

## SB0113S01 compared with SB0113

~~{deleted text}~~ shows text that was in SB0113 but was deleted in SB0113S01.

inserted text shows text that was not in SB0113 but was inserted into SB0113S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Senator Luz Robles proposes the following substitute bill:

### LICENSE PLATES AMENDMENTS

2012 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Luz Robles**

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

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#### LONG TITLE

##### General Description:

This bill modifies the Motor Vehicle Act by amending provisions relating to license plates.

##### Highlighted Provisions:

This bill:

- ▶ provides that a license plate is not required to be attached to the front of the vehicle if the vehicle ~~{was not originally designed and manufactured to hold}~~ is a ~~{front license plate}~~ vintage vehicle;
- ▶ repeals the provision that provides that enforcement of the requirement to display a license plate on the front of a vehicle shall only be as a secondary action when the vehicle has been detained for a suspected violation of another offense by any person in the vehicle;

## SB0113S01 compared with SB0113

- ▶ provides that the requirement to attach a license plate to the front of a vehicle shall only be enforced if the vehicle is in motion;
- ▶ provides that a violation of the requirement to attach a license plate to the front of a vehicle is ~~{an infraction rather than }~~a class C misdemeanor;~~;~~
- ~~—▶ provides that a court shall waive the fine for a violation of the requirement to attach a license plate to the front of a vehicle in certain circumstances;~~
- ~~—▶ requires a vehicle to have a tail light or a separate light that illuminates with a white light the rear license plate;~~
- ~~—▶ requires that the light illuminating the rear license plate be wired to be lighted whenever the headlights or auxiliary driving lights are lighted;~~
- ~~—▶ provides a penalty for violating the rear license plate illumination requirement;~~
- ~~—▶ provides that a court shall waive the fine for a violation of the rear license plate illumination requirement in certain circumstances;}~~ and
- ▶ makes technical changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**41-1a-404**, as last amended by Laws of Utah 2008, Chapter 106

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

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

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

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

(b) A license plate is not required to be attached to the front of the vehicle under this Subsection (1) if the vehicle ~~was not originally designed and manufactured to hold a front license plate~~ is a vintage vehicle as defined in Section 41-21-1.

## SB0113S01 compared with SB0113

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

(3) 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.

~~[(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.]~~

(4) The requirement under Subsection (1) to attach a license plate to the front of a vehicle shall only be enforced if the vehicle is in motion.

~~(5) (a) Either a tail light or a separate light shall be constructed and placed to illuminate with a white light the rear license plate and render it legible from a distance of 50 feet to the rear:~~

~~—— (b) } A { light described in Subsection (5)(a) illuminating a rear license plate shall be wired to be lighted whenever the headlights or auxiliary driving lights are lighted:~~

~~—— (6) (a) Except as provided in Subsections (6)(b) and (c), a { violation of this section is a class C misdemeanor.~~

~~{ —— (b) (i) A violation of the requirement under Subsection (1) to attach a license plate to the front of a vehicle is an infraction.~~

~~—— (ii) A court shall waive the fine for a violation of the requirement under Subsection (1) to attach the license plate to the front of a vehicle if:~~

~~—— (A) the person demonstrates that the person has attached a license plate to the front of~~

## SB0113S01 compared with SB0113

~~the vehicle subsequent to the violation but before sentencing; and~~

~~—— (B) the person has not previously been cited for a violation of the requirement under Subsection (1) to attach the license plate to the front of a vehicle.~~

~~—— (c) (i) A violation of the requirement under Subsection (5) to illuminate the rear license plate on a vehicle is an infraction.~~

~~—— (ii) A court shall waive the fine for a violation of the requirement under Subsection (5) to illuminate the rear license plate on a vehicle if:~~

~~—— (A) the person demonstrates that the person has complied with the requirements of Subsection (5) subsequent to the violation but before sentencing; and~~

~~—— (B) the person has not previously been cited for a violation of the requirement under Subsection (5) to illuminate the rear license plate on a vehicle.~~

### **Legislative Review Note**

~~—— as of 1-10-12 4:04 PM~~

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~~Office of Legislative Research and General Counsel}~~