

Senator Wayne A. Harper proposes the following substitute bill:

TRANSPORTATION AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Johnny Anderson

LONG TITLE

General Description:

This bill modifies provisions relating to transportation funding.

Highlighted Provisions:

This bill:

- ▶ provides definitions;
- ▶ increases motor vehicle registration fees for certain motor vehicles of 12,000 pounds or less gross laden weight, excluding motorcycles;
- ▶ provides that the increased portion of certain registration fees shall be deposited into the Transportation Fund;
- ▶ amends the penalty amount that is collected from an issuing dealer for a temporary permit that is outstanding for 45 days from the date it is issued;
- ▶ amends the amount of revenue that is appropriated from the Transportation Fund to the class B and class C roads account;
- ▶ requires the Division of Finance to transfer a certain amount of revenue from the Transportation Investment Fund of 2005 to the Clean Fuels and Vehicle Technology Fund;
- ▶ provides that the Transportation Interim Committee shall study the impacts of creating variable registration fees based on a motor vehicle's fuel economy rating;



26 and

27 ▶ makes technical corrections.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **41-1a-102**, as last amended by Laws of Utah 2014, Chapters 61, 237, and 237

35 **41-1a-1201**, as last amended by Laws of Utah 2012, Chapters 207, 356, 397 and last
36 amended by Coordination Clause, Laws of Utah 2012, Chapter 397

37 **41-1a-1206**, as last amended by Laws of Utah 2014, Chapters 61, 237, and 237

38 **41-3-301**, as last amended by Laws of Utah 2008, Chapter 382

39 **41-3-302**, as last amended by Laws of Utah 2008, Chapter 382

40 **72-2-107**, as last amended by Laws of Utah 2010, Chapter 391

41 **72-2-124**, as last amended by Laws of Utah 2013, Chapters 389 and 400

42 **Uncodified Material Affected:**

43 ENACTS UNCODIFIED MATERIAL



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

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

47 **41-1a-102. Definitions.**

48 As used in this chapter:

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

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

52 (3) "All-terrain type I vehicle" [~~has the same meaning provided~~] means the same as that
53 term is defined in Section **41-22-2**.

54 (4) "All-terrain type II vehicle" [~~has the same meaning provided~~] means the same as
55 that term is defined in Section **41-22-2**.

56 (5) "Amateur radio operator" means any person licensed by the Federal

57 Communications Commission to engage in private and experimental two-way radio operation
58 on the amateur band radio frequencies.

59 (6) "Branded title" means a title certificate that is labeled:

60 (a) rebuilt and restored to operation;

61 (b) flooded and restored to operation; or

62 (c) not restored to operation.

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

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

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

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

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

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

76 (11) "Commission" means the State Tax Commission.

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

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

82 ~~[(13)]~~ (14) "Division" means the Motor Vehicle Division of the commission, created in
83 Section [41-1a-106](#).

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

86 ~~[(14)]~~ (16) "Essential parts" means all integral and body parts of a vehicle of a type
87 required to be registered in this state, the removal, alteration, or substitution of which would

88 tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or
89 mode of operation.

90 ~~[(15)]~~ (17) "Farm tractor" means every motor vehicle designed and used primarily as a
91 farm implement for drawing plows, mowing machines, and other implements of husbandry.

92 ~~[(16)]~~ (18) (a) "Farm truck" means a truck used by the owner or operator of a farm
93 solely for his own use in the transportation of:

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

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

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

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

102 ~~[(17)]~~ (19) "Fleet" means one or more commercial vehicles.

103 ~~[(18)]~~ (20) "Foreign vehicle" means a vehicle of a type required to be registered,
104 brought into this state from another state, territory, or country other than in the ordinary course
105 of business by or through a manufacturer or dealer, and not registered in this state.

106 ~~[(19)]~~ (21) "Gross laden weight" means the actual weight of a vehicle or combination
107 of vehicles, equipped for operation, to which shall be added the maximum load to be carried.

108 ~~[(20)]~~ (22) "Highway" or "street" means the entire width between property lines of
109 every way or place of whatever nature when any part of it is open to the public, as a matter of
110 right, for purposes of vehicular traffic.

