

1 **SUPPORT SPECIAL GROUP HISTORICAL LICENSE PLATE**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Lincoln Fillmore**

5 House Sponsor: Daniel McCay

7 **LONG TITLE**

8 **General Description:**

9 This bill creates a support special group license plate to support the mission and
10 purpose of the Utah State Historical Society.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ creates a support special group license plate to support the mission and purpose of
14 the Utah State Historical Society;

15 ▶ provides for the design of the historical support special group license plate;

16 ▶ requires the Motor Vehicle Division to procure reflectorized materials for the
17 historical support special group plate as soon as such materials are available at a
18 reasonable cost;

19 ▶ requires applicants for the plate to make a \$25 annual donation to the Utah State
20 Historical Society;

21 ▶ requires the donations to be deposited into the General Fund as a dedicated credit to
22 the Utah State Historical Society; and

23 ▶ makes technical changes.

24 **Money Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 This bill provides a special effective date.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 [9-8-207](#), as renumbered and amended by Laws of Utah 1992, Chapter 241

31 [41-1a-401](#), as last amended by Laws of Utah 2016, Chapter 303

32 [41-1a-418](#), as last amended by Laws of Utah 2017, Chapters 107, 181, and 194

33 [41-1a-419](#), as last amended by Laws of Utah 2009, Chapter 183

34 [41-1a-422](#), as last amended by Laws of Utah 2017, Chapters 107, 194, and 383

35

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

37 Section 1. Section [9-8-207](#) is amended to read:

38 **[9-8-207. Historical society -- Donations -- Accounting.](#)**

39 (1) (a) There is created the Utah State Historical Society.

40 (b) The society may:

41 (i) solicit memberships from persons interested in the work of the society and charge
42 dues for memberships commensurate with the advantages of membership and the needs of the
43 society; and

44 (ii) receive gifts, donations, bequests, devises, and endowments of money or property,
45 which shall then become the property of the state of Utah.

46 (2) (a) If the donor directs that money or property donated under Subsection (1)(b)(ii)
47 be used in a specified manner, then the division shall use it in accordance with these directions.
48 Otherwise, all donated money and the proceeds from donated property, together with the
49 charges realized from society memberships, shall be deposited in the General Fund as restricted
50 revenue of the society.

51 (b) Funds received from donations to the society under Section [41-1a-422](#) shall be
52 deposited into the General Fund as a dedicated credit to achieve the mission and purpose of the
53 society.

54 (3) The division shall keep a correct account of funds and property received, held, or
55 disbursed by the society, and shall make reports to the governor as in the case of other state

56 institutions.

57 Section 2. Section **41-1a-401** is amended to read:

58 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**
59 **registration in lieu of or used with plates.**

60 (1) (a) The division upon registering a vehicle shall issue to the owner:

61 (i) one license plate for a motorcycle, trailer, or semitrailer;

62 (ii) one decal for a park model recreational vehicle, in lieu of a license plate, which
63 shall be attached in plain sight to the rear of the park model recreational vehicle;

64 (iii) one decal for a camper, in lieu of a license plate, which shall be attached in plain
65 sight to the rear of the camper; and

66 (iv) two identical license plates for every other vehicle.

67 (b) The license plate or decal issued under Subsection (1)(a) is for the particular
68 vehicle registered and may not be removed during the term for which the license plate or decal
69 is issued or used upon any other vehicle than the registered vehicle.

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

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

75 (ii) For a historical support special group license plate created under this part, the
76 division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i)
77 as soon as such material is available at a reasonable cost.

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

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

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

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

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

88 (5) A violation of this section is an infraction.

89 Section 3. Section **41-1a-418** is amended to read:

90 **41-1a-418. Authorized special group license plates.**

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

94 (a) disability special group license plates issued in accordance with Section [41-1a-420](#);

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

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

97 (ii) former prisoner of war;

98 (iii) recipient of a Purple Heart;

99 (iv) disabled veteran;

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

101 (vi) recipient of a campaign or combat theater award determined by the Department of
102 Veterans' and Military Affairs;

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

105 (i) a special interest vehicle;

106 (ii) a vintage vehicle;

107 (iii) a farm truck; or

108 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
109 defined in Section [59-13-102](#); or

110 (B) beginning on the effective date of rules made by the Department of Transportation
111 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
112 powered by clean fuel that meets the standards established by the Department of Transportation
113 in rules authorized under Subsection 41-6a-702(5)(b);

114 (d) recognition special group license plates, which plates are issued for:

