

Senator Deidre M. Henderson proposes the following substitute bill:

SAFETY INSPECTION AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

Senate Sponsor: Deidre M. Henderson

6	Cosponsors:	Justin L. Fawson	Val L. Peterson
7	Walt Brooks	Timothy D. Hawkes	Paul Ray
8	Kay J. Christofferson	Michael S. Kennedy	Mike Schultz
9	Kim F. Coleman	John Knotwell	
10	Steve Eliason	Jefferson Moss	

LONG TITLE

General Description:

This bill modifies provisions relating to motor vehicle safety equipment and inspection programs and increases motor vehicle registration fees.

Highlighted Provisions:

This bill:

- ▶ repeals the requirement that certain vehicles obtain a safety inspection certificate in order to be registered and to operate on a highway;
- ▶ repeals a provision making a seat belt violation a secondary offense;
- ▶ increases registration fees for certain vehicles;
- ▶ creates the Motor Vehicle Safety Impact Restricted Account and allows expenditure of the funds by the Utah Highway Patrol to:
 - hire new Highway Patrol troopers;



- 25 • pay overtime for Highway Patrol troopers; and
- 26 • acquire equipment to improve motor vehicle safety impacts and enforcement;
- 27 and
- 28 ▶ makes technical changes.

29 **Money Appropriated in this Bill:**

30 This bill appropriates for the fiscal year beginning July 1, 2017, and ending June 30,
31 2018:

32 ▶ to the Department of Public Safety -- Programs and Operations as a one-time
33 appropriation:

- 34 • from the General Fund;
- 35 • from the Department of Public Safety Restricted Account;

36 ▶ to the Department of Public Safety -- Programs and Operations as an ongoing
37 appropriation:

- 38 • from the General Fund;
- 39 • from the Department of Public Safety Restricted Account.

40 **Other Special Clauses:**

41 This bill provides a special effective date.

42 **Utah Code Sections Affected:**

43 AMENDS:

- 44 13-51-107, as enacted by Laws of Utah 2015, Chapter 461
- 45 41-1a-203, as last amended by Laws of Utah 2010, Chapter 295
- 46 41-1a-205, as last amended by Laws of Utah 2015, Chapter 412
- 47 41-1a-217, as last amended by Laws of Utah 2005, Chapter 2
- 48 41-1a-226, as last amended by Laws of Utah 2015, Chapter 400
- 49 41-1a-1201, as last amended by Laws of Utah 2012, Chapters 207, 356, 397 and last
50 amended by Coordination Clause, Laws of Utah 2012, Chapter 397
- 51 41-1a-1206, as last amended by Laws of Utah 2016, Chapter 303
- 52 41-3-303, as last amended by Laws of Utah 2013, Chapter 207
- 53 41-6a-1508, as last amended by Laws of Utah 2015, Chapter 412
- 54 41-6a-1509, as last amended by Laws of Utah 2015, Chapters 412 and 454
- 55 41-6a-1642, as last amended by Laws of Utah 2015, Chapter 258

56 **41-6a-1803**, as last amended by Laws of Utah 2015, Chapter 59

57 **41-6a-1805**, as last amended by Laws of Utah 2015, Chapter 59

58 **53-8-205**, as last amended by Laws of Utah 2015, Chapter 412

59 **53-8-206**, as last amended by Laws of Utah 2015, Chapter 429

60 ENACTS:

61 **53-8-214**, Utah Code Annotated 1953



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

64 Section 1. Section **13-51-107** is amended to read:

65 **13-51-107. Driver requirements.**

66 (1) Before a transportation network company allows an individual to use the
67 transportation network company's software application as a transportation network driver, the
68 transportation network company shall:

- 69 (a) require the individual to submit to the transportation network company:
 - 70 (i) the individual's name, address, and age;
 - 71 (ii) a copy of the individual's driver license, including the driver license number; and
 - 72 (iii) proof that the vehicle that the individual will use to provide transportation network
73 services is registered with the Division of Motor Vehicles;

- 74 (b) require the individual to consent to a criminal background check of the individual
75 by the transportation network company or the transportation network company's designee; and
- 76 (c) obtain and review a report that lists the individual's driving history.

77 (2) A transportation company may not allow an individual to provide transportation
78 network services as a transportation network driver if the individual:

- 79 (a) has committed more than three moving violations in the three years before the day
80 on which the individual applies to become a transportation network driver;

- 81 (b) has been convicted, in the seven years before the day on which the individual
82 applies to become a transportation network driver, of:

- 83 (i) driving under the influence of alcohol or drugs;
- 84 (ii) fraud;
- 85 (iii) a sexual offense;
- 86 (iv) a felony involving a motor vehicle;

- 87 (v) a crime involving property damage;
- 88 (vi) a crime involving theft;
- 89 (vii) a crime of violence; or
- 90 (viii) an act of terror;
- 91 (c) is required to register as a sex offender in accordance with Title 77, Chapter 41, Sex
92 and Kidnap Offender Registry;
- 93 (d) does not have a valid Utah driver license; or
- 94 (e) is not at least 19 years of age.

95 (3) A transportation network company shall prohibit a transportation network driver
96 from accepting a request for a prearranged ride if the motor vehicle that the transportation
97 network driver uses to provide transportation network services fails to comply with:

- 98 [~~(a)~~] ~~safety and inspection requirements described in Section 53-8-205;~~
- 99 [~~(b)~~] (a) equipment standards described in Section 41-6a-1601; and
- 100 [~~(c)~~] (b) emission requirements adopted by a county under Section 41-6a-1642.

101 (4) A transportation network driver, while providing transportation network services,
102 shall carry proof, in physical or electronic form, that the transportation network driver is
103 covered by insurance that satisfies the requirements of Section 13-51-108.

