

1 **SPECIAL GROUP LICENSE PLATE AMENDMENTS**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Wayne A. Harper**

5 Senate Sponsor: Kevin T. Van Tassell

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies the Motor Vehicles Code by amending provisions relating to special
10 group license plates.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ prohibits the Motor Vehicle Division from issuing a new support special group
14 license plate unless the division receives a minimum number of applications and
15 required fees;
- 16 ▶ prohibits the Motor Vehicle Division from issuing an existing support special group
17 license plate to a new applicant in certain circumstances;
- 18 ▶ repeals provisions that authorize the Tax Commission to issue a new type of special
19 group license plate in certain circumstances; and
- 20 ▶ makes technical changes.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 This bill takes effect on July 1, 2011.

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **41-1a-418**, as last amended by Laws of Utah 2010, Chapters 139, 166, and 369



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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 this section through Section 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;

(iii) recipient of a Purple Heart;

(iv) disabled veteran; or

(v) recipient of a gold star award issued by the United States Secretary of Defense;

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

(i) a special interest vehicle;

(ii) a vintage vehicle;

(iii) a farm truck; or

(iv) (A) until Subsection (1)(c)(iv)(B) applies, a vehicle powered by clean fuel as defined in Section 59-13-102; or

(B) beginning on the effective date of rules made by the Department of Transportation authorized under Subsection 41-6a-702(5)(b), a vehicle powered by clean fuel that meets the standards established by the Department of Transportation in rules authorized under Subsection 41-6a-702(5)(b);

(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;

- 59 (v) currently employed, volunteer, or retired firefighter until June 30, 2009;
- 60 (vi) emergency medical technician;
- 61 (vii) current member of a search and rescue team; or
- 62 (viii) current honorary consulate designated by the United States Department of State;
- 63 and
- 64 (e) support special group license plates, as for a contributor to an institution or cause,
- 65 which plates are issued for a contributor to:
- 66 (i) an institution's scholastic scholarship fund;
- 67 (ii) the Division of Wildlife Resources;
- 68 (iii) the Department of Veterans' Affairs;
- 69 (iv) the Division of Parks and Recreation;
- 70 (v) the Department of Agriculture and Food;
- 71 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 72 (vii) the Boy Scouts of America;
- 73 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 74 (ix) the Boys and Girls Clubs of America;
- 75 (x) Utah public education;
- 76 (xi) programs that provide support to organizations that create affordable housing for
- 77 those in severe need through the Division of Real Estate;
- 78 (xii) the Department of Public Safety;
- 79 (xiii) programs that support Zion National Park;
- 80 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
- 81 organizations;
- 82 (xv) programs that promote bicycle operation and safety awareness;
- 83 (xvi) programs that conduct or support cancer research;
- 84 (xvii) programs that create or support autism awareness; or
- 85 (xviii) programs that create or support humanitarian service and educational and
- 86 cultural exchanges.
- 87 (2) (a) [~~Beginning January 1, 2003, the~~] The division may not issue a new type of
- 88 special group license plate unless the division receives:
- 89 (i) (A) a start-up fee established under Section 63J-1-504 for production and

90 administrative costs for providing the new special group license plates; or

91 ~~[(†)]~~ (B) a legislative appropriation for the start-up fee provided under Subsection

92 (2)(a)(i)(A)~~[-]; and~~

93 (ii) beginning on ~~§~~ → [July 1, 2011] January 1, 2012 ← ~~§~~ , and for the issuance of a support
93a special group license

94 plate authorized in Section 41-1a-422, at least ~~§~~ → [1,000] 500 ← ~~§~~ completed applications for the
94a new type of

95 support special group license plate to be issued with all fees required under this part for the

96 support special group license plate issuance paid by each applicant.

97 (b) (i) ~~H~~ → Beginning on ~~§~~ → [July 1, 2011] January 1, 2012 ← ~~§~~ , each participating
97a1 organization shall collect and
97a hold applications for support special group license plates authorized in Section 41-1a-422 on or
97b after ~~§~~ → [July 1, 2011] January 1, 2012 ← ~~§~~ , until it has received at least ~~§~~ → [1,000] 500 ← ~~§~~
97c1 applications.

97c (ii) Once a participating organization has received at least ~~§~~ → [1,000] 500 ← ~~§~~
97c2 applications, it shall
97d submit the applications, along with the necessary fees, to the division for the division to begin
97e working on the design and issuance of the new type of support special group license plate to be
97f issued.

97g (iii) ← ~~H~~ Beginning on ~~§~~ → [July 1, 2011] January 1, 2012 ← ~~§~~ , the division may not work
97h on the issuance or design
98 of a new support special group license plate authorized in Section 41-1a-422 until the
99 applications and fees required under ~~H~~ → [Subsection (2)(a)(ii)] this Subsection (2) ← ~~H~~ have
99a been received by the division.

