

**AUTISM AWARENESS SUPPORT SPECIAL  
GROUP LICENSE PLATE**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rebecca P. Edwards**

Senate Sponsor: Daniel R. Liljenquist

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**LONG TITLE**

**General Description:**

This bill authorizes an Autism Awareness support special group license plate.

**Highlighted Provisions:**

This bill:

- ▶ creates an Autism Awareness support special group license plate for programs that create or support autism awareness programs;
- ▶ requires applicants for a new plate to make a \$25 annual donation to the Autism Awareness Restricted Account;
- ▶ creates the Autism Awareness Restricted Account;
- ▶ requires the superintendent of public instruction to distribute funds in the Autism Awareness Restricted Account to certain organizations that provide programs that create or support autism awareness programs;
- ▶ grants the State Board of Education rulemaking authority to make rules providing procedures for an organization to apply to receive a distribution; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill takes effect on October 1, 2010.

**Utah Code Sections Affected:**

AMENDS:

30 **41-1a-418**, as last amended by Laws of Utah 2009, Chapters 183, 348, and 380

31 **41-1a-422**, as last amended by Laws of Utah 2009, Chapters 183, 348, and 380

32 **53A-1-301**, as last amended by Laws of Utah 2007, Chapter 112

33 ENACTS:

34 **53A-1-304**, Utah Code Annotated 1953



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

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

38 **41-1a-418. Authorized special group license plates.**

39 (1) The division shall only issue special group license plates in accordance with this  
40 section through Section 41-1a-422 to a person who is specified under this section within the  
41 categories listed as follows:

42 (a) disability special group license plates issued in accordance with Section  
43 41-1a-420;

44 (b) honor special group license plates, as in a war hero, which plates are issued for a:

45 (i) survivor of the Japanese attack on Pearl Harbor;

46 (ii) former prisoner of war;

47 (iii) recipient of a Purple Heart;

48 (iv) disabled veteran; or

49 (v) recipient of a gold star award issued by the United States Secretary of Defense;

50 (c) unique vehicle type special group license plates, as for historical, collectors value,  
51 or other unique vehicle type, which plates are issued for:

52 (i) a special interest vehicle;

53 (ii) a vintage vehicle;

54 (iii) a farm truck; or

55 (iv) (A) until Subsection (1)(c)(iv)(B) applies, a vehicle powered by clean fuel as  
56 defined in Section 59-13-102; or

57 (B) beginning on the effective date of rules made by the Department of Transportation

58 authorized under Subsection 41-6a-702(5)(b), a vehicle powered by clean fuel that meets the  
59 standards established by the Department of Transportation in rules authorized under  
60 Subsection 41-6a-702(5)(b);

61 (d) recognition special group license plates, as in a public official or an emergency  
62 service giver, which plates are issued for a:

- 63 (i) current member of the Legislature;
- 64 (ii) current member of the United States Congress;
- 65 (iii) current member of the National Guard;
- 66 (iv) licensed amateur radio operator;
- 67 (v) currently employed, volunteer, or retired firefighter until June 30, 2009;
- 68 (vi) emergency medical technician;
- 69 (vii) current member of a search and rescue team; or
- 70 (viii) current honorary consulate designated by the United States Department of State;

71 and

72 (e) support special group license plates, as for a contributor to an institution or cause,  
73 which plates are issued for a contributor to:

- 74 (i) an institution's scholastic scholarship fund;
- 75 (ii) the Division of Wildlife Resources;
- 76 (iii) the Department of Veterans' Affairs;
- 77 (iv) the Division of Parks and Recreation;
- 78 (v) the Department of Agriculture and Food;
- 79 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 80 (vii) the Boy Scouts of America;
- 81 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 82 (ix) the Boys and Girls Clubs of America;
- 83 (x) Utah public education;
- 84 (xi) programs that provide support to organizations that create affordable housing for  
85 those in severe need through the Division of Real Estate;

86 (xii) the Department of Public Safety;

87 (xiii) programs that support Zion National Park;

88 (xiv) beginning on July 1, 2009, programs that provide support to firefighter

89 organizations; ~~or~~

90 (xv) programs that promote bicycle operation and safety awareness~~[-];~~ or

91 (xvi) programs that create or support autism awareness.

92 (2) (a) Beginning January 1, 2003, the division may not issue a new type of special

93 group license plate unless the division receives:

94 (i) a start-up fee established under Section 63J-1-504 for production and

95 administrative costs for providing the new special group license plates; or

96 (ii) a legislative appropriation for the start-up fee provided under Subsection (2)(a)(i).

