

**Senator Dan R. Eastman** proposes the following substitute bill:

**LICENSE PLATE AMENDMENTS**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Dan R. Eastman**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Motor Vehicles Code by amending provisions related to the issuance and display of license plates.

**Highlighted Provisions:**

This bill:

- provides that the Motor Vehicle Division shall issue one license plate to every vehicle upon registering the vehicle;
- repeals the requirement that a license plate issued to certain vehicles shall be attached to the front of the vehicle;
- provides that 75 cents of the license plate fee shall be deposited in the Department of Public Safety Restricted Account; and
- makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on July 1, 2006.

**Utah Code Sections Affected:**

AMENDS:



26 **41-1a-401**, as renumbered and amended by Chapter 1, Laws of Utah 1992

27 **41-1a-404**, as renumbered and amended by Chapter 1, Laws of Utah 1992

28 **41-1a-1201**, as last amended by Chapter 1, Laws of Utah 2005, First Special Session

29 **41-1a-1211**, as last amended by Chapter 1, Laws of Utah 2003

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

32 Section 1. Section **41-1a-401** is amended to read:

33 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**  
34 **registration in lieu of or used with plates.**

35 (1) (a) The division, upon registering a vehicle, shall issue to the owner one license  
36 plate for [~~a motorcycle, trailer, or semitrailer and two identical license plates for~~] every [~~other~~]  
37 vehicle.

38 (b) The license plate shall be issued for the [~~particular~~] vehicle registered and may not  
39 be removed during the term for which the license plate is issued or used upon any [~~other~~]  
40 vehicle other than the registered vehicle.

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

43 (3) (a) All license plates to be manufactured and issued by the division shall be treated  
44 with a fully reflective material on the plate face that provides effective and dependable  
45 reflective brightness during the service period of the license plate.

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

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

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

52 (4) (a) The commission may issue, adopt, and require the use of indicia of registration  
53 it considers advisable in lieu of or in conjunction with license plates as provided in this part.

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

56 Section 2. Section **41-1a-404** is amended to read:

**41-1a-404. Location and position of plates.**

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

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

~~[(3)]~~ (2) Every 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; and

(ii) in a condition to be clearly legible.

Section 3. Section **41-1a-1201** is amended to read:

**41-1a-1201. Disposition of fees.**

(1) All fees received and collected under this part shall be transmitted daily to the state treasurer.

(2) Except as provided in Subsections (3), (4), and (6), and Sections 41-1a-422, 41-1a-1220, and 41-1a-1221, all fees collected under this part shall be deposited in the Transportation Fund.

(3) (a) Funds generated under Subsections 41-1a-1211(1)~~[(a)]~~ (b)(i), (6)(a), and (7) and Section 41-1a-1212 may be used by the commission as a dedicated credit to cover the costs incurred in issuing license plates under Part 4, License Plates and Registration Indicia.

(b) Fees for statehood centennial license plates shall be collected and deposited in the Transportation Fund, less production and administrative costs incurred by the commission.

(4) All funds available to the commission for purchase and distribution of license plates and decals are nonlapsing.

(5) Except as provided in Subsection (3) and Section 41-1a-1205, the expenses of the

commission in enforcing and administering this part shall be provided for by legislative appropriation from the revenues of the Transportation Fund.

(6) (a) Except as provided in Subsection (6)(b), the following portions of the registration fees imposed under Section 41-1a-1206 for each vehicle shall be deposited in the Centennial Highway Fund Restricted Account created under Section 72-2-118:

(i) \$10 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b), (2), and (5);

(ii) \$1 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i), (1)(c)(ii), and (1)(d)(ii);

(iii) \$2 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

(iv) \$3 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i); and

(v) \$4.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i).

(b) When the highway general obligation bonds have been paid off and the highway projects completed that are intended to be paid from revenues deposited in the Centennial Highway Fund Restricted Account as determined by the Executive Appropriations Committee under Subsection 72-2-118(6)(d), the portions of the registration fees deposited under Subsection (6)(a) for each vehicle shall be deposited in the Transportation Investment Fund of 2005 created by Section 72-2-124.

Section 4. 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 -- Postage fees.**

(1) (a) A license plate fee of \$5 [~~per set~~] shall be paid to the division for the issuance of any new license plate under Part 4, License Plates and Registration Indicia, except for license plates issued under Section 41-1a-407.

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

~~[(a) \$4]~~ (i) \$3.25 as provided in Section 41-1a-1201;

(ii) 75 cents in the Department of Public Safety Restricted Account created in Section 53-3-106; and

~~[(b)]~~ (iii) \$1 in the Transportation Fund.

(2) An applicant for original issuance of personalized license plates issued under

Section 41-1a-410 shall pay a \$50 [~~per set~~] license plate application fee in addition to the fee required in Subsection (1).

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

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

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

(6) (a) A fee of \$5 shall be paid to the division for the replacement of any license plate issued under Part 4, License Plates and Registration Indicia.

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

~~[(a) \$4]~~ (i) \$3.25 as provided in Section 41-1a-1201;

(ii) 75 cents in the Department of Public Safety Restricted Account created in Section 53-3-106; and

~~[(b)]~~ (iii) \$1 in the Transportation Fund.

(7) The division may charge a fee established under Section 63-38-3.2 to recover its costs for the replacement of decals issued under Section 41-1a-418.

(8) The division may charge a fee established under Section 63-38-3.2 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 63-38-3.2 to cover postage expenses if new or replacement license plates are 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.

Section 5. **Effective date.**

This bill takes effect on July 1, 2006.

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**Fiscal Note****License Plate Amendments***07-Feb-06***Bill Number SB0063S01***10:52 AM*

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**State Impact**

By going to one license plate instead of two the Tax Commission will save \$454,000 in production costs. This bill diverts those funds to the Department of Public Safety Restricted Account from the Tax Commission Plate Fund.

	<u>FY 2007</u>	<u>FY 2008</u>	<u>FY 2007</u>	<u>FY 2008</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>
Restricted Funds	\$0	\$0	(\$454,000)	(\$463,000)
Restricted Funds	\$0	\$0	\$454,000	\$463,000
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**