

**Representative Kay J. Christofferson** proposes the following substitute bill:

**TRANSPORTATION AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Kay J. Christofferson

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**LONG TITLE**

**General Description:**

This bill amends provisions related to transportation issues including motor vehicles, vintage vehicles, transportation projects, and a towing rotation pilot program.

**Highlighted Provisions:**

- This bill:
- ▶ makes technical changes to correct inaccurate or outdated cross references;
  - ▶ allows the State Tax Commission to delay the expiration of vehicle registrations in circumstances where materials for registration decals are temporarily unavailable;
  - ▶ at the time of registration, requires a vintage vehicle that has a model year of 1981 or newer to:
    - provide proof of an emissions inspection; or
    - provide proof of vehicle insurance that is a type specific to a collector vehicle;
  - ▶ for a vintage vehicle that has a model year of 1981 or newer:
    - increases the registration fee by 50 cents;
    - allows the State Tax Commission to use 50 cents of the increased registration fee to cover the costs to administer the vintage vehicle registration program; and
    - allows certain vintage vehicles to display a historical support special group license plate instead of a vintage vehicle license plate;



- 26 ▶ for a vintage vehicle, removes the requirement to display a front license plate;
- 27 ▶ amends provisions related to the Office of the Attorney General in prosecution of
- 28 certain cases related to motor vehicle enforcement;
- 29 ▶ allows the Department of Public Safety to establish a pilot program to establish a
- 30 public-private partnership to manage certain tow rotation dispatch services;
- 31 ▶ amends certain allocations of funding for transportation projects;
- 32 ▶ clarifies a definition related to local option sales and use taxes for public transit; and
- 33 ▶ makes technical changes.

34 **Money Appropriated in this Bill:**

35 This bill appropriates in fiscal year 2023:

- 36 ▶ to the Office of the Attorney General -- Internal Service Fund -- Attorney General:
  - 37 • from the Dedicated Credits Revenue Temporary Permit Account, \$192,000.

38 **Other Special Clauses:**

39 This bill provides a special effective date.

40 **Utah Code Sections Affected:**

41 AMENDS:

- 42 [17B-2a-807.2](#), as enacted by Laws of Utah 2019, Chapter 479
- 43 [41-1a-201](#), as last amended by Laws of Utah 2019, Chapter 459
- 44 [41-1a-226](#), as last amended by Laws of Utah 2017, Chapter 406
- 45 [41-1a-401](#), as last amended by Laws of Utah 2018, Chapters 260, 260, and 454
- 46 [41-1a-404](#), as last amended by Laws of Utah 2015, Chapters 81 and 412
- 47 [41-1a-422](#), as last amended by Laws of Utah 2021, Chapters 219, 280, and 378
- 48 [41-1a-1201](#), as last amended by Laws of Utah 2018, Chapter 424
- 49 [41-1a-1206](#), as last amended by Laws of Utah 2020, Chapter 377
- 50 [41-3-105](#), as last amended by Laws of Utah 2020, Chapters 354 and 396
- 51 [41-6a-1642](#), as last amended by Laws of Utah 2021, Chapter 322
- 52 [41-21-1](#), as last amended by Laws of Utah 2016, Chapter 40
- 53 [53-3-105](#), as last amended by Laws of Utah 2021, Chapter 284
- 54 [53-3-219](#), as last amended by Laws of Utah 2021, Chapter 262
- 55 [59-12-2220](#), as last amended by Laws of Utah 2019, Chapter 479
- 56 [63B-31-103](#), as enacted by Laws of Utah 2021, Chapter 420

- 57 [63I-1-272](#), as last amended by Laws of Utah 2021, Chapter 420
- 58 [63I-2-272](#), as last amended by Laws of Utah 2021, Chapter 358
- 59 [72-1-213.1](#), as last amended by Laws of Utah 2021, Chapter 222
- 60 [72-1-213.2](#), as enacted by Laws of Utah 2021, Chapters 222 and 222
- 61 [72-2-121](#), as last amended by Laws of Utah 2021, Chapters 239, 239, 420, and 420
- 62 [72-2-124](#), as last amended by Laws of Utah 2021, Chapters 239, 387, and 411
- 63 [72-5-309](#), as last amended by Laws of Utah 2021, Chapter 162
- 64 [72-5-403](#), as last amended by Laws of Utah 2012, Chapter 121

65 ENACTS:

- 66 [53-1-106.2](#), Utah Code Annotated 1953

67 REPEALS:

- 68 [72-1-213](#), as last amended by Laws of Utah 2019, Chapter 479



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

71 Section 1. Section [17B-2a-807.2](#) is amended to read:

72 **17B-2a-807.2. Existing large public transit district board of trustees --**

73 **Appointment -- Quorum -- Compensation -- Terms.**

74 (1) (a) (i) For a large public transit district created before January 1, 2019, and except  
75 as provided in Subsection (7), the board of trustees shall consist of three members appointed as  
76 described in Subsection (1)(b).

77 (ii) For purposes of a large public transit district created before January 1, 2019, the  
78 nominating regions are as follows:

79 (A) a central region that is Salt Lake County;

80 (B) a southern region that is comprised of Utah County and the portion of Tooele  
81 County that is part of the large public transit district; and

82 (C) a northern region that is comprised of Davis County, Weber County, and the  
83 portion of Box Elder County that is part of the large public transit district.

84 (iii) (A) If a large public transit district created before January 1, 2019, annexes an  
85 additional county into the large public transit district pursuant to Section [17B-1-402](#), following  
86 the issuance of the certificate of annexation by the lieutenant governor, the political  
87 subdivisions making up the large public transit district shall submit to the Legislature for

88 approval a proposal for the creation of three regions for nominating members to the board of  
89 trustees of the large public transit district.

90 (B) If a large public transit district created before January 1, 2019, has a change to the  
91 boundaries of the large public transit district, the Legislature, after receiving and considering  
92 the proposal described in Subsection (1)(a)(iii)(A), shall designate the three regions for  
93 nominating members to the board of trustees of the large public transit district.

94 (b) (i) Except as provided in Subsection (5), the governor, with advice and consent of  
95 the Senate, shall appoint the members of the board of trustees, making:

96 (A) one appointment from individuals nominated from the central region as described  
97 in Subsection (2);

98 (B) one appointment from individuals nominated from the southern region described in  
99 Subsection (3); and

100 (C) one appointment from individuals nominated from the northern region described in  
101 Subsection (4).

102 (2) For the appointment from the central region, the governor shall appoint one  
103 individual selected from five individuals nominated as follows:

104 (a) two individuals nominated by the council of governments of Salt Lake County; and

105 (b) three individuals nominated by the mayor of Salt Lake County, with approval of the  
106 Salt Lake County council.

107 (3) For the appointment from the southern region, the governor shall appoint one  
108 individual selected from five individuals nominated as follows:

109 (a) two individuals nominated by the council of governments of Utah County;

110 (b) two individuals nominated by the county commission of Utah County; and

111 (c) one individual nominated by the county commission of Tooele County.

112 (4) For the appointment from the northern region, the governor shall appoint one  
113 individual selected from five individuals nominated as follows:

114 (a) one individual nominated by the council of governments of Davis County;

115 (b) one individual nominated by the council of governments of Weber County;

116 (c) one individual nominated by the county commission of Davis County;

117 (d) one individual nominated by the county commission of Weber County; and

118 (e) one individual nominated by the county commission of Box Elder County.

119           (5) (a) The nominating counties described in Subsections (2) through (4) shall ensure  
120 that nominations are submitted to the governor no later than June 1 of each respective  
121 nominating year.

122           ~~(5)~~ (b) If the governor fails to appoint one of the individuals nominated as described  
123 in Subsection (2), (3), or (4), as applicable, within 60 days of the nominations, the following  
124 appointment procedures apply:

125           ~~(a)~~ (i) for an appointment for the central region, the Salt Lake County council shall  
126 appoint an individual, with confirmation by the Senate;

127           ~~(b)~~ (ii) for an appointment for the southern region, the Utah County commission shall  
128 appoint an individual, in consultation with the Tooele County commission, with confirmation  
129 by the Senate; and

130           ~~(c)~~ (iii) for an appointment for the northern region, the Davis County commission and  
131 the Weber County commission, collectively, and in consultation with the Box Elder County  
132 commission, shall appoint an individual, with confirmation by the Senate.

133           (6) (a) Each nominee shall be a qualified executive with technical and administrative  
134 experience and training appropriate for the position.

135           (b) The board of trustees of a large public transit district shall be full-time employees  
136 of the public transit district.

137           (c) The compensation package for the board of trustees shall be determined by the local  
138 advisory council as described in Section [17B-2a-808.2](#).

139           (d) (i) Subject to Subsection (6)(d)(iii), for a board of trustees of a large public transit  
140 district, "quorum" means at least two members of the board of trustees.

141           (ii) Action by a majority of a quorum constitutes an action of the board of trustees.

142           (iii) A meeting of a quorum of a board of trustees of a large public transit district is  
143 subject to Section [52-4-103](#) regarding convening of a three-member board of trustees and what  
144 constitutes a public meeting.

145           (7) (a) Subject to Subsection (8), each member of the board of trustees of a large public  
146 transit district shall serve for a term of four years.

147           (b) A member of the board of trustees may serve an unlimited number of terms.

148           (c) Notwithstanding Subsection (2), (3), or (4), as applicable, at the expiration of a  
149 term of a member of the board of trustees, if the respective nominating entities and individuals

150 for the respective region described in Subsection (2), (3), or (4), unanimously agree to retain  
151 the existing member of the board of trustees, the respective nominating individuals or bodies  
152 described in Subsection (2), (3), or (4) are not required to make nominations to the governor,  
153 and the governor may reappoint the existing member to the board of trustees.

154 (8) Each member of the board of trustees of a large public transit district shall serve at  
155 the pleasure of the governor.

156 (9) Subject to Subsections (7) and (8), a board of trustees of a large public transit  
157 district that is in place as of February 1, 2019, may remain in place.

158 (10) The governor shall designate one member of the board of trustees as chair of the  
159 board of trustees.

160 (11) (a) If a vacancy occurs, the nomination and appointment procedures to replace the  
161 individual shall occur in the same manner described in Subsection (2), (3), or (4), and, if  
162 applicable, Subsection (5), for the respective member of the board of trustees creating the  
163 vacancy.

164 (b) If a vacancy occurs on the board of trustees of a large public transit district, the  
165 respective nominating region shall nominate individuals to the governor as described in this  
166 section within 60 days after the vacancy occurs.

167 (c) If the respective nominating region does not nominate to fill the vacancy within 60  
168 days, the governor shall appoint an individual to fill the vacancy.

169 (d) A replacement board member shall serve for the remainder of the unexpired term,  
170 but may serve an unlimited number of terms as provided in Subsection (7)(b).

171 Section 2. Section **41-1a-201** is amended to read:

172 **41-1a-201. Function of registration -- Registration required -- Penalty.**

173 (1) Unless exempted, a person or automated driving system may not operate and an  
174 owner may not engage an automated driving system, give another person permission to engage  
175 an automated driving system, or give another person permission to operate a motor vehicle,  
176 combination of vehicles, trailer, semitrailer, vintage vehicle, off-highway vehicle, vessel, or  
177 park model recreational vehicle in this state unless it has been registered in accordance with  
178 this chapter, Title 41, Chapter 22, Off-Highway Vehicles, or Title 73, Chapter 18, State  
179 Boating Act.

180 (2) Subject to Subsection [53-8-209\(3\)](#), a violation of this section is an infraction.

181           (3) (a) In the event that materials are temporarily unavailable for registration items  
182 required under Section 41-1a-402, the commission may delay initial vehicle registration or  
183 renewal of vehicle registrations.

184           (b) In a circumstance described in Subsection (3)(a), a person does not violate  
185 Subsection (1) for failure to register a vehicle during a delay period described in Subsection  
186 (3)(a).

187           Section 3. Section **41-1a-226** is amended to read:

188           **41-1a-226. Vintage vehicle -- Signed statement -- Registration.**

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

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

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

193           (2) ~~[The]~~ For a vintage vehicle with a model year of 1980 or older, the signed  
194 statement described in Subsection (1) is in lieu of an emissions inspection, from which a  
195 vintage vehicle is exempt under Subsection 41-6a-1642(4).

196           (3) Before registration of a vintage vehicle that has a model year of 1981 or newer, an  
197 owner shall:

198           (a) obtain a certificate of emissions inspection as provided in Section 41-6a-1642; or

199           (b) provide proof of vehicle insurance coverage for the vintage vehicle that is a type  
200 specific to a vehicle collector.

201           Section 4. Section **41-1a-401** is amended to read:

202           **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**  
203 **registration in lieu of or used with plates.**

204           (1) (a) Except as provided in Subsection (1)(c), the division upon registering a vehicle  
205 shall issue to the owner:

206           (i) one license plate for a motorcycle, trailer, or semitrailer;

207           (ii) one decal for a park model recreational vehicle, in lieu of a license plate, which  
208 shall be attached in plain sight to the rear of the park model recreational vehicle;

209           (iii) one decal for a camper, in lieu of a license plate, which shall be attached in plain  
210 sight to the rear of the camper; and

211           (iv) two identical license plates for every other vehicle.