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

105 **41-1a-203. Prerequisites for registration, transfer of ownership, or registration**
106 **renewal.**

107 (1) Except as otherwise provided, [~~prior to~~] before registration of a vehicle, an owner
108 shall:

- 109 (a) obtain an identification number inspection under Section 41-1a-204;
- 110 [~~(b)~~] ~~obtain a safety inspection certificate, if required in the current year, as provided~~
111 ~~under Sections 41-1a-205 and 53-8-205;~~
- 112 [~~(c)~~] (b) obtain a certificate of emissions inspection, if required in the current year, as
113 provided under Section 41-6a-1642;
- 114 [~~(d)~~] (c) pay property taxes, the in lieu fee, or receive a property tax clearance under
115 Section 41-1a-206 or 41-1a-207;
- 116 [~~(e)~~] (d) pay the automobile driver education tax required by Section 41-1a-208;
- 117 [~~(f)~~] (e) pay the applicable registration fee under Part 12, Fee and Tax Requirements;

118 ~~[(g)]~~ (f) pay the uninsured motorist identification fee under Section 41-1a-1218, if
119 applicable;

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

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

123 ~~[(j)]~~ (i) pay the taxes applicable under Title 59, Chapter 12, Sales and Use Tax Act.

124 (2) In addition to the requirements in Subsection (1), an owner ~~[whose]~~ of a vehicle
125 that has not been previously registered or that is currently registered under a previous owner's
126 name shall ~~[also]~~ apply for a valid certificate of title in the owner's name ~~[prior to]~~ before
127 registration.

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

132 (4) ~~[A]~~ The division may not issue a new registration, transfer of ownership, or
133 registration renewal under Section 41-22-3 ~~[may not be issued]~~ for an off-highway vehicle that
134 is subject to ~~[the titling provisions of]~~ this chapter unless a certificate of title has been or is in
135 the process of being issued in the same owner's name.

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

137 **41-1a-205. Safety inspection certificate required for commercial motor vehicles**
138 **and initial registration of street-legal ATVs and salvage vehicles.**

139 ~~[(1) If required in the current year, a safety inspection certificate, as required by Section~~
140 ~~53-8-205, or proof of exemption from safety inspection shall be presented at the time of, and as~~
141 ~~a condition of, registration or renewal of registration of a motor vehicle.]~~

142 ~~[(2)(a) Except as provided in Subsections (2)(b), (c), and (d), the safety inspection~~
143 ~~required under this section may be made no more than two months prior to the renewal of~~
144 ~~registration.]~~

145 ~~[(b)(i) If the title of a used motor vehicle is being transferred, a safety inspection~~
146 ~~certificate issued for the motor vehicle during the previous 11 months may be used to satisfy~~
147 ~~the requirement under Subsection (1).]~~

148 ~~[(ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety~~

149 inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle
150 dealer's name during the previous 11 months may be used to satisfy the requirement under
151 Subsection (1).]

152 [~~(c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a
153 safety inspection certificate issued during the previous 11 months may be used to satisfy the
154 requirement under Subsection (1).]~~

155 [~~(d) If the motor vehicle is part of a fleet of 101 or more vehicles, the safety inspection
156 required under this section may be made no more than 11 months prior to the renewal of
157 registration.]~~

158 [~~(e) If the application for renewal of registration is for a six-month registration period
159 under Section 41-1a-215.5, a safety inspection certificate issued during the previous eight
160 months may be used to satisfy the requirement under Subsection (1).]~~

161 [~~(3) (a) The following motor vehicles are exempt from this section:]~~

162 [~~(i) except as provided in Subsection (3)(b), a new motor vehicle when registered the
163 first time, if:]~~

164 [~~(A) a new car predelivery inspection has been made by a dealer;]~~

165 [~~(B) the dealer provides a written disclosure statement listing any known deficiency,
166 existing with the new motor vehicle at the time of delivery, that would cause the motor vehicle
167 to fail a safety inspection given in accordance with Section 53-8-205; and]~~

168 [~~(C) the buyer signs the disclosure statement to acknowledge that the buyer has read
169 and understands the listed deficiencies;]~~

170 [~~(ii) a motor vehicle required to be registered under this chapter that bears a dealer
171 plate or other special plate under Title 41, Chapter 3, Part 5, Special Dealer License Plates;
172 except that if the motor vehicle is propelled by its own power and is not being moved for repair
173 or dismantling, the motor vehicle shall comply with Section 41-6a-1601 regarding safe
174 mechanical condition; and]~~

175 [~~(iii) a vintage vehicle as defined in Section 41-21-1.]~~

176 [~~(b) (1) A street-legal all-terrain vehicle registered in accordance with Section
177 41-6a-1509 is subject to a safety inspection[;-(i)] the first time that a person registers an
178 off-highway vehicle as a street-legal all-terrain vehicle[; and].~~

179 [~~(ii) subsequently, on the same frequency as described in Subsection 53-8-205(2) based~~

180 ~~on the age of the vehicle as determined by the model year identified by the manufacturer.]~~

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

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

184 ~~[(i)]~~ (a) all registered commercial [motor] vehicles [with a gross vehicle weight rating
185 of 26,000 pounds or more] as defined in Section 72-9-102;

186 ~~[(ii)]~~ (b) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer
187 with multiple axles;

188 ~~[(iii)]~~ (c) a combination unit; [and]

189 ~~[(iv)]~~ (d) a bus or van for hire[-];

190 (e) a taxicab; and

191 (f) a motor vehicle operated by a ground transportation service provider as defined in
192 Section 72-10-601.

193 ~~[(b) A commercial vehicle under Subsection (4)(a) is exempt from the requirements of~~
194 ~~Subsection (1).]~~

195 ~~[(5) A motor vehicle may be sold and the title assigned to the new owner without a~~
196 ~~valid safety inspection, but the motor vehicle may not be registered in the new owner's name~~
197 ~~until the motor vehicle complies with this section.]~~

198 ~~[(6)]~~ (4) A violation of this section is an infraction.

199 Section 4. Section **41-1a-217** is amended to read:

200 **41-1a-217. Application for renewal of registration.**

201 ~~(1) [Renewal of]~~ An applicant may renew a vehicle registration [shall be made by the
202 owner upon] by:

203 (a) filing an application for registration renewal; and [by payment of]

204 (b) paying the fees or taxes required under Subsection 41-1a-203(1).

205 (2) The applicant shall ensure that the application for registration renewal and the
206 payment for applicable fees or taxes [shall be] is accompanied by a [:(a) safety inspection
207 certificate as required under Section 41-1a-205; and (b)] certificate of emissions inspection [as]
208 if required under Section 41-6a-1642.

209 (3) The division shall issue a new registration card [issued shall show] that contains:

210 (a) the identical information with respect to the owner and the vehicle description

211 required by Section 41-1a-213; and

212 (b) the new expiration date.

213 Section 5. Section 41-1a-226 is amended to read:

214 **41-1a-226. Vintage vehicle -- Signed statement -- Registration.**

215 (1) The owner of a vintage vehicle who applies for registration under this part shall
216 provide a signed statement that the vintage vehicle:

217 (a) is owned and operated for the purposes described in Section 41-21-1; and

218 (b) is safe to operate on the highways of this state as described in Section 41-21-4.

219 (2) The signed statement described in Subsection (1) is in lieu of ~~[(a) a safety~~
220 ~~inspection, from which a vintage vehicle is exempt under Subsection 41-1a-205(3); and (b)]~~ an
221 emissions inspection, from which a vintage vehicle is exempt under Subsection 41-6a-1642(3).

222 Section 6. Section 41-1a-1201 is amended to read:

223 **41-1a-1201. Disposition of fees.**

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

226 (2) Except as provided in Subsections (3), (6), ~~and~~ (7), and (8) and Sections
227 41-1a-422, 41-1a-1220, 41-1a-1221, and 41-1a-1223 all fees collected under this part shall be
228 deposited in the Transportation Fund.

229 (3) Funds generated under Subsections 41-1a-1211(1)(b)(ii), (6)(b)(ii), and (7) and
230 Section 41-1a-1212 may be used by the commission to cover the costs incurred in issuing
231 license plates under Part 4, License Plates and Registration Indicia.

232 (4) In accordance with Section 63J-1-602.2, all funds available to the commission for
233 the purchase and distribution of license plates and decals are nonlapsing.

234 (5) (a) Except as provided in Subsections (3) and (5)(b) and Section 41-1a-1205, the
235 expenses of the commission in enforcing and administering this part shall be provided for by
236 legislative appropriation from the revenues of the Transportation Fund.

237 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)
238 and (b) for each vehicle registered for a six-month registration period under Section
239 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and
240 administering this part.

241 (6) (a) The following portions of the registration fees imposed under Section

242 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005
243 created under Section 72-2-124:

244 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),
245 (1)(f), (3), and (6);

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

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

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

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

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

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

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

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

257 (7) (a) Ninety-four cents of each registration fee imposed under Subsections
258 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted
259 Account created in Section 53-3-106.

260 (b) Seventy-one cents of each registration fee imposed under Subsections
261 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under
262 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in
263 Section 53-3-106.

264 (8) (a) one dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)
265 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted
266 Account created in Section 53-3-214.

267 (b) one dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a) and
268 (b) for each vehicle registered for a six-month registration period under Section 41-1a-215.5
269 shall be deposited into the Motor Vehicle Safety Impact Restricted Account created in Section
270 53-3-214.

271 Section 7. Section 41-1a-1206 is amended to read:

272 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

276 (a) [~~\$44.50~~] \$45.50 for each motorcycle;

277 (b) [~~\$43~~] \$44 for each motor vehicle of 12,000 pounds or less gross laden weight,
278 excluding motorcycles;

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

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

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

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

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

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

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

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

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

293 (g) \$45 for each vintage vehicle that is less than 40 years old.

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

297 (a) [~~\$33.50~~] \$34.50 for each motorcycle; and

298 (b) [~~\$32.50~~] \$33.50 for each motor vehicle of 12,000 pounds or less gross laden
299 weight, excluding motorcycles.

300 (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is
301 \$40.

302 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of
303 registration fees under Subsection (1).

304 (c) A vehicle with a Purple Heart special group license plate issued in accordance with
305 Section 41-1a-421 is exempt from the registration fees under Subsection (1).

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

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

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

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

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

317 (7) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm
318 truck unless:

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

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

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

324 (8) A violation of Subsection (7) is an infraction that shall be punished by a fine of not
325 less than \$200.

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

329 Section 8. Section 41-3-303 is amended to read:

330 **41-3-303. Temporary permits -- Inspections required before issuance.**

331 (1) [A] Except as provided in Subsections (2) and (3), a dealer licensed in accordance
332 with this chapter may not issue a temporary permit for a motor vehicle under Section 41-3-302
333 unless[:(a) (i) the motor vehicle for which the temporary permit is issued has received and
334 passed the safety inspection if required in the current year under Section 53-8-205 within the

335 ~~previous 11 months; (ii) the safety inspection certificate was issued in the name of a licensed~~
336 ~~and bonded dealer; and (iii) a copy of the safety inspection certificate is given to the customer;~~
337 ~~and (b)] the motor vehicle passed [~~the emission~~] an emissions inspection test if required by
338 Section 41-6a-1642.~~

339 ~~[(2) Notwithstanding Subsection (1)(a), a dealer may issue a temporary permit without~~
340 ~~a safety inspection certificate if the motor vehicle complies with the safety inspection as~~
341 ~~provided in Section 41-1a-205.]~~

342 ~~[(3) Notwithstanding Subsection (1)(b), a]~~

343 (2) A dealer may issue a temporary permit without proof of an [emission] emissions
344 inspection if:

345 (a) the motor vehicle is exempt from [emission] an emissions inspection [as provided
346 in] under Section 41-6a-1642;

347 (b) the purchaser is a resident of a county that does not require [emission] emissions
348 inspections; or

349 (c) the motor vehicle is otherwise exempt from [emission] emissions inspections.

350 ~~[(4) Notwithstanding Subsection (1), a]~~

351 (3) A dealer may sell a motor vehicle as is without [having it safety or emission
352 inspected provided that no] an emissions inspection if the dealer does not issue a temporary
353 permit [is issued].

354 Section 9. Section **41-6a-1508** is amended to read:

355 **41-6a-1508. Low-speed vehicle.**

356 (1) Except as otherwise provided in this section, a low-speed vehicle is considered a
357 motor vehicle for purposes of the Utah Code including requirements for:

358 (a) traffic rules under Title 41, Chapter 6a, Traffic Code;

359 (b) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;

360 (c) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of
361 Motor Vehicle Owners and Operators Act;

362 (d) vehicle registration, titling, vehicle identification numbers, license plates, and
363 registration fees under Title 41, Chapter 1a, Motor Vehicle Act;

364 (e) vehicle taxation under Title 59, Chapter 13, Motor and Special Fuel Tax Act, and
365 fee in lieu of property taxes or in lieu fees under Section 59-2-405;

366 (f) motor vehicle dealer licensing under Title 41, Chapter 3, Motor Vehicle Business
367 Regulation Act; and

368 [~~(g)~~] motor vehicle safety inspection requirements under Section ~~53-8-205~~; and]

369 [~~(h)~~] (g) safety belt requirements under [~~Title 41, Chapter 6a,~~] Part 18, Motor Vehicle
370 Safety Belt Usage Act.

371 (2) (a) [~~A~~] The owner of a low-speed vehicle shall [comply] ensure that the low-speed
372 vehicle:

373 (i) complies with federal safety standards established in 49 C.F.R. 571.500; and [~~shall~~
374 ~~be~~]

375 (ii) is equipped with:

376 [~~(i)~~] (A) headlamps;

377 [~~(ii)~~] (B) front and rear turn signals, tail lamps, and stop lamps;

378 [~~(iii)~~] (C) turn signal lamps;

379 [~~(iv)~~] (D) reflex reflectors one on the rear of the vehicle and one on the left and right
380 side and as far to the rear of the vehicle as practical;

381 [~~(v)~~] (E) a parking brake;

382 [~~(vi)~~] (F) a windshield that meets the standards under Section ~~41-6a-1635~~, including a
383 device for cleaning rain, snow, or other moisture from the windshield; and

384 [~~(vii)~~] (G) an exterior rearview mirror on the driver's side and either an interior
385 rearview mirror or an exterior rearview mirror on the passenger side.

386 (b) A low-speed vehicle that complies with this Subsection (2) and Subsection (3) and
387 that is not altered from the manufacturer is considered to comply with equipment requirements
388 under Part 16, Vehicle Equipment.

389 (3) A person may not operate a low-speed vehicle that has been structurally altered
390 from the original manufacturer's design.

391 (4) A low-speed vehicle is exempt from a motor vehicle emissions inspection and
392 maintenance program requirements under Section ~~41-6a-1642~~.

393 (5) (a) Except to cross a highway at an intersection, a low-speed vehicle may not be
394 operated on a highway with a posted speed limit of more than 35 miles per hour.

395 (b) In addition to the restrictions under Subsection (5)(a), a highway authority, may
396 prohibit or restrict the operation of a low-speed vehicle on any highway under its jurisdiction, if

397 the highway authority determines the prohibition or restriction is necessary for public safety.

398 (6) A person may not operate a low-speed vehicle on a highway without displaying on
399 the rear of the low-speed vehicle, a slow-moving vehicle identification emblem that complies
400 with the Society of Automotive Engineers standard SAE J943.

401 (7) A person who violates Subsection (2), (3), (5), or (6) is guilty of an infraction.

402 Section 10. Section **41-6a-1509** is amended to read:

403 **41-6a-1509. Street-legal all-terrain vehicle -- Operation on highways --**
404 **Registration and licensing requirements -- Equipment requirements.**

405 (1) (a) Except as provided in Subsection (1)(b), an all-terrain type I vehicle, utility type
406 vehicle, or full-sized all-terrain vehicle that meets the requirements of this section may be
407 operated as a street-legal ATV on a street or highway unless the highway is an interstate
408 freeway as defined in Section [41-6a-102](#).

409 (b) Unless a street or highway is designated as open for street-legal ATV use by the
410 controlling highway authority in accordance with Section [41-22-10.5](#), a person may not operate
411 a street-legal ATV on a street or highway in accordance with Subsection (1)(a) if the highway
412 is under the jurisdiction of:

- 413 (i) a county of the first class; or
- 414 (ii) a municipality that is within a county of the first class.

415 (2) A street-legal ATV shall comply with Subsection [41-1a-205](#)(1), Subsection
416 [53-8-205](#)(1)(b), and the same requirements as:

- 417 (a) a motorcycle for:
 - 418 (i) traffic rules under Title 41, Chapter 6a, Traffic Code;
 - 419 (ii) registration, titling, odometer statement, vehicle identification, license plates, and
420 registration fees under Title 41, Chapter 1a, Motor Vehicle Act;
 - 421 (iii) fees in lieu of property taxes or in lieu of fees under Section [59-2-405.2](#); and
 - 422 (iv) the county motor vehicle emissions inspection and maintenance programs under
423 Section [41-6a-1642](#);

- 424 (b) a motor vehicle for:
 - 425 (i) driver licensing under Title 53, Chapter 3, Uniform Driver License Act; and
 - 426 (ii) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of
427 Motor Vehicle Owners and Operators Act; and

428 ~~[(iii) safety inspection requirements under Title 53, Chapter 8, Part 2, Motor Vehicle~~
429 ~~Safety Inspection Act, except that a street-legal ATV shall be subject to a safety inspection: (A)~~
430 ~~when registered for the first time; and]~~

431 ~~[(B) subsequently, on the same frequency as described in Subsection 53-8-205(2)~~
432 ~~based on the age of the vehicle as determined by the model year identified by the manufacturer;~~
433 ~~and]~~

434 (c) an all-terrain type I or type II vehicle for off-highway vehicle provisions under Title
435 41, Chapter 22, Off-Highway Vehicles, and Title 41, Chapter 3, Motor Vehicle Business
436 Regulation Act, unless otherwise specified in this section.

437 (3) (a) ~~[An]~~ The owner of an all-terrain type I vehicle ~~[and]~~ or a utility type vehicle
438 being operated as a street-legal ATV shall ~~[be]~~ ensure that the vehicle is equipped with:

- 439 (i) one or more headlamps that meet the requirements of Section 41-6a-1603;
- 440 (ii) one or more tail lamps;
- 441 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
442 with a white light;
- 443 (iv) one or more red reflectors on the rear;
- 444 (v) one or more stop lamps on the rear;
- 445 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 446 (vii) a braking system, other than a parking brake, that meets the requirements of
447 Section 41-6a-1623;
- 448 (viii) a horn or other warning device that meets the requirements of Section
449 41-6a-1625;
- 450 (ix) a muffler and emission control system that meets the requirements of Section
451 41-6a-1626;
- 452 (x) rearview mirrors on the right and left side of the driver in accordance with Section
453 41-6a-1627;
- 454 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
- 455 (xii) a speedometer, illuminated for nighttime operation;
- 456 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
457 seat designed for passengers, including a footrest and handhold for each passenger;
- 458 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and

- 459 (xv) tires that:
- 460 (A) are not larger than the tires that the all-terrain vehicle manufacturer made available
- 461 for the all-terrain vehicle model; and
- 462 (B) have at least 2/32 inches or greater tire tread.
- 463 (b) ~~[A]~~ The owner of a full-sized all-terrain vehicle being operated as a street-legal
- 464 all-terrain vehicle shall ~~[be]~~ ensure that the vehicle is equipped with:
- 465 (i) two headlamps that meet the requirements of Section 41-6a-1603;
- 466 (ii) two tail lamps;
- 467 (iii) a tail lamp or other lamp constructed and placed to illuminate the registration plate
- 468 with a white light;
- 469 (iv) one or more red reflectors on the rear;
- 470 (v) two stop lamps on the rear;
- 471 (vi) amber or red electric turn signals, one on each side of the front and rear;
- 472 (vii) a braking system, other than a parking brake, that meets the requirements of
- 473 Section 41-6a-1623;
- 474 (viii) a horn or other warning device that meets the requirements of Section
- 475 41-6a-1625;
- 476 (ix) a muffler and emission control system that meets the requirements of Section
- 477 41-6a-1626;
- 478 (x) rearview mirrors on the right and left side of the driver in accordance with Section
- 479 41-6a-1627;
- 480 (xi) a windshield, unless the operator wears eye protection while operating the vehicle;
- 481 (xii) a speedometer, illuminated for nighttime operation;
- 482 (xiii) for vehicles designed by the manufacturer for carrying one or more passengers, a
- 483 seat designed for passengers, including a footrest and handhold for each passenger;
- 484 (xiv) for vehicles with side-by-side seating, seatbelts for each vehicle occupant; and
- 485 (xv) tires that:
- 486 (A) do not exceed 44 inches in height; and
- 487 (B) have at least 2/32 inches or greater tire tread.
- 488 (c) ~~[A]~~ The owner of a street-legal all-terrain vehicle is not required to ~~[be equipped]~~
- 489 equip the vehicle with wheel covers, mudguards, flaps, or splash aprons.

490 (4) (a) Subject to the [~~requirement in~~] requirements of Subsection (4)(b), an operator of
491 a street-legal all-terrain vehicle, when operating a street-legal all-terrain vehicle on a highway,
492 may not exceed the lesser of:

493 (i) the posted speed limit; or

494 (ii) 50 miles per hour.

495 (b) An operator of a street-legal all-terrain vehicle, when operating a street-legal
496 all-terrain vehicle on a highway with a posted speed limit higher than 50 miles per hour, shall:

497 (i) operate the street-legal all-terrain vehicle on the extreme right hand side of the
498 roadway; and

499 (ii) equip the street-legal all-terrain vehicle with a reflector or reflective tape to the front
500 and back of both sides of the vehicle.

501 (5) (a) A nonresident operator of an off-highway vehicle that is authorized to be
502 operated on the highways of another state has the same rights and privileges as a street-legal
503 ATV that is granted operating privileges on the highways of this state, subject to the
504 restrictions under this section and rules made by the Board of Parks and Recreation, if the other
505 state offers reciprocal operating privileges to Utah residents.

506 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
507 Board of Parks and Recreation shall establish eligibility requirements for reciprocal operating
508 privileges for nonresident users granted under Subsection (5)(a).

509 (6) Nothing in this chapter [~~shall restrict the operation of~~] restricts the owner of an
510 off-highway vehicle from operating the off-highway vehicle in accordance with Section
511 [41-22-10.5](#).

512 (7) A violation of this section is an infraction.

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

514 **41-6a-1642. Emissions inspection -- County program.**

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

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

521 (i) as a condition of registration or renewal of registration; and
522 (ii) at other times as the county legislative body may require to enforce inspection
523 requirements for individual motor vehicles, except that the county legislative body may not
524 routinely require a certificate of emission inspection, or waiver of the certificate, more often
525 than required under Subsection (6); and

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

529 (i) the federal government;
530 (ii) the state and any of its agencies; or
531 (iii) a political subdivision of the state, including school districts.

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

535 (i) emissions standards;
536 (ii) test procedures;
537 (iii) inspections stations;
538 (iv) repair requirements and dollar limits for correction of deficiencies; and
539 (v) certificates of emissions inspections.

540 (b) The regulations or ordinances shall:

541 (i) be made to attain or maintain ambient air quality standards in the county, consistent
542 with the state implementation plan and federal requirements;
543 (ii) may allow for a phase-in of the program by geographical area; and
544 (iii) be compliant with the analyzer design and certification requirements contained in
545 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

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

548 (i) decentralized, to the extent the decentralized program will attain and maintain
549 ambient air quality standards and meet federal requirements;
550 (ii) the most cost effective means to achieve and maintain the maximum benefit with
551 regard to ambient air quality standards and to meet federal air quality requirements as related to

552 vehicle emissions; and

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

555 (d) The provisions of Subsection (2)(c)(iii) apply only to the extent the phase-out:

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

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

559 (3) The following vehicles are exempt from the provisions of this section:

560 (a) an implement of husbandry;

561 (b) a motor vehicle that:

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

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

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

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

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

570 (4) (a) The legislative body of a county identified in Subsection (1) shall exempt a
571 pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight of 12,000 pounds or
572 less from the emission inspection requirements of this section, if the registered owner of the
573 pickup truck provides a signed statement to the legislative body stating the truck is used:

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

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

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

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

582 (b) The county shall provide to the registered owner who signs and submits a signed

583 statement under this section a certificate of exemption from emission inspection requirements
584 for purposes of registering the exempt vehicle.

585 (5) (a) Subject to Subsection (5)(c), the legislative body of each county required under
586 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
587 which an emissions inspection and maintenance program is necessary to attain or maintain any
588 national ambient air quality standard may require each college or university located in a county
589 subject to this section to require its students and employees who park a motor vehicle not
590 registered in a county subject to this section to provide proof of compliance with an emissions
591 inspection accepted by the county legislative body if the motor vehicle is parked on the college
592 or university campus or property.

593 (b) College or university parking areas that are metered or for which payment is
594 required per use are not subject to the requirements of this Subsection (5).

595 (c) The legislative body of a county shall make the reasons for implementing the
596 provisions of this Subsection (5) part of the record at the time that the county legislative body
597 takes its official action to implement the provisions of this Subsection (5).

598 (6) (a) An emissions inspection station shall issue a certificate of emissions inspection
599 for each motor vehicle that meets the inspection and maintenance program requirements
600 established in rules made under Subsection (2).

601 (b) The frequency of the emissions inspection shall be determined based on the age of
602 the vehicle as determined by model year and shall be required annually subject to the
603 provisions of Subsection (6)(c).

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

608 (ii) The provisions of Subsection (6)(c)(i) apply only to a vehicle that is less than six
609 years old on January 1.

610 (iii) For a county required to implement a new vehicle emissions inspection and
611 maintenance program on or after December 1, 2012, under Subsection (1), but for which no
612 current federally approved state implementation plan exists, a vehicle shall be tested at a
613 frequency determined by the county legislative body, in consultation with the Air Quality

614 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or
615 maintain any national ambient air quality standard.

616 (iv) If a county legislative body establishes or changes the frequency of a vehicle
617 emissions inspection and maintenance program under Subsection (6)(c)(iii), the establishment
618 or change shall take effect on January 1 if the Tax Commission receives notice meeting the
619 requirements of Subsection (6)(c)(v) from the county ~~[prior to]~~ before October 1.

620 (v) The notice described in Subsection (6)(c)(iv) shall:

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

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

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

626 (d) If an emissions inspection is only required every two years for a vehicle under
627 Subsection (6)(c), the inspection shall be required for the vehicle in:

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

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

630 ~~[(7) The emissions inspection shall be required within the same time limit applicable to
631 a safety inspection under Section 41-1a-205.]~~

632 (7) (a) Except as provided in Subsections (7)(b), (c), and (d), the emissions inspection
633 required under this section may be made no more than two months before the renewal of
634 registration.

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

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

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

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

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

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

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

656 (9) If approved by the county legislative body, a county that had an established
657 emissions inspection fee as of January 1, 2002, may increase the established fee that an
658 emissions inspection station may charge by \$2.50 for each year that is exempted from
659 emissions inspections under Subsection (6)(c) up to a \$7.50 increase.

660 (10) (a) A county identified in Subsection (1) may impose a local emissions
661 compliance fee on each motor vehicle registration within the county in accordance with the
662 procedures and requirements of Section [41-1a-1223](#).

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

666 Section 12. Section **41-6a-1803** is amended to read:

667 **41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

668 (1) (a) The operator of a motor vehicle operated on a highway shall:

669 (i) wear a properly adjusted and fastened safety belt;

670 (ii) provide for the protection of each person younger than eight years of age by using a
671 child restraint device to restrain each person in the manner prescribed by the manufacturer of
672 the device; and

673 (iii) provide for the protection of each person eight years of age up to 16 years of age
674 by securing, or causing to be secured, a properly adjusted and fastened safety belt on each
675 person.

676 (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight
677 years of age who is 57 inches tall or taller:

678 (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint
679 device; and

680 (ii) shall use a properly adjusted and fastened safety belt as required in Subsection
681 (1)(a)(iii).

682 (2) A person 16 years of age or older who is a passenger in a motor vehicle operated on
683 a highway shall wear a properly adjusted and fastened safety belt.

