

REGISTRATION OF NOVEL VEHICLES

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill amends Title 41, Motor Vehicles, in relation to novel vehicles.

Highlighted Provisions:

This bill:

- defines terms;
- establishes a registration process for a novel vehicle;
- provides a process for an individual to appeal to the State Tax Commission to review a novel vehicle registration determination; and
- requires the State Tax Commission to provide an annual report to the Transportation Interim Committee regarding the registration of novel vehicles.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

41-1a-201, as last amended by Laws of Utah 2023, Chapter 532

ENACTS:

41-27-101, Utah Code Annotated 1953

41-27-201, Utah Code Annotated 1953



28 **41-27-202**, Utah Code Annotated 1953

29 **41-27-301**, Utah Code Annotated 1953

30

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

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

32 **41-1a-201. Function of registration -- Registration required -- Penalty.**

33 (1) Unless exempted, a person or automated driving system may not operate and an
34 owner may not engage an automated driving system, give another person permission to engage
35 an automated driving system, or give another person permission to operate a motor vehicle,
36 combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle,
37 off-highway vehicle, vessel, or park model recreational vehicle in this state unless it has been
38 registered in accordance with this chapter, [~~Title 41, Chapter 22, Off-highway Vehicles~~]
39 Chapter 22, Off-highway Vehicles, Chapter 27, Novel Vehicle Registration, or Title 73,
40 Chapter 18, State Boating Act.

41 (2) Subject to Subsection **53-8-209**(3), a violation of this section is an infraction.

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

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

48 Section 2. Section **41-27-101** is enacted to read:

49 **CHAPTER 27. NOVEL VEHICLE REGISTRATION**

50 **Part 1. General Provisions**

51 **41-27-101. Definitions.**

52 As used in this chapter:

53 (1) "Commission" means the State Tax Commission.

54 (2) "Division" means the Motor Vehicle Division.

55 (3) "Novel vehicle" means a vehicle:

56 (a) that is not expressly exempt from registration; and

57 (b) (i) that does not fit within a vehicle category;

(ii) with unique characteristics that make it unclear whether the vehicle fits within a vehicle category; or

(iii) that a reasonable person would not consider the vehicle to be clearly included in an existing vehicle category.

(4) "Vehicle" means a motor vehicle, combination of vehicles, trailer, semitrailer, vintage vehicle, restored-modified vehicle, off-highway vehicle, vessel, or park model recreational vehicle.

(5) (a) "Vehicle category" means a vehicle type:

(i) that is defined in this title or Title 73, Chapter 18, State Boating Act; and

(ii) for which registration is required under:

(A) this chapter;

(B) Chapter 1a, Motor Vehicle Act;

(C) Chapter 22, Off-highway Vehicles; or

(D) Title 73, Chapter 18, State Boating Act.

(b) "Vehicle category" does not include a novel vehicle.

(6) "VIN" means a vehicle identification number or a hull identification number.

Section 3. Section **41-27-201** is enacted to read:

Part 2. Registration Process

41-27-201. Novel vehicle registration.

(1) An owner registering a vehicle shall provide the VIN, if applicable.

(2) The division shall identify a vehicle category based on the VIN.

(3) If the vehicle does not have a VIN, or if the division is unable to determine the vehicle category based on the VIN:

(a) the owner shall provide the division with a description of the vehicle, including the vehicle's purpose; and

(b) if the description of the vehicle fits with an existing category of vehicle, the vehicle shall be registered in accordance with that vehicle category.

(4) The vehicle shall be registered as a novel vehicle if:

(a) the vehicle is not expressly exempt from registration; and

(b) (i) the vehicle does not fit within a vehicle category;

(ii) the unique characteristics of the vehicle make it unclear whether the vehicle fits

90 within a vehicle category; or

91 (iii) a reasonable person would not consider the vehicle to be clearly included in an
92 existing vehicle category.

93 (5) A person registering a novel vehicle shall pay:

94 (a) in accordance with Section 59-2-405, a \$1 fee in lieu of property tax; and

95 (b) a \$1 registration fee.

96 Section 4. Section 41-27-202 is enacted to read:

97 **41-27-202. Appeal to commission.**

98 (1)

99 If an owner disagrees with the division's decision, the owner may, within 14 days after the day
100 on which the division makes the decision, appeal the decision to the commission by:

101 (a) filing a notice of appeal with the commission; and

102 (b) including any additional information regarding the vehicle.

103 (2) (a) In reviewing a decision described in Subsection (1), the commission may:

104 (i) admit additional evidence; and

105 (ii) make a correction or change in the vehicle category determination made by the
106 division.

107 (b) The owner shall register the vehicle in accordance with the commission's
108 determination.

109 (c) The division shall reduce the fee required to register a vehicle under Subsection
110 (2)(b) by the amount paid by the owner of the vehicle under Subsection 41-27-201(4).

111 (3) The commission shall decide an appeal filed under Subsection (1) as soon as
112 practicable and promptly notify:

113 (a) the owner; and

114 (b) the division.

115 Section 5. Section 41-27-301 is enacted to read:

116 **Part 3. Commission Reporting**

117 **41-27-301. Novel vehicle report to Transportation Interim Committee.**

118 (1) The commission shall, at or before the October interim meeting of the
119 Transportation Interim Committee, present a report on novel vehicle registrations that includes:

120 (a) the number of vehicles registered as novel vehicles; and
121 (b) a description of the vehicles registered as novel vehicles.
122 (2) The Transportation Interim Committee shall review the report described in
123 Subsection (1) and determine whether to propose legislation relating to registration of a
124 particular type of novel vehicle.
125 (3) A vehicle previously registered as a novel vehicle shall continue to be registered as
126 a novel vehicle, unless the Legislature amends the Utah Code to:
127 (a) require the vehicle to be registered otherwise; or
128 (b) exempt the vehicle from registration.
129 Section 6. **Effective date.**
130 This bill takes effect on October 1, 2024.