212 (b) The license plate or decal issued under Subsection (1)(a) is for the particular  
213 vehicle registered and may not be removed during the term for which the license plate or decal  
214 is issued or used upon any other vehicle than the registered vehicle.

215 (c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection  
216 (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the  
217 ownership of which has been otherwise released, shall transfer the license plate issued to the  
218 person applying to register the vehicle if:

219 (A) the previous registered owner has included the license plate as part of the sale,  
220 trade, or ownership release; and

221 (B) the person applying to register the vehicle applies to transfer the license plate to the  
222 new registered owner of the vehicle.

223 (ii) The division may not transfer a personalized or special group license plate to a new  
224 registered owner under this Subsection (1)(c) if the new registered owner does not meet the  
225 qualification or eligibility requirements for that personalized or special group license plate  
226 under Sections 41-1a-410 through 41-1a-422.

227 (2) The division may receive applications for registration renewal, renew registration,  
228 and issue new license plates or decals at any time prior to the expiration of registration.

229 (3) (a) (i) [~~AH~~] Except as provided in Subsection (3)(a)(iii), all license plates to be  
230 manufactured and issued by the division shall be treated with a fully reflective material on the  
231 plate face that provides effective and dependable reflective brightness during the service period  
232 of the license plate.

233 (ii) [~~For~~] Except as provided in Subsection (3)(a)(iii), for a historical support special  
234 group license plate created under this part, the division shall procure reflective material to  
235 satisfy the requirement under Subsection (3)(a)(i) as soon as such material is available at a  
236 reasonable cost.

237 (iii) Notwithstanding the reflectivity requirement described in Subsection (3)(a)(i), the  
238 division may manufacture and issue a historical support special group license plate without a  
239 fully reflective plate face if:

240 (A) the historical special group license plate is requested for a vintage vehicle that has  
241 a model year of 1980 or older; and

242 (B) the division has manufacturing equipment and technology available to produce the



243 plate in small quantities.

244 (b) The division shall prescribe all license plate material specifications and establish  
245 and implement procedures for conforming to the specifications.

246 (c) The specifications for the materials used such as the aluminum plate substrate, the  
247 reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may  
248 qualify as suppliers.

249 (d) The granting of contracts for the materials shall be by public bid.

250 (4) (a) The commission may issue, adopt, and require the use of indicia of registration  
251 it considers advisable in lieu of or in conjunction with license plates as provided in this part.

252 (b) All provisions of this part relative to license plates apply to these indicia of  
253 registration, so far as the provisions are applicable.

254 (5) A violation of this section is an infraction.

255 Section 5. Section **41-1a-404** is amended to read:

256 **41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.**

257 (1) License plates issued for a vehicle other than a motorcycle, trailer, vintage vehicle,  
258 or semitrailer shall be attached to the vehicle, one in the front and the other in the rear.

259 (2) (a) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached  
260 to the rear of the motorcycle, trailer, or semitrailer.

261 (b) (i) An owner of a vintage vehicle shall ensure that a license plate is attached to the  
262 rear of the vintage vehicle.

263 (ii) An owner of a vintage vehicle is not required to display a license plate on the front  
264 of the vintage vehicle.

265 (3) Except as provided in Subsection (5), a license plate shall at all times be:

266 (a) securely fastened:

267 (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from  
268 swinging;

269 (ii) at a height of not less than 12 inches from the ground, measuring from the bottom  
270 of the plate; and

271 (iii) in a place and position to be clearly visible; and

272 (b) maintained:

273 (i) free from foreign materials; and

274 (ii) in a condition to be clearly legible.

275 (4) Enforcement by a state or local law enforcement officer of the requirement under  
276 Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary  
277 action when the vehicle has been detained for a suspected violation by any person in the  
278 vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a  
279 license plate to the front of the vehicle, or for another offense.

280 (5) The provisions of Subsections (3)(a)(iii) and (3)(b) do not apply to a license plate  
281 that is obscured exclusively by one or more of the following devices or by the cargo the device  
282 is carrying, if the device is installed according to manufacturer specifications or generally  
283 accepted installation practices:

- 284 (a) a trailer hitch;
  - 285 (b) a wheelchair lift or wheelchair carrier;
  - 286 (c) a trailer being towed by the vehicle;
  - 287 (d) a bicycle rack, ski rack, or luggage rack; or
  - 288 (e) a similar cargo carrying device.
- 289 (6) A violation of this section is an infraction.

290 Section 6. Section **41-1a-422** is amended to read:

291 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**  
292 **contribution collection procedures.**

293 (1) As used in this section:

294 (a) (i) except as provided in Subsection (1)(a)(ii), "contributor" means a person who has  
295 donated or in whose name at least \$25 has been donated to:

- 296 (A) a scholastic scholarship fund of a single named institution;
- 297 (B) the Department of Veterans and Military Affairs for veterans programs;
- 298 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in  
299 Section [23-14-13](#), for conservation of wildlife and the enhancement, preservation, protection,  
300 access, and management of wildlife habitat;
- 301 (D) the Department of Agriculture and Food for the benefit of conservation districts;
- 302 (E) the Division of Recreation for the benefit of snowmobile programs;
- 303 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with  
304 the donation evenly divided between the two;

- 305 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America  
306 council as specified by the contributor;
- 307 (H) No More Homeless Pets in Utah for distribution to organizations or individuals  
308 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 309 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth  
310 development programs;
- 311 (J) the Utah Association of Public School Foundations to support public education;
- 312 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to  
313 assist people who have severe housing needs;
- 314 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118  
315 to support the families of fallen Utah Highway Patrol troopers and other Department of Public  
316 Safety employees;
- 317 (M) the Division of State Parks for distribution to organizations that provide support  
318 for Zion National Park;
- 319 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support  
320 firefighter organizations;
- 321 (O) the Share the Road Bicycle Support Restricted Account created in Section  
322 72-2-127 to support bicycle operation and safety awareness programs;
- 323 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support  
324 cancer research programs;
- 325 (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support  
326 autism awareness programs;
- 327 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account  
328 created in Section 9-17-102 to support humanitarian service and educational and cultural  
329 programs;
- 330 (S) Upon renewal of a prostate cancer support special group license plate, to the Cancer  
331 Research Restricted Account created in Section 26-21a-302 to support cancer research  
332 programs;
- 333 (T) the Choose Life Adoption Support Restricted Account created in Section  
334 62A-4a-608 to support programs that promote adoption;
- 335 (U) the National Professional Men's Basketball Team Support of Women and Children

336 Issues Restricted Account created in Section [62A-1-202](#);

337 (V) the Utah Law Enforcement Memorial Support Restricted Account created in

338 Section [53-1-120](#);

339 (W) the Children with Cancer Support Restricted Account created in Section

340 [26-21a-304](#) for programs that provide assistance to children with cancer;

341 (X) the National Professional Men's Soccer Team Support of Building Communities

342 Restricted Account created in Section [9-19-102](#);

343 (Y) the Children with Heart Disease Support Restricted Account created in Section

344 [26-58-102](#);

345 (Z) the Utah Intracurricular Student Organization Support for Agricultural Education

346 and Leadership Restricted Account created in Section [4-42-102](#);

347 (AA) the Division of Wildlife Resources for the Support for State-Owned Shooting

348 Ranges Restricted Account created in Section [23-14-13.5](#), for the creation of new, and

349 operation and maintenance of existing, state-owned firearm shooting ranges;

350 (BB) the Utah State Historical Society to further the mission and purpose of the Utah

351 State Historical Society;

352 (CC) the Motorcycle Safety Awareness Support Restricted Account created in Section

353 [72-2-130](#);

354 (DD) the Transportation of Veterans to Memorials Support Restricted Account created

355 in Section [71-14-102](#);

356 (EE) clean air support causes, with half of the donation deposited into the Clean Air

357 Support Restricted Account created in Section [19-1-109](#), and half of the donation deposited

358 into the Clean Air Fund created in Section [59-10-1319](#);

359 (FF) the Latino Community Support Restricted Account created in Section [13-1-16](#);

360 (GG) the Allyson Gamble Organ Donation Contribution Fund created in Section

361 [26-18b-101](#); or

362 (HH) public education on behalf of the Kiwanis International clubs, with the amount of

363 the donation required to cover the costs of issuing, ordering, or reordering Kiwanis support

364 special group plates, as determined by the State Tax Commission, deposited into the Kiwanis

365 Education Support Fund created in Section [53F-9-403](#), and all remaining donation amounts

366 deposited into the Education Fund.

367 (ii) (A) For a veterans special group license plate described in Subsection  
368 41-1a-421(1)(a)(v) or 41-1a-422(4), "contributor" means a person who has donated or in whose  
369 name at least a \$25 donation at the time of application and \$10 annual donation thereafter has  
370 been made.

371 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a  
372 person who:

373 (I) has donated or in whose name at least \$30 has been donated at the time of  
374 application and annually after the time of application; and

375 (II) is a member of a trade organization for real estate licensees that has more than  
376 15,000 Utah members.

377 (C) For an Honoring Heroes special group license plate, "contributor" means a person  
378 who has donated or in whose name at least \$35 has been donated at the time of application and  
379 annually thereafter.

380 (D) For a firefighter support special group license plate, "contributor" means a person  
381 who:

382 (I) has donated or in whose name at least \$15 has been donated at the time of  
383 application and annually after the time of application; and

384 (II) is a currently employed, volunteer, or retired firefighter.

385 (E) For a cancer research special group license plate, "contributor" means a person who  
386 has donated or in whose name at least \$35 has been donated at the time of application and  
387 annually after the time of application.

388 (F) For a Utah Law Enforcement Memorial Support special group license plate,  
389 "contributor" means a person who has donated or in whose name at least \$35 has been donated  
390 at the time of application and annually thereafter.

391 (b) "Institution" means a state institution of higher education as defined under Section  
392 53B-3-102 or a private institution of higher education in the state accredited by a regional or  
393 national accrediting agency recognized by the United States Department of Education.

394 (2) (a) An applicant for original or renewal collegiate special group license plates under  
395 Subsection (1)(a)(i) must be a contributor to the institution named in the application and  
396 present the original contribution verification form under Subsection (2)(b) or make a  
397 contribution to the division at the time of application under Subsection (3).

398 (b) An institution with a support special group license plate shall issue to a contributor  
399 a verification form designed by the commission containing:

- 400 (i) the name of the contributor;
- 401 (ii) the institution to which a donation was made;
- 402 (iii) the date of the donation; and
- 403 (iv) an attestation that the donation was for a scholastic scholarship.

404 (c) The state auditor may audit each institution to verify that the money collected by the  
405 institutions from contributors is used for scholastic scholarships.

406 (d) After an applicant has been issued collegiate license plates or renewal decals, the  
407 commission shall charge the institution whose plate was issued, a fee determined in accordance  
408 with Section 63J-1-504 for management and administrative expenses incurred in issuing and  
409 renewing the collegiate license plates.

410 (e) If the contribution is made at the time of application, the contribution shall be  
411 collected, treated, and deposited as provided under Subsection (3).

412 (3) (a) (i) ~~[An]~~ Except as provided in Subsection (3)(a)(ii), an applicant for original or  
413 renewal support special group license plates under this section must be a contributor to the  
414 sponsoring organization associated with the license plate.

415 (ii) An applicant for a historical special group license plate is not required to make a  
416 donation to the Utah State Historical Society if the historical special group license plate is for a  
417 vintage vehicle that has a model year of 1980 or older.

418 (b) This contribution shall be:

419 (i) unless collected by the named institution under Subsection (2), collected by the  
420 division;

421 (ii) considered a voluntary contribution for the funding of the activities specified under  
422 this section and not a motor vehicle registration fee;

423 (iii) deposited into the appropriate account less actual administrative costs associated  
424 with issuing the license plates; and

425 (iv) for a firefighter special group license plate, deposited into the appropriate account  
426 less:

427 (A) the costs of reordering firefighter special group license plate decals; and

428 (B) the costs of replacing recognition special group license plates with new license

429 plates under Subsection 41-1a-1211(13).

430 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to  
431 registration or renewal of registration.

432 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to  
433 the division when issuing original:

434 (i) snowmobile license plates; or

435 (ii) conservation license plates.

436 (4) Veterans license plates shall display one of the symbols representing the Army,  
437 Navy, Air Force, Marines, Coast Guard, or American Legion.

438 Section 7. Section 41-1a-1201 is amended to read:

439 **41-1a-1201. Disposition of fees.**

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

442 (2) Except as provided in Subsections (3), (6), (7), (8), and (9) and Sections 41-1a-422,  
443 41-1a-1220, 41-1a-1221, and 41-1a-1223 all fees collected under this part shall be deposited  
444 [it] into the Transportation Fund.

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

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

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

453 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)  
454 and (b) for each vehicle registered for a six-month registration period under Section  
455 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and  
456 administering this part.

457 (c) Fifty cents of the registration fee imposed under Subsection 41-1a-1206(1)(i) for  
458 each vintage vehicle that has a model year of 1981 or newer may be used by the commission to  
459 cover the costs incurred in enforcing and administering this part.

460 (6) (a) The following portions of the registration fees imposed under Section  
461 41-1a-1206 for each vehicle shall be deposited [in] into the Transportation Investment Fund of  
462 2005 created under Section 72-2-124:

463 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),  
464 (1)(f), (4), and (7);

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

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

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

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

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

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

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

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

476 (7) (a) Ninety-four cents of each registration fee imposed under Subsections  
477 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited [in] into the Public Safety  
478 Restricted Account created in Section 53-3-106.

479 (b) Seventy-one cents of each registration fee imposed under Subsections  
480 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under  
481 Section 41-1a-215.5 shall be deposited [in] into the Public Safety Restricted Account created in  
482 Section 53-3-106.

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

486 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a)  
487 and (b) for each vehicle registered for a six-month registration period under Section  
488 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account  
489 created in Section 53-8-214.

490 (9) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for



491 each motorcycle shall be deposited ~~[in]~~ into the Spinal Cord and Brain Injury Rehabilitation  
492 Fund created in Section 26-54-102.

493 Section 8. Section 41-1a-1206 is amended to read:

494 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

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

498 (a) \$46.00 for each motorcycle;

499 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding  
500 motorcycles;

501 (c) unless the semitrailer or trailer is exempt from registration under Section 41-1a-202  
502 or is registered under Section 41-1a-301:

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

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

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

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

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

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

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

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

515 (g) \$45 for each vintage vehicle that ~~[is less than 40 years old; and]~~ has a model year of  
516 1981 or newer;

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

518 (i) for each electric motor vehicle:

519 (A) \$90 during calendar year 2020; and

520 (B) \$120 beginning January 1, 2021, and thereafter;

521 (ii) for each hybrid electric motor vehicle:

- 522 (A) \$15 during calendar year 2020; and
- 523 (B) \$20 beginning January 1, 2021, and thereafter;
- 524 (iii) for each plug-in hybrid electric motor vehicle:
- 525 (A) \$39 during calendar year 2020; and
- 526 (B) \$52 beginning January 1, 2021, and thereafter; and
- 527 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is
- 528 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 529 (A) \$90 during calendar year 2020; and
- 530 (B) \$120 beginning January 1, 2021, and thereafter[?]; and
- 531 (i) in addition to the fee described in Subsection (1)(g), for a vintage vehicle that has a
- 532 model year of 1981 or newer, 50 cents.
- 533 (2) (a) At the time application is made for registration or renewal of registration of a
- 534 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
- 535 registration fee shall be paid to the division as follows:
- 536 (i) \$34.50 for each motorcycle; and
- 537 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
- 538 excluding motorcycles.
- 539 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
- 540 of registration of a vehicle under this chapter for a six-month registration period under Section
- 541 [41-1a-215.5](#) a registration fee shall be paid to the division as follows:
- 542 (i) for each electric motor vehicle:
- 543 (A) \$69.75 during calendar year 2020; and
- 544 (B) \$93 beginning January 1, 2021, and thereafter;
- 545 (ii) for each hybrid electric motor vehicle:
- 546 (A) \$11.25 during calendar year 2020; and
- 547 (B) \$15 beginning January 1, 2021, and thereafter;
- 548 (iii) for each plug-in hybrid electric motor vehicle:
- 549 (A) \$30 during calendar year 2020; and
- 550 (B) \$40 beginning January 1, 2021, and thereafter; and
- 551 (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is
- 552 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:

553 (A) \$69.75 during calendar year 2020; and

554 (B) \$93 beginning January 1, 2021, and thereafter.

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

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

561 (B) 0.

562 (ii) Beginning on January 1, 2022, the commission shall, on January 1, annually adjust  
563 the registration fees described in Subsections (1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),  
564 (1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B) by taking the  
565 registration fee rate for the previous year and adding an amount equal to the greater of:

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

568 (B) 0.

569 (b) The amounts calculated as described in Subsection (3)(a) shall be rounded up to the  
570 nearest 25 cents.

571 (4) (a) The initial registration fee for a vintage vehicle that ~~[is 40 years old]~~ has a  
572 model year of 1980 or older is \$40.

573 (b) A vintage vehicle that ~~[is 40 years old]~~ has a model year of 1980 or older is exempt  
574 from the renewal of registration fees under Subsection (1).

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

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

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

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

583 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part

584 of 2,000 pounds is a full unit.

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

588 (8) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm  
589 truck unless:

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

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

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

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

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

600 Section 9. Section 41-3-105 is amended to read:

601 **41-3-105. Administrator's powers and duties -- Administrator and investigators**  
602 **to be law enforcement officers.**

603 (1) The administrator may make rules to carry out the purposes of this chapter and  
604 Sections 41-1a-1001 through 41-1a-1006 according to the procedures and requirements of Title  
605 63G, Chapter 3, Utah Administrative Rulemaking Act.

606 (2) (a) The administrator may employ clerks, deputies, and assistants necessary to  
607 discharge the duties under this chapter and may designate the duties of those clerks, deputies,  
608 and assistants.

609 (b) The administrator, assistant administrator, and all investigators shall be law  
610 enforcement officers certified by peace officer standards and training as required by Section  
611 53-13-103.

612 (3) (a) The administrator may investigate any suspected or alleged violation of:

613 (i) this chapter;

614 (ii) Title 41, Chapter 1a, Motor Vehicle Act;

- 615 (iii) any law concerning motor vehicle fraud; or
- 616 (iv) any rule made by the administrator.
- 617 (b) The administrator may bring an action in the name of the state against any person to
- 618 enjoin a violation found under Subsection (3)(a).
- 619 (4) (a) The administrator may prescribe forms to be used for applications for licenses.
- 620 (b) The administrator may require information from the applicant concerning the
- 621 applicant's fitness to be licensed.
- 622 (c) Each application for a license shall contain:
- 623 (i) if the applicant is an individual, the name and residence address of the applicant and
- 624 the trade name, if any, under which the applicant intends to conduct business;
- 625 (ii) if the applicant is a partnership, the name and residence address of each partner,
- 626 whether limited or general, and the name under which the partnership business will be
- 627 conducted;
- 628 (iii) if the applicant is a corporation, the name of the corporation, and the name and
- 629 residence address of each of its principal officers and directors;
- 630 (iv) a complete description of the principal place of business, including:
- 631 (A) the municipality, with the street and number, if any;
- 632 (B) if located outside of any municipality, a general description so that the location can
- 633 be determined; and
- 634 (C) any other places of business operated and maintained by the applicant in
- 635 conjunction with the principal place of business;
- 636 (v) if the application is for a new motor vehicle dealer's license, the name of each
- 637 motor vehicle the applicant has been enfranchised to sell or exchange, the name and address of
- 638 the manufacturer or distributor who has enfranchised the applicant, and the name and address
- 639 of each individual who will act as a salesperson under authority of the license;
- 640 (vi) at least five years of business history;
- 641 (vii) the federal tax identification number issued to the dealer;
- 642 (viii) the sales and use tax license number issued to the dealer under Title 59, Chapter
- 643 12, Sales and Use Tax Act; and
- 644 (ix) if the application is for a direct-sale manufacturer's license:
- 645 (A) the name of each line-make the applicant will sell, display for sale, or offer for sale

646 or exchange;

647 (B) the name and address of each individual who will act as a direct-sale manufacturer  
648 salesperson under authority of the license;

649 (C) a complete description of the direct-sale manufacturer's authorized service center,  
650 including the address and any other place of business the applicant operates and maintains in  
651 conjunction with the authorized service center;

652 (D) a sworn statement that the applicant complies with each qualification for a  
653 direct-sale manufacturer under this chapter;

654 (E) a sworn statement that if at any time the applicant fails to comply with a  
655 qualification for a direct-sale manufacturer under this chapter, the applicant will inform the  
656 division in writing within 10 business days after the day on which the noncompliance occurs;  
657 and

658 (F) an acknowledgment that if the applicant fails to comply with a qualification for a  
659 direct-sale manufacturer under this chapter, the administrator will deny, suspend, or revoke the  
660 applicant's direct-sale manufacturer license in accordance with Section [41-3-209](#).

661 (5) The administrator may adopt a seal with the words "Motor Vehicle Enforcement  
662 Administrator, State of Utah," to authenticate the acts of the administrator's office.

663 (6) (a) The administrator may require that a licensee erect or post signs or devices on  
664 the licensee's principal place of business and any other sites, equipment, or locations operated  
665 and maintained by the licensee in conjunction with the licensee's business.

666 (b) The signs or devices shall state the licensee's name, principal place of business,  
667 type and number of licenses, and any other information that the administrator considers  
668 necessary to identify the licensee.

669 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah  
670 Administrative Rulemaking Act, determining allowable size and shape of signs or devices,  
671 lettering and other details of signs or devices, and location of signs or devices.

672 (7) (a) The administrator shall provide for quarterly meetings of the advisory board and  
673 may call special meetings.

674 (b) Notices of all meetings shall be sent to each member not fewer than five days  
675 before the meeting.

676 (8) The administrator, the officers and inspectors of the division designated by the

677 commission, and peace officers shall:

678 (a) make arrests upon view and without warrant for any violation committed in their  
679 presence of any of the provisions of this chapter, or Title 41, Chapter 1a, Motor Vehicle Act;

680 (b) when on duty, upon reasonable belief that a motor vehicle, trailer, or semitrailer is  
681 being operated in violation of any provision of Title 41, Chapter 1a, Motor Vehicle Act, require  
682 the driver of the vehicle to stop, exhibit the person's driver license and the registration card  
683 issued for the vehicle, and submit to an inspection of the vehicle, the license plates, and  
684 registration card;

685 (c) serve all warrants relating to the enforcement of the laws regulating the operation of  
686 motor vehicles, trailers, and semitrailers;

687 (d) investigate traffic accidents and secure testimony of any witnesses or persons  
688 involved; and

689 (e) investigate reported thefts of motor vehicles, trailers, and semitrailers.

690 (9) The administrator shall provide security for an area within the commission  
691 designated as a secure area under Section [76-8-311.1](#).

692 (10) ~~[The administrator may contract with a public prosecutor to provide additional]~~  
693 The Office of the Attorney General shall provide prosecution of this chapter.

694 Section 10. Section **41-6a-1642** is amended to read:

695 **41-6a-1642. Emissions inspection -- County program.**

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

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

702 (i) as a condition of registration or renewal of registration; and

703 (ii) at other times as the county legislative body may require to enforce inspection  
704 requirements for individual motor vehicles, except that the county legislative body may not  
705 routinely require a certificate of emissions inspection, or waiver of the certificate, more often  
706 than required under Subsection (9); and

707 (b) compliance with this section for a motor vehicle registered or principally operated

708 in the county and owned by or being used by a department, division, instrumentality, agency, or  
709 employee of:

- 710 (i) the federal government;
- 711 (ii) the state and any of its agencies; or
- 712 (iii) a political subdivision of the state, including school districts.

713 (2) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions  
714 inspection and maintenance program certificate of emissions inspection as described in  
715 Subsection (1), but the program may not deny vehicle registration based solely on the presence  
716 of a defeat device covered in the Volkswagen partial consent decrees or a United States  
717 Environmental Protection Agency-approved vehicle modification in the following vehicles:

718 (a) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide  
719 emissions are mitigated in the state pursuant to a partial consent decree, including:

- 720 (i) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;
- 721 (ii) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and  
722 2014;

723 (iii) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

724 (iv) Volkswagen Golf Sportwagen, model year 2015;

725 (v) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

726 (vi) Volkswagen Beetle, model years 2013, 2014, and 2015;

727 (vii) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and

728 (viii) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and

729 (b) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide  
730 emissions are mitigated in the state to a settlement, including:

731 (i) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and  
732 2016;

733 (ii) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

734 (iii) Audi A6 Quattro, model years 2014, 2015, and 2016;

735 (iv) Audi A7 Quattro, model years 2014, 2015, and 2016;

736 (v) Audi A8, model years 2014, 2015, and 2016;

737 (vi) Audi A8L, model years 2014, 2015, and 2016;

738 (vii) Audi Q5, model years 2014, 2015, and 2016; and



739 (viii) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.

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

- 743 (i) emissions standards;
- 744 (ii) test procedures;
- 745 (iii) inspections stations;
- 746 (iv) repair requirements and dollar limits for correction of deficiencies; and
- 747 (v) certificates of emissions inspections.

748 (b) In accordance with Subsection (3)(a), a county legislative body:

- 749 (i) shall make regulations or ordinances to attain or maintain ambient air quality  
750 standards in the county, consistent with the state implementation plan and federal  
751 requirements;
- 752 (ii) may allow for a phase-in of the program by geographical area; and
- 753 (iii) shall comply with the analyzer design and certification requirements contained in  
754 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

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

- 757 (i) is decentralized, to the extent the decentralized program will attain and maintain  
758 ambient air quality standards and meet federal requirements;
- 759 (ii) is the most cost effective means to achieve and maintain the maximum benefit with  
760 regard to ambient air quality standards and to meet federal air quality requirements as related to  
761 vehicle emissions; and
- 762 (iii) provides a reasonable phase-out period for replacement of air pollution emission  
763 testing equipment made obsolete by the program.

764 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

- 765 (i) may be accomplished in accordance with applicable federal requirements; and
- 766 (ii) does not otherwise interfere with the attainment and maintenance of ambient air  
767 quality standards.

