructed so that no part of
347 its weight rests upon the towing vehicle.

348 ~~[(85)]~~ (86) "Transferee" means a person to whom the ownership of property is
349 conveyed by sale, gift, or any other means except by the creation of a security interest.

350 ~~[(86)]~~ (87) "Transferor" means a person who transfers the person's ownership in
351 property by sale, gift, or any other means except by creation of a security interest.

352 ~~[(87)]~~ (88) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
353 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
354 vacation use that does not require a special highway movement permit when drawn by a
355 self-propelled motor vehicle.

356 ~~[(88)]~~ (89) "Truck tractor" means a motor vehicle designed and used primarily for
357 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
358 vehicle and load that is drawn.

359 ~~[(89)]~~ (90) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
360 camper, park model recreational vehicle, manufactured home, and mobile home.

361 ~~[(90)]~~ (91) "Vessel" means the same as that term is defined in Section [73-18-2](#).

362 ~~[(91)]~~ (92) "Vintage vehicle" means the same as that term is defined in Section
363 [41-21-1](#).

364 ~~[(92)]~~ (93) "Waters of this state" means the same as that term is defined in Section
365 [73-18-2](#).

366 ~~[(93)]~~ (94) "Weighmaster" means a person, association of persons, or corporation

367 permitted to weigh vehicles under this chapter.

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

369 **41-1a-203. Prerequisites for registration, transfer of ownership, or registration**
370 **renewal.**

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

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

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

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

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

381 (a) obtain an identification number inspection under Section [41-1a-204](#);

382 (b) obtain a certificate of emissions inspection, if required in the current year, as
383 provided under Section [41-6a-1642](#);

384 (c) pay property taxes, the in lieu fee, or receive a property tax clearance under Section
385 [41-1a-206](#) or [41-1a-207](#);

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

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

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

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

391 (h) pay any applicable local emissions compliance fee under Section [41-1a-1223](#); [~~and~~]

392 (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act[-]; and

393 (j) for a roadable aircraft, provide proof of registration of the roadable aircraft as an
394 aircraft under Section [72-10-109](#).

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

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

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

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

- 408 (a) Section 72-1-213.1; or
- 409 (b) Section 72-6-118.

410 Section 3. Section 41-1a-205 is amended to read:

411 **41-1a-205. Safety inspection certificate required for commercial motor vehicles**
412 **and initial registration of street-legal ATVs and salvage vehicles.**

413 (1) A street-legal all-terrain vehicle registered in accordance with Section 41-6a-1509
414 is subject to a safety inspection the first time that a person registers an off-highway vehicle as a
415 street-legal all-terrain vehicle.

416 (2) A salvage vehicle as defined in Section 41-1a-1001 is subject to a safety inspection
417 when the owner makes the initial application to register the vehicle as a salvage vehicle.

418 (3) A roadable aircraft is subject to a safety inspection when the owner makes the
419 initial application to register the roadable aircraft.

420 [~~3~~] (4) A safety inspection certificate shall be displayed on:

- 421 (a) all registered commercial vehicles as defined in Section 72-9-102;
- 422 (b) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
423 multiple axles;
- 424 (c) a combination unit;
- 425 (d) a bus or van for hire;
- 426 (e) a taxicab; and
- 427 (f) a motor vehicle operated by a ground transportation service provider as defined in
428 Section 72-10-601.

429 [~~(4)~~] (5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.

430 Section 4. Section 41-1a-501 is amended to read:

431 **41-1a-501. Certificate of title required.**

432 Unless exempted, each owner of a motor vehicle, vessel, outboard motor, trailer,
433 semitrailer, manufactured home, mobile home, [or] off-highway vehicle, or roadable aircraft
434 shall apply to the division for a certificate of title on forms furnished by the division as
435 evidence of ownership.

436 Section 5. Section 41-1a-1201 is amended to read:

437 **41-1a-1201. Disposition of fees.**

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

440 (2) Except as provided in Subsections (3), (5), (6), (7), (8), and (9) and Sections
441 41-1a-1205, 41-1a-1220, 41-1a-1221, 41-1a-1222, 41-1a-1223, and 41-1a-1603, all fees
442 collected under this part shall be deposited into the Transportation Fund.

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

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

449 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)
450 and (b) for each vehicle registered for a six-month registration period under Section
451 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and
452 administering this part.

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

456 (5) (a) The following portions of the registration fees imposed under Section
457 41-1a-1206 for each vehicle shall be deposited into the Transportation Investment Fund of
458 2005 created in Section 72-2-124:

459 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),

460 (1)(f), (4), and (7);

461 (ii) \$21 of the registration fees imposed under Subsections [41-1a-1206\(1\)\(c\)\(i\)](#) and
462 (1)(c)(ii);

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

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

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

466 (vi) \$1 of the registration fee imposed under Subsection [41-1a-1206\(1\)\(d\)\(ii\)](#)[-]; and

467 (vii) \$17 of the registration fee imposed under Subsection [41-1a-1206\(1\)\(j\)](#).

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

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

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

473 (6) (a) Ninety-four cents of each registration fee imposed under Subsections
474 [41-1a-1206\(1\)\(a\)](#) and (b) for each vehicle shall be deposited into the Public Safety Restricted
475 Account created in Section [53-3-106](#).

476 (b) Seventy-one cents of each registration fee imposed under Subsections
477 [41-1a-1206\(2\)\(a\)](#) and (b) for each vehicle registered for a six-month registration period under
478 Section [41-1a-215.5](#) shall be deposited into the Public Safety Restricted Account created in
479 Section [53-3-106](#).

