

LICENSE PLATE REVISIONS

2024 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends provisions related to the requirement to issue and display a license plate for the front of a vehicle.

Highlighted Provisions:

This bill:

- ▶ removes the requirement for the Division of Motor Vehicles to issue two license plates in most circumstances;
- ▶ removes the requirement for an owner of a vehicle to display a license plate on the front of a vehicle;
- ▶ prohibits a license plate cover and prohibits a license plate frame that obscures the license plate number or decals;
- ▶ requires \$1 from certain license plate fees to be deposited into the Motor Vehicle Safety Impact Restricted Account; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 13-48-103**, as enacted by Laws of Utah 2011, Chapter 357
- 41-1a-108**, as renumbered and amended by Laws of Utah 1992, Chapter 1
- 41-1a-221**, as last amended by Laws of Utah 2018, Chapter 20
- 41-1a-232**, as last amended by Laws of Utah 2021, Chapter 135
- 41-1a-401**, as last amended by Laws of Utah 2023, Chapters 22, 33 and 440
- 41-1a-402**, as repealed and reenacted by Laws of Utah 2023, Chapter 33
- 41-1a-403**, as last amended by Laws of Utah 2023, Chapter 440

33 41-1a-404, as last amended by Laws of Utah 2023, Chapter 440
34 41-1a-407, as last amended by Laws of Utah 2018, Chapter 20
35 41-1a-410, as last amended by Laws of Utah 1993, Chapter 222
36 41-1a-411, as last amended by Laws of Utah 2020, Chapter 259
37 41-1a-412, as renumbered and amended by Laws of Utah 1992, Chapter 1
38 41-1a-413, as last amended by Laws of Utah 2018, Chapter 454
39 41-1a-416, as last amended by Laws of Utah 2023, Chapters 33, 219
40 41-1a-701, as last amended by Laws of Utah 2018, Chapter 454
41 41-1a-703, as last amended by Laws of Utah 2018, Chapter 454
42 41-1a-704, as last amended by Laws of Utah 2015, Chapter 412
43 41-1a-1105, as last amended by Laws of Utah 1998, Chapter 281
44 41-1a-1211, as last amended by Laws of Utah 2023, Chapter 33
45 41-3-105, as last amended by Laws of Utah 2022, Chapter 259
46 41-3-209, as last amended by Laws of Utah 2018, Chapter 387
47 41-6a-403, as last amended by Laws of Utah 2008, Chapter 382
48 41-12a-303, as last amended by Laws of Utah 2001, Chapter 85
49 41-12a-602, as enacted by Laws of Utah 1985, Chapter 242
50 53-8-214, as last amended by Laws of Utah 2023, Chapters 33, 212

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

53 Section 1. Section 13-48-103 is amended to read:

54 **13-48-103. Motor vehicle rental company -- Fee disclosure and collection**
55 **requirements.**

56 (1) A motor vehicle rental company may include separately stated surcharges, fees, or
57 charges in a rental agreement, including:

- 58 (a) motor vehicle license cost recovery fees;
- 59 (b) airport access fees;
- 60 (c) airport concession fees; and
- 61 (d) all applicable taxes.

62 (2) If a motor vehicle rental company includes a motor vehicle license cost recovery
63 fee as a separately stated charge in a rental transaction, the amount of the fee shall represent the

motor vehicle rental company's good-faith estimate of the motor vehicle rental company's daily charge as calculated by the motor vehicle rental company to recover its actual total annual motor vehicle titling, registration, obtaining ~~[license plates]~~ a license plate, and motor vehicle inspection and emission costs.

(3) If the total amount of the motor vehicle license cost recovery fees collected by a motor vehicle rental company under this section in any calendar year exceeds the motor vehicle rental company's actual costs to license, title, register, and obtain ~~[license plates]~~ a license plate for the motor vehicles and have the motor vehicles pass inspections and emissions for that calendar year, the motor vehicle rental company shall retain the excess amount and adjust the estimated average per motor vehicle license cost recovery fee for the following calendar year by the corresponding amount.

Section 2. Section **41-1a-108** is amended to read:

41-1a-108. Division inspection of applications for registration, certificate of title, or license plate.

(1) The division shall examine and determine the genuineness, regularity, and legality of each application for:

- (a) registration of a vehicle;
- (b) a certificate of title for a vehicle, vessel, or outboard motor;
- (c) ~~[license plates]~~ a license plate; and
- (d) any other request lawfully made to the division.

(2) The division may investigate or require additional information on any application or request necessary to implement this chapter.

(3) When the division is satisfied as to the genuineness, regularity, and legality of an application and that the applicant is entitled to register the vehicle and to the issuance of a certificate of title, the division shall register the vehicle, issue a certificate of title and issue ~~[license plates]~~ a license plate.

Section 3. Section **41-1a-221** is amended to read:

41-1a-221. Registration of vehicles of political subdivisions or state -- Expiration of registration -- Certification of information -- Failure to comply.

(1) (a) An entity referred to in Subsection 41-1a-407(1) shall register each vehicle that it owns, operates, or leases.

(b) This section does not apply to unmarked vehicles referred to in Section 41-1a-407.

