

**MOTOR VEHICLE CODE REVISIONS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Motor Vehicles Code by amending provisions relating to the issuance and display of license plates.

**Highlighted Provisions:**

This bill:

- ▶ provides that the Motor Vehicle Division shall issue one license plate to every vehicle upon registering the vehicle;

- ▶ repeals the requirement that a license plate issued to certain vehicles shall be attached to the front of the vehicle; ~~H→~~ [and]

- ▶ provides that 75 cents of the license plate fee shall be deposited in the Department of Public Safety Restricted Account; and ~~H~~

- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2008.

**Utah Code Sections Affected:**

AMENDS:

**41-1a-401**, as renumbered and amended by Laws of Utah 1992, Chapter 1

**41-1a-404**, as renumbered and amended by Laws of Utah 1992, Chapter 1

**41-1a-1201**, as last amended by Laws of Utah 2005, First Special Session, Chapter 1

**41-1a-1211**, as last amended by Laws of Utah 2007, Chapter 274



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

Section 1. Section **41-1a-401** is amended to read:

**41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of registration in lieu of or used with plates.**

(1) (a) The division, upon registering a vehicle, shall issue to the owner one license plate [~~for a motorcycle, trailer, or semitrailer and two identical license plates~~] for every [other] vehicle.

(b) The license plate shall be issued for the [particular] vehicle registered and may not be removed during the term for which the license plate is issued or used upon any [other] vehicle other than the registered vehicle.

(2) The division may receive applications for registration renewal, renew registration, and issue new license plates or decals at any time prior to the expiration of registration.

(3) (a) All license plates to be manufactured and issued by the division shall be treated with a fully reflective material on the plate face that provides effective and dependable reflective brightness during the service period of the license plate.

(b) The division shall prescribe all license plate material specifications and establish and implement procedures for conforming to the specifications.

(c) The specifications for the materials used such as the aluminum plate substrate, the reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may qualify as suppliers.

(d) The granting of contracts for the materials shall be by public bid.

(4) (a) The commission may issue, adopt, and require the use of indicia of registration it considers advisable in lieu of or in conjunction with license plates as provided in this part.

(b) All provisions of this part relative to license plates apply to these indicia of registration, so far as the provisions are applicable.

Section 2. Section **41-1a-404** is amended to read:

**41-1a-404. Location and position of plates.**

(1) [~~License plates~~] A license plate issued for a vehicle [other than] including a motorcycle, trailer, or semitrailer shall be attached to the rear of the vehicle[~~, one in the front and the other in the rear~~].

59           ~~[(2) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to~~  
60 ~~the rear of the motorcycle, trailer, or semitrailer.]~~

61           ~~[(3)]~~ (2) Every license plate shall at all times be:

62           (a) securely fastened:

63           (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from  
64 swinging;

65           (ii) at a height of not less than 12 inches from the ground, measuring from the bottom  
66 of the plate; and

67           (iii) in a place and position to be clearly visible; and

68           (b) maintained:

69           (i) free from foreign materials; and

70           (ii) in a condition to be clearly legible.

71           Section 3. Section **41-1a-1201** is amended to read:

72           **41-1a-1201. Disposition of fees.**

73           (1) All fees received and collected under this part shall be transmitted daily to the state  
74 treasurer.

75           (2) Except as provided in Subsections (3), (4), and (6), and Sections 41-1a-422,  
76 41-1a-1220, and 41-1a-1221, all fees collected under this part shall be deposited in the  
77 Transportation Fund.

78           (3) (a) Funds generated under Subsections 41-1a-1211(1)~~[(a)]~~ (b)(i), (6)~~[(a)]~~ (b)(i), and  
79 (7) and Section 41-1a-1212 may be used by the commission as a dedicated credit to cover the  
80 costs incurred in issuing license plates under Part 4, License Plates and Registration Indicia.

81           (b) Fees for statehood centennial license plates shall be collected and deposited in the  
82 Transportation Fund, less production and administrative costs incurred by the commission.

83           (4) All funds available to the commission for purchase and distribution of license  
84 plates and decals are nonlapsing.

85           (5) Except as provided in Subsection (3) and Section 41-1a-1205, the expenses of the  
86 commission in enforcing and administering this part shall be provided for by legislative  
87 appropriation from the revenues of the Transportation Fund.

88           (6) (a) Except as provided in Subsection (6)(b), the following portions of the  
89 registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited in the

90 Centennial Highway Fund Restricted Account created under Section 72-2-118:

91 (i) \$10 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (2),  
92 and (5);

93 (ii) \$1 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i),  
94 (1)(c)(ii), and (1)(d)(ii);

95 (iii) \$2 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

96 (iv) \$3 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i); and

97 (v) \$4.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i).

