

**SPECIAL GROUP LICENSE PLATE AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

Senate Sponsor: Kevin T. Van Tassell

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**LONG TITLE**

**General Description:**

This bill modifies the Motor Vehicles Code by amending provisions relating to special group license plates.

**Highlighted Provisions:**

This bill:

- ▶ prohibits the Motor Vehicle Division from issuing a new support special group license plate unless the division receives a minimum number of applications and required fees;
- ▶ prohibits the Motor Vehicle Division from issuing an existing support special group license plate to a new applicant in certain circumstances;
- ▶ repeals provisions that authorize the Tax Commission to issue a new type of special group license plate in certain circumstances; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2011.

**Utah Code Sections Affected:**

AMENDS:

**41-1a-418**, as last amended by Laws of Utah 2010, Chapters 139, 166, and 369

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

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

31 **41-1a-418. Authorized special group license plates.**

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

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

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

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

38 (ii) former prisoner of war;

39 (iii) recipient of a Purple Heart;

40 (iv) disabled veteran; or

41 (v) recipient of a gold star award issued by the United States Secretary of Defense;

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) 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), a vehicle powered by clean fuel that meets the  
51 standards established by the Department of Transportation in rules authorized under Subsection  
52 41-6a-702(5)(b);

53 (d) recognition special group license plates, as in a public official or an emergency  
54 service giver, which plates are issued for a:

55 (i) current member of the Legislature;

56 (ii) current member of the United States Congress;

57 (iii) current member of the National Guard;

- 58 (iv) licensed amateur radio operator;
- 59 (v) currently employed, volunteer, or retired firefighter until June 30, 2009;
- 60 (vi) emergency medical technician;
- 61 (vii) current member of a search and rescue team; or
- 62 (viii) current honorary consulate designated by the United States Department of State;
- 63 and
- 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' 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; or
  - 85 (xviii) programs that create or support humanitarian service and educational and

86 cultural exchanges.

87 (2) (a) [~~Beginning January 1, 2003, the~~] The division may not issue a new type of  
88 special group license plate unless the division receives:

89 (i) ~~(A)~~ a start-up fee established under Section 63J-1-504 for production and  
90 administrative costs for providing the new special group license plates; or

91 ~~[(ii)] (B)~~ a legislative appropriation for the start-up fee provided under Subsection  
92 (2)(a)(i)(A)~~[-]; and~~

93 (ii) beginning on January 1, 2012, and for the issuance of a support special group  
94 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new  
95 type of support special group license plate to be issued with all fees required under this part for  
96 the support special group license plate issuance paid by each applicant.

97 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and  
98 hold applications for support special group license plates authorized in Section 41-1a-422 on or  
99 after January 1, 2012, until it has received at least 500 applications.

100 (ii) Once a participating organization has received at least 500 applications, it shall  
101 submit the applications, along with the necessary fees, to the division for the division to begin  
102 working on the design and issuance of the new type of support special group license plate to be  
103 issued.

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

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

110 ~~[(b)] (c)~~ (i) Beginning on July 1, 2009, the division may not renew a motor vehicle  
111 registration of a motor vehicle that has been issued a firefighter recognition special group  
112 license plate unless the applicant is a contributor as defined in Subsection  
113 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

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

117 (A) be a contributor to the Firefighter Support Restricted Account as required under  
118 Subsection (2)(b)(i); or

119 (B) replace the firefighter recognition special group license plate with a new license  
120 plate.

121 ~~[(3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal  
122 Revenue Code Section 501(c)(3) may request the commission to authorize a new type of  
123 special group license plate for the sponsoring organization. The sponsoring organization  
124 shall:]~~

125 ~~[(i) collect a minimum of 200 applications; and]~~

126 ~~[(ii) pay a start-up fee established under Section 63J-1-504 for production and  
127 administrative costs for providing the new type of special group license plates.]~~

128 ~~[(b) If the provisions of Subsection (3)(a) are met, the commission shall approve the  
129 request and the division shall:]~~

130 ~~[(i) design a license plate in accordance with Section 41-1a-419; and]~~

131 ~~[(ii) issue the new type of special group license plates.]~~

132 (3) (a) Beginning on July 1, 2011, if a support special group license plate type  
133 authorized in Section 41-1a-422 and issued prior to January 1, 2012, has less than 500 license  
134 plates issued each year for a three consecutive year time period that begins on July 1, the  
135 division may not issue that type of support special group license plate to a new applicant  
136 beginning on January 1 of the following calendar year after the three consecutive year period  
137 for which that type of support special group license plate has less than 500 license plates issued  
138 each year.

139 (b) If the division is required to stop the issuance of a type of support special group  
140 license plate authorized in Section 41-1a-422 under this Subsection (3), the division shall  
141 report to the Transportation Interim Committee that the division will stop the issuance on or

142 before the November interim meeting of the year in which the commission determines to stop  
143 the issuance of that type of support special group license plate.

144 (4) (a) Beginning on July 1, 2011, if a support special group license plate type  
145 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has less than 500  
146 license plates issued each year for a three consecutive year time period that begins on July 1,  
147 the division may not issue that type of support special group license plate to a new applicant  
148 beginning on January 1 of the following calendar year after the three consecutive year time  
149 period for which that type of support special group license plate has less than 500 license plates  
150 issued each year.

151 (b) If the division is required to stop the issuance of a type of support special group  
152 license plate authorized in Section 41-1a-422 under this Subsection (4), the division shall  
153 report to the Transportation Interim Committee that the division will stop the issuance on or  
154 before the November interim meeting of the year in which the commission determines to stop  
155 the issuance of that type of support special group license plate.

156 Section 2. **Effective date.**

157 This bill takes effect on July 1, 2011.