

Senator Wayne A. Harper proposes the following substitute bill:

ROAD USAGE CHARGE PROGRAM AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Kay J. Christofferson

LONG TITLE

General Description:

This bill makes changes to Title 41, Motor Vehicles, and Title 72, Transportation Code, regarding alternative fuel vehicles.

Highlighted Provisions:

This bill:

- ▶ makes changes to the road usage charge program;
- ▶ addresses registration fees for alternative fuel vehicles;
- ▶ updates current registration fees; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

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

72-1-213.1, as last amended by Laws of Utah 2022, Chapters 56, 259



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

27 Section 1. Section **41-1a-1206** is amended to read:

28 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

32 (a) [~~\$46.00~~] \$57.75 for each motorcycle;

33 (b) [~~\$44~~] \$54.75 for each motor vehicle of 12,000 pounds or less gross laden weight,
34 excluding motorcycles;

35 (c) unless the semitrailer or trailer is exempt from registration under Section [41-1a-202](#)
36 or is registered under Section [41-1a-301](#):

37 (i) [~~\$31~~] \$39.25 for each trailer or semitrailer over 750 pounds gross unladen weight;

38 or

39 (ii) [~~\$28.50~~] \$35.75 for each commercial trailer or commercial semitrailer of 750
40 pounds or less gross unladen weight;

41 (d) [~~(i) \$53~~] \$66.25 for each farm truck over 12,000 pounds, but not exceeding 14,000
42 pounds gross laden weight^[;], plus [~~(ii)~~] \$9 for each 2,000 pounds over 14,000 pounds gross
43 laden weight;

44 (e) [~~(i) \$69.50~~] \$86.50 for each motor vehicle or combination of motor vehicles,
45 excluding farm trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden
46 weight^[;], plus [~~(ii)~~] \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;

47 (f) [~~(i) \$69.50~~] \$86.50 for each park model recreational vehicle over 12,000 pounds,
48 but not exceeding 14,000 pounds gross laden weight^[;], plus [~~(ii)~~] \$19 for each 2,000 pounds
49 over 14,000 pounds gross laden weight;

50 (g) [~~\$45~~] \$56.50 for each vintage vehicle that has a model year of 1983 or newer;

51 (h) in addition to the fee described in Subsection (1)(b):

52 (i) an amount equal to the road usage charge cap described in Section [72-1-213.1](#) for:

53 (A) each electric motor vehicle; and

54 (B) Each motor vehicle not described in this Subsection (1)(h) that is fueled
55 exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane;

56 (ii) [~~\$21.75~~] \$23.25 for each hybrid electric motor vehicle; and

57 (iii) ~~[\$56.50]~~ \$60.25 for each plug-in hybrid electric motor vehicle; and

58 (i) in addition to the fee described in Subsection (1)(g), for a vintage vehicle that has a
59 model year of 1983 or newer, 50 cents.

60 (2) (a) At the time application is made for registration or renewal of registration of a
61 vehicle under this chapter for a six-month registration period under Section 41-1a-215.5, a
62 registration fee shall be paid to the division as follows:

63 (i) ~~[\$34.50]~~ \$43.50 for each motorcycle; and

64 (ii) ~~[\$33.50]~~ \$42.25 for each motor vehicle of 12,000 pounds or less gross laden
65 weight, excluding motorcycles.

66 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
67 of registration of a vehicle under this chapter for a six-month registration period under Section
68 41-1a-215.5 a registration fee shall be paid to the division as follows:

69 (i) an amount equal to the road usage charge cap described in Section 72-1-213.1 for:

70 (A) each electric motor vehicle; and

71 (B) each motor vehicle not described in this Subsection (2)(b) that is fueled exclusively
72 by a source other than motor fuel, diesel fuel, natural gas, or propane;

73 (ii) ~~[\$16.50]~~ \$17.75 for each hybrid electric motor vehicle; and

74 (iii) ~~[\$43.50]~~ \$46.25 for each plug-in hybrid electric motor vehicle.

75 (3) ~~(a)~~ Beginning on January 1, 2024, at the time of registration:

76 ~~(i)~~ (a) in addition to the amounts described in Subsections (1)(a), (1)(b), (1)(c)(i),
77 (1)(c)(ii), (1)(d)(i), (1)(e)(i), (1)(f)(i), (1)(g), (1)(h), (4)(a), and ~~(7)~~ (8), the individual shall
78 also pay an additional \$7 as part of the registration fee; and

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

81 ~~[(b)(i) Beginning on January 1, 2019, the commission shall, on January 1, annually
82 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),
83 (1)(e)(i), (1)(f)(i), (1)(g), (2)(a), (3)(a), (4)(a), and (7), by taking the registration fee rate for the
84 previous year and adding an amount equal to the greater of:]~~

85 ~~[(A) an amount calculated by multiplying the registration fee of the previous year by
86 the actual percentage change during the previous fiscal year in the Consumer Price Index; and]~~

87 ~~[(B) 0:]~~

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

91 ~~[(A) an amount calculated by multiplying the registration fee of the previous year by~~
92 ~~the actual percentage change during the previous fiscal year in the Consumer Price Index; and]~~

93 ~~[(B) 0.]~~

94 ~~[(c) The amounts calculated as described in Subsection (3)(b) shall be rounded up to~~
95 ~~the nearest 25 cents:]~~

96 (4) (a) The initial registration fee for a vintage vehicle that has a model year of 1982 or
97 older is ~~[\$40]~~ \$50.

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

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

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

104 (5) (a) The commission shall, on January 1, annually adjust all registration fees
105 described in this section by taking the registration fee rate for the previous year and adding an
106 amount equal to the greater of:

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

109 (ii) zero.

110 (b) The commission shall round up the adjustment described in Subsection (5)(a) to the
111 nearest 25 cents.

112 ~~[(5)]~~ (6) If a motor vehicle is operated in combination with a semitrailer or trailer, each
113 motor vehicle shall register for the total gross laden weight of all units of the combination if the
114 total gross laden weight of the combination exceeds 12,000 pounds.

115 ~~[(6)]~~ (7) (a) Registration fee categories under this section are based on the gross laden
116 weight declared in the licensee's application for registration.

117 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part
118 of 2,000 pounds is a full unit.

119 ~~[(7)]~~ (8) The owner of a commercial trailer or commercial semitrailer may, as an
120 alternative to registering under Subsection (1)(c), apply for and obtain a special registration and
121 license plate for a fee of ~~[\$130]~~ \$161.50.

122 ~~[(8)]~~ (9) Except as provided in Section 41-6a-1642, a truck may not be registered as a
123 farm truck unless:

- 124 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and
125 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or
126 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner
127 submits to the division a certificate of emissions inspection or a waiver in compliance with
128 Section 41-6a-1642.

129 ~~[(9)]~~ (10) A violation of Subsection ~~[(8)]~~ (9) is an infraction that shall be punished by a
130 fine of not less than \$200.

131 ~~[(10)]~~ (11) Trucks used exclusively to pump cement, bore wells, or perform crane
132 services with a crane lift capacity of five or more tons, are exempt from 50% of the amount of
133 the fees required for those vehicles under this section.

134 Section 2. Section 72-1-213.1 is amended to read:

135 **72-1-213.1. Road usage charge program.**

136 (1) As used in this section:

137 (a) "Account manager" means an entity under contract with the department to
138 administer and manage the road usage charge program.

139 (b) "Alternative fuel vehicle" means:

140 (i) an electric motor vehicle as defined in Section 41-1a-102; or

141 (ii) a motor vehicle powered exclusively by a fuel other than:

142 (A) motor fuel;

143 (B) diesel fuel;

144 (C) natural gas; or

145 (D) propane.

146 (c) "Payment period" means the interval during which an owner is required to report
147 mileage and pay the appropriate road usage charge according to the terms of the program.

148 (d) "Program" means the road usage charge program established and described in this
149 section.

150 (e) "Road usage charge cap" means the maximum fee charged to a participant in the
151 program for a registration period.

152 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in
153 the program.

154 (2) There is established a road usage charge program as described in this section.

155 (3) (a) The department shall implement and oversee the administration of the program[;
156 ~~which shall begin on January 1, 2020~~].

157 (b) To implement and administer the program, the department may contract with an
158 account manager.

159 (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of
160 the alternative fuel vehicle in the program.

161 (b) If an application for enrollment into the program is approved by the department, the
162 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying
163 the fee described in Subsection [41-1a-1206](#)(1)(h) or (2)(b).

164 (c) An owner or lessee of a hybrid electric motor vehicle or a plug-in hybrid motor
165 vehicle who was enrolled in the program before May 1, 2024, may withdraw from the program.

166 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
167 consistent with this section, the department:

168 (a) shall make rules to establish:

169 (i) processes and terms for enrollment into and withdrawal or removal from the
170 program;

171 (ii) payment periods and other payment methods and procedures for the program;

172 (iii) standards for mileage reporting mechanisms for an owner or lessee of an
173 alternative fuel vehicle to report mileage as part of participation in the program;

174 (iv) standards for program functions for mileage recording, payment processing,
175 account management, and other similar aspects of the program;

176 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner
177 and an account manager for participation in the program;

178 (vi) contractual terms between the department and an account manager, including
179 authority for an account manager to enforce the terms of the program;

180 (vii) procedures to provide security and protection of personal information and data

181 connected to the program, and penalties for account managers for violating privacy protection
182 rules;

183 (viii) penalty procedures for a program participant's failure to pay a road usage charge
184 or tampering with a device necessary for the program; and

185 (ix) department oversight of an account manager, including privacy protection of
186 personal information and access and auditing capability of financial and other records related to
187 administration of the program; and

188 (b) may make rules to establish:

189 ~~[(i) an enrollment cap for certain alternative fuel vehicle types to participate in the~~
190 ~~program;]~~

191 ~~[(ii)]~~ (i) a process for collection of an unpaid road usage charge or penalty; or

192 ~~[(iii)]~~ (ii) integration of the program with other similar programs, such as tolling.

193 (6) Revenue generated by the road usage charge program and relevant penalties shall
194 be deposited into the Road Usage Charge Program Special Revenue Fund.

195 (7) (a) The department may:

196 (i) (A) impose a penalty for failure to timely pay a road usage charge according to the
197 terms of the program or tampering with a device necessary for the program; and

198 (B) request that the Division of Motor Vehicles place a hold on the registration of the
199 owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge according to
200 the terms of the program;

201 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner
202 or lessee of:

203 (A) the road usage charge program, implementation, and procedures;

204 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to
205 the department;

206 (C) the penalty for failure to pay a road usage charge within the time period described
207 in Subsection (7)(a)(iii); and

208 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel
209 vehicle, if the road usage charge and penalty are not paid within the time period described in
210 Subsection (7)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's
211 registration; and

212 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage
213 charge to the department within 30 days of the date when the department sends written notice
214 of the road usage charge to the owner or lessee.

215 (b) The department shall send the correspondence and notice described in Subsection
216 (7)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

217 (8) (a) The Division of Motor Vehicles and the department shall share and provide
218 access to information pertaining to an alternative fuel vehicle and participation in the program
219 including:

220 (i) registration and ownership information pertaining to an alternative fuel vehicle;

221 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to
222 pay a road usage charge or penalty imposed under this section within the time period described
223 in Subsection (7)(a)(iii); and

224 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

225 (b) If the department requests a hold on the registration in accordance with this section,
226 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title
227 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

228 (9) The owner of an alternative fuel vehicle may apply for enrollment in the program
229 [~~or withdraw from the program~~] according to the terms established by the department pursuant
230 to rules made under Subsection (5).