480 (7) (a) One dollar of each registration fee imposed under Subsections [41-1a-1206\(1\)\(a\)](#)
481 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted
482 Account created in Section [53-8-214](#).

483 (b) One dollar of each registration fee imposed under Subsections [41-1a-1206\(2\)\(a\)](#)
484 and (b) for each vehicle registered for a six-month registration period under Section
485 [41-1a-215.5](#) shall be deposited into the Motor Vehicle Safety Impact Restricted Account
486 created in Section [53-8-214](#).

487 (8) Fifty cents of each registration fee imposed under Subsection [41-1a-1206\(1\)\(a\)](#) for
488 each motorcycle shall be deposited into the Neuro-Rehabilitation Fund created in Section
489 [26B-1-319](#).

490 (9) (a) Beginning on January 1, 2024, subject to Subsection (9)(b), \$2 of each

491 registration fee imposed under Section 41-1a-1206 shall be deposited into the Rural
492 Transportation Infrastructure Fund created in Section 72-2-133.

493 (b) Beginning on January 1, 2025, and each January 1 thereafter, the amount described
494 in Subsection (9)(a) shall be annually adjusted by taking the amount deposited the previous
495 year and adding an amount equal to the greater of:

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

498 (ii) 0.

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

501 Section 6. Section 41-1a-1206 is amended to read:

502 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

503 (1) Except as provided in Subsections (2) and (3), at the time application is made for
504 registration or renewal of registration of a vehicle or combination of vehicles under this
505 chapter, a registration fee shall be paid to the division as follows:

506 (a) \$46.00 for each motorcycle;

507 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding
508 motorcycles;

509 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202
510 or is registered under Section 41-1a-301:

511 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

512 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less
513 gross unladen weight;

514 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds
515 gross laden weight; plus

516 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

517 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm
518 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus

519 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

520 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not
521 exceeding 14,000 pounds gross laden weight; plus

- 522 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 523 (g) \$45 for each vintage vehicle that has a model year of 1983 or newer;
- 524 (h) in addition to the fee described in Subsection (1)(b):
- 525 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:
- 526 (A) each electric motor vehicle; and
- 527 (B) Each motor vehicle not described in this Subsection (1)(h) that is fueled
- 528 exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane;
- 529 (ii) \$21.75 for each hybrid electric motor vehicle; and
- 530 (iii) \$56.50 for each plug-in hybrid electric motor vehicle; [~~and~~]
- 531 (i) in addition to the fee described in Subsection (1)(g), for a vintage vehicle that has a
- 532 model year of 1983 or newer, 50 cents[-]; and
- 533 (j) \$28.50 for each roadable aircraft.
- 534 (2) (a) At the time application is made for registration or renewal of registration of a
- 535 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a
- 536 registration fee shall be paid to the division as follows:
- 537 (i) \$34.50 for each motorcycle; and
- 538 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
- 539 excluding motorcycles.
- 540 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
- 541 of registration of a vehicle under this chapter for a six-month registration period under Section
- 542 41-1a-215.5 a registration fee shall be paid to the division as follows:
- 543 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:
- 544 (A) each electric motor vehicle; and
- 545 (B) each motor vehicle not described in this Subsection (2)(b) that is fueled exclusively
- 546 by a source other than motor fuel, diesel fuel, natural gas, or propane;
- 547 (ii) \$16.50 for each hybrid electric motor vehicle; and
- 548 (iii) \$43.50 for each plug-in hybrid electric motor vehicle.
- 549 (3) (a) Beginning on January 1, 2024, at the time of registration:
- 550 (i) in addition to the amounts described in Subsections (1)(a), (1)(b), (1)(c)(i),
- 551 (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), (1)(h), (4)(a), and (7), the individual shall also pay
- 552 an additional \$7 as part of the registration fee; and

553 (ii) in addition to the amounts described in Subsection (2)(a), the individual shall also
554 pay an additional \$5 as part of the registration fee.

555 (b) (i) Beginning on January 1, 2019, the commission shall, on January 1, annually
556 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),
557 (1)(e)(i), (1)(f)(i), (1)(g), (1)(j), (2)(a), (3)(a), (4)(a), and (7), by taking the registration fee rate
558 for the previous year and adding an amount equal to the greater of:

559 (A) an amount calculated by multiplying the registration fee of the previous year by the
560 actual percentage change during the previous fiscal year in the Consumer Price Index; and

561 (B) 0.

562 (ii) Beginning on January 1, 2024, the commission shall, on January 1, annually adjust
563 the registration fees described in Subsections (1)(h)(ii) and (iii) and (2)(b)(ii) and (iii) by taking
564 the registration fee rate for the previous year and adding an amount equal to the greater of:

565 (A) an amount calculated by multiplying the registration fee of the previous year by the
566 actual percentage change during the previous fiscal year in the Consumer Price Index; and

567 (B) 0.

568 (c) The amounts calculated as described in Subsection (3)(b) shall be rounded up to the
569 nearest 25 cents.

570 (4) (a) The initial registration fee for a vintage vehicle that has a model year of 1982 or
571 older is \$40.

572 (b) A vintage vehicle that has a model year of 1982 or older is exempt from the
573 renewal of registration fees under Subsection (1).

574 (c) A vehicle with a Purple Heart special group license plate issued on or before
575 December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group License
576 Plates, is exempt from the registration fees under Subsection (1).

577 (d) A camper is exempt from the registration fees under Subsection (1).

578 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, each
579 motor vehicle shall register for the total gross laden weight of all units of the combination if the
580 total gross laden weight of the combination exceeds 12,000 pounds.

581 (6) (a) Registration fee categories under this section are based on the gross laden
582 weight declared in the licensee's application for registration.

583 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part

584 of 2,000 pounds is a full unit.

585 (7) The owner of a commercial trailer or commercial semitrailer may, as an alternative
586 to registering under Subsection (1)(c), apply for and obtain a special registration and license
587 plate for a fee of \$130.

588 (8) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
589 truck unless:

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

591 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or

592 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
593 submits to the division a certificate of emissions inspection or a waiver in compliance with
594 Section 41-6a-1642.

595 (9) A violation of Subsection (8) is an infraction that shall be punished by a fine of not
596 less than \$200.

597 (10) Trucks used exclusively to pump cement, bore wells, or perform crane services
598 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees
599 required for those vehicles under this section.

600 Section 7. Section 41-6a-1642 is amended to read:

601 **41-6a-1642. Emissions inspection -- County program.**

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

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

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

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

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

615 employee of:

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

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

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

- 627 (A) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
- 628 (B) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and
629 2014;

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

631 (D) Volkswagen Golf Sportwagen, model year 2015;

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

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

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

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

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

638 (A) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and
639 2016;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

671 (i) emissions standards;

672 (ii) test procedures;

673 (iii) inspections stations;

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

675 (v) certificates of emissions inspections.

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

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

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

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

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

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

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

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

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

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

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

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

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

699 (b) a motor vehicle that:

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

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

702 (c) a vintage vehicle as defined in Section [41-21-1](#):

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

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

706 (d) a custom vehicle as defined in Section [41-6a-1507](#);

707 (e) to the extent allowed under the current federally approved state implementation

708 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor
709 vehicle that is less than two years old on January 1 based on the age of the vehicle as
710 determined by the model year identified by the manufacturer;

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

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

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

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

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

722 (g) a motorcycle as defined in Section [41-1a-102](#);

723 (h) an electric motor vehicle as defined in Section [41-1a-102](#); [~~and~~]

724 (i) a motor vehicle with a model year of 1967 or older[~~]; and~~

725 (j) a roadable aircraft as defined in Section [72-10-102](#).

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

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

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

732 (b) model year of 1997 or older.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

768 (iii) For a county required to implement a new vehicle emissions inspection and
769 maintenance program on or after December 1, 2012, under Subsection (1), but for which no

770 current federally approved state implementation plan exists, a vehicle shall be tested at a
771 frequency determined by the county legislative body, in consultation with the Air Quality
772 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or
773 maintain any national ambient air quality standard.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

831 (b) If a county conducts an investigation as described in Subsection (14)(a) and

832 determines that the vehicle owner has used a false or improper address in an effort to avoid an
833 emissions inspection as required in this section, the county may impose a civil penalty of
834 \$1,000.

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

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

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

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

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

843 (A) participation in club activities;

844 (B) exhibitions;

845 (C) tours; or

846 (D) parades; or

847 (ii) is only used for occasional transportation.

848 Section 8. Section 59-12-602 is amended to read:

849 **59-12-602. Definitions.**

850 As used in this part:

851 (1) [~~(a) Subject to Subsection (1)(b), "airport facility" means an airport of regional~~
852 ~~significance, as defined by the Transportation Commission by rule made in accordance with~~
853 ~~Title 63G, Chapter 3, Utah Administrative Rulemaking Act.]~~

854 [(b)] "Airport facility" [~~includes~~] means an airport of regional significance, and
855 includes:

856 [(i)] (a) an appurtenance to an airport, including a fixed guideway that provides
857 transportation service to or from the airport;

858 [(ii)] (b) a control tower, including a radar system;

859 [(iii)] (c) a public area of an airport; or

860 [(iv)] (d) a terminal facility.

861 (2) "Airport of regional significance" means the same as that term is defined in Section
862 59-12-2202.

863 ~~[(2)]~~ (3) "All-terrain type I vehicle" means the same as that term is defined in Section
864 41-22-2.

865 ~~[(3)]~~ (4) "All-terrain type II vehicle" means the same as that term is defined in Section
866 41-22-2.

867 ~~[(4)]~~ (5) "All-terrain type III vehicle" means the same as that term is defined in Section
868 41-22-2.

869 ~~[(5)]~~ (6) "Convention facility" means any publicly owned or operated convention
870 center, sports arena, or other facility at which conventions, conferences, and other gatherings
871 are held and whose primary business or function is to host such conventions, conferences, and
872 other gatherings.

873 ~~[(6)]~~ (7) "Cultural facility" means any publicly owned or operated museum, theater, art
874 center, music hall, or other cultural or arts facility.

875 ~~[(7)]~~ (8) (a) Except as provided in Subsection ~~[(7)(b)]~~ (8)(b), "off-highway vehicle"
876 means any snowmobile, all-terrain type I vehicle, all-terrain type II vehicle, all-terrain type III
877 vehicle, or motorcycle.

878 (b) "Off-highway vehicle" does not include a vehicle that is a motor vehicle under
879 Section 41-1a-102.

880 ~~[(8)]~~ (9) "Motorcycle" means the same as that term is defined in Section 41-22-2.

881 ~~[(9)]~~ (10) "Recreation facility" or "tourist facility" means any publicly owned or
882 operated park, campground, marina, dock, golf course, water park, historic park, monument,
883 planetarium, zoo, bicycle trails, and other recreation or tourism-related facility.

884 ~~[(10)]~~ (11) (a) Except as provided in Subsection ~~[(10)(c)]~~ (11)(c), "recreational
885 vehicle" means a vehicular unit other than a mobile home, primarily designed as a temporary
886 dwelling for travel, recreational, or vacation use, that is pulled by another vehicle.