97 (b) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle

98 registration of a motor vehicle that has been issued a firefighter recognition special group

99 license plate unless the applicant is a contributor as defined in Subsection

100 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

101 (ii) A registered owner of a vehicle that has been issued a firefighter recognition

102 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle

103 registration shall:

104 (A) be a contributor to the Firefighter Support Restricted Account as required under

105 Subsection (2)(b)(ii); or

106 (B) replace the firefighter recognition special group license plate with a new license

107 plate.

108 (3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal

109 Revenue Code Section 501(c)(3) may request the commission to authorize a new type of

110 special group license plate for the sponsoring organization. The sponsoring organization shall:

111 (i) collect a minimum of 200 applications; and

112 (ii) pay a start-up fee established under Section 63J-1-504 for production and

113 administrative costs for providing the new type of special group license plates.

114 (b) If the provisions of Subsection (3)(a) are met, the commission shall approve the  
115 request and the division shall:

- 116 (i) design a license plate in accordance with Section 41-1a-419; and
- 117 (ii) issue the new type of special group license plates.

118 Section 2. Section **41-1a-422** is amended to read:

119 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**  
120 **contribution collection procedures.**

121 (1) As used in this section:

122 (a) (i) Except as provided in Subsection (1)(a)(ii), "contributor" means a person who  
123 has donated or in whose name at least \$25 has been donated to:

- 124 (A) a scholastic scholarship fund of a single named institution;
- 125 (B) the Department of Veterans' Affairs for veterans' programs;
- 126 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in  
127 Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection,  
128 access, and management of wildlife habitat;
- 129 (D) the Department of Agriculture and Food for the benefit of conservation districts;
- 130 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;
- 131 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah,  
132 with the donation evenly divided between the two;
- 133 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America  
134 council as specified by the contributor;
- 135 (H) No More Homeless Pets in Utah for distribution to organizations or individuals  
136 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 137 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth  
138 development programs;
- 139 (J) the Utah Association of Public School Foundations to support public education;
- 140 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-28 to  
141 assist people who have severe housing needs;

142 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118  
143 to support the families of fallen Utah Highway Patrol troopers and other Department of Public  
144 Safety employees;

145 (M) the Division of Parks and Recreation for distribution to organizations that provide  
146 support for Zion National Park;

147 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support  
148 firefighter organizations; [~~or~~]

149 (O) the Share the Road Bicycle Support Restricted Account created in Section  
150 72-2-127 to support bicycle operation and safety awareness programs[~~;~~]; or

151 (P) Autism Awareness Restricted Account created in Section 53A-1-304 to support  
152 autism awareness programs.

153 (ii) (A) For a veterans' special group license plate, "contributor" means a person who  
154 has donated or in whose name at least a \$25 donation at the time of application and \$10  
155 annual donation thereafter has been made.

156 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a  
157 person who:

158 (I) has donated or in whose name at least \$30 has been donated at the time of  
159 application and annually after the time of application; and

160 (II) is a member of a trade organization for real estate licensees that has more than  
161 15,000 Utah members.

162 (C) For an Honoring Heroes special group license plate, "contributor" means a person  
163 who has donated or in whose name at least \$35 has been donated at the time of application  
164 and annually thereafter.

165 (D) For a firefighter support special group license plate, "contributor" means a person  
166 who:

167 (I) has donated or in whose name at least \$15 has been donated at the time of  
168 application and annually after the time of application; and

169 (II) is a currently employed, volunteer, or retired firefighter.

170 (b) "Institution" means a state institution of higher education as defined under Section  
171 53B-3-102 or a private institution of higher education in the state accredited by a regional or  
172 national accrediting agency recognized by the United States Department of Education.

173 (2) (a) An applicant for original or renewal collegiate special group license plates  
174 under Subsection (1)(a)(i) must be a contributor to the institution named in the application and  
175 present the original contribution verification form under Subsection (2)(b) or make a  
176 contribution to the division at the time of application under Subsection (3).

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

- 179 (i) the name of the contributor;
- 180 (ii) the institution to which a donation was made;
- 181 (iii) the date of the donation; and
- 182 (iv) an attestation that the donation was for a scholastic scholarship.

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

185 (d) After an applicant has been issued collegiate license plates or renewal decals, the  
186 commission shall charge the institution whose plate was issued, a fee determined in  
187 accordance with Section 63J-1-504 for management and administrative expenses incurred in  
188 issuing and renewing the collegiate license plates.

189 (e) If the contribution is made at the time of application, the contribution shall be  
190 collected, treated, and deposited as provided under Subsection (3).

191 (3) (a) An applicant for original or renewal support special group license plates under  
192 this section must be a contributor to the sponsoring organization associated with the license  
193 plate.

194 (b) This contribution shall be:

- 195 (i) unless collected by the named institution under Subsection (2), collected by the  
196 division;
- 197 (ii) considered a voluntary contribution for the funding of the activities specified

198 under this section and not a motor vehicle registration fee;

199 (iii) deposited into the appropriate account less actual administrative costs associated  
200 with issuing the license plates; and

201 (iv) for a firefighter special group license plate, deposited into the appropriate account  
202 less:

203 (A) the costs of reordering firefighter special group license plate decals; and

204 (B) the costs of replacing recognition special group license plates with new license  
205 plates under Subsection 41-1a-1211(13).

206 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior  
207 to registration or renewal of registration.

208 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to  
209 the division when issuing original:

210 (i) snowmobile license plates; or

211 (ii) conservation license plates.

212 (4) Veterans' license plates shall display one of the symbols representing the Army,  
213 Navy, Air Force, Marines, Coast Guard, or American Legion.

214 Section 3. Section **53A-1-301** is amended to read:

215 **53A-1-301. Appointment -- Qualifications -- Duties.**

216 (1) (a) The State Board of Education shall appoint a superintendent of public  
217 instruction, hereinafter called the state superintendent, who is the executive officer of the  
218 board and serves at the pleasure of the board.

219 (b) The board shall appoint the state superintendent on the basis of outstanding  
220 professional qualifications.

221 (c) The state superintendent shall administer all programs assigned to the State Board  
222 of Education in accordance with the policies and the standards established by the board.

223 (2) The superintendent shall develop a statewide education strategy focusing on core  
224 academics, including the development of:

225 (a) core curriculum and graduation requirements;



226 (b) a process to select instructional materials that best correlate to the core curriculum  
227 and graduation requirements that are supported by generally accepted scientific standards of  
228 evidence;

229 (c) professional development programs for teachers, superintendents, and principals;

230 (d) remediation programs;

231 (e) a method for creating individual student learning targets, and a method of  
232 measuring an individual student's performance toward those targets;

233 (f) progress-based assessments for ongoing performance evaluations of districts and  
234 schools;

235 (g) incentives to achieve the desired outcome of individual student progress in core  
236 academics, and which do not create disincentives for setting high goals for the students;

237 (h) an annual report card for school and district performance, measuring learning and  
238 reporting progress-based assessments;

239 (i) a systematic method to encourage innovation in schools and school districts as they  
240 strive to achieve improvement in their performance; and

241 (j) a method for identifying and sharing best demonstrated practices across districts  
242 and schools.

243 (3) The superintendent shall perform duties assigned by the board, including the  
244 following:

245 (a) investigating all matters pertaining to the public schools;

246 (b) adopting and keeping an official seal to authenticate the superintendent's official  
247 acts;

248 (c) holding and conducting meetings, seminars, and conferences on educational  
249 topics;

250 (d) presenting to the governor and the Legislature each December a report of the  
251 public school system for the preceding year to include:

252 (i) data on the general condition of the schools with recommendations considered  
253 desirable for specific programs;

- 254 (ii) a complete statement of fund balances;
- 255 (iii) a complete statement of revenues by fund and source;
- 256 (iv) a complete statement of adjusted expenditures by fund, the status of bonded  
257 indebtedness, the cost of new school plants, and school levies;
- 258 (v) a complete statement of state funds allocated to each of the state's 40 school  
259 districts by source, including supplemental appropriations, and a complete statement of  
260 expenditures by each district, including supplemental appropriations, by function and object  
261 as outlined in the U.S. Department of Education publication "Financial Accounting for Local  
262 and State School Systems";
- 263 (vi) a complete statement, by school district and charter school, of the amount of and  
264 percentage increase or decrease in expenditures from the previous year attributed to:
- 265 (A) wage increases, with expenditure data for base salary adjustments identified  
266 separately from step and lane expenditures;
- 267 (B) medical and dental premium cost adjustments; and
- 268 (C) adjustments in the number of teachers and other staff;
- 269 (vii) a statement that includes fall enrollments, average membership, high school  
270 graduates, licensed and classified employees, pupil-teacher ratios by grade, pupil-adult ratios  
271 by grade, class sizes by grade, average salaries, applicable private school data, and data from  
272 standardized norm-referenced tests in grades 5, 8, and 11 on each school and district;
- 273 (viii) statistical information regarding incidents of delinquent activity in the schools or  
274 at school-related activities with separate categories for:
- 275 (A) alcohol and drug abuse;
- 276 (B) weapon possession;
- 277 (C) assaults; and
- 278 (D) arson;
- 279 (ix) information about:
- 280 (A) the development and implementation of the strategy of focusing on core  
281 academics;

282 (B) the development and implementation of competency-based education and  
283 progress-based assessments; and