100 ~~H~~ → [(††)] (iv) ← ~~H~~ The division shall begin issuance of a new support special group license
100a plate
101 authorized in Section 41-1a-422 on or after ~~§~~ → [July 1, 2011] January 1, 2012 ← ~~§~~ , no later than
101a six months after
102 receiving the applications and fees required under ~~H~~ → [Subsection (2)(a)(ii)]
102a this Subsection (2) ← ~~H~~ .

103 ~~[(†)]~~ (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle

104 registration of a motor vehicle that has been issued a firefighter recognition special group

105 license plate unless the applicant is a contributor as defined in Subsection

106 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

107 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
108 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle
109 registration shall:

110 (A) be a contributor to the Firefighter Support Restricted Account as required under
111 Subsection (2)(b)(i); or

112 (B) replace the firefighter recognition special group license plate with a new license
113 plate.

114 ~~[(3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal
115 Revenue Code Section 501(c)(3) may request the commission to authorize a new type of
116 special group license plate for the sponsoring organization. The sponsoring organization
117 shall:]~~

118 ~~[(i) collect a minimum of 200 applications; and]~~

119 ~~[(ii) pay a start-up fee established under Section 63J-1-504 for production and
120 administrative costs for providing the new type of special group license plates.]~~

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

123 ~~[(i) design a license plate in accordance with Section 41-1a-419; and]~~

124 ~~[(ii) issue the new type of special group license plates.]~~

125 (3) (a) Beginning on July 1, 2011, if a support special group license plate type
 126 authorized in Section 41-1a-422 and issued prior to ~~§~~ → [July 1, 2011] January 1, 2012 ← ~~§~~ , has
 126a less than 500 license
 127 plates issued ~~§~~ → each year ← ~~§~~ for a three consecutive year time period that begins on July 1, the
 127a division may
 128 not issue that type of support special group license plate to a new applicant beginning on
 129 January 1 of the following calendar year after the three consecutive year period for which that
 130 type of support special group license plate has less than 500 license plates issued
 130a ~~§~~ → each year ← ~~§~~ .

131 (b) If the division is required to stop the issuance of a type of support special group
 132 license plate authorized in Section 41-1a-422 under this Subsection (3), the division shall
 133 report to the Transportation Interim Committee that the division will stop the issuance on or
 134 before the November interim meeting of the year in which the commission determines to stop
 135 the issuance of that type of support special group license plate.

136 (4) (a) Beginning on July 1, 2011, if a support special group license plate type
 137 authorized in Section ~~§~~ → [41-1a-122] 41-1a-422 ← ~~§~~ and issued on or after ~~§~~ → [July 1, 2011]
 137a1 January 1, 2012 ← ~~§~~ , has less
 137a than ~~§~~ → [1,000] 500 ← ~~§~~ license
 138 plates issued ~~§~~ → each year ← ~~§~~ for a three consecutive year time period that begins on July 1, the
 138a division may
 139 not issue that type of support special group license plate to a new applicant beginning on
 140 January 1 of the following calendar year after the three consecutive year time period for which
 141 that type of support special group license plate has less than ~~§~~ → [1,000] 500 ← ~~§~~ license plates
 141a1 issued ~~§~~ → each
 141a year ← ~~§~~ .

142 (b) If the division is required to stop the issuance of a type of support special group
 143 license plate authorized in Section 41-1a-422 under this Subsection (4), the division shall
 144 report to the Transportation Interim Committee that the division will stop the issuance on or
 145 before the November interim meeting of the year in which the commission determines to stop
 146 the issuance of that type of support special group license plate.

147 **Section 2. Effective date.**

148 This bill takes effect on July 1, 2011.

Legislative Review Note
as of 1-3-11 2:05 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 206, 2011 General Session

SHORT TITLE: Special Group License Plate Amendments

SPONSOR: Harper, W.

STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

By limiting the issuance of special group license plates, enactment of this bill could decrease ongoing revenue to the Transportation Fund by \$400 and ongoing Dedicated Credits revenue of \$1,700. The Dedicated Credits revenue is used to cover the costs of producing plates.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue:			
Transportation Fund	\$0	(\$400)	(\$400)
Dedicated Credits	\$0	(\$1,700)	(\$1,700)
Total Revenue	\$0	(\$2,100)	(\$2,100)
Expenditure:			
Dedicated Credits	\$0	(\$1,700)	(\$1,700)
Total Expenditure	\$0	(\$1,700)	(\$1,700)
Net Impact, All Funds (Rev.-Exp.)	\$0	(\$400)	(\$400)
Net Impact, General/Education Funds	\$0	\$0	\$0

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

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

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.