

28 (a) the vehicle is in the direct service of the governor, lieutenant governor, attorney
29 general, state auditor, or state treasurer of Utah;

30 (b) the vehicle is used in official investigative work where secrecy is essential;

31 (c) the vehicle is provided to an official of the entity as part of a compensation package
32 allowing unlimited personal use of that vehicle; or

33 (d) the personal security of the occupants of the vehicle would be jeopardized if the "EX"
34 license plate were in place.

35 (3) Plates issued to Utah Highway Patrol vehicles may bear the capital letters "UHP," a
36 beehive logo, and the call number of the vehicle for which the plate is issued.

37 (4) The commission shall issue "EX" and "UHP" plates and shall make rules establishing
38 the procedure for application for and distribution of the plates.

39 (5) (a) Information shall be confidential for vehicles that are not required to display the
40 "EX" license plate or the identification mark under Subsections (2) (a), (b), and (d).

41 (b) (i) If a law enforcement officer's identity must be kept secret, his agency head may
42 request in writing that the division remove the license plate information of the officer's personal
43 vehicles from all public access files and place it in a confidential file until the assignment is
44 completed.

45 (ii) The agency head shall notify the division when the assignment is completed.

46 (6) The Olympic license plate issued pursuant to Section 41-1a-417 shall be the official
47 license plate for all state-owned vehicles. As of July 1, 1999, whenever a license is issued or
48 renewed for a state-owned vehicle, an Olympic license plate shall be issued for that vehicle. The
49 special fee for Olympic license plates, described in Section 41-1a-417, does not apply to
50 state-owned vehicles licensed pursuant to this subsection.

51 Section 2. Section **41-1a-408** is amended to read:

52 **41-1a-408. Special group plates -- Design -- Application -- Issuance.**

53 (1) As used in this section:

54 (a) "Children's issues license plates" means the special group license plates issued under
55 this section to a contributor to the Guardian Ad Litem Services Account and the Children's
56 Museum of Utah.

57 (b) "Collegiate license plates" means the special group license plates issued under this
58 section to a contributor to an institution after payment of the appropriate fees.

59 (c) (i) "Contributor" means a person who has donated or in whose name at least \$25 has
60 been donated to:

61 (A) a scholastic scholarship fund of a single institution;

62 (B) the Office of Veterans' Affairs in the Department of Community and Economic
63 Development for veterans' programs;

64 (C) the Division of Wildlife Resources for conservation of wildlife and the enhancement,
65 preservation, protection, access, and management of wildlife habitat;

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

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

68 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
69 the donation evenly divided between the two.

70 (ii) Except as provided under Subsection (13), the donation must be made in the 12 months
71 prior to registration or renewal of registration.

72 (d) "Institution" means a state institution of higher education or a private institution of
73 higher education in the state accredited by a regional or national accrediting agency recognized by
74 the United States Department of Education.

75 (e) "Snowmobile license plates" means the special group license plates issued under this
76 section to a contributor to the Division of Parks and Recreation after payment of the appropriate
77 fees.

78 (f) "Soil conservation license plates" means the special group license plates issued under
79 this section to a contributor to the Department of Agriculture and Food after payment of the
80 appropriate fees.

81 (g) "State institution of higher education" has the same meaning as provided in Section
82 53B-3-102.

83 (h) "Veterans' license plates" means the special group license plates issued under this
84 section to a contributor to the Office of Veterans' Affairs after payment of the appropriate fees.

85 (i) "Wildlife license plates" means the special group license plates issued under this section
86 to a contributor to the Division of Wildlife Resources after payment of the appropriate fees.

87 (2) (a) The design and maximum number of numerals or characters on special group
88 license plates shall be determined by the division in accordance with the criteria in Subsection

89 (2)(b).

90 (b) Except for Olympic special group license plates, each special group license plate shall
91 display:

- 92 (i) the word Utah;
- 93 (ii) the name or identifying slogan of the special group;
- 94 (iii) a symbol not exceeding two positions in size representing the special group; and
- 95 (iv) the combination of letters, numbers, or both uniquely identifying the registered
96 vehicle.

