

1 **PEACE CORPS VOLUNTEER SPECIAL**
2 **LICENSE PLATES**

3 2000 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Loretta Baca**

6 AN ACT RELATING TO MOTOR VEHICLES; AUTHORIZING PEACE CORPS
7 VOLUNTEER SPECIAL GROUP LICENSE PLATES; AND PROVIDING AN EFFECTIVE
8 DATE.

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

10 AMENDS:

11 **41-1a-408**, as last amended by Chapters 32, 211 and 214, Laws of Utah 1999

12 **41-1a-1211**, as last amended by Chapters 157, 184 and 352, Laws of Utah 1998

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

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

15 **41-1a-408. Special group plates -- Design -- Application -- Issuance.**

16 (1) As used in this section:

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

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

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

24 (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[-]; or

89 (s) a returned peace corps volunteer.

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

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

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

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

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

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

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

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

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

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

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

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

119 (i) the name of the contributor;

120 (ii) the institution to which a donation was made;

- 121 (iii) the date of the donation; and
- 122 (iv) an attestation that the donation was for a scholastic scholarship.
- 123 (c) The state auditor may audit each institution to verify that the moneys collected by the
- 124 institutions from contributors are used for scholastic scholarships.
- 125 (d) After an applicant has been issued collegiate license plates or renewal decals, the
- 126 commission shall charge the institution whose plate was issued, a fee determined in accordance
- 127 with Section 63-38-3.2 for management and administrative expenses incurred in issuing and
- 128 renewing the collegiate license plates.
- 129 (e) If the contribution is made at the time of application, the contribution shall be:
- 130 (i) collected by the division [~~beginning on March 1, 2000~~];
- 131 (ii) treated as a voluntary contribution for the named institution's scholastic scholarship
- 132 fund and not as a motor vehicle registration fee; and
- 133 (iii) deposited with the named institution, less actual production and administrative costs
- 134 associated with making and issuing collegiate license plates.
- 135 (8) (a) An applicant for original or renewal wildlife license plates must be a contributor
- 136 to the Division of Wildlife Resources.
- 137 (b) This contribution shall be:
- 138 (i) collected by the division;
- 139 (ii) treated as a voluntary contribution for the funding of wildlife activities and not as a
- 140 motor vehicle registration fee; and
- 141 (iii) deposited into the Wildlife Resources Account created in Section 23-14-13, less actual
- 142 production and administrative costs associated with making and issuing wildlife license plates.
- 143 (9) The division shall issue Olympic special group license plates.
- 144 (10) (a) An organization that makes a significant contribution to the state may request the
- 145 commission to authorize special group license plates for the organization if the organization
- 146 collects a minimum of 500 applications with the fees required under Section 41-1a-1211.
- 147 (b) If the commission approves the request, the division shall design a license plate in
- 148 accordance with Subsections (2) and (3).
- 149 (c) If the commission rejects the request, the organization shall refund all fees to the
- 150 applicants.
- 151 (11) Any person who meets the criteria established under this part for issuance of special

152 group license plates may make application in the same manner provided in Sections 41-1a-410 and
153 41-1a-411 for personalized special group license plates.

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

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

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

160 (iii) require all temporary removable windshield placards and removable windshield
161 placards to include:

162 (A) an identification number;

163 (B) an expiration date not to exceed six months for a temporary removable windshield
164 placard and two years for a removable windshield placard; and

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

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

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

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

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

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

178 (c) This contribution shall be:

179 (i) collected by the division;

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

182 (iii) transferred to the Office of Veterans' Affairs at least monthly, less actual production

183 and administrative costs associated with making and issuing veterans' license plates.

184 (14) (a) [~~Beginning January 1, 1999, the~~] The division may issue original snowmobile
185 license plates if the Division of Parks and Recreation provides a one-time contribution of at least
186 \$9,000 to the division from restricted revenue in the Off-Highway Vehicle Account in the General
187 Fund to cover startup materials and programming costs.

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

190 (c) This contribution shall be:

191 (i) collected by the division;

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

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

196 (15) (a) (i) [~~Beginning January 1, 1999, the~~] The division may issue original soil
197 conservation license plates if soil conservation districts provide a one-time contribution of at least
198 \$9,000 to the division to cover startup materials and programming costs.

