

1                                   **LICENSE PLATE FOR DISABLED AMERICAN**  
2   **VETERANS**

3   2005 GENERAL SESSION  
4   STATE OF UTAH

5   **Sponsor: Ron Bigelow**

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7 **LONG TITLE**

8 **General Description:**

9                   This bill modifies the Motor Vehicles Code by authorizing a disabled American veteran  
10 special group license plate.

11 **Highlighted Provisions:**

12                   This bill:

13                   ▶ authorizes the Motor Vehicle Division to issue a disabled American veteran special  
14 group license plate;

15                   ▶ provides that a disabled American veteran or veteran's spouse in certain  
16 circumstances is eligible for a disabled American veteran special group license  
17 plate;

18                   ▶ provides evidence requirements for a disabled American veteran special group  
19 license plate; and

20                   ▶ makes technical changes.

21 **Monies Appropriated in this Bill:**

22                   None

23 **Other Special Clauses:**

24                   This bill takes effect October 1, 2005.

25 **Utah Code Sections Affected:**

26 **AMENDS:**

27                   **41-1a-418**, as last amended by Chapters 74, 102 and 141, Laws of Utah 2003



28 **41-1a-421**, as enacted by Chapter 1, Laws of Utah 2003



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

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

32 **41-1a-418. Authorized special group license plates.**

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

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

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

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

39 (ii) former prisoner of war; [or]

40 (iii) recipient of a Purple Heart; or

41 (iv) disabled American veteran;

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 a:

44 (i) special interest vehicle;

45 (ii) vintage vehicle;

46 (iii) farm truck; or

47 (iv) vehicle powered by clean fuel and for which a current clean special fuel certificate  
48 is maintained as provided in Section 59-13-304;

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

51 (i) current member of the Legislature;

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

53 (iii) current member of the National Guard;

54 (iv) licensed amateur radio operator;

55 (v) currently employed, volunteer, or retired firefighter;

56 (vi) emergency medical technician;

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

58 (viii) current honorary consulate designated by the United States Department of State;

59 and

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

- 62 (i) an institution's scholastic scholarship fund;
- 63 (ii) the Division of Wildlife Resources;
- 64 (iii) the Office of Veterans' Affairs;
- 65 (iv) the Division of Parks and Recreation;
- 66 (v) the Department of Agriculture and Food;
- 67 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 68 (vii) the Boy Scouts of America;
- 69 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 70 (ix) the Boys and Girls Clubs of America; or
- 71 (x) Utah public education.

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

- 74 (a) a start-up fee established under Section 63-38-3.2 for production and administrative  
75 costs for providing the new special group license plates; or
- 76 (b) a legislative appropriation for the start-up fee provided under Subsection (2)(a).

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

- 80 (i) collect a minimum of 200 applications; and
- 81 (ii) pay a start-up fee established under Section 63-38-3.2 for production and  
82 administrative costs for providing the new type of special group license plates.

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

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

87 Section 2. Section **41-1a-421** is amended to read:

88 **41-1a-421. Honor special group license plates -- Personal identity requirements.**

89 (1) (a) The requirements of this Subsection (1) apply to a vehicle displaying a:

- 90 (i) survivor of the Japanese attack on Pearl Harbor license plate;
- 91 (ii) former prisoner of war license plate; ~~or~~
- 92 (iii) Purple Heart license plate~~[-]; or~~
- 93 (iv) disabled American veteran license plate.
- 94 (b) The vehicle shall be titled in the name of the veteran or the veteran and spouse.
- 95 (c) Upon the death of the veteran, the surviving spouse may, upon application to the
- 96 division, retain the special group license plate decal so long as the surviving spouse remains
- 97 unmarried.
- 98 (d) The division shall require the surviving spouse to make a sworn statement that the
- 99 surviving spouse is unmarried before renewing the registration under this section.
- 100 (2) Proper evidence of a Purple Heart is either:
- 101 (a) a membership card in the Military Order of the Purple Heart; or
- 102 (b) an original or certificate in lieu of the applicant's military discharge form, DD-214,
- 103 issued by the National Personnel Records Center.
- 104 (3) The Purple Heart license plates shall bear:
- 105 (a) the words "Purple Heart" at the bottom of the plate;
- 106 (b) a logo substantially depicting a Purple Heart award; and
- 107 (c) the letter and number combinations assigned by the division.
- 108 (4) Proper evidence that a person is a disabled American veteran is a written document
- 109 issued by a military entity certifying that the person is disabled as a result of service in a branch
- 110 of the United States Military.
- 111 Section 3. **Effective date.**
- 112 This bill takes effect October 1, 2005.

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**Legislative Review Note**  
**as of 1-21-05 6:33 AM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

**State Impact**

Start-up costs for 100 sets is \$5,400 from the General Fund.

	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2007</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Revenue</u>
General Fund	\$5,400	\$0	\$0	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$5,400</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

No fiscal impact.