

**MOTOR VEHICLE EMISSIONS AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Patrice M. Arent**

Senate Sponsor: Todd Weiler

6	Cosponsors:	Susan Duckworth	Curtis Oda
7	Jacob L. Anderegg	Rebecca P. Edwards	Lee B. Perry
8	Johnny Anderson	Justin L. Fawson	Marie H. Poulson
9	Stewart Barlow	Craig Hall	Edward H. Redd
10	Joel K. Briscoe	Stephen G. Handy	Angela Romero
11	Rebecca Chavez-Houck	Sandra Hollins	V. Lowry Snow
12	Kay J. Christofferson	Brian S. King	Mark A. Wheatley
13	Rich Cunningham	Justin J. Miller	
14	Sophia M. DiCaro	Carol Spackman Moss	



**LONG TITLE**

**General Description:**

This bill modifies provisions related to motor vehicle emissions.

**Highlighted Provisions:**

This bill:

- ▶ gives the Division of Motor Vehicles the authority to suspend a vehicle's registration if the vehicle does not meet air emissions standards.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

29 **41-1a-110**, as last amended by Laws of Utah 2008, Chapter 322



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

32 Section 1. Section **41-1a-110** is amended to read:

33 **41-1a-110. Authority of division to suspend or revoke registration, certificate of**  
34 **title, license plate, or permit.**

35 (1) Except as provided in Subsections (3) and (4), the division may suspend or revoke  
36 a registration, certificate of title, license plate, or permit if:

37 (a) the division is satisfied that a registration, certificate of title, license plate, or permit  
38 was fraudulently procured or erroneously issued;

39 (b) the division determines that a registered vehicle is mechanically unfit or unsafe to  
40 be operated or moved upon the highways;

41 (c) a registered vehicle has been dismantled;

42 (d) the division determines that the required fee has not been paid and the fee is not  
43 paid upon reasonable notice and demand;

44 (e) a registration decal, license plate, or permit is knowingly displayed upon a vehicle  
45 other than the one for which issued;

46 (f) the division determines that the owner has committed any offense under this chapter  
47 involving the registration, certificate of title, registration card, license plate, registration decal,  
48 or permit; or

49 (g) the division receives notification by the Department of Transportation that the  
50 owner has committed any offence under Title 72, Chapter 9, Motor Carrier Safety Act.

51 (2) (a) The division shall revoke the registration of a vehicle if the division receives  
52 notification by the:

53 (i) Department of Public Safety that a person:

54 (A) has been convicted of operating a registered motor vehicle in violation of Section  
55 **41-12a-301** or **41-12a-303.2**; or

56 (B) is under an administrative action taken by the Department of Public Safety for

57 operating a registered motor vehicle in violation of Section 41-12a-301; or

58 (ii) designated agent that the owner of a motor vehicle:

59 (A) has failed to provide satisfactory proof of owner's or operator's security to the  
60 designated agent after the second notice provided under Section 41-12a-804; or

61 (B) provided a false or fraudulent statement to the designated agent.

62 (b) The division shall notify the Driver License Division if the division revokes the  
63 registration of a vehicle under Subsection (2)(a)(ii)(A).

64 (3) The division may not suspend or revoke the registration of a vessel or outboard  
65 motor unless authorized under Section 73-18-7.3.

66 (4) The division may not suspend or revoke the registration of an off-highway vehicle  
67 unless authorized under Section 41-22-17.

68 (5) The division shall charge a registration reinstatement fee under Section 41-1a-1220,  
69 if the registration is revoked under Subsection (1)(f).

70 (6) Except as provided in Subsections (3), (4), and (7), the division may suspend or  
71 revoke a registered vehicle's registration if the division is notified by a local health department,  
72 as defined in Section 26A-1-102, that the registered vehicle is unable to meet state or local air  
73 emissions standards.

74 (7) The division may not suspend or revoke a registered vehicle's registration under  
75 Subsection (6) if the registered vehicle has a manufacturer's gross vehicle weight rating that is  
76 greater than 26,000 pounds.