768 (4) The following vehicles are exempt from an emissions inspection program and the  
769 provisions of this section:

- 770 (a) an implement of husbandry as defined in Section 41-1a-102;
- 771 (b) a motor vehicle that:
  - 772 (i) meets the definition of a farm truck under Section 41-1a-102; and
  - 773 (ii) has a gross vehicle weight rating of 12,001 pounds or more;
- 774 (c) a vintage vehicle as defined in Section 41-21-1[;]:
  - 775 (i) if the vintage vehicle has a model year of 1980 or older; or
  - 776 (ii) for a vintage vehicle that has a model year of 1981 or newer, if the owner provides
  - 777 proof of vehicle insurance that is a type specific to a vehicle collector;
- 778 (d) a custom vehicle as defined in Section 41-6a-1507;
- 779 (e) to the extent allowed under the current federally approved state implementation
- 780 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor
- 781 vehicle that is less than two years old on January 1 based on the age of the vehicle as
- 782 determined by the model year identified by the manufacturer;
- 783 (f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating
- 784 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed
- 785 statement to the legislative body stating the truck is used:
  - 786 (i) by the owner or operator of a farm located on property that qualifies as land in
  - 787 agricultural use under Sections 59-2-502 and 59-2-503; and
  - 788 (ii) exclusively for the following purposes in operating the farm:
    - 789 (A) for the transportation of farm products, including livestock and its products,
    - 790 poultry and its products, floricultural and horticultural products; and
    - 791 (B) in the transportation of farm supplies, including tile, fence, and every other thing or
    - 792 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production
    - 793 and maintenance;
- 794 (g) a motorcycle as defined in Section 41-1a-102;
- 795 (h) an electric motor vehicle as defined in Section 41-1a-102; and
- 796 (i) a motor vehicle with a model year of 1967 or older.
- 797 (5) The county shall issue to the registered owner who signs and submits a signed
- 798 statement under Subsection (4)(f) a certificate of exemption from emissions inspection
- 799 requirements for purposes of registering the exempt vehicle.
- 800 (6) A legislative body of a county described in Subsection (1) may exempt from an

801 emissions inspection program a diesel-powered motor vehicle with a:

802 (a) gross vehicle weight rating of more than 14,000 pounds; or

803 (b) model year of 1997 or older.

804 (7) The legislative body of a county required under federal law to utilize a motor

805 vehicle emissions inspection program shall require:

806 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

807 (i) a model year of 2007 or newer;

808 (ii) a gross vehicle weight rating of 14,000 pounds or less; and

809 (iii) a model year that is five years old or older; and

810 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

811 (i) with a gross vehicle weight rating of 14,000 pounds or less;

812 (ii) that has a model year of 1998 or newer; and

813 (iii) that has a model year that is five years old or older.

814 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under

815 federal law to utilize a motor vehicle emissions inspection and maintenance program or in

816 which an emissions inspection and maintenance program is necessary to attain or maintain any

817 national ambient air quality standard may require each college or university located in a county

818 subject to this section to require its students and employees who park a motor vehicle not

819 registered in a county subject to this section to provide proof of compliance with an emissions

820 inspection accepted by the county legislative body if the motor vehicle is parked on the college

821 or university campus or property.

822 (b) College or university parking areas that are metered or for which payment is

823 required per use are not subject to the requirements of this Subsection (8).

824 (c) The legislative body of a county shall make the reasons for implementing the

825 provisions of this Subsection (8) part of the record at the time that the county legislative body

826 takes its official action to implement the provisions of this Subsection (8).

827 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection

828 for each motor vehicle that meets the inspection and maintenance program requirements

829 established in ~~rules~~ regulations or ordinances made under Subsection (3).

830 (b) The frequency of the emissions inspection shall be determined based on the age of

831 the vehicle as determined by model year and shall be required annually subject to the

832 provisions of Subsection (9)(c).

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

837 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six  
838 years old on January 1.

839 (iii) For a county required to implement a new vehicle emissions inspection and  
840 maintenance program on or after December 1, 2012, under Subsection (1), but for which no  
841 current federally approved state implementation plan exists, a vehicle shall be tested at a  
842 frequency determined by the county legislative body, in consultation with the Air Quality  
843 Board created under Section 19-1-106, that is necessary to comply with federal law or attain or  
844 maintain any national ambient air quality standard.

845 (iv) If a county legislative body establishes or changes the frequency of a vehicle  
846 emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment  
847 or change shall take effect on January 1 if the State Tax Commission receives notice meeting  
848 the requirements of Subsection (9)(c)(v) from the county before October 1.

849 (v) The notice described in Subsection (9)(c)(iv) shall:

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

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

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

855 (d) If an emissions inspection is only required every two years for a vehicle under  
856 Subsection (9)(c), the inspection shall be required for the vehicle in:

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

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

859 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection  
860 required under this section may be made no more than two months before the renewal of  
861 registration.

862 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an

863 emissions inspection certificate issued for the motor vehicle during the previous 11 months to  
864 satisfy the requirement under this section.

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

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

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

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

878 (11) (a) A county identified in Subsection (1) shall collect information about and  
879 monitor the program.

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

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

887 (13) (a) Except as provided in Subsection [41-1a-1223\(1\)\(c\)](#), a county identified in  
888 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration  
889 within the county in accordance with the procedures and requirements of Section [41-1a-1223](#).

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

893 (c) A county that imposes a local emissions compliance fee may use revenues

894 generated from the fee to promote programs to maintain a local, state, or national ambient air  
895 quality standard.

896 Section 11. Section **41-21-1** is amended to read:

897 **41-21-1. Definitions.**

898 (1) "Autocycle" means the same as that term is defined in Section [53-3-102](#).

899 (2) "Motorcycle" means:

900 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not  
901 more than three wheels in contact with the ground; or

902 (b) an autocycle.

903 (3) (a) "Street rod" means a motor vehicle or motorcycle that:

904 (i) (A) was manufactured in 1948 or before; or

905 (B) (I) was manufactured after 1948 to resemble a vehicle that was manufactured in  
906 1948 or before; and

907 (II) (Aa) has been altered from the manufacturer's original design; or

908 (Bb) has a body constructed from non-original materials; and

909 (ii) is primarily a collector's item that is used for:

910 (A) club activities;

911 (B) exhibitions;

912 (C) tours;

913 (D) parades;

914 (E) occasional transportation; and

915 (F) other similar uses.

916 (b) "Street rod" does not include a motor vehicle or motorcycle that is used for general,  
917 daily transportation.

918 (4) (a) "Vintage travel trailer" means a travel trailer, camping trailer, or fifth wheel  
919 trailer that is:

920 (i) 30 years old or older, from the current year; and

921 (ii) primarily a collector's item that is used for:

922 (A) participation in club activities;

923 (B) exhibitions;

924 (C) tours;

- 925 (D) parades;
- 926 (E) occasional recreational or vacation use; and
- 927 (F) other similar uses.
- 928 (b) "Vintage travel trailer" does not include a travel trailer, camping trailer, or fifth
- 929 wheel trailer that is used for the general, daily transportation of persons or property.
- 930 (5) (a) "Vintage vehicle" means a motor vehicle or motorcycle that:
- 931 (i) is 30 years old or older from the current year;
- 932 (ii) displays:
- 933 (A) a unique vehicle type special group license plate issued in accordance with Section
- 934 [41-1a-418](#); ~~and~~ or
- 935 (B) for a vehicle that has a model year of 1980 or older, a historical support special
- 936 group plate; and
- 937 (iii) is primarily a collector's item that is used for:
- 938 (A) participation in club activities;
- 939 (B) exhibitions;
- 940 (C) tours;
- 941 (D) parades;
- 942 (E) occasional transportation; and
- 943 (F) other similar uses.
- 944 (b) "Vintage vehicle" does not include a motor vehicle or motorcycle that is used for
- 945 general, daily transportation.
- 946 (c) "Vintage vehicle" includes a:
- 947 (i) street rod; and
- 948 (ii) vintage travel trailer.
- 949 Section 12. Section **53-1-106.2** is enacted to read:
- 950 **53-1-106.2. Towing dispatch pilot program.**
- 951 (1) The department shall evaluate the availability of vendors, products, and technology
- 952 capable of increasing efficiency, effectiveness, and transparency in the dispatching of towing
- 953 providers and management of towing rotations in counties of the first or second class as
- 954 classified under Section [17-50-501](#) that experience high demand for tow truck services.
- 955 (2) The department shall evaluate vendors, products, and technology for:

- 956 (a) the following requirements and capabilities:
- 957 (i) decreasing delays associated with requesting and dispatching a tow truck motor
- 958 carrier from an established tow rotation;
- 959 (ii) increasing information, transparency, and data collection associated with tow
- 960 rotation operations, including dispatching, response time, completion, clearance, and storage;
- 961 and
- 962 (iii) increasing responder and traffic safety by reducing secondary crashes, responder
- 963 time on scene, and the impacts of traffic accidents on traffic flow and safety; and
- 964 (b) costs and distribution of costs for the implementation of product programs,
- 965 equipment, technology, and other requirements.
- 966 (3) Based on the information and findings of the request for information described in
- 967 this section, the department may:
- 968 (a) issue a request for proposals to establish a public-private partnership pilot program
- 969 to achieve the goals described in Subsection (2); and
- 970 (b) establish a pilot program to contract with a vendor to provide towing dispatch
- 971 management as described in this section.
- 972 (4) A vendor selected pursuant to Subsection (3) to provide towing dispatch
- 973 management services as described in this section may not also provide towing, storage,
- 974 impounding, or other services related to the operation of a towing provider.
- 975 Section 13. Section **53-3-105** is amended to read:
- 976 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**
- 977 **and identification cards.**
- 978 The following fees apply under this chapter:
- 979 (1) An original class D license application under Section 53-3-205 is \$52.
- 980 (2) An original provisional license application for a class D license under Section
- 981 53-3-205 is \$39.
- 982 (3) An original limited term license application under Section 53-3-205 is \$32.
- 983 (4) An original application for a motorcycle endorsement under Section 53-3-205 is
- 984 \$18.
- 985 (5) An original application for a taxicab endorsement under Section 53-3-205 is \$14.
- 986 (6) A learner permit application under Section 53-3-210.5 is \$19.



- 987 (7) A renewal of a class D license under Section 53-3-214 is \$52 unless Subsection  
988 (12) applies.
- 989 (8) A renewal of a provisional license application for a class D license under Section  
990 53-3-214 is \$52.
- 991 (9) A renewal of a limited term license application under Section 53-3-214 is \$32.
- 992 (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
- 993 (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
- 994 (12) A renewal of a class D license for an individual 65 and older under Section  
995 53-3-214 is \$27.
- 996 (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection  
997 (17) applies.
- 998 (14) An extension of a provisional license application for a class D license under  
999 Section 53-3-214 is \$42.
- 1000 (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
- 1001 (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
- 1002 (17) An extension of a class D license for an individual 65 and older under Section  
1003 53-3-214 is \$22.
- 1004 (18) An original or renewal application for a commercial class A, B, or C license or an  
1005 original or renewal of a provisional commercial class A or B license under Part 4, Uniform  
1006 Commercial Driver License Act, is \$52.
- 1007 (19) A commercial class A, B, or C license skills test is \$78.
- 1008 (20) Each original CDL endorsement for passengers, hazardous material, double or  
1009 triple trailers, or tankers is \$9.
- 1010 (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial  
1011 Driver License Act, is \$9.
- 1012 (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver  
1013 License Act, is \$9.
- 1014 (23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.
- 1015 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.
- 1016 (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.
- 1017 (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.

- 1018 (26) (a) A license reinstatement application under Section [53-3-205](#) is \$40.
- 1019 (b) A license reinstatement application under Section [53-3-205](#) for an alcohol, drug, or  
1020 combination of alcohol and any drug-related offense is \$45 in addition to the fee under  
1021 Subsection (26)(a).
- 1022 (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or  
1023 combination of alcohol and any drug-related offense under Section [41-6a-520](#), [53-3-223](#), or  
1024 [53-3-231](#) or an alcohol, drug, or combination of alcohol and any drug-related offense under  
1025 Part 4, Uniform Commercial Driver License Act, is \$255.
- 1026 (b) This administrative fee is in addition to the fees under Subsection (26).
- 1027 (28) (a) An administrative fee for providing the driving record of a driver under  
1028 Section [53-3-104](#) or [53-3-420](#) is \$8.
- 1029 (b) The division may not charge for a report furnished under Section [53-3-104](#) to a  
1030 municipal, county, state, or federal agency.
- 1031 (29) A rescheduling fee under Section [53-3-205](#) or [53-3-407](#) is \$25.
- 1032 (30) (a) Except as provided under Subsections (30)(b) and (c), an identification card  
1033 application under Section [53-3-808](#) is \$23.
- 1034 (b) An identification card application under Section [53-3-808](#) for a person with a  
1035 disability, as defined in 42 U.S.C. Sec. 12102, is \$17.
- 1036 (c) A fee may not be charged for an identification card application if the individual  
1037 applying:
- 1038 (i) (A) has not been issued a Utah driver license;  
1039 (B) is indigent; and  
1040 (C) is at least 18 years [~~of age~~ old]; or
- 1041 (ii) submits written verification that the individual is homeless, as defined in Section  
1042 [26-18-411](#), a person who is homeless, as defined in Section [35A-5-302](#), or a child or youth who  
1043 is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:
- 1044 (A) a homeless shelter, as defined in Section [~~10-9a-526~~] [35A-16-305](#);  
1045 (B) a permanent housing, permanent, supportive, or transitional facility, as defined in  
1046 Section [35A-5-302](#);  
1047 (C) the Department of Workforce Services; or  
1048 (D) a local educational agency liaison for homeless children and youth designated

1049 under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

1050 (31) (a) An extension of a regular identification card under Subsection 53-3-807(4) for  
1051 a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

1052 (b) The fee described in Subsection (31)(a) is waived if the applicant submits written  
1053 verification that the individual is homeless, as defined in Section 26-18-411, or a person who is  
1054 homeless, as defined in Section 35A-5-302, or a child or youth who is homeless, as defined in  
1055 42 U.S.C. Sec. 11434a(2), from:

1056 (i) a homeless shelter, as defined in Section [~~10-9a-526~~] 35A-16-305;

1057 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in  
1058 Section 35A-5-302;

1059 (iii) the Department of Workforce Services;

1060 (iv) a homeless service provider as verified by the Department of Workforce Services  
1061 as described in Section 26-2-12.6; or

1062 (v) a local educational agency liaison for homeless children and youth designated under  
1063 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

1064 (32) (a) An extension of a regular identification card under Subsection 53-3-807(5) is  
1065 \$23.

