

Wayne A. Harper proposes the following substitute bill:

Transportation Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill amends license plate provisions, repeals the clean vehicle program, amends distribution frequency for class B and class C road funding, and amends provisions related to local corridor preservation fund administration.

Highlighted Provisions:

This bill:

- ▶ amends provisions related to local jurisdiction over real property as pertaining to commuter rail property;
- ▶ repeals the clean vehicle program;
- ▶ defines terms related to license plates;
- ▶ changes the process for the design and issuance of standard license plates;
- ▶ amends the process for redesign of standard license plate options;
- ▶ amends provisions related to the visibility and readability of license plates, including replacement of faded license plates;
- ▶ 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

- 29 responsibilities and coordination;
- 30 ▸ provides flexibility in distribution frequency of class B and class C road funding;
- 31 ▸ directs local corridor preservation funds to go directly to the relevant local government
- 32 instead of passing through the Transportation Fund;
- 33 ▸ modifies certain uses for local corridor preservation funds; and
- 34 ▸ makes technical changes.

35 **Money Appropriated in this Bill:**

36 None

37 **Other Special Clauses:**

38 None

39 **Utah Code Sections Affected:**

40 AMENDS:

41 **10-20-305**, as renumbered and amended by Laws of Utah 2025, First Special Session,
42 Chapter 15

43 **17-79-306**, as renumbered and amended by Laws of Utah 2025, First Special Session,
44 Chapter 14

45 **41-1a-102**, as last amended by Laws of Utah 2025, Chapter 285

46 **41-1a-402**, as last amended by Laws of Utah 2025, Chapter 279

47 **41-1a-403**, as last amended by Laws of Utah 2024, Chapter 251

48 **41-1a-418**, as last amended by Laws of Utah 2025, Chapter 247

49 **41-1a-419**, as last amended by Laws of Utah 2025, Chapter 247

50 **41-1a-1211**, as last amended by Laws of Utah 2024, Chapter 251

51 **41-1a-1601**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

52 **41-1a-1603**, as last amended by Laws of Utah 2025, Chapter 247

53 **41-1a-1604**, as last amended by Laws of Utah 2024, Chapter 251

54 **41-1a-1605**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

55 **41-1a-1606**, as last amended by Laws of Utah 2025, Chapter 247

56 **41-1a-1608**, as last amended by Laws of Utah 2025, Chapter 247

57 **41-6a-702**, as last amended by Laws of Utah 2020, Chapter 74

58 **53-3-207**, as last amended by Laws of Utah 2025, First Special Session, Chapter 9

59 **53-3-805**, as last amended by Laws of Utah 2025, Chapter 471

60 **72-1-201**, as last amended by Laws of Utah 2025, Chapters 393, 452

61 **72-1-213.1**, as last amended by Laws of Utah 2025, Chapter 452

62 **72-2-107**, as last amended by Laws of Utah 2023, Chapter 22

63 **72-2-117.5**, as last amended by Laws of Utah 2025, Chapter 373

64 ENACTS:

65 **41-1a-1611**, Utah Code Annotated 1953

66 **41-1a-1612**, Utah Code Annotated 1953

67 **72-1-219**, Utah Code Annotated 1953

68 REPEALS:

69 **41-1a-123**, as enacted by Laws of Utah 2023, Chapter 212

70 **72-6-121**, as last amended by Laws of Utah 2024, Chapter 517

71

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

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

74 **10-20-305 . State and federal property.**

75 (1) As used in this section:

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

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

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

80 (2) Unless otherwise provided by law, nothing contained in this chapter or Chapter 21,
 81 Municipalities and Housing Supply, may be construed as giving a municipality
 82 jurisdiction over:

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

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

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

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

93 **17-79-306 . State and federal property.**

94 (1) As used in this section:

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

96 (b)(i) "Commuter rail facility" means a parking facility or maintenance facility

97 related to commuter rail.

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

99 (2) Unless otherwise provided by law, nothing contained in this chapter or Chapter 80,

100 Counties and Housing Supply, may be construed as giving a county jurisdiction over:

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

102 or

103 (b) except as provided by Subsection (3), other real property necessary for the

104 construction of a commuter rail project for which the Department of Transportation

105 has oversight and supervision.

106 (3) Upon completion of a commuter rail project described in Subsection (2), including any

107 performance of work related to warranties and latent defects, a county retains the

108 jurisdiction and land use authority provided by law over the completed commuter rail

109 facilities.

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

111 **41-1a-102 . Definitions.**

112 As used in this chapter:

113 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

114 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of

115 vehicles as operated and certified to by a weighmaster.

116 (3) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.

117 (4) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

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

129 Commission to engage in private and experimental two-way radio operation on the

130 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
133 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
139 on or affixed to a motor vehicle that contains a floor and is designed to provide a mobile
140 dwelling, sleeping place, commercial space, or facilities for human habitation or for
141 camping.
- 142 (12) "Certificate of title" means a document issued by a jurisdiction to establish a record of
143 ownership between an identified owner and the described vehicle, vessel, or outboard
144 motor.
- 145 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
146 weighmaster.
- 147 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or maintained
148 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
151 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.
- 154 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
155 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright
156 or on conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an
157 established place of business for the sale, lease, trade, or display of vehicles, vessels, or
158 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
162 Section 41-1a-106.
- 163 [~~20~~] (21) "Dynamic driving task" means the same as that term is defined in Section
164 41-26-102.1.

- 165 [~~(21)~~] (22) "Electric motor vehicle" means a motor vehicle that is powered solely by an
166 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
168 to be registered in this state, the removal, alteration, or substitution of which would tend
169 to conceal the identity of the vehicle or substantially alter the vehicle's appearance,
170 model, type, or mode of operation.
- 171 [~~(23)~~] (24) "Farm tractor" means a motor vehicle designed and used primarily as a farm
172 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
174 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,
176 floricultural and horticultural products;
 - 177 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
178 agricultural, floricultural, horticultural, livestock, and poultry production; and
 - 179 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
180 other purposes connected with the operation of a farm.
- 181 (b) "Farm truck" does not include the operation of trucks by commercial processors of
182 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.
- 186 [~~(26)~~] (27) "Foreign vehicle" means a vehicle of a type required to be registered, brought
187 into this state from another state, territory, or country other than in the ordinary course
188 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
190 vehicles, equipped for operation, to which shall be added the maximum load to be
191 carried.
- 192 [~~(28)~~] (29) "Highway" or "street" means the entire width between property lines of every
193 way or place of whatever nature when any part of it is open to the public, as a matter of
194 right, for purposes of vehicular traffic.
- 195 [~~(29)~~] (30) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion
196 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

- 199 solely from sources onboard the vehicle.
- 200 ~~[(30)]~~ (31)(a) "Identification number" means the identifying number assigned by the
201 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or
202 outboard motor.
- 203 (b) "Identification number" includes a vehicle identification number, state assigned
204 identification number, hull identification number, and motor serial number.
- 205 ~~[(31)]~~ (32) "Implement of husbandry" means a vehicle designed or adapted and used
206 exclusively for an agricultural operation and only incidentally operated or moved upon
207 the highways.
- 208 ~~[(32)]~~ (33)(a) "In-state miles" means the total number of miles operated in this state
209 during the preceding year by fleet power units.
- 210 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
211 total number of miles that those vehicles were towed on Utah highways during the
212 preceding year.
- 213 ~~[(33)]~~ (34) "Interstate vehicle" means a commercial vehicle operated in more than one state,
214 province, territory, or possession of the United States or foreign country.
- 215 ~~[(34)]~~ (35) "Jurisdiction" means a state, district, province, political subdivision, territory, or
216 possession of the United States or any foreign country.
- 217 ~~[(35)]~~ (36) "Lienholder" means a person with a security interest in particular property.
- 218 ~~[(36)]~~ (37) "Manufactured home" means a transportable factory built housing unit
219 constructed on or after June 15, 1976, according to the Federal Home Construction and
220 Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the
221 traveling mode, is eight body feet or more in width or 40 body feet or more in length, or
222 when erected on site, is 400 or more square feet, and which is built on a permanent
223 chassis and designed to be used as a dwelling with or without a permanent foundation
224 when connected to the required utilities, and includes the plumbing, heating,
225 air-conditioning, and electrical systems.
- 226 ~~[(37)]~~ (38) "Manufacturer" means a person engaged in the business of constructing,
227 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
228 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
230 for use by armed forces and that is maintained in a condition that represents the vehicle's
231 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]~~

233 before June 15, 1976, in accordance with a state mobile home code which existed [~~prior~~
234 ~~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
237 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
245 more than three wheels in contact with the ground; or

246 (b) an autocycle.

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

248 [~~(45)~~] (46)(a) "Nonresident" means a person who is not a resident of this state as defined
249 by Section 41-1a-202, and who does not engage in intrastate business within this
250 state and does not operate in that business any motor vehicle, trailer, or semitrailer
251 within this state.

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

257 [~~(46)~~] (47) "Odometer" means a device for measuring and recording the actual distance a
258 vehicle travels while in operation, but does not include any auxiliary odometer designed
259 to be periodically reset.

260 [~~(47)~~] (48) "Off-highway implement of husbandry" means the same as that term is defined
261 in Section 41-22-2.

262 [~~(48)~~] (49) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

263 [~~(49)~~] (50)(a) "Operate" means:

264 (i) to navigate a vessel; or

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

- 267 (A) a human driver as defined in Section 41-26-102.1; or
 268 (B) an engaged automated driving system.
- 269 (b) "Operate" includes testing of an automated driving system.
- 270 ~~[(50)]~~ (51) "Original issue license plate" means a license plate that is of a format and type
 271 issued by the state in the same year as the model year of a vehicle that is a model year
 272 1973 or older.
- 273 ~~[(51)]~~ (52) "Outboard motor" means a detachable self-contained propulsion unit, excluding
 274 fuel supply, used to propel a vessel.
- 275 ~~[(52)]~~ (53)(a) "Owner" means a person, other than a lienholder, holding title to a vehicle,
 276 vessel, or outboard motor whether ~~[or not]~~ the vehicle, vessel, or outboard motor is
 277 subject to a security interest.
- 278 (b) If a vehicle is the subject of an agreement for the conditional sale or installment sale
 279 or mortgage of the vehicle with the right of purchase upon performance of the
 280 conditions stated in the agreement and with an immediate right of possession vested
 281 in the conditional vendee or mortgagor, or if the vehicle is the subject of a security
 282 agreement, then the conditional vendee, mortgagor, or debtor is considered the owner
 283 for the purposes of this chapter.
- 284 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner
 285 until the lessee exercises the lessee's option to purchase the vehicle.
- 286 ~~[(53)]~~ (54) "Park model recreational vehicle" means a unit that:
- 287 (a) is designed and marketed as temporary living quarters for recreational, camping,
 288 travel, or seasonal use;
- 289 (b) is not permanently affixed to real property for use as a permanent dwelling;
- 290 (c) requires a special highway movement permit for transit; and
- 291 (d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding
 292 400 square feet in the setup mode.
- 293 ~~[(54)]~~ (55) "Personal vehicle" means a vehicle that is not a commercial vehicle.
- 294 ~~[(55)]~~ (56) "Personalized license plate" means a license plate that has displayed on it a
 295 combination of letters, numbers, or both as requested by the owner of the vehicle and
 296 assigned to the vehicle by the division.
- 297 ~~[(56)]~~ (57)(a) "Pickup truck" means a two-axle motor vehicle with motive power
 298 manufactured, remanufactured, or materially altered to provide an open cargo area.
- 299 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
 300 camper, camper shell, tarp, removable top, or similar structure.

301 [~~(57)~~] (58) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor vehicle
302 that has the capability to charge the battery or batteries used for vehicle propulsion from
303 an off-vehicle electric source, such that the off-vehicle source cannot be connected to the
304 vehicle while the vehicle is in motion.

305 [~~(58)~~] (59) "Pneumatic tire" means a tire in which compressed air is designed to support the
306 load.

307 [~~(59)~~] (60) "Preceding year" means a period of 12 consecutive months fixed by the division
308 that is within 16 months immediately preceding the commencement of the registration or
309 license year in which proportional registration is sought. The division in fixing the
310 period shall conform it to the terms, conditions, and requirements of any applicable
311 agreement or arrangement for the proportional registration of vehicles.

312 [~~(60)~~] (61) "Public garage" means a building or other place where vehicles or vessels are
313 kept and stored and where a charge is made for the storage and keeping of vehicles and
314 vessels.

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

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

320 [~~(63)~~] (64) "Recreational vehicle" means the same as that term is defined in Section
321 13-14-102.

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

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

328 [~~(66)~~] (67)(a) "Registration year" means a 12 consecutive month period commencing
329 with the completion of the applicable registration criteria.

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

332 [~~(67)~~] (68) "Repair or replacement" means the restoration of vehicles, vessels, or outboard
333 motors to a sound working condition by substituting any inoperative part of the vehicle,
334 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
- 338 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
- 341 modified with modern parts and technology, including emission control technology and
- 342 an on-board diagnostic system.
- 343 [(70)] (72) "Road tractor" means a motor vehicle designed and used for drawing other
- 344 vehicles and constructed so it does not carry any load either independently or any part of
- 345 the weight of a vehicle or load that is drawn.
- 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
- 349 agreement to secure the payment or performance of an obligation and that is valid
- 350 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
- 353 particular group of people or a license plate authorized and issued by the division in
- 354 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
- 356 special group and displayed on a special group license plate.
- 357 [(76)] (79)(a) "Special interest vehicle" means a vehicle used for general transportation
- 358 purposes and that is:
- 359 (i) 20 years or older from the current year; or
- 360 (ii) a make or model of motor vehicle recognized by the division director as having
- 361 unique interest or historic value.
- 362 (b) In making a determination under Subsection [(76)(a)] (79)(a), the division director
- 363 shall give special consideration to:
- 364 (i) a make of motor vehicle that is no longer manufactured;
- 365 (ii) a make or model of motor vehicle produced in limited or token quantities;
- 366 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
- 367 designed exclusively for educational purposes or museum display; or
- 368 (iv) a motor vehicle of any age or make that has not been substantially altered or

369 modified from original specifications of the manufacturer and because of its
370 significance is being collected, preserved, restored, maintained, or operated by a
371 collector or hobbyist as a leisure pursuit.

372 [(77)] (80)(a) "Special mobile equipment" means a vehicle:

373 (i) not designed or used primarily for the transportation of persons or property;

374 (ii) not designed to operate in traffic; and

375 (iii) only incidentally operated or moved over the highways.

376 (b) "Special mobile equipment" includes:

377 (i) farm tractors;

378 (ii) off-road motorized construction or maintenance equipment including backhoes,

379 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
382 Section 72-9-102.

383 [(78)] (81) "Specially constructed vehicle" means a vehicle of a type required to be

384 registered in this state, not originally constructed under a distinctive name, make, model,

385 or type by a generally recognized manufacturer of vehicles, and not materially altered

386 from its original construction.

387 [(79)] (82)(a) "Standard license plate" means a license plate for general issue described
388 in Subsection 41-1a-402(1).

389 (b) "Standard license plate" includes a license plate for general issue that the division
390 issues before January 1, 2024.

391 [(80)] (83) "State impound yard" means a yard for the storage of a vehicle, vessel, or

392 outboard motor that meets the requirements of rules made by the commission as

393 described in Subsection 41-1a-1101(7).

394 [(81)] (84) "Street-legal all-terrain vehicle" or "street-legal ATV" means the same as that

395 term is defined in Section 41-6a-102.

396 [(82) "Symbol decal" means the decal that is designed to represent a special group and

397 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

400 jurisdictions during the preceding year by power units.

401 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the

402 number of miles that those vehicles were towed on the highways of all jurisdictions

- 403 during the preceding year.
- 404 [~~(85)~~] (87) "Tow truck motor carrier" means the same as that term is defined in Section
405 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:
- 410 (i) carrying persons or property; and
- 411 (ii) being drawn by a motor vehicle.
- 412 [~~(88)~~] (90) "Transferee" means a person to whom the ownership of property is conveyed by
413 sale, gift, or any other means except by the creation of a security interest.
- 414 [~~(89)~~] (91) "Transferor" means a person who transfers the person's ownership in property by
415 sale, gift, or any other means except by creation of a security interest.
- 416 [~~(90)~~] (92) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable
417 vehicle without motive power, designed as a temporary dwelling for travel, recreational,
418 or vacation use that does not require a special highway movement permit when drawn
419 by a self-propelled motor vehicle.
- 420 [~~(91)~~] (93) "Truck tractor" means a motor vehicle designed and used primarily for drawing
421 other vehicles and not constructed to carry a load other than a part of the weight of the
422 vehicle and load that is drawn.
- 423 [~~(92)~~] (94) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
424 camper, park model recreational vehicle, manufactured home, and mobile home.
- 425 [~~(93)~~] (95) "Vessel" means the same as that term is defined in Section 73-18-2.
- 426 [~~(94)~~] (96) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.
- 427 [~~(95)~~] (97) "Waters of this state" means the same as that term is defined in Section 73-18-2.
- 428 [~~(96)~~] (98) "Weighmaster" means a person, association of persons, or corporation permitted
429 to weigh vehicles under this chapter.

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

431 **41-1a-402 . Standard license plates -- Required colors, numerals, and letters --**
432 **Expiration.**

- 433 (1)(a) Upon registering a vehicle, the division shall issue to the owner a standard license
434 plate described in Subsection (1)(b) unless the division issues to the owner:
- 435 (i) a special group license plate in accordance with Section 41-1a-418; or
- 436 (ii) an apportioned vehicle license plate in accordance with Section 41-1a-301.

- 437 (b) The division may offer up to four standard license plate options at one time, each
 438 with a different design as follows:
- 439 (i) two designs that incorporate one or more elements that represent the state's
 440 economy or geography;
- 441 (ii) one design that represents the state's values or culture; and
- 442 (iii) one design that commemorates a current event relevant to the state or a
 443 significant anniversary of a historic event relevant to the state.
- 444 (c) The division shall offer:
- 445 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period;
 446 and
- 447 (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.
- 448 (d) The division may not offer more than four standard license plate designs at any one
 449 time.
- 450 [~~(2) Before the division may offer a design described in Subsection (1)(b), the division shall:]~~
- 451 [~~(a) consult with the Utah Department of Cultural and Community Engagement~~
 452 ~~regarding the proposed design;]~~
- 453 [~~(b) identify which current standard license plate design will be replaced by the~~
 454 ~~proposed design; and]~~
- 455 [~~(c) submit the proposed design to the commission.]~~
- 456 [(3)(a) If the commission receives a submission for a proposed design of a standard
 457 license plate as described in Subsection (2)(c), or a sponsored special group license
 458 plate as described in Section 41-1a-419 and Part 16, Sponsored Special Group
 459 License Plates, the commission shall notify:]
- 460 [(i) the governor;]
- 461 [(ii) the speaker of the House of Representatives; and]
- 462 [(iii) the president of the Senate.]
- 463 [(b) After receiving a notification described in Subsection (3)(a):]
- 464 [(i) the governor shall appoint an individual to the license plate design review board
 465 described in Subsection (3)(c);]
- 466 [(ii) the speaker of the House of Representatives shall appoint a member of the House
 467 of Representatives to the license plate design review board described in
 468 Subsection (3)(c); and]
- 469 [(iii) the president of the Senate shall appoint a member of the Senate to the license
 470 plate design review board described in Subsection (3)(c).]

- 471 ~~[(e)(i) The license plate design review board, comprised of the members appointed~~
 472 ~~as described in Subsection (3)(b), shall review proposed license plate designs.]~~
- 473 ~~[(ii) The member of the license plate design review board appointed by the governor~~
 474 ~~shall serve as chair and convene the license plate design review board.]~~
- 475 ~~[(iii) The license plate design review board shall:]~~
 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~~
 479 ~~license plate design review board may not consider or vote on a proposed license~~
 480 ~~plate design.]~~
- 481 ~~[(v) The license plate design review board shall notify the commission and the~~
 482 ~~division regarding the results of the vote to approve each proposed license plate~~
 483 ~~design.]~~
- 484 ~~[(d) The license plate design review board is not subject to Title 52, Chapter 4, Open and~~
 485 ~~Public Meetings Act.]~~
- 486 ~~[(e) If the license plate design review board approves a proposed license plate design,~~
 487 ~~the division may begin the processes necessary for production and distribution of the~~
 488 ~~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);
 491 or
- 492 (ii) accept a proposal from the public to change the design of a standard license plate
 493 described in Subsection (1)(b).
- 494 (b) As part of the proposal to change a standard license plate, the Governor's Office of
 495 Economic Opportunity shall determine which license plate a proposed design change
 496 would replace.
- 497 (3) The Governor's Office of Economic Opportunity shall submit the proposal described in
 498 Subsection (2) to the design review board.
- 499 (4) If the design review board receives a proposal as described in Subsection (3), the design
 500 review board shall:
- 501 (a) consult with the designer regarding compliance with license plate design and format
 502 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

- 505 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
507 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
509 exhausts the discontinued standard license plate's remaining stock.
- 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
514 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
519 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
521 41-1a-215(2), Subsection 41-1a-215.5(2), and Section 41-1a-216, a license plate
522 shall be renewed annually.
- 523 (ii)(A) The division shall issue the vehicle owner a month registration decal and a
524 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
526 subsequent renewals of registration to validate registration renewal.
- 527 (b) [~~Beginning on January 1, 2025, the~~] The division shall issue one registration decal
528 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,
530 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
533 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
535 displayed on the license plate in the right position.
- 536 (b) [~~Beginning on January 1, 2025, the~~] The registration decal shall be displayed on the
537 upper right position.
- 538 [~~(9)~~] (10) The current year registration decal issued in accordance with Subsection [~~(7)~~] (8)

- 539 shall be placed over or in place of the previous year registration decal.
- 540 [(10)] (11) If a license plate or registration decal is lost or destroyed, a replacement shall be
541 issued upon application and payment of the fees required under Section 41-1a-1211 or
542 41-1a-1212.
- 543 [(11)] (12)(a) A violation of this section is an infraction.
- 544 (b) A court shall waive a fine for a violation under this section if:
- 545 (i) the registration for the vehicle was current at the time of the citation; and
- 546 (ii) the person to whom the citation was issued provides, within 21 business days,
547 evidence that the license plate and registration decal are properly displayed in
548 compliance with this section.
- 549 [(12)] (13) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
550 the division may make rules regarding the placement and positioning of registration
551 decal on a license plate issued by the division.
- 552 Section 5. Section **41-1a-403** is amended to read:
- 553 **41-1a-403 . Plates to be legible from 100 feet -- Damaged plates.**
- 554 (1) License plates and the required letters and numerals on them, except the registration
555 decal and the slogan, shall be of sufficient size to be plainly readable from a distance of
556 100 feet during daylight.
- 557 (2) An individual may not attach to or over a license plate:
- 558 (a) a license plate cover; or
- 559 (b) a license plate frame~~[that obscures or blocks the readability of the license plate
560 number or registration decal on a license plate].~~
- 561 (3)(a) An individual shall ensure that the license plate displayed on the individual's
562 vehicle is in good repair and has not faded, peeled, or discolored in such a manner to
563 render the plate illegible.
- 564 (b) Except as provided in Subsection (3)(c), upon payment of the replacement fee
565 described in Subsection 41-1a-1211(6), an individual may request a replacement
566 license plate.
- 567 (c)(i) If the division determines that the fading, peeling, or discoloration of a license
568 plate is due to a manufacturing defect, the division shall waive the replacement fee
569 described in Subsection 41-1a-1211(6).
- 570 (ii) If a license plate that is five years old or older is fading, peeling, or discolored,
571 there is a presumption that the fading, peeling, or discoloring is not due to a
572 manufacturing defect.

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

577 [~~3~~] (4) A violation of this section is an infraction.

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

579 **41-1a-418 . Authorized special group license plates.**

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

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

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

584 (i) vintage vehicle;

585 (ii) farm truck; or

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

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

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

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

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

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

597 **41-1a-419 . Plate design and review -- Personalized special group license plates --**

598 **Rulemaking.**

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

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

606 (ii) If an institution chooses to design a collegiate special group license plate for the

- 607 institution, the institution is responsible for any design costs.
- 608 (c)(i) Except as provided in Subsection (1)(c)(ii), each special group license plate
 609 shall display:
- 610 (A) the word Utah;
- 611 (B) the name or identifying slogan of the special group; and
- 612 (C) the combination of letters, numbers, or both uniquely identifying the
 613 registered vehicle.
- 614 (ii) The division, in consultation with the Utah State Historical Society, shall design
 615 the historical support special group license plate, which shall:
- 616 (A) have a black background;
- 617 (B) have white characters; and
- 618 (C) display the word Utah.
- 619 (iii) The division shall design a classic support special group license plate, which
 620 shall:
- 621 (A) have a white background;
- 622 (B) have black characters; and
- 623 (C) display the word Utah.
- 624 (iv) The design of a special group license plate is subject to approval by the license
 625 plate design review board as described in Subsection 41-1a-402(3).
- 626 (2)(a) The division shall, after consultation with a representative designated by the
 627 sponsoring organization as defined in Section 41-1a-1601, specify the word or words
 628 comprising the special group name and the ~~[symbol decal]~~ special group symbol to be
 629 displayed upon the special group license plate.
- 630 (b) A special group license plate ~~[symbol decal]~~ special group symbol may not be
 631 redesigned:
- 632 (i) unless the division receives a redesign fee established by the division under
 633 Section 63J-1-504; and
- 634 (ii) more frequently than every five years.
- 635 ~~[(e) A special group license plate symbol decal may not be reordered unless the division
 636 receives a symbol decal reorder fee established by the division in accordance with
 637 Section 63J-1-504.]~~
- 638 (3) The license plates issued for horseless carriages ~~[prior to]~~ before July 1, 1992, are valid
 639 without renewal as long as the vehicle is owned by the registered owner and the license
 640 plates may not be recalled by the division.

- 641 (4) A person who meets the requirements described in this part or Part 16, Sponsored
642 Special Group License Plates, for a special group license plate may, apply for a
643 personalized special group license plate in accordance with Sections 41-1a-410 and
644 41-1a-411.
- 645 (5) Subject to this chapter, the commission shall make rules in accordance with Title 63G,
646 Chapter 3, Utah Administrative Rulemaking Act, to:
- 647 (a) establish qualifying criteria for persons to receive, renew, or surrender special group
648 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**
652 **personalized and special group license plates -- Replacement fee for license plates --**
653 **Postage fees.**
- 654 (1)(a) Except as provided in Subsections (11), (12), and (13), a license plate fee
655 established in accordance with Section 63J-1-504 shall be paid to the division for the
656 issuance of any new license plate under Part 4, License Plates and Registration
657 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
660 plate fee for a motorcycle or trailer, into the Motor Vehicle Safety Impact
661 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
664 Restricted Account, as provided in Section 41-1a-1201.
- 665 (2)(a) An applicant for original issuance of a personalized license plate issued under
666 Section 41-1a-410 shall pay a \$50 per set license plate application fee in addition to
667 the fee required in Subsection (1).
- 668 (b) In addition to the fee described in Subsection (2)(a), an applicant for original
669 issuance of a personalized license plate issued under Section 41-1a-410 shall pay a
670 \$25 processing fee.
- 671 (c) The fee described in Subsection (2)(b) shall be deposited into the License Plate
672 Restricted Account created in Section 41-1a-122.
- 673 (3) Beginning July 1, 2003, a person who applies for a special group license plate shall pay
674 a \$5 fee for the original license plate in addition to the fee required under Subsection (1).

- 675 (4) An applicant for original issuance of a personalized special group license plate shall pay
 676 the license plate application fees required in Subsection (2) in addition to the license
 677 plate fees and license plate application fees established under Subsections (1) and (3).
- 678 (5) An applicant for renewal of a personalized license plate issued under Section 41-1a-410
 679 shall pay a \$10 per set application fee.
- 680 (6)(a) The division may charge a fee established under Section 63J-1-504 to recover the
 681 costs for the replacement of any license plate issued under Part 4, License Plates and
 682 Registration Indicia.
- 683 (b) The license plate fee for the replacement of any license plate as described in
 684 Subsection (6)(a) shall be deposited as follows:
- 685 (i) beginning on January 1, 2025, \$1 from the license plate fees, other than a license
 686 plate fee for a motorcycle or trailer, into the Motor Vehicle Safety Impact
 687 Restricted Account created in Section 53-8-214;
- 688 (ii) \$1 into the Transportation Fund; and
- 689 (iii) the remainder of the fee charged under Subsection (6)(a) into the License Plate
 690 Restricted Account, as provided in Section 41-1a-1201.
- 691 ~~[(7)(a) The division may charge a fee established under Section 63J-1-504 to recover~~
 692 ~~the division's costs for the replacement of a symbol decal issued under Section~~
 693 ~~41-1a-418.]~~
- 694 ~~[(b) The fee described in Subsection (7)(a) shall be deposited into the License Plate~~
 695 ~~Restricted Account as described in Section 41-1a-1201.]~~
- 696 ~~[(8)]~~ (7) The division may charge a fee established under Section 63J-1-504 to recover the
 697 cost of issuing stickers under Section 41-1a-416.
- 698 ~~[(9)]~~ (8) In addition to any other fees required by this section, the division shall assess a fee
 699 established under Section 63J-1-504 to cover postage expenses if a new or replacement
 700 license plate is mailed to the applicant.
- 701 ~~[(10)]~~ (9) The fees required under this section are separate from and in addition to
 702 registration fees required under Section 41-1a-1206.
- 703 ~~[(11)]~~ (10)(a) An applicant for a license plate issued under Section 41-1a-407 is not
 704 subject to the license plate fee under Subsection (1).
- 705 (b) An applicant for a Purple Heart special group license plate issued on or before
 706 December 31, 2023, or issued in accordance with Part 16, Sponsored Special Group
 707 License Plates, is exempt from the fees under Subsections (1)~~[(3), and (7)]~~ and (3).
- 708 ~~[(12)]~~ (11) A person is exempt from the fee under Subsection (1) or (6) if the person:

- 709 (a) was issued a clean fuel special group license plate in accordance with Section
 710 41-1a-418 [~~prior to~~] before the effective date of rules made by the Department of
 711 Transportation under Subsection 41-6a-702(5)(b);
- 712 (b) beginning on the effective date of rules made by the Department of Transportation
 713 authorized under Subsection 41-6a-702(5)(b), is no longer eligible for a clean fuel
 714 special group license plate under the rules made by the Department of
 715 Transportation; and
- 716 (c) upon renewal or reissuance, is required to replace the clean fuel special group license
 717 plate with a new license plate.

718 [(13)] (12) An individual is exempt from the license plate fee under Subsection (1) if the
 719 individual presents official documentation that the individual is a recipient of the Purple
 720 Heart Award in one of the following forms:

- 721 (a) official documentation issued by a recognized association representing peace officers
 722 who:
- 723 (i) receive a salary from a federal, state, county, or municipal government or any
 724 other subdivision of the state; and
- 725 (ii) work in the state;
- 726 (b) a membership card in the Military Order of the Purple Heart; or
- 727 (c) an original or certificate in lieu of the applicant's military discharge form, DD-214,
 728 issued by the National Personnel Records Center.

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

730 **41-1a-1601 . Definitions.**

731 As used in this part:

- 732 (1) "Applicant" means a registered owner who submits an application to obtain or renew a
 733 sponsored special group license plate in accordance with this part.
- 734 (2)(a) "Charitable purpose" means:
- 735 (i) relief of the poor, the distressed, or the underprivileged;
- 736 (ii) advancement of religion;
- 737 (iii) advancement of education or science;
- 738 (iv) erecting or maintaining a public building, monument, or work;
- 739 (v) reducing the burdens of government;
- 740 (vi) reducing neighborhood tensions;
- 741 (vii) eliminating prejudice and discrimination;
- 742 (viii) defending human rights and civil rights secured by law; or

- 743 (ix) combating community deterioration and juvenile delinquency.
- 744 (b) "Charitable purpose" does not include providing, encouraging, or paying for the
745 costs of obtaining an abortion.
- 746 (3) "Collegiate special group license plate" means a sponsored special group license plate
747 issued to a contributor to an institution.
- 748 (4) "Contributor" means an applicant who contributes the required contribution to a
749 sponsoring organization for a sponsored special group license plate.
- 750 (5) "Corporate brand sponsored special group license plate" means a sponsored special
751 group license plate with a sponsoring organization that is a private business.
- 752 (6)(a) "Existing special group license plate" means a special group license plate that the
753 division issues before January 1, 2024.
- 754 (b) "Existing special group license plate" does not include a special group license plate
755 described in Subsection 41-1a-418(1)(a) or (b).
- 756 (7) "Existing state agency recognition special group license plate" means an existing special
757 group license plate issued to a registered owner who:
- 758 (a) has a special license that supports or furthers a government purpose;
- 759 (b) has received an honor that supports or furthers a government purpose;
- 760 (c) has achieved an accomplishment that supports or furthers a government purpose; or
- 761 (d) holds an elected office.
- 762 (8) "Institution" means:
- 763 (a) an institution of higher education as defined in Section 53H-1-101; or
- 764 (b) a private postsecondary educational institution as defined in Section 53H-1-101.
- 765 (9) "Major league sport" means the same as that term is defined in Section 11-70-101.
- 766 (10)(a) "Private nonprofit organization" means a private nonprofit organization that:
- 767 (i) qualifies as being tax exempt under Section ~~[501(e)(3)]~~ 501 of the Internal
768 Revenue Code; and
- 769 (ii) has a charitable purpose.
- 770 (b) "Private nonprofit organization" does not include an organization that provides,
771 encourages, or pays for the costs of obtaining an abortion.
- 772 (11) "Private nonprofit special group license plate" means a sponsored special group license
773 plate issued to a contributor to a private nonprofit organization.
- 774 ~~[(12) "Required contribution" means:]~~
- 775 ~~[(a) the minimum annual contribution amount established under Subsection~~
776 ~~41-1a-1603(4)(a)(iii); or]~~

777 ~~[(b) if the sponsoring organization establishes a minimum annual contribution amount in~~
778 ~~accordance with Subsection 41-1a-1603(4)(b) that is greater than the minimum~~
779 ~~required contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the~~
780 ~~amount the sponsoring organization establishes.]~~

781 (12) "Required contribution" means a contribution a person is required to pay to obtain a
782 special group license plate, which is equal to the sum of:

783 (a)(i) the minimum \$25 annual contribution described in Subsection
784 41-1a-1603(4)(a)(iii) for a support special group license plate; or
785 (ii) if the sponsoring organization establishes a minimum annual contribution amount
786 in accordance with Subsection 41-1a-1603(4)(d) that is greater than the minimum
787 required contribution amount established under Subsection 41-1a-1603(4)(a)(iii),
788 the amount the sponsoring organization establishes; and

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

791 (13) "Special group license plate" means:

- 792 (a) a collegiate special group license plate;
- 793 (b) a private nonprofit special group license plate;
- 794 (c) a corporate brand sponsored special group license plate;
- 795 (d) a major league sports team sponsored special group license plate;
- 796 (e) a sponsored special group license plate;
- 797 (f) a state agency recognition special group license plate; or
- 798 (g) a state agency support special group license plate.

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

- 800 (a) designed for and associated with a sponsoring organization; and
- 801 (b) issued to an applicant in accordance with this part.

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

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

- 807 (a) has a special license that supports or furthers a government purpose;
- 808 (b) has received an honor that supports or furthers a government purpose;
- 809 (c) has achieved an accomplishment that supports or furthers a government purpose; or
- 810 (d) holds an elected office.

- 811 (17)(a) "State agency support special group license plate" means:
- 812 (i) a sponsored special group license plate issued to a contributor to a state agency to
- 813 support a specific state agency program; or
- 814 (ii) an existing special group license plate issued for a special interest vehicle.
- 815 (b) "State agency support special group license plate" includes a cancer support license
- 816 plate created by an act of the Legislature before December 31, 2022.

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

818 **41-1a-1603 . Application requirements -- Fees -- Contributions -- Rulemaking.**

- 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
- 822 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~~
- 824 ~~applicant previously paid the required contribution as part of a preorder application~~
- 825 ~~described in Subsection (3)]; and~~
- 826 (d) if the sponsoring organization elects to require verification as described in Section
- 827 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
- 829 group license plate shall submit to the division the required contribution to renew the
- 830 sponsored special group license plate.
- 831 ~~(3)(a) An applicant who wishes to obtain a new type of sponsored special group license~~
- 832 ~~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~~
- 834 ~~sponsored special group license plate a complete preorder form created by the~~
- 835 ~~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
- 838 of sponsored special group license plate under Section 41-1a-1604, an applicant ~~[who~~
- 839 ~~submitted a preorder in accordance with Subsection (3)(a)] may apply for the~~
- 840 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
- 843 sponsored special group license plate ~~[or symbol decal];~~
- 844 (ii) the fee to charge a sponsoring organization for the division's costs of designing

- 845 and administering a new type of sponsored special group license plate, in
 846 accordance with Subsection 41-1a-1604(2)(c); and
- 847 (iii) subject to Subsections ~~[(4)(b)]~~ (4)(d) and (6), in an amount equal to at least \$25,
 848 the minimum annual contribution amount an applicant is required to make to
 849 obtain or renew the sponsoring organization's sponsored special group license
 850 plate.
- 851 (b) For a sponsored special group license plate with fewer than 250 users, in addition to
 852 the fees described in Subsection (4)(a), an applicant shall pay an administrative fee of
 853 five dollars.
- 854 ~~[(b)]~~ (c) A fee paid in accordance with ~~[Subsection (4)(a)(i)]~~ Subsections (4)(a)(i),
 855 (4)(a)(ii), and (4)(b) shall be deposited into the License Plate Restricted Account
 856 created in Section 41-1a-122.
- 857 ~~[(e)]~~ (d) A sponsoring organization may establish a required contribution amount for the
 858 sponsoring organization's sponsored special group license plate that is greater than
 859 the amount established by the division under Subsection ~~[(4)(a)(ii)]~~ (4)(a)(iii).
- 860 (5) An applicant's required contribution is a voluntary contribution for funding the
 861 sponsoring organization's activities and not a motor vehicle registration fee.
- 862 (6) Beginning on July 1, 2025, an applicant's ~~[voluntary]~~ required contribution ~~[described in~~
 863 ~~Subsection (4)(a)(iii)]~~ for the historical support special group license plate described in
 864 Section 41-1a-419 is \$25 which the division shall allocate as follows:
 865 (a) \$2 to the Utah State Historical Society as the sponsoring organization; and
 866 (b) \$23 into the Transportation Investment Fund of 2005, created in Section 72-2-124.
- 867 ~~[(7) For a fiscal year beginning on July 1, 2025, only, the division shall transfer into the~~
 868 ~~General Fund \$3,500,000 from the Sponsored Special Group License Plate Fund created~~
 869 ~~in Section 41-1a-1610 from funds generated by the historical support special group~~
 870 ~~license plate.]~~
- 871 ~~[(8) The division shall provide notice indicating the allocation of the voluntary~~
 872 ~~contributions described in Subsection (6) for the historical support special group license~~
 873 ~~plate as follows:]~~
- 874 ~~[(a) on or before July 1, 2025, on the division website; and]~~
 875 ~~[(b) beginning on July 1, 2025, and until June 30, 2026, in any email notification of a~~
 876 ~~registrant's pending vehicle registration expiration described in Section 41-1a-203.]~~
- 877 ~~[(9)]~~ (7) An applicant for a historical support special group license plate for a vehicle that is
 878 a vintage vehicle is not required to make the voluntary contribution to obtain the

879 historical support special group license plate.

880 ~~[(10)]~~ (8) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
881 the commission may make rules to establish and administer the sponsored special group
882 license plate program.

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

884 **41-1a-1604 . New sponsored special group license plates -- Eligibility criteria.**

885 (1) If a sponsoring organization satisfies the requirements of this part, the division shall
886 approve an application for a new type of sponsored special group license plate and issue
887 the sponsored special group license plate in accordance with this part.

888 (2) Subject to the other provisions of this part, a sponsoring organization requesting a new
889 type of sponsored special group license plate shall submit to the division, in a form and
890 manner the division prescribes:

891 (a) a complete application requesting the new type of sponsored special group license
892 plate that includes:

893 (i) information about the sponsoring organization the division needs to process the
894 request;

895 (ii) contact information for an individual representing the sponsoring organization;

896 ~~[(iii) if the sponsoring organization establishes a required contribution amount under
897 Subsection 41-1a-1603(4)(b) that is greater than the minimum required
898 contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the
899 amount of the required contribution;]~~

900 ~~[(iv)]~~ (iii) account information to allow the division to disburse funds from required
901 contributions the division collects through the sponsored special group license
902 plate program to the sponsoring organization;

903 ~~[(v)]~~ (iv) a link to a functional website described in Subsection ~~[(7)]~~ (8); and

904 ~~[(vi)]~~ (v) if the sponsoring organization requires an applicant to submit a verification
905 form described in Subsection ~~[(8)(b)(i)]~~ (9)(b)(i), a statement indicating that a
906 verification form is required;

907 ~~[(b) at least 500 complete preorder applications for the new type of sponsored special
908 group license plate, including verification that each preorder application included the
909 required contribution;]~~

910 ~~[(e)]~~ (b)(i) ~~[the]~~ a \$10,000 fee for the cost of initiating the new type of sponsored
911 special group license plate ~~[established under Subsection 41-1a-1603(4)(a)(ii)],~~
912 which shall be deposited into the License Plate Restricted Account created in

- 913 Section 41-1a-122; ~~and~~
- 914 (ii) ~~[an additional]~~ a \$5,000 fee for the cost of implementation~~[, design,]~~ and system
- 915 programming for the new type of sponsored special group license plate, which
- 916 shall be deposited into the License Plate Restricted Account created in Section
- 917 41-1a-122; and
- 918 (iii) a \$5,000 fee for the cost of design processes and services of the designer
- 919 described in Section 41-1a-1612, which shall be deposited into the License Plate
- 920 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
- 922 special group license plate:
- 923 (i) a copy of the Internal Revenue Service letter approving the sponsoring
- 924 organization's Section ~~[501(e)(3)]~~ 501 status;
- 925 (ii) an affidavit signed under penalty of perjury declaring that the sponsoring
- 926 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
- 929 in Subsection (2), the division shall maintain a list of persons expressing interest in
- 930 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
- 933 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
- 935 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
- 937 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
- 940 described in Subsection (3)(b) is not required to pay a fee or deposit to be included
- 941 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
- 943 special group license plate until the list described in Subsection (3)(b) has at least 250
- 944 persons.
- 945 (e) The division shall provide to the sponsoring entity the contact information of the
- 946 persons on the list described in this Subsection (3).

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

952 [(3)] (4) If an application under Subsection (2) is for a special group license plate that was
 953 discontinued in accordance with this part, each registered vehicle with the discontinued
 954 special group license plate is considered a complete preorder application for the
 955 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
 958 and the state auditor;

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

961 (c) is not required to evaluate the accuracy or veracity of information the private
 962 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~~
 964 ~~on or issue a new type of sponsored special group license plate]~~ unless the sponsoring
 965 organization satisfies the requirements of [~~Subsection (2).~~] Subsections (2) and (3), the
 966 division may not begin design work on or issue a new type of special group license plate
 967 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
 969 recognition special group license plate without meeting the minimum preorder
 970 requirements of Subsection [(2)(b)] (3) if:

971 (a) the governor certifies that there is a legitimate government operations purpose for
 972 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
 974 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
 976 accordance with this part shall maintain a functional website that:

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

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

981 (c) provides instructions for how to obtain a verification form if the sponsoring
 982 organization elects to require verification in accordance with Subsection [(8)] (9).

983 [(8)] (9)(a) A sponsoring organization may establish eligibility requirements for the
 984 sponsoring organization's sponsored special group license plate.

985 (b) If a sponsoring organization establishes eligibility requirements under this
 986 subsection, the sponsoring organization shall:

987 (i) inform the division that a verification form is required as part of an application for
 988 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
 991 satisfies the sponsoring organization's eligibility requirements.

992 [(9)] (10)(a) A sponsored special group license plate design is subject to approval by the [
 993 ~~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
 995 Subsection 41-1a-402(3), the division shall begin issuing the new type of sponsored
 996 special group license plate no later than six months after the day on which the
 997 division receives the items and fees described in Subsection (2).

998 (c) A sponsoring organization may request consultation or design assistance from the
 999 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
 1002 military branches as a request for a single type of sponsored special group license
 1003 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
 1005 for each military branch.

1006 [(11) ~~In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
 1007 ~~commission may make rules to establish fees and the process for administering~~
 1008 ~~applications for new sponsored special group license plates described in Subsection~~
 1009 ~~(2)(e).~~]

1010 Section 12. Section **41-1a-1605** is amended to read:

1011 **41-1a-1605 . Collegiate special group license plates.**

1012 (1) A sponsoring organization that is an institution may use funds received through the
 1013 sponsored special group license plate program only for:

1014 (a) the institution's academic scholarships; or

- 1015 (b) the institution's intercollegiate athletics program for compensation for a student
1016 athlete's name, image, or likeness as described in Title 53H, Chapter 6, Part 2,
1017 Athletics.
- 1018 (2)(a) An institution may sponsor a special group license plate for support of academic
1019 scholarships and a special group license plate for intercollegiate athletics programs.
- 1020 (b) To create more than one sponsored special group license plate, an institution is only
1021 required to comply with the application requirements described in Sections
1022 41-1a-1603 and 41-1a-1604 one time.
- 1023 [~~2~~] (3) The state auditor may audit each institution to verify that the money an institution
1024 collects from contributors is used only for the uses described in Subsection (1).
- 1025 [~~3~~] (4) A sponsoring organization that is an institution may establish the contribution
1026 amount required to obtain the institution's collegiate special group license plate.
1027 Section 13. Section **41-1a-1606** is amended to read:
- 1028 **41-1a-1606 . Private nonprofit special group license plates -- Corporate brand**
1029 **sponsored special group license plates -- Major league sports team sponsored special**
1030 **group license plates.**
- 1031 (1) A sponsoring organization that is a private nonprofit organization:
1032 (a) shall only use funds received through the sponsored special group license plate
1033 program for the charitable purpose described in the private nonprofit organization's
1034 application submitted to the division under Section 41-1a-1603; and
1035 (b) may not use funds received through the sponsored special group license plate
1036 program to pay the private nonprofit organization's employee salaries or benefits,
1037 administrative costs, or fundraising expenses.
- 1038 (2) A private nonprofit organization may collect a contributor's personal information for the
1039 purposes of future fundraising and any required reporting, if the private nonprofit
1040 organization requires a verification form described in Section 41-1a-1604.
- 1041 (3) The voluntary contribution for a corporate brand sponsored special group license plate
1042 shall be deposited into the Transportation Fund.
- 1043 (4)(a) A major league sports team based in Utah may request a sponsored special group
1044 license plate as provided in this part.
- 1045 (b) The sponsoring organization for a major league sports team sponsored special group
1046 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
1050 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
1052 program for the charitable purpose of an entity registered under Section [501(e)(3)]
1053 501 of the Internal Revenue Code as described in the sponsoring organization's
1054 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
1056 program to pay the private nonprofit organization's employee salaries or benefits,
1057 administrative costs, or fundraising expenses.
- 1058 (5) The state auditor may audit each private nonprofit organization or major league sports
1059 team sponsoring organization that elects to use funds for a charitable purpose to verify
1060 that the money the private nonprofit organization collects from contributors is used for
1061 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
1065 determine the number of registered vehicles with each type of sponsored special group
1066 license plate during the preceding calendar year.
- 1067 (2)(a) The division shall discontinue a type of sponsored special group license plate if
1068 for [~~three~~] two consecutive calendar years, the division's annual review shows that
1069 fewer than [~~500~~] 50 registered vehicles have that type of sponsored special group
1070 license plate.
- 1071 (b) The division shall discontinue a sponsored special group license plate under
1072 Subsection (2)(a) beginning [~~January 1 of the calendar year following the year of the~~
1073 ~~third annual review~~] 90 days after the date on which the division completes the annual
1074 review described in Subsection (1).
- 1075 (3) If the division discontinues a type of sponsored special group license plate in
1076 accordance with this section, the division may not reinstate the sponsored special group
1077 license plate unless the sponsoring organization submits a request for the discontinued
1078 sponsored special group license plate in the same manner as a request for a new type of
1079 sponsored special group license plate under Section 41-1a-1604.
- 1080 (4)(a) A registered owner to whom the division issued an existing special group license
1081 plate or a sponsored special group license plate that the division discontinues in
1082 accordance with this section may continue to display the license plate upon renewing

- 1083 the motor vehicle's registration.
- 1084 (b) A registered owner described in Subsection (4)(a) is not required to pay a required
1085 contribution to the sponsoring organization associated with the sponsored special
1086 group license plate.
- 1087 (5) The division may not transfer to a new registered owner a special group license plate
1088 that is discontinued under this part.
- 1089 [~~(6) Subsection (2) does not apply to a state agency recognition special group license plate
1090 that is an existing special group license plate.~~]
- 1091 [~~(7)~~ (6) If two or more special group license plates collect required contributions that are
1092 distributed to the same entity or fund, the sponsoring organization or organizations may
1093 request to consolidate the license plate types for purposes of meeting the minimum
1094 threshold described in this section.
- 1095 [~~(8)~~ (7) On or before November 1 of each year, the State Tax Commission shall provide a
1096 report to the Revenue and Taxation Interim Committee, including:
- 1097 (a) data on the amount of revenue allocated from each license plate issued under this
1098 part;
- 1099 (b) the recipients of allocated revenue from each license plate, including the amount to
1100 each recipient;
- 1101 (c) the number of each type of license plate in circulation; and
- 1102 (d) any other information or data the State Tax Commission finds to be relevant.
- 1103 Section 15. Section **41-1a-1611** is enacted to read:
- 1104 **41-1a-1611 . Design review board -- Creation -- Duties.**
- 1105 (1) As used in this section, "board" means the Design Review Board created in Subsection
1106 (2).
- 1107 (2) There is created the Design Review Board.
- 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
1114 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
 1123 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
 1128 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
 1130 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
 1132 consultation with the design review board, the commission may make rules to
 1133 establish:

1134 (i) standards for license plate design that ensure color contrast ratios for a license
 1135 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.

1137 (b) Except for the following license plates, a special group license plate shall comply
 1138 with the uniform design standards and format described in rules made under
 1139 Subsection (8)(a):

1140 (i) a historical support special group license plate described in Subsection
 1141 41-1a-419(1)(c)(ii); and

1142 (ii) a classic support special group license plate described in Subsection
 1143 41-1a-419(1)(c)(iii).

1144 Section 16. Section **41-1a-1612** 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
 1147 Account as described in Subsection 41-1a-122(4)(d), the commission shall contract with
 1148 a designer.

1149 (2) The commission shall ensure that the designer has the capability and expertise to ensure
 1150 compliance with the license plate design standards described in Subsection

- 1151 41-1a-1611(8).
- 1152 (3) The designer shall:
- 1153 (a) consult with the design review board and the commission regarding compliance with
- 1154 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
- 1157 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 --**

1163 **Penalties.**

- 1164 (1) As used in this section and Section 41-6a-704, "general purpose lane" means a highway
- 1165 lane open to vehicular traffic but does not include a designated:
- 1166 (a) high occupancy vehicle (HOV) lane; or
- 1167 (b) auxiliary lane that begins as a freeway on-ramp and ends as part of the next freeway
- 1168 off-ramp.
- 1169 (2) On a freeway or section of a freeway which has three or more general purpose lanes in
- 1170 the same direction, a person may not operate a vehicle in the left most general purpose
- 1171 lane if the person's vehicle or combination of vehicles has a gross vehicle weight rating
- 1172 of 18,001 or more pounds.
- 1173 (3) Subsection (2) does not apply to a person operating a vehicle who is:
- 1174 (a) preparing to turn left or taking a different highway split or an exit on the left;
- 1175 (b) responding to emergency conditions;
- 1176 (c) avoiding actual or potential traffic moving onto the highway from an acceleration or
- 1177 merging lane; or
- 1178 (d) following direction signs that direct use of a designated lane.
- 1179 (4)(a) A highway authority may designate a specific lane or lanes of travel for any type
- 1180 of vehicle on a highway or portion of a highway under its jurisdiction for the:
- 1181 (i) safety of the public;
- 1182 (ii) efficient maintenance of a highway; or
- 1183 (iii) use of high occupancy vehicles.
- 1184 (b) The lane designation under Subsection (4)(a) is effective when appropriate signs or

1185 roadway markings giving notice are erected on the highway or portion of the
1186 highway.

1187 ~~[(5)(a) Subject to Subsection (5)(b), the lane designation under Subsection (4)(a)(iii)~~
1188 ~~shall allow a vehicle with a clean fuel vehicle decal issued in accordance with~~
1189 ~~Section 72-6-121 to travel in lanes designated for the use of high occupancy vehicles~~
1190 ~~regardless of the number of occupants as permitted by federal law or federal~~
1191 ~~regulation.]~~

1192 ~~[(b)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking~~
1193 ~~Act, the Department of Transportation may make rules to allow a vehicle with a~~
1194 ~~clean fuel vehicle decal to travel in lanes designated for the use of high occupancy~~
1195 ~~vehicles regardless of the number of occupants as permitted by federal law or~~
1196 ~~federal regulation.]~~

1197 ~~[(ii) Except as provided in Subsection (5)(b)(iii), the Department of Transportation~~
1198 ~~may not issue more than 6,000 clean fuel vehicle decals under Section 72-6-121.]~~

1199 ~~[(iii) The Department of Transportation may, through rules made under Subsection~~
1200 ~~(5)(b)(i), increase the number of clean fuel vehicle decals issued in accordance~~
1201 ~~with Section 72-6-121 beyond the minimum described in Subsection (5)(b)(ii) if~~
1202 ~~the increased issuance will allow the Department of Transportation to continue to~~
1203 ~~meet its goals for operational management of the lane designated under~~
1204 ~~Subsection (4)(a)(iii).]~~

1205 ~~[(6)]~~ (5) A public transportation vehicle may operate in a lane designated under Subsection
1206 (4)(a)(iii) regardless of the number of occupants as permitted by federal law and
1207 regulation.

1208 ~~[(7)]~~ (6) A person who operates a vehicle in violation of Subsection (2) or in violation of the
1209 restrictions made under Subsection (4) is guilty of an infraction.

1210 Section 18. Section **53-3-207** is amended to read:

1211 **53-3-207 . License certificates or driving privilege cards issued to drivers by class**
1212 **of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary**
1213 **licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.**

1214 (1) As used in this section:

1215 (a) "Authorized guardian" means:

1216 (i) the parent or legal guardian of a child who:

1217 (A) is under 18 years old; and

1218 (B) has an invisible condition; or

- 1219 (ii) the legal guardian or conservator of an adult who:
1220 (A) is 18 years old or older; and
1221 (B) has an invisible condition.
- 1222 (b) "Driving privilege" means the privilege granted under this chapter to drive a motor
1223 vehicle.
- 1224 (c) "First responder" means:
1225 (i) a law enforcement officer, as defined in Section 53-13-103;
1226 (ii) an emergency medical technician, as defined in Section 53-2e-101;
1227 (iii) an advanced emergency medical technician, as defined in Section 53-2e-101;
1228 (iv) a paramedic, as defined in Section 53-2e-101;
1229 (v) a firefighter, as defined in Section 53H-11-306; or
1230 (vi) a dispatcher, as defined in Section 53-6-102.
- 1231 (d) "Governmental entity" means the state or a political subdivision of the state.
- 1232 (e) "Health care professional" means:
1233 (i) a licensed physician, physician assistant, nurse practitioner, or mental health
1234 therapist; or
1235 (ii) any other licensed health care professional the division designates by rule made in
1236 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 1237 (f) "Invisible condition" means a physical or mental condition that may interfere with an
1238 individual's ability to communicate with a first responder, including:
1239 (i) a communication impediment;
1240 (ii) hearing loss;
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
1255 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
1257 district, community reinvestment agency, special improvement or taxing district,
1258 special district, special service district, an entity created by an interlocal agreement
1259 adopted under Title 11, Chapter 13, Interlocal Cooperation Act, or other
1260 governmental subdivision or public corporation.
- 1261 (i) "State" means this state, and includes any office, department, agency, authority,
1262 commission, board, institution, hospital, college, university, children's justice center,
1263 or other instrumentality of the state.
- 1264 (2)(a) The division shall issue to every individual privileged to drive a motor vehicle, a
1265 regular license certificate, a limited-term license certificate, or a driving privilege
1266 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
1268 that class.
- 1269 (3)(a) Every regular license certificate, limited-term license certificate, or driving
1270 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;
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
1278 Title 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, unless the
1279 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
1281 individual is a veteran of the United States military on the application for a driver
1282 license in accordance with Section 53-3-205 and provides verification that the
1283 individual was granted an honorable or general discharge from the United States [
1284 ~~Armed Forces~~] armed forces, an indication that the individual is a United States
1285 military veteran for a regular license certificate or limited-term license certificate
1286 issued on or after July 1, 2011.

- 1287 (b) A regular license certificate or limited-term license certificate issued to an individual
1288 younger than 21 years old on a portrait-style format as required in Subsection (7)(b)
1289 is not required to include an indication that the individual is a United States military
1290 veteran under Subsection (3)(a)(viii).
- 1291 (c) A new license certificate issued by the division may not bear the individual's social
1292 security number.
- 1293 (d)(i) The regular license certificate, limited-term license certificate, or driving
1294 privilege card shall be of an impervious material, resistant to wear, damage, and
1295 alteration.
- 1296 (ii) The size, form, and color of the regular license certificate, limited-term license
1297 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
1299 regular license certificate, limited-term license certificate, or driving privilege card
1300 under Subsection 53-3-220(4).
- 1301 (e) The commissioner shall consult with and obtain approval from the design review
1302 board created in Section 41-1a-1611 regarding format and design of each type of
1303 license certificate.
- 1304 (4)(a) The division shall include or affix an invisible condition identification symbol on
1305 an individual's regular license certificate, limited-term license certificate, or driving
1306 privilege card if the individual or the individual's authorized guardian, on a form
1307 prescribed by the department:
- 1308 (i) requests the division to include the invisible condition identification symbol;
- 1309 (ii) provides written verification from a health care professional that the individual is
1310 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
1314 on the individual's driving record or the Utah Criminal Justice Information
1315 System under this chapter;
- 1316 (C) any other person who may view or receive notice of the individual's medical
1317 information by seeing the individual's regular license certificate, limited-term
1318 license certificate, or driving privilege card or the individual's information in
1319 the Utah Criminal Justice Information System;
- 1320 (D) a local law enforcement agency that receives a copy of the form described in

1321 this Subsection (4)(a) and enters the contents of the form into the local law
1322 enforcement agency's record management system or computer-aided dispatch
1323 system; and

1324 (E) a dispatcher who accesses the information regarding the individual's invisible
1325 condition through the use of a local law enforcement agency's record
1326 management system or computer-aided dispatch system.

1327 (b) As part of the form described in Subsection (4)(a), the department shall advise the
1328 individual or the individual's authorized guardian that by submitting the signed
1329 waiver, the individual or the individual's authorized guardian consents to the release
1330 of the individual's medical information to any person described in Subsections
1331 (4)(a)(iii)(A) through (E), even if the person is otherwise ineligible to access the
1332 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
1335 individual's regular license certificate, limited-term license certificate, or driving
1336 privilege card; or

1337 (ii) after including the invisible condition identification symbol on the individual's
1338 previously issued regular license certificate, limited-term license certificate, or
1339 driving privilege card, require the individual to provide subsequent written
1340 verification described in Subsection (4)(a)(ii) to include the invisible condition
1341 identification symbol on the individual's renewed or extended regular license
1342 certificate, limited-term license certificate, or driving privilege card.

1343 (d) The division shall confirm with the Division of Professional Licensing that the health
1344 care professional described in Subsection (4)(a)(ii) holds a current state license.

1345 (e) The inclusion of an invisible condition identification symbol on an individual's
1346 license certificate, limited-term license certificate, or driving privilege card in
1347 accordance with Subsection (4)(a) does not confer any legal rights or privileges on
1348 the individual, including parking privileges for individuals with disabilities under
1349 Section 41-1a-414.

1350 (f) For each individual issued a regular license certificate, limited-term license
1351 certificate, or driving privilege card under this section that includes an invisible
1352 condition identification symbol, the division shall include in the division's database a
1353 brief description of the nature of the individual's invisible condition in the
1354 individual's record and provide the brief description to the Utah Criminal Justice

- 1355 Information System.
- 1356 (g) Except as provided in this section, the division may not release the information
1357 described in Subsection (4)(f).
- 1358 (h) Within 30 days after the day on which the division receives an individual's or the
1359 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
1361 condition identification symbol and the brief description described in Subsection
1362 (4)(f); and
- 1363 (ii) provide the individual's updated record to the Utah Criminal Justice Information
1364 System.
- 1365 (5) As provided in Section 63G-2-302, the information described in Subsection (4)(a) is a
1366 private record for purposes of Title 63G, Chapter 2, Government Records Access and
1367 Management Act.
- 1368 (6)(a)(i) The division, upon determining after an examination that an applicant is
1369 mentally and physically qualified to be granted a driving privilege, may issue to
1370 an applicant a receipt for the fee if the applicant is eligible for a regular license
1371 certificate or limited-term license certificate.
- 1372 (ii)(A) The division shall issue a temporary regular license certificate or
1373 temporary limited-term license certificate allowing the individual to drive a
1374 motor vehicle while the division is completing the division's investigation to
1375 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
1377 certificate issued under this Subsection (6) shall be recognized and have the
1378 same rights and privileges as a regular license certificate or a limited-term
1379 license certificate.
- 1380 (b) The temporary regular license certificate or temporary limited-term license
1381 certificate shall be in the individual's immediate possession while driving a motor
1382 vehicle, and the temporary regular license certificate or temporary limited-term
1383 license certificate is invalid when the individual's regular license certificate or
1384 limited-term license certificate has been issued or when, for good cause, the privilege
1385 has been refused.
- 1386 (c) The division shall indicate on the temporary regular license certificate or temporary
1387 limited-term license certificate a date after which the temporary regular license
1388 certificate or temporary limited-term license certificate is not valid as a temporary

- 1389 license.
- 1390 (d)(i) Except as provided in Subsection (6)(d)(ii), the division may not issue a
1391 temporary driving privilege card or other temporary permit to an applicant for a
1392 driving privilege card.
- 1393 (ii) The division may issue a learner permit issued in accordance with Section
1394 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
1396 certificates, limited-term license certificates, and driving privilege cards issued to any
1397 individual younger than 21 years old by use of plainly printed information or the use
1398 of a color or other means not used for other regular license certificates, limited-term
1399 license certificates, or driving privilege cards.
- 1400 (b) The division shall distinguish a regular license certificate, limited-term license
1401 certificate, or driving privilege card issued to an individual younger than 21 years old
1402 by use of a portrait-style format not used for other regular license certificates,
1403 limited-term license certificates, or driving privilege cards and by plainly printing the
1404 date the regular license certificate, limited-term license certificate, or driving
1405 privilege card holder is 21 years old.
- 1406 (8) The division shall distinguish a limited-term license certificate by clearly indicating on
1407 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
1411 privilege was obtained without providing evidence of lawful presence in the United
1412 States as required under Subsection 53-3-205(8).
- 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
1416 similar to "FOR DRIVING PRIVILEGES ONLY -- NOT VALID FOR
1417 IDENTIFICATION."[-]
- 1418 (10) The provisions of Subsection (7)(b) do not apply to a learner permit, temporary permit,
1419 temporary regular license certificate, temporary limited-term license certificate, or any
1420 other temporary permit.
- 1421 (11) The division shall issue temporary license certificates of the same nature, except as to
1422 duration, as the license certificates that they temporarily replace, as are necessary to

- 1423 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
1425 personal identification.
- 1426 (b) A driving privilege card may not be used as a document providing proof of an
1427 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,
1430 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
1432 this chapter; and
- 1433 (b) limited-term license certificate or driving privilege card in the same way as a regular
1434 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
1442 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;
- 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
1450 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
1452 military on the application for an identification card in accordance with Section
1453 53-3-804 and provides verification that the individual received an honorable or
1454 general discharge from the United States Armed Forces, an indication that the
1455 individual is a United States military veteran for a regular identification card or a
1456 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
1458 security number or place of birth.
- 1459 (3)(a) The card shall be of an impervious material, resistant to wear, damage, and
1460 alteration.
- 1461 (b) Except as provided under Section 53-3-806, the size, form, and color of the card is
1462 prescribed by the commissioner.
- 1463 (c) The commissioner shall consult with and obtain approval from the design review
1464 board created in Section 41-1a-1611 regarding format and design of identification
1465 cards.
- 1466 (4) At the applicant's request, the card may include a statement that the applicant has a
1467 special medical problem or allergies to certain drugs, for the purpose of medical
1468 treatment.
- 1469 (5)(a) The division shall include or affix an invisible condition identification symbol on
1470 an individual's identification card if the individual or the individual's authorized
1471 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
1474 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
1478 on the individual's driving record or the Utah Criminal Justice Information
1479 System under this chapter;
 - 1480 (C) any other person who may view or receive notice of the individual's medical
1481 information by seeing the individual's identification card or the individual's
1482 information in the Utah Criminal Justice Information System;
 - 1483 (D) a local law enforcement agency that receives a copy of the form described in
1484 this Subsection (5)(a) and enters the contents of the form into the local law
1485 enforcement agency's record management system or computer-aided dispatch
1486 system; and
 - 1487 (E) a dispatcher who accesses the information regarding the individual's invisible
1488 condition through the use of a local law enforcement agency's record
1489 management system or computer-aided dispatch system.
- 1490 (b) As part of the form described in Subsection (5)(a), the department shall advise the

1491 individual or the individual's authorized guardian that by submitting the request and
1492 signed waiver, the individual or the individual's authorized guardian consents to the
1493 release of the individual's medical information to any person described in Subsection
1494 (5)(a)(iii), even if the person is otherwise ineligible to access the individual's medical
1495 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
1498 individual's identification card; or

1499 (ii) after including the invisible condition identification symbol on the individual's
1500 previously issued identification card, require the individual to provide subsequent
1501 written verification described in Subsection (5)(a)(ii) to include the invisible
1502 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
1504 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
1506 identification card in accordance with Subsection (5)(a) does not confer any legal
1507 rights or privileges on the individual, including parking privileges for individuals
1508 with disabilities under Section 41-1a-414.

1509 (f) For each individual issued an identification card under this section that includes an
1510 invisible condition identification symbol, the division shall include in the division's
1511 database a brief description of the nature of the individual's invisible condition in the
1512 individual's record and provide the brief description to the Utah Criminal Justice
1513 Information System.

1514 (g) Except as provided in this section, the division may not release the information
1515 described in Subsection (5)(f).

1516 (h) Within 30 days after the day on which the division receives an individual's or the
1517 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
1519 condition identification symbol and the brief description described in Subsection
1520 (5)(f); and

1521 (ii) provide the individual's updated record to the Utah Criminal Justice Information
1522 System.

1523 (6)(a) If the division receives a notification from a court as provided in Section

1524 41-6a-505, 41-6a-509, 76-5-102.1, or 76-5-207, that an individual is an interdicted

- 1525 person, the division:
- 1526 (i) may accept an application from the individual for an identification card that
1527 includes an interdicted person identifier; and
- 1528 (ii) if the individual submits an application and qualifies for an identification card,
1529 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
1531 interdicted person identifier.
- 1532 (ii) An individual that voluntarily applies for an identification card with an
1533 interdicted person identifier may not apply for another identification card without
1534 the interdicted person identifier for at least 30 days after the application for the
1535 identification card with the interdicted person identifier.
- 1536 (c) The division may not provide to an individual an identification card without the
1537 interdicted person identifier during the time period the court has designated the
1538 person as an interdicted person.
- 1539 (d) The division may charge an administrative fee as described in Subsection
1540 53-3-105(40) to an individual to process and provide an identification card with an
1541 interdicted person identifier.
- 1542 (e) An individual who is designated as an interdicted person by a court is subject to the
1543 identification card fee and other fees necessary to administer the identification card
1544 with an interdicted person identifier.
- 1545 (7) As provided in Section 63G-2-302, the information described in Subsection (5)(a) is a
1546 private record for purposes of Title 63G, Chapter 2, Government Records Access and
1547 Management Act.
- 1548 (8)(a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated by
1549 the applicant in accordance with division rule.
- 1550 (b)(i) Notwithstanding Title 63G, Chapter 2, Government Records Access and
1551 Management Act, the division may, upon request, release to an organ procurement
1552 organization, as defined in Section 26B-8-301, the names and addresses of all
1553 individuals who under Subsection 53-3-804(2)(j) indicate that they intend to make
1554 an anatomical gift.
- 1555 (ii) An organ procurement organization may use released information only to:
1556 (A) obtain additional information for an anatomical gift registry; and
1557 (B) inform applicants of anatomical gift options, procedures, and benefits.
- 1558 (9) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management

1559 Act, the division may release to the Department of Veterans and Military Affairs the
1560 names and addresses of all individuals who indicate their status as a veteran under
1561 Subsection 53-3-804(2)(l).

1562 (10) The division and the division's employees are not liable, as a result of false or
1563 inaccurate information provided under Subsection 53-3-804(2)(j) or (l), for direct or
1564 indirect:

- 1565 (a) loss;
- 1566 (b) detriment; or
- 1567 (c) injury.

1568 (11)(a) The division may issue a temporary regular identification card to an individual
1569 while the individual obtains the required documentation to establish verification of
1570 the information described in Subsections 53-3-804(2)(a), (b), (c), (d), and (i)(i).

1571 (b) A temporary regular identification card issued under this Subsection (11) shall be
1572 recognized and grant the individual the same privileges as a regular identification
1573 card.

1574 (c) A temporary regular identification card issued under this Subsection (11) is invalid:

- 1575 (i) when the individual's regular identification card has been issued;
- 1576 (ii) when, for good cause, an applicant's application for a regular identification card
1577 has been refused; or
- 1578 (iii) upon expiration of the temporary regular identification card.

1579 (d) The division shall coordinate with the Department of Corrections in providing an
1580 inmate with a temporary regular identification card as described in Section 64-13-10.6.

1581 Section 20. Section **72-1-201** is amended to read:

1582 **72-1-201 . Creation of Department of Transportation -- Functions, powers,**
1583 **duties, rights, and responsibilities.**

1584 (1) There is created the Department of Transportation which shall:

- 1585 (a) have the general responsibility for planning, research, design, construction,
1586 maintenance, security, and safety of state transportation systems;
- 1587 (b) provide administration for state transportation systems and programs;
- 1588 (c) implement the transportation policies of the state;
- 1589 (d) plan, develop, construct, and maintain state transportation systems that are safe,
1590 reliable, environmentally sensitive, and serve the needs of the traveling public,
1591 commerce, and industry;
- 1592 (e) establish standards and procedures regarding the technical details of administration

- 1593 of the state transportation systems as established by statute and administrative rule;
- 1594 (f) advise the governor and the Legislature about state transportation systems needs;
- 1595 (g) coordinate with utility companies for the reasonable, efficient, and cost-effective
- 1596 installation, maintenance, operation, relocation, and upgrade of utilities within state
- 1597 highway rights-of-way;
- 1598 (h) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 1599 make rules for the administration of the department, state transportation systems, and
- 1600 programs;
- 1601 (i) jointly with the commission annually report to the Transportation Interim Committee,
- 1602 by November 30 of each year, as to the operation, maintenance, condition, mobility,
- 1603 safety needs, and wildlife and livestock mitigation for state transportation systems;
- 1604 (j) ensure that any training or certification required of a public official or public
- 1605 employee, as those terms are defined in Section 63G-22-102, complies with Title
- 1606 63G, Chapter 22, State Training and Certification Requirements, if the training or
- 1607 certification is required:
- 1608 (i) under this title;
- 1609 (ii) by the department; or
- 1610 (iii) by an agency or division within the department;
- 1611 (k) study and make recommendations to the Legislature on potential managed lane use
- 1612 and implementation on selected transportation systems within the state;
- 1613 (l) before July 1 of each year, coordinate with the Utah Highway Patrol Division created
- 1614 in Section 53-8-103 regarding:
- 1615 (i) future highway projects that will add additional capacity to the state transportation
- 1616 system;
- 1617 (ii) potential changes in law enforcement responsibilities due to future highway
- 1618 projects; and
- 1619 (iii) incident management services on state highways;
- 1620 (m) provide public transit services, in consultation with any relevant public transit
- 1621 provider; ~~and~~
- 1622 (n) implement a public service campaign as described in Section 72-2-135, in
- 1623 coordination with relevant stakeholders including permitted landfills and transfer
- 1624 stations, to generate public awareness regarding the importance of proper
- 1625 transportation and disposal of waste and maintaining clean roads and highways[-] ; and
- 1626 (o) in coordination with a large public transit district, provide for leasing and other

1627 services that generate revenue in connection with public transit facilities and services
1628 that serve the Cottonwood Canyons area of Salt Lake County.

1629 (2) For a proposed transportation project that includes a gondola in the Cottonwood
1630 Canyons area of Salt Lake County for which the department has completed an
1631 environmental impact statement, the department may only construct the project in the
1632 phasing sequence as provided in the record of decision associated with the
1633 environmental impact statement.

1634 (3)(a) The department shall exercise reasonable care in designing, constructing, and
1635 maintaining a state highway in a reasonably safe condition for travel.

1636 (b) Nothing in this section shall be construed as:

1637 (i) creating a private right of action; or

1638 (ii) expanding or changing the department's common law duty as described in
1639 Subsection (3)(a) for liability purposes.

1640 Section 21. Section **72-1-213.1** is amended to read:

1641 **72-1-213.1 . Road usage charge program.**

1642 (1) As used in this section:

1643 (a) "Account manager" means an entity under contract with the department to administer
1644 and manage the road usage charge program.

1645 (b) "Alternative fuel vehicle" means:

1646 (i) an electric motor vehicle as defined in Section 41-1a-102; or

1647 (ii) a motor vehicle powered exclusively by a fuel other than:

1648 (A) motor fuel;

1649 (B) diesel fuel;

1650 (C) natural gas; or

1651 (D) propane.

1652 (c) "Payment period" means the interval during which an owner is required to report
1653 mileage and pay the appropriate road usage charge according to the terms of the
1654 program.

1655 (d) "Program" means the road usage charge program established and described in this
1656 section.

1657 (e) "Road usage charge cap" means the maximum fee charged to a participant in the
1658 program for a registration period.

1659 (f) "Road usage charge rate" means the per-mile usage fee charged to a participant in the
1660 program.

- 1661 (2) There is established a road usage charge program as described in this section.
- 1662 (3)(a) The department shall implement and oversee the administration of the program,
1663 which shall begin on January 1, 2020.
- 1664 (b) To implement and administer the program, the department may contract with an
1665 account manager.
- 1666 (4)(a) The owner or lessee of an alternative fuel vehicle may apply for enrollment of the
1667 alternative fuel vehicle in the program.
- 1668 (b) If an application for enrollment into the program is approved by the department, the
1669 owner or lessee of an alternative fuel vehicle may participate in the program in lieu of
1670 paying the fee described in Subsection 41-1a-1206(1)(h) or (2)(b).
- 1671 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and
1672 consistent with this section, the department:
- 1673 (a) shall make rules to establish:
- 1674 (i) processes and terms for enrollment into and withdrawal or removal from the
1675 program;
- 1676 (ii) payment periods and other payment methods and procedures for the program;
- 1677 (iii) standards for mileage reporting mechanisms for an owner or lessee of an
1678 alternative fuel vehicle to report mileage as part of participation in the program;
- 1679 (iv) standards for program functions for mileage recording, payment processing,
1680 account management, and other similar aspects of the program;
- 1681 (v) contractual terms between an owner or lessee of an alternative fuel vehicle owner
1682 and an account manager for participation in the program;
- 1683 (vi) contractual terms between the department and an account manager, including
1684 authority for an account manager to enforce the terms of the program;
- 1685 (vii) procedures to provide security and protection of personal information and data
1686 connected to the program, and penalties for account managers for violating
1687 privacy protection rules;
- 1688 (viii) penalty procedures for a program participant's failure to pay a road usage
1689 charge or tampering with a device necessary for the program; and
- 1690 (ix) department oversight of an account manager, including privacy protection of
1691 personal information and access and auditing capability of financial and other
1692 records related to administration of the program; and
- 1693 (b) may make rules to establish:
- 1694 (i) an enrollment cap for certain alternative fuel vehicle types to participate in the

- 1695 program;
- 1696 (ii) a process for collection of an unpaid road usage charge or penalty; or
- 1697 (iii) integration of the program with other similar programs, such as tolling.
- 1698 (6) Revenue generated by the road usage charge program and relevant penalties shall be
- 1699 deposited into the Road Usage Charge Program Special Revenue Fund.
- 1700 (7)(a) The department may:
- 1701 (i)(A) impose a penalty for failure to timely pay a road usage charge according to
- 1702 the terms of the program or tampering with a device necessary for the program;
- 1703 and
- 1704 (B) request that the Division of Motor Vehicles place a hold on the registration of
- 1705 the owner's or lessee's alternative fuel vehicle for failure to pay a road usage
- 1706 charge or penalty according to the terms of the program;
- 1707 (ii) send correspondence to the owner of an alternative fuel vehicle to inform the
- 1708 owner or lessee of:
- 1709 (A) the road usage charge program, implementation, and procedures;
- 1710 (B) an unpaid road usage charge and the amount of the road usage charge to be
- 1711 paid to the department;
- 1712 (C) the penalty for failure to pay a road usage charge within the time period
- 1713 described in Subsection (7)(a)(iii); and
- 1714 (D) a hold being placed on the owner's or lessee's registration for the alternative
- 1715 fuel vehicle, if the road usage charge and penalty are not paid within the time
- 1716 period described in Subsection (7)(a)(iii), which would prevent the renewal of
- 1717 the alternative fuel vehicle's registration; and
- 1718 (iii) require that the owner or lessee of the alternative fuel vehicle pay the road usage
- 1719 charge to the department within 30 days of the date when the department sends
- 1720 written notice of the road usage charge to the owner or lessee.
- 1721 (b) The department shall send the correspondence and notice described in Subsection
- 1722 (7)(a) to the owner of the alternative fuel vehicle according to the terms of the
- 1723 program.
- 1724 (8)(a) The Division of Motor Vehicles and the department shall share and provide access
- 1725 to information pertaining to an alternative fuel vehicle and participation in the
- 1726 program including:
- 1727 (i) registration and ownership information pertaining to an alternative fuel vehicle;
- 1728 (ii) information regarding the failure of an alternative fuel vehicle owner or lessee to

- 1729 pay a road usage charge or penalty imposed under this section within the time
 1730 period described in Subsection (7)(a)(iii); and
- 1731 (iii) the status of a request for a hold on the registration of an alternative fuel vehicle.
- 1732 (b) If the department requests a hold on the registration in accordance with this section,
 1733 the Division of Motor Vehicles may not renew the registration of a motor vehicle
 1734 under Title 41, Chapter 1a, Part 2, Registration, until the department withdraws the
 1735 hold request.
- 1736 (9) The owner of an alternative fuel vehicle may [~~apply for enrollment~~] enroll in the
 1737 program or withdraw from the program according to the terms established by the
 1738 department [~~pursuant to~~] in accordance with rules made under Subsection (5).
- 1739 (10) If enrolled in the program, the owner or lessee of an alternative fuel vehicle shall:
- 1740 (a) report mileage driven as required by the department [~~pursuant to~~] in accordance with
 1741 Subsection (5);
- 1742 (b) pay the road usage fee for each payment period in accordance with Subsection (5);
 1743 and
- 1744 (c) comply with all other provisions of this section and other requirements of the
 1745 program.
- 1746 (11) The department shall submit annually, on or before October 1, to the Transportation
 1747 Interim Committee, an electronic report that:
- 1748 (a) states for the preceding fiscal year:
- 1749 (i) the amount of revenue collected from the program;
- 1750 (ii) the participation rate in the program; and
- 1751 (iii) the department's costs to administer the program; and
- 1752 (b) provides for the current fiscal year, an estimate of:
- 1753 (i) the revenue that will be collected from the program;
- 1754 (ii) the participation rate in the program; and
- 1755 (iii) the department's costs to administer the program.
- 1756 (12)[~~(a) Beginning on January 1, 2023:~~]
- 1757 [~~(i) the road usage charge rate is 1.0 cent per mile; and~~]
- 1758 [~~(ii) the road usage charge cap is:~~]
- 1759 [~~(A) \$130.25 for an annual registration period; and~~]
- 1760 [~~(B) \$100.75 for a six-month registration period.~~]
- 1761 [~~(b)~~] (a) Beginning on January 1, 2026:
- 1762 (i) the road usage charge rate is 1.25 cents per mile; and

- 1763 (ii) the road usage charge cap is:
- 1764 (A) \$180 for an annual registration period; and
- 1765 (B) \$139 for a six-month registration period.
- 1766 ~~[(e)]~~ (b) Beginning on January 1, ~~[2032]~~ 2027:
- 1767 (i) the road usage charge rate is 1.5 cents per mile, unless the commission establishes
- 1768 a different road usage charge rate in accordance with Subsection (13); and
- 1769 (ii) the road usage charge cap is:
- 1770 (A) ~~[\$240]~~ \$280 for an annual registration period; and
- 1771 (B) ~~[\$185]~~ \$216 for a six-month registration period.
- 1772 ~~[(d)]~~ (c) Beginning in ~~[2024]~~ 2028, the department shall, on January 1, annually adjust the
- 1773 road usage charge rates described in this Subsection (12) by taking the road usage
- 1774 charge rate for the previous year and adding an amount equal to the greater of:
- 1775 (i) an amount calculated by multiplying the road usage charge rate of the previous
- 1776 year by the actual percentage change during the previous fiscal year in the
- 1777 Consumer Price Index as determined by the State Tax Commission; and
- 1778 (ii) 0.
- 1779 ~~[(e)]~~ (d) Beginning in ~~[2024]~~ 2028, the State Tax Commission shall, on January 1,
- 1780 annually adjust the road usage charge caps described in this Subsection (12) by
- 1781 taking the road usage charge cap for the previous year and adding an amount equal to
- 1782 the greater of:
- 1783 (i) an amount calculated by multiplying the road usage charge cap of the previous
- 1784 year by the actual percentage change during the previous fiscal year in the
- 1785 Consumer Price Index; and
- 1786 (ii) 0.
- 1787 ~~[(f)]~~ (e) The amounts calculated as described in Subsection ~~[(12)(d)]~~ (12)(c) shall be
- 1788 rounded up to the nearest .01 cent.
- 1789 ~~[(g)]~~ (f) The amounts calculated as described in Subsection ~~[(12)(e)]~~ (12)(d) shall be
- 1790 rounded up to the nearest 25 cents.
- 1791 ~~[(h)]~~ (g) On or before January 1 of each year, the department shall publish:
- 1792 (i) the adjusted road usage charge rate described in Subsection ~~[(12)(d)]~~ (12)(c); and
- 1793 (ii) adjusted road usage charge cap described in Subsection ~~[(12)(e)]~~ (12)(d).
- 1794 (13)(a) Beginning January 1, ~~[2032]~~ 2027, the commission may establish by rule made in
- 1795 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the road
- 1796 usage charge rate for each type of alternative fuel vehicle.

- 1797 (b)(i) Before making rules in accordance with Subsection (13)(a), the commission
 1798 shall consult with the department regarding the road usage charge rate for each
 1799 type of alternative fuel vehicle.
- 1800 (ii) The department shall cooperate with and make recommendations to the
 1801 commission regarding the road usage charge rate for each type of alternative fuel
 1802 vehicle.

1803 Section 22. Section **72-1-219** is enacted to read:

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

1805 (1) Subject to Subsection (2), and notwithstanding any other provision of law, the following
 1806 materials are privileged, are not subject to discovery or admissible evidence in a
 1807 proceeding before a federal or state court, and may not be considered for any other
 1808 purpose in an action for damages arising from an occurrence at a location described in
 1809 the materials:

1810 (a) a report;

1811 (b) a survey;

1812 (c) a schedule;

1813 (d) a list; or

1814 (e) data compiled or collected.

1815 (2) The privilege described in Subsection (1) applies only if the materials were created or
 1816 collected:

1817 (a) in accordance with 23 U.S.C. Sec. 409;

1818 (b) under federal or state law for the purpose of identifying, evaluating, or planning the
 1819 safety enhancement of:

1820 (i) a potential crash site;

1821 (ii) a hazardous highway condition; or

1822 (iii) a railway-highway crossing; or

1823 (c) for the purpose of developing a highway or railway safety construction improvement
 1824 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**
 1827 **B and class C roads.**

1828 (1) There is appropriated to the department from the Transportation Fund annually an
 1829 amount equal to 30% of an amount which the director of finance shall compute in the
 1830 following manner: The total revenue deposited into the Transportation Fund during the

- 1831 fiscal year from state highway-user taxes and fees, minus those amounts appropriated or
 1832 transferred from the Transportation Fund during the same fiscal year to:
- 1833 (a) the Department of Public Safety;
- 1834 (b) the State Tax Commission;
- 1835 (c) the Division of Finance;
- 1836 (d) the Utah Travel Council;
- 1837 (e) except as provided in Section 72-1-213.2, the road usage charge program created in
 1838 Section 72-1-213.1; and
- 1839 (f) any other amounts appropriated or transferred for any other state agencies not a part
 1840 of the department.
- 1841 (2)(a) Except as provided in Subsections (2)(b) and (c), all of the money appropriated in
 1842 Subsection (1) shall be apportioned among counties and municipalities for class B
 1843 and class C roads as provided in this title.
- 1844 (b) The department shall annually transfer \$500,000 of the amount calculated under
 1845 Subsection (1) to the State Park Access Highways Improvement Program created in
 1846 Section 72-3-207.
- 1847 (c) Administrative costs of the department to administer class B and class C roads shall
 1848 be paid from funds calculated under Subsection (1).
- 1849 (3) [~~Each quarter of every year~~] At least quarterly the department shall make the necessary
 1850 accounting entries to transfer the money appropriated under this section for class B and
 1851 class C roads.
- 1852 (4) The funds appropriated for class B and class C roads shall be expended under the
 1853 direction of the department as the Legislature shall provide.
- 1854 Section 24. Section **72-2-117.5** is amended to read:
- 1855 **72-2-117.5 . Definitions -- Local Highway and Transportation Corridor**
- 1856 **Preservation Fund -- Disposition of fund money.**
- 1857 (1) As used in this section:
- 1858 (a) "Council of governments" means a decision-making body in each county composed
 1859 of membership including the county governing body and the mayors of each
 1860 municipality in the county.
- 1861 (b) "Metropolitan planning organization" has the same meaning as defined in Section
 1862 72-1-208.5.
- 1863 (2) There is created the Local Highway and Transportation Corridor Preservation Fund[
 1864 ~~within the Transportation Fund~~].

- 1865 (3) The fund shall be funded from the following sources:
- 1866 (a) a local option highway construction and transportation corridor preservation fee
- 1867 imposed under Section 41-1a-1222;
- 1868 (b) appropriations made to the fund by the Legislature;
- 1869 (c) contributions from other public and private sources for deposit into the fund;
- 1870 (d) all money collected from rents and sales of real property acquired with fund money;
- 1871 (e) proceeds from general obligation bonds, revenue bonds, or other obligations issued
- 1872 as authorized by Title 63B, Bonds; and
- 1873 (f) sales and use tax revenues deposited into the fund in accordance with Title 59,
- 1874 Chapter 12, Part 22, Local Option Sales and Use Taxes for Transportation Act.
- 1875 ~~(4)(a) The fund shall earn interest.]~~
- 1876 ~~[(b) All interest earned on fund money shall be deposited into the fund.]~~
- 1877 ~~[(c)] (a) The State Tax Commission shall allocate and distribute the revenues:~~
- 1878 (i) provided under Subsection (3)(a) to each county imposing a local option highway
- 1879 construction and transportation corridor preservation fee under Section 41-1a-1222;
- 1880 (ii) provided under Subsection 59-12-2217(2) to each county imposing a county
- 1881 option sales and use tax for transportation; and
- 1882 (iii) provided under Subsection (3)(f) to each county of the second class or city or
- 1883 town within a county of the second class that imposes the sales and use tax
- 1884 authorized by Section 59-12-2218.
- 1885 ~~[(d) The department shall distribute the funds allocated to each county, city, or town~~
- 1886 ~~under Subsection (4)(c) to each county, city, or town.]~~
- 1887 ~~[(e)] (b) The money allocated and distributed under this Subsection (4):~~
- 1888 (i) shall be used for the purposes provided in this section for each county, city, or
- 1889 town;
- 1890 (ii) is allocated to each county, city, or town as provided in this section with the
- 1891 condition that the state will not be charged for any asset purchased with the money
- 1892 allocated and distributed under this Subsection (4), unless there is a written
- 1893 agreement in place with the department ~~[prior to]~~ before the purchase of the asset
- 1894 stipulating a reimbursement by the state to the county, city, or town of no more
- 1895 than the original purchase price paid by the county, city, or town; and
- 1896 (iii) is considered a local matching contribution for the purposes described under
- 1897 Section 72-2-123 if used on a state highway.
- 1898 ~~[(f) Administrative costs of the department to implement this section shall be paid from~~

- 1899 ~~the fund.]~~
- 1900 (5)(a) A highway authority may acquire real property or any interests in real property for
- 1901 state, county, and municipal transportation corridors subject to:
- 1902 (i) money available in the fund to each county under Subsection (4); and
- 1903 (ii) the provisions of this section.
- 1904 (b) Fund money may be used to pay interest on debts incurred in accordance with this
- 1905 section.
- 1906 (c)(i)(A) Fund money may be used to pay maintenance costs of properties
- 1907 acquired under this section but limited to a total of 5% of the purchase price of
- 1908 the property.
- 1909 (B) Any additional maintenance cost shall be paid from funds other than under
- 1910 this section.
- 1911 (C) Revenue generated by any property acquired under this section is excluded
- 1912 from the limitations under this Subsection (5)(c)(i).
- 1913 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired
- 1914 under this section.
- 1915 (d) Fund money allocated and distributed under Subsection (4) may be used by a county
- 1916 highway authority for countywide transportation or public transit planning if:
- 1917 (i) the county's planning focus area is outside the boundaries of a metropolitan
- 1918 planning organization;
- 1919 (ii) the transportation planning is part of the county's continuing, cooperative, and
- 1920 comprehensive process for transportation or public transit planning, transportation
- 1921 corridor preservation, right-of-way acquisition, and project programming;
- 1922 (iii) no more than four years allocation every 20 years to each county is used for
- 1923 transportation planning under this Subsection (5)(d); and
- 1924 (iv) the county otherwise qualifies to use the fund money as provided under this
- 1925 section.
- 1926 (e)(i) Subject to Subsection (11), fund money allocated and distributed under
- 1927 Subsection (4) may be used by a county highway authority for transportation
- 1928 corridor planning that is part of the transportation corridor elements of an ongoing
- 1929 work program of transportation or public transit projects.
- 1930 (ii) The transportation corridor planning under Subsection (5)(e)(i) shall be under the
- 1931 direction of:
- 1932 (A) the metropolitan planning organization if the county is within the boundaries

- 1933 of a metropolitan planning organization; or
- 1934 (B) the department if the county is not within the boundaries of a metropolitan
- 1935 planning organization.
- 1936 (f)(i) A county, city, or town that imposes a local option highway construction and
- 1937 transportation corridor preservation fee under Section 41-1a-1222 may elect to
- 1938 administer the funds allocated and distributed to that county, city, or town under
- 1939 Subsection (4) as a revolving loan fund.
- 1940 (ii) If a county, city, or town elects to administer the funds allocated and distributed
- 1941 to that county, city, or town under Subsection (4) as a revolving loan fund, a local
- 1942 highway authority shall repay the fund money authorized for the project to the
- 1943 fund.
- 1944 (iii) A county, city, or town that elects to administer the funds allocated and
- 1945 distributed to that county, city, or town under Subsection (4) as a revolving loan
- 1946 fund shall establish repayment conditions of the money to the fund from the
- 1947 specified project funds.
- 1948 (g)(i) Subject to the restrictions in Subsections (5)(g)(ii) and (iii), fund money may be
- 1949 used by a county of the third, fourth, fifth, or sixth class or by a city or town
- 1950 within a county of the third, fourth, fifth, or sixth class for:
- 1951 (A) the construction, operation, or maintenance of a class B road or class C road;
- 1952 or
- 1953 (B) the restoration or repair of survey monuments associated with transportation
- 1954 infrastructure.
- 1955 (ii) A county, city, or town may not use more than 50% of the current balance of fund
- 1956 money allocated to the county, city, or town for the purposes described in
- 1957 Subsection (5)(g)(i).
- 1958 (iii) A county, city, or town may not use more than 50% of the fund revenue
- 1959 collections allocated to a county, city, or town in the current fiscal year for the
- 1960 purposes described in Subsection (5)(g)(i).
- 1961 (6)(a)(i) The Local Highway and Transportation Corridor Preservation Fund shall be
- 1962 used to preserve transportation corridors, promote long-term statewide
- 1963 transportation planning, save on acquisition costs, and promote the best interests
- 1964 of the state in a manner which minimizes impact on prime agricultural land.
- 1965 [~~(ii) The Local Highway and Transportation Corridor Preservation Fund shall only be~~
- 1966 ~~used to preserve a transportation corridor that is right-of-way:]~~

- 1967 [~~(A) in a county of the first or second class for:~~]
- 1968 [~~(I) a state highway;~~]
- 1969 [~~(II) a principal arterial highway as defined in Section 72-4-102.5;~~]
- 1970 [~~(III) a minor arterial highway as defined in Section 72-4-102.5;~~]
- 1971 [~~(IV) a collector highway in an urban area as defined in Section 72-4-102.5; or]~~]
- 1972 [~~(V) a transit facility as defined in Section 17B-2a-802; or]~~]
- 1973 [~~(B) in a county of the third, fourth, fifth, or sixth class for:~~]
- 1974 [~~(I) a state highway;~~]
- 1975 [~~(II) a principal arterial highway as defined in Section 72-4-102.5;~~]
- 1976 [~~(III) a minor arterial highway as defined in Section 72-4-102.5;~~]
- 1977 [~~(IV) a major collector highway as defined in Section 72-4-102.5;~~]
- 1978 [~~(V) a minor collector road as defined in Section 72-4-102.5; or]~~]
- 1979 [~~(VI) a transit facility as defined in Section 17B-2a-802.]~~]
- 1980 (ii) Subject to Subsection (6)(c), in a county of the first or second class, the Local
- 1981 Highway and Transportation Corridor Preservation Fund shall only be used to
- 1982 preserve a transportation corridor that is a right-of-way for:
- 1983 (A) a state highway;
- 1984 (B) a principal arterial highway as defined in Section 72-4-102.5;
- 1985 (C) a minor arterial highway as defined in Section 72-4-102.5;
- 1986 (D) a collector highway in an urban area as defined in Section 72-4-102.5;
- 1987 (E) a transit facility as defined in Section 17B-2a-802; or
- 1988 (F) regionally significant active transportation facilities identified in the regional
- 1989 transportation plan.
- 1990 (iii) In a county of the third, fourth, fifth, or sixth class, the Local Highway and
- 1991 Transportation Corridor Preservation Fund shall only be used to preserve a
- 1992 transportation corridor that is a right-of-way for:
- 1993 (A) a state highway;
- 1994 (B) a principal arterial highway as defined in Section 72-4-102.5;
- 1995 (C) a minor arterial highway as defined in Section 72-4-102.5;
- 1996 (D) a major collector highway as defined in Section 72-4-102.5;
- 1997 (E) a minor collector road as defined in Section 72-4-102.5; or
- 1998 (F) a transit facility as defined in Section 17B-2a-802.
- 1999 [(iii)] (iv) The Local Highway and Transportation Corridor Preservation Fund may
- 2000 not be used for a transportation corridor that is primarily a recreational trail as

2001 defined under Section 79-5-102.

2002 (b) A highway authority shall authorize the expenditure of fund money after determining
2003 that the expenditure is being made in accordance with this section from applications
2004 that are:

2005 (i) endorsed by the council of governments; and

2006 (ii) for a right-of-way purchase for a transportation corridor authorized under
2007 Subsection (6)(a)(ii) or (iii).

2008 (c)(i) In addition to the uses described in Subsections (6)(a) and (6)(b), subject to
2009 Subsection (6)(c)(ii), if a county legislative body makes a determination that there
2010 are no regionally significant corridor preservation acquisitions identified in the
2011 regional transportation plan for locally owned transportation facilities that are
2012 needed over the next 20 years, the following additional allowed uses of the locally
2013 imposed corridor preservation fund are permitted:

2014 (A) development and construction of class A, class B, class C, and class D roads;

2015 (B) traffic and pedestrian safety infrastructure;

2016 (C) streets, alleys, roads, highways, and thoroughfares of any kind, including
2017 connected structures;

2018 (D) active transportation facilities that are for nonmotorized vehicles and
2019 multimodal transportation;

2020 (E) other modes and forms of conveyance used by the public, including parking
2021 structures; and

2022 (F) transportation-related capital facility construction, debt service or bond
2023 issuance costs, operations, and maintenance.

2024 (ii)(A) A county legislative body and the associated metropolitan planning
2025 organization shall review the regional transportation plan not less than every
2026 four years to confirm that no new regionally significant corridor preservation
2027 acquisitions have been identified as needed.

2028 (B) A county legislative body may not expend locally imposed corridor
2029 preservation funds for a use described in Subsection (6)(c)(i) unless the county
2030 legislative body determines and the relevant metropolitan planning
2031 organization concurs that no regionally significant corridor preservation needs
2032 exist in the next 20 years.

2033 (7)(a)(i) A council of governments shall establish a council of governments

2034 endorsement process which includes prioritization and application procedures for

- 2035 use of the money allocated to each county under this section.
- 2036 (ii) The endorsement process under Subsection (7)(a)(i) may include review or
2037 endorsement of the preservation project by:
- 2038 (A) the metropolitan planning organization if the county is within the boundaries
2039 of a metropolitan planning organization; or
- 2040 (B) the department if the county is not within the boundaries of a metropolitan
2041 planning organization.
- 2042 (b) All fund money shall be prioritized by each highway authority and council of
2043 governments based on considerations, including:
- 2044 (i) areas with rapidly expanding population;
- 2045 (ii) the willingness of local governments to complete studies and impact statements
2046 that meet department standards;
- 2047 (iii) the preservation of transportation corridors by the use of local planning and
2048 zoning processes;
- 2049 (iv) the availability of other public and private matching funds for a project;
- 2050 (v) the cost-effectiveness of the preservation projects;
- 2051 (vi) long and short-term maintenance costs for property acquired; and
- 2052 (vii) whether the transportation corridor is included as part of:
- 2053 (A) the county and municipal master plan; and
- 2054 (B)(I) the statewide long range plan; or
- 2055 (II) the regional transportation plan of the area metropolitan planning
2056 organization if one exists for the area.
- 2057 (c) The council of governments shall:
- 2058 (i) establish a priority list of transportation corridor preservation projects within the
2059 county;
- 2060 (ii) submit the list described in Subsection (7)(c)(i) to the county's legislative body
2061 for approval; and
- 2062 (iii) obtain approval of the list described in Subsection (7)(c)(i) from a majority of the
2063 members of the county legislative body.
- 2064 (d) A county's council of governments may only submit one priority list described in
2065 Subsection (7)(c)(i) per calendar year.
- 2066 (e) A county legislative body may only consider and approve one priority list described
2067 in Subsection (7)(c)(i) per calendar year.
- 2068 (8)(a) Unless otherwise provided by written agreement with another highway authority

- 2069 or public transit district, the highway authority that holds the deed to the property is
2070 responsible for maintenance of the property.
- 2071 (b) The transfer of ownership for property acquired under this section from one highway
2072 authority to another shall include a recorded deed for the property and a written
2073 agreement between the highway authorities or public transit district.
- 2074 (9)(a) The proceeds from any bonds or other obligations secured by revenues of the
2075 Local Highway and Transportation Corridor Preservation Fund shall be used for the
2076 purposes authorized for funds under this section.
- 2077 (b) The highway authority shall pledge the necessary part of the revenues of the Local
2078 Highway and Transportation Corridor Preservation Fund to the payment of principal
2079 and interest on the bonds or other obligations.
- 2080 (10)(a) A highway authority may not expend money under this section to purchase a
2081 right-of-way for a state highway unless the highway authority has:
- 2082 (i) a transportation corridor property acquisition policy or ordinance in effect that
2083 meets department requirements for the acquisition of real property or any interests
2084 in real property under this section; and
- 2085 (ii) an access management policy or ordinance in effect that meets the requirements
2086 under Subsection 72-2-117(8).
- 2087 (b) The provisions of Subsection (10)(a)(i) do not apply if the highway authority has a
2088 written agreement with the department for the department to acquire real property or
2089 any interests in real property on behalf of the local highway authority under this
2090 section.
- 2091 (11) The county shall ensure, to the extent possible, that the fund money allocated and
2092 distributed to a city or town in accordance with Subsection (4) is expended:
- 2093 (a) to fund a project or service as allowed by this section within the city or town to
2094 which the fund money is allocated;
- 2095 (b) to pay debt service, principal, or interest on a bond or other obligation as allowed by
2096 this section if that bond or other obligation is:
- 2097 (i) secured by money allocated to the city or town; and
- 2098 (ii) issued to finance a project or service as allowed by this section within the city or
2099 town to which the fund money is allocated;
- 2100 (c) to fund transportation planning as allowed by this section within the city or town to
2101 which the fund money is allocated; or
- 2102 (d) for another purpose allowed by this section within the city or town to which the fund

2103 money is allocated.
2104 (12) Notwithstanding any other provision in this section, any amounts within the fund
2105 allocated to a public transit district or for a public transit corridor may only be derived
2106 from the portion of the fund that does not include constitutionally restricted sources
2107 related to the operation of a motor vehicle on a public highway or proceeds from an
2108 excise tax on liquid motor fuel to propel a motor vehicle.

2109 Section 25. **Repealer.**

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.**

2114 This bill takes effect on May 6, 2026.