

Representative Jordan Tanner proposes to substitute the following bill:

USE OF OLYMPIC LICENSE PLATES

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Jordan Tanner

AN ACT RELATING TO THE MOTOR VEHICLE ACT; PROVIDING THAT MEMBERS OF THE LEGISLATURE MAY SELECT THE OLYMPIC LICENSE PLATE AS THE SPECIAL GROUP LICENSE PLATE ISSUED TO LEGISLATORS UPON PAYMENT OF APPROPRIATE FEES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-1a-408, as last amended by Chapters 157, 184 and 352, Laws of Utah 1998

41-1a-417, as enacted by Chapter 173, Laws of Utah 1996

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

Section 1. Section **41-1a-408** is amended to read:

41-1a-408. Special group plates -- Design -- Application -- Issuance.

(1) As used in this section:

(a) "Children's issues license plates" means the special group license plates issued under this section to a contributor to the Guardian Ad Litem Services Account and the Children's Museum of Utah.

(b) "Collegiate license plates" means the special group license plates issued under this section to a contributor to an institution after payment of the appropriate fees.

(c) (i) "Contributor" means a person who has donated or in whose name at least \$25 has been donated to:

(A) a scholastic scholarship fund of a single institution;

25 (B) the Office of Veterans' Affairs in the Department of Community and Economic
26 Development for veterans' programs;

27 (C) the Division of Wildlife Resources for conservation of wildlife and the enhancement,
28 preservation, protection, access, and management of wildlife habitat;

29 (D) the Department of Agriculture and Food for the benefit of soil conservation districts;

30 (E) the Division of Parks and Recreation for the benefit of snowmobile programs; or

31 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
32 the donation evenly divided between the two.

33 (ii) Except as provided under Subsection (13), the donation must be made in the 12 months
34 prior to registration or renewal of registration.

35 (d) "Institution" means a state institution of higher education or a private institution of
36 higher education in the state accredited by a regional or national accrediting agency recognized by
37 the United States Department of Education.

38 (e) "Snowmobile license plates" means the special group license plates issued under this
39 section to a contributor to the Division of Parks and Recreation after payment of the appropriate
40 fees.

41 (f) "Soil conservation license plates" means the special group license plates issued under
42 this section to a contributor to the Department of Agriculture and Food after payment of the
43 appropriate fees.

44 (g) "State institution of higher education" has the same meaning as provided in Section
45 53B-3-102.

46 (h) "Veterans' license plates" means the special group license plates issued under this
47 section to a contributor to the Office of Veterans' Affairs after payment of the appropriate fees.

48 (i) "Wildlife license plates" means the special group license plates issued under this section
49 to a contributor to the Division of Wildlife Resources after payment of the appropriate fees.

50 (2) (a) The design and maximum number of numerals or characters on special group
51 license plates shall be determined by the division in accordance with the criteria in Subsection
52 (2)(b).

53 (b) Except for Olympic special group license plates, each special group license plate shall
54 display:

55 (i) the word Utah;

- 56 (ii) the name or identifying slogan of the special group;
- 57 (iii) a symbol not exceeding two positions in size representing the special group; and
- 58 (iv) the combination of letters, numbers, or both uniquely identifying the registered
- 59 vehicle.

60 (3) (a) The division shall, after consultation with a representative designated by the special

61 group, specify the word or words comprising the special group name and the symbol to be

62 displayed upon the special group license plates.

63 (b) Collegiate, veterans', children's issues, snowmobile, soil conservation, and wildlife

64 license plates may not be redesigned under this section more frequently than every five years.

65 (c) Veterans' license plates shall display one of the symbols representing the Army, Navy,

66 Air Force, Marines, or Coast Guard.

67 (4) Subject to Subsections (10) and (12), the division shall only issue special group license

68 plates to a person who is:

- 69 (a) a current member of the Legislature;
- 70 (b) a current member of the United States Congress;
- 71 (c) a survivor of the Japanese attack on Pearl Harbor;
- 72 (d) a former prisoner of war;
- 73 (e) a recipient of a Purple Heart, as provided in Section 41-1a-409;
- 74 (f) a current member of the National Guard;
- 75 (g) a person with a disability or the registered owner of a vehicle that an organization uses
- 76 primarily for the transportation of persons with disabilities that limit or impair the ability to walk;
- 77 (h) a contributor to an institution's scholastic scholarship fund;
- 78 (i) a contributor to the Division of Wildlife Resources;
- 79 (j) a contributor to the Office of Veterans' Affairs;
- 80 (k) licensing a special interest vehicle;
- 81 (l) licensing a vintage vehicle;
- 82 (m) a licensed amateur radio operator;
- 83 (n) registering a farm truck;
- 84 (o) a currently employed, volunteer, or retired firefighter;
- 85 (p) a contributor to the Division of Parks and Recreation;
- 86 (q) a contributor to the Department of Agriculture and Food; or

87 (r) a contributor to the Guardian Ad Litem Services Account and the Children's Museum
88 of Utah.

89 (5) (a) A vehicle displaying a survivor of the Japanese attack on Pearl Harbor license plate
90 decal, a former prisoner of war license plate decal, or a Purple Heart license plate decal shall be
91 titled in the name of the veteran or the veteran and spouse.

92 (b) Upon the death of the veteran, the surviving spouse may, upon application to the
93 division, retain the special group license plate decal so long as the surviving spouse remains
94 unmarried.

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

97 (6) (a) (i) In accordance with rules made under Subsection (12), the division shall issue
98 a person with a disability special group license plate, temporary removable windshield placard, or
99 a removable windshield placard to:

100 (A) a qualifying person with a disability; or

101 (B) an organization that uses a vehicle registered in the applicant's name primarily for the
102 transportation of persons with disabilities that limit or impair the ability to walk.

103 (ii) The division shall issue a person with a disability special group license plate or a
104 removable windshield placard to a person with a permanent disability.

105 (iii) The issuance of a person with a disability special group license plate does not preclude
106 the issuance to the same applicant of a removable windshield placard.

107 (iv) The division shall issue on request one additional placard to a person with a person
108 with a disability special group license plate, temporary removable windshield placard, or a
109 removable windshield placard.

110 (b) The temporary removable windshield placard or removable windshield placard shall
111 be hung from the front windshield rearview mirror when the vehicle is parked in a parking space
112 reserved for persons with disabilities so that it is visible from the front and rear of the vehicle.

113 (7) (a) An applicant for original or renewal collegiate license plates must be a contributor
114 to the institution named in the application and present the original contribution verification form
115 to the division at the time of application.

116 (b) An institution with a special group license plate shall issue to a contributor a
117 verification form designed by the commission containing:

- 118 (i) the name of the contributor;
- 119 (ii) the institution to which a donation was made;
- 120 (iii) the date of the donation; and
- 121 (iv) an attestation that the donation was for a scholastic scholarship.

122 (c) The state auditor may audit each institution to verify that the moneys collected by the
123 institutions from contributors are used for scholastic scholarships.

124 (d) After an applicant has been issued collegiate license plates or renewal decals, the
125 commission shall charge the institution whose plate was issued, a fee determined in accordance
126 with Section 63-38-3.2 for management and administrative expenses incurred in issuing and
127 renewing the collegiate license plates.

128 (8) (a) An applicant for original or renewal wildlife license plates must be a contributor
129 to the Division of Wildlife Resources.

130 (b) This contribution shall be:

- 131 (i) collected by the division;
- 132 (ii) treated as a voluntary contribution for the funding of wildlife activities and not as a
133 motor vehicle registration fee; and
- 134 (iii) deposited into the Wildlife Resources Account created in Section 23-14-13, less actual
135 production and administrative costs associated with making and issuing wildlife license plates.

136 (9) The division shall issue Olympic special group license plates.

137 (10) (a) An organization that makes a significant contribution to the state may request the
138 commission to authorize special group license plates for the organization if the organization
139 collects a minimum of 500 applications with the fees required under Section 41-1a-1211.

140 (b) If the commission approves the request, the division shall design a license plate in
141 accordance with Subsections (2) and (3).

142 (c) If the commission rejects the request, the organization shall refund all fees to the
143 applicants.

144 (11) Any person who meets the criteria established under this part for issuance of special
145 group license plates may make application in the same manner provided in Sections 41-1a-410 and
146 41-1a-411 for personalized special group license plates.

147 (12) (a) The commission shall make rules in accordance with Title 63, Chapter 46a, Utah
148 Administrative Rulemaking Act, to:

149 (i) establish qualifying criteria for persons to receive, renew, or surrender special group
150 license plates, a temporary removable windshield placard, or a removable windshield placard;

151 (ii) establish the maximum number of numerals or characters for special group license
152 plates; and

153 (iii) require all temporary removable windshield placards and removable windshield
154 placards to include:

155 (A) an identification number;

156 (B) an expiration date not to exceed six months for a temporary removable windshield
157 placard and one year for a removable windshield placard; and

158 (C) the seal or other identifying mark of the division.

159 (b) The qualifying criteria under Subsection (12)(a) for a person with a disability special
160 group license plate, temporary removable windshield placard, or removable windshield placard
161 shall include a requirement that an initial application of a person with a disability be accompanied
162 by the certification of a licensed physician:

163 (i) that the applicant meets the definition of a person with a disability that limits or impairs
164 the ability to walk as defined in the federal Uniform System for Handicapped Parking, 58 Fed.
165 Reg. 10, 328 (1991); and

166 (ii) containing the period of time that the physician determines the applicant will have the
167 disability, not to exceed six months in the case of a temporary disability.

168 (13) (a) The division may issue original veterans' license plates.

169 (b) An applicant for original veterans' license plates must be at least a one-time contributor
170 to the Office of Veterans' Affairs.