1066 (b) The fee described in Subsection (32)(a) is waived if the applicant submits written  
1067 verification that the individual is homeless, as defined in Section 26-18-411, or a person who is  
1068 homeless, as defined in Section 35A-5-302, from:

1069 (i) a homeless shelter, as defined in Section [~~10-9a-526~~] 35A-16-305;

1070 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in  
1071 Section 35A-5-302;

1072 (iii) the Department of Workforce Services; or

1073 (iv) a homeless service provider as verified by the Department of Workforce Services  
1074 as described in Section 26-2-12.6.

1075 (33) In addition to any license application fees collected under this chapter, the division  
1076 shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the  
1077 fees that the Bureau of Criminal Identification is authorized to collect for the services the  
1078 Bureau of Criminal Identification provides under Section 53-3-205.5.

1079 (34) An original mobility vehicle permit application under Section 41-6a-1118 is \$30.

1080 (35) A renewal of a mobility vehicle permit under Section 41-6a-1118 is \$30.

1081 (36) A duplicate mobility vehicle permit under Section 41-6a-1118 is \$12.

1082 Section 14. Section 53-3-219 is amended to read:

1083 **53-3-219. Suspension of minor's driving privileges.**

1084 (1) The division shall immediately suspend all driving privileges of any person upon  
1085 receipt of an order suspending driving privileges under Section 32B-4-409, Section 32B-4-410,  
1086 Subsection 76-9-701(1), or Section 80-6-707.

1087 (2) (a) (i) Upon receipt of the first order suspending a person's driving privileges under  
1088 Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or Section 80-6-707, the  
1089 division shall:

1090 (A) impose a suspension for a period of one year;

1091 (B) if the person has not been issued an operator license, deny the person's application  
1092 for a license or learner's permit for a period of one year; or

1093 (C) if the person is under the age of eligibility for a driver license, deny the person's  
1094 application for a license or learner's permit beginning on the date of conviction and continuing  
1095 for one year beginning on the date of eligibility for a driver license.

1096 (ii) Upon receipt of the first order suspending a person's driving privileges under this  
1097 section, the division shall reduce the suspension period under Subsection (2)(a)(i)(A), (B), or  
1098 (C) if ordered by the court in accordance with Subsection 32B-4-409(5)(b), 32B-4-410(4)(b),  
1099 76-9-701(4)(b), or 80-6-707(3)(a).

1100 (b) (i) Upon receipt of a second or subsequent order suspending a person's driving  
1101 privileges under Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or  
1102 Subsection [~~80-4-707~~] 80-6-707(3)(b), the division shall:

1103 (A) impose a suspension for a period of two years;

1104 (B) if the person has not been issued an operator license or is under the age of  
1105 eligibility for a driver license, deny the person's application for a license or learner's permit for  
1106 a period of two years; or

1107 (C) if the person is under the age of eligibility for a driver license, deny the person's  
1108 application for a license or learner's permit beginning on the date of conviction and continuing  
1109 for two years beginning on the date of eligibility for a driver license.

1110 (ii) Upon receipt of the second or subsequent order suspending a person's driving

1111 privileges under Section 32B-4-409, Section 32B-4-410, Subsection 76-9-701(1), or Section  
1112 80-6-707, the division shall reduce the suspension period if ordered by the court in accordance  
1113 with Subsection 32B-4-409(5)(c), 32B-4-410(4)(c), 76-9-701(4)(c), or 80-6-707(3)(b).

1114 (3) The Driver License Division shall subtract from any suspension or revocation  
1115 period for a conviction of a violation of Section 32B-4-409 the number of days for which a  
1116 license was previously suspended under Section 53-3-231, if the previous sanction was based  
1117 on the same occurrence upon which the record of conviction is based.

1118 (4) After reinstatement of the license described in Subsection (1), a report authorized  
1119 under Section 53-3-104 may not contain evidence of the suspension of a minor's license under  
1120 this section if the minor has not been convicted of any other offense for which the suspension  
1121 under Subsection (1) may be extended.

1122 Section 15. Section 59-12-2220 is amended to read:

1123 **59-12-2220. County option sales and use tax to fund a system for public transit --**  
1124 **Base -- Rate.**

1125 (1) Subject to the other provisions of this part and subject to the requirements of this  
1126 section, beginning on July 1, 2019, the following counties may impose a sales and use tax  
1127 under this section:

1128 (a) a county legislative body may impose the sales and use tax on the transactions  
1129 described in Subsection 59-12-103(1) located within the county, including the cities and towns  
1130 within the county if:

1131 (i) the entire boundary of a county is annexed into a large public transit district; and

1132 (ii) the maximum amount of sales and use tax authorizations allowed pursuant to

1133 Section 59-12-2203 and authorized under the following sections has been imposed:

1134 (A) Section 59-12-2213;

1135 (B) Section 59-12-2214;

1136 (C) Section 59-12-2215;

1137 (D) Section 59-12-2216;

1138 (E) Section 59-12-2217;

1139 (F) Section 59-12-2218; and

1140 (G) Section 59-12-2219;

1141 (b) if the county is not annexed into a large public transit district, the county legislative

1142 body may impose the sales and use tax on the transactions described in Subsection  
1143 [59-12-103](#)(1) located within the county, including the cities and towns within the county if:  
1144 (i) the county is an eligible political subdivision as defined in Section [59-12-2219](#); or  
1145 (ii) a city or town within the boundary of the county is an eligible political subdivision  
1146 as defined in Section [59-12-2219](#); or  
1147 (c) a county legislative body of a county not described in Subsection (1)(a) may impose  
1148 the sales and use tax on the transactions described in Subsection [59-12-103](#)(1) located within  
1149 the county, including the cities and towns within the county, if there is a public transit district  
1150 within the boundary of the county.  
1151 (2) For purposes of Subsection (1) and subject to the other provisions of this section, a  
1152 county legislative body that imposes a sales and use tax under this section may impose the tax  
1153 at a rate of .2%.  
1154 (3) A county imposing a sales and use tax under this section shall expend the revenues  
1155 collected from the sales and use tax for capital expenses and service delivery expenses of:  
1156 (a) a public transit district;  
1157 (b) an eligible political subdivision, as that term is defined in Section [59-12-2219](#); or  
1158 (c) another entity providing a service for public transit or a transit facility within the  
1159 county as those terms are defined in Section [17B-2a-802](#).  
1160 (4) Notwithstanding Section [59-12-2208](#), a county legislative body may, but is not  
1161 required to, submit an opinion question to the county's registered voters in accordance with  
1162 Section [59-12-2208](#) to impose a sales and use tax under this section.  
1163 (5) (a) Notwithstanding any other provision in this section, if a county wishes to  
1164 impose a sales and use tax under this section, the county legislative body shall pass the  
1165 ordinance to impose a sales and use tax under this section on or before June 30, 2023.  
1166 (b) The county legislative body may not pass an ordinance to impose a sales and use  
1167 tax under this section on or after July 1, 2023.  
1168 (c) Notwithstanding the deadline described in Subsection (5)(a), any sales and use tax  
1169 imposed under this section on or before June 30, 2023, may remain in effect.  
1170 (6) (a) Revenue collected from a sales and use tax under this section may not be used  
1171 to supplant existing General Fund appropriations that a county has budgeted for transportation  
1172 or public transit as of the date the tax becomes effective for a county.

1173 (b) The limitation under Subsection (6)(a) does not apply to a designated transportation  
1174 or public transit capital or reserve account a county may have established prior to the date the  
1175 tax becomes effective.

1176 Section 16. Section **63B-31-103** is amended to read:

1177 **63B-31-103. Transportation bonds -- Maximum amount -- Use for State**  
1178 **Infrastructure Bank Fund loans.**

1179 (1) (a) Subject to the restriction in Subsection (1)(c), the total amount of bonds issued  
1180 under this section may not exceed \$30,000,000.

1181 (b) When the Department of Transportation certifies to the commission the amount of  
1182 bond proceeds that the commission needs to provide funding for the purposes described in  
1183 Subsection (2), the commission may issue and sell general obligation bonds in an amount equal  
1184 to the certified amount plus costs of issuance.

1185 (c) The commission may not issue general obligation bonds authorized under this  
1186 section if the issuance for general obligation bonds would result in the total current outstanding  
1187 general obligation debt of the state exceeding 50% of the limitation described in the Utah  
1188 Constitution, Article XIV, Section 1.

1189 (2) (a) Proceeds from the bonds issued under this section shall be provided to the  
1190 Department of Transportation to transfer to the State Infrastructure Bank Fund created in  
1191 Section [72-2-202](#) to be used to issue loans pursuant to Title 72, Chapter 2, Part 2, State  
1192 Infrastructure Bank Fund.

1193 (b) Any distribution from the State Infrastructure Bank Fund shall be contingent upon a  
1194 commitment from the borrower that revenue is available to repay the loan from the State  
1195 Infrastructure Bank Fund which shall be paid in whole or in part from revenue distributions  
1196 described in Subsection [72-2-121\(4\)\(~~m~~\)\(k\)](#).

1197 (c) Notwithstanding Subsection [72-2-204\(2\)](#), a loan or assistance made with proceeds  
1198 from bonds issued under this section shall bear an interest rate not to exceed .5% above the  
1199 bond market interest rate available to the state for an issuance under this section.

1200 Section 17. Section **63I-1-272** is amended to read:

1201 **63I-1-272. Repeal dates, Title 72.**

1202 (1) Subsection [72-2-121\(~~10~~\)\(9\)](#), which creates transportation advisory committees, is  
1203 repealed July 1, 2022.



1204 (2) Title 72, Chapter 4, Part 3, Utah State Scenic Byway Program, is repealed January  
1205 2, 2025.

1206 Section 18. Section **63I-2-272** is amended to read:

1207 **63I-2-272. Repeal dates -- Title 72.**

1208 [~~(1) Subsections 72-1-213(2) and (3)(a)(i), related to the Road Usage Charge Advisory~~  
1209 ~~Committee, are repealed January 1, 2022.~~]

1210 [~~(2)~~] Section 72-1-216.1 is repealed January 1, 2023.

1211 Section 19. Section **72-1-213.1** is amended to read:

1212 **72-1-213.1. Road usage charge program.**

1213 (1) As used in this section:

1214 (a) "Account manager" means an entity under contract with the department to  
1215 administer and manage the road usage charge program.

1216 (b) "Alternative fuel vehicle" means the same as that term is defined in Section  
1217 41-1a-102.

1218 (c) "Payment period" means the interval during which an owner is required to report  
1219 mileage and pay the appropriate road usage charge according to the terms of the program.

1220 (d) "Program" means the road usage charge program established and described in this  
1221 section.

1222 (2) There is established a road usage charge program as described in this section.

1223 (3) (a) The department shall implement and oversee the administration of the program,  
1224 which shall begin on January 1, 2020.

1225 (b) To implement and administer the program, the department may contract with an  
1226 account manager.

1227 (4) (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of  
1228 the alternative fuel vehicle in the program.

1229 (b) If an application for enrollment into the program is approved by the department, the  
1230 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of paying  
1231 the fee described in Subsection 41-1a-1206(1)(h) or (2)(b).

1232 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
1233 and consistent with this section, the department:

1234 (i) shall make rules to establish:



- 1235 (A) processes and terms for enrollment into and withdrawal or removal from the  
1236 program;
- 1237 (B) payment periods and other payment methods and procedures for the program;
- 1238 (C) standards for mileage reporting mechanisms for an owner or lessee of an  
1239 alternative fuel vehicle to report mileage as part of participation in the program;
- 1240 (D) standards for program functions for mileage recording, payment processing,  
1241 account management, and other similar aspects of the program;
- 1242 (E) contractual terms between an owner or lessee of an alternative fuel vehicle owner  
1243 and an account manager for participation in the program;
- 1244 (F) contractual terms between the department and an account manager, including  
1245 authority for an account manager to enforce the terms of the program;
- 1246 (G) procedures to provide security and protection of personal information and data  
1247 connected to the program, and penalties for account managers for violating privacy protection  
1248 rules;
- 1249 (H) penalty procedures for a program participant's failure to pay a road usage charge or  
1250 tampering with a device necessary for the program; and
- 1251 (I) department oversight of an account manager, including privacy protection of  
1252 personal information and access and auditing capability of financial and other records related to  
1253 administration of the program; and
- 1254 (ii) may make rules to establish:
- 1255 (A) an enrollment cap for certain alternative fuel vehicle types to participate in the  
1256 program;
- 1257 (B) a process for collection of an unpaid road usage charge or penalty; or
- 1258 (C) integration of the program with other similar programs, such as tolling.
- 1259 (b) The department shall make recommendations to and consult with the commission  
1260 regarding road usage mileage rates for each type of alternative fuel vehicle.
- 1261 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and  
1262 consistent with this section, the commission shall, after consultation with the department, make  
1263 rules to establish the road usage charge mileage rate for each type of alternative fuel vehicle.
- 1264 (7) Revenue generated by the road usage charge program and relevant penalties shall  
1265 be deposited into the Road Usage Charge Program Special Revenue Fund.

1266 (8) (a) The department may:

1267 (i) (A) impose a penalty for failure to timely pay a road usage charge according to the

1268 terms of the program or tampering with a device necessary for the program; and

1269 (B) request that the Division of Motor Vehicles place a hold on the registration of the

1270 owner's or lessee's alternative fuel vehicle for failure to pay a road usage charge according to

1271 the terms of the program;

1272 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner

1273 or lessee of:

1274 (A) the road usage charge program, implementation, and procedures;

1275 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to

1276 the department;

1277 (C) the penalty for failure to pay a road usage charge within the time period described

1278 in Subsection (8)(a)(iii); and

1279 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel

1280 vehicle, if the road usage charge and penalty are not paid within the time period described in

1281 Subsection (8)(a)(iii), which would prevent the renewal of the alternative fuel vehicle's

1282 registration; and

1283 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage

1284 charge to the department within 30 days of the date when the department sends written notice

1285 of the road usage charge to the owner or lessee.

1286 (b) The department shall send the correspondence and notice described in Subsection

1287 (8)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

1288 (9) (a) The Division of Motor Vehicles and the department shall share and provide

1289 access to information pertaining to an alternative fuel vehicle and participation in the program

1290 including:

1291 (i) registration and ownership information pertaining to an alternative fuel vehicle;

1292 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to

1293 pay a road usage charge or penalty imposed under this section within the time period described

1294 in Subsection (8)(a)(iii); and

1295 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

1296 (b) If the department requests a hold on the registration in accordance with this section,

1297 the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title  
1298 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

1299 (10) The owner of an alternative fuel vehicle may apply for enrollment in the program  
1300 or withdraw from the program according to the terms established by the department pursuant to  
1301 rules made under Subsection (5).

1302 (11) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

1303 (a) report mileage driven as required by the department pursuant to Subsection (5);

1304 (b) pay the road usage fee for each payment period as set by the department and the  
1305 commission pursuant to Subsections (5) and (6); and

1306 (c) comply with all other provisions of this section and other requirements of the  
1307 program.

1308 ~~[(12)(a) On or before June 1, 2021, and except for the vehicles excluded in Subsection~~  
1309 ~~(12)(b), the department shall submit to a legislative committee designated by the Legislative~~  
1310 ~~Management Committee a written plan to enroll all vehicles registered in the state in the~~  
1311 ~~program by December 31, 2031.]~~

1312 ~~[(b) The plan described in Subsection (12)(a) may exclude authorized carriers~~  
1313 ~~described in Subsection 59-12-102(17)(a).]~~

1314 ~~[(c) Beginning in 2021, on or before October 1 of each year, the department shall~~  
1315 ~~submit annually an electronic report recommending strategies to expand enrollment in the~~  
1316 ~~program to meet the deadline provided in Subsection (12)(a).]~~

1317 ~~[(13)]~~ (12) Beginning in 2021, the department shall submit annually, on or before  
1318 October 1, to the ~~[legislative committee that receives the report described in Subsection~~  
1319 ~~(12)(a)]~~ Transportation Interim Committee, an electronic report that:

1320 (a) states for the preceding fiscal year:

1321 (i) the amount of revenue collected from the program;

1322 (ii) the participation rate in the program; and

1323 (iii) the department's costs to administer the program; and

1324 (b) provides for the current fiscal year, an estimate of:

1325 (i) the revenue that will be collected from the program;

1326 (ii) the participation rate in the program; and

1327 (iii) the department's costs to administer the program.

1328 Section 20. Section **72-1-213.2** is amended to read:

1329 **72-1-213.2. Road Usage Charge Program Special Revenue Fund -- Revenue.**

1330 (1) There is created a special revenue fund within the Transportation Fund known as  
1331 the "Road Usage Charge Program Special Revenue Fund."

1332 (2) (a) The fund shall be funded from the following sources:

1333 [~~(a)~~] (i) revenue collected by the department under Section [72-1-213.1](#);

1334 [~~(b)~~] (ii) appropriations made to the fund by the Legislature;

1335 [~~(c)~~] (iii) contributions from other public and private sources for deposit into the fund;

1336 [~~(d)~~] (iv) interest earnings on cash balances; and

1337 [~~(e)~~] (v) money collected for repayments and interest on fund money.

1338 (b) If the revenue derived from the sources described in Subsection (2)(a) is

1339 insufficient to cover the costs of administering the road usage charge program, subject to

1340 Subsection [72-2-107](#)(1), the department may transfer into the fund revenue deposited into the

1341 Transportation Fund from the fee described in Subsections [41-1a-1206](#)(1)(h) and (2)(b) in an

1342 amount sufficient to enable the department to administer the road usage charge program.

1343 (3) (a) Revenue generated by the road usage charge program and relevant penalties  
1344 shall be deposited into the Road Usage Charge Program Special Revenue Fund.

1345 (b) Revenue in the Road Usage Charge Program Special Revenue Fund is nonlapsing.

1346 (4) Upon appropriation by the Legislature, the department may use revenue deposited  
1347 into the Road Usage Charge Program Special Revenue Fund:

1348 (a) to cover the costs of administering the program; and

1349 (b) for state transportation purposes.

1350 Section 21. Section **72-2-121** is amended to read:

1351 **72-2-121. County of the First Class Highway Projects Fund.**

1352 (1) There is created a special revenue fund within the Transportation Fund known as  
1353 the "County of the First Class Highway Projects Fund."

1354 (2) The fund consists of money generated from the following revenue sources:

1355 (a) any voluntary contributions received for new construction, major renovations, and  
1356 improvements to highways within a county of the first class;

1357 (b) the portion of the sales and use tax described in Subsection [59-12-2214](#)(3)(b)

1358 deposited into or transferred to the fund;

1359 (c) the portion of the sales and use tax described in Section 59-12-2217 deposited into  
1360 or transferred to the fund; and

1361 (d) a portion of the local option highway construction and transportation corridor  
1362 preservation fee imposed in a county of the first class under Section 41-1a-1222 deposited into  
1363 or transferred to the fund.

1364 (3) (a) The fund shall earn interest.

1365 (b) All interest earned on fund money shall be deposited into the fund.

1366 (4) The executive director shall use the fund money only:

1367 (a) to pay debt service and bond issuance costs for bonds issued under Sections  
1368 63B-16-102, 63B-18-402, and 63B-27-102;

1369 (b) for right-of-way acquisition, new construction, major renovations, and  
1370 improvements to highways within a county of the first class and to pay any debt service and  
1371 bond issuance costs related to those projects, including improvements to a highway located  
1372 within a municipality in a county of the first class where the municipality is located within the  
1373 boundaries of more than a single county;

1374 (c) for the construction, acquisition, use, maintenance, or operation of:

1375 (i) an active transportation facility for nonmotorized vehicles;

1376 (ii) multimodal transportation that connects an origin with a destination; or

1377 (iii) a facility that may include a:

1378 (A) pedestrian or nonmotorized vehicle trail;

1379 (B) nonmotorized vehicle storage facility;

1380 (C) pedestrian or vehicle bridge; or

1381 (D) vehicle parking lot or parking structure;

1382 (d) to transfer to the 2010 Salt Lake County Revenue Bond Sinking Fund created by  
1383 Section 72-2-121.3 the amount required in Subsection 72-2-121.3(4)(c) minus the amounts  
1384 transferred in accordance with Subsection 72-2-124(4)(a)(iv);

1385 (e) for a fiscal year beginning on or after July 1, 2013, to pay debt service and bond  
1386 issuance costs for \$30,000,000 of the bonds issued under Section 63B-18-401 for the projects  
1387 described in Subsection 63B-18-401(4)(a);

1388 (f) for a fiscal year beginning on or after July 1, 2013, and after the department has  
1389 verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund, to

1390 transfer an amount equal to 50% of the revenue generated by the local option highway  
1391 construction and transportation corridor preservation fee imposed under Section 41-1a-1222 in  
1392 a county of the first class:

1393 (i) to the legislative body of a county of the first class; and

1394 (ii) to be used by a county of the first class for:

1395 (A) highway construction, reconstruction, or maintenance projects; or

1396 (B) the enforcement of state motor vehicle and traffic laws;

1397 ~~[(g) for fiscal year 2015-16 only, and after the department has verified that the amount~~  
1398 ~~required under Subsection 72-2-121.3(4)(c) is available in the fund and the transfer under~~  
1399 ~~Subsection (4)(e) has been made, to transfer an amount equal to \$25,000,000:]~~

1400 ~~[(i) to the legislative body of a county of the first class; and]~~

1401 ~~[(ii) to be used by the county for the purposes described in this section;]~~

1402 ~~[(h)]~~ (g) for a fiscal year beginning on or after July 1, 2015, after the department has  
1403 verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund  
1404 and the transfer under Subsection (4)(e) has been made, to annually transfer an amount of the  
1405 sales and use tax revenue imposed in a county of the first class and deposited into the fund in  
1406 accordance with Subsection 59-12-2214(3)(b) equal to an amount needed to cover the debt to:

1407 (i) the appropriate debt service or sinking fund for the repayment of bonds issued under  
1408 Section 63B-27-102; and

1409 ~~[(ii) the Transportation Fund created in Section 72-2-102 until \$28,079,000 has been~~  
1410 ~~deposited into the Transportation Fund; and]~~

1411 ~~[(iii)]~~ (ii) the appropriate debt service or sinking fund for the repayment of bonds  
1412 issued under Sections 63B-31-102 and 63B-31-103;

1413 ~~[(i)]~~ (h) after the department has verified that the amount required under Subsection  
1414 72-2-121.3(4)(c) is available in the fund and after the transfer under Subsection (4)(d), the  
1415 payment under Subsection (4)(e), and the ~~[transfers under Subsections (4)(h)(i) and (ii) have]~~  
1416 transfer under Subsection (4)(g)(i) has been made, to annually transfer \$2,000,000 to a public  
1417 transit district in a county of the first class to fund a system for public transit;

1418 ~~[(j)]~~ (i) for a fiscal year beginning on or after July 1, 2018, after the department has  
1419 verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund  
1420 and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the

1421 [~~transfers under Subsections (4)(h)(i) and (ii) have~~] transfer under Subsection (4)(g)(i) has been  
1422 made, to annually transfer 20% of the amount deposited into the fund under Subsection (2)(b):

1423 (i) to the legislative body of a county of the first class; and

1424 (ii) to fund parking facilities in a county of the first class that facilitate significant  
1425 economic development and recreation and tourism within the state;

1426 [~~(k)~~] (j) for the 2018-19 fiscal year only, after the department has verified that the  
1427 amount required under Subsection 72-2-121.3(4)(c) is available in the fund and after the  
1428 transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the transfers under  
1429 Subsections [~~(4)(h), (i), and (j)~~] (4)(g), (h), and (i) have been made, to transfer \$12,000,000 to  
1430 the department to distribute for the following projects:

1431 (i) \$2,000,000 to West Valley City for highway improvement to 4100 South;

1432 (ii) \$1,000,000 to Herriman for highway improvements to Herriman Boulevard from  
1433 6800 West to 7300 West;

1434 (iii) \$1,100,000 to South Jordan for highway improvements to Grandville Avenue;

1435 (iv) \$1,800,000 to Riverton for highway improvements to Old Liberty Way from 13400  
1436 South to 13200 South;

1437 (v) \$1,000,000 to Murray City for highway improvements to 5600 South from State  
1438 Street to Van Winkle;

1439 (vi) \$1,000,000 to Draper for highway improvements to Lone Peak Parkway from  
1440 11400 South to 12300 South;

1441 (vii) \$1,000,000 to Sandy City for right-of-way acquisition for Monroe Street;

1442 (viii) \$900,000 to South Jordan City for right-of-way acquisition and improvements to  
1443 10200 South from 2700 West to 3200 West;

1444 (ix) \$1,000,000 to West Jordan for highway improvements to 8600 South near  
1445 Mountain View Corridor;

1446 (x) \$700,000 to South Jordan right-of-way improvements to 10550 South; and

1447 (xi) \$500,000 to Salt Lake County for highway improvements to 2650 South from  
1448 7200 West to 8000 West; and

