

LICENSE PLATES AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Jon J. Greiner

LONG TITLE

General Description:

This bill modifies the Motor Vehicle Act by amending provisions relating to license plates.

Highlighted Provisions:

This bill:

- ▶ repeals the provision that provides that enforcement of the requirement to display a license plate on the front of a vehicle shall only be as a secondary action when the vehicle has been detained for a suspected violation of another offense by any person in the vehicle;

- ▶ provides that a violation of the requirement to attach a license plate to the front of a vehicle is an infraction rather than a class C misdemeanor;

- ▶ provides that a court shall waive the fine for a violation of the requirement to attach a license plate to the front of a vehicle in certain circumstances;

- ▶ requires a vehicle to have a tail light or a separate light that illuminates with a white light the rear license plate;

- ▶ requires that the light illuminating the rear license plate be wired to be lighted whenever the headlights or auxiliary driving lights are lighted;

- ▶ provides a penalty for violating the rear license plate illumination requirement;

- ▶ provides that a court shall waive the fine for a violation of the rear license plate illumination requirement in certain circumstances; and



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



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) License plates issued 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.

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.]~~

59 (4) (a) Either a tail light or a separate light shall be constructed and placed to 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 (4)(a) illuminating a rear license plate shall be
63 wired to be lighted whenever the headlights or auxiliary driving lights are lighted.

64 (5) (a) Except as provided in Subsections (5)(b) and (c), a 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 (4) to illuminate the 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 (4)
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 (4) 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 (4) 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

H.B. 174 - License Plates Amendments

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

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