684 (3) If more than one person is not using a child restraint device or wearing a safety belt
685 in violation of Subsection (1), it is considered only one offense, and the driver may receive
686 only one citation for that offense.

687 ~~[(4) Beginning on July 1, 2018, and for a person 19 years of age or older who violates~~
688 ~~Subsection (1)(a)(i) or (2), enforcement by a state or local law enforcement officer shall be only~~
689 ~~as a secondary action when the person has been detained for a suspected violation of Title 41,~~
690 ~~Motor Vehicles, other than Subsection (1)(a)(i) or (2), or for another offense.]~~

691 Section 13. Section **41-6a-1805** is amended to read:

692 **41-6a-1805. Penalty for violation.**

693 (1) (a) A person who violates Section **41-6a-1803** is guilty of an infraction and shall be
694 fined a maximum of \$45.

695 (b) Until July 1, 2018, a peace officer may not issue a citation to an individual for a
696 violation of Section **41-6a-1803** if the person has not previously been warned for a violation of
697 Section **41-6a-1803** but shall issue the individual a warning informing the individual that
698 operating or being a passenger in a vehicle without wearing a properly adjusted and fastened
699 safety belt is prohibited.

700 (c) The court shall waive all of the fine for a violation of [~~Section **41-6a-1803** if a~~
701 ~~person: (i) shows evidence of completion of a 30 minute course approved by the commissioner~~
702 ~~of the Department of Public Safety that includes education on the benefits of using a safety belt~~
703 ~~or child restraint device; and (ii) if the violation is for an offense under]~~ Subsection
704 **41-6a-1803**(1)(b)[;] if the person submits proof of acquisition, rental, or purchase of a child
705 restraint device.

706 (2) Points for a motor vehicle reportable violation, as defined under Section **53-3-102**,

707 may not be assessed against a person for a violation of Section 41-6a-1803.

708 Section 14. Section 53-8-205 is amended to read:

709 **53-8-205. Safety inspection required for certain vehicles -- Out-of-state permits.**

710 ~~[(1) (a) Except as provided in Subsection (1)(b), a person may not operate on a~~
711 ~~highway a motor vehicle required to be registered in this state unless the motor vehicle has~~
712 ~~passed a safety inspection if required in the current year.]~~

713 ~~[(b) Subsection (1)(a) does not apply to:]~~

714 ~~[(i) a vehicle that is exempt from registration under Section 41-1a-205;]~~

715 ~~[(ii) an off-highway vehicle, unless the off-highway vehicle is being registered as a~~
716 ~~street-legal all-terrain vehicle in accordance with Section 41-6a-1509;]~~

717 ~~[(iii) a vintage vehicle as defined in Section 41-21-1;]~~

718 ~~[(iv) a commercial vehicle with a gross vehicle weight rating over 26,000 pounds that:]~~

719 ~~[(A) is operating with an apportioned registration under Section 41-1a-301; and]~~

720 ~~[(B) has a valid annual federal inspection that complies with the requirements of 49~~
721 ~~C.F.R. Sec. 396.17; and]~~

722 ~~[(v) a trailer, semitrailer, or trailering equipment attached to a commercial motor~~
723 ~~vehicle described in Subsection (1)(b)(iv) that has a valid annual federal inspection that~~
724 ~~complies with the requirements of 49 C.F.R. Sec. 396.17.]~~

725 ~~[(2) Except as provided in Subsection (3), the frequency of the safety inspection shall~~
726 ~~be determined based on the age of the vehicle determined by model year and shall:]~~

727 ~~[(a) be required each year for a vehicle that is 10 or more years old on January 1; or]~~

728 ~~[(b) for each vehicle that is less than 10 years old on January 1, be required in the~~
729 ~~fourth year and the eighth year;]~~

730 ~~[(c) be made by a safety inspector certified by the division at a safety inspection station~~
731 ~~authorized by the division;]~~

732 ~~[(d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to~~
733 ~~ensure proper adjustment and condition as required by department rules; and]~~

734 ~~[(e) include an inspection for the display of license plates in accordance with Section~~
735 ~~41-1a-404.]~~

736 ~~[(3) (a) (i)]~~ (1) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to
737 pass a safety inspection when an application is made for initial registration as a salvage vehicle.

738 ~~[(ii) After initial registration as a salvage vehicle, the frequency of the safety inspection~~
739 ~~shall correspond with the model year, as provided in Subsection (2).]~~

740 (b) An off-highway vehicle being registered for the first time as a street-legal all-terrain
741 vehicle as described in Section 41-6a-1509 is required to pass a safety inspection when the
742 owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.

743 ~~[(b)] (c) [Beginning on the date that the Motor Vehicle Division has implemented the~~
744 ~~Motor Vehicle Division's GenTax system,] The owner of a commercial vehicle, as defined in~~
745 ~~Section [41-1a-102,~~ with a gross vehicle weight rating of 10,001 pounds or more is required to
746 ~~pass] 72-9-102, shall:~~

747 (i) ensure that the commercial vehicle passes a safety inspection annually ~~[or comply~~
748 ~~with Subsection (1)(b)(iv)(B)]; or~~

749 (ii) provide evidence of a valid annual federal inspection that complies with the
750 requirements of 49 C.F.R. Sec. 396.17.

751 (d) The owner of a vehicle operated by a ground transportation service provider as
752 defined in Section 72-10-601 shall ensure that the vehicle passes a safety inspection annually.

753 (e) An owner of one or more of the following types of vehicles shall ensure that the
754 vehicle passes a safety inspection annually:

755 (i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with
756 multiple axles;

757 (ii) a combination unit;

758 (iii) a bus or van for hire; or

759 (iv) a taxicab.