1449 [~~(l)~~] subject to Subsection (5), for the 2020-2021 fiscal year only, after the department  
1450 has verified that the amount required under Subsection 72-2-121.3(4)(c) is available in the fund  
1451 and after the transfer under Subsection (4)(d), the payment under Subsection (4)(e), and the

1452 transfers under Subsections (4)(h), (i), and (j) have been made, to transfer the following  
1453 amounts to the following cities:]

1454 [~~(i) \$2,600,000 to South Salt Lake City;~~]

1455 [~~(ii) \$1,100,000 to Salt Lake City;~~]

1456 [~~(iii) \$1,100,000 to West Valley City;~~]

1457 [~~(iv) \$1,000,000 to Millcreek;~~]

1458 [~~(v) \$700,000 to Sandy;~~]

1459 [~~(vi) \$700,000 to West Jordan;~~]

1460 [~~(vii) \$500,000 to Murray;~~]

1461 [~~(viii) \$500,000 to South Jordan; and]~~

1462 [~~(ix) \$500,000 to Taylorsville; and]~~

1463 [~~(m)~~] (k) subject to Subsection (5), for a fiscal year beginning on or after July 1, 2021,  
1464 and for 15 years thereafter, to annually transfer the following amounts to the following cities,  
1465 metro townships, and the county of the first class for priority projects to mitigate congestion  
1466 and improve transportation safety:

1467 [~~(i) \$1,100,000 to Salt Lake City;~~]

1468 [~~(ii) \$1,100,000 to Sandy;~~]

1469 [~~(iii) \$1,100,000 to Taylorsville;~~]

1470 (i) \$2,000,000 to Sandy;

1471 (ii) \$2,000,000 to Taylorsville;

1472 (iii) \$1,100,000 to Salt Lake City;

1473 (iv) \$1,100,000 to West Jordan;

1474 (v) \$1,100,000 to West Valley City;

1475 (vi) \$800,000 to Herriman;

1476 (vii) \$700,000 to Draper;

1477 (viii) \$700,000 to Riverton;

1478 (ix) \$700,000 to South Jordan;

1479 (x) \$500,000 to Bluffdale;

1480 [~~(x)~~] (xi) \$500,000 to Midvale;

1481 [~~(xi)~~] (xii) \$500,000 to Millcreek;

1482 [~~(xii)~~] (xiii) \$500,000 to Murray;



1483 [~~(xiii)~~] (xiv) \$400,000 to Cottonwood Heights; and

1484 [~~(xiv)~~] (xv) \$300,000 to Holladay.

1485 (5) (a) If revenue in the fund is insufficient to satisfy all of the transfers described in  
1486 Subsection (4)(m), the executive director shall proportionately reduce the amounts transferred  
1487 as described in Subsection [~~(4)(m)~~] (4)(k).

1488 (b) A local government entity, as that term is defined in Section [63J-1-220](#), is exempt  
1489 from entering into an agreement as described in Section [63J-1-220](#) pertaining to the receipt or  
1490 expenditure of any funding described in Subsection [~~(4)(l) or (m)~~] (4)(k).

1491 (c) A local government may not use revenue described in [~~Subsections (4)(l) and (m)~~]  
1492 Subsection (4)(k) to supplant existing class B or class C road funds that a local government has  
1493 budgeted for transportation projects.

1494 (d) (i) A municipality or county that received a transfer of funds described in  
1495 Subsection [~~(4)(k)~~] (4)(j) shall submit to the department a statement of cash flow and progress  
1496 pertaining to the municipality's or county's respective project described in Subsection [~~(4)(k)~~]  
1497 (4)(j).

1498 (ii) After the department is satisfied that the municipality or county described in  
1499 Subsection [~~(4)(k)~~] (4)(j) has made substantial progress and the expenditure of funds is  
1500 programmed and imminent, the department may transfer to the same municipality or county the  
1501 respective amounts described in [~~Subsections (4)(l) and (m)~~] Subsection (4)(k).

1502 (6) The revenues described in Subsections (2)(b), (c), and (d) that are deposited into the  
1503 fund and bond proceeds from bonds issued under Sections [63B-16-102](#), [63B-18-402](#), and  
1504 [63B-27-102](#) are considered a local matching contribution for the purposes described under  
1505 Section [72-2-123](#).

1506 (7) The additional administrative costs of the department to administer this fund shall  
1507 be paid from money in the fund.

1508 (8) Notwithstanding any statutory or other restrictions on the use or expenditure of the  
1509 revenue sources deposited into this fund, the Department of Transportation may use the money  
1510 in this fund for any of the purposes detailed in Subsection (4).

1511 [~~(9)(a) For a fiscal year beginning on or after July 1, 2018, at the end of each fiscal~~  
1512 ~~year, after all programmed payments and transfers authorized or required under this section~~  
1513 ~~have been made, on November 30 the department shall transfer the remainder of the money in~~

1514 the fund to the Transportation Fund to reduce the amount owed to the Transportation Fund  
1515 under Subsection (4)(h)(ii).]

1516 [~~(b)~~ The department shall provide notice to a county of the first class of the amount  
1517 transferred in accordance with this Subsection (9).]

1518 [~~(10)~~] (9) (a) Any revenue in the fund that is not specifically allocated and obligated  
1519 under Subsections (4) through (8) is subject to the review process described in this Subsection  
1520 [~~(10)~~] (9).

1521 (b) A county of the first class shall create a county transportation advisory committee  
1522 as described in Subsection [~~(10)~~] (9)(c) to review proposed transportation and, as applicable,  
1523 public transit projects and rank projects for allocation of funds.

1524 (c) The county transportation advisory committee described in Subsection [~~(10)~~] (9)(b)  
1525 shall be composed of the following 13 members:

1526 (i) six members who are residents of the county, nominated by the county executive  
1527 and confirmed by the county legislative body who are:

1528 (A) members of a local advisory council of a large public transit district as defined in  
1529 Section [17B-2a-802](#);

1530 (B) county council members; or

1531 (C) other residents with expertise in transportation planning and funding; and

1532 (ii) seven members nominated by the county executive, and confirmed by the county  
1533 legislative body, chosen from mayors or managers of cities or towns within the county.

1534 (d) (i) A majority of the members of the county transportation advisory committee  
1535 constitutes a quorum.

1536 (ii) The action by a quorum of the county transportation advisory committee constitutes  
1537 an action by the county transportation advisory committee.

1538 (e) The county body shall determine:

1539 (i) the length of a term of a member of the county transportation advisory committee;

1540 (ii) procedures and requirements for removing a member of the county transportation  
1541 advisory committee;

1542 (iii) voting requirements of the county transportation advisory committee;

1543 (iv) chairs or other officers of the county transportation advisory committee;

1544 (v) how meetings are to be called and the frequency of meetings, but not less than once

1545 annually; and

1546 (vi) the compensation, if any, of members of the county transportation advisory  
1547 committee.

1548 (f) The county shall establish by ordinance criteria for prioritization and ranking of  
1549 projects, which may include consideration of regional and countywide economic development  
1550 impacts, including improved local access to:

1551 (i) employment;

1552 (ii) recreation;

1553 (iii) commerce; and

1554 (iv) residential areas.

1555 (g) The county transportation advisory committee shall evaluate and rank each  
1556 proposed public transit project and regionally significant transportation facility according to  
1557 criteria developed pursuant to Subsection [~~(10)~~] (9)(f).

1558 (h) (i) After the review and ranking of each project as described in this section, the  
1559 county transportation advisory committee shall provide a report and recommend the ranked list  
1560 of projects to the county legislative body and county executive.

1561 (ii) After review of the recommended list of projects, as part of the county budgetary  
1562 process, the county executive shall review the list of projects and may include in the proposed  
1563 budget the proposed projects for allocation, as funds are available.

1564 (i) The county executive of the county of the first class, with information provided by  
1565 the county and relevant state entities, shall provide a report annually to the county  
1566 transportation advisory committee, and to the mayor or manager of each city, town, or metro  
1567 township in the county, including the following:

1568 (i) the amount of revenue received into the fund during the past year;

1569 (ii) any funds available for allocation;

1570 (iii) funds obligated for debt service; and

1571 (iv) the outstanding balance of transportation-related debt.

1572 [~~(H)~~] (10) As resources allow, the department shall study in 2020 transportation  
1573 connectivity in the southwest valley of Salt Lake County, including the feasibility of  
1574 connecting major east-west corridors to U-111.

1575 Section 22. Section **72-2-124** is amended to read:

1576 **72-2-124. Transportation Investment Fund of 2005.**

1577 (1) There is created a capital projects fund entitled the Transportation Investment Fund  
1578 of 2005.

1579 (2) The fund consists of money generated from the following sources:

1580 (a) any voluntary contributions received for the maintenance, construction,  
1581 reconstruction, or renovation of state and federal highways;

1582 (b) appropriations made to the fund by the Legislature;

1583 (c) registration fees designated under Section [41-1a-1201](#);

1584 (d) the sales and use tax revenues deposited into the fund in accordance with Section  
1585 [59-12-103](#); and

1586 (e) revenues transferred to the fund in accordance with Section [72-2-106](#).

1587 (3) (a) The fund shall earn interest.

1588 (b) All interest earned on fund money shall be deposited into the fund.

1589 (4) (a) Except as provided in Subsection (4)(b), the executive director may only use  
1590 fund money to pay:

1591 (i) the costs of maintenance, construction, reconstruction, or renovation to state and  
1592 federal highways prioritized by the Transportation Commission through the prioritization  
1593 process for new transportation capacity projects adopted under Section [72-1-304](#);

1594 (ii) the costs of maintenance, construction, reconstruction, or renovation to the highway  
1595 projects described in Subsections [63B-18-401](#)(2), (3), and (4);

1596 (iii) principal, interest, and issuance costs of bonds authorized by Section [63B-18-401](#)  
1597 minus the costs paid from the County of the First Class Highway Projects Fund in accordance  
1598 with Subsection [72-2-121](#)(4)(e);

1599 (iv) for a fiscal year beginning on or after July 1, 2013, to transfer to the 2010 Salt  
1600 Lake County Revenue Bond Sinking Fund created by Section [72-2-121.3](#) the amount certified  
1601 by Salt Lake County in accordance with Subsection [72-2-121.3](#)(4)(c) as necessary to pay the  
1602 debt service on \$30,000,000 of the revenue bonds issued by Salt Lake County;

1603 (v) principal, interest, and issuance costs of bonds authorized by Section [63B-16-101](#)  
1604 for projects prioritized in accordance with Section [72-2-125](#);

1605 (vi) all highway general obligation bonds that are intended to be paid from revenues in  
1606 the Centennial Highway Fund created by Section [72-2-118](#);

1607 (vii) for fiscal year 2015-16 only, to transfer \$25,000,000 to the County of the First  
1608 Class Highway Projects Fund created in Section 72-2-121 to be used for the purposes described  
1609 in Section 72-2-121;

1610 (viii) if a political subdivision provides a contribution equal to or greater than 40% of  
1611 the costs needed for construction, reconstruction, or renovation of paved pedestrian or paved  
1612 nonmotorized transportation for projects that:

1613 (A) mitigate traffic congestion on the state highway system;

1614 (B) are part of an active transportation plan approved by the department; and

1615 (C) are prioritized by the commission through the prioritization process for new  
1616 transportation capacity projects adopted under Section 72-1-304;

1617 (ix) \$705,000,000 for the costs of right-of-way acquisition, construction,  
1618 reconstruction, or renovation of or improvement to the following projects:

1619 (A) the connector road between Main Street and 1600 North in the city of Vineyard;

1620 (B) Geneva Road from University Parkway to 1800 South;

1621 (C) the SR-97 interchange at 5600 South on I-15;

1622 (D) two lanes on U-111 from Herriman Parkway to 11800 South;

1623 (E) widening I-15 between mileposts 10 and 13 and the interchange at milepost 11;

1624 (F) improvements to 1600 North in Orem from 1200 West to State Street;

1625 (G) widening I-15 between mileposts 6 and 8;

1626 (H) widening 1600 South from Main Street in the city of Spanish Fork to SR-51;

1627 (I) widening US 6 from Sheep Creek to Mill Fork between mileposts 195 and 197 in  
1628 Spanish Fork Canyon;

1629 (J) I-15 northbound between mileposts 43 and 56;

1630 (K) a passing lane on SR-132 between mileposts 41.1 and 43.7 between mileposts 43  
1631 and 45.1;

1632 (L) east Zion SR-9 improvements;

1633 (M) Toquerville Parkway;

1634 (N) an environmental study on Foothill Boulevard in the city of Saratoga Springs;

1635 (O) using funds allocated in this Subsection (4)(a)(ix), and other sources of funds, for  
1636 construction of an interchange on Bangerter Highway at 13400 South; and

1637 (P) an environmental impact study for Kimball Junction in Summit County; and

1638 (x) \$28,000,000 as pass-through funds, to be distributed as necessary to pay project  
1639 costs based upon a statement of cash flow that the local jurisdiction where the project is located  
1640 provides to the department demonstrating the need for money for the project, for the following  
1641 projects in the following amounts:

- 1642 (A) \$5,000,000 for Payson Main Street repair and replacement;
- 1643 (B) \$8,000,000 for a Bluffdale 14600 South railroad bypass;
- 1644 (C) \$5,000,000 for improvements to 4700 South in Taylorsville; and
- 1645 (D) \$10,000,000 for improvements to the west side frontage roads adjacent to U.S. 40  
1646 between mile markers 7 and 10.

