

1 **4-H SPECIAL GROUP LICENSE PLATE**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kraig Powell**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill authorizes a 4-H support special group license plate.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates a 4-H support special group license plate to support 4-H youth development
- 13 programs within the state;
- 14 ▶ requires applicants for a new plate to make a \$25 annual donation to Utah State
- 15 University for 4-H youth development programs within the state; and
- 16 ▶ makes technical changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 This bill takes effect on October 1, 2011.

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **41-1a-418**, as last amended by Laws of Utah 2010, Chapters 139, 166, and 369

24 **41-1a-422**, as last amended by Laws of Utah 2010, Chapters 139, 166, 369, and 379

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

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



28 **41-1a-418. Authorized special group license plates.**

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

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

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

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

35 (ii) former prisoner of war;

36 (iii) recipient of a Purple Heart;

37 (iv) disabled veteran; or

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

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

41 (i) a special interest vehicle;

42 (ii) a vintage vehicle;

43 (iii) a farm truck; or

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

46 (B) beginning on the effective date of rules made by the Department of Transportation
47 authorized under Subsection 41-6a-702(5)(b), a vehicle powered by clean fuel that meets the
48 standards established by the Department of Transportation in rules authorized under Subsection
49 41-6a-702(5)(b);

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

52 (i) current member of the Legislature;

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

54 (iii) current member of the National Guard;

55 (iv) licensed amateur radio operator;

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

57 (vi) emergency medical technician;

58 (vii) current member of a search and rescue team; or

59 (viii) current honorary consulate designated by the United States Department of State;
60 and

61 (e) support special group license plates, as for a contributor to an institution or cause,
62 which plates are issued for a contributor to:

63 (i) an institution's scholastic scholarship fund;

64 (ii) the Division of Wildlife Resources;

65 (iii) the Department of Veterans' Affairs;

66 (iv) the Division of Parks and Recreation;

67 (v) the Department of Agriculture and Food;

68 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;

69 (vii) the Boy Scouts of America;

70 (viii) spay and neuter programs through No More Homeless Pets in Utah;

71 (ix) the Boys and Girls Clubs of America;

72 (x) Utah public education;

73 (xi) programs that provide support to organizations that create affordable housing for
74 those in severe need through the Division of Real Estate;

75 (xii) the Department of Public Safety;

76 (xiii) programs that support Zion National Park;

77 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
78 organizations;

79 (xv) programs that promote bicycle operation and safety awareness;

80 (xvi) programs that conduct or support cancer research;

81 (xvii) programs that create or support autism awareness; [or]

82 (xviii) programs that create or support humanitarian service and educational and
83 cultural exchanges[-]; or

84 (xix) 4-H youth development programs within the state.

85 (2) (a) Beginning January 1, 2003, the division may not issue a new type of special
86 group license plate unless the division receives:

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

89 (ii) a legislative appropriation for the start-up fee provided under Subsection (2)(a)(i).

90 (b) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
91 registration of a motor vehicle that has been issued a firefighter recognition special group
92 license plate unless the applicant is a contributor as defined in Subsection
93 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

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

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

99 (B) replace the firefighter recognition special group license plate with a new license
100 plate.

101 (3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal
102 Revenue Code Section 501(c)(3) may request the commission to authorize a new type of
103 special group license plate for the sponsoring organization. The sponsoring organization shall:

104 (i) collect a minimum of 200 applications; and

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

107 (b) If the provisions of Subsection (3)(a) are met, the commission shall approve the
108 request and the division shall:

109 (i) design a license plate in accordance with Section 41-1a-419; and

110 (ii) issue the new type of special group license plates.

111 Section 2. Section **41-1a-422** is amended to read:

112 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
113 **contribution collection procedures.**

114 (1) As used in this section:

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

117 (A) a scholastic scholarship fund of a single named institution;

118 (B) the Department of Veterans' Affairs for veterans' programs;

119 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in
120 Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection,

- 121 access, and management of wildlife habitat;
- 122 (D) the Department of Agriculture and Food for the benefit of conservation districts;
- 123 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;
- 124 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
125 the donation evenly divided between the two;
- 126 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
127 council as specified by the contributor;
- 128 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
129 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 130 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
131 development programs;
- 132 (J) the Utah Association of Public School Foundations to support public education;
- 133 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
134 assist people who have severe housing needs;
- 135 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
136 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
137 Safety employees;
- 138 (M) the Division of Parks and Recreation for distribution to organizations that provide
139 support for Zion National Park;
- 140 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
141 firefighter organizations;
- 142 (O) the Share the Road Bicycle Support Restricted Account created in Section
143 72-2-127 to support bicycle operation and safety awareness programs;
- 144 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
145 cancer research programs;
- 146 (Q) Autism Awareness Restricted Account created in Section 53A-1-304 to support
147 autism awareness programs; ~~or~~
- 148 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
149 created in Section 9-17-102 to support humanitarian service and educational and cultural
150 programs~~[-]; or~~
- 151 (S) Utah State University for 4-H youth development programs within the state.

152 (ii) (A) For a veterans' special group license plate, "contributor" means a person who
153 has donated or in whose name at least a \$25 donation at the time of application and \$10 annual
154 donation thereafter has been made.

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

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

159 (II) is a member of a trade organization for real estate licensees that has more than
160 15,000 Utah members.

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

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

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

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

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

172 (b) "Institution" means a state institution of higher education as defined under Section
173 53B-3-102 or a private institution of higher education in the state accredited by a regional or
174 national accrediting agency recognized by the United States Department of Education.

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

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

181 (i) the name of the contributor;

182 (ii) the institution to which a donation was made;

- 183 (iii) the date of the donation; and
- 184 (iv) an attestation that the donation was for a scholastic scholarship.
- 185 (c) The state auditor may audit each institution to verify that the moneys collected by
- 186 the institutions from contributors are used for scholastic scholarships.
- 187 (d) After an applicant has been issued collegiate license plates or renewal decals, the
- 188 commission shall charge the institution whose plate was issued, a fee determined in accordance
- 189 with Section 63J-1-504 for management and administrative expenses incurred in issuing and
- 190 renewing the collegiate license plates.
- 191 (e) If the contribution is made at the time of application, the contribution shall be
- 192 collected, treated, and deposited as provided under Subsection (3).
- 193 (3) (a) An applicant for original or renewal support special group license plates under
- 194 this section must be a contributor to the sponsoring organization associated with the license
- 195 plate.
- 196 (b) This contribution shall be:
- 197 (i) unless collected by the named institution under Subsection (2), collected by the
- 198 division;
- 199 (ii) considered a voluntary contribution for the funding of the activities specified under
- 200 this section and not a motor vehicle registration fee;
- 201 (iii) deposited into the appropriate account less actual administrative costs associated
- 202 with issuing the license plates; and
- 203 (iv) for a firefighter special group license plate, deposited into the appropriate account
- 204 less:
- 205 (A) the costs of reordering firefighter special group license plate decals; and
- 206 (B) the costs of replacing recognition special group license plates with new license
- 207 plates under Subsection 41-1a-1211(13).
- 208 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to
- 209 registration or renewal of registration.
- 210 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to
- 211 the division when issuing original:
- 212 (i) snowmobile license plates; or
- 213 (ii) conservation license plates.

214 (4) Veterans' license plates shall display one of the symbols representing the Army,
215 Navy, Air Force, Marines, Coast Guard, or American Legion.
216 Section 3. **Effective date.**
217 This bill takes effect on October 1, 2011.

Legislative Review Note
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Office of Legislative Research and General Counsel