

VETERAN LICENSE PLATES AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: Paul Ray

LONG TITLE

General Description:

This bill provides for a special group license plate for a veteran of a campaign or combat theater.

Highlighted Provisions:

This bill:

- ▶ allows for a combat veteran who is not disabled to display a license plate indicating the campaign or theater the veteran served in.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-418, as last amended by Laws of Utah 2014, Chapter 37

41-1a-421, as last amended by Laws of Utah 2013, Chapter 214

71-8-2, as last amended by Laws of Utah 2013, Chapter 214

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

30 categories listed as follows:

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

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

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

34 (ii) former prisoner of war;

35 (iii) recipient of a Purple Heart;

36 (iv) disabled veteran; [~~or~~]

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

38 (vi) recipient of a campaign or combat theater award determined by the Department of

39 Veterans' and Military Affairs;

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

42 (i) a special interest vehicle;

43 (ii) a vintage vehicle;

44 (iii) a farm truck; or

45 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
46 defined in Section 59-13-102; or

47 (B) beginning on the effective date of rules made by the Department of Transportation
48 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
49 powered by clean fuel that meets the standards established by the Department of Transportation
50 in rules authorized under Subsection 41-6a-702(5)(b);

51 (d) recognition special group license plates, which plates are issued for:

52 (i) a current member of the Legislature;

53 (ii) a current member of the United States Congress;

54 (iii) a current member of the National Guard;

55 (iv) a licensed amateur radio operator;

56 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;

57 (vi) an emergency medical technician;

- 58 (vii) a current member of a search and rescue team;
- 59 (viii) a current honorary consulate designated by the United States Department of
60 State; or
- 61 (ix) an individual that wants to recognize and honor American freedoms and values
62 through an In God We Trust license plate;
- 63 (e) support special group license plates, as for a contributor to an institution or cause,
64 which plates are issued for a contributor to:
 - 65 (i) an institution's scholastic scholarship fund;
 - 66 (ii) the Division of Wildlife Resources;
 - 67 (iii) the Department of Veterans' and Military Affairs;
 - 68 (iv) the Division of Parks and Recreation;
 - 69 (v) the Department of Agriculture and Food;
 - 70 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
 - 71 (vii) the Boy Scouts of America;
 - 72 (viii) spay and neuter programs through No More Homeless Pets in Utah;
 - 73 (ix) the Boys and Girls Clubs of America;
 - 74 (x) Utah public education;
 - 75 (xi) programs that provide support to organizations that create affordable housing for
76 those in severe need through the Division of Real Estate;
 - 77 (xii) the Department of Public Safety;
 - 78 (xiii) programs that support Zion National Park;
 - 79 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
80 organizations;
 - 81 (xv) programs that promote bicycle operation and safety awareness;
 - 82 (xvi) programs that conduct or support cancer research;
 - 83 (xvii) programs that create or support autism awareness;
 - 84 (xviii) programs that create or support humanitarian service and educational and
85 cultural exchanges;

86 (xix) programs that conduct or support prostate cancer awareness, screening, detection,
87 or prevention;

88 (xx) programs that support and promote adoptions;

89 (xxi) programs that create or support civil rights education and awareness; or

90 (xxii) programs that support issues affecting women and children through an
91 organization affiliated with a national professional men's basketball organization.

92 (2) (a) The division may not issue a new type of special group license plate or decal
93 unless the division receives:

94 (i) (A) a private donation for the start-up fee established under Section 63J-1-504 for
95 the production and administrative costs of providing the new special group license plates or
96 decals; or

97 (B) a legislative appropriation for the start-up fee provided under Subsection
98 (2)(a)(i)(A); and

99 (ii) beginning on January 1, 2012, and for the issuance of a support special group
100 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new
101 type of support special group license plate or decal to be issued with all fees required under this
102 part for the support special group license plate and decal issuance paid by each applicant.

103 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
104 hold applications for support special group license plates or decals authorized in Section
105 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

106 (ii) Once a participating organization has received at least 500 applications, it shall
107 submit the applications, along with the necessary fees, to the division for the division to begin
108 working on the design and issuance of the new type of support special group license plate or
109 decal to be issued.

110 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design
111 of a new support special group license plate or decal authorized in Section 41-1a-422 until the
112 applications and fees required under this Subsection (2) have been received by the division.

113 (iv) The division shall begin issuance of a new support special group license plate or

114 decal authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months
115 after receiving the applications and fees required under this Subsection (2).

