

**MILITARY SERVICE SPECIAL GROUP LICENSE PLATE**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Dan N. Johnson**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill creates the military sacrifice special group license plate.

**Highlighted Provisions:**

This bill:

▶ creates the military sacrifice special group license plate for family members of certain individuals who served honorably in the military and died outside a combat zone; and

▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

AMENDS:

**41-1a-418**, as last amended by Laws of Utah 2018, Chapters 39, 99, and 260

**41-1a-421**, as last amended by Laws of Utah 2018, Chapter 39

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

Section 1. Section **41-1a-418** is amended to read:

**41-1a-418. Authorized special group license plates.**



28 (1) The division shall only issue special group license plates in accordance with this  
29 section through Section 41-1a-422 to a person who is specified under this section within the  
30 categories listed as follows:

31 (a) disability special group license plates issued in accordance with Section 41-1a-420;

32 (b) honor special group license plates, as in a war hero, which plates are issued for a:

33 (i) survivor of the Japanese attack on Pearl Harbor;

34 (ii) former prisoner of war;

35 (iii) recipient of a Purple Heart;

36 (iv) disabled veteran;

37 (v) recipient of a gold star award issued by the United States Secretary of Defense; [or]

38 (vi) recipient of a campaign or combat theater award determined by the Department of  
39 Veterans and Military Affairs; or

40 (vii) a family member of an individual who died outside a combat zone while serving  
41 or after having served honorably in the military;

42 (c) unique vehicle type special group license plates, as for historical, collectors value,  
43 or other unique vehicle type, which plates are issued for:

44 (i) a special interest vehicle;

45 (ii) a vintage vehicle;

46 (iii) a farm truck; or

47 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as  
48 defined in Section 59-13-102; or

49 (B) beginning on the effective date of rules made by the Department of Transportation  
50 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle  
51 powered by clean fuel that meets the standards established by the Department of Transportation  
52 in rules authorized under Subsection 41-6a-702(5)(b);

53 (d) recognition special group license plates, which plates are issued for:

54 (i) a current member of the Legislature;

55 (ii) a current member of the United States Congress;

56 (iii) a current member of the National Guard;

57 (iv) a licensed amateur radio operator;

58 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;

- 59 (vi) an emergency medical technician;
- 60 (vii) a current member of a search and rescue team;
- 61 (viii) a current honorary consulate designated by the United States Department of
- 62 State; or
- 63 (ix) an individual supporting commemoration and recognition of women's suffrage; or
- 64 (e) support special group license plates, as for a contributor to an institution or cause,
- 65 which plates are issued for a contributor to:
  - 66 (i) an institution's scholastic scholarship fund;
  - 67 (ii) the Division of Wildlife Resources;
  - 68 (iii) the Department of Veterans and Military Affairs;
  - 69 (iv) the Division of Parks and Recreation;
  - 70 (v) the Department of Agriculture and Food;
  - 71 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
  - 72 (vii) the Boy Scouts of America;
  - 73 (viii) spay and neuter programs through No More Homeless Pets in Utah;
  - 74 (ix) the Boys and Girls Clubs of America;
  - 75 (x) Utah public education;
  - 76 (xi) programs that provide support to organizations that create affordable housing for
  - 77 those in severe need through the Division of Real Estate;
  - 78 (xii) the Department of Public Safety;
  - 79 (xiii) programs that support Zion National Park;
  - 80 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
  - 81 organizations;
  - 82 (xv) programs that promote bicycle operation and safety awareness;
  - 83 (xvi) programs that conduct or support cancer research;
  - 84 (xvii) programs that create or support autism awareness;
  - 85 (xviii) programs that create or support humanitarian service and educational and
  - 86 cultural exchanges;
  - 87 (xix) until September 30, 2017, programs that conduct or support prostate cancer
  - 88 awareness, screening, detection, or prevention;
  - 89 (xx) programs that support and promote adoptions;

- 90 (xxi) programs that create or support civil rights education and awareness;
- 91 (xxii) programs that support issues affecting women and children through an  
92 organization affiliated with a national professional men's basketball organization;
- 93 (xxiii) programs that strengthen youth soccer, build communities, and promote  
94 environmental sustainability through an organization affiliated with a professional men's soccer  
95 organization;
- 96 (xxiv) programs that support children with heart disease;
- 97 (xxv) programs that support the operation and maintenance of the Utah Law  
98 Enforcement Memorial;
- 99 (xxvi) programs that provide assistance to children with cancer;
- 100 (xxvii) programs that promote leadership and career development through agricultural  
101 education; or
- 102 (xxviii) the Utah State Historical Society.
- 103 (2) (a) The division may not issue a new type of special group license plate or decal  
104 unless the division receives:
  - 105 (i) (A) a private donation for the start-up fee established under Section [63J-1-504](#) for  
106 the production and administrative costs of providing the new special group license plates or  
107 decals; or
  - 108 (B) a legislative appropriation for the start-up fee provided under Subsection  
109 (2)(a)(i)(A); and
  - 110 (ii) beginning on January 1, 2012, and for the issuance of a support special group  
111 license plate authorized in Section [41-1a-422](#), at least 500 completed applications for the new  
112 type of support special group license plate or decal to be issued with all fees required under this  
113 part for the support special group license plate or decal issuance paid by each applicant.
- 114 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and  
115 hold applications for support special group license plates or decals authorized in Section  
116 [41-1a-422](#) on or after January 1, 2012, until it has received at least 500 applications.
- 117 (ii) Once a participating organization has received at least 500 applications, it shall  
118 submit the applications, along with the necessary fees, to the division for the division to begin  
119 working on the design and issuance of the new type of support special group license plate or  
120 decal to be issued.

121 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design  
122 of a new support special group license plate or decal authorized in Section 41-1a-422 until the  
123 applications and fees required under this Subsection (2) have been received by the division.

124 (iv) The division shall begin issuance of a new support special group license plate or  
125 decal authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months  
126 after receiving the applications and fees required under this Subsection (2).

127 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle  
128 registration of a motor vehicle that has been issued a firefighter recognition special group  
129 license plate unless the applicant is a contributor as defined in Subsection  
130 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

131 (ii) A registered owner of a vehicle that has been issued a firefighter recognition  
132 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle  
133 registration shall:

134 (A) be a contributor to the Firefighter Support Restricted Account as required under  
135 Subsection (2)(c)(i); or

136 (B) replace the firefighter recognition special group license plate with a new license  
137 plate.

138 (3) Beginning on July 1, 2011, if a support special group license plate or decal type  
139 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500  
140 license plates issued each year for a three consecutive year time period that begins on July 1,  
141 the division may not issue that type of support special group license plate or decal to a new  
142 applicant beginning on January 1 of the following calendar year after the three consecutive year  
143 time period for which that type of support special group license plate or decal has fewer than  
144 500 license plates issued each year.

145 (4) Beginning on July 1, 2011, the division may not issue to an applicant a unique  
146 vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).

147 (5) (a) Beginning on October 1, 2017, the division may not issue a new prostate cancer  
148 support special group license plate.

149 (b) A registered owner of a vehicle that has been issued a prostate cancer support  
150 special group license plate before October 1, 2017, may renew the owner's motor vehicle  
151 registration, with the contribution allocated as described in Section 41-1a-422.

152 Section 2. Section **41-1a-421** is amended to read:

153 **41-1a-421. Honor special group license plates -- Personal identity requirements.**

154 (1) (a) The requirements of this Subsection (1) apply to a vehicle displaying a:

155 (i) survivor of the Japanese attack on Pearl Harbor license plate;

156 (ii) former prisoner of war license plate;

157 (iii) Purple Heart license plate;

158 (iv) disabled veteran license plate; or

159 (v) campaign or combat theater award license plate.

160 (b) The vehicle shall be titled in the name of the veteran or the veteran and spouse.

161 (c) Upon the death of the veteran, the surviving spouse may, upon application to the  
162 division, retain the special group license plate decal so long as the surviving spouse remains  
163 unmarried.

164 (d) The division shall require the surviving spouse to make a sworn statement that the  
165 surviving spouse is unmarried before renewing the registration under this section.

166 (2) Proper evidence of a Purple Heart is either:

167 (a) a membership card in the Military Order of the Purple Heart; or

168 (b) an original or certificate in lieu of the applicant's military discharge form, DD-214,  
169 issued by the National Personnel Records Center.

170 (3) The Purple Heart license plates shall bear:

171 (a) the words "Purple Heart" at the bottom of the plate;

172 (b) a logo substantially depicting a Purple Heart award; and

173 (c) the letter and number combinations assigned by the division.

174 (4) Proper evidence that a person is a disabled veteran is a written document issued by  
175 a military entity certifying that the person is disabled as a result of service in a branch of the  
176 United States Military.

177 (5) A disabled veteran seeking a disabled veteran license plate shall request the  
178 Department of Veterans and Military Affairs to provide the verification required under  
179 Subsection (4).

180 (6) (a) An applicant for a gold star license plate shall submit written documentation  
181 that the applicant is a recipient of a gold star award issued by the United States Secretary of  
182 Defense.

183 (b) Written documentation under Subsection (6)(a) may include any of the following:

184 (i) a death certificate;

185 (ii) documentation showing classification of death as listed by the United States

186 Secretary of Defense;

187 (iii) a casualty report;

188 (iv) a telegram from the United States Secretary of Defense or one of the branches of

189 the United States armed forces; or

190 (v) other documentation that verifies the applicant meets the requirements of

191 Subsection (6)(a).

192 (7) An applicant for a campaign or combat theater award special group license plate  
193 shall:

194 (a) be a contributor in accordance with Subsections 41-1a-422(1)(a)(i)(B) and

195 (1)(a)(ii)(A); and

196 (b) submit a form to the division obtained from the Department of Veterans and  
197 Military Affairs which verifies that the applicant qualifies for the campaign or combat theater  
198 award special group license plate requested.

199 (8) Each campaign or combat theater award special group license plate authorized by  
200 the Department of Veterans and Military Affairs shall be considered a new special group  
201 license plate and require the payment of the fees associated with newly authorized special  
202 group license plates.

203 (9) (a) An applicant for a military sacrifice special group license plate shall be a family  
204 member of an individual who died in a manner described in Subsection (9)(b) who served in:

205 (i) any branch of the armed forces, whether active or reserve;

206 (ii) the National Guard, whether under federal or state control; or

207 (iii) the United States Coast Guard.

208 (b) For purposes of this Subsection (9), an applicant for a military sacrifice special  
209 group license plate is a family member of an individual:

210 (i) who died outside of a combat zone, and not due to willful misconduct as defined in  
211 38 C.F.R. 3.1(n), while honorably serving in a capacity described in Subsection (9)(a);

212 (ii) whose death resulted, after having been honorably discharged, because of an event,  
213 action, or situation that occurred while serving in a capacity described in Subsection (9)(a); or

214 (iii) whose death resulted, after having been honorably discharged, while receiving  
215 treatment due to an event, action, or situation that occurred while serving in a capacity  
216 described in Subsection (9)(a).

217 (c) The division shall require the applicant to submit:

218 (i) a sworn statement that the applicant is a family member of an individual that meets  
219 the requirements set forth in Subsection (9)(a);

220 (ii) a death certificate of the individual described in Subsection (9)(a); and

221 (iii) a copy of the military discharge form DD-214 of the individual described in  
222 Subsection (9)(a).

223 (d) For purposes of this Subsection (9), "family member" means a:

224 (i) spouse;

225 (ii) parent, stepparent, or guardian;

226 (iii) sibling;

227 (iv) child, including those by adoption, or a stepchild; or

228 (v) grandparent.

229 **Section 3. Effective date.**

230 This bill takes effect on October 1, 2019.