97 (3) (a) The division shall, after consultation with a representative designated by the special
98 group, specify the word or words comprising the special group name and the symbol to be
99 displayed upon the special group license plates.

100 (b) Collegiate, veterans', children's issues, snowmobile, soil conservation, and wildlife
101 license plates may not be redesigned under this section more frequently than every five years.

102 (c) Veterans' license plates shall display one of the symbols representing the Army, Navy,
103 Air Force, Marines, or Coast Guard.

104 (4) Subject to Subsections (10) and (12), the division shall only issue special group license
105 plates to a person who is:

- 106 (a) a current member of the Legislature;
- 107 (b) a current member of the United States Congress;
- 108 (c) a survivor of the Japanese attack on Pearl Harbor;
- 109 (d) a former prisoner of war;
- 110 (e) a recipient of a Purple Heart, as provided in Section 41-1a-409;
- 111 (f) a current member of the National Guard;
- 112 (g) a person with a disability or the registered owner of a vehicle that an organization uses
113 primarily for the transportation of persons with disabilities that limit or impair the ability to walk;
- 114 (h) a contributor to an institution's scholastic scholarship fund;
- 115 (i) a contributor to the Division of Wildlife Resources;
- 116 (j) a contributor to the Office of Veterans' Affairs;
- 117 (k) licensing a special interest vehicle;
- 118 (l) licensing a vintage vehicle;
- 119 (m) a licensed amateur radio operator;
- 120 (n) registering a farm truck;

- 121 (o) a currently employed, volunteer, or retired firefighter;
122 (p) a contributor to the Division of Parks and Recreation;
123 (q) a contributor to the Department of Agriculture and Food; or
124 (r) a contributor to the Guardian Ad Litem Services Account and the Children's Museum
125 of Utah.

126 (5) (a) A vehicle displaying a survivor of the Japanese attack on Pearl Harbor license plate
127 decal, a former prisoner of war license plate decal, or a Purple Heart license plate decal shall be
128 titled in the name of the veteran or the veteran and spouse.

129 (b) Upon the death of the veteran, the surviving spouse may, upon application to the
130 division, retain the special group license plate decal so long as the surviving spouse remains
131 unmarried.

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

134 (6) (a) (i) In accordance with rules made under Subsection (12), the division shall issue
135 a person with a disability special group license plate, temporary removable windshield placard, or
136 a removable windshield placard to:

137 (A) a qualifying person with a disability; or

138 (B) an organization that uses a vehicle registered in the applicant's name primarily for the
139 transportation of persons with disabilities that limit or impair the ability to walk.

140 (ii) The division shall issue a person with a disability special group license plate or a
141 removable windshield placard to a person with a permanent disability.

142 (iii) The issuance of a person with a disability special group license plate does not preclude
143 the issuance to the same applicant of a removable windshield placard.

144 (iv) The division shall issue on request one additional placard to a person with a person
145 with a disability special group license plate, temporary removable windshield placard, or a
146 removable windshield placard.

147 (b) The temporary removable windshield placard or removable windshield placard shall
148 be hung from the front windshield rearview mirror when the vehicle is parked in a parking space
149 reserved for persons with disabilities so that it is visible from the front and rear of the vehicle.

150 (7) (a) An applicant for original or renewal collegiate license plates must be a contributor
151 to the institution named in the application and present the original contribution verification form

152 to the division at the time of application.

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

155 (i) the name of the contributor;

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

157 (iii) the date of the donation; and

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

159 (c) The state auditor may audit each institution to verify that the moneys collected by the
160 institutions from contributors are used for scholastic scholarships.

161 (d) After an applicant has been issued collegiate license plates or renewal decals, the
162 commission shall charge the institution whose plate was issued, a fee determined in accordance
163 with Section 63-38-3.2 for management and administrative expenses incurred in issuing and
164 renewing the collegiate license plates.