760 ~~[(4)(a)] (2) A safety inspection station shall issue two safety inspection certificates to~~
761 ~~the owner of:~~

762 ~~[(i)] (a) each motor vehicle that passes a safety inspection under this section; and~~

763 ~~[(ii)] (b) a street-legal all-terrain vehicle that meets all the equipment requirements in~~
764 ~~Section 41-6a-1509.~~

765 ~~[(b) A safety inspection station shall use one safety inspection certificate issued under~~
766 ~~this Subsection (4) for processing the vehicle registration.]~~

767 ~~[(c) A person operating a motor vehicle shall have in the person's immediate~~
768 ~~possession a safety inspection certificate or other evidence of compliance with the requirement~~

769 ~~to obtain a safety inspection under this section.]~~

770 (3) A person operating a motor vehicle required to have an annual safety inspection
771 shall have in the person's immediate possession a safety inspection certificate or other evidence
772 of compliance.

773 ~~[(5)]~~ (4) The division may~~[(a)]~~ authorize the acceptance ~~[in this state]~~ of a safety
774 inspection certificate issued in another state having a safety inspection law similar to ~~[this state;~~
775 ~~and]~~ Utah's law.

776 ~~[(b) extend the time within which a safety inspection certificate must be obtained by~~
777 ~~the resident owner of a vehicle that was not in this state during the time a safety inspection was~~
778 ~~required.]~~

779 ~~[(6)]~~ (5) A violation of this section is an infraction.

780 Section 15. Section **53-8-206** is amended to read:

781 **53-8-206. Safety inspection -- Station requirements -- Permits not transferable --**
782 **Certificate of inspection -- Fees -- Unused certificates -- Suspension or revocation of**
783 **permits.**

784 (1) The safety inspection required under ~~[Section 53-8-205]~~ this part may only be
785 performed:

786 (a) by a person certified by the division as a safety inspector; and

787 (b) at a safety inspection station with a valid safety inspection station permit issued by
788 the division.

789 (2) (a) A safety inspection station permit may not be assigned, or transferred, or used at
790 any location other than a designated location~~[-and every].~~

791 (b) The holder of a safety inspection station permit shall ~~[be posted]~~ post the permit in
792 a conspicuous place at the location designated in the permit.

793 (3) If required by the division, the safety inspector shall keep a record and file a report
794 ~~[shall be made]~~ of every safety inspection and every safety inspection certificate issued.

795 (4) A safety inspection station holding a safety inspection station permit issued by the
796 division may charge a reasonable fee for labor in performing safety inspections, not to exceed:

797 (a) \$7 or less for motorcycles and street-legal all-terrain vehicles;

798 (b) unless Subsection (4)(a) or (c) applies, \$15 or less for motor vehicles; or

799 (c) \$20 or less for 4-wheel drive, split axle, and any motor vehicles that necessitate

800 disassembly of front hub or removal of rear axle for inspection.

801 (5) (a) A safety inspection station may return to the division unused safety inspection
802 certificates in a quantity of 10 or more [~~and~~].

803 (b) The division shall [~~be reimbursed by the division~~] reimburse the station for the cost
804 of [~~the~~] the returned safety inspection certificates.

805 (6) (a) Upon receiving notice of the suspension or revocation of a safety inspection
806 station permit and after the conclusion of any adjudicative proceedings upholding the
807 suspension or revocation, the safety inspection station permit holder shall:

808 (i) immediately terminate all safety inspection activities; and

809 (ii) return all safety inspection certificates and the safety inspection station permit to
810 the division.

811 (b) The division shall issue a receipt for all unused safety inspection certificates.

812 Section 16. Section **53-8-214** is enacted to read:

813 **53-8-214. Creation of the Motor Vehicle Safety Impact Restricted Account.**

814 (1) There is created a restricted account within the General Fund known as the Motor
815 Vehicle Safety Impact Restricted Account.

816 (2) The account includes:

817 (a) deposits made to the restricted account from registration fees as described in
818 Subsection [41-1a-1201](#)(8);

819 (b) donations or deposits made to the account; and

820 (c) any interest earned on the account.

821 (3) Upon appropriation, the division may use funds in the account to improve motor
822 vehicle safety, mitigate impacts, and enforce safety provisions, including the following:

823 (a) hiring new Highway Patrol troopers;

824 (b) payment of overtime for Highway Patrol troopers; and

825 (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.

826 (4) The division shall annually report to the Executive Offices and Criminal Justice
827 Appropriations Subcommittee to justify expenditures and use of funds in the account.

828 Section 17. **Appropriation.**

829 The following sums of money are appropriated for the fiscal year beginning July 1,
830 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for

831 fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
 832 Act, the Legislature appropriates the following sums of money from the funds or accounts
 833 indicated for the use and support of the government of the state of Utah.

834 ITEM 1

835 To Department of Public Safety -- Programs and Operations

836	<u>From General Fund</u>	<u>(\$199,800)</u>
837	<u>From General Fund, One-time</u>	<u>\$99,900</u>
838	<u>From Department of Public Safety Restricted Account</u>	<u>(\$684,100)</u>
839	<u>From Department of Public Safety Restricted Account, One-time</u>	<u>\$342,100</u>
840	<u>Schedule of Programs:</u>	
841	<u>Highway Patrol -- Safety Inspections</u>	<u>(\$441,900)</u>

842 ITEM 2

843 To Department of Public Safety -- Programs and Operations

844	<u>From General Fund</u>	<u>\$199,800</u>
845	<u>From General Fund, One-time</u>	<u>(\$99,900)</u>
846	<u>From Department of Public Safety Restricted Account</u>	<u>\$684,100</u>
847	<u>From Department of Public Safety Restricted Account, One-time</u>	<u>(\$342,100)</u>
848	<u>Schedule of Programs:</u>	
849	<u>Highway Patrol -- Field Operations</u>	<u>\$441,900</u>

850 Section 18. **Effective date.**

851 This bill takes effect on January 1, 2018.