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

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

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

116 ~~[(21)]~~ (24) (a) "Identification number" means the identifying number assigned by the
117 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
118 motor.

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

121 ~~[(22)]~~ (25) "Implement of husbandry" means every vehicle designed or adapted and
122 used exclusively for an agricultural operation and only incidentally operated or moved upon the
123 highways.

124 ~~[(23)]~~ (26) (a) "In-state miles" means the total number of miles operated in this state
125 during the preceding year by fleet power units.

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

129 ~~[(24)]~~ (27) "Interstate vehicle" means any commercial vehicle operated in more than
130 one state, province, territory, or possession of the United States or foreign country.

131 ~~[(25)]~~ (28) "Jurisdiction" means a state, district, province, political subdivision,
132 territory, or possession of the United States or any foreign country.

133 ~~[(26)]~~ (29) "Lienholder" means a person with a security interest in particular property.

134 ~~[(27)]~~ (30) "Manufactured home" means a transportable factory built housing unit
135 constructed on or after June 15, 1976, according to the Federal Home Construction and Safety
136 Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is
137 eight body feet or more in width or 40 body feet or more in length, or when erected on site, is
138 400 or more square feet, and which is built on a permanent chassis and designed to be used as a
139 dwelling with or without a permanent foundation when connected to the required utilities, and
140 includes the plumbing, heating, air-conditioning, and electrical systems.

141 ~~[(28)]~~ (31) "Manufacturer" means a person engaged in the business of constructing,
142 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
143 outboard motors for the purpose of sale or trade.

144 ~~[(29)]~~ (32) "Mobile home" means a transportable factory built housing unit built prior
145 to June 15, 1976, in accordance with a state mobile home code which existed prior to the
146 Federal Manufactured Housing and Safety Standards Act (HUD Code).

147 ~~[(30)]~~ (33) "Motorboat" has the same meaning as provided in Section [73-18-2](#).

148 ~~[(31)]~~ (34) "Motorcycle" means a motor vehicle having a saddle for the use of the rider
149 and designed to travel on not more than three wheels in contact with the ground.

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

151 ~~[(32)]~~ (36) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for
152 use and operation on the highways.

153 (b) "Motor vehicle" does not include an off-highway vehicle.

154 (37) "Natural gas" means a fuel whose primary constituent is methane.

155 ~~[(33)]~~ (38) (a) "Nonresident" means a person who is not a resident of this state as
156 defined by Section 41-1a-202, and who does not engage in intrastate business within this state
157 and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.

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

163 ~~[(34)]~~ (39) "Odometer" means a device for measuring and recording the actual distance
164 a vehicle travels while in operation, but does not include any auxiliary odometer designed to be
165 periodically reset.

166 ~~[(35)]~~ (40) "Off-highway implement of husbandry" ~~[has the same meaning as~~
167 ~~provided]~~ means the same as that term is defined in Section 41-22-2.

168 ~~[(36)]~~ (41) "Off-highway vehicle" ~~[has the same meaning as provided]~~ means the same
169 as that term is defined in Section 41-22-2.

170 ~~[(37)]~~ (42) "Operate" means to drive or be in actual physical control of a vehicle or to
171 navigate a vessel.

172 ~~[(38)]~~ (43) "Outboard motor" means a detachable self-contained propulsion unit,
173 excluding fuel supply, used to propel a vessel.

174 ~~[(39)]~~ (44) (a) "Owner" means a person, other than a lienholder, holding title to a
175 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
176 subject to a security interest.

177 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
178 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
179 stated in the agreement and with an immediate right of possession vested in the conditional
180 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the

181 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
182 chapter.

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

185 ~~[(40)]~~ (45) "Park model recreational vehicle" means a unit that:

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

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

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

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

192 ~~[(41)]~~ (46) "Personalized license plate" means a license plate that has displayed on it a
193 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
194 to the vehicle by the division.

195 ~~[(42)]~~ (47) (a) "Pickup truck" means a two-axle motor vehicle with motive power
196 manufactured, remanufactured, or materially altered to provide an open cargo area.

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

199 (48) "Plug-in hybrid electric motor vehicle" means a hybrid electric vehicle that has the
200 capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle
201 electric source, such that the off-vehicle source cannot be connected to the vehicle while the
202 vehicle is in motion.

203 ~~[(43)]~~ (49) "Pneumatic tire" means every tire in which compressed air is designed to
204 support the load.

205 ~~[(44)]~~ (50) "Preceding year" means a period of 12 consecutive months fixed by the
206 division that is within 16 months immediately preceding the commencement of the registration
207 or license year in which proportional registration is sought. The division in fixing the period
208 shall conform it to the terms, conditions, and requirements of any applicable agreement or
209 arrangement for the proportional registration of vehicles.

210 ~~[(45)]~~ (51) "Public garage" means every building or other place where vehicles or
211 vessels are kept and stored and where a charge is made for the storage and keeping of vehicles

212 and vessels.

213 [~~(46)~~] (52) "Receipt of surrender of ownership documents" means the receipt of
214 surrender of ownership documents described in Section 41-1a-503.

215 [~~(47)~~] (53) "Reconstructed vehicle" means every vehicle of a type required to be
216 registered in this state that is materially altered from its original construction by the removal,
217 addition, or substitution of essential parts, new or used.

218 [~~(48)~~] (54) "Recreational vehicle" has the same meaning as provided in Section
219 13-14-102.

220 [~~(49)~~] (55) "Registration" means a document issued by a jurisdiction that allows
221 operation of a vehicle or vessel on the highways or waters of this state for the time period for
222 which the registration is valid and that is evidence of compliance with the registration
223 requirements of the jurisdiction.

224 [~~(50)~~] (56) (a) "Registration year" means a 12 consecutive month period commencing
225 with the completion of all applicable registration criteria.

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

228 [~~(51)~~] (57) "Repair or replacement" means the restoration of vehicles, vessels, or
229 outboard motors to a sound working condition by substituting any inoperative part of the
230 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

231 [~~(52)~~] (58) "Replica vehicle" means:

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

233 (b) a custom vehicle that meets the requirements under Subsection
234 41-6a-1507(1)(a)(i)(B).

235 [~~(53)~~] (59) "Road tractor" means every motor vehicle designed and used for drawing
236 other vehicles and constructed so it does not carry any load either independently or any part of
237 the weight of a vehicle or load that is drawn.

238 [~~(54)~~] (60) "Sailboat" has the same meaning as provided in Section 73-18-2.

239 [~~(55)~~] (61) "Security interest" means an interest that is reserved or created by a security
240 agreement to secure the payment or performance of an obligation and that is valid against third
241 parties.

242 [~~(56)~~] (62) "Semitrailer" means every vehicle without motive power designed for

243 carrying persons or property and for being drawn by a motor vehicle and constructed so that
244 some part of its weight and its load rests or is carried by another vehicle.

245 [~~57~~] (63) "Special group license plate" means a type of license plate designed for a
246 particular group of people or a license plate authorized and issued by the division in accordance
247 with Section 41-1a-418.

248 [~~58~~] (64) (a) "Special interest vehicle" means a vehicle used for general
249 transportation purposes and that is:

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

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

253 (b) In making his determination under Subsection [~~58~~] (64)(a), the division director
254 shall give special consideration to:

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

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

257 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
258 designed exclusively for educational purposes or museum display; or

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

263 [~~60~~] (65) "Specially constructed vehicle" means every vehicle of a type required to be
264 registered in this state, not originally constructed under a distinctive name, make, model, or
265 type by a generally recognized manufacturer of vehicles, and not materially altered from its
266 original construction.

267 [~~59~~] (66) (a) "Special mobile equipment" means every vehicle:

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

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

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

271 (b) "Special mobile equipment" includes:

272 (i) farm tractors;

273 (ii) off-road motorized construction or maintenance equipment including backhoes,

274 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

275 (iii) ditch-digging apparatus.

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

278 [~~(61)~~] [\(67\)](#) "Title" means the right to or ownership of a vehicle, vessel, or outboard
279 motor.

280 [~~(62)~~] [\(68\)](#) (a) "Total fleet miles" means the total number of miles operated in all
281 jurisdictions during the preceding year by power units.

