

SPECIAL GROUP LICENSE PLATE REPEAL

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: Lee B. Perry

LONG TITLE

General Description:

This bill removes the prostate cancer special group license plate from the list of license plates that may be issued.

Highlighted Provisions:

This bill:

- ▶ removes the prostate cancer support special group license plate from the list of plates that may be issued;
- ▶ repeals the Prostate Cancer Support Restricted Account;
- ▶ allows a person who acquired a prostate cancer support special group license plate before October 1, 2017, to retain the licence plate;
- ▶ prohibits issuance of a new prostate cancer support special group license plate after September 30, 2017;
- ▶ directs the contribution for a renewed prostate cancer support special group license plate to be distributed to the Cancer Research Restricted Account; 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:

29 **41-1a-418**, as last amended by Laws of Utah 2016, Chapters 46, 52, 70, 71, and 102

30 **41-1a-422**, as last amended by Laws of Utah 2016, Chapters 46, 52, 70, and 71

31 **63J-1-602.1**, as last amended by Laws of Utah 2016, Chapters 46, 70, 71, and 202

32 REPEALS:

33 **26-21a-303**, as enacted by Laws of Utah 2011, Chapter 440

34

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

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

37 **41-1a-418. Authorized special group license plates.**

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

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

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

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

44 (ii) former prisoner of war;

45 (iii) recipient of a Purple Heart;

46 (iv) disabled veteran;

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

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

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

52 (i) a special interest vehicle;

53 (ii) a vintage vehicle;

54 (iii) a farm truck; or

55 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as

56 defined in Section 59-13-102; or

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

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

- 62 (i) a current member of the Legislature;
- 63 (ii) a current member of the United States Congress;
- 64 (iii) a current member of the National Guard;
- 65 (iv) a licensed amateur radio operator;
- 66 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- 67 (vi) an emergency medical technician;
- 68 (vii) a current member of a search and rescue team; or
- 69 (viii) a current honorary consulate designated by the United States Department of
70 State;

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

- 73 (i) an institution's scholastic scholarship fund;
- 74 (ii) the Division of Wildlife Resources;
- 75 (iii) the Department of Veterans' and Military Affairs;
- 76 (iv) the Division of Parks and Recreation;
- 77 (v) the Department of Agriculture and Food;
- 78 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 79 (vii) the Boy Scouts of America;
- 80 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 81 (ix) the Boys and Girls Clubs of America;
- 82 (x) Utah public education;

- 83 (xi) programs that provide support to organizations that create affordable housing for
84 those in severe need through the Division of Real Estate;
- 85 (xii) the Department of Public Safety;
- 86 (xiii) programs that support Zion National Park;
- 87 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
88 organizations;
- 89 (xv) programs that promote bicycle operation and safety awareness;
- 90 (xvi) programs that conduct or support cancer research;
- 91 (xvii) programs that create or support autism awareness;
- 92 (xviii) programs that create or support humanitarian service and educational and
93 cultural exchanges;
- 94 (xix) until September 30, 2017, programs that conduct or support prostate cancer
95 awareness, screening, detection, or prevention;
- 96 (xx) programs that support and promote adoptions;
- 97 (xxi) programs that create or support civil rights education and awareness;
- 98 (xxii) programs that support issues affecting women and children through an
99 organization affiliated with a national professional men's basketball organization;
- 100 (xxiii) programs that strengthen youth soccer, build communities, and promote
101 environmental sustainability through an organization affiliated with a professional men's soccer
102 organization;
- 103 (xxiv) programs that support children with heart disease;
- 104 (xxv) programs that support the operation and maintenance of the Utah Law
105 Enforcement Memorial; or
- 106 (xxvi) programs that provide assistance to children with cancer.
- 107 (2) (a) The division may not issue a new type of special group license plate or decal
108 unless the division receives:
- 109 (i) (A) a private donation for the start-up fee established under Section [63J-1-504](#) for

110 the production and administrative costs of providing the new special group license plates or
111 decals; or

112 (B) a legislative appropriation for the start-up fee provided under Subsection
113 (2)(a)(i)(A); and

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

118 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
119 hold applications for support special group license plates or decals authorized in Section
120 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

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

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

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

131 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
132 registration of a motor vehicle that has been issued a firefighter recognition special group
133 license plate unless the applicant is a contributor as defined in Subsection
134 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

135 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
136 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle

137 registration shall:

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

140 (B) replace the firefighter recognition special group license plate with a new license
141 plate.