(2) A registration card and license plate issued to an entity under this section or Subsection 41-1a-407(1) are in full force and effect until the vehicle is no longer owned or operated by that entity.

(3) (a) If the owner of a vehicle subject to the provisions of this section transfers or assigns title or interest in the vehicle, the registration of that vehicle expires.

(b) The transferor shall remove the license plate or plates and within 20 days from the date of transfer:

(i) destroy the license plate or plates; or

(ii) forward the license plate or plates to the division to be destroyed.

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

Section 4. Section **41-1a-232** is amended to read:

41-1a-232. Special fleet registration decals and license plates.

(1) As used in this section:

(a) "Rental agreement" has the same meaning as defined in Section 31A-22-311.

(b) "Rental company" has the same meaning as defined in Section 31A-22-311.

(c) "Rental fleet" means more than 25 motor vehicles that are:

(i) owned by a rental company;

(ii) offered for rental without a hired driver through a rental agreement; and

(iii) designated by the registered owner of the motor vehicle as a rental fleet vehicle at the time of registration.

(2) (a) An owner that registers a motor vehicle under Section 41-1a-215 or 41-1a-215.5 may obtain an alternative special registration card and registration decals for the license ~~[plates]~~ plate if the motor vehicle is:

(i) (A) owned by a rental company; and

(B) maintained in the rental company's rental fleet; or

(ii) owned or leased as part of a commercial fleet and is not owned or leased by a rental company.

(b) The registration card and registration decals for the license ~~[plates]~~ plate issued under Subsection (2)(a) are valid for the life of the motor vehicle while the motor vehicle is maintained in the rental fleet or is part of a commercial fleet.

(3) (a) An owner that receives the alternative special registration card and registration decals for the license ~~[plates]~~ plate issued under this section shall:

(i) renew the registration in accordance with Section 41-1a-216; and

(ii) comply with all the prerequisites for registration or registration renewal under Section 41-1a-203.

(b) Notwithstanding the registration renewals requirement under Subsection 41-1a-216(2)(b), the alternative special registration card and registration decals issued under this section do not expire and are valid for the life of the motor vehicle while the motor vehicle is maintained in the rental fleet or is part of a commercial fleet.

(4) If the registration renewal requirements under Subsection (3)(a) are not complied with, the registration is suspended or revoked.

Section 5. Section ~~41-1a-401~~ is amended to read:

41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of registration in lieu of or used with plates.

(1) (a) Except as provided in ~~[Subsection (1)(c)]~~ Subsections (1)(c), (d), and (e), the division upon registering a vehicle shall issue to the owner:

(i) one license plate for a motorcycle, trailer, or semitrailer;

(ii) one registration decal for a park model recreational vehicle, in lieu of a license plate, which shall be attached in plain sight to the rear of the park model recreational vehicle;

(iii) one registration decal for a camper, in lieu of a license plate, which shall be attached in plain sight to the rear of the camper; and

(iv) ~~[two identical license plates]~~ one license plate for every other vehicle.

(b) The license plate or registration decal issued under Subsection (1)(a) is for the particular vehicle registered and may not be removed during the term for which the license plate or registration decal is issued or used upon any other vehicle than the registered vehicle.

(c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the ownership of which has been otherwise released, shall transfer the license plate issued to the person applying to register the vehicle if:

(A) the previous registered owner has included the license plate as part of the sale, trade, or ownership release; and

(B) the person applying to register the vehicle applies to transfer the license plate to the new registered owner of the vehicle.

(ii) The division may not transfer a personalized or special group license plate to a new registered owner under this Subsection (1)(c) if the new registered owner does not meet the qualification or eligibility requirements for that personalized or special group license plate under this part or Part 16, Special Group License Plates.

(d) (i) For a vehicle described in Section 41-1a-301, the division upon registering a vehicle shall issue a license plate or set of license plates as provided in that section.

(ii) For any vehicle that meets the definition of an intrastate commercial vehicle as defined in Section 72-9-102, at the request of the registrant, the division upon registering a vehicle may issue two license plates, for display on both the front and rear of the intrastate commercial vehicle.

(e) The division upon registering a vehicle may, until inventory of license plate sets is exhausted, but no later than December 31, 2025, issue a set of two plates.

(2) The division may receive applications for registration renewal, renew registration, and issue a new license [~~plates~~] plate or registration decals at any time prior to the expiration of registration.

(3) (a) (i) Except as provided in Subsection (3)(a)(ii), all license plates to be manufactured and issued by the division shall be treated with a fully reflective material on the plate face that provides effective and dependable reflective brightness during the service period of the license plate.

(ii) Notwithstanding Subsection (3)(a)(i), a historical support special group license plate may be treated with a place face that is partially reflective and provides effective and dependable reflective brightness during the service period of the license plate.

(b) The division shall prescribe all license plate material specifications and establish and implement procedures for conforming to the specifications.

(c) The specifications for the materials used such as the aluminum plate substrate, the reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may qualify as suppliers.

(d) The granting of contracts for the materials shall be by public bid.

(4) (a) The commission may issue, adopt, and require the use of indicia of registration

it considers advisable in lieu of or in conjunction with license plates as provided in this part.