98 (b) When the highway general obligation bonds have been paid off and the highway  
99 projects completed that are intended to be paid from revenues deposited in the Centennial  
100 Highway Fund Restricted Account as determined by the Executive Appropriations Committee  
101 under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under  
102 Subsection (6)(a) for each vehicle shall be deposited in the Transportation Investment Fund of  
103 2005 created by Section 72-2-124.

104 Section 4. Section **41-1a-1211** is amended to read:

105 **41-1a-1211. License plate fees -- Application fees for issuance and renewal of**  
106 **personalized and special group license plates -- Replacement fee for license plates --**  
107 **Postage fees.**

108 (1) (a) Except as provided in Subsection (11), a license plate fee of \$5 [~~per set~~] shall  
109 be paid to the division for the issuance of any new license plate under Part 4, License Plates  
110 and Registration Indicia.

111 (b) The license plate fee collected under this Subsection (1) shall be deposited as  
112 follows:

113 [~~(a)~~] (i) ~~H~~→ [~~\$4~~] \$3.25 ←~~H~~ as provided in Section 41-1a-1201;

113a ~~H~~→ (ii) 75 cents in the Department of Public Safety Restricted Account created in  
113b Section 53-3-106; ←~~H~~ and

114 [~~(b)~~] ~~H~~→ [(~~ii~~)] (iii) ←~~H~~ \$1 in the Transportation Fund.

115 (2) An applicant for original issuance of a personalized license [~~plates~~] plate issued  
116 under Section 41-1a-410 shall pay a \$50 [~~per set~~] license plate application fee in addition to the  
117 fee required in Subsection (1).

118 (3) Beginning July 1, 2003, a person who applies for a special group license plate shall  
119 pay a \$5 fee for the original [~~set of license plates~~] license plate in addition to the fee required  
120 under Subsection (1).

121 (4) An applicant for original issuance of a personalized special group license [~~plates~~  
 122 plate shall pay the license plate application fees required in Subsection (2) in addition to the  
 123 license plate fees and license plate application fees established under Subsections (1) and (3).

124 (5) An applicant for renewal of a personalized license [~~plates~~] plate issued under  
 125 Section 41-1a-410 shall pay a \$10 [~~per set~~] application fee.

126 (6) (a) A fee of \$5 shall be paid to the division for the replacement of any license plate  
 127 issued under Part 4, License Plates and Registration Indicia.

128 (b) The license plate fee collected under this Subsection (6) shall be deposited as  
 129 follows:

130 [~~(a)~~] (i) ~~H~~→ [~~\$4~~] \$3.25 ←~~H~~ as provided in Section 41-1a-1201;

130a ~~H~~→ (ii) 75 cents in the Department of Public Safety Restricted Account created in  
 130b Section 53-3-106; ←H and

131 [~~(b)~~] ~~H~~→ [~~(ii)~~] (iii) ←~~H~~ \$1 in the Transportation Fund.

132 (7) The division may charge a fee established under Section 63-38-3.2 to recover its  
 133 costs for the replacement of decals issued under Section 41-1a-418.

134 (8) The division may charge a fee established under Section 63-38-3.2 to recover the  
 135 cost of issuing stickers under Section 41-1a-416.

136 (9) In addition to any other fees required by this section, the division shall assess a fee  
 137 established under Section 63-38-3.2 to cover postage expenses if a new or replacement license  
 138 [~~plates are~~] plate is mailed to the applicant.

139 (10) The fees required under this section are separate from and in addition to  
 140 registration fees required under Section 41-1a-1206.

141 (11) (a) An applicant for a license plate issued under Section 41-1a-407 is not subject  
 142 to the license plate fee under Subsection (1).

143 (b) An applicant for a Purple Heart special group license plate issued in accordance  
 144 with Section 41-1a-421 is exempt from the fees under Subsections (1), (3), and (7).

145 Section 5. **Effective date.**

146 This bill takes effect on July 1, 2008.

**Legislative Review Note**  
 as of 1-14-08 11:09 AM

**Office of Legislative Research and General Counsel**

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**H.B. 299 - Motor Vehicle Code Revisions - As Amended**

**Fiscal Note**

2008 General Session  
State of Utah

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**State Impact**

Enactment of this bill would save the Tax Commission approximately \$470,000 per year in fee revenue. The License Plate Production dedicated credits revenue used by the Tax Commission for license plate production costs will decrease by \$500,000 and the Department of Public Safety will experience an increase in restricted revenue of \$500,000.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
Dedicated Credits	\$0	(\$470,000)	(\$470,000)	\$0	(\$500,000)	(\$500,000)
Restricted Funds	\$0	\$500,000	\$500,000	\$0	\$500,000	\$500,000
<b>Total</b>	<b>\$0</b>	<b>\$30,000</b>	<b>\$30,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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