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

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

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

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

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

157 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
158 **contribution collection procedures.**

159 (1) As used in this section:

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

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

163 (B) the Department of Veterans' and Military Affairs for veterans' programs;

164 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in
165 Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection,
166 access, and management of wildlife habitat;

167 (D) the Department of Agriculture and Food for the benefit of conservation districts;

168 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;

169 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
170 the donation evenly divided between the two;

171 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
172 council as specified by the contributor;

173 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
174 that provide spay and neuter programs that subsidize the sterilization of domestic animals;

175 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
176 development programs;

177 (J) the Utah Association of Public School Foundations to support public education;

178 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
179 assist people who have severe housing needs;

180 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
181 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
182 Safety employees;

183 (M) the Division of Parks and Recreation for distribution to organizations that provide
184 support for Zion National Park;

185 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
186 firefighter organizations;

187 (O) the Share the Road Bicycle Support Restricted Account created in Section
188 72-2-127 to support bicycle operation and safety awareness programs;

189 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
190 cancer research programs;

191 (Q) Autism Awareness Restricted Account created in Section 53A-1-304 to support
192 autism awareness programs;

193 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
194 created in Section 9-17-102 to support humanitarian service and educational and cultural
195 programs;

196 (S) Prostate Cancer Support Restricted Account created in Section 26-21a-303 for
197 programs that conduct or support prostate cancer awareness, screening, detection, or prevention
198 until September 30, 2017, and beginning on October 1, 2017, upon renewal of a prostate cancer
199 support special group license plate, to the Cancer Research Restricted Account created in
200 Section 26-21a-302 to support cancer research programs;

201 (T) the Choose Life Adoption Support Restricted Account created in Section
202 62A-4a-608 to support programs that promote adoption;

203 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
204 Section 9-18-102;

205 (V) the National Professional Men's Basketball Team Support of Women and Children
206 Issues Restricted Account created in Section 62A-1-202;

207 (W) the Utah Law Enforcement Memorial Support Restricted Account created in
208 Section 53-1-120;

209 (X) the Children with Cancer Support Restricted Account created in Section
210 26-21a-304 for programs that provide assistance to children with cancer;

211 (Y) the National Professional Men's Soccer Team Support of Building Communities
212 Restricted Account created in Section 9-19-102; or

213 (Z) the Children with Heart Disease Support Restricted Account created in Section
214 26-58-102.

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

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

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

222 (II) is a member of a trade organization for real estate licensees that has more than
223 15,000 Utah members.

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

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

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

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

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

235 (F) For a Martin Luther King, Jr. Civil Rights Support special group license plate,
236 "contributor" means a person who has donated or in whose name at least \$35 has been donated
237 at the time of application and annually thereafter.

238 (G) For a Utah Law Enforcement Memorial Support special group license plate,
239 "contributor" means a person who has donated or in whose name at least \$35 has been donated
240 at the time of application and annually thereafter.

241 (b) "Institution" means a state institution of higher education as defined under Section
242 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
243 national accrediting agency recognized by the United States Department of Education.

244 (2) (a) An applicant for original or renewal collegiate special group license plates under

245 Subsection (1)(a)(i) must be a contributor to the institution named in the application and
246 present the original contribution verification form under Subsection (2)(b) or make a
247 contribution to the division at the time of application under Subsection (3).

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

250 (i) the name of the contributor;

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

252 (iii) the date of the donation; and

253 (iv) an attestation that the donation was for a scholastic scholarship.

254 (c) The state auditor may audit each institution to verify that the money collected by the
255 institutions from contributors is used for scholastic scholarships.

256 (d) After an applicant has been issued collegiate license plates or renewal decals, the
257 commission shall charge the institution whose plate was issued, a fee determined in accordance
258 with Section [63J-1-504](#) for management and administrative expenses incurred in issuing and
259 renewing the collegiate license plates.

260 (e) If the contribution is made at the time of application, the contribution shall be
261 collected, treated, and deposited as provided under Subsection (3).

262 (3) (a) An applicant for original or renewal support special group license plates under
263 this section must be a contributor to the sponsoring organization associated with the license
264 plate.

265 (b) This contribution shall be:

266 (i) unless collected by the named institution under Subsection (2), collected by the
267 division;

268 (ii) considered a voluntary contribution for the funding of the activities specified under
269 this section and not a motor vehicle registration fee;

270 (iii) deposited into the appropriate account less actual administrative costs associated
271 with issuing the license plates; and

272 (iv) for a firefighter special group license plate, deposited into the appropriate account
273 less:

274 (A) the costs of reordering firefighter special group license plate decals; and

275 (B) the costs of replacing recognition special group license plates with new license
276 plates under Subsection 41-1a-1211(13).

277 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to
278 registration or renewal of registration.

279 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to
280 the division when issuing original:

281 (i) snowmobile license plates; or

282 (ii) conservation license plates.

283 (4) Veterans' license plates shall display one of the symbols representing the Army,
284 Navy, Air Force, Marines, Coast Guard, or American Legion.

285 Section 3. Section 63J-1-602.1 is amended to read:

286 **63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title**
287 **1 through Title 30.**

288 (1) Appropriations made to the Legislature and its committees.

289 (2) The Percent-for-Art Program created in Section 9-6-404.

290 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
291 Section 9-18-102.

292 (4) The National Professional Men's Soccer Team Support of Building Communities
293 Restricted Account created in Section 9-19-102.

294 (5) The LeRay McAllister Critical Land Conservation Program created in Section
295 11-38-301.

296 (6) An appropriation made to the Division of Wildlife Resources for the appraisal and
297 purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.

298 (7) Award money under the State Asset Forfeiture Grant Program, as provided under

299 Section [24-4-117](#).

300 (8) Funds collected from the program fund for local health department expenses
301 incurred in responding to a local health emergency under Section [26-1-38](#).

302 (9) Funds collected from the emergency medical services grant program, as provided in
303 Section [26-8a-207](#).

304 (10) The primary care grant program created in Section [26-10b-102](#).

305 [~~(11) The Prostate Cancer Support Restricted Account created in Section [26-21a-303](#);~~]

306 [~~(12)~~] (11) The Children with Cancer Support Restricted Account created in Section
307 [26-21a-304](#).

308 [~~(13)~~] (12) State funds appropriated for matching federal funds in the Children's Health
309 Insurance Program as provided in Section [26-40-108](#).

310 [~~(14)~~] (13) The Utah Health Care Workforce Financial Assistance Program created in
311 Section [26-46-102](#).

312 [~~(15)~~] (14) The Rural Physician Loan Repayment Program created in Section
313 [26-46a-103](#).

314 [~~(16)~~] (15) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).

315 [~~(17)~~] (16) The Children with Heart Disease Support Restricted Account created in
316 Section [26-58-102](#).

317 Section 4. **Repealer.**

318 This bill repeals:

319 Section [26-21a-303](#), **Prostate Cancer Support Restricted Account.**

320 Section 5. **Effective date.**

321 (1) Except as provided in Subsection (2), this bill takes effect on May 9, 2017.

322 (2) The actions affecting the following sections take effect on September 30, 2018:

323 (a) Section [26-21a-303](#); and

324 (b) Section [63J-1-602.1](#).