887 (b) "Recreational vehicle" includes:

888 (i) a travel trailer;

889 (ii) a camping trailer; and

890 (iii) a fifth wheel trailer.

891 (c) "Recreational vehicle" does not include a vehicle that is a motor vehicle under
892 Section 41-1a-102.

893 ~~[(11)]~~ (12) (a) "Restaurant" includes any coffee shop, cafeteria, luncheonette, soda

894 fountain, or fast-food service where food is prepared for immediate consumption.

895 (b) "Restaurant" does not include:

896 (i) any retail establishment whose primary business or function is the sale of fuel or
897 food items for off-premise, but not immediate, consumption; and

898 (ii) a theater that sells food items, but not a dinner theater.

899 ~~[(12)]~~ (13) (a) "Short-term rental" means a lease or rental that is 30 days or less.

900 (b) "Short-term rental" does not include car sharing as that term is defined in Section
901 13-48a-101.

902 ~~[(13)]~~ (14) "Snowmobile" means the same as that term is defined in Section 41-22-2.

903 ~~[(14)]~~ (15) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
904 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
905 vacation use that does not require a special highway movement permit when drawn by a
906 self-propelled motor vehicle.

907 Section 9. Section 72-2-126 is amended to read:

908 **72-2-126. Aeronautics Restricted Account.**

909 (1) There is created a restricted account entitled the Aeronautics Restricted Account
910 within the Transportation Fund.

911 (2) The account consists of money generated from the following revenue sources:

912 (a) aviation fuel tax allocated for aeronautical operations deposited into the account in
913 accordance with Section 59-13-402;

914 (b) aircraft registration fees deposited into the account in accordance with Section
915 72-10-110;

916 (c) appropriations made to the account by the Legislature;

917 (d) contributions from other public and private sources for deposit into the account;

918 and

919 (e) interest earned on account money.

920 (3) The department shall allocate funds in the account to the separate accounts of
921 individual airports as required under Section 59-13-402.

922 (4) (a) Except as provided in Subsection (4)(b), the department shall use funds in the
923 account for:

924 (i) the construction, improvement, operation, and maintenance of publicly used airports

925 in this state;

926 (ii) the payment of principal and interest on indebtedness incurred for the purposes
927 described in Subsection (4)(a);

928 (iii) operation of the division of aeronautics;

929 (iv) the promotion of aeronautics in this state; and

930 (v) the payment of the costs and expenses of the Department of Transportation in
931 administering Title 59, Chapter 13, Part 4, Aviation Fuel, or another law conferring upon it the
932 duty of regulating and supervising aeronautics in this state.

933 (b) (i) The department may use funds in the account for the support of aerial search and
934 rescue operations, provided that no money deposited into the account under Subsection (2)(a)
935 is used for that purpose.

936 (ii) The department may use funds in the account from the registration of unmanned
937 aircraft systems only for state infrastructure and administration related to advanced air mobility
938 and unmanned aircraft systems.

939 (5) (a) Money in the account may not be used by the department for the purchase of
940 aircraft for purposes other than those described in Subsection (4).

941 (b) Money in the account may not be used to provide or subsidize direct operating costs
942 of travel for purposes other than those described in Subsection (4).

943 (6) The Department may not use money in the account to fund:

944 (a) more than 77% of the operations costs related to state owned aircraft in fiscal year
945 2023-24;

946 (b) more than 52% of the operations costs related to state owned aircraft in fiscal year
947 2024-25;

948 (c) more than 26% of the operations costs related to state owned aircraft in fiscal year
949 2025-26;

950 (d) more than 10% of the operations costs related to state owned aircraft in fiscal year
951 2026-27; or

952 (e) any operations costs related to state owned aircraft in a fiscal year beginning on or
953 after July 1, 2027.

954 Section 10. Section **72-10-102** is amended to read:

955 **72-10-102. Definitions.**

956 As used in this chapter:

957 (1) "Acrobatics" means the intentional maneuvers of an aircraft not necessary to air
958 navigation.

959 (2) (a) "Advanced air mobility system" means a system that transports individuals and
960 property using piloted and unpiloted aircraft, including electric aircraft and electric vertical
961 takeoff and landing aircraft, in controlled or uncontrolled airspace.

962 (b) "Advanced air mobility system" includes each component of a system described in
963 Subsection (2)(a), including:

964 (i) the aircraft, including payload;

965 (ii) communications equipment;

966 (iii) navigation equipment;

967 (iv) controllers;

968 (v) support equipment; and

969 (vi) remote and autonomous functions.

970 (3) "Aerial transit corridor" means an airspace volume defining a three-dimensional
971 route segment with performance requirements to operate within or to cross where tactical air
972 traffic control separation services are not provided.

973 (4) "Aeronautics" means transportation by aircraft, air instruction, the operation, repair,
974 or maintenance of aircraft, and the design, operation, repair, or maintenance of airports, or
975 other air navigation facilities.

976 (5) "Aeronautics instructor" means any individual engaged in giving or offering to give
977 instruction in aeronautics, flying, or ground subjects, either with or without:

978 (a) compensation or other reward;

979 (b) advertising the occupation;

980 (c) calling his facilities an air school, or any equivalent term; or

981 (d) employing or using other instructors.

982 (6) "Aircraft" means any contrivance now known or in the future invented, used, or
983 designed for navigation of or flight in the air.

984 (7) "Air instruction" means the imparting of aeronautical information by any aviation
985 instructor or in any air school or flying club.