284 (C) the results being achieved under Subsections (3)(d)(ix)(A) and (B), as measured  
285 by individual progress-based assessments and the comparison of Utah Students' progress with  
286 the progress of students in other states using standardized norm-referenced tests as  
287 benchmarks; and

288 (x) other statistical and financial information about the school system which the  
289 superintendent considers pertinent;

290 (e) collecting and organizing education data into an automated decision support  
291 system to facilitate school district and school improvement planning, accountability reporting  
292 and performance recognition, and the evaluation of educational policy and program  
293 effectiveness to include:

294 (i) data that are:

295 (A) comparable across schools and school districts;

296 (B) appropriate for use in longitudinal studies; and

297 (C) comprehensive with regard to the data elements required under applicable state or  
298 federal law or state board rule;

299 (ii) features that enable users, most particularly school administrators, teachers, and  
300 parents, to:

301 (A) retrieve school and school district level data electronically;

302 (B) interpret the data visually; and

303 (C) draw conclusions that are statistically valid; and

304 (iii) procedures for the collection and management of education data that:

305 (A) require the state superintendent of public instruction to:

306 (I) collaborate with school districts in designing and implementing uniform data  
307 standards and definitions;

308 (II) undertake or sponsor research to implement improved methods for analyzing  
309 education data;

310 (III) provide for data security to prevent unauthorized access to or contamination of  
311 the data; and

312 (IV) protect the confidentiality of data under state and federal privacy laws; and

313 (B) require all school districts to comply with the data collection and management  
314 procedures established under Subsection (3)(e);

315 (f) administering and implementing federal educational programs in accordance with  
316 Title 53A, Chapter 1, Part 9, Implementing Federal Programs Act; and

317 (g) with the approval of the board, preparing and submitting to the governor a budget  
318 for the board to be included in the budget that the governor submits to the Legislature.

319 (4) The state superintendent shall distribute funds deposited in the Autism Awareness  
320 Restricted Account created in Section 53A-1-304 in accordance with the requirements of  
321 Section 53A-1-304.

322 [~~(4)~~] (5) Upon leaving office, the state superintendent shall deliver to his successor all  
323 books, records, documents, maps, reports, papers, and other articles pertaining to his office.

324 [~~(5)~~] (6) For the purpose of Subsection (3)(d)(vii):

325 (a) a pupil-teacher ratio shall be calculated by dividing the total number of students in  
326 a grade at a school by the total number of licensed classroom teachers in that grade at the  
327 school; and

328 (b) an adult-student ratio shall be calculated by dividing the total number of students  
329 in a grade at a school by the total number of adults who work with students in an instructional  
330 setting in that grade at the school.

331 Section 4. Section **53A-1-304** is enacted to read:

332 **53A-1-304. Autism Awareness Restricted Account.**

333 (1) There is created in the General Fund a restricted account known as the "Autism  
334 Awareness Restricted Account."

335 (2) The account shall be funded by:

336 (a) contributions deposited into the account in accordance with Section 41-1a-422;

337 (b) private contributions; and

338           (c) donations or grants from public or private entities.  
339           (3) Funds in the account are nonlapsing.  
340           (4) Upon appropriation by the Legislature, the superintendent shall distribute funds in  
341 the account to one or more charitable organizations that:  
342           (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;  
343           (b) promote access to resources and responsible information for individuals of all ages  
344 who have, or are affected by, autism or related conditions;  
345           (c) is an independent organization that has representation from state agencies and  
346 private providers serving individuals with autism spectrum disorder and their families in the  
347 state;  
348           (d) includes representation of:  
349           (i) national and local autism advocacy groups, as available; and  
350           (ii) interested parents and professionals; and  
351           (e) does not endorse any specific treatment, therapy, or intervention used for autism.  
352           (5) (a) An organization described in Subsection (4) may apply to the superintendent to  
353 receive a distribution in accordance with Subsection (4).  
354           (b) An organization that receives a distribution from the superintendent in accordance  
355 with Subsection (4) shall expend the distribution only to:  
356           (i) pay for autism education and public awareness of programs and related services in  
357 the state;  
358           (ii) enhance programs designed to serve individuals with autism;  
359           (iii) provide support to caregivers providing services for individuals with autism;  
360           (iv) pay for academic scholarships and research efforts in the area of autism spectrum  
361 disorder; and  
362           (v) pay the costs of issuing or reordering Autism Awareness Support special group  
363 license plate decals.  
364           (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
365 State Board of Education may make rules providing procedures for an organization to apply to

366 the superintendent to receive a distribution under Subsection (4).

367           Section 5. **Effective date.**

368           This bill takes effect on October 1, 2010.