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

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

203 (c) This contribution shall be:

204 (i) collected by the division;

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

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

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

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

217 (b) An applicant for original or renewal children's issues license plates must be a
218 contributor to the Guardian Ad Litem Services Account and the Children's Museum of Utah.

219 (c) This contribution shall be:

220 (i) collected by the division;

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

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

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

229 Section 2. Section **41-1a-1211** is amended to read:

230 **41-1a-1211. License plate fees -- Application fees for issuance and renewal of**
231 **personalized and special group license plates -- Replacement fee for license plates -- Postage**
232 **fees.**

233 (1) A license plate fee of \$5 per set shall be paid to the division for the issuance of any new
234 license plate under Part 4, License Plates and Registration Indicia, except for license plates issued
235 under Sections 41-1a-407 and 41-1a-417. The license plate fee shall be deposited as follows:

236 (a) \$4 as provided in Section 41-1a-1201; and

237 (b) \$1 in the Transportation Fund.

238 (2) An applicant for original issuance of personalized license plates issued under Section
239 41-1a-410 shall pay a \$50 per set license plate application fee in addition to the fee required in
240 Subsection (1).

241 (3) (a) Except as provided in Subsections (3)(b) and (3)(c), applicants for original issuance
242 of special group license plates issued under Section 41-1a-408 shall pay a \$50 per set license plate
243 application fee in addition to the fee required under Subsection (1).

244 (b) A person who qualifies for a licensed amateur radio operator special group license plate

245 shall pay a \$5 fee for the original set of license plates in addition to the fee required under
246 Subsection (1).

247 (c) A person who qualifies for legislative, United States Congressional, person with a
248 disability, collegiate, veterans', wildlife, National Guard, Purple Heart, Prisoner of War, Survivor
249 of the Japanese Attack on Pearl Harbor, firefighter, children's issues, snowmobile, soil
250 conservation, [or] farm vehicle, or peace corps volunteer special group license plates is exempt
251 from payment of special group license plate application fees imposed under this Subsection
252 (3)[(c)].

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

256 (5) The following application fees for renewal of personalized and special group license
257 plates shall be paid to the division at the time of renewal of registration:

258 (a) an applicant for renewal of personalized license plates issued under Section 41-1a-410
259 shall pay a \$10 per set application fee;

260 (b) except as provided in Subsection (5)(c), an applicant for renewal of special group
261 license plates issued under Section 41-1a-408 shall pay a \$10 per set application fee; and

262 (c) an applicant for renewal of legislative, United States Congressional, person with a
263 disability, collegiate, wildlife, National Guard, Purple Heart, Prisoner of War, Survivor of the
264 Japanese Attack on Pearl Harbor, farm vehicle, vintage vehicle, firefighter, children's issues,
265 snowmobile, soil conservation, peace corps volunteer, or licensed amateur radio operator special
266 group license plates is exempt from payment of application fees imposed under [this] Subsection
267 (5)(b).

268 (6) An applicant for renewal of personalized special group license plates shall pay the
269 application fee required in Subsection (5)(a) in addition to the applicable application fees for
270 renewal of license plates established under Subsections (5)(b) and (5)(c).

271 (7) A fee of \$5 shall be paid to the division for the replacement of any license plate issued
272 under Part 4, License Plates and Registration Indicia. The license plate fee shall be deposited as
273 follows:

274 (a) \$4 as provided in Section 41-1a-1201; and

275 (b) \$1 in the Transportation Fund.

276 (8) The division may charge a fee established under Section 63-38-3.2 to recover its costs
277 for the replacement of decals issued under Section 41-1a-408.

278 (9) The division may charge a fee established under Section 63-38-3.2 to recover the cost
279 of issuing stickers under Section 41-1a-416.

280 (10) In addition to any other fees required by this section, the division shall assess a fee
281 established under Section 63-38-3.2 to cover postage expenses if new or replacement license plates
282 are mailed to the applicant.

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

285 (12) For vehicles with registration years expiring on or before June 30, 2002, applicants
286 for original Olympic special group license plates or renewal of registration with Olympic special
287 group license plates shall pay the fees required under Section 41-1a-417.

288 Section 3. **Effective date.**

289 This act takes effect on July 1, 2000.

Legislative Review Note

as of 1-25-00 12:08 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel