

1 **VEHICLE OWNER REGISTRATION AND INSURANCE REQUIREMENTS**

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: Curtis S. Bramble

2

3 **LONG TITLE**

4 **General Description:**

5 This bill allows an individual to show proof of registration and insurance for certain
6 vehicles through digital means and requires certain vehicles to be added to the Uninsured
7 Motorist Identification Database Program.

8 **Highlighted Provisions:**

9 This bill:

- 10 ▶ defines terms and amends certain definitions;
- 11 ▶ provides the option for an individual to display the vehicle registration card for an
12 off-highway vehicle through digital means;
- 13 ▶ provides the option for an individual to display proof of insurance for a boat through
14 digital means;
- 15 ▶ requires certain motorboats and street-legal all-terrain vehicles to pay the uninsured
16 motorist identification fee[~~the same as other motor vehicles~~];
- 17 ▶ requires the Uninsured Motorist Identification Database Program to include street-legal
18 all-terrain vehicles and motorboats;
- 19 ▶ includes a street-legal all-terrain vehicle in the definition of a motor vehicle for purposes
20 of motor vehicle insurance provisions, including required coverage; and
- 21 ▶ makes technical changes.

22 **Money Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 This bill provides a special effective date.

26 **Utah Code Sections Affected:**

27 AMENDS:

28 **31A-22-301**, as last amended by Laws of Utah 2021, Chapter 245
 29 **31A-22-315**, as last amended by Laws of Utah 2008, Chapter 382
 30 **41-1a-1218**, as last amended by Laws of Utah 2023, Chapter 33
 31 **41-1a-1220**, as last amended by Laws of Utah 2008, Chapter 322
 32 **41-6a-102**, as last amended by Laws of Utah 2023, Chapters 219, 532
 33 **41-12a-103**, as last amended by Laws of Utah 2008, Chapter 371
 34 **41-12a-303.2**, as last amended by Laws of Utah 2018, Chapters 30, 160
 35 **41-12a-802**, as last amended by Laws of Utah 1998, Chapter 36
 36 **41-12a-803**, as last amended by Laws of Utah 2012, Chapters 243, 347 and 347
 37 **41-12a-804**, as last amended by Laws of Utah 2013, Chapter 138
 38 **41-12a-805**, as last amended by Laws of Utah 2012, Chapter 243
 39 **41-22-3**, as last amended by Laws of Utah 2023, Chapters 11, 64
 40 **73-18-13.5**, as last amended by Laws of Utah 2022, Chapter 68
 41 **73-18c-304**, as last amended by Laws of Utah 2015, Chapter 412

42

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

44 Section 1. Section **31A-22-301** is amended to read:

45 **31A-22-301 . Definitions.**

46 As used in this part:

- 47 (1) (a) "Motor vehicle" means the same as that term is defined in Section 41-6a-102.
 48 (b) For purposes of this chapter, "motor vehicle" includes a street-legal all-terrain
 49 vehicle.
- 50 (2) "Motor vehicle business" means a motor vehicle sales agency, repair shop, service
 51 station, storage garage, or public parking place.
- 52 (3) "Motor vehicle liability policy" means a policy which satisfies the requirements of
 53 Sections 31A-22-303 and 31A-22-304.
- 54 (4) "Motorboat" means the same as that term is defined in Section 73-18c-102.
- 55 [~~(4)~~] (5) "Occupying" means being in or on a motor vehicle as a passenger or operator, or
 56 being engaged in the immediate acts of entering, boarding, or alighting from a motor
 57 vehicle.
- 58 [~~(5)~~] (6) "Operator" means the same as that term is defined in Subsection 41-12a-103(7).
- 59 [~~(6)~~] (7) "Owner" means the same as that term is defined in Subsection 41-12a-103(8).
- 60 [~~(7)~~] (8) "Pedestrian" means any natural person not occupying a motor vehicle.
- 61 (9) "Street-legal all-terrain vehicle" means the same as that term is defined in Section

62 41-6a-102.

63 Section 2. Section **31A-22-315** is amended to read:

64 **31A-22-315 . Motor vehicle insurance reporting -- Penalty.**

65 (1) (a) As used in this section, "commercial motor vehicle insurance coverage" means an
66 insurance policy that:

67 (i) includes motor vehicle liability coverage, uninsured motorist coverage,

68 underinsured motorist coverage, or personal injury coverage; and

69 (ii) is defined by the department.

70 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
71 department shall make rules defining commercial motor vehicle insurance coverage.

72 (2) (a) Except as provided in Subsections (2)(b) and (c), each insurer that issues a policy
73 that includes motor vehicle liability coverage, uninsured motorist coverage,
74 underinsured motorist coverage, or personal injury coverage under this part shall
75 before the seventh and twenty-first day of each calendar month provide to the
76 Department of Public Safety's designated agent selected in accordance with Title 41,
77 Chapter 12a, Part 8, Uninsured Motorist Identification Database Program, a record of
78 each motor vehicle or motorboat insurance policy in effect for vehicles registered or
79 garaged in Utah as of the previous submission that was issued by the insurer.

80 (b) Each insurer that issues commercial motor vehicle insurance coverage shall before
81 the seventh day of each calendar month provide to the Department of Public Safety's
82 designated agent selected in accordance with Title 41, Chapter 12a, Part 8, Uninsured
83 Motorist Identification Database Program, a record of each commercial motor vehicle
84 insurance policy in effect for vehicles registered or garaged in Utah as of the previous
85 month that was issued by the insurer.

86 (c) An insurer that issues a policy that includes motor vehicle liability coverage,
87 uninsured motorist coverage, underinsured motorist coverage, or personal injury
88 coverage under this part is not required to provide a record of a motor vehicle
89 insurance policy in effect for a vehicle to the Department of Public Safety's
90 designated agent under Subsection (2)(a) or (b) if the policy covers a vehicle that is
91 registered under Section 41-1a-221, 41-1a-222, or 41-1a-301.

92 (d) This Subsection (2) does not preclude more frequent reporting.

93 (3) (a) A record provided by an insurer under Subsection (2)(a) shall include:

94 (i) the name, date of birth, and driver license number, if the insured provides a driver
95 license number to the insurer, of each insured owner or operator, and the address

- 96 of the named insured;
- 97 (ii) the make, year, and vehicle identification number of each insured vehicle; and
- 98 (iii) the policy number, effective date, and expiration date of each policy.
- 99 (b) A record provided by an insurer under Subsection (2)(b) shall include:
- 100 (i) the named insured;
- 101 (ii) the policy number, effective date, and expiration date of each policy; and
- 102 (iii) the following information, if available:
- 103 (A) the name, date of birth, and driver license number of each insured owner or
- 104 operator, and the address of the named insured; and
- 105 (B) the make, year, and vehicle identification number of each insured vehicle.
- 106 (4) Each insurer shall provide this information by an electronic means or by another form
- 107 the Department of Public Safety's designated agent agrees to accept.
- 108 (5) (a) The commissioner may, following procedures set forth in Title 63G, Chapter 4,
- 109 Administrative Procedures Act, assess a fine against an insurer of up to \$250 for each
- 110 day the insurer fails to comply with this section.
- 111 (b) If an insurer shows that the failure to comply with this section was inadvertent,
- 112 accidental, or the result of excusable neglect, the commissioner shall excuse the fine.
- 113 Section 3. Section **41-1a-1218** is amended to read:
- 114 **41-1a-1218 . Uninsured motorist identification fee for tracking motor vehicle**
- 115 **insurance -- Exemption -- Deposit.**
- 116 (1) (a) Except as provided in Subsections (1)(b) and (c), at the time application is made
- 117 for registration or renewal of registration [~~of a motor vehicle~~] under this chapter, the
- 118 applicant shall pay an uninsured motorist identification fee of:
- 119 (i) \$1 on each motor vehicle~~[-]~~ or street-legal all-terrain vehicle; or
- 120 (ii) \$2 on each motorboat.
- 121 (b) Except as provided in Subsection (1)(c), at the time application is made for
- 122 registration or renewal of registration of a motor vehicle for a six-month registration
- 123 period under Section 41-1a-215.5, the applicant shall pay an uninsured motorist
- 124 identification fee of 75 cents on each motor vehicle.
- 125 (c) The following are exempt from the fee required under Subsection (1)(a) or (b):
- 126 (i) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or
- 127 Section 41-1a-301;
- 128 (ii) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209
- 129 or Subsection 41-1a-419(3); and

- 130 (iii) a motor vehicle with a Purple Heart special group license plate issued:
131 (A) on or before December 31, 2023; or
132 (B) in accordance with Part 16, Sponsored Special Group License Plates.
- 133 (2) The revenue generated under this section shall be deposited in the Uninsured Motorist
134 Identification Restricted Account created in Section 41-12a-806.
- 135 Section 4. Section **41-1a-1220** is amended to read:
136 **41-1a-1220 . Registration reinstatement fee.**
- 137 (1) (a) [At] Except as provided in Subsection (1)(b), at the time application is made for
138 reinstatement or renewal of registration of a motor vehicle after a revocation of the
139 registration under Subsection 41-1a-110(2), the applicant shall pay a registration
140 reinstatement fee of \$100.
- 141 (b) The registration reinstatement fee does not apply to a motorboat.
- 142 (2) The fee imposed under Subsection (1):
143 (a) is in addition to any other fee imposed under this chapter; and
144 (b) shall be deposited in the Uninsured Motorist Identification Restricted Account
145 created in Section 41-12a-806.
- 146 (3) The division shall waive the registration reinstatement fee imposed under this section if:
147 (a) the registration was revoked under Subsection 41-1a-110(2)(a)(ii); and
148 (b) a person had owner's or operator's security in effect for the vehicle at the time of the
149 alleged violation or on the day following the time limit provided after the second
150 notice under Subsection 41-12a-804(2).
- 151 Section 5. Section **41-6a-102** is amended to read:
152 **41-6a-102 . Definitions.**
- 153 As used in this chapter:
- 154 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots
155 or buildings in urban districts and not intended for through vehicular traffic.
- 156 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- 157 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.
- 158 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 159 [~~3~~] (5) "Authorized emergency vehicle" includes:
160 (a) fire department vehicles;
161 (b) police vehicles;
162 (c) ambulances; and
163 (d) other publicly or privately owned vehicles as designated by the commissioner of the

- 164 Department of Public Safety.
- 165 [~~(4)~~] (6) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 166 [~~(5)~~] (7) (a) "Bicycle" means a wheeled vehicle:
- 167 (i) propelled by human power by feet or hands acting upon pedals or cranks;
- 168 (ii) with a seat or saddle designed for the use of the operator;
- 169 (iii) designed to be operated on the ground; and
- 170 (iv) whose wheels are not less than 14 inches in diameter.
- 171 (b) "Bicycle" includes an electric assisted bicycle.
- 172 (c) "Bicycle" does not include scooters and similar devices.
- 173 [~~(6)~~] (8) (a) "Bus" means a motor vehicle:
- 174 (i) designed for carrying more than 15 passengers and used for the transportation of
- 175 persons; or
- 176 (ii) designed and used for the transportation of persons for compensation.
- 177 (b) "Bus" does not include a taxicab.
- 178 [~~(7)~~] (9) (a) "Circular intersection" means an intersection that has an island, generally
- 179 circular in design, located in the center of the intersection where traffic passes to the
- 180 right of the island.
- 181 (b) "Circular intersection" includes:
- 182 (i) roundabouts;
- 183 (ii) rotaries; and
- 184 (iii) traffic circles.
- 185 [~~(8)~~] (10) "Class 1 electric assisted bicycle" means an electric assisted bicycle described in
- 186 Subsection [~~(18)(d)(i)~~] (20)(d)(i).
- 187 [~~(9)~~] (11) "Class 2 electric assisted bicycle" means an electric assisted bicycle described in
- 188 Subsection [~~(18)(d)(ii)~~] (20)(d)(ii).
- 189 [~~(10)~~] (12) "Class 3 electric assisted bicycle" means an electric assisted bicycle described in
- 190 Subsection [~~(18)(d)(iii)~~] (20)(d)(iii).
- 191 [~~(11)~~] (13) "Commissioner" means the commissioner of the Department of Public Safety.
- 192 [~~(12)~~] (14) "Controlled-access highway" means a highway, street, or roadway:
- 193 (a) designed primarily for through traffic; and
- 194 (b) to or from which owners or occupants of abutting lands and other persons have no
- 195 legal right of access, except at points as determined by the highway authority having
- 196 jurisdiction over the highway, street, or roadway.
- 197 [~~(13)~~] (15) "Crosswalk" means:

- 198 (a) that part of a roadway at an intersection included within the connections of the lateral
199 lines of the sidewalks on opposite sides of the highway measured from:
200 (i) (A) the curbs; or
201 (B) in the absence of curbs, from the edges of the traversable roadway; and
202 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
203 included within the extension of the lateral lines of the existing sidewalk at right
204 angles to the centerline; or
205 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
206 pedestrian crossing by lines or other markings on the surface.
- 207 ~~[(14)]~~ (16) "Department" means the Department of Public Safety.
- 208 ~~[(15)]~~ (17) "Direct supervision" means oversight at a distance within which:
209 (a) visual contact is maintained; and
210 (b) advice and assistance can be given and received.
- 211 ~~[(16)]~~ (18) "Divided highway" means a highway divided into two or more roadways by:
212 (a) an unpaved intervening space;
213 (b) a physical barrier; or
214 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 215 ~~[(17)]~~ (19) "Echelon formation" means the operation of two or more snowplows arranged
216 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
217 clear snow from two or more lanes at once.
- 218 ~~[(18)]~~ (20) "Electric assisted bicycle" means a bicycle with an electric motor that:
219 (a) has a power output of not more than 750 watts;
220 (b) has fully operable pedals on permanently affixed cranks;
221 (c) is fully operable as a bicycle without the use of the electric motor; and
222 (d) is one of the following:
223 (i) an electric assisted bicycle equipped with a motor or electronics that:
224 (A) provides assistance only when the rider is pedaling; and
225 (B) ceases to provide assistance when the bicycle reaches the speed of 20 miles
226 per hour;
227 (ii) an electric assisted bicycle equipped with a motor or electronics that:
228 (A) may be used exclusively to propel the bicycle; and
229 (B) is not capable of providing assistance when the bicycle reaches the speed of
230 20 miles per hour; or
231 (iii) an electric assisted bicycle equipped with a motor or electronics that:

- 232 (A) provides assistance only when the rider is pedaling;
- 233 (B) ceases to provide assistance when the bicycle reaches the speed of 28 miles
- 234 per hour; and
- 235 (C) is equipped with a speedometer.
- 236 ~~[(19)]~~ (21) (a) "Electric personal assistive mobility device" means a self-balancing device
- 237 with:
- 238 (i) two nontandem wheels in contact with the ground;
- 239 (ii) a system capable of steering and stopping the unit under typical operating
- 240 conditions;
- 241 (iii) an electric propulsion system with average power of one horsepower or 750
- 242 watts;
- 243 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 244 (v) a deck design for a person to stand while operating the device.
- 245 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 246 ~~[(20)]~~ (22) "Explosives" means a chemical compound or mechanical mixture commonly
- 247 used or intended for the purpose of producing an explosion and that contains any
- 248 oxidizing and combustive units or other ingredients in proportions, quantities, or
- 249 packing so that an ignition by fire, friction, concussion, percussion, or detonator of any
- 250 part of the compound or mixture may cause a sudden generation of highly heated gases,
- 251 and the resultant gaseous pressures are capable of producing destructive effects on
- 252 contiguous objects or of causing death or serious bodily injury.
- 253 ~~[(21)]~~ (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm
- 254 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 255 ~~[(22)]~~ (24) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less,
- 256 as determined by a Tagliabue or equivalent closed-cup test device.
- 257 ~~[(23)]~~ (25) "Freeway" means a controlled-access highway that is part of the interstate system
- 258 as defined in Section 72-1-102.
- 259 ~~[(24)]~~ (26) (a) "Golf cart" means a device that:
- 260 (i) is designed for transportation by players on a golf course;
- 261 (ii) has not less than three wheels in contact with the ground;
- 262 (iii) has an unladen weight of less than 1,800 pounds;
- 263 (iv) is designed to operate at low speeds; and
- 264 (v) is designed to carry not more than six persons including the driver.
- 265 (b) "Golf cart" does not include:

- 266 (i) a low-speed vehicle or an off-highway vehicle;
- 267 (ii) a motorized wheelchair;
- 268 (iii) an electric personal assistive mobility device;
- 269 (iv) an electric assisted bicycle;
- 270 (v) a motor assisted scooter;
- 271 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 272 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 273 ~~[(25)]~~ (27) "Gore area" means the area delineated by two solid white lines that is between a
- 274 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
- 275 including similar areas between merging or splitting highways.
- 276 ~~[(26)]~~ (28) "Gross weight" means the weight of a vehicle without a load plus the weight of
- 277 any load on the vehicle.
- 278 ~~[(27)]~~ (29) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 279 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 280 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
- 281 highway or railroad tracks.
- 282 ~~[(28)]~~ (30) "Highway" means the entire width between property lines of every way or place
- 283 of any nature when any part of it is open to the use of the public as a matter of right for
- 284 vehicular travel.
- 285 ~~[(29)]~~ (31) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 286 ~~[(30)]~~ (32) (a) "Intersection" means the area embraced within the prolongation or
- 287 connection of the lateral curb lines, or, if none, then the lateral boundary lines of the
- 288 roadways of two or more highways that join one another.
- 289 (b) Where a highway includes two roadways 30 feet or more apart:
- 290 (i) every crossing of each roadway of the divided highway by an intersecting
- 291 highway is a separate intersection; and
- 292 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
- 293 every crossing of two roadways of the highways is a separate intersection.
- 294 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 295 ~~[(31)]~~ (33) "Island" means an area between traffic lanes or at an intersection for control of
- 296 vehicle movements or for pedestrian refuge designated by:
- 297 (a) pavement markings, which may include an area designated by two solid yellow lines
- 298 surrounding the perimeter of the area;
- 299 (b) channelizing devices;

- 300 (c) curbs;
- 301 (d) pavement edges; or
- 302 (e) other devices.
- 303 ~~[(32)]~~ (34) "Lane filtering" means, when operating a motorcycle other than an autocycle, the
- 304 act of overtaking and passing another vehicle that is stopped in the same direction of
- 305 travel in the same lane.
- 306 ~~[(33)]~~ (35) "Law enforcement agency" means the same as that term is as defined in Section
- 307 53-1-102.
- 308 ~~[(34)]~~ (36) "Limited access highway" means a highway:
- 309 (a) that is designated specifically for through traffic; and
- 310 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
- 311 persons have any right or easement, or have only a limited right or easement of
- 312 access, light, air, or view.
- 313 ~~[(35)]~~ (37) "Local highway authority" means the legislative, executive, or governing body of
- 314 a county, municipal, or other local board or body having authority to enact laws relating
- 315 to traffic under the constitution and laws of the state.
- 316 ~~[(36)]~~ (38) (a) "Low-speed vehicle" means a four wheeled electric motor vehicle that:
- 317 (i) is designed to be operated at speeds of not more than 25 miles per hour; and
- 318 (ii) has a capacity of not more than six passengers, including a conventional driver or
- 319 fallback-ready user if on board the vehicle, as those terms are defined in Section
- 320 41-26-102.1.
- 321 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.
- 322 ~~[(37)]~~ (39) "Metal tire" means a tire, the surface of which in contact with the highway is
- 323 wholly or partly of metal or other hard nonresilient material.
- 324 ~~[(38)]~~ (40) (a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a
- 325 seat or saddle that is less than 24 inches from the ground as measured on a level
- 326 surface with properly inflated tires.
- 327 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.
- 328 (c) "Mini-motorcycle" does not include a motorcycle that is:
- 329 (i) designed for off-highway use; and
- 330 (ii) registered as an off-highway vehicle under Section 41-22-3.
- 331 ~~[(39)]~~ (41) "Mobile home" means:
- 332 (a) a trailer or semitrailer that is:
- 333 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping

- 334 place either permanently or temporarily; and
- 335 (ii) equipped for use as a conveyance on streets and highways; or
- 336 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
- 337 for use as a mobile home, as defined in Subsection [~~(39)~~(a)] (41)(a), but that is instead
- 338 used permanently or temporarily for:
- 339 (i) the advertising, sale, display, or promotion of merchandise or services; or
- 340 (ii) any other commercial purpose except the transportation of property for hire or the
- 341 transportation of property for distribution by a private carrier.
- 342 [~~(40)~~] (42) "Mobility disability" means the inability of a person to use one or more of the
- 343 person's extremities or difficulty with motor skills, that may include limitations with
- 344 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
- 345 condition.
- 346 [~~(41)~~] (43) (a) "Moped" means a motor-driven cycle having:
- 347 (i) pedals to permit propulsion by human power; and
- 348 (ii) a motor that:
- 349 (A) produces not more than two brake horsepower; and
- 350 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour
- 351 on level ground.
- 352 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
- 353 centimeters and the moped shall have a power drive system that functions directly or
- 354 automatically without clutching or shifting by the operator after the drive system is
- 355 engaged.
- 356 (c) "Moped" does not include:
- 357 (i) an electric assisted bicycle; or
- 358 (ii) a motor assisted scooter.
- 359 [~~(42)~~] (44) (a) "Motor assisted scooter" means a self-propelled device with:
- 360 (i) at least two wheels in contact with the ground;
- 361 (ii) a braking system capable of stopping the unit under typical operating conditions;
- 362 (iii) an electric motor not exceeding 2,000 watts;
- 363 (iv) either:
- 364 (A) handlebars and a deck design for a person to stand while operating the device;
- 365 or
- 366 (B) handlebars and a seat designed for a person to sit, straddle, or stand while
- 367 operating the device;

- 368 (v) a design for the ability to be propelled by human power alone; and
369 (vi) a maximum speed of 20 miles per hour on a paved level surface.
- 370 (b) "Motor assisted scooter" does not include:
- 371 (i) an electric assisted bicycle; or
372 (ii) a motor-driven cycle.
- 373 ~~[(43)]~~ (45) (a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is
374 propelled by electric power obtained from overhead trolley wires, but not operated
375 upon rails.
- 376 (b) "Motor vehicle" does not include:
- 377 (i) vehicles moved solely by human power;
378 (ii) motorized wheelchairs;
379 (iii) an electric personal assistive mobility device;
380 (iv) an electric assisted bicycle;
381 (v) a motor assisted scooter;
382 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
383 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 384 ~~[(44)]~~ (46) "Motorcycle" means:
- 385 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
386 and designed to travel with not more than three wheels in contact with the ground; or
387 (b) an auticycle.
- 388 ~~[(45)]~~ (47) (a) "Motor-driven cycle" means a motorcycle, moped, and a motorized
389 bicycle having:
- 390 (i) an engine with less than 150 cubic centimeters displacement; or
391 (ii) a motor that produces not more than five horsepower.
- 392 (b) "Motor-driven cycle" does not include:
- 393 (i) an electric personal assistive mobility device;
394 (ii) a motor assisted scooter; or
395 (iii) an electric assisted bicycle.
- 396 ~~[(46)]~~ (48) "Off-highway implement of husbandry" means the same as that term is defined
397 under Section 41-22-2.
- 398 ~~[(47)]~~ (49) "Off-highway vehicle" means the same as that term is defined under Section
399 41-22-2.
- 400 ~~[(48)]~~ (50) "Operate" means the same as that term is defined in Section 41-1a-102.
- 401 ~~[(49)]~~ (51) "Operator" means:

- 402 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
403 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
404 vehicle.
- 405 ~~[(50)]~~ (52) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
406 other device operated, alone or coupled with another device, on stationary rails.
- 407 ~~[(51)]~~ (53) (a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
408 occupied or not.
- 409 (b) "Park" or "parking" does not include:
- 410 (i) the standing of a vehicle temporarily for the purpose of and while actually
411 engaged in loading or unloading property or passengers; or
- 412 (ii) a motor vehicle with an engaged automated driving system that has achieved a
413 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 414 ~~[(52)]~~ (54) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
415 Peace Officer Classifications, to direct or regulate traffic or to make arrests for
416 violations of traffic laws.
- 417 ~~[(53)]~~ (55) "Pedestrian" means a person traveling:
- 418 (a) on foot; or
- 419 (b) in a wheelchair.
- 420 ~~[(54)]~~ (56) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
421 pedestrians.
- 422 ~~[(55)]~~ (57) "Person" means a natural person, firm, copartnership, association, corporation,
423 business trust, estate, trust, partnership, limited liability company, association, joint
424 venture, governmental agency, public corporation, or any other legal or commercial
425 entity.
- 426 ~~[(56)]~~ (58) "Pole trailer" means a vehicle without motive power:
- 427 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
428 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
429 and
- 430 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
431 pipes, or structural members generally capable of sustaining themselves as beams
432 between the supporting connections.
- 433 ~~[(57)]~~ (59) "Private road or driveway" means every way or place in private ownership and
434 used for vehicular travel by the owner and those having express or implied permission
435 from the owner, but not by other persons.

- 436 [~~(58)~~] (60) "Railroad" means a carrier of persons or property upon cars operated on
437 stationary rails.
- 438 [~~(59)~~] (61) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
439 public body or official or by a railroad and intended to give notice of the presence of
440 railroad tracks or the approach of a railroad train.
- 441 [~~(60)~~] (62) "Railroad train" means a locomotive propelled by any form of energy, coupled
442 with or operated without cars, and operated upon rails.
- 443 [~~(61)~~] (63) "Restored-modified vehicle" means the same as the term defined in Section
444 41-1a-102.
- 445 [~~(62)~~] (64) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
446 lawful manner in preference to another vehicle or pedestrian approaching under
447 circumstances of direction, speed, and proximity that give rise to danger of collision
448 unless one grants precedence to the other.
- 449 [~~(63)~~] (65) (a) "Roadway" means that portion of highway improved, designed, or
450 ordinarily used for vehicular travel.
- 451 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
452 them are used by persons riding bicycles or other human-powered vehicles.
- 453 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
454 highway includes two or more separate roadways.
- 455 [~~(64)~~] (66) "Safety zone" means the area or space officially set apart within a roadway for
456 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
457 signs as to be plainly visible at all times while set apart as a safety zone.
- 458 [~~(65)~~] (67) (a) "School bus" means a motor vehicle that:
- 459 (i) complies with the color and identification requirements of the most recent edition
460 of "Minimum Standards for School Buses"; and
- 461 (ii) is used to transport school children to or from school or school activities.
- 462 (b) "School bus" does not include a vehicle operated by a common carrier in
463 transportation of school children to or from school or school activities.
- 464 [~~(66)~~] (68) (a) "Semitrailer" means a vehicle with or without motive power:
- 465 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
466 and
- 467 (ii) constructed so that some part of its weight and that of its load rests on or is
468 carried by another vehicle.
- 469 (b) "Semitrailer" does not include a pole trailer.

- 470 [(67)] (69) "Shoulder area" means:
- 471 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
472 edge line as established in the current approved "Manual on Uniform Traffic Control
473 Devices"; or
- 474 (b) that portion of the road contiguous to the roadway for accommodation of stopped
475 vehicles, for emergency use, and for lateral support.
- 476 [(68)] (70) "Sidewalk" means that portion of a street between the curb lines, or the lateral
477 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.
- 478 [(69)] (71) (a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
479 that is designated for the use of a bicycle.
- 480 (b) "Soft-surface trail" does not mean a trail:
- 481 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a
482 federal law, regulation, or rule; or
- 483 (ii) located in whole or in part on land granted to the state or a political subdivision
484 subject to a conservation easement that prohibits the use of a motorized vehicle.
- 485 [(70)] (72) "Solid rubber tire" means a tire of rubber or other resilient material that does not
486 depend on compressed air for the support of the load.
- 487 [(71)] (73) "Stand" or "standing" means the temporary halting of a vehicle, whether
488 occupied or not, for the purpose of and while actually engaged in receiving or
489 discharging passengers.
- 490 [(72)] (74) "Stop" when required means complete cessation from movement.
- 491 [(73)] (75) "Stop" or "stopping" when prohibited means any halting even momentarily of a
492 vehicle, whether occupied or not, except when:
- 493 (a) necessary to avoid conflict with other traffic; or
- 494 (b) in compliance with the directions of a peace officer or traffic-control device.
- 495 [(74)] (76) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I
496 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet
497 the requirements of Section 41-6a-1509 to operate on highways in the state in
498 accordance with Section 41-6a-1509.
- 499 [(75)] (77) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 500 [(76)] (78) "Tow truck motor carrier" means the same as that term is defined in Section
501 72-9-102.
- 502 [(77)] (79) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other
503 conveyances either singly or together while using any highway for the purpose of travel.

- 504 [~~(78)~~] (80) "Traffic signal preemption device" means an instrument or mechanism designed,
505 intended, or used to interfere with the operation or cycle of a traffic-control signal.
- 506 [~~(79)~~] (81) "Traffic-control device" means a sign, signal, marking, or device not inconsistent
507 with this chapter placed or erected by a highway authority for the purpose of regulating,
508 warning, or guiding traffic.
- 509 [~~(80)~~] (82) "Traffic-control signal" means a device, whether manually, electrically, or
510 mechanically operated, by which traffic is alternately directed to stop and permitted to
511 proceed.
- 512 [~~(81)~~] (83) (a) "Trailer" means a vehicle with or without motive power designed for
513 carrying persons or property and for being drawn by a motor vehicle and constructed
514 so that no part of its weight rests upon the towing vehicle.
- 515 (b) "Trailer" does not include a pole trailer.
- 516 [~~(82)~~] (84) "Truck" means a motor vehicle designed, used, or maintained primarily for the
517 transportation of property.
- 518 [~~(83)~~] (85) "Truck tractor" means a motor vehicle:
- 519 (a) designed and used primarily for drawing other vehicles; and
520 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
521 tractor.
- 522 [~~(84)~~] (86) "Two-way left turn lane" means a lane:
- 523 (a) provided for vehicle operators making left turns in either direction;
524 (b) that is not used for passing, overtaking, or through travel; and
525 (c) that has been indicated by a lane traffic-control device that may include lane
526 markings.
- 527 [~~(85)~~] (87) "Urban district" means the territory contiguous to and including any street, in
528 which structures devoted to business, industry, or dwelling houses are situated at
529 intervals of less than 100 feet, for a distance of a quarter of a mile or more.
- 530 [~~(86)~~] (88) "Vehicle" means a device in, on, or by which a person or property is or may be
531 transported or drawn on a highway, except a mobile carrier, as defined in Section
532 41-6a-1120, or a device used exclusively on stationary rails or tracks.
- 533 Section 6. Section **41-12a-103** is amended to read:
- 534 **41-12a-103 . Definitions.**
- 535 As used in this chapter:
- 536 (1) "Department" means the Department of Public Safety.
- 537 (2) "Judgment" means any judgment that is final by:

- 538 (a) expiration without appeal of the time within which an appeal might have been
539 perfected; or
- 540 (b) final affirmation on appeal, rendered by a court of competent jurisdiction of any state
541 or of the United States, upon a cause of action for damages:
- 542 (i) arising out of the ownership, maintenance, or use of any motor vehicle, including
543 damages for care and loss of services because of bodily injury to or death of any
544 person, or because of injury to or destruction of property including the loss of use
545 of the property; or
- 546 (ii) on a settlement agreement.
- 547 (3) "License" or "license certificate" have the same meanings as under Section 53-3-102.
- 548 (4) (a) "Motor vehicle" means every self-propelled vehicle that is designed for use upon
549 a highway, including trailers and semitrailers designed for use with other motorized
550 vehicles.
- 551 (b) "Motor vehicle" does not include traction engines, road rollers, farm tractors, tractor
552 cranes, power shovels, and well drillers, and every vehicle that is propelled by
553 electric power obtained from overhead wires but not operated upon rails.
- 554 (5) "Motorboat" means the same as that term is defined in Section 73-18c-102.
- 555 [~~(5)~~] (6) "Nonresident" means every person who is not a resident of Utah.
- 556 [~~(6)~~] (7) "Nonresident's operating privilege" means the privilege conferred upon a person
557 who is not a resident of Utah by the laws of Utah pertaining to the operation by him of a
558 motor vehicle, or the use of a motor vehicle owned by him, in Utah.
- 559 [~~(7)~~] (8) "Operator" means every person who is in actual physical control of a motor vehicle.
- 560 [~~(8)~~] (9) "Owner" means:
- 561 (a) a person who holds legal title to a motor vehicle;
- 562 (b) a lessee in possession;
- 563 (c) a conditional vendee or lessee if a motor vehicle is the subject of a conditional sale or
564 lease with the right of purchase upon performance of the conditions stated in the
565 agreement and with an immediate right of possession in the conditional vendee or
566 lessee; or
- 567 (d) a mortgagor if a motor vehicle is the subject of a mortgage with the mortgagor
568 entitled to possession.
- 569 [~~(9)~~] (10) "Owner's or operator's security," "owner's security," or "operator's security" means
570 any of the following:
- 571 (a) an insurance policy or combination of policies conforming to Section 31A-22-302,

- 572 which is issued by an insurer authorized to do business in Utah;
- 573 (b) an insurance policy or combination of policies issued or renewed prior to January 1,
574 2009 that:
- 575 (i) conformed to the minimum coverage limits of Section 31A-22-304 prior to
576 January 1, 2009; and
- 577 (ii) conform to the current requirements other than the minimum coverage limits of
578 policies issued in accordance with Section 31A-22-302;
- 579 (c) a surety bond issued by an insurer authorized to do a surety business in Utah in
580 which the surety is subject to the minimum coverage limits and other requirements of
581 policies conforming to Section 31A-22-302, which names the department as a
582 creditor under the bond for the use of persons entitled to the proceeds of the bond;
- 583 (d) a deposit with the state treasurer of cash or securities complying with Section
584 41-12a-406;
- 585 (e) maintaining a certificate of self-funded coverage under Section 41-12a-407; or
- 586 (f) a policy conforming to Section 31A-22-302 issued by the Risk Management Fund
587 created in Section 63A-4-201.

588 ~~[(10)]~~ (11) "Registration" means the issuance of the certificates and registration plates
589 issued under the laws of Utah pertaining to the registration of motor vehicles.

590 ~~[(11)]~~ (12) "Self-insurance" has the same meaning as provided in Section 31A-1-301.

591 Section 7. Section **41-12a-303.2** is amended to read:

592 **41-12a-303.2 . Evidence of owner's or operator's security to be carried when**
593 **operating motor vehicle -- Defense -- Penalties.**

594 (1) As used in this section:

- 595 (a) "Division" means the Motor Vehicle Division of the State Tax Commission.
- 596 (b) "Registration materials" means the evidences of motor vehicle registration, including
597 all registration cards, license plates, temporary permits, and nonresident temporary
598 permits.

599 (2) (a) (i) A person operating a motor vehicle shall:

- 600 (A) have in the person's immediate possession evidence of owner's or operator's
601 security for the motor vehicle the person is operating; and
- 602 (B) display it upon demand of a peace officer.

603 (ii) A person is exempt from the requirements of Subsection (2)(a)(i) if the person is
604 operating:

- 605 (A) a government-owned or leased motor vehicle; or

- 606 (B) an employer-owned or leased motor vehicle and is driving it with the
607 employer's permission.
- 608 (iii) A person operating a vehicle that is owned by a rental company, as defined in
609 Section 31A-22-311, may comply with Subsection (2)(a)(i) by having in the
610 person's immediate possession, or displaying, the rental vehicle's rental
611 agreement, as defined in Section 31A-22-311.
- 612 (b) Evidence of owner's or operator's security includes any one of the following:
- 613 (i) a copy of the operator's valid:
- 614 (A) insurance policy;
- 615 (B) insurance policy declaration page;
- 616 (C) binder notice;
- 617 (D) renewal notice; or
- 618 (E) card issued by an insurance company as evidence of insurance;
- 619 (ii) a certificate of insurance issued under Section 41-12a-402;
- 620 (iii) a certified copy of a surety bond issued under Section 41-12a-405;
- 621 (iv) a certificate of the state treasurer issued under Section 41-12a-406;
- 622 (v) a certificate of self-funded coverage issued under Section 41-12a-407; or
- 623 (vi) information that the vehicle or driver is insured from the Uninsured Motorist
624 Identification Database Program created under Title 41, Chapter 12a, Part 8,
625 Uninsured Motorist Identification Database Program.
- 626 (c) A card issued by an insurance company as evidence of owner's or operator's security
627 under Subsection (2)(b)(i)(E) on or after July 1, 2014, may not display the owner's or
628 operator's address on the card.
- 629 (d) (i) A person may provide to a peace officer evidence of owner's or operator's
630 security described in this Subsection (2) in:
- 631 (A) a hard copy format; or
- 632 (B) an electronic format using a mobile electronic device.
- 633 (ii) If a person provides evidence of owner's or operator's security in an electronic
634 format using a mobile electronic device under this Subsection (2)(d), the peace
635 officer viewing the owner's or operator's security on the mobile electronic device
636 may not view any other content on the mobile electronic device.
- 637 (iii) Notwithstanding any other provision under this section, a peace officer is not
638 subject to civil liability or criminal penalties under this section if the peace officer
639 inadvertently views content other than the evidence of owner's or operator's

- 640 security on the mobile electronic device.
- 641 (e) (i) Evidence of owner's or operator's security from the Uninsured Motorist
642 Identification Database Program described under Subsection (2)(b)(vi) supercedes
643 any evidence of owner's or operator's security described under[-] ;
644 (A) Subsection (2)(b)(i)(D) or (E)[-] ; or
645 (B) for a motorboat, Subsection 73-18c-304(1)(b).
- 646 (ii) A peace officer may not cite or arrest a person for a violation of Subsection (2)(a)
647 if the Uninsured Motorist Identification Database Program created under Title 41,
648 Chapter 12a, Part 8, Uninsured Motorist Identification Database Program,
649 information indicates that the vehicle or driver is insured.
- 650 (3) It is an affirmative defense to a charge or in an administrative action under this section
651 that the person had owner's or operator's security in effect for the vehicle the person was
652 operating at the time of the person's citation or arrest.
- 653 (4) (a) The following are considered proof of owner's or operator's security for purposes
654 of Subsection (3) and Section 41-12a-804:
- 655 (i) evidence defined in Subsection (2)(b);
656 (ii) a written statement from an insurance producer or company verifying that the
657 person had the required motor vehicle insurance coverage on the date specified; or
658 (iii) a written statement from an insurance producer or company, or provision in an
659 insurance policy, indicating that the policy provides coverage for a newly
660 purchased car and the coverage extended to the date specified.
- 661 (b) The court considering a citation issued under this section shall allow the evidence or
662 a written statement under Subsection (4)(a) and a copy of the citation to be
663 electronically submitted or mailed to the clerk of the court to satisfy Subsection (3).
- 664 (c) The notice under Section 41-12a-804 shall specify that the written statement under
665 Subsection (4)(a) and a copy of the notice shall be faxed or mailed to the designated
666 agent to satisfy the proof of owner's or operator's security required under Section
667 41-12a-804.
- 668 (5) (a) A person who is convicted of violating Subsection (2)(a)(i):
669 (i) is guilty of an infraction for a first offense and subject to a fine of not less than
670 \$400; and
671 (ii) is guilty of a class C misdemeanor for each offense subsequent to the first offense
672 that is committed within three years after the day on which the person commits the
673 first offense and subject to a fine of not less than \$1,000.

