

**EDUCATION SUPPORT LICENSE PLATE**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: James M. Evans**

**This act modifies the Motor Vehicles Code by adding a Public Education Support special group license plate to provide financial support to Utah public education. This act requires applicants to make a \$25 annual donation to the Utah Association of Public School Foundations. This act takes effect on October 1, 2003.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**41-1a-418**, as enacted by Chapter 1, Laws of Utah 2003

**41-1a-422**, as enacted by Chapter 1, Laws of Utah 2003

*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.**

(1) The division shall only issue special group license plates in accordance with Sections 41-1a-418 through 41-1a-422 to a person who is specified under this section within the categories listed as follows:

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

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

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

(ii) former prisoner of war; or

(iii) recipient of a Purple Heart;

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

(i) special interest vehicle;

(ii) vintage vehicle;

(iii) farm truck; or

(iv) vehicle powered by clean fuel and for which a current clean special fuel certificate

is maintained as provided in Section 59-13-304;

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

- (i) current member of the Legislature;
- (ii) current member of the United States Congress;
- (iii) current member of the National Guard;
- (iv) licensed amateur radio operator;
- (v) currently employed, volunteer, or retired firefighter;
- (vi) emergency medical technician; or
- (vii) current member of a search and rescue team; and

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

- (i) an institution's scholastic scholarship fund;
- (ii) the Division of Wildlife Resources;
- (iii) the Office of Veterans' Affairs;
- (iv) the Division of Parks and Recreation;
- (v) the Department of Agriculture and Food;
- (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- (vii) the Boy Scouts of America; [~~or~~]
- (viii) spay and neuter programs through No More Homeless Pets in Utah[-]; or
- (ix) Utah public education.

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

(a) a start-up fee established under Section 63-38-3.2 for production and administrative costs for providing the new special group license plates; or

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

(3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal Revenue Code Section 501(c)(3) may request the commission to authorize a new type of special

group license plate for the sponsoring organization. The sponsoring organization shall:

- (i) collect a minimum of 200 applications; and
- (ii) pay a start-up fee established under Section 63-38-3.2 for production and

administrative costs for providing the new type of special group license plates.

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

- (i) design a license plate in accordance with Section 41-1a-419; and
- (ii) issue the new type of special group license plates.

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

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

(1) As used in this section:

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

- (i) a scholastic scholarship fund of a single named institution;
- (ii) the Division of Veterans' Affairs in the Utah National Guard for veterans' programs;
- (iii) the Division of Wildlife Resources for the Wildlife Resources Account created in Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection, access, and management of wildlife habitat;
- (iv) the Department of Agriculture and Food for the benefit of soil conservation districts;
- (v) the Division of Parks and Recreation for the benefit of snowmobile programs;
- (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with the donation evenly divided between the two;
- (vii) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America council as specified by the contributor; [or]
- (viii) No More Homeless Pets in Utah for distribution to organizations or individuals that provide spay and neuter programs that subsidize the sterilization of domestic animals[-]; or
- (ix) the Utah Association of Public School Foundations to support public education.

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

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

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

- (i) the name of the contributor;
- (ii) the institution to which a donation was made;
- (iii) the date of the donation; and
- (iv) an attestation that the donation was for a scholastic scholarship.

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

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

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

(3) (a) Except as provided under Subsection (3)(d), an applicant for original or renewal support special group license plates under this section must be an annual contributor to the entity or named institution associated with the license plate.

(b) This contribution shall be:

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

(ii) treated as a voluntary contribution for the funding of the activities specified under

this section and not as a motor vehicle registration fee; and

(iii) deposited into the appropriate account less actual administrative costs associated with issuing the license plates.

(c) Except as provided under Subsection (3)(d), the donation described in Subsection (1)(a) must be made in the 12 months prior to registration or renewal of registration.

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

- (i) veterans' license plates;
- (ii) snowmobile license plates; or
- (iii) soil conservation license plates.

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

**Section 3. Effective date.**

This act takes effect on October 1, 2003.