165 (8) (a) An applicant for original or renewal wildlife license plates must be a contributor
166 to the Division of Wildlife Resources.

167 (b) This contribution shall be:

168 (i) collected by the division;

169 (ii) treated as a voluntary contribution for the funding of wildlife activities and not as a
170 motor vehicle registration fee; and

171 (iii) deposited into the Wildlife Resources Account created in Section 23-14-13, less actual
172 production and administrative costs associated with making and issuing wildlife license plates.

173 (9) The division shall issue Olympic special group license plates.

174 (10) (a) An organization that makes a significant contribution to the state may request the
175 commission to authorize special group license plates for the organization if the organization
176 collects a minimum of 500 applications with the fees required under Section 41-1a-1211.

177 (b) If the commission approves the request, the division shall design a license plate in
178 accordance with Subsections (2) and (3).

179 (c) If the commission rejects the request, the organization shall refund all fees to the
180 applicants.

181 (11) Any person who meets the criteria established under this part for issuance of special
182 group license plates may make application in the same manner provided in Sections 41-1a-410 and

183 41-1a-411 for personalized special group license plates.

184 (12) (a) The commission shall make rules in accordance with Title 63, Chapter 46a, Utah
185 Administrative Rulemaking Act, to:

186 (i) establish qualifying criteria for persons to receive, renew, or surrender special group
187 license plates, a temporary removable windshield placard, or a removable windshield placard;

188 (ii) establish the maximum number of numerals or characters for special group license
189 plates; and

190 (iii) require all temporary removable windshield placards and removable windshield
191 placards to include:

192 (A) an identification number;

193 (B) an expiration date not to exceed six months for a temporary removable windshield
194 placard and one year for a removable windshield placard; and

195 (C) the seal or other identifying mark of the division.

196 (b) The qualifying criteria under Subsection (12)(a) for a person with a disability special
197 group license plate, temporary removable windshield placard, or removable windshield placard
198 shall include a requirement that an initial application of a person with a disability be accompanied
199 by the certification of a licensed physician:

200 (i) that the applicant meets the definition of a person with a disability that limits or impairs
201 the ability to walk as defined in the federal Uniform System for Handicapped Parking, 58 Fed.
202 Reg. 10, 328 (1991); and

203 (ii) containing the period of time that the physician determines the applicant will have the
204 disability, not to exceed six months in the case of a temporary disability.

205 (13) (a) The division may issue original veterans' license plates.

206 (b) An applicant for original veterans' license plates must be at least a one-time contributor
207 to the Office of Veterans' Affairs.

208 (c) This contribution shall be:

209 (i) collected by the division;

210 (ii) treated as a voluntary contribution for the Office of Veterans' Affairs and not as a
211 motor vehicle registration fee; and

212 (iii) transferred to the Office of Veterans' Affairs at least monthly, less actual production
213 and administrative costs associated with making and issuing veterans' license plates.

214 (14) (a) Beginning January 1, 1999, the division may issue original snowmobile license
215 plates if the Division of Parks and Recreation provides a one-time contribution of at least \$9,000
216 to the division from restricted revenue in the Off-Highway Vehicle Account in the General Fund
217 to cover startup materials and programming costs.

218 (b) An applicant for original snowmobile license plates must be a contributor to the
219 Division of Parks and Recreation.

220 (c) This contribution shall be:

221 (i) collected by the division;

222 (ii) treated as a voluntary contribution for the Division of Parks and Recreation for the
223 benefit of snowmobile programs and not as a motor vehicle registration fee; and

224 (iii) transferred to the Division of Parks and Recreation at least monthly, less actual
225 production and administrative costs associated with making and issuing snowmobile license plates.

226 (15) (a) (i) Beginning January 1, 1999, the division may issue original soil conservation
227 license plates if soil conservation districts provide a one-time contribution of at least \$9,000 to the
228 division to cover startup materials and programming costs.

229 (ii) The contribution described in Subsection (15)(a)(i) may be from private funds
230 available to soil conservation districts.

231 (b) An applicant for original soil conservation license plates must be a contributor to the
232 Department of Agriculture and Food.

233 (c) This contribution shall be:

234 (i) collected by the division;

235 (ii) treated as a voluntary contribution for the Department of Agriculture and Food for the
236 benefit of soil conservation districts and not as a motor vehicle registration fee; and

237 (iii) transferred to the Department of Agriculture and Food at least monthly, less actual
238 production and administrative costs associated with making and issuing soil conservation license
239 plates.

240 (16) (a) (i) Beginning January 1, 1999, the division may issue original children's issues
241 license plates if the Office of the Guardian Ad Litem Director and the Children's Museum of Utah
242 each provide a one-time contribution of at least \$4,500 to the division to cover startup materials
243 and programming costs.

244 (ii) The contribution described in Subsection (16)(a)(i) from the Office of the Guardian

245 Ad Litem Director shall be from private funds not normally available to the Office of the Guardian
246 Ad Litem Director.

247 (b) An applicant for original or renewal children's issues license plates must be a
248 contributor to the Guardian Ad Litem Services Account and the Children's Museum of Utah.

249 (c) This contribution shall be:

250 (i) collected by the division;

251 (ii) treated as a voluntary contribution for the Guardian Ad Litem Services Account and
252 the Children's Museum of Utah and not as a motor vehicle registration fee; and

253 (iii) transferred to the Guardian Ad Litem Services Account and the Children's Museum
254 of Utah at least monthly, less actual production and administrative costs associated with making
255 and issuing children's issues license plates.

256 (17) Beginning July 1, 1999, a current member of the Legislature may select the Olympic
257 license plate as the legislator's special group license plate. The legislator shall pay the special fee
258 for the Olympic license plate, as provided in Section 41-1a-417.

259 Section 3. Section **41-1a-417** is amended to read:

260 **41-1a-417. Olympic license plates -- Fees -- Design.**

261 (1) (a) Beginning no sooner than January 1, 1997, any person who is the owner or lessee
262 of a motor vehicle as defined under Section 41-1a-102 may apply for Olympic license plates
263 through June 30, 2002.

264 (b) In addition to the regular motor vehicle registration fees, the applicant shall pay a
265 special fee of \$22.00 at the time the Olympic license plates are issued.

266 (2) (a) The State Tax Commission shall at least monthly deposit revenues from the special
267 fees collected under Subsection (1), less production and administrative costs as provided in this
268 subsection, to the Salt Lake Olympic Organizing Committee's "Olympics for Youth and Children
269 Account."

270 (b) The special fees paid for purchase or renewal of Olympic license plates shall be treated
271 as a voluntary contribution and is not a motor vehicle registration fee.

272 (c) Before depositing revenues into the Salt Lake Olympic Organizing Committee's
273 account, the State Tax Commission shall deduct the actual production and administrative costs
274 associated with making and issuing the Olympic license plates.

275 (3) The Salt Lake Olympic Organizing Committee shall approve the color and design of

276 the Olympic license plates consistent with the provisions of Sections 41-1a-401, 41-1a-402, and
277 41-1a-403 and with the concurrence of the State Tax Commission and the Utah Highway Patrol.

278 (4) Any person who applies for Olympic license plates may also apply for personalized
279 numbers or letters on the Olympic license plates as authorized by Section 41-1a-410 and after
280 payment of the fees required by Section 41-1a-1211.

281 (5) (a) As of July 1, 1999, the Olympic license plate shall be the official license plate for
282 all state-owned vehicles in accordance with the provisions of Subsection 41-1a-407(6). The
283 special fee described in Subsection (1)(b) does not apply to Olympic license plates issued for state
284 owned vehicles.

285 (b) As of July 1, 1999, a member of the Legislature may select the Olympic license plate
286 as the legislator's special group license plate in accordance with the provisions of Subsection
287 41-1a-408(17). The legislator shall pay the special fee described in Subsection (1)(b).

Legislative Review Note
as of 12-14-98 10:58 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel