

HB0481S02

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Transportation Modifications
2026 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Kay J. Christofferson
Senate Sponsor: Wayne A. Harper

General Description:

Highlighted Provisions:

▶

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changes the process for creation of a new special group license plate and eligibility of the sponsor;

- ▶ amends the design and approval process for special group license plates;
- ▶ amends provisions related to the design review board, including duties and membership;
- ▶ amends provisions related to the State Tax Commission's contract with a license plate

designer;

- ▶ requires driver license and identification card designs to be approved by the design review

board;

- ▶ amends certain duties of the Department of Transportation;
- ▶ amends rates related to the road usage charge program;
- ▶ enacts provisions related to privileged information pertaining to rail road safety responsibilities and coordination;
- ▶ provides flexibility in distribution frequency of class B and class C road funding;
- ▶ directs local corridor preservation funds to go directly to the relevant local government instead of passing through the Transportation Fund;
- ▶ modifies certain uses for local corridor preservation funds; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

10-20-305 , as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 15

17-79-306 , as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 14

41-1a-102 , as last amended by Laws of Utah 2025, Chapter 285

41-1a-402 , as last amended by Laws of Utah 2025, Chapter 279

41-1a-403 , as last amended by Laws of Utah 2024, Chapter 251

41-1a-418 , as last amended by Laws of Utah 2025, Chapter 247

41-1a-419 , as last amended by Laws of Utah 2025, Chapter 247

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41-1a-1211 , as last amended by Laws of Utah 2024, Chapter 251

41-1a-1601 , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

41-1a-1603 , as last amended by Laws of Utah 2025, Chapter 247

41-1a-1604 , as last amended by Laws of Utah 2024, Chapter 251

41-1a-1605 , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

41-1a-1606 , as last amended by Laws of Utah 2025, Chapter 247

41-1a-1608 , as last amended by Laws of Utah 2025, Chapter 247

41-6a-702 , as last amended by Laws of Utah 2020, Chapter 74

53-3-207 , as last amended by Laws of Utah 2025, First Special Session, Chapter 9

53-3-805 , as last amended by Laws of Utah 2025, Chapter 471

72-1-201 , as last amended by Laws of Utah 2025, Chapters 393, 452

72-1-213.1 , as last amended by Laws of Utah 2025, Chapter 452

72-2-107 , as last amended by Laws of Utah 2023, Chapter 22

72-2-117.5 , as last amended by Laws of Utah 2025, Chapter 373

ENACTS:

41-1a-1611 , Utah Code Annotated 1953

41-1a-1612 , Utah Code Annotated 1953

72-1-219 , Utah Code Annotated 1953

REPEALS:

41-1a-123 , as enacted by Laws of Utah 2023, Chapter 212

72-6-121 , as last amended by Laws of Utah 2024, Chapter 517

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

Section 1. Section **10-20-305** is amended to read:

10-20-305. State and federal property.

(1) As used in this section:

(a) "Commuter rail" means the same as that term is defined in Section 63N-3-602.

(b)

(i) "Commuter rail facility" means a parking facility or maintenance facility related to commuter rail.

(ii) "Commuter rail facility" does not include the rail or a station platform.

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- (2) Unless otherwise provided by law, nothing contained in this chapter or Chapter 21, Municipalities and Housing Supply, may be construed as giving a municipality jurisdiction over:
- (a) real property or an interest in real property owned by the state or the United States[-] ; or
- (b) except as provided by Subsection (3), {over} other real property necessary for the construction of a commuter rail project for which the Department of Transportation has oversight and supervision.
- (3) Upon completion of a commuter rail project described in Subsection (2), including any performance of work related to warranties and latent defects, a municipality retains the jurisdiction and land use authority provided by law over the completed commuter rail facilities.

Section 2. Section **17-79-306** is amended to read:

17-79-306. State and federal property.

(1) As used in this section:

(a) "Commuter rail" means the same as that term is defined in Section 63N-3-602.

(b)

(i) "Commuter rail facility" means a parking facility or maintenance facility related to commuter rail.

(ii) "Commuter rail facility" does not include the rail or a station platform.

(2) Unless otherwise provided by law, nothing contained in this chapter or Chapter 80, Counties and Housing Supply, may be construed as giving a county jurisdiction over:

(a) real property or an interest in real property owned by the state or the United States[-] ; or

(b) except as provided by Subsection (3), {over} other real property necessary for the construction of a commuter rail project for which the Department of Transportation has oversight and supervision.

(3) Upon completion of a commuter rail project described in Subsection (2), including any performance of work related to warranties and latent defects, a county retains the jurisdiction and land use authority provided by law over the completed commuter rail facilities.

Section 3. Section **41-1a-102** is amended to read:

41-1a-102. Definitions.

As used in this chapter:

- (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
- (2) "Actual weight" means the actual unladen weight of a vehicle or combination of vehicles as operated and certified to by a weighmaster.
- (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.
- (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

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- 118 (5) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.
- 119 (6) "Alternative fuel vehicle" means:
- 120 (a) an electric motor vehicle;
- 121 (b) a hybrid electric motor vehicle;
- 122 (c) a plug-in hybrid electric motor vehicle; or
- 123 (d) a motor vehicle powered exclusively by a fuel other than:
- 124 (i) motor fuel;
- 125 (ii) diesel fuel;
- 126 (iii) natural gas; or
- 127 (iv) propane.
- 128 (7) "Amateur radio operator" means a person licensed by the Federal Communications Commission to
engage in private and experimental two-way radio operation on the amateur band radio frequencies.
- 131 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
- 132 (9) "Automated driving system" means the same as that term is defined in Section 41-26-102.1.
- 134 (10) "Branded title" means a title certificate that is labeled:
- 135 (a) rebuilt and restored to operation;
- 136 (b) flooded and restored to operation; or
- 137 (c) not restored to operation.
- 138 (11) "Camper" means a structure designed, used, and maintained primarily to be mounted on or affixed
to a motor vehicle that contains a floor and is designed to provide a mobile dwelling, sleeping place,
commercial space, or facilities for human habitation or for camping.
- 142 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of ownership
between an identified owner and the described vehicle, vessel, or outboard motor.
- 145 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a weighmaster.
- 147 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained for the
transportation of persons or property that operates:
- 149 (a) as a carrier for hire, compensation, or profit; or
- 150 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the owner's
commercial enterprise.
- 152 (15) "Commission" means the State Tax Commission.
- 153 (16) "Consumer price index" means the same as that term is defined in Section 59-13-102.

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- 154 (17) "Dealer" means a person engaged or licensed to engage in the business of buying, selling, or
exchanging new or used vehicles, vessels, or outboard motors either outright or on conditional sale,
bailment, lease, chattel mortgage, or otherwise or who has an established place of business for the
sale, lease, trade, or display of vehicles, vessels, or outboard motors.
- 159 (18) "Design review board" means the design review board created in Section 41-1a-1611.
- 160 [(18)] (19) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 161 [(19)] (20) "Division" means the Motor Vehicle Division of the commission, created in Section
41-1a-106.
- 163 [(20)] (21) "Dynamic driving task" means the same as that term is defined in Section 41-26-102.1.
- 165 [(21)] (22) "Electric motor vehicle" means a motor vehicle that is powered solely by an electric motor
drawing current from a rechargeable energy storage system.
- 167 [(22)] (23) "Essential parts" means the integral and body parts of a vehicle of a type required to be
registered in this state, the removal, alteration, or substitution of which would tend to conceal
the identity of the vehicle or substantially alter the vehicle's appearance, model, type, or mode of
operation.
- 171 [(23)] (24) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for
drawing plows, mowing machines, and other implements of husbandry.
- 173 [(24)] (25)
- (a) "Farm truck" means a truck used by the owner or operator of a farm solely for the owner's or
operator's own use in the transportation of:
- 175 (i) farm products, including livestock and its products, poultry and its products, floricultural and
horticultural products;
- 177 (ii) farm supplies, including tile, fence, and any other thing or commodity used in agricultural,
floricultural, horticultural, livestock, and poultry production; and
- 179 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or other purposes
connected with the operation of a farm.
- 181 (b) "Farm truck" does not include the operation of trucks by commercial processors of agricultural
products.
- 183 [(25)] (26) "Fleet" means:
- 184 (a) one or more commercial vehicles; or
- 185 (b) for purposes of Section 41-1a-215, one or more personal vehicles.

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- 186 [(26)] (27) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this state
from another state, territory, or country other than in the ordinary course of business by or through a
manufacturer or dealer, and not registered in this state.
- 189 [(27)] (28) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles,
equipped for operation, to which shall be added the maximum load to be carried.
- 192 [(28)] (29) "Highway" or "street" means the entire width between property lines of every way or place
of whatever nature when any part of it is open to the public, as a matter of right, for purposes of
vehicular traffic.
- 195 [(29)] (30) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy from
onboard sources of stored energy that are both:
- 197 (a) an internal combustion engine or heat engine using consumable fuel; and
- 198 (b) a rechargeable energy storage system where energy for the storage system comes solely from
sources onboard the vehicle.
- 200 [(30)] (31)
- 203 (a) "Identification number" means the identifying number assigned by the manufacturer or by the
division for the purpose of identifying the vehicle, vessel, or outboard motor.
- 205 (b) "Identification number" includes a vehicle identification number, state assigned identification
number, hull identification number, and motor serial number.
- 208 [(31)] (32) "Implement of husbandry" means a vehicle designed or adapted and used exclusively for an
agricultural operation and only incidentally operated or moved upon the highways.
- 210 [(32)] (33)
- 213 (a) "In-state miles" means the total number of miles operated in this state during the preceding year by
fleet power units.
- 215 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the total number of
miles that those vehicles were towed on Utah highways during the preceding year.
- 217 [(33)] (34) "Interstate vehicle" means a commercial vehicle operated in more than one state, province,
territory, or possession of the United States or foreign country.
- 218 [(34)] (35) "Jurisdiction" means a state, district, province, political subdivision, territory, or possession
of the United States or any foreign country.
- 218 [(35)] (36) "Lienholder" means a person with a security interest in particular property.

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[(36)] (37) "Manufactured home" means a transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

226 [(37)] (38) "Manufacturer" means a person engaged in the business of constructing, manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or outboard motors for the purpose of sale or trade.

229 [(38)] (39) "Military vehicle" means a vehicle of any size or weight that was manufactured for use by armed forces and that is maintained in a condition that represents the vehicle's military design and markings regardless of current ownership or use.

232 [(39)] (40) "Mobile home" means a transportable factory built housing unit built [~~prior to~~] before June 15, 1976, in accordance with a state mobile home code which existed [~~prior to~~] before the Federal Manufactured Housing and Safety Standards Act (HUD Code).

235 [(40)] (41) "Motor fuel" means the same as that term is defined in Section 59-13-102.

236 [(41)] (42)

(a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and operation on the highways.

238 (b) "Motor vehicle" includes a roadable aircraft and a street-legal all-terrain vehicle.

239 (c) "Motor vehicle" does not include:

240 (i) an off-highway vehicle; or

241 (ii) a motor assisted scooter as defined in Section 41-6a-102.

242 [(42)] (43) "Motorboat" means the same as that term is defined in Section 73-18c-102.

243 [(43)] (44) "Motorcycle" means:

244 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground; or

246 (b) an auticycle.

247 [(44)] (45) "Natural gas" means a fuel of which the primary constituent is methane.

248 [(45)] (46)

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(a) "Nonresident" means a person who is not a resident of this state as defined by Section 41-1a-202, and who does not engage in intrastate business within this state and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.

(b) A person who engages in intrastate business within this state and operates in that business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in interstate commerce, maintains a vehicle in this state as the home station of that vehicle is considered a resident of this state, insofar as that vehicle is concerned in administering this chapter.

~~[(46)]~~ (47) "Odometer" means a device for measuring and recording the actual distance a vehicle travels while in operation, but does not include any auxiliary odometer designed to be periodically reset.

~~[(47)]~~ (48) "Off-highway implement of husbandry" means the same as that term is defined in Section 41-22-2.

~~[(48)]~~ (49) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

~~[(49)]~~ (50)

(a) "Operate" means:

(i) to navigate a vessel; or

(ii) collectively, the activities performed in order to perform the entire dynamic driving task for a given motor vehicle by:

(A) a human driver as defined in Section 41-26-102.1; or

(B) an engaged automated driving system.

(b) "Operate" includes testing of an automated driving system.

~~[(50)]~~ (51) "Original issue license plate" means a license plate that is of a format and type issued by the state in the same year as the model year of a vehicle that is a model year 1973 or older.

~~[(51)]~~ (52) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel supply, used to propel a vessel.

~~[(52)]~~ (53)

(a) "Owner" means a person, other than a lienholder, holding title to a vehicle, vessel, or outboard motor whether ~~[or not]~~ the vehicle, vessel, or outboard motor is subject to a security interest.

(b) If a vehicle is the subject of an agreement for the conditional sale or installment sale or mortgage of the vehicle with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or mortgagor, or if the

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vehicle is the subject of a security agreement, then the conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this chapter.

(c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner until the lessee exercises the lessee's option to purchase the vehicle.

~~[(53)]~~ (54) "Park model recreational vehicle" means a unit that:

(a) is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;

(b) is not permanently affixed to real property for use as a permanent dwelling;

(c) requires a special highway movement permit for transit; and

(d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode.

~~[(54)]~~ (55) "Personal vehicle" means a vehicle that is not a commercial vehicle.

~~[(55)]~~ (56) "Personalized license plate" means a license plate that has displayed on it a combination of letters, numbers, or both as requested by the owner of the vehicle and assigned to the vehicle by the division.

~~[(56)]~~ (57)

(a) "Pickup truck" means a two-axle motor vehicle with motive power manufactured, remanufactured, or materially altered to provide an open cargo area.

(b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a camper, camper shell, tarp, removable top, or similar structure.

~~[(57)]~~ (58) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle that has the capability to charge the battery or batteries used for vehicle propulsion from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the vehicle while the vehicle is in motion.

~~[(58)]~~ (59) "Pneumatic tire" means a tire in which compressed air is designed to support the load.

~~[(59)]~~ (60) "Preceding year" means a period of 12 consecutive months fixed by the division that is within 16 months immediately preceding the commencement of the registration or license year in which proportional registration is sought. The division in fixing the period shall conform it to the terms, conditions, and requirements of any applicable agreement or arrangement for the proportional registration of vehicles.

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[(60)] (61) "Public garage" means a building or other place where vehicles or vessels are kept and stored and where a charge is made for the storage and keeping of vehicles and vessels.

315 [(61)] (62) "Receipt of surrender of ownership documents" means the receipt of surrender of ownership documents described in Section 41-1a-503.

317 [(62)] (63) "Reconstructed vehicle" means a vehicle of a type required to be registered in this state that is materially altered from its original construction by the removal, addition, or substitution of essential parts, new or used.

320 [(63)] (64) "Recreational vehicle" means the same as that term is defined in Section 13-14-102.

322 [(64)] (65) "Registration" means a document issued by a jurisdiction that allows operation of a vehicle or vessel on the highways or waters of this state for the time period for which the registration is valid and that is evidence of compliance with the registration requirements of the jurisdiction.

326 [(65)] (66) "Registration decal" means the decal issued by the division that is evidence of compliance with the division's registration requirements.

328 [(66)] (67)

(a) "Registration year" means a 12 consecutive month period commencing with the completion of the applicable registration criteria.

330 (b) For administration of a multistate agreement for proportional registration the division may prescribe a different 12-month period.

332 [(67)] (68) "Repair or replacement" means the restoration of vehicles, vessels, or outboard motors to a sound working condition by substituting any inoperative part of the vehicle, vessel, or outboard motor, or by correcting the inoperative part.

335 [(68)] (69) "Replica vehicle" means:

336 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

337 (b) a custom vehicle that meets the requirements under Subsection 41-6a-1507(1)(a)(i)(B).

339 (70) "Required contribution" means the same as that term is defined in Section 41-1a-1601.

340 [(69)] (71) "Restored-modified vehicle" means a motor vehicle that has been restored and modified with modern parts and technology, including emission control technology and an on-board diagnostic system.

343 [(70)] (72) "Road tractor" means a motor vehicle designed and used for drawing other vehicles and constructed so it does not carry any load either independently or any part of the weight of a vehicle or load that is drawn.

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- 346 ~~[(71)]~~ (73) "Roadable aircraft" means the same as that term is defined in Section 72-10-102.
- 347 ~~[(72)]~~ (74) "Sailboat" means the same as that term is defined in Section 73-18-2.
- 348 ~~[(73)]~~ (75) "Security interest" means an interest that is reserved or created by a security agreement to
secure the payment or performance of an obligation and that is valid against third parties.
- 351 ~~[(74)]~~ (76) "Semitrailer" means the same as the term "trailer."
- 352 ~~[(75)]~~ (77) "Special group license plate" means a type of license plate designed for a particular group of
people or a license plate authorized and issued by the division in accordance with Section 41-1a-418
or Part 16, Sponsored Special Group License Plates.
- 355 (78) "Special group symbol" means the unique symbol that is designed to represent a special group and
displayed on a special group license plate.
- 357 ~~[(76)]~~ (79)
- 359 (a) "Special interest vehicle" means a vehicle used for general transportation purposes and that is:
- 360 (i) 20 years or older from the current year; or
- 362 (ii) a make or model of motor vehicle recognized by the division director as having unique interest
or historic value.
- 364 (b) In making a determination under Subsection ~~[(76)(a)]~~ (79)(a), the division director shall give special
consideration to:
- 365 (i) a make of motor vehicle that is no longer manufactured;
- 366 (ii) a make or model of motor vehicle produced in limited or token quantities;
- 368 (iii) a make or model of motor vehicle produced as an experimental vehicle or one designed exclusively
for educational purposes or museum display; or
- 372 (iv) a motor vehicle of any age or make that has not been substantially altered or modified from original
specifications of the manufacturer and because of its significance is being collected, preserved,
restored, maintained, or operated by a collector or hobbyist as a leisure pursuit.
- 373 ~~[(77)]~~ (80)
- 374 (a) "Special mobile equipment" means a vehicle:
- 375 (i) not designed or used primarily for the transportation of persons or property;
- 376 (ii) not designed to operate in traffic; and
- 377 (iii) only incidentally operated or moved over the highways.
- 378 (b) "Special mobile equipment" includes:
- 379 (i) farm tractors;

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- 378 (ii) off-road motorized construction or maintenance equipment including backhoes, bulldozers,
compactors, graders, loaders, road rollers, tractors, and trenchers; and
- 380 (iii) ditch-digging apparatus.
- 381 (c) "Special mobile equipment" does not include a commercial vehicle as defined under Section
72-9-102.
- 383 ~~[(78)]~~ (81) "Specially constructed vehicle" means a vehicle of a type required to be registered in this
state, not originally constructed under a distinctive name, make, model, or type by a generally
recognized manufacturer of vehicles, and not materially altered from its original construction.
- 387 ~~[(79)]~~ (82)
- (a) "Standard license plate" means a license plate for general issue described in Subsection
41-1a-402(1).
- 389 (b) "Standard license plate" includes a license plate for general issue that the division issues before
January 1, 2024.
- 391 ~~[(80)]~~ (83) "State impound yard" means a yard for the storage of a vehicle, vessel, or outboard
motor that meets the requirements of rules made by the commission as described in Subsection
41-1a-1101(7).
- 394 ~~[(81)]~~ (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that term is
defined in Section 41-6a-102.
- 396 ~~[(82) "Symbol decal" means the decal that is designed to represent a special group and displayed on a
special group license plate.]~~
- 398 ~~[(83)]~~ (85) "Title" means the right to or ownership of a vehicle, vessel, or outboard motor.
- 399 ~~[(84)]~~ (86)
- (a) "Total fleet miles" means the total number of miles operated in all jurisdictions during the preceding
year by power units.
- 401 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the number of
miles that those vehicles were towed on the highways of all jurisdictions during the preceding year.
- 404 ~~[(85)]~~ (87) "Tow truck motor carrier" means the same as that term is defined in Section 72-9-102.
- 406 ~~[(86)]~~ (88) "Tow truck operator" means the same as that term is defined in Section 72-9-102.
- 407 ~~[(87)]~~ (89) "Trailer" means a vehicle:
- 408 (a) without motive power; and
- 409 (b) designed for:

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(i) carrying persons or property; and

(ii) being drawn by a motor vehicle.

~~[(88)]~~ (90) "Transferee" means a person to whom the ownership of property is conveyed by sale, gift, or any other means except by the creation of a security interest.

~~[(89)]~~ (91) "Transferor" means a person who transfers the person's ownership in property by sale, gift, or any other means except by creation of a security interest.

~~[(90)]~~ (92) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

~~[(91)]~~ (93) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load that is drawn.

~~[(92)]~~ (94) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper, park model recreational vehicle, manufactured home, and mobile home.

~~[(93)]~~ (95) "Vessel" means the same as that term is defined in Section 73-18-2.

~~[(94)]~~ (96) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.

~~[(95)]~~ (97) "Waters of this state" means the same as that term is defined in Section 73-18-2.

~~[(96)]~~ (98) "Weighmaster" means a person, association of persons, or corporation permitted to weigh vehicles under this chapter.

Section 4. Section 41-1a-402 is amended to read:

41-1a-402. Standard license plates -- Required colors, numerals, and letters -- Expiration.

(1)

(a) Upon registering a vehicle, the division shall issue to the owner a standard license plate described in Subsection (1)(b) unless the division issues to the owner:

(i) a special group license plate in accordance with Section 41-1a-418; or

(ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.

(b) The division may offer up to four standard license plate options at one time, each with a different design as follows:

(i) two designs that incorporate one or more elements that represent the state's economy or geography;

(ii) one design that represents the state's values or culture; and

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(iii) one design that commemorates a current event relevant to the state or a significant anniversary of a historic event relevant to the state.

(c) The division shall offer:

(i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and

(ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.

(d) The division may not offer more than four standard license plate designs at any one time.

~~[(2) Before the division may offer a design described in Subsection (1)(b), the division shall:]~~

~~[(a) consult with the Utah Department of Cultural and Community Engagement regarding the proposed design;]~~

~~[(b) identify which current standard license plate design will be replaced by the proposed design; and]~~

~~[(c) submit the proposed design to the commission.]~~

~~[(3)~~

~~(a) If the commission receives a submission for a proposed design of a standard license plate as described in Subsection (2)(c), or a sponsored special group license plate as described in Section 41-1a-419 and Part 16, Sponsored Special Group License Plates, the commission shall notify:]~~

~~[(i) the governor;]~~

~~[(ii) the speaker of the House of Representatives; and]~~

~~[(iii) the president of the Senate.]~~

~~[(b) After receiving a notification described in Subsection (3)(a):]~~

~~[(i) the governor shall appoint an individual to the license plate design review board described in Subsection (3)(c);]~~

~~[(ii) the speaker of the House of Representatives shall appoint a member of the House of Representatives to the license plate design review board described in Subsection (3)(c); and]~~

~~[(iii) the president of the Senate shall appoint a member of the Senate to the license plate design review board described in Subsection (3)(c).]~~

~~[(c)~~

~~(i) The license plate design review board, comprised of the members appointed as described in Subsection (3)(b), shall review proposed license plate designs.]~~

~~[(ii) The member of the license plate design review board appointed by the governor shall serve as chair and convene the license plate design review board.]~~

~~[(iii) The license plate design review board shall:]~~

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- 476 ~~[(A) review each proposed license plate design; and]~~
477 ~~[(B) vote whether to approve or reject the proposed license plate design.]~~
478 ~~[(iv) If all three members of the license plate design review board are not present, the license plate design review board may not consider or vote on a proposed license plate design.]~~
481 ~~[(v) The license plate design review board shall notify the commission and the division regarding the results of the vote to approve each proposed license plate design.]~~
484 ~~[(d) The license plate design review board is not subject to Title 52, Chapter 4, Open and Public Meetings Act.]~~
486 ~~[(e) If the license plate design review board approves a proposed license plate design, the division may begin the processes necessary for production and distribution of the license plate.]~~
489 ~~(2)~~
(a) The Governor's Office of Economic Opportunity may:
490 (i) propose a design change to a standard license plate described in Subsection (1)(b); or
492 (ii) accept a proposal from the public to change the design of a standard license plate described in Subsection (1)(b).
494 (b) As part of the proposal to change a standard license plate, the Governor's Office of Economic Opportunity shall determine which license plate a proposed design change would replace.
497 (3) The Governor's Office of Economic Opportunity shall submit the proposal described in Subsection (2) to the design review board.
499 (4) If the design review board receives a proposal as described in Subsection (3), the design review board shall:
501 (a) consult with the designer regarding compliance with license plate design and format standards described in Section 41-1a-1612;
503 (b) vote whether to approve or reject the proposed license plate design; and
504 (c) notify the commission and the division regarding the results of the vote to approve or reject the proposed license plate design.
506 ~~[(4)] (5)~~
(a) Except as provided in Subsection [(4)(b)] (5)(b), the division may not order or produce a standard license plate that is discontinued under this section.
508 (b) The division may issue a discontinued standard license plate until the division exhausts the discontinued standard license plate's remaining stock.

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- 510 ~~[(5)] (6)~~
- (a) Each license plate shall have displayed on it:
- 511 (i) the registration number assigned to the vehicle for which the license plate is issued;
- 512 (ii) the name of the state; and
- 513 (iii) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing the date of
expiration displayed in accordance with Subsection ~~[(8)] (9)~~.
- 515 (b) ~~[No later than July 1, 2025, each]~~ A license plate:
- 516 (i) shall have an embossed edge around the perimeter of the plate; and
- 517 (ii) may not have embossed registration numbers or characters.
- 518 ~~[(6)] (7)~~ If registration is extended by affixing a registration decal to the license plate, the expiration
date of the registration decal governs the expiration date of the license plate.
- 520 ~~[(7)] (8)~~
- (a)
- (i) Except as provided under Subsection ~~[(7)(b)] (8)(c)~~, Subsection 41-1a-215(2), Subsection
41-1a-215.5(2), and Section 41-1a-216, a license plate shall be renewed annually.
- 523 (ii)
- (A) The division shall issue the vehicle owner a month registration decal and a year registration decal
upon the vehicle's first registration with the division.
- 525 (B) The division shall issue the vehicle owner only a year registration decal upon subsequent renewals
of registration to validate registration renewal.
- 527 (b) ~~[Beginning on January 1, 2025, the]~~ The division shall issue one registration decal displaying both
the month and year.
- 529 (c) For a vehicle registered for a 24-month period as provided in Section 41-1a-215.5, the division may
issue two 12-month decals for the 24-month registration period.
- 531 ~~[(8)] (9)~~
- (a) Except as otherwise provided in Subsection ~~[(8)(b)] (9)(b)~~ and by rule:
- 532 (i) the month registration decal issued in accordance with Subsection ~~[(7)] (8)~~ shall be displayed on
the license plate in the left position; and
- 534 (ii) the year registration decal issued in accordance with Subsection ~~[(7)] (8)~~ shall be displayed on
the license plate in the right position.
- 536

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(b) ~~[Beginning on January 1, 2025, the]~~ The registration decal shall be displayed on the upper right position.

~~[(9)]~~ (10) The current year registration decal issued in accordance with Subsection ~~[(7)]~~ (8) shall be placed over or in place of the previous year registration decal.

~~[(10)]~~ (11) If a license plate or registration decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.

~~[(11)]~~ (12)

(a) A violation of this section is an infraction.

(b) A court shall waive a fine for a violation under this section if:

(i) the registration for the vehicle was current at the time of the citation; and

(ii) the person to whom the citation was issued provides, within 21 business days, evidence that the license plate and registration decal are properly displayed in compliance with this section.

~~[(12)]~~ (13) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules regarding the placement and positioning of registration decal on a license plate issued by the division.

Section 5. Section 41-1a-403 is amended to read:

41-1a-403. Plates to be legible from 100 feet -- Damaged plates.

(1) License plates and the required letters and numerals on them, except the registration decal and the slogan, shall be of sufficient size to be plainly readable from a distance of 100 feet during daylight.

(2) An individual may not attach to or over a license plate:

(a) a license plate cover; or

(b) a license plate frame~~[that obscures or blocks the readability of the license plate number or registration decal on a license plate]~~.

(3)

(a) An individual shall ensure that the license plate displayed on the individual's vehicle is in good repair and has not faded, peeled, or discolored in such a manner to render the plate illegible.

(b) Except as provided in Subsection (3)(c), upon payment of the replacement fee described in Subsection 41-1a-1211(6), an individual may request a replacement license plate.

(c)

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(i) If the division determines that the fading, peeling, or discoloration of a license plate is due to a manufacturing defect, the division shall waive the replacement fee described in Subsection 41-1a-1211(6).

(ii) If a license plate that is five years old or older is fading, peeling, or discolored, there is a presumption that the fading, peeling, or discoloring is not due to a manufacturing defect.

(d) Unless an individual applies for a personalized license plate and pays the required fees to obtain a personalized license plate to match the license plate to be replaced as described in this Subsection (3), the division shall issue a replacement license plate with a new and unique license plate number.

~~[(3)]~~ (4) A violation of this section is an infraction.

Section 6. Section 41-1a-418 is amended to read:

41-1a-418. Authorized special group license plates.

(1) In accordance with this chapter, the division shall issue to an eligible applicant a special group license plate in one of the following categories:

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

(b) a special group license plate issued for a:

(i) vintage vehicle;

(ii) farm truck; or

(iii) special group license plate described in Section 41-1a-1602.

(2) The division may not issue a new type of special group license plate~~[-or symbol-decal]~~ unless the division receives:

(a) a private donation for the start-up fee established under Section 63J-1-504 for the production and administrative costs of providing the new special group license plate~~[-or symbol-decal]~~; or

(b) a legislative appropriation for the start-up fee described in Subsection (2)(a).

(3) Notwithstanding other provisions of this chapter, the division may not require a contribution as defined in Section 41-1a-1601 for a special group license plate described in Subsection (1)(a), (1)(b)(i), or (1)(b)(ii).

Section 7. Section 41-1a-419 is amended to read:

41-1a-419. Plate design and review -- Personalized special group license plates --

Rulemaking.

(1)

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(a) In accordance with Subsection (1)(c), and except as provided in Subsection (1)(b), the division shall determine the design and number of numerals or characters on a special group license plate.

(b)

(i) When the division has technology and processes in place to centrally distribute license plates, but no later than July 1, 2025, subject to Subsection (1)(c)(iii), an institution may design a collegiate special group license plate for the institution in accordance with Subsection (1)(c).

(ii) If an institution chooses to design a collegiate special group license plate for the institution, the institution is responsible for any design costs.

(c)

(i) Except as provided in Subsection (1)(c)(ii), each special group license plate shall display:

(A) the word Utah;

(B) the name or identifying slogan of the special group; and

(C) the combination of letters, numbers, or both uniquely identifying the registered vehicle.

(ii) The division, in consultation with the Utah State Historical Society, shall design the historical support special group license plate, which shall:

(A) have a black background;

(B) have white characters; and

(C) display the word Utah.

(iii) The division shall design a classic support special group license plate, which shall:

(A) have a white background;

(B) have black characters; and

(C) display the word Utah.

(iv) The design of a special group license plate is subject to approval by the license plate design review board as described in Subsection 41-1a-402(3).

(2)

(a) The division shall, after consultation with a representative designated by the sponsoring organization as defined in Section 41-1a-1601, specify the word or words comprising the special group name and the ~~[symbol-decal]~~ special group symbol to be displayed upon the special group license plate.

(b) A special group license plate ~~[symbol-decal]~~ special group symbol may not be redesigned:

(i) unless the division receives a redesign fee established by the division under Section 63J-1-504; and

(ii) more frequently than every five years.

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635 ~~[(c) A special group license plate symbol decal may not be reordered unless the division receives a~~
symbol decal reorder fee established by the division in accordance with Section 63J-1-504.]

638 (3) The license plates issued for horseless carriages ~~[prior to]~~ before July 1, 1992, are valid without
renewal as long as the vehicle is owned by the registered owner and the license plates may not be
recalled by the division.

641 (4) A person who meets the requirements described in this part or Part 16, Sponsored Special Group
License Plates, for a special group license plate may, apply for a personalized special group license
plate in accordance with Sections 41-1a-410 and 41-1a-411.

645 (5) Subject to this chapter, the commission shall make rules in accordance with Title 63G, Chapter 3,
Utah Administrative Rulemaking Act, to:

647 (a) establish qualifying criteria for persons to receive, renew, or surrender special group license plates;
and

649 (b) establish the number of numerals or characters for special group license plates.

650 Section 8. Section 41-1a-1211 is amended to read:

651 **41-1a-1211. License plate fees -- Application fees for issuance and renewal of personalized**
and special group license plates -- Replacement fee for license plates -- Postage fees.

654 (1)

(a) Except as provided in Subsections (11), (12), and (13), a license plate fee established in accordance
with Section 63J-1-504 shall be paid to the division for the issuance of any new license plate under
Part 4, License Plates and Registration Indicia.

658 (b) The license plate fee shall be deposited as follows:

659 (i) beginning on January 1, 2025, \$1 from the license plate fees, other than a license plate fee for a
motorcycle or trailer, into the Motor Vehicle Safety Impact Restricted Account created in Section
53-8-214;

662 (ii) \$1 into the Transportation Fund; and

663 (iii) the remainder of the fee charged under Subsection (1)(a) into the License Plate Restricted Account,
as provided in Section 41-1a-1201.

665 (2)

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

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(b) In addition to the fee described in Subsection (2)(a), an applicant for original issuance of a personalized license plate issued under Section 41-1a-410 shall pay a \$25 processing fee.

(c) The fee described in Subsection (2)(b) shall be deposited into the License Plate Restricted Account created in Section 41-1a-122.

(3) Beginning July 1, 2003, a person who applies for a special group license plate shall pay a \$5 fee for the original license plate in addition to the fee required under Subsection (1).

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

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

(6)

(a) The division may charge a fee established under Section 63J-1-504 to recover the costs for the replacement of any license plate issued under Part 4, License Plates and Registration Indicia.

(b) The license plate fee for the replacement of any license plate as described in Subsection (6)(a) shall be deposited as follows:

(i) beginning on January 1, 2025, \$1 from the license plate fees, other than a license plate fee for a motorcycle or trailer, into the Motor Vehicle Safety Impact Restricted Account created in Section 53-8-214;

(ii) \$1 into the Transportation Fund; and

(iii) the remainder of the fee charged under Subsection (6)(a) into the License Plate Restricted Account, as provided in Section 41-1a-1201.

~~[(7)]~~

~~(a) The division may charge a fee established under Section 63J-1-504 to recover the division's costs for the replacement of a symbol decal issued under Section 41-1a-418.]~~

~~[(b) The fee described in Subsection (7)(a) shall be deposited into the License Plate Restricted Account as described in Section 41-1a-1201.]~~

~~[(8)]~~ (7) The division may charge a fee established under Section 63J-1-504 to recover the cost of issuing stickers under Section 41-1a-416.

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~~[(9)]~~ (8) In addition to any other fees required by this section, the division shall assess a fee established under Section 63J-1-504 to cover postage expenses if a new or replacement license plate is mailed to the applicant.

~~[(10)]~~ (9) The fees required under this section are separate from and in addition to registration fees required under Section 41-1a-1206.

~~[(11)]~~ (10)

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

(b) An applicant for a Purple Heart special group license plate issued on or before December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group License Plates, is exempt from the fees under Subsections (1)~~[(3), and (7)]~~ and (3).

~~[(12)]~~ (11) A person is exempt from the fee under Subsection (1) or (6) if the person:

(a) was issued a clean fuel special group license plate in accordance with Section 41-1a-418 ~~[prior to]~~ before the effective date of rules made by the Department of Transportation under Subsection 41-6a-702(5)(b);

(b) beginning on the effective date of rules made by the Department of Transportation authorized under Subsection 41-6a-702(5)(b), is no longer eligible for a clean fuel special group license plate under the rules made by the Department of Transportation; and

(c) upon renewal or reissuance, is required to replace the clean fuel special group license plate with a new license plate.

~~[(13)]~~ (12) An individual is exempt from the license plate fee under Subsection (1) if the individual presents official documentation that the individual is a recipient of the Purple Heart Award in one of the following forms:

(a) official documentation issued by a recognized association representing peace officers who:

(i) receive a salary from a federal, state, county, or municipal government or any other subdivision of the state; and

(ii) work in the state;

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

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

Section 9. Section 41-1a-1601 is amended to read:

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41-1a-1601. Definitions.

As used in this part:

- (1) "Applicant" means a registered owner who submits an application to obtain or renew a sponsored special group license plate in accordance with this part.
- (2)
 - (a) "Charitable purpose" means:
 - (i) relief of the poor, the distressed, or the underprivileged;
 - (ii) advancement of religion;
 - (iii) advancement of education or science;
 - (iv) erecting or maintaining a public building, monument, or work;
 - (v) reducing the burdens of government;
 - (vi) reducing neighborhood tensions;
 - (vii) eliminating prejudice and discrimination;
 - (viii) defending human rights and civil rights secured by law; or
 - (ix) combating community deterioration and juvenile delinquency.
 - (b) "Charitable purpose" does not include providing, encouraging, or paying for the costs of obtaining an abortion.
- (3) "Collegiate special group license plate" means a sponsored special group license plate issued to a contributor to an institution.
- (4) "Contributor" means an applicant who contributes the required contribution to a sponsoring organization for a sponsored special group license plate.
- (5) "Corporate brand sponsored special group license plate" means a sponsored special group license plate with a sponsoring organization that is a private business.
- (6)
 - (a) "Existing special group license plate" means a special group license plate that the division issues before January 1, 2024.
 - (b) "Existing special group license plate" does not include a special group license plate described in Subsection 41-1a-418(1)(a) or (b).
- (7) "Existing state agency recognition special group license plate" means an existing special group license plate issued to a registered owner who:
 - (a) has a special license that supports or furthers a government purpose;

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- (b) has received an honor that supports or furthers a government purpose;
- (c) has achieved an accomplishment that supports or furthers a government purpose; or
- (d) holds an elected office.
- (8) "Institution" means:
- (a) an institution of higher education as defined in Section 53H-1-101; or
- (b) a private postsecondary educational institution as defined in Section 53H-1-101.
- (9) "Major league sport" means the same as that term is defined in Section 11-70-101.
- (10)
- (a) "Private nonprofit organization" means a private nonprofit organization that:
- (i) qualifies as being tax exempt under Section ~~[501(c)(3)]~~ 501 of the Internal Revenue Code; and
- (ii) has a charitable purpose.
- (b) "Private nonprofit organization" does not include an organization that provides, encourages, or pays for the costs of obtaining an abortion.
- (11) "Private nonprofit special group license plate" means a sponsored special group license plate issued to a contributor to a private nonprofit organization.
- ~~[(12) "Required contribution" means:]~~
- ~~[(a) the minimum annual contribution amount established under Subsection 41-1a-1603(4)(a)(iii); or]~~
- ~~[(b) if the sponsoring organization establishes a minimum annual contribution amount in accordance with Subsection 41-1a-1603(4)(b) that is greater than the minimum required contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the amount the sponsoring organization establishes.]~~
- (12) "Required contribution" means a contribution a person is required to pay to obtain a special group license plate, which is equal to the sum of:
- (a)
- (i) the minimum \$25 annual contribution described in Subsection 41-1a-1603(4)(a)(iii) for a support special group license plate; or
- (ii) if the sponsoring organization establishes a minimum annual contribution amount in accordance with Subsection 41-1a-1603(4)(d) that is greater than the minimum required contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the amount the sponsoring organization establishes; and

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(b) for a special group license plate that has fewer than 250 subscribers, the five-dollar administrative fee described in Subsection 41-1a-1603(4)(b).

(13) "Special group license plate" means:

(a) a collegiate special group license plate;

(b) a private nonprofit special group license plate;

(c) a corporate brand sponsored special group license plate;

(d) a major league sports team sponsored special group license plate;

(e) a sponsored special group license plate;

(f) a state agency recognition special group license plate; or

(g) a state agency support special group license plate.

(14) "Sponsored special group license plate" means a license plate:

(a) designed for and associated with a sponsoring organization; and

(b) issued to an applicant in accordance with this part.

(15) "Sponsoring organization" means an institution, a private nonprofit organization, a private business, or a state agency that is or seeks to be associated with a sponsored special group license plate created under this part.

(16) "State agency recognition special group license plate" means a sponsored special group license plate issued to an applicant who:

(a) has a special license that supports or furthers a government purpose;

(b) has received an honor that supports or furthers a government purpose;

(c) has achieved an accomplishment that supports or furthers a government purpose; or

(d) holds an elected office.

(17)

(a) "State agency support special group license plate" means:

(i) a sponsored special group license plate issued to a contributor to a state agency to support a specific state agency program; or

(ii) an existing special group license plate issued for a special interest vehicle.

(b) "State agency support special group license plate" includes a cancer support license plate created by an act of the Legislature before December 31, 2022.

Section 10. Section 41-1a-1603 is amended to read:

41-1a-1603. Application requirements -- Fees -- Contributions -- Rulemaking.

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- 819 (1) An applicant for a sponsored special group license plate shall submit to the division:
820 (a) in a form and manner that the division prescribes, a complete application;
821 (b) payment of the fee for the issuance of the sponsored special group license plate established under
Subsection ~~[(4)(a)(i)]~~ (4)(a)(i), and, if applicable, Subsection (4)(b);
823 (c) the required contribution for the sponsored special group license plate~~[, unless the applicant~~
previously paid the required contribution as part of a preorder application described in Subsection
(3)]; and
826 (d) if the sponsoring organization elects to require verification as described in Section 41-1a-1604, a
verification form obtained from the sponsoring organization.
- 828 (2) An applicant who owns a vehicle with the sponsoring organization's sponsored special group license
plate shall submit to the division the required contribution to renew the sponsored special group
license plate.
- 831 (3)
~~[(a) An applicant who wishes to obtain a new type of sponsored special group license plate may~~
preorder the new type of sponsored special group license plate by:]
833 [(i) submitting to the sponsoring organization associated with the new type of sponsored special
group license plate a complete preorder form created by the division; and]
836 [(ii) making the required contribution to the sponsoring organization.]
837 [(b)] After the division approves the sponsoring organization's request for the new type of sponsored
special group license plate under Section 41-1a-1604, an applicant ~~[who submitted a preorder in~~
accordance with Subsection (3)(a)] may apply for the sponsored special group license plate in
accordance with Subsection (1).
- 841 (4)
(a) The division shall, in accordance with Section 63J-1-504, establish:
842 (i) the fee to charge an applicant for the division's costs of issuing or renewing a sponsored special
group license plate~~[or symbol decal]~~;
844 (ii) the fee to charge a sponsoring organization for the division's costs of designing and
administering a new type of sponsored special group license plate, in accordance with
Subsection 41-1a-1604(2)(c); and
847

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(iii) subject to Subsections ~~[(4)(b)]~~ (4)(d) and (6), in an amount equal to at least \$25, the minimum annual contribution amount an applicant is required to make to obtain or renew the sponsoring organization's sponsored special group license plate.

(b) For a sponsored special group license plate with fewer than 250 users, in addition to the fees described in Subsection (4)(a), an applicant shall pay an administrative fee of five dollars.

~~[(b)]~~ (c) A fee paid in accordance with ~~[Subsection (4)(a)(i)]~~ Subsections (4)(a)(i), (4)(a)(ii), and (4)(b) shall be deposited into the License Plate Restricted Account created in Section 41-1a-122.

~~[(e)]~~ (d) A sponsoring organization may establish a required contribution amount for the sponsoring organization's sponsored special group license plate that is greater than the amount established by the division under Subsection ~~[(4)(a)(ii)]~~ (4)(a)(iii).

(5) An applicant's required contribution is a voluntary contribution for funding the sponsoring organization's activities and not a motor vehicle registration fee.

(6) Beginning on July 1, 2025, an applicant's ~~[voluntary]~~ required contribution ~~[described in Subsection (4)(a)(iii)]~~ for the historical support special group license plate described in Section 41-1a-419 is \$25 which the division shall allocate as follows:

(a) \$2 to the Utah State Historical Society as the sponsoring organization; and

(b) \$23 into the Transportation Investment Fund of 2005, created in Section 72-2-124.

~~[(7) For a fiscal year beginning on July 1, 2025, only, the division shall transfer into the General Fund \$3,500,000 from the Sponsored Special Group License Plate Fund created in Section 41-1a-1610 from funds generated by the historical support special group license plate.]~~

~~[(8) The division shall provide notice indicating the allocation of the voluntary contributions described in Subsection (6) for the historical support special group license plate as follows:]~~

~~[(a) on or before July 1, 2025, on the division website; and]~~

~~[(b) beginning on July 1, 2025, and until June 30, 2026, in any email notification of a registrant's pending vehicle registration expiration described in Section 41-1a-203.]~~

~~[(9)]~~ (7) An applicant for a historical support special group license plate for a vehicle that is a vintage vehicle is not required to make the voluntary contribution to obtain the historical support special group license plate.

~~[(10)]~~ (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission may make rules to establish and administer the sponsored special group license plate program.

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Section 11. Section 41-1a-1604 is amended to read:

41-1a-1604. New sponsored special group license plates -- Eligibility criteria.

- (1) If a sponsoring organization satisfies the requirements of this part, the division shall approve an application for a new type of sponsored special group license plate and issue the sponsored special group license plate in accordance with this part.
- (2) Subject to the other provisions of this part, a sponsoring organization requesting a new type of sponsored special group license plate shall submit to the division, in a form and manner the division prescribes:
 - (a) a complete application requesting the new type of sponsored special group license plate that includes:
 - (i) information about the sponsoring organization the division needs to process the request;
 - (ii) contact information for an individual representing the sponsoring organization;
 - ~~[(iii) if the sponsoring organization establishes a required contribution amount under Subsection 41-1a-1603(4)(b) that is greater than the minimum required contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the amount of the required contribution;]~~
 - ~~[(iv)]~~ (iii) account information to allow the division to disburse funds from required contributions the division collects through the sponsored special group license plate program to the sponsoring organization;
 - ~~[(v)]~~ (iv) a link to a functional website described in Subsection ~~[(7)]~~ (8); and
 - ~~[(vi)]~~ (v) if the sponsoring organization requires an applicant to submit a verification form described in Subsection ~~[(8)(b)(i)]~~ (9)(b)(i), a statement indicating that a verification form is required;
 - ~~[(b) at least 500 complete preorder applications for the new type of sponsored special group license plate, including verification that each preorder application included the required contribution;]~~
 - ~~[(c)]~~ (b)
 - (i) ~~[the]~~ a \$10,000 fee for the cost of initiating the new type of sponsored special group license plate~~[established under Subsection 41-1a-1603(4)(a)(ii)], which shall be deposited into the License Plate Restricted Account created in Section 41-1a-122;[-and]~~
 - (ii) ~~[an additional]~~ a \$5,000 fee for the cost of implementation~~[-, design,]~~ and system programming for the new type of sponsored special group license plate, which shall be deposited into the License Plate Restricted Account created in Section 41-1a-122; and

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(iii) a \$5,000 fee for the cost of design processes and services of the designer described in Section 41-1a-1612, which shall be deposited into the License Plate Restricted Account created in Section 41-1a-122; and

921 ~~[(d)]~~ (c) if the new type of sponsored special group license plate is a private nonprofit special group
license plate:

923 (i) a copy of the Internal Revenue Service letter approving the sponsoring organization's Section ~~[501(e)]~~
(3)] 501 status;

925 (ii) an affidavit signed under penalty of perjury declaring that the sponsoring organization has a
charitable purpose; and

927 (iii) an indication of the private nonprofit organization's charitable purpose.

928 (3)

(a) If the division receives an application from a sponsoring organization as described in Subsection (2),
the division shall maintain a list of persons expressing interest in the new sponsored special group
license plate.

931 (b) To join the list described in Subsection (3)(a), a person shall provide to the division:

932 (i)

(A) the driver license number of the individual if the vehicle upon which the person may display the
license plate is owned by an individual; or

934 (B) the tax identification number of the business entity if the vehicle upon which the person may
display the license plate is owned by a business entity;

936 (ii) the vehicle identification number of the vehicle upon which the person may display the license
plate; and

938 (iii) other information requested by the division.

939 (c) A person expressing interest in a new sponsored special group license plate as described in
Subsection (3)(b) is not required to pay a fee or deposit to be included on the list described in
Subsection (3)(b).

942 (d) The division may not begin the design or other process to produce a new support special group
license plate until the list described in Subsection (3)(b) has at least 250 persons.

945 (e) The division shall provide to the sponsoring entity the contact information of the persons on the list
described in this Subsection (3).

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(f) For each application from a sponsoring organization for a new special group license plate, the division may retain from money deposited into the Transportation Fund as described in Subsection 41-1a-1211(1)(b)(ii) an amount necessary to cover the one-time administrative and programming costs for administering the list described in this Subsection (3).

952 [(3)] (4) If an application under Subsection (2) is for a special group license plate that was discontinued in accordance with this part, each registered vehicle with the discontinued special group license plate is considered a complete preorder application for the purposes of Subsection (2)(b).

956 [(4)] (5) The division:

957 (a) may share data collected under Subsection [(2)(d)(iii)] (2)(c)(iii) with the Legislature and the state auditor;

959 (b) may not use the information in Subsection [(2)(d)(iii)] (2)(c)(iii) in deciding whether to approve the sponsoring organization's application; and

961 (c) is not required to evaluate the accuracy or veracity of information the private nonprofit organization provides under Subsection [(2)(d)] (2)(c).

963 [(5)] (6) Except as otherwise provided in this part, ~~the division may not begin design work on or issue a new type of sponsored special group license plate~~ unless the sponsoring organization satisfies the requirements of ~~[Subsection (2).]~~ Subsections (2) and (3), the division may not begin design work on or issue a new type of special group license plate or a redesign of a special group license plate.

968 [(6)] (7) A sponsoring organization that is a state agency may request a state agency recognition special group license plate without meeting the minimum preorder requirements of Subsection [(2)(b)] (3) if:

971 (a) the governor certifies that there is a legitimate government operations purpose for issuing the state agency recognition special group license plate; and

973 (b) through appropriation or any other source, funds are available to cover the start-up and administrative costs of the state agency recognition special group license plate.

975 [(7)] (8) A sponsoring organization of a sponsored special group license plate issued in accordance with this part shall maintain a functional website that:

977 (a) explains how the sponsoring organization will use the required contributions in accordance with this part;

979 (b) if applicable, makes available the sponsoring organization's most recent Internal Revenue Service Form 990; and

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- 981 (c) provides instructions for how to obtain a verification form if the sponsoring organization elects to
require verification in accordance with Subsection ~~[(8)]~~ (9).
- 983 ~~[(8)]~~ (9)
- (a) A sponsoring organization may establish eligibility requirements for the sponsoring organization's
sponsored special group license plate.
- 985 (b) If a sponsoring organization establishes eligibility requirements under this subsection, the
sponsoring organization shall:
- 987 (i) inform the division that a verification form is required as part of an application for the sponsoring
organization's sponsored special group license plate;
- 989 (ii) establish a process for providing a verification form to an applicant; and
- 990 (iii) provide a verification form prescribed by the division to an applicant who satisfies the sponsoring
organization's eligibility requirements.
- 992 ~~[(9)]~~ (10)
- (a) A sponsored special group license plate design is subject to approval by the ~~[license plate]~~ design
review board as described in Subsection 41-1a-402(3).
- 994 (b) Subject to approval by the ~~[license plate]~~ design review board as described in Subsection
41-1a-402(3), the division shall begin issuing the new type of sponsored special group license plate
no later than six months after the day on which the division receives the items and fees described in
Subsection (2).
- 998 (c) A sponsoring organization may request consultation or design assistance from the designer
described in Section 41-1a-1612.
- 1000 ~~[(10)]~~ (11) The division may:
- 1001 (a) consider a request for a sponsored special group license plate for two or more military branches as
a request for a single type of sponsored special group license plate for the purposes of meeting the
eligibility criteria described in this section; and
- 1004 (b) charge an appropriate fee for ordering multiple ~~[symbol decals]~~ special group symbols for each
military branch.
- 1006 ~~[(11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission
may make rules to establish fees and the process for administering applications for new sponsored
special group license plates described in Subsection (2)(c).]~~
- 1010 Section 12. Section 41-1a-1605 is amended to read:

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- 1011 **41-1a-1605. Collegiate special group license plates.**
- 1012 (1) A sponsoring organization that is an institution may use funds received through the sponsored
- 1014 special group license plate program only for:
- 1015 (a) the institution's academic scholarships; or
- 1018 (b) the institution's intercollegiate athletics program for compensation for a student athlete's name, image, or likeness as described in Title 53H, Chapter 6, Part 2, Athletics.
- 1020 (2) An institution may sponsor a special group license plate for support of academic scholarships and a special group license plate for intercollegiate athletics programs.
- 1023 (b) To create more than one sponsored special group license plate, an institution is only required to comply with the application requirements described in Sections 41-1a-1603 and 41-1a-1604 one time.
- 1025 [(2)] (3) The state auditor may audit each institution to verify that the money an institution collects from contributors is used only for the uses described in Subsection (1).
- 1027 [(3)] (4) A sponsoring organization that is an institution may establish the contribution amount required to obtain the institution's collegiate special group license plate.
- 1028 Section 13. Section 41-1a-1606 is amended to read:
- 1031 **41-1a-1606. Private nonprofit special group license plates -- Corporate brand sponsored special group license plates -- Major league sports team sponsored special group license plates.**
- 1032 (1) A sponsoring organization that is a private nonprofit organization:
- 1035 (a) shall only use funds received through the sponsored special group license plate program for the charitable purpose described in the private nonprofit organization's application submitted to the division under Section 41-1a-1603; and
- 1038 (b) may not use funds received through the sponsored special group license plate program to pay the private nonprofit organization's employee salaries or benefits, administrative costs, or fundraising expenses.
- 1041 (2) A private nonprofit organization may collect a contributor's personal information for the purposes of future fundraising and any required reporting, if the private nonprofit organization requires a verification form described in Section 41-1a-1604.
- (3) The voluntary contribution for a corporate brand sponsored special group license plate shall be deposited into the Transportation Fund.

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- 1043 (4)
- (a) A major league sports team based in Utah may request a sponsored special group license plate as provided in this part.
- 1045 (b) The sponsoring organization for a major league sports team sponsored special group license plate may elect to use voluntary contributions for:
- 1047 (i) a charitable purpose; or
- 1048 (ii) a contribution to the Transportation Fund.
- 1049 (c) A sponsoring organization for a major league sports team sponsored special group license plate that elects to use contribution funds for a charitable purpose:
- 1051 (i) shall only use funds received through the sponsored special group license plate program for the charitable purpose of an entity registered under Section [501(c)(3)] 501 of the Internal Revenue Code as described in the sponsoring organization's application submitted to the division under Section 41-1a-1603; and
- 1055 (ii) may not use funds received through the sponsored special group license plate program to pay the private nonprofit organization's employee salaries or benefits, administrative costs, or fundraising expenses.
- 1058 (5) The state auditor may audit each private nonprofit organization or major league sports team sponsoring organization that elects to use funds for a charitable purpose to verify that the money the private nonprofit organization collects from contributors is used for the private nonprofit organization's charitable purpose in accordance with this part.

1062 Section 14. Section 41-1a-1608 is amended to read:

1063 **41-1a-1608. Review -- Discontinuance -- Consolidation -- Report.**

- 1064 (1) The division shall annually review each sponsored special group license plate to determine the number of registered vehicles with each type of sponsored special group license plate during the preceding calendar year.
- 1067 (2)
- (a) The division shall discontinue a type of sponsored special group license plate if for [~~three~~] two consecutive calendar years, the division's annual review shows that fewer than [500] 50 registered vehicles have that type of sponsored special group license plate.

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(b) The division shall discontinue a sponsored special group license plate under Subsection (2)(a) beginning [January 1 of the calendar year following the year of the third annual review] 90 days after the date on which the division completes the annual review described in Subsection (1).

(3) If the division discontinues a type of sponsored special group license plate in accordance with this section, the division may not reinstate the sponsored special group license plate unless the sponsoring organization submits a request for the discontinued sponsored special group license plate in the same manner as a request for a new type of sponsored special group license plate under Section 41-1a-1604.

(4)

(a) A registered owner to whom the division issued an existing special group license plate or a sponsored special group license plate that the division discontinues in accordance with this section may continue to display the license plate upon renewing the motor vehicle's registration.

(b) A registered owner described in Subsection (4)(a) is not required to pay a required contribution to the sponsoring organization associated with the sponsored special group license plate.

(5) The division may not transfer to a new registered owner a special group license plate that is discontinued under this part.

~~[(6) Subsection (2) does not apply to a state agency recognition special group license plate that is an existing special group license plate.]~~

~~[(7)]~~ (6) If two or more special group license plates collect required contributions that are distributed to the same entity or fund, the sponsoring organization or organizations may request to consolidate the license plate types for purposes of meeting the minimum threshold described in this section.

~~[(8)]~~ (7) On or before November 1 of each year, the State Tax Commission shall provide a report to the Revenue and Taxation Interim Committee, including:

(a) data on the amount of revenue allocated from each license plate issued under this part;

(b) the recipients of allocated revenue from each license plate, including the amount to each recipient;

(c) the number of each type of license plate in circulation; and

(d) any other information or data the State Tax Commission finds to be relevant.

Section 15. Section 15 is enacted to read:

41-1a-1611. Design review board -- Creation -- Duties.

(1) As used in this section, "board" means the Design Review Board created in Subsection (2).

(2) There is created the Design Review Board.

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- 1108 (3) The board consists of the following members:
- 1109 (a) one member appointed by the governor;
- 1110 (b) one member appointed by the speaker of the House of Representatives; and
- 1111 (c) one member appointed by the president of the Senate.
- 1112 (4) The member of the board appointed by the governor shall serve as chair of the board.
- 1113 (5)
- (a) If all three members of the board are not present, the board may not consider or vote on a proposed
license plate design.
- 1115 (b) The board is not subject to Title 52, Chapter 4, Open and Public Meetings Act.
- 1116 (6)
- (a) The board shall:
- 1117 (i) review each proposed license plate design;
- 1118 (ii) vote whether to approve or reject the proposed license plate design;
- 1119 (iii) consider a proposed license plate design for:
- 1120 (A) a standard license plate as described in Subsection 41-1a-402(4); and
- 1121 (B) a special group license plate;
- 1122 (iv) determine which standard license plate designs the division may offer each year as described in
Section 41-1a-402; and
- 1124 (v) review and approve the design and format of:
- 1125 (A) driver license certificates, as described in Subsection 53-3-207(3); and
- 1126 (B) identification cards, as described in Subsection 53-3-805(3).
- 1127 (b) The design review board may not approve a license plate design if the license plate design does not
comply with the standards described in Subsection (8).
- 1129 (7) If the board approves a proposed license plate design, the division may begin the processes
necessary for production and distribution of the license plate.
- 1131 (8)
- (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in consultation with
the design review board, the commission may make rules to establish:
- 1134 (i) standards for license plate design that ensure color contrast ratios for a license plate are
sufficient for readability as described in Section 41-1a-403; and
- 1136 (ii) the uniform design standard and format for a special group license plate.

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1137 (b) Except for the following license plates, a special group license plate shall comply with the uniform
1140 design standards and format described in rules made under Subsection (8)(a):

1140 (i) a historical support special group license plate described in Subsection 41-1a-419(1)(c)(ii); and

1142 (ii) a classic support special group license plate described in Subsection 41-1a-419(1)(c)(iii).

1144 Section 16. Section **16** is enacted to read:

1145 **41-1a-1612. Contract for license plate design -- Consultation and other duties.**

1146 (1) Using revenue appropriated to the commission from the License Plate Restricted Account as
described in Subsection 41-1a-122(4)(d), the commission shall contract with a designer.

1149 (2) The commission shall ensure that the designer has the capability and expertise to ensure compliance
with the license plate design standards described in Subsection 41-1a-1611(8).

1152 (3) The designer shall:

1153 (a) consult with the design review board and the commission regarding compliance with license plate
design standards described in Subsection 41-6a-1611(8); and

1155 (b) provide license plate design and artistic assistance to:

1156 (i) if requested, a sponsoring organization proposing a new special group license plate or existing
special group license plate redesign;

1158 (ii) the division;

1159 (iii) the commission; and

1160 (iv) the design review board.

1161 Section 17. Section **41-6a-702** is amended to read:

1162 **41-6a-702. Left lane restrictions -- Exceptions -- Other lane restrictions -- Penalties.**

83 (1) As used in this section and Section 41-6a-704, "general purpose lane" means a highway lane open to
vehicular traffic but does not include a designated:

85 (a) high occupancy vehicle (HOV) lane; or

86 (b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway off-ramp.

88 (2) On a freeway or section of a freeway which has three or more general purpose lanes in the same
direction, a person may not operate a vehicle in the left most general purpose lane if the person's
vehicle or combination of vehicles has a gross vehicle weight rating of 18,001 or more pounds.

92 (3) Subsection (2) does not apply to a person operating a vehicle who is:

93 (a) preparing to turn left or taking a different highway split or an exit on the left;

94 (b) responding to emergency conditions;

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- 95 (c) avoiding actual or potential traffic moving onto the highway from an acceleration or merging lane;
or
- 97 (d) following direction signs that direct use of a designated lane.
- 98 (4)
- (a) A highway authority may designate a specific lane or lanes of travel for any type of vehicle on a highway or portion of a highway under its jurisdiction for the:
- 100 (i) safety of the public;
- 101 (ii) efficient maintenance of a highway; or
- 102 (iii) use of high occupancy vehicles.
- 103 (b) The lane designation under Subsection (4)(a) is effective when appropriate signs or roadway markings giving notice are erected on the highway or portion of the highway.
- 106 [(5)
- (a) ~~Subject to Subsection (5)(b), the lane designation under Subsection (4)(a)(iii) shall allow a vehicle with a clean fuel vehicle decal issued in accordance with Section 72-6-121 to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants as permitted by federal law or federal regulation.]~~
- 111 [(b)
- (i) ~~In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the Department of Transportation may make rules to allow a vehicle with a clean fuel vehicle decal to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants as permitted by federal law or federal regulation.]~~
- 116 [(ii) Except as provided in Subsection (5)(b)(iii), the Department of Transportation may not issue more than 6,000 clean fuel vehicle decals under Section 72-6-121.]
- 118 [(iii) The Department of Transportation may, through rules made under Subsection (5)(b)(i), increase the number of clean fuel vehicle decals issued in accordance with Section 72-6-121 beyond the minimum described in Subsection (5)(b)(ii) if the increased issuance will allow the Department of Transportation to continue to meet its goals for operational management of the lane designated under Subsection (4)(a)(iii).]
- 124 [(6)] (5) A public transportation vehicle may operate in a lane designated under Subsection (4)(a)(iii) regardless of the number of occupants as permitted by federal law and regulation.
- 127

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[(7)] (6) A person who operates a vehicle in violation of Subsection (2) or in violation of the restrictions made under Subsection (4) is guilty of an infraction.

Section 18. Section 53-3-207 is amended to read:

53-3-207. License certificates or driving privilege cards issued to drivers by class of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.

(1) As used in this section:

(a) "Authorized guardian" means:

(i) the parent or legal guardian of a child who:

(A) is under 18 years old; and

(B) has an invisible condition; or

(ii) the legal guardian or conservator of an adult who:

(A) is 18 years old or older; and

(B) has an invisible condition.

(b) "Driving privilege" means the privilege granted under this chapter to drive a motor vehicle.

(c) "First responder" means:

(i) a law enforcement officer, as defined in Section 53-13-103;

(ii) an emergency medical technician, as defined in Section 53-2e-101;

(iii) an advanced emergency medical technician, as defined in Section 53-2e-101;

(iv) a paramedic, as defined in Section 53-2e-101;

(v) a firefighter, as defined in Section 53H-11-306; or

(vi) a dispatcher, as defined in Section 53-6-102.

(d) "Governmental entity" means the state or a political subdivision of the state.

(e) "Health care professional" means:

(i) a licensed physician, physician assistant, nurse practitioner, or mental health therapist; or

(ii) any other licensed health care professional the division designates by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(f) "Invisible condition" means a physical or mental condition that may interfere with an individual's ability to communicate with a first responder, including:

(i) a communication impediment;

(ii) hearing loss;

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- 1241 (iii) blindness or a visual impairment;
- 1242 (iv) autism spectrum disorder;
- 1243 (v) a drug allergy;
- 1244 (vi) Alzheimer's disease or dementia;
- 1245 (vii) post-traumatic stress disorder;
- 1246 (viii) traumatic brain injury;
- 1247 (ix) schizophrenia;
- 1248 (x) epilepsy;
- 1249 (xi) a developmental disability;
- 1250 (xii) Down syndrome;
- 1251 (xiii) diabetes;
- 1252 (xiv) a heart condition; or
- 1253 (xv) any other condition approved by the department.
- 1254 (g) "Invisible condition identification symbol" means a symbol or alphanumeric code that indicates that an individual is an individual with an invisible condition.
- 1256 (h) "Political subdivision" means any county, city, town, school district, public transit district, community reinvestment agency, special improvement or taxing district, special district, special service district, an entity created by an interlocal agreement adopted under Title 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public corporation.
- 1261 (i) "State" means this state, and includes any office, department, agency, authority, commission, board, institution, hospital, college, university, children's justice center, or other instrumentality of the state.
- 1264 (2)
- (a) The division shall issue to every individual privileged to drive a motor vehicle, a regular license certificate, a limited-term license certificate, or a driving privilege card indicating the type or class of motor vehicle the individual may drive.
- 1267 (b) An individual may not drive a class of motor vehicle unless granted the privilege in that class.
- 1269 (3)
- (a) Every regular license certificate, limited-term license certificate, or driving privilege card shall bear:
 - 1271 (i) the distinguishing number assigned to the individual by the division;
 - 1272 (ii) the name, birth date, and Utah residence address of the individual;

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- 1273 (iii) a brief description of the individual for the purpose of identification;
- 1274 (iv) any restrictions imposed on the license under Section 53-3-208;
- 1275 (v) a photograph of the individual;
- 1276 (vi) a photograph or other facsimile of the individual's signature;
- 1277 (vii) an indication whether the individual intends to make an anatomical gift under Title 26B,
Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, unless the driving privilege is
extended under Subsection 53-3-214(3); and
- 1280 (viii) except as provided in Subsection (3)(b), if the individual states that the individual is a veteran
of the United States military on the application for a driver license in accordance with Section
53-3-205 and provides verification that the individual was granted an honorable or general
discharge from the United States [~~Armed Forces~~] armed forces, an indication that the individual
is a United States military veteran for a regular license certificate or limited-term license
certificate issued on or after July 1, 2011.
- 1287 (b) A regular license certificate or limited-term license certificate issued to an individual younger than
21 years old on a portrait-style format as required in Subsection (7)(b) is not required to include an
indication that the individual is a United States military veteran under Subsection (3)(a)(viii).
- 1291 (c) A new license certificate issued by the division may not bear the individual's social security number.
- 1293 (d)
- (i) The regular license certificate, limited-term license certificate, or driving privilege card shall be of an
impervious material, resistant to wear, damage, and alteration.
- 1296 (ii) The size, form, and color of the regular license certificate, limited-term license certificate, or driving
privilege card shall be as prescribed by the commissioner.
- 1298 (iii) The commissioner may also prescribe the issuance of a special type of limited regular license
certificate, limited-term license certificate, or driving privilege card under Subsection 53-3-220(4).
- 1301 (e) The commissioner shall consult with and obtain approval from the design review board created in
Section 41-1a-1611 regarding format and design of each type of license certificate.
- 1304 (4)
- (a) The division shall include or affix an invisible condition identification symbol on an individual's
regular license certificate, limited-term license certificate, or driving privilege card if the individual
or the individual's authorized guardian, on a form prescribed by the department:
- 1308 (i) requests the division to include the invisible condition identification symbol;

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- 1309 (ii) provides written verification from a health care professional that the individual is an individual
with an invisible condition; and
- 1311 (iii) signs a waiver of liability for the release of any medical information to:
- 1312 (A) the department;
- 1313 (B) any person who has access to the individual's medical information as recorded on the individual's
driving record or the Utah Criminal Justice Information System under this chapter;
- 1316 (C) any other person who may view or receive notice of the individual's medical information by seeing
the individual's regular license certificate, limited-term license certificate, or driving privilege card
or the individual's information in the Utah Criminal Justice Information System;
- 1320 (D) a local law enforcement agency that receives a copy of the form described in this Subsection (4)
(a) and enters the contents of the form into the local law enforcement agency's record management
system or computer-aided dispatch system; and
- 1324 (E) a dispatcher who accesses the information regarding the individual's invisible condition through
the use of a local law enforcement agency's record management system or computer-aided dispatch
system.
- 1327 (b) As part of the form described in Subsection (4)(a), the department shall advise the individual or
the individual's authorized guardian that by submitting the signed waiver, the individual or the
individual's authorized guardian consents to the release of the individual's medical information
to any person described in Subsections (4)(a)(iii)(A) through (E), even if the person is otherwise
ineligible to access the individual's medical information under state or federal law.
- 1333 (c) The division may not:
- 1334 (i) charge a fee to include the invisible condition identification symbol on the individual's regular
license certificate, limited-term license certificate, or driving privilege card; or
- 1337 (ii) after including the invisible condition identification symbol on the individual's previously issued
regular license certificate, limited-term license certificate, or driving privilege card, require the
individual to provide subsequent written verification described in Subsection (4)(a)(ii) to include
the invisible condition identification symbol on the individual's renewed or extended regular license
certificate, limited-term license certificate, or driving privilege card.
- 1343 (d) The division shall confirm with the Division of Professional Licensing that the health care
professional described in Subsection (4)(a)(ii) holds a current state license.
- 1345

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- (e) The inclusion of an invisible condition identification symbol on an individual's license certificate, limited-term license certificate, or driving privilege card in accordance with Subsection (4)(a) does not confer any legal rights or privileges on the individual, including parking privileges for individuals with disabilities under Section 41-1a-414.
- 1350 (f) For each individual issued a regular license certificate, limited-term license certificate, or driving privilege card under this section that includes an invisible condition identification symbol, the division shall include in the division's database a brief description of the nature of the individual's invisible condition in the individual's record and provide the brief description to the Utah Criminal Justice Information System.
- 1356 (g) Except as provided in this section, the division may not release the information described in Subsection (4)(f).
- 1358 (h) Within 30 days after the day on which the division receives an individual's or the individual's authorized guardian's written request, the division shall:
- 1360 (i) remove from the individual's record in the division's database the invisible condition identification symbol and the brief description described in Subsection (4)(f); and
- 1363 (ii) provide the individual's updated record to the Utah Criminal Justice Information System.
- 1365 (5) As provided in Section 63G-2-302, the information described in Subsection (4)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.
- 1368 (6)
- (a)
- (i) The division, upon determining after an examination that an applicant is mentally and physically qualified to be granted a driving privilege, may issue to an applicant a receipt for the fee if the applicant is eligible for a regular license certificate or limited-term license certificate.
- 1372 (ii)
- (A) The division shall issue a temporary regular license certificate or temporary limited-term license certificate allowing the individual to drive a motor vehicle while the division is completing the division's investigation to determine whether the individual is entitled to be granted a driving privilege.
- 1376 (B) A temporary regular license certificate or a temporary limited-term license certificate issued under this Subsection (6) shall be recognized and have the same rights and privileges as a regular license certificate or a limited-term license certificate.

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- 1380 (b) The temporary regular license certificate or temporary limited-term license certificate shall be in the individual's immediate possession while driving a motor vehicle, and the temporary regular license certificate or temporary limited-term license certificate is invalid when the individual's regular license certificate or limited-term license certificate has been issued or when, for good cause, the privilege has been refused.
- 1386 (c) The division shall indicate on the temporary regular license certificate or temporary limited-term license certificate a date after which the temporary regular license certificate or temporary limited-term license certificate is not valid as a temporary license.
- 1390 (d)
- (i) Except as provided in Subsection (6)(d)(ii), the division may not issue a temporary driving privilege card or other temporary permit to an applicant for a driving privilege card.
- 1393 (ii) The division may issue a learner permit issued in accordance with Section 53-3-210.5 to an applicant for a driving privilege card.
- 1395 (7)
- (a) The division shall distinguish learner permits, temporary permits, regular license certificates, limited-term license certificates, and driving privilege cards issued to any individual younger than 21 years old by use of plainly printed information or the use of a color or other means not used for other regular license certificates, limited-term license certificates, or driving privilege cards.
- 1400 (b) The division shall distinguish a regular license certificate, limited-term license certificate, or driving privilege card issued to an individual younger than 21 years old by use of a portrait-style format not used for other regular license certificates, limited-term license certificates, or driving privilege cards and by plainly printing the date the regular license certificate, limited-term license certificate, or driving privilege card holder is 21 years old.
- 1406 (8) The division shall distinguish a limited-term license certificate by clearly indicating on the document:
- 1408 (a) that the limited-term license certificate is temporary; and
- 1409 (b) the limited-term license certificate's expiration date.
- 1410 (9)
- (a) The division shall only issue a driving privilege card to an individual whose privilege was obtained without providing evidence of lawful presence in the United States as required under Subsection 53-3-205(8).

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- 1413 (b) The division shall distinguish a driving privilege card from a license certificate by:
- 1414 (i) use of a format, color, font, or other means; and
- 1415 (ii) clearly displaying on the front of the driving privilege card a phrase substantially similar to "FOR
DRIVING PRIVILEGES ONLY -- NOT VALID FOR IDENTIFICATION."[:]
- 1418 (10) The provisions of Subsection (7)(b) do not apply to a learner permit, temporary permit, temporary
regular license certificate, temporary limited-term license certificate, or any other temporary permit.
- 1421 (11) The division shall issue temporary license certificates of the same nature, except as to duration,
as the license certificates that they temporarily replace, as are necessary to implement applicable
provisions of this section and Section 53-3-223.
- 1424 (12)
- (a) A governmental entity may not accept a driving privilege card as proof of personal identification.
- 1426 (b) A driving privilege card may not be used as a document providing proof of an individual's age for
any government required purpose.
- 1428 (13) An individual who violates Subsection (2)(b) is guilty of an infraction.
- 1429 (14) Unless otherwise provided, the provisions, requirements, classes, endorsements, fees, restrictions,
and sanctions under this code apply to a:
- 1431 (a) driving privilege in the same way as a license or limited-term license issued under this chapter; and
- 1433 (b) limited-term license certificate or driving privilege card in the same way as a regular license
certificate issued under this chapter.

1435 Section 19. Section 53-3-805 is amended to read:

1436 **53-3-805. Identification card -- Contents -- Specifications.**

- 1437 (1) As used in this section:
- 1438 (a) "Authorized guardian" means the same as that term is defined in Section 53-3-207.
- 1439 (b) "Health care professional" means the same as that term is defined in Section 53-3-207.
- 1440 (c) "Invisible condition" means the same as that term is defined in Section 53-3-207.
- 1441 (d) "Invisible condition identification symbol" means the same as that term is defined in Section
53-3-207.
- 1443 (2)
- (a) The division shall issue an identification card that bears:
- 1444 (i) the distinguishing number assigned to the individual by the division;
- 1445 (ii) the name, birth date, and Utah residence address of the individual;

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- 1446 (iii) a brief description of the individual for the purpose of identification;
- 1447 (iv) a photograph of the individual;
- 1448 (v) a photograph or other facsimile of the individual's signature;
- 1449 (vi) an indication whether the individual intends to make an anatomical gift under Title 26B,
Chapter 8, Part 3, Revised Uniform Anatomical Gift Act; and
- 1451 (vii) if the individual states that the individual is a veteran of the United States military on the
application for an identification card in accordance with Section 53-3-804 and provides
verification that the individual received an honorable or general discharge from the United
States Armed Forces, an indication that the individual is a United States military veteran for a
regular identification card or a limited-term identification card issued on or after July 1, 2011.
- 1457 (b) An identification card issued by the division may not bear the individual's social security number or
place of birth.
- 1459 (3)
- (a) The card shall be of an impervious material, resistant to wear, damage, and alteration.
- 1461 (b) Except as provided under Section 53-3-806, the size, form, and color of the card is prescribed by the
commissioner.
- 1463 (c) The commissioner shall consult with and obtain approval from the design review board created in
Section 41-1a-1611 regarding format and design of identification cards.
- 1466 (4) At the applicant's request, the card may include a statement that the applicant has a special medical
problem or allergies to certain drugs, for the purpose of medical treatment.
- 1469 (5)
- (a) The division shall include or affix an invisible condition identification symbol on an individual's
identification card if the individual or the individual's authorized guardian, on a form prescribed by
the department:
- 1472 (i) requests the division to include the invisible condition identification symbol;
- 1473 (ii) provides written verification from a health care professional that the individual is an individual
with an invisible condition; and
- 1475 (iii) submits a signed waiver of liability for the release of any medical information to:
- 1476 (A) the department;
- 1477 (B) any person who has access to the individual's medical information as recorded on the individual's
driving record or the Utah Criminal Justice Information System under this chapter;

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- 1480 (C) any other person who may view or receive notice of the individual's medical information by seeing
the individual's identification card or the individual's information in the Utah Criminal Justice
Information System;
- 1483 (D) a local law enforcement agency that receives a copy of the form described in this Subsection (5)
(a) and enters the contents of the form into the local law enforcement agency's record management
system or computer-aided dispatch system; and
- 1487 (E) a dispatcher who accesses the information regarding the individual's invisible condition through
the use of a local law enforcement agency's record management system or computer-aided dispatch
system.
- 1490 (b) As part of the form described in Subsection (5)(a), the department shall advise the individual or the
individual's authorized guardian that by submitting the request and signed waiver, the individual or
the individual's authorized guardian consents to the release of the individual's medical information
to any person described in Subsection (5)(a)(iii), even if the person is otherwise ineligible to access
the individual's medical information under state or federal law.
- 1496 (c) The division may not:
- 1497 (i) charge a fee to include the invisible condition identification symbol on the individual's identification
card; or
- 1499 (ii) after including the invisible condition identification symbol on the individual's previously issued
identification card, require the individual to provide subsequent written verification described in
Subsection (5)(a)(ii) to include the invisible condition identification symbol on the individual's
extended identification card.
- 1503 (d) The division shall confirm with the Division of Professional Licensing that the health care
professional described in Subsection (5)(a)(ii) holds a current state license.
- 1505 (e) The inclusion of an invisible condition identification symbol on an individual's identification card in
accordance with Subsection (5)(a) does not confer any legal rights or privileges on the individual,
including parking privileges for individuals with disabilities under Section 41-1a-414.
- 1509 (f) For each individual issued an identification card under this section that includes an invisible
condition identification symbol, the division shall include in the division's database a brief
description of the nature of the individual's invisible condition in the individual's record and provide
the brief description to the Utah Criminal Justice Information System.

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(g) Except as provided in this section, the division may not release the information described in Subsection (5)(f).

1516 (h) Within 30 days after the day on which the division receives an individual's or the individual's authorized guardian's written request, the division shall:

1518 (i) remove from the individual's record in the division's database the invisible condition identification symbol and the brief description described in Subsection (5)(f); and

1521 (ii) provide the individual's updated record to the Utah Criminal Justice Information System.

1523 (6)

(a) If the division receives a notification from a court as provided in Section 41-6a-505, 41-6a-509, 76-5-102.1, or 76-5-207, that an individual is an interdicted person, the division:

1526 (i) may accept an application from the individual for an identification card that includes an interdicted person identifier; and

1528 (ii) if the individual submits an application and qualifies for an identification card, may provide an identification card with the interdicted person identifier.

1530 (b)

(i) An individual may voluntarily apply for an identification card that includes an interdicted person identifier.

1532 (ii) An individual that voluntarily applies for an identification card with an interdicted person identifier may not apply for another identification card without the interdicted person identifier for at least 30 days after the application for the identification card with the interdicted person identifier.

1536 (c) The division may not provide to an individual an identification card without the interdicted person identifier during the time period the court has designated the person as an interdicted person.

1539 (d) The division may charge an administrative fee as described in Subsection 53-3-105(40) to an individual to process and provide an identification card with an interdicted person identifier.

1542 (e) An individual who is designated as an interdicted person by a court is subject to the identification card fee and other fees necessary to administer the identification card with an interdicted person identifier.

1545 (7) As provided in Section 63G-2-302, the information described in Subsection (5)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.

1548 (8)

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(a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated by the applicant in accordance with division rule.

(b)

(i) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may, upon request, release to an organ procurement organization, as defined in Section 26B-8-301, the names and addresses of all individuals who under Subsection 53-3-804(2)(j) indicate that they intend to make an anatomical gift.

(ii) An organ procurement organization may use released information only to:

(A) obtain additional information for an anatomical gift registry; and

(B) inform applicants of anatomical gift options, procedures, and benefits.

(9) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may release to the Department of Veterans and Military Affairs the names and addresses of all individuals who indicate their status as a veteran under Subsection 53-3-804(2)(l).

(10) The division and the division's employees are not liable, as a result of false or inaccurate information provided under Subsection 53-3-804(2)(j) or (l), for direct or indirect:

(a) loss;

(b) detriment; or

(c) injury.

(11)

(a) The division may issue a temporary regular identification card to an individual while the individual obtains the required documentation to establish verification of the information described in Subsections 53-3-804(2)(a), (b), (c), (d), and (i)(i).

(b) A temporary regular identification card issued under this Subsection (11) shall be recognized and grant the individual the same privileges as a regular identification card.

(c) A temporary regular identification card issued under this Subsection (11) is invalid:

(i) when the individual's regular identification card has been issued;

(ii) when, for good cause, an applicant's application for a regular identification card has been refused; or

(iii) upon expiration of the temporary regular identification card.

(d) The division shall coordinate with the Department of Corrections in providing an inmate with a temporary regular identification card as described in Section 64-13-10.6.

Section 20. Section **72-1-201** is amended to read:

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72-1-201. Creation of Department of Transportation -- Functions, powers, duties, rights, and responsibilities.

(1) There is created the Department of Transportation which shall:

(a) have the general responsibility for planning, research, design, construction, maintenance, security, and safety of state transportation systems;

(b) provide administration for state transportation systems and programs;

(c) implement the transportation policies of the state;

(d) plan, develop, construct, and maintain state transportation systems that are safe, reliable, environmentally sensitive, and serve the needs of the traveling public, commerce, and industry;

(e) establish standards and procedures regarding the technical details of administration of the state transportation systems as established by statute and administrative rule;

(f) advise the governor and the Legislature about state transportation systems needs;

(g) coordinate with utility companies for the reasonable, efficient, and cost-effective installation, maintenance, operation, relocation, and upgrade of utilities within state highway rights-of-way;

(h) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for the administration of the department, state transportation systems, and programs;

(i) jointly with the commission annually report to the Transportation Interim Committee, by November 30 of each year, as to the operation, maintenance, condition, mobility, safety needs, and wildlife and livestock mitigation for state transportation systems;

(j) ensure that any training or certification required of a public official or public employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter 22, State Training and Certification Requirements, if the training or certification is required:

(i) under this title;

(ii) by the department; or

(iii) by an agency or division within the department;

(k) study and make recommendations to the Legislature on potential managed lane use and implementation on selected transportation systems within the state;

(l) before July 1 of each year, coordinate with the Utah Highway Patrol Division created in Section 53-8-103 regarding:

(i) future highway projects that will add additional capacity to the state transportation system;

(ii) potential changes in law enforcement responsibilities due to future highway projects; and

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- (iii) incident management services on state highways;
- (m) provide public transit services, in consultation with any relevant public transit provider; [and]
- (n) implement a public service campaign as described in Section 72-2-135, in coordination with relevant stakeholders including permitted landfills and transfer stations, to generate public awareness regarding the importance of proper transportation and disposal of waste and maintaining clean roads and highways[:]; and
- (o) in coordination with a large public transit district, provide for leasing and other services that generate revenue in connection with public transit facilities and services that serve the Cottonwood Canyons area of Salt Lake County.
- (2) For a proposed transportation project that includes a gondola in the Cottonwood Canyons area of Salt Lake County for which the department has completed an environmental impact statement, the department may only construct the project in the phasing sequence as provided in the record of decision associated with the environmental impact statement.
- (3)
- (a) The department shall exercise reasonable care in designing, constructing, and maintaining a state highway in a reasonably safe condition for travel.
- (b) Nothing in this section shall be construed as:
- (i) creating a private right of action; or
- (ii) expanding or changing the department's common law duty as described in Subsection (3)(a) for liability purposes.
- Section 21. Section **72-1-213.1** is amended to read:
- 72-1-213.1. Road usage charge program.**
- (1) As used in this section:
- (a) "Account manager" means an entity under contract with the department to administer and manage the road usage charge program.
- (b) "Alternative fuel vehicle" means:
- (i) an electric motor vehicle as defined in Section 41-1a-102; or
- (ii) a motor vehicle powered exclusively by a fuel other than:
- (A) motor fuel;
- (B) diesel fuel;
- (C) natural gas; or

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- 199 (D) propane.
- 200 (c) "Payment period" means the interval during which an owner is required to report mileage and pay
the appropriate road usage charge according to the terms of the program.
- 203 (d) "Program" means the road usage charge program established and described in this section.
- 205 (e) "Road usage charge cap" means the maximum fee charged to a participant in the program for a
registration period.
- 207 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in the program.
- 209 (2) There is established a road usage charge program as described in this section.
- 210 (3)
- (a) The department shall implement and oversee the administration of the program, which shall begin
on January 1, 2020.
- 212 (b) To implement and administer the program, the department may contract with an account manager.
- 214 (4)
- (a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of the alternative fuel
vehicle in the program.
- 216 (b) If an application for enrollment into the program is approved by the department, the owner or lessee
of an alternative fuel vehicle may participate in the program in lieu of paying the fee described in
Subsection 41-1a-1206(1)(h) or (2)(b).
- 219 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with
this section, the department:
- 221 (a) shall make rules to establish:
- 222 (i) processes and terms for enrollment into and withdrawal or removal from the program;
- 224 (ii) payment periods and other payment methods and procedures for the program;
- 225 (iii) standards for mileage reporting mechanisms for an owner or lessee of an alternative fuel vehicle to
report mileage as part of participation in the program;
- 227 (iv) standards for program functions for mileage recording, payment processing, account management,
and other similar aspects of the program;
- 229 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner and an account
manager for participation in the program;
- 231 (vi) contractual terms between the department and an account manager, including authority for an
account manager to enforce the terms of the program;

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- 233 (vii) procedures to provide security and protection of personal information and data connected to the
program, and penalties for account managers for violating privacy protection rules;
- 236 (viii) penalty procedures for a program participant's failure to pay a road usage charge or tampering
with a device necessary for the program; and
- 238 (ix) department oversight of an account manager, including privacy protection of personal information
and access and auditing capability of financial and other records related to administration of the
program; and
- 241 (b) may make rules to establish:
- 242 (i) an enrollment cap for certain alternative fuel vehicle types to participate in the program;
- 244 (ii) a process for collection of an unpaid road usage charge or penalty; or
- 245 (iii) integration of the program with other similar programs, such as tolling.
- 246 (6) Revenue generated by the road usage charge program and relevant penalties shall be deposited into
the Road Usage Charge Program Special Revenue Fund.
- 248 (7)
- (a) The department may:
- 249 (i)
- (A) impose a penalty for failure to timely pay a road usage charge according to the terms of the program
or tampering with a device necessary for the program; and
- 252 (B) request that the Division of Motor Vehicles place a hold on the registration of the owner's or lessee's
alternative fuel vehicle for failure to pay a road usage charge or penalty according to the terms of the
program;
- 255 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the owner or lessee of:
- 257 (A) the road usage charge program, implementation, and procedures;
- 258 (B) an unpaid road usage charge and the amount of the road usage charge to be paid to the department;
- 260 (C) the penalty for failure to pay a road usage charge within the time period described in Subsection (7)
(a)(iii); and
- 262 (D) a hold being placed on the owner's or lessee's registration for the alternative fuel vehicle, if the road
usage charge and penalty are not paid within the time period described in Subsection (7)(a)(iii),
which would prevent the renewal of the alternative fuel vehicle's registration; and
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(iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage charge to the department within 30 days of the date when the department sends written notice of the road usage charge to the owner or lessee.

(b) The department shall send the correspondence and notice described in Subsection (7)(a) to the owner of the alternative fuel vehicle according to the terms of the program.

(8)

(a) The Division of Motor Vehicles and the department shall share and provide access to information pertaining to an alternative fuel vehicle and participation in the program including:

(i) registration and ownership information pertaining to an alternative fuel vehicle;

(ii) information regarding the failure of an alternative fuel vehicle owner or lessee to pay a road usage charge or penalty imposed under this section within the time period described in Subsection (7)(a)(iii); and

(iii) the status of a request for a hold on the registration of an alternative fuel vehicle.

(b) If the department requests a hold on the registration in accordance with this section, the Division of Motor Vehicles may not renew the registration of a motor vehicle under Title 41, Chapter 1a, Part 2, Registration, until the department withdraws the hold request.

(9) The owner of an alternative fuel vehicle may ~~[apply for enrollment]~~ enroll in the program or withdraw from the program according to the terms established by the department ~~[pursuant to]~~ in accordance with rules made under Subsection (5).

(10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:

(a) report mileage driven as required by the department ~~[pursuant to]~~ in accordance with Subsection (5);

(b) pay the road usage fee for each payment period in accordance with Subsection (5); and

(c) comply with all other provisions of this section and other requirements of the program.

(11) The department shall submit annually, on or before October 1, to the Transportation Interim Committee, an electronic report that:

(a) states for the preceding fiscal year:

(i) the amount of revenue collected from the program;

(ii) the participation rate in the program; and

(iii) the department's costs to administer the program; and

(b) provides for the current fiscal year, an estimate of:

(i) the revenue that will be collected from the program;

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302 (ii) the participation rate in the program; and
303 (iii) the department's costs to administer the program.
304 (12)
[~~(a) Beginning on January 1, 2023:~~]
305 [(i) the road usage charge rate is 1.0 cent per mile; and]
306 [(ii) the road usage charge cap is:]
307 [(A) \$130.25 for an annual registration period; and]
308 [(B) \$100.75 for a six-month registration period.]
309 [(b)] (a) Beginning on January 1, 2026:
310 (i) the road usage charge rate is 1.25 cents per mile; and
311 (ii) the road usage charge cap is:
312 (A) \$180 for an annual registration period; and
313 (B) \$139 for a six-month registration period.
314 [(e)] (b) Beginning on January 1, [2032] 2027 { ~~\$~~ → {} ~~{2027}~~ : {} } 2028
1767 (i) { { ← \$ } : } the road usage charge rate is 1.5 cents per mile, unless the commission establishes a
different road usage charge rate in accordance with Subsection (13); and
315 { (i) } (ii) the road usage charge {rate} cap is {1.5 cents per mile, unless the commission establishes a
different road usage charge rate in accordance with Subsection (13); and} :
317 { (ii) } (A) [{the road usage charge cap is:} \$240
318 { (A) }] \$280 { [{ \$240 } for an annual registration period; and {} } \$280 }
1771 (B) [{for an annual registration period; and} \$185
319 { (B) }] \$216 { [{ \$185 } for a six-month registration period. {} } \$216 }
1772 [(d)] (c) {for a six-month registration period.} Beginning in
320 { (d) } (c) [{Beginning in} 2024] 2028 { [{ 2024 } , the department shall, on January 1, annually adjust
the road usage charge rates described in this Subsection (12) by taking the road usage charge rate for
the previous year and adding an amount equal to the greater of: {} } 2028 }
1775 (i) { , the department shall, on January 1, annually adjust } an amount calculated by multiplying the
road usage charge {rates described in this Subsection (12) by taking-} rate of the previous year by
the {road usage charge rate for} actual percentage change during the previous {year and adding an
amount equal to the greater of:} fiscal year in the Consumer Price Index as determined by the State
Tax Commission; and

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- 323 {(i)} (ii) {an amount calculated by multiplying the road usage charge rate of the previous year by the
actual percentage change during the previous fiscal year in the Consumer Price Index as determined
by the State Tax Commission; and} 0.
- 326 ~~[(ii)]~~ (e) ~~(d)~~ {0.} Beginning in
- 327 ~~[(e)]~~ (d) [Beginning in 2024] 2028 ~~[(2024)]~~, the State Tax Commission shall, on January 1,
annually adjust the road usage charge caps described in this Subsection (12) by taking the road
usage charge cap for the previous year and adding an amount equal to the greater of: {} 2028
- 1783 (i) {, the State Tax Commission shall, on January 1, annually adjust the road usage charge caps
described in this Subsection (12)} an amount calculated by {taking} multiplying the road usage
charge cap {for} of the previous year by the actual percentage change during the previous fiscal
year in the Consumer Price Index; and {adding an amount equal to the greater of:}
- 331 {(i)} (ii) {an amount calculated by multiplying the road usage charge cap of the previous year by the
actual percentage change during the previous fiscal year in the Consumer Price Index; and} 0.
- 334 ~~[(ii)]~~ (f) ~~(e)~~ {0.} The amounts calculated as described in Subsection
- 335 ~~[(f)]~~ (e) [The amounts calculated as described in Subsection (12)(d)] (12)(c) ~~[(12)(d)]~~ shall be
rounded up to the nearest .01 cent. {} (12)(c)
- 1789 ~~[(g)]~~ (f) {shall be rounded up to the nearest .01 cent.} The amounts calculated as described in
Subsection
- 337 ~~[(g)]~~ (f) [The amounts calculated as described in Subsection (12)(e)] (12)(d) ~~[(12)(e)]~~ shall be
rounded up to the nearest 25 cents. {} (12)(d)
- 1791 ~~[(h)]~~ (g) {shall be rounded up to the nearest 25 cents.} On or before January 1 of each year, the
department shall publish:
- 339 ~~[(h)]~~ (i) {} {~~[(g)]~~} On or before January 1 of each year, the {department shall publish:} adjusted
road usage charge rate described in Subsection
- 340 {(i)} [the adjusted road usage charge rate described in Subsection (12)(d)] (12)(c) ~~[(12)(d)]~~ ;
and {} (12)(c)
- 1793 (ii) {and} adjusted road usage charge cap described in Subsection
- 341 {(ii)} [adjusted road usage charge cap described in Subsection (12)(e)] (12)(d) ~~[(12)(e)]~~ . {} (12)
(d)
- 1794 (13)
(a) {-} Beginning January 1,

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342 {(13)}

{(a)} [{Beginning January 1,} 2032] 2027{{{2032}}, the commission may establish by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road usage charge rate for each type of alternative fuel vehicle.{}} 2027}

1797 (b)

(i) {~~the commission may establish by rule made~~} Before making rules in accordance with {~~Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~} Subsection (13)(a), the commission shall consult with the department regarding the road usage charge rate for each type of alternative fuel vehicle.

345 {(b)} (ii)

{(i)} ~~Before making rules in accordance~~} The department shall cooperate with {~~Subsection (13)(a),~~} and make recommendations to the commission {~~shall consult with the department~~} regarding the road usage charge rate for each type of alternative fuel vehicle.

348 {(ii)} ~~The department shall cooperate with and make recommendations to the commission regarding the road usage charge rate for each type of alternative fuel vehicle.~~}

1803 Section 22. Section 22 is enacted to read:

1804 **72-1-219. Discovery and admission as evidence of certain reports and surveys.**

353 (1) Subject to Subsection (2), and notwithstanding any other provision of law, the following materials are privileged, are not subject to discovery or admissible {in} evidence in a proceeding before a federal or state court, and may not be considered for any other purpose in an action for damages arising from an occurrence at a location described in the materials:

358 (a) a report;

359 (b) a survey;

360 (c) a schedule;

361 (d) a list; or

362 (e) data compiled or collected.

363 (2) The privilege described in Subsection (1) applies only if the materials were created or collected:

365 (a) {~~pursuant to~~} in accordance with 23 U.S.C. Sec. 409;

366 (b) under federal or state law for the purpose of identifying, evaluating, or planning the safety enhancement of:

368 (i) a potential crash site;

369 (ii) a hazardous highway condition; or

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- 370 (iii) a railway-highway crossing; or
371 (c) for the purpose of developing a highway or railway safety construction improvement project,
regardless of the funding source.

1825 Section 23. Section **72-2-107** is amended to read:

1826 **72-2-107. Appropriation from Transportation Fund -- Apportionment for class B and class**
C roads.

- 376 (1) There is appropriated to the department from the Transportation Fund annually an amount equal to
30% of an amount which the director of finance shall compute in the following manner: The total
revenue deposited into the Transportation Fund during the fiscal year from state highway-user taxes
and fees, minus those amounts appropriated or transferred from the Transportation Fund during the
same fiscal year to:
- 381 (a) the Department of Public Safety;
382 (b) the State Tax Commission;
383 (c) the Division of Finance;
384 (d) the Utah Travel Council;
385 (e) except as provided in Section 72-1-213.2, the road usage charge program created in Section
72-1-213.1; and
387 (f) any other amounts appropriated or transferred for any other state agencies not a part of the
department.
- 389 (2)
(a) Except as provided in Subsections (2)(b) and (c), all of the money appropriated in Subsection (1)
shall be apportioned among counties and municipalities for class B and class C roads as provided in
this title.
- 392 (b) The department shall annually transfer \$500,000 of the amount calculated under Subsection (1) to
the State Park Access Highways Improvement Program created in Section 72-3-207.
- 395 (c) Administrative costs of the department to administer class B and class C roads shall be paid from
funds calculated under Subsection (1).
- 397 (3) ~~[Each quarter of every year]~~ At least quarterly the department shall make the necessary accounting
entries to transfer the money appropriated under this section for class B and class C roads.
- 400 (4) The funds appropriated for class B and class C roads shall be expended under the direction of the
department as the Legislature shall provide.

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1854 Section 24. Section 72-2-117.5 is amended to read:

1855 **72-2-117.5. Definitions -- Local Highway and Transportation Corridor Preservation Fund --**
Disposition of fund money.

405 (1) As used in this section:

406 (a) "Council of governments" means a decision-making body in each county composed of membership
including the county governing body and the mayors of each municipality in the county.

409 (b) "Metropolitan planning organization" has the same meaning as defined in Section 72-1-208.5.

411 (2) There is created the Local Highway and Transportation Corridor Preservation Fund~~[within the~~
~~Transportation Fund]~~.

413 (3) The fund shall be funded from the following sources:

414 (a) a local option highway construction and transportation corridor preservation fee imposed under
Section 41-1a-1222;

416 (b) appropriations made to the fund by the Legislature;

417 (c) contributions from other public and private sources for deposit into the fund;

418 (d) all money collected from rents and sales of real property acquired with fund money;

419 (e) proceeds from general obligation bonds, revenue bonds, or other obligations issued as authorized by
Title 63B, Bonds; and

421 (f) sales and use tax revenues deposited into the fund in accordance with Title 59, Chapter 12, Part 22,
Local Option Sales and Use Taxes for Transportation Act.

423 (4)

~~[(a) The fund shall earn interest.]~~

424 ~~[(b) All interest earned on fund money shall be deposited into the fund.]~~

425 ~~[(c)]~~ (a) The State Tax Commission shall allocate and distribute the revenues:

426 (i) provided under Subsection (3)(a) to each county imposing a local option highway construction and
transportation corridor preservation fee under Section 41-1a-1222;

428 (ii) provided under Subsection 59-12-2217(2) to each county imposing a county option sales and use tax
for transportation; and

430 (iii) provided under Subsection (3)(f) to each county of the second class or city or town within a county
of the second class that imposes the sales and use tax authorized by Section 59-12-2218.

433 ~~[(d) The department shall distribute the funds allocated to each county, city, or town under Subsection~~
~~(4)(c) to each county, city, or town.]~~

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- 435 [(e)] (b) The money allocated and distributed under this Subsection (4):
436 (i) shall be used for the purposes provided in this section for each county, city, or town;
438 (ii) is allocated to each county, city, or town as provided in this section with the condition that the state
will not be charged for any asset purchased with the money allocated and distributed under this
Subsection (4), unless there is a written agreement in place with the department ~~[prior to]~~ before the
purchase of the asset stipulating a reimbursement by the state to the county, city, or town of no more
than the original purchase price paid by the county, city, or town; and
444 (iii) is considered a local matching contribution for the purposes described under Section 72-2-123 if
used on a state highway.
- 446 ~~[(f) Administrative costs of the department to implement this section shall be paid from the fund.]~~
448 (5)
- (a) A highway authority may acquire real property or any interests in real property for state, county, and
municipal transportation corridors subject to:
- 450 (i) money available in the fund to each county under Subsection (4); and
451 (ii) the provisions of this section.
- 452 (b) Fund money may be used to pay interest on debts incurred in accordance with this section.
454 (c)
(i)
- (A) Fund money may be used to pay maintenance costs of properties acquired under this section but
limited to a total of 5% of the purchase price of the property.
- 457 (B) Any additional maintenance cost shall be paid from funds other than under this section.
459 (C) Revenue generated by any property acquired under this section is excluded from the limitations
under this Subsection (5)(c)(i).
- 461 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired under this section.
463 (d) Fund money allocated and distributed under Subsection (4) may be used by a county highway
authority for countywide transportation or public transit planning if:
- 465 (i) the county's planning focus area is outside the boundaries of a metropolitan planning organization;
467 (ii) the transportation planning is part of the county's continuing, cooperative, and comprehensive
process for transportation or public transit planning, transportation corridor preservation, right-of-
way acquisition, and project programming;

470

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(iii) no more than four years allocation every 20 years to each county is used for transportation planning under this Subsection (5)(d); and

(iv) the county otherwise qualifies to use the fund money as provided under this section.

(e)

(i) Subject to Subsection (11), fund money allocated and distributed under Subsection (4) may be used by a county highway authority for transportation corridor planning that is part of the transportation corridor elements of an ongoing work program of transportation or public transit projects.

(ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the direction of:

(A) the metropolitan planning organization if the county is within the boundaries of a metropolitan planning organization; or

(B) the department if the county is not within the boundaries of a metropolitan planning organization.

(f)

(i) A county, city, or town that imposes a local option highway construction and transportation corridor preservation fee under Section 41-1a-1222 may elect to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund.

(ii) If a county, city, or town elects to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund, a local highway authority shall repay the fund money authorized for the project to the fund.

(iii) A county, city, or town that elects to administer the funds allocated and distributed to that county, city, or town under Subsection (4) as a revolving loan fund shall establish repayment conditions of the money to the fund from the specified project funds.

(g)

(i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be used by a county of the third, fourth, fifth, or sixth class or by a city or town within a county of the third, fourth, fifth, or sixth class for:

(A) the construction, operation, or maintenance of a class B road or class C road; or

(B) the restoration or repair of survey monuments associated with transportation infrastructure.

(ii) A county, city, or town may not use more than 50% of the current balance of fund money allocated to the county, city, or town for the purposes described in Subsection (5)(g)(i).

(iii) A county, city, or town may not use more than 50% of the fund revenue collections allocated to a county, city, or town in the current fiscal year for the purposes described in Subsection (5)(g)(i).

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- 509 (6)
510 (a)
511 (i) The Local Highway and Transportation Corridor Preservation Fund shall be used to preserve
512 transportation corridors, promote long-term statewide transportation planning, save on
513 acquisition costs, and promote the best interests of the state in a manner which minimizes
514 impact on prime agricultural land.
- 515 ~~[(ii) The Local Highway and Transportation Corridor Preservation Fund shall only be used to~~
516 ~~preserve a transportation corridor that is right-of-way:]~~
517 ~~[(A) in a county of the first or second class for:]~~
518 ~~[(I) a state highway;]~~
519 ~~[(II) a principal arterial highway as defined in Section 72-4-102.5;]~~
520 ~~[(III) a minor arterial highway as defined in Section 72-4-102.5;]~~
521 ~~[(IV) a collector highway in an urban area as defined in Section 72-4-102.5; or]~~
522 ~~[(V) a transit facility as defined in Section 17B-2a-802; or]~~
523 ~~[(B) in a county of the third, fourth, fifth, or sixth class for:]~~
524 ~~[(I) a state highway;]~~
525 ~~[(II) a principal arterial highway as defined in Section 72-4-102.5;]~~
526 ~~[(III) a minor arterial highway as defined in Section 72-4-102.5;]~~
527 ~~[(IV) a major collector highway as defined in Section 72-4-102.5;]~~
528 ~~[(V) a minor collector road as defined in Section 72-4-102.5; or]~~
529 ~~[(VI) a transit facility as defined in Section 17B-2a-802.]~~
- 530 (ii) Subject to Subsection (6)(c), in a county of the first or second class, the Local Highway and
531 Transportation Corridor Preservation Fund shall only be used to preserve a transportation
532 corridor that is a right-of-way for:
- 533 (A) a state highway;
534 (B) a principal arterial highway as defined in Section 72-4-102.5;
535 (C) a minor arterial highway as defined in Section 72-4-102.5;
536 (D) a collector highway in an urban area as defined in Section 72-4-102.5;
537 (E) a transit facility as defined in Section 17B-2a-802; or
538 (F) regionally significant active transportation facilities identified in the regional transportation plan.

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(iii) In a county of the third, fourth, fifth, or sixth class, the Local Highway and Transportation Corridor Preservation Fund shall only be used to preserve a transportation corridor that is a right-of-way for:

(A) a state highway;

(B) a principal arterial highway as defined in Section 72-4-102.5;

(C) a minor arterial highway as defined in Section 72-4-102.5;

(D) a major collector highway as defined in Section 72-4-102.5;

(E) a minor collector road as defined in Section 72-4-102.5; or

(F) a transit facility as defined in Section 17B-2a-802.

~~[(iii)]~~ (iv) The Local Highway and Transportation Corridor Preservation Fund may not be used for a transportation corridor that is primarily a recreational trail as defined under Section 79-5-102.

(b) A highway authority shall authorize the expenditure of fund money after determining that the expenditure is being made in accordance with this section from applications that are:

(i) endorsed by the council of governments; and

(ii) for a right-of-way purchase for a transportation corridor authorized under Subsection (6)(a)(ii) or (iii).

(c)

(i) In addition to the uses described in Subsections (6)(a) and (6)(b), subject to Subsection (6)(c) (ii), if a county legislative body makes a determination that there are no regionally significant corridor preservation acquisitions identified in the regional transportation plan for locally owned transportation facilities that are needed over the next 20 years, the following additional allowed uses of the locally imposed corridor preservation fund are permitted:

(A) development and construction of class A, class B, class C, and class D roads;

(B) traffic and pedestrian safety infrastructure;

(C) streets, alleys, roads, highways, and thoroughfares of any kind, including connected structures;

(D) active transportation facilities that are for nonmotorized vehicles and multimodal transportation;

(E) other modes and forms of conveyance used by the public, including parking structures; and

(F) {~~transportation and other related~~} transportation-related capital facility construction, debt service or bond issuance costs, operations, and maintenance.

(ii)

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(A) A county legislative body and the associated metropolitan planning organization shall review the regional transportation plan not less than every four years to confirm that no new regionally significant corridor preservation acquisitions have been identified as needed.

(B) A county legislative body may not expend locally imposed corridor preservation funds for a use described in Subsection (6)(c)(i) unless the county legislative body determines and the relevant metropolitan planning organization concurs that no regionally significant corridor preservation needs exist in the next 20 years.

(7)

(a)

(i) A council of governments shall establish a council of governments endorsement process which includes prioritization and application procedures for use of the money allocated to each county under this section.

(ii) The endorsement process under Subsection (7)(a)(i) may include review or endorsement of the preservation project by:

(A) the metropolitan planning organization if the county is within the boundaries of a metropolitan planning organization; or

(B) the department if the county is not within the boundaries of a metropolitan planning organization.

(b) All fund money shall be prioritized by each highway authority and council of governments based on considerations, including:

(i) areas with rapidly expanding population;

(ii) the willingness of local governments to complete studies and impact statements that meet department standards;

(iii) the preservation of transportation corridors by the use of local planning and zoning processes;

(iv) the availability of other public and private matching funds for a project;

(v) the cost-effectiveness of the preservation projects;

(vi) long and short-term maintenance costs for property acquired; and

(vii) whether the transportation corridor is included as part of:

(A) the county and municipal master plan; and

(B)

(I) the statewide long range plan; or

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(II) the regional transportation plan of the area metropolitan planning organization if one exists for the area.

605 (c) The council of governments shall:

606 (i) establish a priority list of transportation corridor preservation projects within the county;

608 (ii) submit the list described in Subsection (7)(c)(i) to the county's legislative body for approval; and

610 (iii) obtain approval of the list described in Subsection (7)(c)(i) from a majority of the members of the county legislative body.

612 (d) A county's council of governments may only submit one priority list described in Subsection (7)(c)(i) per calendar year.

614 (e) A county legislative body may only consider and approve one priority list described in Subsection (7)(c)(i) per calendar year.

616 (8)

(a) Unless otherwise provided by written agreement with another highway authority or public transit district, the highway authority that holds the deed to the property is responsible for maintenance of the property.

619 (b) The transfer of ownership for property acquired under this section from one highway authority to another shall include a recorded deed for the property and a written agreement between the highway authorities or public transit district.

622 (9)

(a) The proceeds from any bonds or other obligations secured by revenues of the Local Highway and Transportation Corridor Preservation Fund shall be used for the purposes authorized for funds under this section.

625 (b) The highway authority shall pledge the necessary part of the revenues of the Local Highway and Transportation Corridor Preservation Fund to the payment of principal and interest on the bonds or other obligations.

628 (10)

(a) A highway authority may not expend money under this section to purchase a right-of-way for a state highway unless the highway authority has:

630 (i) a transportation corridor property acquisition policy or ordinance in effect that meets department requirements for the acquisition of real property or any interests in real property under this section; and

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- 633 (ii) an access management policy or ordinance in effect that meets the requirements under
Subsection 72-2-117(8).
- 635 (b) The provisions of Subsection (10)(a)(i) do not apply if the highway authority has a written
agreement with the department for the department to acquire real property or any interests in real
property on behalf of the local highway authority under this section.
- 639 (11) The county shall ensure, to the extent possible, that the fund money allocated and distributed to a
city or town in accordance with Subsection (4) is expended:
- 641 (a) to fund a project or service as allowed by this section within the city or town to which the fund
money is allocated;
- 643 (b) to pay debt service, principal, or interest on a bond or other obligation as allowed by this section if
that bond or other obligation is:
- 645 (i) secured by money allocated to the city or town; and
- 646 (ii) issued to finance a project or service as allowed by this section within the city or town to which the
fund money is allocated;
- 648 (c) to fund transportation planning as allowed by this section within the city or town to which the fund
money is allocated; or
- 650 (d) for another purpose allowed by this section within the city or town to which the fund money is
allocated.
- 652 (12) Notwithstanding any other provision in this section, any amounts within the fund allocated to a
public transit district or for a public transit corridor may only be derived from the portion of the fund
that does not include constitutionally restricted sources related to the operation of a motor vehicle on
a public highway or proceeds from an excise tax on liquid motor fuel to propel a motor vehicle.

2109 Section 25. **Repealer.**

This Bill Repeals:

2110 This bill repeals:

2111 Section **41-1a-123, License Plate Restricted Account.**

2112 Section **72-6-121, Clean fuel vehicle decal.**

2113 Section 26. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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