1647 (b) The executive director may use fund money to exchange for an equal or greater  
1648 amount of federal transportation funds to be used as provided in Subsection (4)(a).

1649 (5) (a) Except as provided in Subsection (5)(b), the executive director may not program  
1650 fund money to a project prioritized by the commission under Section 72-1-304, including fund  
1651 money from the Transit Transportation Investment Fund, within the boundaries of a  
1652 municipality that is required to adopt a moderate income housing plan element as part of the  
1653 municipality's general plan as described in Subsection 10-9a-401(3), if the municipality has  
1654 failed to adopt a moderate income housing plan element as part of the municipality's general  
1655 plan or has failed to implement the requirements of the moderate income housing plan as  
1656 determined by the results of the Department of Workforce Service's review of the annual  
1657 moderate income housing report described in Subsection 35A-8-803(1)(a)(vii).

1658 (b) Within the boundaries of a municipality that is required under Subsection  
1659 10-9a-401(3) to plan for moderate income housing growth but has failed to adopt a moderate  
1660 income housing plan element as part of the municipality's general plan or has failed to  
1661 implement the requirements of the moderate income housing plan as determined by the results  
1662 of the Department of Workforce Service's review of the annual moderate income housing  
1663 report described in Subsection 35A-8-803(1)(a)(vii), the executive director:

1664 (i) may program fund money in accordance with Subsection (4)(a) for a limited-access  
1665 facility or interchange connecting limited-access facilities;

1666 (ii) may not program fund money for the construction, reconstruction, or renovation of  
1667 an interchange on a limited-access facility;

1668 (iii) may program Transit Transportation Investment Fund money for a

1669 multi-community fixed guideway public transportation project; and

1670 (iv) may not program Transit Transportation Investment Fund money for the  
1671 construction, reconstruction, or renovation of a station that is part of a fixed guideway public  
1672 transportation project.

1673 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive  
1674 director before May 1, 2020, for projects prioritized by the commission under Section  
1675 [72-1-304](#).

1676 (6) (a) Except as provided in Subsection (6)(b), the executive director may not program  
1677 fund money to a project prioritized by the commission under Section [72-1-304](#), including fund  
1678 money from the Transit Transportation Investment Fund, within the boundaries of the  
1679 unincorporated area of a county, if the county is required to adopt a moderate income housing  
1680 plan element as part of the county's general plan as described in Subsection [17-27a-401\(3\)](#) and  
1681 if the county has failed to adopt a moderate income housing plan element as part of the county's  
1682 general plan or has failed to implement the requirements of the moderate income housing plan  
1683 as determined by the results of the Department of Workforce Service's review of the annual  
1684 moderate income housing report described in Subsection [35A-8-803\(1\)\(a\)\(vii\)](#).

1685 (b) Within the boundaries of the unincorporated area of a county where the county is  
1686 required under Subsection [17-27a-401\(3\)](#) to plan for moderate income housing growth but has  
1687 failed to adopt a moderate income housing plan element as part of the county's general plan or  
1688 has failed to implement the requirements of the moderate income housing plan as determined  
1689 by the results of the Department of Workforce Service's review of the annual moderate income  
1690 housing report described in Subsection [35A-8-803\(1\)\(a\)\(vii\)](#), the executive director:

1691 (i) may program fund money in accordance with Subsection (4)(a) for a limited-access  
1692 facility to a project prioritized by the commission under Section [72-1-304](#);

1693 (ii) may not program fund money for the construction, reconstruction, or renovation of  
1694 an interchange on a limited-access facility;

1695 (iii) may program Transit Transportation Investment Fund money for a  
1696 multi-community fixed guideway public transportation project; and

1697 (iv) may not program Transit Transportation Investment Fund money for the  
1698 construction, reconstruction, or renovation of a station that is part of a fixed guideway public  
1699 transportation project.

1700 (c) Subsections (5)(a) and (b) do not apply to a project programmed by the executive  
1701 director before July 1, 2020, for projects prioritized by the commission under Section  
1702 [72-1-304](#).

1703 (7) (a) Before bonds authorized by Section [63B-18-401](#) or [63B-27-101](#) may be issued  
1704 in any fiscal year, the department and the commission shall appear before the Executive  
1705 Appropriations Committee of the Legislature and present the amount of bond proceeds that the  
1706 department needs to provide funding for the projects identified in Subsections [63B-18-401](#)(2),  
1707 (3), and (4) or Subsection [63B-27-101](#)(2) for the current or next fiscal year.

1708 (b) The Executive Appropriations Committee of the Legislature shall review and  
1709 comment on the amount of bond proceeds needed to fund the projects.

1710 (8) The Division of Finance shall, from money deposited into the fund, transfer the  
1711 amount of funds necessary to pay principal, interest, and issuance costs of bonds authorized by  
1712 Section [63B-18-401](#) or [63B-27-101](#) in the current fiscal year to the appropriate debt service or  
1713 sinking fund.

1714 (9) (a) There is created in the Transportation Investment Fund of 2005 the Transit  
1715 Transportation Investment Fund.

1716 (b) The fund shall be funded by:

1717 (i) contributions deposited into the fund in accordance with Section [59-12-103](#);

1718 (ii) appropriations into the account by the Legislature;

1719 (iii) deposits of sales and use tax increment related to a housing and transit  
1720 reinvestment zone as described in Section [63N-3-610](#);

1721 (iv) private contributions; and

1722 (v) donations or grants from public or private entities.

1723 (c) (i) The fund shall earn interest.

1724 (ii) All interest earned on fund money shall be deposited into the fund.

1725 (d) Subject to Subsection (9)(e), the Legislature may appropriate money from the fund  
1726 for public transit capital development of new capacity projects to be used as prioritized by the  
1727 commission through the prioritization process adopted under Section [72-1-304](#).

1728 (e) (i) The Legislature may only appropriate money from the fund for a public transit  
1729 capital development project or pedestrian or nonmotorized transportation project that provides  
1730 connection to the public transit system if the public transit district or political subdivision



1731 provides funds of equal to or greater than 40% of the costs needed for the project.

1732 (ii) A public transit district or political subdivision may use money derived from a loan  
1733 granted pursuant to Title 72, Chapter 2, Part 2, State Infrastructure Bank Fund, to provide all or  
1734 part of the 40% requirement described in Subsection (9)(e)(i) if:

1735 (A) the loan is approved by the commission as required in Title 72, Chapter 2, Part 2,  
1736 State Infrastructure Bank Fund; and

1737 (B) the proposed capital project has been prioritized by the commission pursuant to  
1738 Section 72-1-303.

1739 (10) (a) There is created in the Transportation Investment Fund of 2005 the  
1740 Cottonwood Canyons Transportation Investment Fund.

1741 (b) The fund shall be funded by:

1742 (i) money deposited into the fund in accordance with Section 59-12-103;

1743 (ii) appropriations into the account by the Legislature;

1744 (iii) private contributions; and

1745 (iv) donations or grants from public or private entities.

1746 (c) (i) The fund shall earn interest.

1747 (ii) All interest earned on fund money shall be deposited into the fund.

1748 (d) The Legislature may appropriate money from the fund for public transit or  
1749 transportation projects in the Cottonwood Canyons of Salt Lake County.

1750 Section 23. Section 72-5-309 is amended to read:

1751 **72-5-309. Acceptance of rights-of-way -- Notice of acknowledgment required.**

1752 (1) The governor or the governor's designee may assess whether the grant of the R.S.  
1753 2477 has been accepted with regard to any right-of-way so as to vest title of the right-of-way in  
1754 the state and the applicable political subdivision as provided for in Section 72-5-103.

1755 (2) If the governor or governor's designee concludes that the grant has been accepted as  
1756 to any right-of-way, the governor or a designee shall issue a notice of acknowledgment of the  
1757 acceptance of the R.S. 2477 grant as to that right-of-way.

1758 (3) A notice of acknowledgment of the R.S. 2477 grant shall include:

1759 (a) a statement of reasons for the acknowledgment;

1760 (b) a general description of the right-of-way or rights-of-way subject to the notice of  
1761 acknowledgment, including the county in which it is located, and notice of where a center-line

1762 description derived from Global Positioning System data may be viewed or obtained;

1763 (c) a statement that the owner of the servient estate in the land over which the  
1764 right-of-way or rights-of-way subject to the notice runs or any person with a competing  
1765 dominant estate ownership claim may file a petition with the district court for a decision  
1766 regarding the correctness or incorrectness of the acknowledgment; and

1767 (d) a statement of the time limit provided in Section [72-5-310](#) for filing a petition.

1768 (4) (a) (i) The governor or the governor's designee may record a notice of  
1769 acknowledgment, and any supporting affidavit, map, or other document purporting to establish  
1770 or affect the state's property interest in the right-of-way or rights-of-way, in the office of the  
1771 county recorder in the county where the right-of-way or rights-of-way exist.

1772 (ii) (A) A notice of acknowledgment recorded in the county recorder's office is not  
1773 required to be accompanied by a paper copy of the center-line description.

1774 (B) A paper copy of each center-line description together with the notice of  
1775 acknowledgment shall be placed in the state archives created in Section [63A-12-101](#) and made  
1776 available to the public upon request in accordance with Title 63G, Chapter 2, Government  
1777 Records Access and Management Act.

1778 (C) An electronic copy of the center-line description identified in a notice of  
1779 acknowledgment shall be available upon request at:

1780 (I) the county recorder's office; or

1781 (II) the Utah Geospatial Resource Center created in Section ~~[[63F-1-506](#)]~~ [63A-16-505](#).

1782 (b) A notice of acknowledgment recorded in the county recorder's office is conclusive  
1783 evidence of acceptance of the R.S. 2477 grant upon:

1784 (i) expiration of the 60-day period for filing a petition under Section [72-5-310](#) without  
1785 the filing of a petition; or

1786 (ii) a final court decision that the notice of acknowledgment was not incorrect.

1787 Section 24. Section **72-5-403** is amended to read:

1788 **72-5-403. Transportation corridor preservation powers.**

1789 (1) The department, counties, and municipalities may:

1790 (a) act in cooperation with one another and other government entities to promote  
1791 planning for and enhance the preservation of transportation corridors and to more effectively  
1792 use the money available in the Marda Dillree Corridor Preservation Fund created in Section

1793 [72-2-117](#);

1794 (b) undertake transportation corridor planning, review, and preservation processes; and

1795 (c) acquire fee simple rights and other rights of less than fee simple, including  
1796 easement and development rights, or the rights to limit development, including rights in  
1797 alternative transportation corridors, and to make these acquisitions up to a projected 30 years in  
1798 advance of using those rights in actual transportation facility construction.

1799 (2) In addition to the powers described under Subsection (1), counties and  
1800 municipalities may:

1801 (a) limit development for transportation corridor preservation by land use regulation  
1802 and by official maps; and

1803 (b) by ordinance prescribe procedures for approving limited development in  
1804 transportation corridors until the time transportation facility construction begins.

1805 (3) (a) The department shall identify and the commission shall approve transportation  
1806 corridors as high priority transportation corridors for transportation corridor preservation.

1807 (b) The department shall notify a county or municipality if the county or municipality  
1808 has land within its boundaries that is located within the boundaries of a high priority  
1809 transportation corridor.

1810 (c) The department may, on a voluntary basis, acquire private property rights within the  
1811 boundaries of a high priority transportation corridor for which a notification has been received  
1812 in accordance with Section [~~10-9a-509~~ or ~~17-27a-508~~] [10-9a-206](#) or [17-27a-206](#).

1813 **Section 25. Repealer.**

1814 This bill repeals:

1815 Section [72-1-213](#), **Road usage charge study -- Recommendations.**

1816 **Section 26. Appropriation.**

1817 The Legislature has reviewed the following proprietary funds. Under the terms and  
1818 conditions of Utah Code [63J-1-410](#), for any included Internal Service Fund, the Legislature  
1819 approves budgets, full-time permanent positions, and capital acquisition amounts as indicated,  
1820 and appropriates to the funds, as indicated, estimated revenue from rates, fees, and other  
1821 charges. The Legislature authorizes the State Division of Finance to transfer amounts between  
1822 funds and accounts as indicated.

1823 ITEM 1

1824 To the Office of the Attorney General - Internal Service Fund -Attorney General  
1825 From Dedicated Credits Revenue \$192,000  
1826 Schedule of Programs:  
1827 Criminal Division \$192,000  
1828 Budgeted FTE 1.0  
1829 The Legislature intends that the Office of the Attorney General use the appropriation  
1830 under this item to provide prosecution of Title 41, Chapter 3, Motor Vehicle Business  
1831 Regulation Act.  
1832 Section 27. **Effective date.**  
1833 (1) Except as provided in Subsections (2) and (3), this bill takes effect on May 4, 2022.  
1834 (2) If approved by two-thirds of all the members elected to each house, the  
1835 amendments to Section [41-1a-201](#) take effect upon approval by the governor, or the day  
1836 following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the  
1837 governor's signature, or in the case of a veto, the date of veto override.  
1838 (3) The amendments to Sections [41-1a-226](#), [41-1a-1201](#), [41-1a-1206](#), and [41-6a-1642](#)  
1839 in this bill take effect on January 1, 2023.