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

285 [~~(63)~~] [\(69\)](#) "Trailer" means a vehicle without motive power designed for carrying
286 persons or property and for being drawn by a motor vehicle and constructed so that no part of
287 its weight rests upon the towing vehicle.

288 [~~(64)~~] [\(70\)](#) "Transferee" means a person to whom the ownership of property is
289 conveyed by sale, gift, or any other means except by the creation of a security interest.

290 [~~(65)~~] [\(71\)](#) "Transferor" means a person who transfers his ownership in property by
291 sale, gift, or any other means except by creation of a security interest.

292 [~~(66)~~] [\(72\)](#) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
293 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
294 vacation use that does not require a special highway movement permit when drawn by a
295 self-propelled motor vehicle.

296 [~~(67)~~] [\(73\)](#) "Truck tractor" means a motor vehicle designed and used primarily for
297 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
298 vehicle and load that is drawn.

299 [~~(68)~~] [\(74\)](#) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
300 camper, park model recreational vehicle, manufactured home, and mobile home.

301 [~~(69)~~] [\(75\)](#) "Vessel" has the same meaning as provided in Section [73-18-2](#).

302 [~~(70)~~] [\(76\)](#) "Vintage vehicle" has the same meaning as provided in Section [41-21-1](#).

303 [~~(71)~~] [\(77\)](#) "Waters of this state" has the same meaning as provided in Section [73-18-2](#).

304 [~~(72)~~] [\(78\)](#) "Weighmaster" means a person, association of persons, or corporation

305 permitted to weigh vehicles under this chapter.

306 Section 2. Section **41-1a-1201** is amended to read:

307 **41-1a-1201. Disposition of fees.**

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

310 (2) Except as provided in Subsections (3), (6), and (7) and Sections [41-1a-422](#),
311 [41-1a-1220](#), [41-1a-1221](#), and [41-1a-1223](#) all fees collected under this part shall be deposited in
312 the Transportation Fund.

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

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

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

321 (b) Three dollars of the registration fees imposed under Subsections [41-1a-1206](#)(2)(a)
322 and (b) for each vehicle registered for a six-month registration period under Section
323 [41-1a-215.5](#) may be used by the commission to cover the costs incurred in enforcing and
324 administering this part.

325 (6) (a) The following portions of the registration fees imposed under Section
326 [41-1a-1206](#) for each vehicle shall be deposited in the Transportation Investment Fund of 2005
327 created under Section [72-2-124](#):

328 (i) \$30 of the registration fees imposed under Subsections [41-1a-1206](#)(1)(a), [~~(1)(b)~~;
329 ~~(1)(f), (3), and (6)~~] [41-1a-1206](#)(1)(b)(i) through (ix), and [41-1a-1206](#)(1)(f), (3), and (6);

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

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

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

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

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

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

339 (i) \$23.25 of ~~[each]~~ the registration fee collected under Subsection 41-1a-1206(2)(a);
340 and

341 (ii) \$23 of ~~[each]~~ the registration ~~[fee collected]~~ fees imposed under ~~[Subsection]~~
342 Subsections 41-1a-1206(2)(b)(i) through (ix).

343 (7) (a) Ninety-four cents of each registration fee imposed under Subsections
344 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted
345 Account created in Section 53-3-106.

346 (b) Seventy-one cents of each registration fee imposed under Subsections
347 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under
348 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in
349 Section 53-3-106.

350 Section 3. Section 41-1a-1206 is amended to read:

351 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

355 (a) \$44.50 for each motorcycle;

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

358 (i) \$53 for each motor vehicle fueled by motor fuel;

359 (ii) \$53 for each motor vehicle fueled by diesel fuel;

360 (iii) \$53 for each motor vehicle registered under Section 41-1a-301;

361 (iv) \$53 for each motor vehicle fueled by natural gas;

362 (v) \$113 for each electric motor vehicle;

363 (vi) \$73 for each hybrid electric motor vehicle;

364 (vii) \$93 for each plug-in hybrid electric motor vehicle;

365 (viii) \$53 for each motor vehicle fueled by propane; and

366 (ix) \$113 for each motor vehicle not described in Subsections (1)(b)(i) through (viii);

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

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

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

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

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

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

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

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

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

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

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

385 (a) \$33.50 for each motorcycle; and

386 (b) [~~\$32.50~~] for each motor vehicle of 12,000 pounds or less gross laden weight,
387 excluding motorcycles[-];

388 (i) \$38.50 for each motor vehicle fueled by motor fuel;

389 (ii) \$38.50 for each motor vehicle fueled by diesel fuel;

390 (iii) \$38.50 for each motor vehicle registered under Section [41-1a-301](#);

391 (iv) \$38.50 for each motor vehicle fueled by natural gas;

392 (v) \$74.50 for each electric motor vehicle;

393 (vi) \$50.50 for each hybrid electric motor vehicle;

394 (vii) \$62.50 for each plug-in hybrid electric motor vehicle;

395 (viii) \$38.50 for each motor vehicle fueled by propane; and

396 (ix) \$74.50 for each motor vehicle not described in Subsections (2)(b)(i) through (viii).

397 (3) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is

398 \$40.

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

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

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

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

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

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

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

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

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

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

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

421 (8) A violation of Subsection (7) is a class B misdemeanor that shall be punished by a
422 fine of not less than \$200.

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

426 Section 4. Section 41-3-301 is amended to read:

427 **41-3-301. Sale by dealer, sale by auction -- Temporary permit -- Delivery of**
428 **certificate of title or origin -- Notice to division.**

429 (1) (a) (i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of
430 any motor vehicle for which a temporary permit is issued under Section 41-3-302 shall within
431 45 days submit a certificate of title or manufacturer's certificate of origin for that motor vehicle,
432 endorsed according to law, to the Motor Vehicle Division, accompanied by all documents
433 required to obtain a new certificate of title and registration in the new owner's name.

434 (ii) Each dealer is responsible and liable for the registration fee for a vehicle described
435 in Subsection (1)(a)(i).

436 (b) If a temporary permit is not issued, the certificate of title or manufacturer's
437 certificate of origin shall be delivered to the vendee, endorsed according to law, within 48
438 hours, unless the vendee is a dealer or dismantler in which case the title or manufacturer's
439 certificate of origin shall be delivered within 21 days.

440 (c) (i) A motor vehicle consigned to an auction and sold is considered sold by the
441 consignor to the auction and then sold by the auction to the consignee.

442 (ii) Both the consignor and auction are subject to this section.

443 (d) (i) (A) A motor vehicle consigned to a wholesale motor vehicle auction and sold to
444 a licensed dealer or dismantler is considered sold by the consignor to the licensed dealer or
445 dismantler.

446 (B) Both the consignor and the wholesale motor vehicle auction are subject to the title
447 delivery requirements of Subsection (1)(b).

448 (C) The consignor, or the wholesale motor vehicle auction as the consignor's agent,
449 shall endorse the certificate of title according to law. By endorsing the certificate of title as
450 agent of the consignor, the wholesale motor vehicle auction does not become the owner, seller,
451 or assignor of title.

452 (ii) (A) A wholesale motor vehicle auction may purchase or sell motor vehicles in its
453 own name.

454 (B) If a wholesale motor vehicle auction purchases or sells a motor vehicle in its own
455 name, the wholesale motor vehicle auction is subject to Subsections (1)(a) and (1)(b).

456 (2) (a) (i) Each dealer licensed under Part 2, Licensing, upon the sale and delivery of a
457 motor vehicle for which a temporary permit is issued under Section 41-3-302, shall within 45
458 days give written notice of the sale to the Motor Vehicle Division upon a form provided by the
459 Motor Vehicle Division.

460 (ii) The notice shall contain:

461 (A) the date of the sale;

462 (B) the names and addresses of the dealer and the purchaser;

463 (C) a description of the motor vehicle;

464 (D) the motor vehicle's odometer reading at the time of the sale; and

465 (E) other information required by the division.

466 (b) If no temporary permit is issued, the notice shall be filed with the division within

467 45 days after the sale, and a duplicate copy shall be given to the purchaser at the time of sale,

468 unless the purchaser is a dealer or dismantler.

469 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah

470 Administrative Rulemaking Act, providing that the notice required under Subsections (2)(a)

471 and (2)(b) may be filed in electronic form or on magnetic media.

