



28           ▶ makes technical changes.

29 **Monies Appropriated in this Bill:**

30           None

31 **Other Special Clauses:**

32           None

33 **Utah Code Sections Affected:**

34 AMENDS:

35           **41-1a-404**, as last amended by Laws of Utah 2008, Chapter 106

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

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

39           **41-1a-404. Location and position of plates.**

40           (1) ~~Ĥ→~~ ~~[License]~~ (a) Except as provided in Subsection (1)(b), license ~~←Ĥ~~ plates issued  
40a for a vehicle other than a motorcycle, trailer, or semitrailer  
41 shall be attached to the vehicle, one in the front and the other in the rear.

41a           ~~Ĥ→~~ (b) A license plate is not required to be attached to the front of the vehicle under this  
41b Subsection (1) if the vehicle was not originally designed and manufactured to hold a front  
41c license plate. ~~←Ĥ~~

42           (2) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to  
43 the rear of the motorcycle, trailer, or semitrailer.

44           (3) Every license plate shall at all times be:

45           (a) securely fastened:

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

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

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

51           (b) maintained:

52           (i) free from foreign materials; and

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

54           ~~[(4) Enforcement by a state or local law enforcement officer of the requirement under~~  
55 ~~Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary~~  
56 ~~action when the vehicle has been detained for a suspected violation by any person in the~~  
57 ~~vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a~~  
58 ~~license plate to the front of the vehicle, or for another offense.]~~

58a           ~~Ĥ→~~ (4) The requirement under Subsection (1) to attach a license plate to the front of a  
58b vehicle shall only be enforced if the vehicle is in motion.

59 ~~(4)~~ (5) ←H (a) Either a tail light or a separate light shall be constructed and placed to  
 59a illuminate  
 60 with a white light the rear license plate and render it legible from a distance of 50 feet to the  
 61 rear.

62 (b) A light described in Subsection H→ ~~(4)~~ (5) ←H (a) illuminating a rear license plate  
 62a shall be  
 63 wired to be lighted whenever the headlights or auxiliary driving lights are lighted.

64 H→ ~~(5)~~ (6) ←H (a) Except as provided in Subsections H→ ~~(5)~~ (6) ←H (b) and (c), a  
 64a violation of this section is a  
 65 class C misdemeanor.

66 (b) (i) A violation of the requirement under Subsection (1) to attach a license plate to  
 67 the front of a vehicle is an infraction.

68 (ii) A court shall waive the fine for a violation of the requirement under Subsection (1)  
 69 to attach the license plate to the front of a vehicle if:

70 (A) the person demonstrates that the person has attached a license plate to the front of  
 71 the vehicle subsequent to the violation but before sentencing; and

72 (B) the person has not previously been cited for a violation of the requirement under  
 73 Subsection (1) to attach the license plate to the front of a vehicle.

74 (c) (i) A violation of the requirement under Subsection H→ ~~(4)~~ (5) ←H to illuminate the  
 74a rear license  
 75 plate on a vehicle is an infraction.

76 (ii) A court shall waive the fine for a violation of the requirement under Subsection  
 76a H→ ~~(4)~~ (5) ←H  
 77 to illuminate the rear license plate on a vehicle if:

78 (A) the person demonstrates that the person has complied with the requirements of  
 79 Subsection H→ ~~(4)~~ (5) ←H subsequent to the violation but before sentencing; and

80 (B) the person has not previously been cited for a violation of the requirement under  
 81 Subsection H→ ~~(4)~~ (5) ←H to illuminate the rear license plate on a vehicle.

**Legislative Review Note**  
 as of 2-1-10 8:54 AM

**Office of Legislative Research and General Counsel**

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**H.B. 174 - License Plates Amendments**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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

Enactment of this bill may increase local revenue. Individuals and businesses may experience an increase in citations.

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