116 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
117 registration of a motor vehicle that has been issued a firefighter recognition special group
118 license plate unless the applicant is a contributor as defined in Subsection
119 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

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

123 (A) be a contributor to the Firefighter Support Restricted Account as required under
124 Subsection (2)(c)(i); or

125 (B) replace the firefighter recognition special group license plate with a new license
126 plate.

127 (3) (a) Beginning on July 1, 2011, if a support special group license plate or decal type
128 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
129 license plates issued each year for a three consecutive year time period that begins on July 1,
130 the division may not issue that type of support special group license plate or decal to a new
131 applicant beginning on January 1 of the following calendar year after the three consecutive year
132 time period for which that type of support special group license plate or decal has fewer than
133 500 license plates issued each year.

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

139 (4) Beginning on July 1, 2011, the division may not issue to an applicant a unique
140 vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).

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

142 **41-1a-421. Honor special group license plates -- Personal identity requirements.**

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

144 (i) survivor of the Japanese attack on Pearl Harbor license plate;

145 (ii) former prisoner of war license plate;

146 (iii) Purple Heart license plate; ~~or~~

147 (iv) disabled veteran license plate~~[-];~~ or

148 (v) campaign or combat theater award license plate.

149 (b) The vehicle shall be titled in the name of the veteran or the veteran and spouse.

150 (c) Upon the death of the veteran, the surviving spouse may, upon application to the
151 division, retain the special group license plate decal so long as the surviving spouse remains
152 unmarried.

153 (d) The division shall require the surviving spouse to make a sworn statement that the
154 surviving spouse is unmarried before renewing the registration under this section.

155 (2) Proper evidence of a Purple Heart is either:

156 (a) a membership card in the Military Order of the Purple Heart; or

157 (b) an original or certificate in lieu of the applicant's military discharge form, DD-214,
158 issued by the National Personnel Records Center.

159 (3) The Purple Heart license plates shall bear:

160 (a) the words "Purple Heart" at the bottom of the plate;

161 (b) a logo substantially depicting a Purple Heart award; and

162 (c) the letter and number combinations assigned by the division.

163 (4) Proper evidence that a person is a disabled veteran is a written document issued by
164 a military entity certifying that the person is disabled as a result of service in a branch of the
165 United States Military.

166 (5) A disabled veteran seeking a disabled veteran license plate shall request the
167 Department of Veterans' and Military Affairs to provide the verification required under
168 Subsection (4).

169 (6) (a) An applicant for a gold star license plate shall submit written documentation

170 that the applicant is a recipient of a gold star award issued by the United States Secretary of
171 Defense.

172 (b) Written documentation under Subsection (6)(a) may include any of the following:

173 (i) a death certificate;

174 (ii) documentation showing classification of death as listed by the United States
175 Secretary of Defense;

176 (iii) a casualty report;

177 (iv) a telegram from the United States Secretary of Defense or one of the branches of
178 the United States armed forces; or

179 (v) other documentation that verifies the applicant meets the requirements of
180 Subsection (6)(a).

181 (7) An applicant for a campaign or combat theater award special group license plate
182 shall:

183 (a) be a contributor in accordance with Subsections [41-1a-422\(1\)\(a\)\(i\)\(B\)](#) and
184 (1)(a)(ii)(A); and

185 (b) submit a form to the division obtained from the Department of Veterans' and
186 Military Affairs which verifies that the applicant qualifies for the campaign or combat theater
187 award special group license plate requested.

188 (8) Each campaign or combat theater award special group license plate authorized by
189 the Department of Veterans' and Military Affairs shall be considered a new special group
190 license plate and require the payment of the fees associated with newly authorized special
191 group license plates.

192 Section 3. Section **71-8-2** is amended to read:

193 **71-8-2. Department of Veterans' and Military Affairs created -- Appointment of**
194 **executive director -- Department responsibilities.**

195 (1) There is created the Department of Veterans' and Military Affairs.

196 (2) The governor shall appoint an executive director for the department, after
197 consultation with the Veterans' Advisory Council, who is subject to Senate confirmation.

- 198 (a) The executive director shall be a veteran.
- 199 (b) Any veteran or veteran's group may submit names to the council for consideration.
- 200 (3) The department shall:
- 201 (a) conduct and supervise all veteran activities as provided in this title; [~~and~~]
- 202 (b) determine which campaign or combat theater awards are eligible for a special group
- 203 license plate in accordance with Section [41-1a-418](#);
- 204 (c) verify that an applicant for a campaign or combat theater award special group
- 205 license plate is qualified to receive it;
- 206 (d) provide an applicant that qualifies a form indicating the campaign or combat theater
- 207 award special group license plate for which the applicant qualifies; and
- 208 [~~(b)~~] (e) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 209 Rulemaking Act, to carry out the provisions of this title.