472 Section 5. Section 41-3-302 is amended to read:

473 **41-3-302. Temporary permits -- Purchasers of motor vehicles -- Penalty for use**

474 **after expiration -- Sale and rescission.**

475 (1) (a) ~~[(i)]~~ A dealer or the division may issue a temporary permit.

476 ~~[(ii)]~~ (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking

477 Act, the administrator shall makes rules for the issuance of a temporary permit under

478 Subsection (1)(a)~~[(i)]~~.

479 ~~[(iii)]~~ (c) The division shall furnish the forms for temporary permits issued by dealers

480 under Subsection (1)(a)~~[(i)]~~.

481 ~~[(b)]~~ (2) A dealer may issue a temporary permit to a bona fide purchaser of a motor

482 vehicle for a period not to exceed 45 days on a motor vehicle sold to the purchaser by the

483 dealer.

484 ~~[(c) The]~~ (3) Except as provided in Subsection (4), the dealer ~~[is responsible and liable~~

485 ~~for the registration fee of]~~ shall pay a fee of \$51 for each motor vehicle for which ~~[the]~~ a permit

486 is issued under this section.

487 ~~[(d) All issued temporary permits that are outstanding after 45 days from the date they~~

488 ~~are issued are delinquent and a penalty equal to the registration fee shall be collected from the~~

489 ~~issuing dealer.]~~

490 ~~[(2) If a temporary permit is issued by a dealer under this section and the sale of the~~

491 ~~motor vehicle is subsequently rescinded, the temporary permit may be voided and the issuing~~
 492 ~~dealer is not liable for the registration fee or penalty.]~~

493 (4) A dealer is not required to pay the fee required under Subsection (3):

494 (a) if a Utah registration is obtained for the motor vehicle within the time frame

495 allowed under Subsection (2); or

496 (b) if the sale of the motor vehicle for which the temporary permit is issued under this
 497 section is subsequently rescinded and the temporary permit is voided.

498 Section 6. Section **72-2-107** is amended to read:

499 **72-2-107. Appropriation from Transportation Fund -- Deposit in class B and**
 500 **class C roads account.**

501 (1) (a) There is appropriated to the department from the Transportation Fund annually
 502 an amount equal to 30% of an amount which the director of finance shall compute in the
 503 following manner: The first \$458,000,000 of total revenue deposited into the Transportation
 504 Fund during the fiscal year [from state highway-user taxes and fees], minus:

505 [~~(a)~~] (i) those amounts appropriated or transferred from the Transportation Fund during
 506 the same fiscal year to:

507 [~~(i)~~] (A) the Department of Public Safety;

508 [~~(ii)~~] (B) the State Tax Commission;

509 [~~(iii)~~] (C) the Division of Finance; and

510 [~~(iv)~~] (D) the Utah Travel Council; [~~and~~]

511 [~~(v)~~] (ii) any other amounts appropriated or transferred for any other state agencies not
 512 a part of the department; and

513 [~~(b)~~] (iii) the amount of sales and use tax revenue deposited in the Transportation Fund
 514 in accordance with Section [59-12-103](#).

515 (b) There is appropriated to the department from the Transportation Fund annually an
 516 amount equal to 40% of the total revenue that exceeds \$458,000,000 minus the amounts
 517 described in Subsections (1)(a)(i) through (iii) that is deposited into the Transportation Fund
 518 during the fiscal year.

519 (2) (a) Except as provided in Subsection (2)(b), [~~all of this money~~] the amounts
 520 appropriated to the department in Subsections (1)(a) and (b) shall be placed in an account to be
 521 known as the class B and class C roads account to be used as provided in this title.

522 (b) The director of finance shall annually transfer \$500,000 of the amount calculated
523 under Subsection (1)(a) to the department as dedicated credits for the State Park Access
524 Highways Improvement Program created in Section 72-3-207.

525 (3) Each quarter of every year the director of finance shall make the necessary
526 accounting entries to transfer the money appropriated under this section to the class B and class
527 C roads account.

528 (4) The funds in the class B and class C roads account shall be expended under the
529 direction of the department as the Legislature shall provide.

530 Section 7. Section 72-2-124 is amended to read:

531 **72-2-124. Transportation Investment Fund of 2005.**

532 (1) There is created a capital projects fund entitled the Transportation Investment Fund
533 of 2005.

534 (2) The fund consists of money generated from the following sources:

535 (a) any voluntary contributions received for the maintenance, construction,
536 reconstruction, or renovation of state and federal highways;

537 (b) appropriations made to the fund by the Legislature;

538 (c) the sales and use tax revenues deposited into the fund in accordance with Section
539 59-12-103; and

540 (d) registration fees designated under Section 41-1a-1201.

541 (3) (a) The fund shall earn interest.

542 (b) All interest earned on fund money shall be deposited into the fund.

543 (4) (a) Except as provided in Subsection (4)(b), the executive director may use fund
544 money only to pay:

545 (i) the costs of maintenance, construction, reconstruction, or renovation to state and
546 federal highways prioritized by the Transportation Commission through the prioritization
547 process for new transportation capacity projects adopted under Section 72-1-304;

548 (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway
549 projects described in Subsections 63B-18-401(2), (3), and (4);

550 (iii) principal, interest, and issuance costs of bonds authorized by Section 63B-18-401
551 minus the costs paid from the County of the First Class State Highway Projects Fund in
552 accordance with Subsection 72-2-121(4)(e); and

553 (iv) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt
554 Lake County Revenue Bond Sinking Fund created by Section 72-2-121.3 the amount certified
555 by Salt Lake County in accordance with Subsection 72-2-121.3(4)(c) as necessary to pay the
556 debt service on \$30,000,000 of the revenue bonds issued by Salt Lake County;

557 (v) principal, interest, and issuance costs of bonds authorized by Section 63B-16-101
558 for projects prioritized in accordance with Section 72-2-125;

559 (vi) all highway general obligation bonds that are intended to be paid from revenues in
560 the Centennial Highway Fund created by Section 72-2-118; and

561 (vii) for fiscal year 2013-14 only, to transfer up to \$13,250,000 to the County of the
562 First Class State Highway Projects Fund created in Section 72-2-121 to be used for the
563 purposes described in Section 72-2-121.

564 (b) The executive director may use fund money to exchange for an equal or greater
565 amount of federal transportation funds to be used as provided in Subsection (4)(a).

566 (5) (a) Before bonds authorized by Section 63B-18-401 may be issued in any fiscal
567 year, the department and the commission shall appear before the Executive Appropriations
568 Committee of the Legislature and present the amount of bond proceeds that the department
569 needs to provide funding for the projects identified in Subsections 63B-18-401(2), (3), and (4)
570 for the next fiscal year.

571 (b) The Executive Appropriations Committee of the Legislature shall review and
572 comment on the amount of bond proceeds needed to fund the projects.

573 (6) The Division of Finance shall, from money deposited into the fund, transfer the
574 amount of funds necessary to pay principal, interest, and issuance costs of bonds authorized by
575 Section 63B-18-401 in the current fiscal year to the appropriate debt service or sinking fund.

576 (7) For fiscal year 2016-17 only, the Division of Finance shall, from money deposited
577 into the fund, transfer \$2,500,000 to the Clean Fuels and Vehicle Technology Fund created in
578 Section 19-1-403.

579 Section 8. **Study.**

580 (1) During the 2015 interim, the Transportation Interim Committee of the Legislature
581 shall study the impacts of creating variable registration fees based on a motor vehicle's fuel
582 economy rating.

583 (2) The designated interim committee shall:

584 (a) hear reports from the Tax Commission on the implementation requirements for
585 creating variable registration fees based on motor vehicle fuel economy ratings; and

586 (b) consider any issues that need additional legislative remedies.

587 Section 9. **Effective date.**

588 (1) Except as provided in Subsection (2), this bill takes effect on May 12, 2015.

589 (2) The actions affecting the following sections take effect on January 1, 2016:

590 (a) Section [41-1a-102](#);

591 (b) Section [41-1a-1201](#);

592 (c) Section [41-1a-1206](#);

593 (d) Section [41-3-301](#);

594 (e) Section [41-3-302](#);

595 (f) Section [72-2-107](#); and

596 (g) Section [72-2-124](#).