- 674 (b) A court may waive up to \$300 of a fine charged under Subsection (5)(a) if the person
675 demonstrates that the owner's or operator's security required under Section
676 41-12a-301 was obtained after the violation but before sentencing.
- 677 (6) Upon receiving notification from a court of a conviction for a violation of this section,
678 the department:
- 679 (a) shall suspend the person's driver license; and
- 680 (b) may not renew the person's driver license or issue a driver license to the person until
681 the person gives the department proof of owner's or operator's security.
- 682 (i) This proof of owner's or operator's security shall be given by any of the ways
683 required under Section 41-12a-401.
- 684 (ii) This proof of owner's or operator's security shall be maintained with the
685 department for a three-year period.
- 686 (iii) An insurer that provides a certificate of insurance as provided under Section
687 41-12a-402 or 41-12a-403 may not terminate the insurance policy unless notice of
688 termination is filed with the department no later than 10 days after termination as
689 required under Section 41-12a-404.
- 690 (iv) If a person who has canceled the certificate of insurance applies for a license
691 within three years from the date proof of owner's or operator's security was
692 originally required, the department shall refuse the application unless the person
693 reestablishes proof of owner's or operator's security and maintains the proof for
694 the remainder of the three-year period.

695 Section 8. Section **41-12a-802** is amended to read:

696 **41-12a-802 . Definitions.**

697 As used in this part:

- 698 (1) "Account" means the Uninsured Motorist Identification Restricted Account created in
699 Section 41-12a-806.
- 700 (2) "Database" means the Uninsured Motorist Identification Database created in Section
701 41-12a-803.
- 702 (3) "Designated agent" means the third party the department contracts with under Section
703 41-12a-803.
- 704 (4) "Division" means the Driver License Division created in Section 53-3-103.
- 705 (5) (a) "Motor vehicle" has the same meaning as set forth in Section 41-1a-102.
- 706 (b) "Motor vehicle" includes a street-legal all-terrain vehicle.
- 707 (6) "Motor Vehicle Division" means the Motor Vehicle Division of the State Tax

- 708 Commission created in Section 41-1a-106.
- 709 (7) "Program" means the Uninsured Motorist Identification Database Program created in
710 Section 41-12a-803.
- 711 (8) "Street-legal all-terrain vehicle" means the same as that term is defined in Section
712 41-6a-102.
- 713 Section 9. Section **41-12a-803** is amended to read:
- 714 **41-12a-803 . Program creation -- Administration -- Selection of designated agent**
715 **-- Duties -- Rulemaking -- Audits.**
- 716 (1) There is created the Uninsured Motorist Identification Database Program to:
- 717 (a) establish an Uninsured Motorist Identification Database to verify compliance with[-] :
- 718 (i) motor vehicle owner's or operator's security requirements under Section
719 41-12a-301 and other provisions under this part; and
- 720 (ii) motorboat owner's or operator's security requirements under Section 73-18c-304
721 and other provisions under this part;
- 722 (b) assist in reducing the number of uninsured motor vehicles on the highways of the
723 state and uninsured motorboats on the waters of the state;
- 724 (c) assist in increasing compliance with motor vehicle and motorboat registration and
725 sales and use tax laws;
- 726 (d) assist in protecting a financial institution's bona fide security interest in a motor
727 vehicle or motorboat; and
- 728 (e) assist in the identification and prevention of identity theft and other crimes.
- 729 (2) The program shall be administered by the department with the assistance of the
730 designated agent and the Motor Vehicle Division.
- 731 (3) (a) The department shall contract in accordance with Title 63G, Chapter 6a, Utah
732 Procurement Code, with a third party to establish and maintain an Uninsured
733 Motorist Identification Database for the purposes established under this part.
- 734 (b) The contract may not obligate the department to pay the third party more money than
735 is available in the account.
- 736 (4) (a) The third party under contract under this section is the department's designated
737 agent, and shall develop and maintain a computer database from the information
738 provided by:
- 739 (i) insurers under Section 31A-22-315;
- 740 (ii) the division under Subsection (6); and
- 741 (iii) the Motor Vehicle Division under Section 41-1a-120.

- 742 (b) (i) The database shall be developed and maintained in accordance with guidelines
743 established by the department so that state and local law enforcement agencies and
744 financial institutions as defined in Section 7-1-103 can efficiently access the
745 records of the database, including reports useful for the implementation of the
746 provisions of this part.
- 747 (ii) (A) The reports shall be in a form and contain information approved by the
748 department.
- 749 (B) The reports may be made available through the Internet or through other
750 electronic medium, if the department determines that sufficient security is
751 provided to ensure compliance with Section 41-12a-805 regarding limitations
752 on disclosure of information in the database.
- 753 (5) With information provided by the department and the Motor Vehicle Division, the
754 designated agent shall, at least monthly for submissions under Subsection 31A-22-315
755 (2)(b) or at least twice a month for submissions under Subsection 31A-22-315(2)(a):
- 756 (a) update the database with the motor vehicle and motorboat insurance information
757 provided by the insurers in accordance with Section 31A-22-315; and
- 758 (b) compare all current motor vehicle and motorboat registrations against the database.
- 759 (6) The division shall provide the designated agent with the name, date of birth, address,
760 and driver license number of all persons on the driver license database.
- 761 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
762 department shall make rules and develop procedures in cooperation with the Motor
763 Vehicle Division to use the database for the purpose of administering and enforcing this
764 part.
- 765 (8) (a) The designated agent shall archive computer data files at least semi-annually for
766 auditing purposes.
- 767 (b) The internal audit unit of the tax commission provided under Section 59-1-206 shall
768 audit the program at least every three years.
- 769 (c) The audit under Subsection (8)(b) shall include verification of:
- 770 (i) billings made by the designated agent; and
- 771 (ii) the accuracy of the designated agent's matching of vehicle registration with
772 insurance data.
- 773 (9) Upon request, the designated agent shall make available the information provided by
774 insurers under Section 31A-22-315.5 to:
- 775 (a) state and local law enforcement agencies; and

- 776 (b) financial institutions as defined in Section 7-1-103.
777 Section 10. Section **41-12a-804** is amended to read:
778 **41-12a-804 . Notice -- Proof -- Revocation of registration -- False statements --**
779 **Penalties -- Exemptions -- Sales tax enforcement.**
- 780 (1) If the comparison under Section 41-12a-803 shows that a motor vehicle or motorboat is
781 not insured for three consecutive months, the Motor Vehicle Division shall direct that
782 the designated agent provide notice to the owner of the motor vehicle or motorboat that
783 the owner has 15 days to provide:
- 784 (a) proof of owner's or operator's security in a form allowed under Subsection
785 41-12a-303.2(2); or
786 (b) proof of exemption from the owner's or operator's security requirements.
- 787 (2) If an owner of a motor vehicle or motorboat fails to provide satisfactory proof of
788 owner's or operator's security to the designated agent, the designated agent shall:
- 789 (a) provide a second notice to the owner of the motor vehicle or motorboat that the
790 owner now has 15 days to provide:
- 791 (i) proof of owner's or operator's security in a form allowed under Subsection
792 41-12a-303.2(2); or
793 (ii) proof of exemption from the owner's or operator's security requirements;
- 794 (b) for each notice provided, indicate information relating to the owner's failure to
795 provide proof of owner's or operator's security in the database; and
796 (c) provide this information to state and local law enforcement agencies as requested in
797 accordance with the provisions under Section 41-12a-805.
- 798 (3) The Motor Vehicle Division:
- 799 (a) shall revoke the registration upon receiving notification under Subsection 41-1a-110
800 (2);
801 (b) shall provide appropriate notices of the revocation, the legal consequences of
802 operating a vehicle with revoked registration and without owner's or operator's
803 security, and instructions on how to get the registration reinstated; and
804 (c) may direct the designated agent to provide the notices under this Subsection (3).
- 805 (4) Any action by the Motor Vehicle Division to revoke the registration of a motor vehicle
806 or motorboat under this section may be in addition to an action by a law enforcement
807 agency to impose the penalties under Section 41-12a-302 or 41-12a-303.2.
- 808 (5) (a) A person may not provide a false or fraudulent statement to the Motor Vehicle
809 Division or designated agent.

810 (b) In addition to any other penalties, a person who violates Subsection (5)(a) is guilty of
811 a class B misdemeanor.

812 (6) The department and the Motor Vehicle Division shall direct the designated agent to
813 exempt from this section a farm truck that:

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

815 (b) is registered as a farm truck under Title 41, Chapter 1a, Motor Vehicle Act.

816 (7) This part does not affect other actions or penalties that may be taken or imposed for
817 violation of the owner's and operator's security requirements of this chapter.

818 (8) If a comparison under Section 41-12a-803 shows that a motor vehicle or motorboat may
819 not be in compliance with motor vehicle or motorboat registration or sales and use tax
820 laws, the Motor Vehicle Division may direct that the designated agent provide notice to
821 the owner of a motor vehicle or motorboat that information exists which indicates the
822 possible violation.

823 Section 11. Section **41-12a-805** is amended to read:

824 **41-12a-805 . Disclosure of insurance information -- Penalty.**

825 (1) Information in the database established under Section 41-12a-803 provided by a person
826 to the designated agent is considered to be the property of the person providing the
827 information.

828 (2) The information may not be disclosed from the database under Title 63G, Chapter 2,
829 Government Records Access and Management Act, or otherwise, except as follows:

830 (a) for the purpose of investigating, litigating, or enforcing the owner's or operator's
831 security requirement under Section 41-12a-301, the designated agent shall verify
832 insurance information through the state computer network for a state or local
833 government agency or court;

834 (b) for the purpose of investigating, litigating, or enforcing the owner's or operator's
835 security requirement under Section 41-12a-301, the designated agent shall, upon
836 request, issue to any state or local government agency or court a certificate
837 documenting the insurance information, according to the database, of a specific
838 individual or motor vehicle or motorboat for the time period designated by the
839 government agency;

840 (c) upon request, the department or its designated agent shall disclose whether or not a
841 person is an insured individual and the insurance company name to:

842 (i) that individual or, if that individual is deceased, any interested person of that
843 individual, as defined in Section 75-1-201;

- 844 (ii) the parent or legal guardian of that individual if the individual is an
845 unemancipated minor;
- 846 (iii) the legal guardian of that individual if the individual is legally incapacitated;
- 847 (iv) a person who has power of attorney from the insured individual;
- 848 (v) a person who submits a notarized release from the insured individual dated no
849 more than 90 days before the date the request is made; or
- 850 (vi) a person suffering loss or injury in a motor vehicle or motorboat accident in
851 which the insured individual is involved, but only as part of an accident report as
852 authorized in Section 41-12a-202;
- 853 (d) for the purpose of investigating, enforcing, or prosecuting laws or issuing citations
854 by state or local law enforcement agencies related to the:
- 855 (i) registration and renewal of registration of a motor vehicle under Title 41, Chapter
856 1a, Motor Vehicle Act;
- 857 (ii) registration and renewal of registration of a motorboat under Title 73, Chapter 18,
858 State Boating Act;
- 859 ~~[(ii)]~~ (iii) purchase of a motor vehicle or motorboat under Title 59, Chapter 12, Sales
860 and Use Tax Act; and
- 861 ~~[(iii)]~~ (iv) owner's or operator's security requirements under Section 41-12a-301 or
862 73-18c-304;
- 863 (e) upon request of a peace officer acting in an official capacity under the provisions of
864 Subsection (2)(d), the department or the designated agent shall, upon request,
865 disclose relevant information for investigation, enforcement, or prosecution;
- 866 (f) for the purpose of the state auditor, the legislative auditor general, or other auditor of
867 the state conducting audits of the program;
- 868 (g) upon request of a financial institution as defined under Section 7-1-103 for the
869 purpose of protecting the financial institution's bona fide security interest in a motor
870 vehicle or motorboat; and
- 871 (h) upon the request of a state or local law enforcement agency for the purpose of
872 investigating and prosecuting identity theft and other crimes.
- 873 (3) (a) The department may allow the designated agent to prepare and deliver upon
874 request, a report on the insurance information of a person or motor vehicle or
875 motorboat in accordance with this section.
- 876 (b) The report may be in the form of:
- 877 (i) a certified copy that is considered admissible in any court proceeding in the same

- 878 manner as the original; or
- 879 (ii) information accessible through the Internet or through other electronic medium if
- 880 the department determines that sufficient security is provided to ensure
- 881 compliance with this section.
- 882 (c) The department may allow the designated agent to charge a fee established by the
- 883 department under Section 63J-1-504 for each:
- 884 (i) document authenticated, including each certified copy;
- 885 (ii) record accessed by the Internet or by other electronic medium; and
- 886 (iii) record provided to a financial institution under Subsection (2)(g).
- 887 (4) A person who knowingly releases or discloses information from the database for a
- 888 purpose other than those authorized in this section or to a person who is not entitled to it
- 889 is guilty of a third degree felony.
- 890 (5) An insurer is not liable to any person for complying with Sections 31A-22-315 and
- 891 31A-22-315.5 by providing information to the designated agent.
- 892 (6) Neither the state nor the department's designated agent is liable to any person for
- 893 gathering, managing, or using the information in the database as provided in Sections
- 894 31A-22-315 and 31A-22-315.5 and this part.
- 895 Section 12. Section **41-22-3** is amended to read:
- 896 **41-22-3 . Registration of vehicles -- Application -- Issuance of sticker and card --**
- 897 **Proof of property tax payment -- Records.**
- 898 (1) (a) Unless exempted under Section 41-22-9, a person may not operate or place and
- 899 an owner may not give another person permission to operate or place any
- 900 off-highway vehicle on any public land, trail, street, or highway in this state unless
- 901 the off-highway vehicle is registered under this chapter for the current year.
- 902 (b) Unless exempted under Section 41-22-9, a dealer may not sell an off-highway
- 903 vehicle which can be used on any public land, trail, street, or highway in this state,
- 904 unless the off-highway vehicle is registered or is in the process of being registered
- 905 under this chapter for the current year.
- 906 (c) Unless specifically provided in this chapter, the division shall administer license
- 907 plates, decals, and registration of off-highway vehicles in accordance with Chapter
- 908 1a, Motor Vehicle Act.
- 909 (2) (a) The owner of an off-highway vehicle subject to registration under this chapter
- 910 shall apply to the Motor Vehicle Division for registration on forms approved by the
- 911 Motor Vehicle Division.

912 (b) An owner of an off-highway vehicle may apply for automatic registration renewal as
913 described in Section 41-1a-216.

914 (3) Each application for registration of an off-highway vehicle shall be accompanied by:

915 (a) evidence of ownership, a title, or a manufacturer's certificate of origin, and a bill of
916 sale showing ownership, make, model, horsepower or displacement, and serial
917 number;

918 (b) the past registration card; or

919 (c) the fee for a duplicate.

920 (4) (a) (i) Beginning on January 1, 2023, except as provided in Subsection (4)(e), the
921 first time an off-highway vehicle is registered, the Motor Vehicle Division shall
922 issue one off-highway vehicle license plate, a registration decal, and a registration
923 card.

924 (ii) If an off-highway vehicle has been registered previously in this state but has not
925 been issued an off-highway vehicle license plate, beginning on January 1, 2023,
926 upon application for registration renewal, the Motor Vehicle Division shall issue
927 one off-highway vehicle license plate, a registration decal, and a registration card.

928 (b) Upon each annual registration, the Motor Vehicle Division shall issue a registration
929 decal and a registration card for each off-highway vehicle registered.

930 (c) The off-highway vehicle license plate:

931 (i) shall contain a unique five-digit number, using numbers, letters, or a combination
932 of numbers and letters, to identify the off-highway vehicle for which it is issued;

933 (ii) shall be affixed to the rear of the off-highway vehicle for which it is issued in a
934 plainly visible and upright position as prescribed by rule of the division under
935 Section 41-22-5.1;

936 (iii) shall be maintained free of foreign materials and in a condition to be clearly
937 legible;

938 (iv) shall be a distinct tan color with black lettering to identify the license plate as an
939 off-highway vehicle license plate;

940 (v) shall have a location to attach the registration decal; and

941 (vi) may not be a personalized license plate or a special group license plate.

942 (d) (i) At all times, [a registration card] proof of registration shall be kept with the
943 off-highway vehicle and shall be available for inspection by a law enforcement
944 officer.

945 (ii) An individual may show proof of registration by displaying:

- 946 (A) a digital copy or photograph of the registration card on a mobile electronic
947 device;
- 948 (B) proof of registration on a mobile electronic device through a mobile
949 application approved by the relevant state agency; or
- 950 (C) an original registration card issued by the Motor Vehicle Division.
- 951 (e) An off-highway vehicle that is a motorcycle or a snowmobile is:
- 952 (i) not required to obtain or display an off-highway vehicle license plate; and
- 953 (ii) required to obtain and display an off-highway vehicle registration sticker.
- 954 (5) (a) Except as provided by Subsection (5)(c), an applicant for a registration card and
955 registration decal shall provide the Motor Vehicle Division a certificate, described
956 under Subsection (5)(b), from the county assessor of the county in which the
957 off-highway vehicle has situs for taxation.
- 958 (b) The certificate required under Subsection (5)(a) shall state one of the following:
- 959 (i) the property tax on the off-highway vehicle for the current year has been paid;
- 960 (ii) in the county assessor's opinion, the tax is a lien on real property sufficient to
961 secure the payment of the tax; or
- 962 (iii) the off-highway vehicle is exempt by law from payment of property tax for the
963 current year.
- 964 (c) An off-highway vehicle for which an off-highway implement of husbandry sticker
965 has been issued in accordance with Section 41-22-5.5 is:
- 966 (i) exempt from the requirement under this Subsection (5);
- 967 (ii) not required to obtain or purchase an off-highway vehicle license plate; and
- 968 (iii) required to obtain and display an off-highway vehicle registration sticker.
- 969 (6) (a) All records of the division made or kept under this section shall be classified by
970 the Motor Vehicle Division in the same manner as motor vehicle records are
971 classified under Section 41-1a-116.
- 972 (b) Division records are available for inspection in the same manner as motor vehicle
973 records under Section 41-1a-116.
- 974 (7) A violation of this section is an infraction.
- 975 Section 13. Section **73-18-13.5** is amended to read:
- 976 **73-18-13.5 . Motorboat accidents -- Investigation and report of operator security**
977 **-- Agency action if no security -- Surrender of registration materials.**
- 978 (1) Upon request of a peace officer investigating an accident involving a motorboat as
979 defined in Section 73-18c-102, the operator of the motorboat shall provide evidence of

- 980 the owner's or operator's security required under Section 73-18c-301.
- 981 (2) The peace officer shall record on a form approved by the division:
- 982 (a) the information provided by the operator;
- 983 (b) whether the operator provided insufficient or no information; and
- 984 (c) whether the peace officer finds reasonable cause to believe that any information
- 985 given is not correct.
- 986 (3) The peace officer shall deposit all completed forms with the peace officer's agency,
- 987 which shall forward the forms to the division no later than 10 days after receipt.
- 988 (4) (a) The division shall revoke the registration of a motorboat as defined in Section
- 989 73-18c-102 involved in an accident unless the owner or operator can demonstrate to
- 990 the division compliance with the owner's or operator's security requirement of
- 991 Section 73-18c-301 at the time of the accident.
- 992 (b) Any registration revoked shall be renewed in accordance with Section 73-18-7.
- 993 (5) A person may appeal a revocation issued under Subsection (4) in accordance with
- 994 procedures established by the division, after notifying the commission, by rule that are
- 995 consistent with Title 63G, Chapter 4, Administrative Procedures Act.
- 996 (6) (a) Any person whose registration is revoked under Subsection (4) shall return the
- 997 registration card and decals for the motorboat to the division.
- 998 (b) If the person fails to return the registration materials as required, they shall be
- 999 confiscated under Section 73-18-13.6.
- 1000 (7) The division may, after notifying the commission, make rules for the enforcement of
- 1001 this section.
- 1002 (8) In this section, "evidence of owner's or operator's security" includes any one of the
- 1003 following:
- 1004 (a) the operator's:
- 1005 (i) insurance policy;
- 1006 (ii) binder notice;
- 1007 (iii) renewal notice; or
- 1008 (iv) card issued by an insurance company as evidence of insurance;
- 1009 (b) a copy of a surety bond, certified by the surety, which conforms to Section
- 1010 73-18c-102;
- 1011 (c) a certificate of the state treasurer issued under Section 73-18c-305; or
- 1012 (d) a certificate of self-funded coverage issued under Section 73-18c-306.
- 1013 (9) A person may provide evidence of owner's or operator's security as described in

- 1014 Subsection (8)(a) by displaying:
 1015 (a) a digital copy or photograph of the evidence of owner's or operator's security; or
 1016 (b) evidence of owner's or operator's security through a mobile application.
- 1017 Section 14. Section **73-18c-304** is amended to read:
 1018 **73-18c-304 . Evidence of owner's or operator's security to be carried when**
 1019 **operating motorboat -- Defense -- Penalties.**
- 1020 (1) (a) (i) Except as provided in Subsection (1)(a)(ii), a person operating a motorboat
 1021 shall:
- 1022 (A) have in the person's immediate possession evidence of owner's or operator's
 1023 security for the motorboat the person is operating; and
 1024 (B) display it upon demand of a peace officer.
- 1025 (ii) A person operating a government-owned or government-leased motorboat is
 1026 exempt from the requirements of Subsection (1)(a)(i).
- 1027 (b) Evidence of owner's or operator's security includes any one of the following:
 1028 (i) the operator's:
 1029 (A) insurance policy;
 1030 (B) binder notice;
 1031 (C) renewal notice; or
 1032 (D) card issued by an insurance company as evidence of insurance;
- 1033 (ii) a copy of a surety bond, certified by the surety, which conforms to Section
 1034 73-18c-102;
- 1035 (iii) a certificate of the state treasurer issued under Section 73-18c-305; ~~or~~
 1036 (iv) a certificate of self-funded coverage issued under Section 73-18c-306[-] ;
 1037 (v) a digital copy or photograph of the evidence of owner's or operator's security
 1038 described in Subsections (1)(b)(i) through (iv); or
 1039 (vi) a mobile application displaying evidence of owner's or operator's security
 1040 described in Subsections (1)(b)(i) through (iv).
- 1041 (2) It is an affirmative defense to a charge under this section that the person had owner's or
 1042 operator's security in effect for the motorboat the person was operating at the time of the
 1043 person's citation or arrest.
- 1044 (3) (a) A letter from an insurance producer or company verifying that the person had the
 1045 required liability insurance coverage on the date specified is considered proof of
 1046 owner's or operator's security for purposes of Subsection (2).
 1047 (b) The court considering a citation issued under this section shall allow the letter under

1048 Subsection (3)(a) and a copy of the citation to be faxed or mailed to the clerk of the
1049 court to satisfy Subsection (2).

1050 (4) A violation of this section is a class C misdemeanor.

1051 (5) If a person is convicted of a violation of this section and if the person is the owner of a
1052 motorboat, the court shall:

1053 (a) require the person to surrender the person's registration materials to the court; and

1054 (b) forward the registration materials, together with a copy of the conviction, to the
1055 division.

1056 (6) (a) Upon receiving notification from a court of a conviction for a violation of this
1057 section, the division shall revoke the person's motorboat registration.

1058 (b) Any registration revoked shall be renewed in accordance with Section 73-18-7.

1059 Section 15. **Effective date.**

1060 This bill takes effect on January 1, 2025.