

- 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 ~~in~~ 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 [m] 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 [m] 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 [m] 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 [m] 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 ~~[(f) 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)(c), 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.