986 (8) "Airport" means any area of land, water, or both, that:

- 987 (a) is used or is made available for landing and takeoff;
- 988 (b) provides facilities for the shelter, supply, and repair of aircraft, and handling of
989 passengers and cargo;
- 990 (c) meets the minimum requirements established by the department as to size and
991 design, surface, marking, equipment, and operation; and
- 992 (d) includes all areas shown as part of the airport in the current airport layout plan as
993 approved by the Federal Aviation Administration.
- 994 (9) "Airport authority" means a political subdivision of the state, other than a county or
995 municipality, that is authorized by statute to operate an airport.
- 996 (10) "Airport operator" means a municipality, county, or airport authority that owns or
997 operates a commercial airport.
- 998 (11) (a) "Airport revenue" means:
- 999 (i) all fees, charges, rents, or other payments received by or accruing to an airport
1000 operator for any of the following reasons:
- 1001 (A) revenue from air carriers, tenants, lessees, purchasers of airport properties, airport
1002 permittees making use of airport property and services, and other parties;
- 1003 (B) revenue received from the activities of others or the transfer of rights to others
1004 relating to the airport, including revenue received:
- 1005 (I) for the right to conduct an activity on the airport or to use or occupy airport
1006 property;
- 1007 (II) for the sale, transfer, or disposition of airport real or personal property, or any
1008 interest in that property, including transfer through a condemnation proceeding;
- 1009 (III) for the sale of, or the sale or lease of rights in, mineral, natural, or agricultural
1010 products or water owned by the airport operator to be taken from the airport; and
- 1011 (IV) for the right to conduct an activity on, or for the use or disposition of, real or
1012 personal property or any interest in real or personal property owned or controlled by the airport
1013 operator and used for an airport-related purpose but not located on the airport; or
- 1014 (C) revenue received from activities conducted by the airport operator whether on or
1015 off the airport, which is directly connected to the airport operator's ownership or operation of
1016 the airport; and
- 1017 (ii) state and local taxes on aviation fuel.

1018 (b) "Airport revenue" does not include amounts received by an airport operator as
1019 passenger facility fees pursuant to 49 U.S.C. Sec. 40117.

1020 (12) "Air school" means any person engaged in giving, offering to give, or advertising,
1021 representing, or holding himself out as giving, with or without compensation or other reward,
1022 instruction in aeronautics, flying, or ground subjects, or in more than one of these subjects.

1023 (13) "Airworthiness" means conformity with requirements prescribed by the Federal
1024 Aviation Administration regarding the structure or functioning of aircraft, engine, parts, or
1025 accessories.

1026 (14) "Civil aircraft" means any aircraft other than a public aircraft.

1027 (15) "Commercial aircraft" means aircraft used for commercial purposes.

1028 (16) "Commercial airport" means a landing area, landing strip, or airport that may be
1029 used for commercial operations.

1030 (17) "Commercial flight operator" means a person who conducts commercial
1031 operations.

1032 (18) "Commercial operations" means:

1033 (a) any operations of an aircraft for compensation or hire or any services performed
1034 incidental to the operation of any aircraft for which a fee is charged or compensation is
1035 received, including the servicing, maintaining, and repairing of aircraft, the rental or charter of
1036 aircraft, the operation of flight or ground schools, the operation of aircraft for the application or
1037 distribution of chemicals or other substances, and the operation of aircraft for hunting and
1038 fishing; or

1039 (b) the brokering or selling of any of these services; but

1040 (c) does not include any operations of aircraft as common carriers certificated by the
1041 federal government or the services incidental to those operations.

1042 (19) "Correctional facility" means the same as that term is defined in Section
1043 [77-16b-102](#).

1044 (20) "Dealer" means any person who is actively engaged in the business of flying for
1045 demonstration purposes, or selling or exchanging aircraft, and who has an established place of
1046 business.

1047 (21) "Experimental aircraft" means:

1048 (a) any aircraft designated by the Federal Aviation Administration or the military as

1049 experimental and used solely for the purpose of experiments, or tests regarding the structure or
1050 functioning of aircraft, engines, or their accessories; and

1051 (b) any aircraft designated by the Federal Aviation Administration as:

1052 (i) being custom or amateur built; and

1053 (ii) used for recreational, educational, or display purposes.

1054 (22) "Flight" means any kind of locomotion by aircraft while in the air.

1055 (23) "Flying club" means five or more persons who for neither profit nor reward own,
1056 lease, or use one or more aircraft for the purpose of instruction, pleasure, or both.

1057 (24) "Glider" means an aircraft heavier than air, similar to an airplane, but without a
1058 power plant.

1059 (25) "Mechanic" means a person who constructs, repairs, adjusts, inspects, or
1060 overhauls aircraft, engines, or accessories.

1061 (26) "Navigable airspace" means the same as that term is defined in 49 U.S.C. Sec.
1062 40102.

1063 [~~(26)~~] (27) "Parachute jumper" means any person who has passed the required test for
1064 jumping with a parachute from an aircraft, and has passed an examination showing that he
1065 possesses the required physical and mental qualifications for the jumping.

1066 [~~(27)~~] (28) "Parachute rigger" means any person who has passed the required test for
1067 packing, repairing, and maintaining parachutes.

1068 [~~(28)~~] (29) "Passenger aircraft" means aircraft used for transporting persons, in
1069 addition to the pilot or crew, with or without their necessary personal belongings.

1070 [~~(29)~~] (30) "Person" means any individual, corporation, limited liability company, or
1071 association of individuals.

1072 [~~(30)~~] (31) "Pilot" means any person who operates the controls of an aircraft while
1073 in-flight.

1074 [~~(31)~~] (32) "Primary glider" means any glider that has a gliding angle of less than 10 to
1075 one.

1076 [~~(32)~~] (33) "Public aircraft" means an aircraft used exclusively in the service of any
1077 government or of any political subdivision, including the government of the United States, of
1078 the District of Columbia, and of any state, territory, or insular possession of the United States,
1079 but not including any government-owned aircraft engaged in carrying persons or goods for

1080 commercial purposes.

1081 ~~[(33)]~~ (34) "Reckless flying" means the operation or piloting of any aircraft recklessly,
1082 or in a manner as to endanger the property, life, or body of any person, due regard being given
1083 to the prevailing weather conditions, field conditions, and to the territory being flown over.

1084 ~~[(34)]~~ (35) "Registration number" means the number assigned by the Federal Aviation
1085 Administration to any aircraft, whether or not the number includes a letter or letters.

1086 (36) "Roadable aircraft" means an aircraft capable of taking off and landing from a
1087 suitable airfield and is also designed to be driven on a highway as a conveyance.

1088 ~~[(35)]~~ (37) "Secondary glider" means any glider that has a gliding angle between 10 to
1089 one and 16 to one, inclusive.

1090 ~~[(36)]~~ (38) "Soaring glider" means any glider that has a gliding angle of more than 16
1091 to one.

1092 ~~[(37)]~~ (39) "Unmanned aircraft" means an aircraft that is:

1093 (a) capable of sustaining flight; and

1094 (b) operated with no possible direct human intervention from on or within the aircraft.

1095 ~~[(38)]~~ (40) "Unmanned aircraft system" means the entire system used to operate an
1096 unmanned aircraft, including:

1097 (a) the unmanned aircraft, including payload;

1098 (b) communications equipment;

1099 (c) navigation equipment;

1100 (d) controllers;

1101 (e) support equipment; and

1102 (f) autopilot functionality.

1103 ~~[(39)]~~ (41) "Unmanned aircraft system traffic management" means a traffic
1104 management ecosystem for uncontrolled operations, including unmanned aircraft systems, that
1105 is separate from, but complementary to, the Federal Aviation Administration's air traffic
1106 management system.

1107 ~~[(40)]~~ (42) "Vertiport" means an area of land, or a structure, used or intended to be
1108 used for electric, hydrogen, and hybrid vertical aircraft landings and takeoffs, including
1109 associated buildings and facilities.

1110 Section 11. Section **72-10-109** is amended to read:

1111 **72-10-109. Certificate of registration of aircraft required -- Exceptions.**

1112 (1) (a) A person may not operate, pilot, or navigate, or cause or authorize to be
1113 operated, piloted, or navigated within this state any civil aircraft domiciled in this state unless
1114 the aircraft has a current certificate of registration issued by the department.

1115 (b) The restriction described in Subsection (1)(a) does not apply to aircraft licensed by
1116 a foreign country with which the United States has a reciprocal agreement covering the
1117 operations of the registered aircraft or to a non-passenger-carrying flight solely for inspection
1118 or test purposes authorized by the Federal Aviation Administration to be made without the
1119 certificate of registration.

1120 (2) Aircraft centrally assessed by the State Tax Commission are exempt from the state
1121 registration requirement under Subsection (1).

1122 (3) Beginning on January 1, [~~2024~~] 2025, a person may not operate in this state an
1123 unmanned aircraft system or an advanced air mobility aircraft for commercial operation for
1124 which certification is required under 14 C.F.R. Part 107 or 135 unless the aircraft has a current
1125 certificate of registration issued by the department.

1126 Section 12. Section **72-10-110** is amended to read:

1127 **72-10-110. Aircraft registration information requirements -- Registration fee --**
1128 **Administration -- Partial year registration.**

1129 (1) All applications for aircraft registration shall contain:

1130 (a) a description of the aircraft, including:

1131 (i) the manufacturer or builder;

1132 (ii) the Federal Aviation Administration aircraft registration number, type, year of
1133 manufacture, or if an experimental aircraft, the year the aircraft was completed and certified for
1134 air worthiness by an inspector of the Federal Aviation Administration; and

1135 (iii) gross weight;

1136 (b) the name and address of the owner of the aircraft; and

1137 (c) where the aircraft is located, or the address where the aircraft is usually used or
1138 based.

1139 (2) (a) Except as provided in Subsection (3) or (4), at the time application is made for
1140 registration or renewal of registration of an aircraft under this chapter, an annual registration
1141 fee of:

1142 (i) 0.4% of the average wholesale value of the aircraft shall be paid[-]; or
1143 (ii) for a roadable aircraft, 0.2% of the average wholesale value of the roadable aircraft
1144 shall be paid.

1145 (b) For purposes of calculating the average wholesale value of an aircraft under
1146 Subsection (2)(a) or (3)(d), the department shall use the average wholesale value as stated in
1147 the Aircraft Bluebook Price Digest.

1148 (c) For an aircraft not listed in the Aircraft Bluebook Price Digest, the department shall
1149 calculate the average wholesale value of the aircraft using common industry standards.

1150 (d) (i) An owner of an aircraft may challenge the department's calculation of the
1151 average wholesale value of the aircraft.

1152 (ii) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
1153 Administrative Rulemaking Act, to establish a process for challenging the department's
1154 calculation under Subsection (2)(d)(i).

1155 (3) (a) An annual registration fee of \$100 is imposed on an aircraft that is used:

1156 (i) exclusively by an entity that is exempt from federal income taxation under Section
1157 501(c)(3), Internal Revenue Code, and exempt from property taxation under Title 59, Chapter
1158 2, Property Tax Act; and

1159 (ii) for the emergency transportation of medical patients for at least 95% of its flight
1160 time.

1161 (b) An annual registration fee is imposed on an aircraft 60 years or older equal to the
1162 lesser of:

1163 (i) \$100; or

1164 (ii) the annual registration fee provided for under Subsection (2)(a).

1165 (c) (i) Except as provided in Subsection (3)(c)(iii), an owner of an aircraft shall apply
1166 for a certificate of registration described in Section 72-10-109, if the aircraft:

1167 (A) is in the manufacture, construction, fabrication, assembly, or repair process;

1168 (B) is not complete; and

1169 (C) does not have a valid airworthiness certificate.

1170 (ii) An aircraft described in Subsection (3)(c)(i) is exempt from the annual registration
1171 fee described in Subsection (2)(a).

1172 (iii) The registration requirement described in Subsection (3)(c)(i) does not apply to an

1173 aircraft that, in accordance with Section [59-12-104](#), is exempt from the taxes imposed under
1174 Title 59, Chapter 12, Sales and Use Tax Act.

1175 (d) An annual registration fee of .25% of the average wholesale value of the aircraft is
1176 imposed on an aircraft if the aircraft is:

1177 (i) used by an air charter service for air charter; and

1178 (ii) owned by a person other than the air charter service.

1179 (e) The annual registration fee required in this section is due on December 31 of each
1180 year.

1181 (4) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1182 the department shall make rules to establish and administer a registration fee for an unmanned
1183 aircraft system or an advanced air mobility system registered pursuant to Subsection
1184 [72-10-109\(3\)](#).

1185 (b) The rules made pursuant to Subsection (4)(a) regarding registration and applicable
1186 fees for an unmanned aircraft system or an advanced air mobility system may include:

1187 (i) a system for classifying unmanned aircraft systems or an advanced air mobility
1188 systems;

1189 (ii) technical guidance for complying with state and federal law;

1190 (iii) criteria under which the department may suspend or revoke registration;

1191 (iv) criteria under which the department may waive registration requirements for an
1192 applicant currently holding a valid license or permit to operate unmanned aircraft systems
1193 issued by another state or territory of the United States, the District of Columbia, or the United
1194 States; and

1195 (v) other rules regarding operation as determined by the department.

1196 (c) (i) Registration fees for an unmanned aircraft system shall be deposited into the
1197 aeronautics restricted account created in Section [72-2-126](#).

1198 (ii) The registration fee imposed under Subsection (2)(a)(ii) for a roadable aircraft shall
1199 be deposited in the aeronautics restricted account created in Section [72-2-126](#).

1200 (5) (a) The department shall provide a registration card to an owner of an aircraft if:

1201 (i) the owner complies with the registration requirements of this section; and

1202 (ii) the owner of the aircraft states that the aircraft has a valid airworthiness certificate.

1203 (b) An owner of an aircraft shall carry the registration card in the registered aircraft.

1204 (6) The registration fees assessed under this chapter shall be collected by the
1205 department to be distributed as provided in Subsection (7).

1206 (7) After deducting the costs of administering all aircraft registrations under this
1207 chapter, the department shall deposit all remaining aircraft registration fees into the
1208 Aeronautics Restricted Account created by Section [72-2-126](#).

1209 (8) Aircraft which are initially registered under this chapter for less than a full calendar
1210 year shall be charged a registration fee which is reduced in proportion to the fraction of the
1211 calendar year during which the aircraft is registered in this state.

1212 (9) (a) For purposes of this section, an aircraft based at the owner's airport means an
1213 aircraft that is hangared, tied down, or parked at an owner's airport for a plurality of the year.

1214 (b) Semi-annually, an owner or operator of an airport open to public use, or of an
1215 airport that receives grant funding from the state, shall provide a list of all aircraft based at the
1216 owner's airport to the department.

1217 (10) The department shall maintain a statewide database of all aircraft based within the
1218 state.

1219 (11) The department may suspend or revoke a registration if the department determines
1220 that the required fee has not been paid and the fee is not paid upon reasonable notice and
1221 demand.

1222 Section 13. Section **72-10-401** is amended to read:

1223 **72-10-401. Definitions.**

1224 As used in this part~~[, unless the context otherwise requires]~~:

1225 (1) (a) "Airport" means any publicly used area of land or water that is used, or intended
1226 to be used, for the landing and take-off of aircraft and utilized or to be utilized in the interest of
1227 the public for these purposes.

1228 (b) "Airport" includes a vertiport if the vertiport is open for public use.

1229 (2) "Airport hazard" means any structure, tree, object of natural growth, or use of land
1230 that potentially obstructs or otherwise impacts the safe and efficient utilization of the navigable
1231 airspace required for the flight of aircraft in landing or take-off at an airport.

1232 (3) "Airport influence area" means land located:

1233 (a) within 5,000 feet of an airport runway~~[-];~~ or

1234 (b) within 500 feet of a vertiport that is open for public use.

1235 (4) "Airport overlay zone" means a secondary zoning district designed to protect the
1236 public health, safety, and welfare near an airport that:

1237 (a) applies land use regulation in addition to the primary zoning district land use
1238 regulation of property used as an airport and property within an airport influence area;

1239 (b) may extend beyond the airport influence area;

1240 (c) ensures airport utility as a public asset;

1241 (d) protects property owner land values near an airport through compatible land use
1242 regulations as recommended by the Federal Aviation Administration; and

1243 (e) protects aircraft occupant safety through protection of navigable airspace.

1244 (5) "Avigation easement" means an easement permitting unimpeded aircraft flights
1245 over property subject to the easement and includes the right:

1246 (a) to create or increase noise or other effects that may result from the lawful operation
1247 of aircraft; and

1248 (b) to prohibit or remove any obstruction to such overflight.

1249 (6) "Land use regulation" means the same as that term is defined in Sections 10-9a-103
1250 and 17-27a-103.