(b) All provisions of this part relative to license plates apply to these indicia of registration, so far as the provisions are applicable.

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

Section 6. Section **41-1a-402** is amended to read:

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

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

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

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

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

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

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

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

(c) The division shall offer:

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

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

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

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

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

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

(c) submit the proposed design to the governor for approval; and

(d) if the governor approves the design pursuant to Subsection (2)(c), submit to the

219 Transportation Interim Committee a request for the Legislature to approve the proposed design
220 by concurrent resolution.

221 (3) The division may issue a new standard license plate design only if:

222 (a) the Legislature has by concurrent resolution approved the standard license plate
223 design; and

224 (b) sufficient funds are appropriated for the initial costs of production.

225 (4) (a) Except as provided in Subsection (4)(b), the division may not order or produce a
226 standard license plate that is discontinued under this section.

227 (b) The division may issue a discontinued standard license plate until the division
228 exhausts the discontinued standard license plate's remaining stock.

229 (5) Each license plate shall have displayed on it:

230 (a) the registration number assigned to the vehicle for which the license plate is issued;

231 (b) the name of the state; and

232 (c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing
233 the date of expiration displayed in accordance with Subsection (8).

234 (6) If registration is extended by affixing a registration decal to the license plate, the
235 expiration date of the registration decal governs the expiration date of the license plate.

236 (7) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216,
237 [~~license plates~~] a license plate shall be renewed annually.

238 (b) (i) The division shall issue the vehicle owner a month registration decal and a year
239 registration decal upon the vehicle's first registration with the division.

240 (ii) The division shall issue the vehicle owner only a year registration decal upon
241 subsequent renewals of registration to validate registration renewal.

242 (8) Except as otherwise provided by rule:

243 (a) the month registration decal issued in accordance with Subsection (7) shall be
244 displayed on the license plate in the left position; and

245 (b) the year registration decal issued in accordance with Subsection (7) shall be
246 displayed on the license plate in the right position.

247 (9) The current year registration decal issued in accordance with Subsection (7) shall
248 be placed over or in place of the previous year registration decal.

249 (10) If a license plate, month registration decal, or year registration decal is lost or

destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.

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

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

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

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

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

Section 7. Section **41-1a-403** is amended to read:

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

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

~~[(2) An individual may not attach a tinted or translucent license plate cover that obscures the readability of the license plate as required in Subsection (1).]~~

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

(a) a license plate cover; or

(b) a license plate frame that obscures or blocks the readability of the license plate number or registration decals on a license plate.

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

Section 8. Section **41-1a-404** is amended to read:

41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.

~~[(1) License plates issued for a vehicle other than a motorcycle, trailer, vintage vehicle, or semitrailer shall be attached to the vehicle, one in the front and the other in the rear.]~~

~~[(2) (a) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to the rear of the motorcycle, trailer, or semitrailer.]~~

~~[(b) (i) An owner of a vintage vehicle shall ensure that a license plate is attached to the rear of the vintage vehicle.]~~

~~[(ii) An owner of a vintage vehicle is not required to display a license plate on the front of the vintage vehicle.]~~

(1) Except as provided in Section 41-1a-301 relating to a vehicle with apportioned registration, the owner or operator of a vehicle shall ensure that the license plate is attached to the rear of the vehicle as described in this section.

~~[(3)]~~ (2) Except as provided in Subsection ~~[(5)]~~ (3), a license plate shall at all times be:

(a) securely fastened:

(i) in a horizontal position to the vehicle for which it is issued to prevent the plate from swinging;

(ii) at a height of not less than 12 inches from the ground, measuring from the bottom of the plate; and

(iii) in a place and position to be clearly visible; and

(b) maintained:

(i) free from foreign materials or a tinted or translucent license plate cover; and

(ii) in a condition to be clearly legible.

~~[(4) Enforcement by a state or local law enforcement officer of the requirement under Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary action when the vehicle has been detained for a suspected violation by any person in the vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a license plate to the front of the vehicle, or for another offense.]~~

~~[(5)]~~ (3) The provisions of Subsections ~~[(3)(a)(iii) and (3)(b)]~~ (2)(a)(iii) and (2)(b) do not apply:

(a) to a license plate that is obscured exclusively by one or more of the following devices or by the cargo the device is carrying, if the device is installed according to manufacturer specifications or generally accepted installation practices:

(i) a trailer hitch;

(ii) a wheelchair lift or wheelchair carrier;

(iii) a trailer being towed by the vehicle;

(iv) a bicycle rack, ski rack, or luggage rack; or

(v) a similar cargo carrying device; or

(b) to a military vehicle if the license plate is in the military vehicle and ready for

inspection by law enforcement upon request.

~~[(6)] (4)~~ A violation of this section is an infraction.

Section 9. Section **41-1a-407** is amended to read:

41-1a-407. Plates issued to political subdivisions or state -- Use of "EX" letters -- Confidential information.

(1) Except as provided in Subsection (2), each municipality, board of education, school district, state institution of learning, county, other governmental division, subdivision, or district, and the state shall:

(a) place a license plate displaying the letters, "EX" on every vehicle owned and operated by it or leased for its exclusive use; and

(b) display an identification mark designating the vehicle as the property of the entity in a conspicuous place on both sides of the vehicle.

(2) The entity need not display the "EX" license plate or the identification mark required by Subsection (1) if:

(a) the vehicle is in the direct service of the governor, lieutenant governor, attorney general, state auditor, or state treasurer of Utah;

(b) the vehicle is used in official investigative work where secrecy is essential;

(c) the vehicle is used in an organized Utah Highway Patrol operation that is:

(i) conducted within a county of the first or second class as defined under Section 17-50-501, unless no more than one unmarked vehicle is used for the operation;

(ii) approved by the Commissioner of Public Safety;

(iii) of a duration of 14 consecutive days or less; and

(iv) targeted toward careless driving, aggressive driving, and accidents involving:

(A) violations of Title 41, Chapter 6a, Part 5, Driving Under the Influence and Reckless Driving;

(B) speeding violations for exceeding the posted speed limit by 21 or more miles per hour;

(C) speeding violations in a reduced speed school zone under Section 41-6a-604;

(D) violations of Section 41-6a-1002 related to pedestrian crosswalks; or

(E) violations of Section 41-6a-702 related to lane restrictions;

(d) the vehicle is provided to an official of the entity as part of a compensation package

343 allowing unlimited personal use of that vehicle;

344 (e) the personal security of the occupants of the vehicle would be jeopardized if the

345 "EX" license plate were in place; or

346 (f) the vehicle is used in routine enforcement on a state highway with four or more

347 lanes involving:

348 (i) violations of Section 41-6a-701 related to operating a vehicle on the right side of a

349 roadway;

350 (ii) violations of Section 41-6a-702 related to left lane restrictions;

351 (iii) violations of Section 41-6a-704 related to overtaking and passing vehicles

352 proceeding in the same direction;

353 (iv) violations of Section 41-6a-711 related to following a vehicle at a safe distance;

354 and

355 (v) violations of Section 41-6a-804 related to turning and changing lanes.

356 (3) Plates issued to Utah Highway Patrol vehicles may bear the capital letters "UHP," a

357 beehive logo, and the call number of the trooper to whom the vehicle is issued.

358 (4) (a) The commission shall issue "EX" and "UHP" plates.

359 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

360 commission shall make rules establishing the procedure for application for and distribution of

361 the plates.

362 (5) For a vehicle that qualifies for an "EX" or "UHP" license [~~plates~~] plate, the entity is

363 not required to display the month or year registration decals described in Section 41-1a-402.

364 (6) (a) Information shall be confidential for vehicles that are not required to display the

365 "EX" license plate or the identification mark under Subsections (2)(a), (b), (d), and (e).

366 (b) (i) If a law enforcement officer's identity must be kept secret, the law enforcement

367 officer's agency head may request in writing that the division remove the license plate

368 information of the officer's personal vehicles from all public access files and place it in a

369 confidential file until the assignment is completed.

370 (ii) The agency head shall notify the division when the assignment is completed.

371 (7) A peace officer engaged in an organized operation under Subsection (2)(c) shall be

372 in a uniform clearly identifying the law enforcement agency the peace officer is representing

373 during the operation.

Section 10. Section **41-1a-410** is amended to read:

41-1a-410. Eligibility for personalized plates.

(1) A person who is the registered owner of a vehicle not subject to registration under Section 41-1a-301, registered with the division, or who applies for an original registration of a vehicle not subject to registration under Section 41-1a-301, may upon payment of the fee prescribed in Section 41-1a-1211 apply to the division for ~~[personalized license plates]~~ a personalized license plate.

(2) Application shall be made in accordance with Section 41-1a-411.

(3) The personalized ~~[plates]~~ license plate shall be affixed to the vehicle for which registration is sought in lieu of the regular license ~~[plates]~~ plate.

(4) ~~[Personalized license plates]~~ A personalized license plate shall be issued only to the registered owner of the vehicle on which they are to be displayed.

Section 11. Section **41-1a-411** is amended to read:

41-1a-411. Application for personalized plates -- Refusal authorized.

(1) An applicant for ~~[personalized license plates]~~ a personalized license plate or renewal of the ~~[plates]~~ plate shall file an application for the ~~[plates]~~ plate in the form and by the date the division requires, indicating the combination of letters, numbers, or both requested as a registration number.

(2) (a) Except as provided in Subsection (3), the division may refuse to issue any combination of letters, numbers, or both that:

(i) may carry connotations offensive to good taste and decency or that would be misleading; or

(ii) disparages a group based on:

(A) race;

(B) color;

(C) national origin;

(D) religion;

(E) age;

(F) sex;

(G) gender identity;

(H) sexual orientation;

(I) citizenship status; or

(J) physical or mental disability.

(b) The division may refuse to issue a combination of letters, numbers, or both as a registration number if that same combination is already in use as a registration number on an existing license plate.

(3) (a) Except as provided in Subsection (2) or (3)(b), the division may not refuse a combination of letters, numbers, or both as a registration number if:

(i) the license plate is an honor special group license plate as described in Section 41-1a-421, and the combination of letters, numbers, or both refers to:

(A) a year related to military service;

(B) a military branch; or

(C) an official achievement, badge, or honor received for military service; or

(ii) the combination of letters, numbers, or both as a registration number refers to an official state symbol described in Section 63G-1-601.

(b) If an applicant requests a combination containing only numbers, the division may refuse the combination if the combination includes less than four numerical digits.

Section 12. Section **41-1a-412** is amended to read:

41-1a-412. Design of personalized plates.

The personalized license [~~plates~~] plate shall be the same color and design as a regular license [~~plates~~] plate designed for the type of vehicle being licensed and shall consist of numbers, letters, or any combination as fixed by the division, provided that there are no conflicts with existing or anticipated license plate series.

Section 13. Section **41-1a-413** is amended to read:

41-1a-413. Personalized plates -- Sale of vehicle -- Transfer of plates -- Release of priority.

Except as provided in Subsection 41-1a-401(1)(c), if a person who has been issued a personalized license [~~plates~~] plate sells, trades, or otherwise releases ownership of the vehicle for which the personalized license [~~plates have~~] plate has been issued, that person shall immediately:

(1) apply to display the license [~~plates~~] plate on a different vehicle owned by the person; or

(2) surrender the license [~~plates~~] plate to the division and release his priority to the letters and numbers displayed on the personalized license [~~plates~~] plate.

Section 14. Section ~~41-1a-416~~ is amended to read:

41-1a-416. Original issue license plates -- Alternative stickers -- Rulemaking.

(1) The owner of a motor vehicle that is a model year 1973 or older may apply to the division for permission to display an original issue license plate.

(2) An owner described in Subsection (1) shall:

(a) complete an application on a form provided by the division;

(b) supply and submit to the division for approval the original issue license plate that the owner intends to display on the motor vehicle; and

(c) pay the fees prescribed in Sections 41-1a-1206 and 41-1a-1211.

(3) Before approving an application described in this section, the division shall determine that the original issue license plate:

(a) is of a format and type issued by the state for use on a motor vehicle;

(b) has numbers and characters that are unique and do not conflict with existing license plate series in this state;

(c) is legible, durable, and otherwise in a condition that serves the purposes of this chapter; and

(d) is from the same year of issue as the model year of the motor vehicle on which the original issue license plate is to be displayed.

(4) (a) Except as provided in this section, the owner of a motor vehicle displaying an original issue license [~~plates~~] plate approved under this section is not exempt from any requirement described in this chapter.

(b) An original issue license plate approved under this section is exempt from:

(i) the provisions of Section 41-1a-401 regarding reflectorization; and

(ii) Section 41-1a-403.

(c) Notwithstanding Subsection (4)(a), if a motor vehicle displaying an original issue license plate is also a vintage vehicle as defined in Section 41-21-1, the motor vehicle qualifies for the same exemptions as a vintage vehicle.

(5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules for the implementation of this section.

Section 15. Section **41-1a-701** is amended to read:

41-1a-701. Transfer by owner -- Removal of plates.

(1) (a) If the owner of a registered vehicle transfers the title or interest to the vehicle the registration of the vehicle expires.

(b) Unless an owner has included the transfer of a license plate as part of a sale, trade, or ownership release of a vehicle, the owner shall remove the license plate or plates from the transferred vehicle.

(2) (a) If an owner does not transfer a license plate to a person as part of a sale, trade, or ownership release of a vehicle, within 20 days from the date of transfer the owner shall forward the plates to the division to be destroyed or may have the plates assigned to another vehicle, subject to the rules of the division.

(b) If an owner transfers a license plate as part of a sale, trade, or ownership release of a vehicle, the new registered owner of the transferred vehicle shall apply to the division to have the plates assigned to the new registered owner.

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

Section 16. Section **41-1a-703** is amended to read:

41-1a-703. New owner to secure new registration and new certificate of title.

(1) The transferee, before operating or permitting the operation of a transferred vehicle on a highway, shall:

(a) present to the division the certificate of registration and the certificate of title, properly endorsed;

(b) apply for a new certificate of title and obtain a new registration for the transferred vehicle, as upon an original registration, except as permitted under Sections 41-1a-223, 41-1a-520, and 41-1a-704; and

(c) apply to the division to have the license plate or plates assigned to the new registered owner of the transferred vehicle if the license plate or plates were included as part of the sale, trade, or ownership release of the transferred vehicle.

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

Section 17. Section **41-1a-704** is amended to read:

41-1a-704. Transfer by operation of law.

(1) Except as provided under Subsection (2), if the title or interest of an owner in or to

a registered vehicle passes to another person other than by voluntary transfer:

(a) the registration of the vehicle expires; and

(b) the vehicle may not be operated upon a highway until the person entitled to possession of the vehicle applies for and obtains a valid registration or temporary permit.

(2) (a) A vehicle under Subsection (1) may be operated on the highways by the person entitled to its possession or his legal representative, for a distance not exceeding 75 miles, upon displaying on the vehicle the license plate or plates issued to the former owner.