231 (10) [~~H~~] When enrolled in the program, the owner or lessee of an alternative fuel
232 vehicle shall:

233 (a) report mileage driven as required by the department pursuant to Subsection (5);

234 (b) pay the road usage fee for each payment period in accordance with Subsection (5);

235 and

236 (c) comply with all other provisions of this section and other requirements of the
237 program.

238 (11) The department shall submit annually, on or before October 1, to the
239 Transportation Interim Committee, an electronic report that:

240 (a) states for the preceding fiscal year:

241 (i) the amount of revenue collected from the program;

242 (ii) the participation rate in the program; and

243 (iii) the department's costs to administer the program; and
244 (b) provides for the current fiscal year, an estimate of:
245 (i) the revenue that will be collected from the program;
246 (ii) the participation rate in the program; and
247 (iii) the department's costs to administer the program.
248 (12) (a) Beginning on January 1, [~~2023~~] 2024:
249 (i) the road usage charge rate is 1.06 [~~cent~~] cents per mile; and
250 (ii) the road usage charge cap is:
251 (A) [~~\$130.25~~] \$138.50 for an annual registration period; and
252 (B) [~~\$100.75~~] \$107.25 for a six-month registration period.
253 (b) Beginning on January 1, 2026:
254 (i) the road usage charge rate is 1.25 cents per mile; and
255 (ii) the road usage charge cap is:
256 (A) \$180 for an annual registration period; and
257 (B) \$139 for a six-month registration period.
258 (c) Beginning on January 1, 2032:
259 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes a
260 different road usage charge rate in accordance with Subsection (13); and
261 (ii) the road usage charge cap is eliminated.
262 [~~(ii) the road usage charge cap is:~~]
263 [~~(A) \$240 for an annual registration period; and~~]
264 [~~(B) \$185 for a six-month registration period.~~]
265 (d) Beginning in 2024, the department shall, on January 1, annually adjust the road
266 usage charge rates described in this Subsection (12) by taking the road usage charge rate for the
267 previous year and adding an amount equal to the greater of:
268 (i) an amount calculated by multiplying the road usage charge rate of the previous year
269 by the actual percentage change during the previous fiscal year in the Consumer Price Index as
270 determined by the State Tax Commission; and
271 (ii) [~~0~~] zero.
272 (e) [~~Beginning in 2024, the~~] The State Tax Commission shall, on January 1, annually
273 adjust the road usage charge caps described in this Subsection (12) by taking the road usage

274 charge cap for the previous year and adding an amount equal to the greater of:

275 (i) an amount calculated by multiplying the road usage charge cap of the previous year
276 by the actual percentage change during the previous fiscal year in the Consumer Price Index;
277 and

278 (ii) [~~0~~] zero.

279 (f) The amounts calculated as described in Subsection (12)(d) shall be rounded up to
280 the nearest .01 cent.

281 (g) The amounts calculated as described in Subsection (12)(e) shall be rounded up to
282 the nearest 25 cents.

283 (h) On or before January 1 of each year, the department shall publish:

284 (i) the adjusted road usage charge rate described in Subsection (12)(d); and

285 (ii) adjusted road usage charge cap described in Subsection (12)(e).

286 (13) (a) Beginning January 1, 2032, the commission may establish by rule made in
287 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road usage
288 charge rate for each type of alternative fuel vehicle.

289 (b) (i) Before making rules in accordance with Subsection (13)(a), the commission
290 shall consult with the department regarding the road usage charge rate for each type of
291 alternative fuel vehicle.

292 (ii) The department shall cooperate with and make recommendations to the
293 commission regarding the road usage charge rate for each type of alternative fuel vehicle.

294 **Section 3. Effective date.**

295 This bill takes effect on July 1, 2024.