171 (c) This contribution shall be:

172 (i) collected by the division;

173 (ii) treated as a voluntary contribution for the Office of Veterans' Affairs and not as a
174 motor vehicle registration fee; and

175 (iii) transferred to the Office of Veterans' Affairs at least monthly, less actual production
176 and administrative costs associated with making and issuing veterans' license plates.

177 (14) (a) Beginning January 1, 1999, the division may issue original snowmobile license
178 plates if the Division of Parks and Recreation provides a one-time contribution of at least \$9,000
179 to the division from restricted revenue in the Off-Highway Vehicle Account in the General Fund

180 to cover startup materials and programming costs.

181 (b) An applicant for original snowmobile license plates must be a contributor to the
182 Division of Parks and Recreation.

183 (c) This contribution shall be:

184 (i) collected by the division;

185 (ii) treated as a voluntary contribution for the Division of Parks and Recreation for the
186 benefit of snowmobile programs and not as a motor vehicle registration fee; and

187 (iii) transferred to the Division of Parks and Recreation at least monthly, less actual
188 production and administrative costs associated with making and issuing snowmobile license plates.

189 (15) (a) (i) Beginning January 1, 1999, the division may issue original soil conservation
190 license plates if soil conservation districts provide a one-time contribution of at least \$9,000 to the
191 division to cover startup materials and programming costs.

192 (ii) The contribution described in Subsection (15)(a)(i) may be from private funds
193 available to soil conservation districts.

194 (b) An applicant for original soil conservation license plates must be a contributor to the
195 Department of Agriculture and Food.

196 (c) This contribution shall be:

197 (i) collected by the division;

198 (ii) treated as a voluntary contribution for the Department of Agriculture and Food for the
199 benefit of soil conservation districts and not as a motor vehicle registration fee; and

200 (iii) transferred to the Department of Agriculture and Food at least monthly, less actual
201 production and administrative costs associated with making and issuing soil conservation license
202 plates.

203 (16) (a) (i) Beginning January 1, 1999, the division may issue original children's issues
204 license plates if the Office of the Guardian Ad Litem Director and the Children's Museum of Utah
205 each provide a one-time contribution of at least \$4,500 to the division to cover startup materials
206 and programming costs.

207 (ii) The contribution described in Subsection (16)(a)(i) from the Office of the Guardian
208 Ad Litem Director shall be from private funds not normally available to the Office of the Guardian
209 Ad Litem Director.

210 (b) An applicant for original or renewal children's issues license plates must be a

211 contributor to the Guardian Ad Litem Services Account and the Children's Museum of Utah.

212 (c) This contribution shall be:

213 (i) collected by the division;

214 (ii) treated as a voluntary contribution for the Guardian Ad Litem Services Account and
215 the Children's Museum of Utah and not as a motor vehicle registration fee; and

216 (iii) transferred to the Guardian Ad Litem Services Account and the Children's Museum
217 of Utah at least monthly, less actual production and administrative costs associated with making
218 and issuing children's issues license plates.

219 (17) A current member of the Legislature may select the Olympic license plate as the
220 legislator's special group license plate. The legislator shall pay the special fees for the Olympic
221 license plate, as provided in Section 41-1a-417 and Subsection 41-1a-1211(12).

222 Section 2. Section **41-1a-417** is amended to read:

223 **41-1a-417. Olympic license plates -- Fees -- Design.**

224 (1) (a) Beginning no sooner than January 1, 1997, any person who is the owner or lessee
225 of a motor vehicle as defined under Section 41-1a-102 may apply for Olympic license plates
226 through June 30, 2002.

227 (b) In addition to the regular motor vehicle registration fees, the applicant shall pay a
228 special fee of \$22.00 at the time the Olympic license plates are issued.

229 (2) (a) The State Tax Commission shall at least monthly deposit revenues from the special
230 fees collected under Subsection (1), less production and administrative costs as provided in this
231 subsection, to the Salt Lake Olympic Organizing Committee's "Olympics for Youth and Children
232 Account."

233 (b) The special fees paid for purchase or renewal of Olympic license plates shall be treated
234 as a voluntary contribution and is not a motor vehicle registration fee.

235 (c) Before depositing revenues into the Salt Lake Olympic Organizing Committee's
236 account, the State Tax Commission shall deduct the actual production and administrative costs
237 associated with making and issuing the Olympic license plates.

238 (3) The Salt Lake Olympic Organizing Committee shall approve the color and design of
239 the Olympic license plates consistent with the provisions of Sections 41-1a-401, 41-1a-402, and
240 41-1a-403 and with the concurrence of the State Tax Commission and the Utah Highway Patrol.

241 (4) Any person who applies for Olympic license plates may also apply for personalized

242 numbers or letters on the Olympic license plates as authorized by Section 41-1a-410 and after
243 payment of the fees required by Section 41-1a-1211.

244 (5) A member of the Legislature may select the Olympic license plate as the legislator's
245 special group license plate in accordance with the provisions of Subsection 41-1a-408(17). The
246 legislator shall pay the special fees described in Subsection (1)(b) and in Subsection
247 41-1a-1211(12).