(b) If title is vested in a person holding a lien or encumbrance on the vehicle, the new title holder may apply to the Motor Vehicle Enforcement Division for special plates issued under Section 41-3-505 to transporters and may operate the repossessed vehicle under the special plate for the purposes of:

(i) transporting the vehicle to a garage or warehouse; or

(ii) demonstrating the vehicle for sale.

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

Section 18. Section **41-1a-1105** is amended to read:

41-1a-1105. Records to be kept by public garage, impound lot, or impound yard.

(1) (a) Each person engaged in the business of operating a public garage, impound lot, or impound yard shall keep a record of every vehicle, vessel, or outboard motor stored in it for compensation for a period longer than 12 hours.

(b) The record shall include:

(i) the name and address of the person storing the vehicle, vessel, or outboard motor;

(ii) a brief description of the vehicle, vessel, or outboard motor, including the name or make, identification number, and license number shown by the license plate or plates; and

(iii) the mileage shown on the vehicle's odometer both upon arrival at and upon its release from the public garage, impound lot, or impound yard, if the vehicle is equipped with an odometer.

(2) Every record kept under Subsection (1) shall be open to inspection by any peace officer.

Section 19. Section **41-1a-1211** is amended to read:

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

529 **Postage fees.**

530 (1) (a) Except as provided in Subsections (11), (12), (13), and (14), a license plate fee
531 established in accordance with Section 63J-1-504 shall be paid to the division for the issuance
532 of any new license plate under Part 4, License Plates and Registration Indicia.

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

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

536 ~~[(+)]~~ (ii) \$1 ~~[in]~~ into the Transportation Fund; and

537 ~~[(+)]~~ (iii) the remainder of the fee charged under Subsection (1)(a) into the License
538 Plate Restricted Account, as provided in Section 41-1a-1201.

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

542 (3) Beginning July 1, 2003, a person who applies for a special group license plate shall
543 pay a \$5 fee for the original ~~[set of license plates]~~ license plate in addition to the fee required
544 under Subsection (1).

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

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

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

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

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

557 ~~[(+)]~~ (ii) \$1 ~~[in]~~ into the Transportation Fund; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) receive a salary from a federal, state, county, or municipal government or any other

591 subdivision of the state; and

592 (ii) work in the state;

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

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

596 Section 20. Section **41-3-105** is amended to read:

597 **41-3-105. Administrator's powers and duties -- Administrator and investigators**
598 **to be law enforcement officers.**

599 (1) The administrator may make rules to carry out the purposes of this chapter and
600 Sections 41-1a-1001 through 41-1a-1006 according to the procedures and requirements of Title
601 63G, Chapter 3, Utah Administrative Rulemaking Act.

602 (2) (a) The administrator may employ clerks, deputies, and assistants necessary to
603 discharge the duties under this chapter and may designate the duties of those clerks, deputies,
604 and assistants.

605 (b) The administrator, assistant administrator, and all investigators shall be law
606 enforcement officers certified by peace officer standards and training as required by Section
607 53-13-103.

608 (3) (a) The administrator may investigate any suspected or alleged violation of:

609 (i) this chapter;

610 (ii) Title 41, Chapter 1a, Motor Vehicle Act;

611 (iii) any law concerning motor vehicle fraud; or

612 (iv) any rule made by the administrator.

613 (b) The administrator may bring an action in the name of the state against any person to
614 enjoin a violation found under Subsection (3)(a).

615 (4) (a) The administrator may prescribe forms to be used for applications for licenses.

616 (b) The administrator may require information from the applicant concerning the
617 applicant's fitness to be licensed.

618 (c) Each application for a license shall contain:

619 (i) if the applicant is an individual, the name and residence address of the applicant and
620 the trade name, if any, under which the applicant intends to conduct business;

621 (ii) if the applicant is a partnership, the name and residence address of each partner,

622 whether limited or general, and the name under which the partnership business will be
623 conducted;

624 (iii) if the applicant is a corporation, the name of the corporation, and the name and
625 residence address of each of its principal officers and directors;

626 (iv) a complete description of the principal place of business, including:

627 (A) the municipality, with the street and number, if any;

628 (B) if located outside of any municipality, a general description so that the location can
629 be determined; and

630 (C) any other places of business operated and maintained by the applicant in
631 conjunction with the principal place of business;

632 (v) if the application is for a new motor vehicle dealer's license, the name of each
633 motor vehicle the applicant has been enfranchised to sell or exchange, the name and address of
634 the manufacturer or distributor who has enfranchised the applicant, and the name and address
635 of each individual who will act as a salesperson under authority of the license;

636 (vi) at least five years of business history;

637 (vii) the federal tax identification number issued to the dealer;

638 (viii) the sales and use tax license number issued to the dealer under Title 59, Chapter
639 12, Sales and Use Tax Act; and

640 (ix) if the application is for a direct-sale manufacturer's license:

641 (A) the name of each line-make the applicant will sell, display for sale, or offer for sale
642 or exchange;

643 (B) the name and address of each individual who will act as a direct-sale manufacturer
644 salesperson under authority of the license;

645 (C) a complete description of the direct-sale manufacturer's authorized service center,
646 including the address and any other place of business the applicant operates and maintains in
647 conjunction with the authorized service center;

648 (D) a sworn statement that the applicant complies with each qualification for a
649 direct-sale manufacturer under this chapter;

650 (E) a sworn statement that if at any time the applicant fails to comply with a
651 qualification for a direct-sale manufacturer under this chapter, the applicant will inform the
652 division in writing within 10 business days after the day on which the noncompliance occurs;

653 and

654 (F) an acknowledgment that if the applicant fails to comply with a qualification for a
655 direct-sale manufacturer under this chapter, the administrator will deny, suspend, or revoke the
656 applicant's direct-sale manufacturer license in accordance with Section 41-3-209.

657 (5) The administrator may adopt a seal with the words "Motor Vehicle Enforcement
658 Administrator, State of Utah," to authenticate the acts of the administrator's office.

659 (6) (a) The administrator may require that a licensee erect or post signs or devices on
660 the licensee's principal place of business and any other sites, equipment, or locations operated
661 and maintained by the licensee in conjunction with the licensee's business.

662 (b) The signs or devices shall state the licensee's name, principal place of business,
663 type and number of licenses, and any other information that the administrator considers
664 necessary to identify the licensee.

665 (c) The administrator may make rules in accordance with Title 63G, Chapter 3, Utah
666 Administrative Rulemaking Act, determining allowable size and shape of signs or devices,
667 lettering and other details of signs or devices, and location of signs or devices.

668 (7) (a) The administrator shall provide for quarterly meetings of the advisory board and
669 may call special meetings.

670 (b) Notices of all meetings shall be sent to each member not fewer than five days
671 before the meeting.

672 (8) The administrator, the officers and inspectors of the division designated by the
673 commission, and peace officers shall:

674 (a) make arrests upon view and without warrant for any violation committed in their
675 presence of any of the provisions of this chapter, or Title 41, Chapter 1a, Motor Vehicle Act;

676 (b) when on duty, upon reasonable belief that a motor vehicle, trailer, or semitrailer is
677 being operated in violation of any provision of Title 41, Chapter 1a, Motor Vehicle Act, require
678 the driver of the vehicle to stop, exhibit the person's driver license and the registration card
679 issued for the vehicle, and submit to an inspection of the vehicle, the license [~~plates~~] plate, and
680 registration card;

681 (c) serve all warrants relating to the enforcement of the laws regulating the operation of
682 motor vehicles, trailers, and semitrailers;

683 (d) investigate traffic accidents and secure testimony of any witnesses or persons

involved; and

(e) investigate reported thefts of motor vehicles, trailers, and semitrailers.

(9) The administrator shall provide security for an area within the commission designated as a secure area under Section 76-8-311.1.

(10) The Office of the Attorney General shall provide prosecution of this chapter.

Section 21. Section **41-3-209** is amended to read:

41-3-209. Administrator's findings -- Suspension and revocation of license.

(1) If the administrator finds that an applicant is not qualified to receive a license, a license may not be granted.

(2) (a) If the administrator finds that there is reasonable cause to deny, suspend, or revoke a license issued under this chapter, the administrator shall deny, suspend, or revoke the license.

(b) Reasonable cause for denial, suspension, or revocation of a license includes, in relation to the applicant or license holder or any of the applicant or license holder's partners, officers, or directors:

(i) lack of a principal place of business or authorized service center as required by this chapter;

(ii) lack of a sales tax license required under Title 59, Chapter 12, Sales and Use Tax Act;

(iii) lack of a bond in effect as required by this chapter;

(iv) current revocation or suspension of a dealer, dismantler, auction, or salesperson license issued in another state;

(v) nonpayment of required fees;

(vi) making a false statement on any application for a license under this chapter or for a special license ~~[plates]~~ plate;

(vii) a violation of any state or federal law involving motor vehicles;

(viii) a violation of any state or federal law involving controlled substances;

(ix) charges filed with any county attorney, district attorney, or U.S. attorney in any court of competent jurisdiction for a violation of any state or federal law involving motor vehicles;

(x) a violation of any state or federal law involving fraud;

715 (xi) a violation of any state or federal law involving a registerable sex offense under
716 Section 77-41-106;

717 (xii) having had a license issued under this chapter revoked within five years from the
718 date of application; or

719 (xiii) failure to comply with any applicable qualification or requirement imposed under
720 this chapter.

721 (c) Any action taken by the administrator under Subsection (2)(b)(ix) shall remain in
722 effect until a final resolution is reached by the court involved or the charges are dropped.

723 (3) If the administrator finds that an applicant is not qualified to receive a license under
724 this section, the administrator shall provide the applicant written notice of the reason for the
725 denial.

726 (4) If the administrator finds that the license holder has been convicted by a court of
727 competent jurisdiction of violating any of the provisions of this chapter or any rules made by
728 the administrator, or finds other reasonable cause, the administrator may, by complying with
729 the emergency procedures of Title 63G, Chapter 4, Administrative Procedures Act:

730 (a) suspend the license on terms and for a period of time the administrator finds
731 reasonable; or

732 (b) revoke the license.

733 (5) (a) After suspending or revoking a license, the administrator may take reasonable
734 action to:

735 (i) notify the public that the licensee is no longer in business; and

736 (ii) prevent the former licensee from violating the law by conducting business without
737 a license.

738 (b) Action under Subsection (5)(a) may include signs, banners, barriers, locks,
739 bulletins, and notices.

740 (c) Any business being conducted incidental to the business for which the former
741 licensee was licensed may continue to operate subject to the preventive action taken under this
742 subsection.

743 Section 22. Section **41-6a-403** is amended to read:

744 **41-6a-403. Vehicle accidents -- Investigation and report of operator security --**
745 **Agency action if no security -- Surrender of plates -- Penalties.**

(1) (a) Upon request of a peace officer investigating an accident involving a motor vehicle, the operator of the motor vehicle shall provide evidence of the owner's or operator's security required under Section 41-12a-301.

(b) The evidence of owner's or operator's security includes information specified under Section 41-12a-303.2.

(2) The peace officer shall record on a form approved by the department:

(a) the information provided by the operator;

(b) whether the operator provided insufficient or no information;

(c) whether the officer finds reasonable cause to believe that any information given is not correct; and

(d) whether other information available to the peace officer indicates that owner's or operator's security is in effect.

(3) The peace officer shall deposit all completed forms with the peace officer's law enforcement agency, which shall forward the forms to the department no later than 10 days after receipt.

(4) (a) The department shall within 10 days of receipt of the forms from the law enforcement agency take action as follows:

(i) if the operator provided no information under Subsection (1) and other information available to the peace officer does not indicate that owner's or operator's security is in effect, the department shall take direct action under Subsection 53-3-221(13); or

(ii) if the peace officer noted or the department determines that there is reasonable cause to believe that the information given under Subsection (1) is not correct, the department shall contact directly the insurance company or other provider of security as described in Section 41-12a-303.2 and request verification of the accuracy of the information submitted as of the date of the accident.

(b) The department may require the verification under Subsection (4)(a)(ii) to be in a form specified by the department.

(c) The insurance company or other provider of security shall return the verification to the department within 30 days of receipt of the request.

(d) If the department does not receive verification within 35 days after sending the request, or within the 35 days receives notice that the information was not correct, the

department shall take action under Subsection 53-3-221(13).

(5) (a) The owner of a vehicle with an unexpired license [~~plates~~] plate for which security is not provided as required under this chapter shall return the plates for the vehicle to the Motor Vehicle Division unless specifically permitted by statute to retain them.

(b) If the owner fails to return the plates as required, the plates shall be confiscated under Section 53-3-226.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department may make rules for the enforcement of this section.

(7) A person is guilty of a class B misdemeanor, and shall be fined not less than \$100, who:

(a) when requested to provide security information under Subsection (1), or Section 41-12a-303.2, provides false information;

(b) falsely represents to the department that security required under this chapter is in effect; or

(c) sells a vehicle to avoid the penalties of this section as applicable either to himself or a third party.

Section 23. Section **41-12a-303** is amended to read:

41-12a-303. Condition to obtaining registration, license plates, or safety inspection.

The owner of a motor vehicle required to maintain owner's security under Section 41-12a-301 may be required to swear or affirm, in a manner specified by the State Tax Commission, or present other reasonable evidence that he has owner's security in effect at the time of registering, obtaining a license [~~plates~~] plate for, or a safety inspection of the motor vehicle.

Section 24. Section **41-12a-602** is amended to read:

41-12a-602. Filing of false report.

Any person who gives information required in a report provided for under Section 41-12a-502, knowing or having reason to believe that the information is false, or who shall forge or, without authority, sign any evidence of proof of owner's or operator's security, or who files or offers for filing any such evidence of proof, knowing or having reason to believe that it is forged or signed without authority, or who falsely swears or affirms when obtaining a license

808 [plates] plate, a safety inspection, or a registration under Section 41-12a-303, is guilty of a class
809 A misdemeanor.

810 Section 25. Section **53-8-214** is amended to read:

811 **53-8-214. Creation of the Motor Vehicle Safety Impact Restricted Account.**

812 (1) There is created a restricted account within the General Fund known as the Motor
813 Vehicle Safety Impact Restricted Account.

814 (2) The account includes:

815 (a) deposits made to the restricted account from registration fees as described in
816 Subsection 41-1a-1201(7);

817 (b) deposits into the account as described in Section 41-1a-1211;

818 [~~(b)~~] (c) donations or deposits made to the account; and

819 [~~(c)~~] (d) any interest earned on the account.

820 (3) Upon appropriation, the division may use funds in the account to improve motor
821 vehicle safety, mitigate impacts, and enforce safety provisions, including the following:

822 (a) hiring new Highway Patrol troopers;

823 (b) payment of overtime for Highway Patrol troopers; and

824 (c) acquisition of equipment to improve motor vehicle safety impacts and enforcement.

825 (4) The division shall annually report to the Executive Offices and Criminal Justice
826 Appropriations Subcommittee to justify expenditures and use of funds in the account.

827 Section 26. **Effective date.**

828 This bill takes effect on May 1, 2024.