1251 (7) "Political subdivision" means any municipality, city, town, or county.

1252 (8) "Structure" means any object constructed or installed by man, including buildings,
1253 towers, smokestacks, and overhead transmission lines.

1254 (9) "Tree" means any object of natural growth.

1255 Section 14. Section 72-10-403 is amended to read:

1256 **72-10-403. Airport zoning regulations.**

1257 (1) Flight of aircraft over the lands and waters of the state is lawful, unless:

1258 (a) at such a low altitude as to interfere with the existing use to which the owner has
1259 put the land, water, or the airspace over the land or water; or

1260 (b) so conducted as to be imminently dangerous to persons or property lawfully on the
1261 land or water beneath.

1262 [(+)] (2) In order to prevent the creation or establishment of airport hazards, each
1263 political subdivision located within an airport influence area, shall adopt, administer, and
1264 enforce land use regulations for the airport influence area, including an airport overlay zone,
1265 under the police power and in the manner and upon the conditions prescribed:

- 1266 (a) in this part;
- 1267 (b) Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act;
- 1268 and
- 1269 (c) Title 17, Chapter 27a, County Land Use, Development, and Management Act.

1270 ~~[(2)]~~ (3) (a) Each political subdivision located within an airport influence area shall
 1271 notify a person building on or developing land in an airport influence area, in writing, of
 1272 aircraft overflights and associated noise.

1273 (b) To promote the safe and efficient operation of the airport, a political subdivision
 1274 located within an airport influence area:

1275 (i) shall:

1276 (A) adopt an airport overlay zone conforming to the requirements of this chapter and
 1277 14 C.F.R. Part 77; and

1278 (B) require any proposed development within an airport influence area to conform with
 1279 14 C.F.R. Part 77; and

1280 (ii) may, as a condition to granting a building permit, subdivision plat, or a requested
 1281 zoning change within an airport influence area, require a person building or developing land to
 1282 grant or sell to the airport owner, at appraised fair market value, an avigation easement.

1283 ~~[(3)]~~ (4) If a political subdivision located within an airport influence area fails to adopt
 1284 an airport overlay zone by December 31, 2024, then the following requirements shall apply in
 1285 an airport influence area:

1286 (a) each political subdivision located within an airport influence area shall notify a
 1287 person building on or developing land within an airport influence area, in writing, of aircraft
 1288 overflights and associated noise;

1289 (b) as a condition to granting a building permit, subdivision plat, or a requested zoning
 1290 change within an airport influence area, require the person building or developing land to grant
 1291 or sell to the airport owner, at appraised fair market value, an avigation easement; and

1292 (c) require a person building or developing land within an airport influence area
 1293 conform to the requirements of this chapter and 14 C.F.R. Part 77.

1294 Section 15. Section **72-10-1101** is enacted to read:

Part 11. Navigable Airspace Leasing

1296 **72-10-1101. Navigable airspace leasing.**

1297 (1) A highway authority may lease the navigable airspace above a highway for private
1298 purposes:

1299 (a) for such period as the highway authority determines the navigable airspace will not
1300 be needed for public purposes; and

1301 (b) upon other terms and conditions the highway authority finds to be in the public
1302 interest.

1303 (2) Before leasing navigable airspace, a highway authority shall:

1304 (a) notify the property owners abutting the relevant navigable airspace proposed to be
1305 leased; and

1306 (b) provide the property owners abutting the relevant navigable airspace proposed to be
1307 leased with an opportunity to be heard with respect to the proposed navigable airspace leasing.

1308 (3) After satisfying the requirements of Subsection (2), the highway authority shall
1309 determine whether the lease of the navigable airspace will not unreasonably interfere with the
1310 public use and utility of the highway and is in the public interest.

1311 (4) The lease of navigable airspace above a highway for private purposes does not
1312 affect the dedication of the highway under Section [72-5-104](#).

1313 Section 16. Section **72-10-1201** is enacted to read:

1314 **Part 12. Prohibition on the Purchase of Unmanned Aircraft Manufactured or Assembled**
1315 **by a Covered Foreign Entity**

1316 **72-10-1201. Definitions.**

1317 As used in this part:

1318 (1) "Covered foreign entity" means an individual, foreign government, or party:

1319 (a) on the Consolidated Screening List or Entity List as designated by the United States
1320 Secretary of Commerce;

1321 (b) domiciled in the People's Republic of China or the Russian Federation;

1322 (c) under the influence or control of the government of the People's Republic of China
1323 or the Russian Federation; or

1324 (d) that is a subsidiary or affiliate of an individual, government, or party described in
1325 Subsections (1)(a) through (c).

1326 (2) "Critical infrastructure" means the same as that term is defined in Section
1327 [76-6-106.3](#).

1328 (3) "Political subdivision" means the same as that term is defined in Section
1329 [11-55-102.](#)

1330 (4) "Public entity" means the state of Utah, a political subdivision, or any department,
1331 division, commission, or other governmental entity created by the Utah Constitution or law.

1332 Section 17. Section **72-10-1202** is enacted to read:

1333 **72-10-1202. Prohibition on the purchase of unmanned aircraft manufactured or**
1334 **assembled by a covered foreign entity.**

1335 ~~§~~ → **[A] Beginning on July 1, 2028, a** ← ~~§~~ public entity or contractor working directly for a
1335a public entity may not purchase or
1336 operate an unmanned aircraft system for the inspection of critical infrastructure if the
1337 unmanned aircraft system was manufactured or assembled by a covered foreign entity.

1338 Section 18. **Effective date.**

1339 This bill takes effect on January 1, 2025.