- 115 (i) a current member of the Legislature;
- 116 (ii) a current member of the United States Congress;
- 117 (iii) a current member of the National Guard;
- 118 (iv) a licensed amateur radio operator;
- 119 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- 120 (vi) an emergency medical technician;
- 121 (vii) a current member of a search and rescue team; or
- 122 (viii) a current honorary consulate designated by the United States Department of
123 State; or

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

- 126 (i) an institution's scholastic scholarship fund;
- 127 (ii) the Division of Wildlife Resources;
- 128 (iii) the Department of Veterans' and Military Affairs;
- 129 (iv) the Division of Parks and Recreation;
- 130 (v) the Department of Agriculture and Food;
- 131 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 132 (vii) the Boy Scouts of America;
- 133 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 134 (ix) the Boys and Girls Clubs of America;
- 135 (x) Utah public education;
- 136 (xi) programs that provide support to organizations that create affordable housing for

137 those in severe need through the Division of Real Estate;
138 (xii) the Department of Public Safety;
139 (xiii) programs that support Zion National Park;
140 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
141 organizations;
142 (xv) programs that promote bicycle operation and safety awareness;
143 (xvi) programs that conduct or support cancer research;
144 (xvii) programs that create or support autism awareness;
145 (xviii) programs that create or support humanitarian service and educational and
146 cultural exchanges;
147 (xix) until September 30, 2017, programs that conduct or support prostate cancer
148 awareness, screening, detection, or prevention;
149 (xx) programs that support and promote adoptions;
150 (xxi) programs that create or support civil rights education and awareness;
151 (xxii) programs that support issues affecting women and children through an
152 organization affiliated with a national professional men's basketball organization;
153 (xxiii) programs that strengthen youth soccer, build communities, and promote
154 environmental sustainability through an organization affiliated with a professional men's soccer
155 organization;
156 (xxiv) programs that support children with heart disease;
157 (xxv) programs that support the operation and maintenance of the Utah Law
158 Enforcement Memorial;
159 (xxvi) programs that provide assistance to children with cancer; [or]
160 (xxvii) programs that promote leadership and career development through agricultural
161 education[-]; or
162 (xxviii) the Utah State Historical Society.
163 (2) (a) The division may not issue a new type of special group license plate or decal

164 unless the division receives:

165 (i) (A) a private donation for the start-up fee established under Section 63J-1-504 for
166 the production and administrative costs of providing the new special group license plates or
167 decals; or

168 (B) a legislative appropriation for the start-up fee provided under Subsection
169 (2)(a)(i)(A); and

170 (ii) beginning on January 1, 2012, and for the issuance of a support special group
171 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new
172 type of support special group license plate or decal to be issued with all fees required under this
173 part for the support special group license plate or decal issuance paid by each applicant.

174 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
175 hold applications for support special group license plates or decals authorized in Section
176 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

177 (ii) Once a participating organization has received at least 500 applications, it shall
178 submit the applications, along with the necessary fees, to the division for the division to begin
179 working on the design and issuance of the new type of support special group license plate or
180 decal to be issued.

181 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design
182 of a new support special group license plate or decal authorized in Section 41-1a-422 until the
183 applications and fees required under this Subsection (2) have been received by the division.

184 (iv) The division shall begin issuance of a new support special group license plate or
185 decal authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months
186 after receiving the applications and fees required under this Subsection (2).

187 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
188 registration of a motor vehicle that has been issued a firefighter recognition special group
189 license plate unless the applicant is a contributor as defined in Subsection
190 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

191 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
192 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle
193 registration shall:

194 (A) be a contributor to the Firefighter Support Restricted Account as required under
195 Subsection (2)(c)(i); or

196 (B) replace the firefighter recognition special group license plate with a new license
197 plate.

198 (3) Beginning on July 1, 2011, if a support special group license plate or decal type
199 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
200 license plates issued each year for a three consecutive year time period that begins on July 1,
201 the division may not issue that type of support special group license plate or decal to a new
202 applicant beginning on January 1 of the following calendar year after the three consecutive year
203 time period for which that type of support special group license plate or decal has fewer than
204 500 license plates issued each year.

205 (4) Beginning on July 1, 2011, the division may not issue to an applicant a unique
206 vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).

207 (5) (a) Beginning on October 1, 2017, the division may not issue a new prostate cancer
208 support special group license plate.

209 (b) A registered owner of a vehicle that has been issued a prostate cancer support
210 special group license plate before October 1, 2017, may renew the owner's motor vehicle
211 registration, with the contribution allocated as described in Section 41-1a-422.

212 Section 4. Section 41-1a-419 is amended to read:

213 **41-1a-419. Plate design -- Vintage vehicle certification and registration --**
214 **Personalized special group license plates -- Rulemaking.**

215 (1) (a) The design and maximum number of numerals or characters on special group
216 license plates shall be determined by the division in accordance with the requirements under
217 Subsection (1)(b).

218 (b) ~~[Each]~~ (i) Except as provided in Subsection (1)(b)(ii), each special group license
219 plate shall display:

220 ~~[(i)]~~ (A) the word Utah;

221 ~~[(ii)]~~ (B) the name or identifying slogan of the special group;

222 ~~[(iii)]~~ (C) a symbol decal not exceeding two positions in size representing the special
223 group; and

224 ~~[(iv)]~~ (D) the combination of letters, numbers, or both uniquely identifying the
225 registered vehicle.

226 (ii) The division, in consultation with the Utah State Historical Society, shall design
227 the historical support special group license plate, which shall:

228 (A) have a black background;

229 (B) have white characters; and

230 (C) display the word Utah.

231 (2) (a) The division shall, after consultation with a representative designated by the
232 special group, specify the word or words comprising the special group name and the symbol
233 decal to be displayed upon the special group license plates.

234 (b) A special group license plate symbol decal may not be redesigned:

235 (i) unless the division receives a redesign fee established by the division under Section
236 [63J-1-504](#); and

237 (ii) more frequently than every five years.

238 (c) (i) Except as provided in Subsection (2)(c)(ii), a special group license plate symbol
239 decal may not be reordered unless the division receives a symbol decal reorder fee established
240 by the division under Section [63J-1-504](#).

241 (ii) A recognition special group license plate symbol decal for a currently employed,
242 volunteer, or retired firefighter issued in accordance with Subsection [41-1a-418\(1\)\(d\)\(v\)](#) that is
243 reordered on or after July 1, 2007, but on or before June 30, 2008, is exempt from the symbol
244 decal reorder fee authorized under Subsection (2)(c)(i).

245 (3) The license plates issued for horseless carriages prior to July 1, 1992, are valid
246 without renewal as long as the vehicle is owned by the registered owner and the license plates
247 may not be recalled by the division.

248 (4) A person who meets the criteria established under Sections 41-1a-418 through
249 41-1a-422 for issuance of special group license plates may make application in the same
250 manner provided in Sections 41-1a-410 and 41-1a-411 for personalized special group license
251 plates.

252 (5) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
253 Administrative Rulemaking Act, to:

254 (a) establish qualifying criteria for persons to receive, renew, or surrender special group
255 license plates; and

256 (b) establish the maximum number of numerals or characters for special group license
257 plates.

258 Section 5. Section 41-1a-422 is amended to read:

259 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
260 **contribution collection procedures.**

261 (1) As used in this section:

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

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

265 (B) the Department of Veterans' and Military Affairs for veterans' programs;

266 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in
267 Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection,
268 access, and management of wildlife habitat;

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

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

271 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with

272 the donation evenly divided between the two;

273 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
274 council as specified by the contributor;

275 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
276 that provide spay and neuter programs that subsidize the sterilization of domestic animals;

277 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
278 development programs;

279 (J) the Utah Association of Public School Foundations to support public education;

280 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
281 assist people who have severe housing needs;

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

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

287 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
288 firefighter organizations;

289 (O) the Share the Road Bicycle Support Restricted Account created in Section
290 72-2-127 to support bicycle operation and safety awareness programs;

291 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
292 cancer research programs;

293 (Q) Autism Awareness Restricted Account created in Section 53A-1-304 to support
294 autism awareness programs;

295 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
296 created in Section 9-17-102 to support humanitarian service and educational and cultural
297 programs;

298 (S) Prostate Cancer Support Restricted Account created in Section 26-21a-303 for

299 programs that conduct or support prostate cancer awareness, screening, detection, or prevention
300 until September 30, 2017, and beginning on October 1, 2017, upon renewal of a prostate cancer
301 support special group license plate, to the Cancer Research Restricted Account created in
302 Section 26-21a-302 to support cancer research programs;

303 (T) the Choose Life Adoption Support Restricted Account created in Section
304 62A-4a-608 to support programs that promote adoption;

305 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
306 Section 9-18-102;

307 (V) the National Professional Men's Basketball Team Support of Women and Children
308 Issues Restricted Account created in Section 62A-1-202;

309 (W) the Utah Law Enforcement Memorial Support Restricted Account created in
310 Section 53-1-120;

311 (X) the Children with Cancer Support Restricted Account created in Section
312 26-21a-304 for programs that provide assistance to children with cancer;

313 (Y) the National Professional Men's Soccer Team Support of Building Communities
314 Restricted Account created in Section 9-19-102;

315 (Z) the Children with Heart Disease Support Restricted Account created in Section
316 26-58-102;

317 (AA) the Utah Intracurricular Student Organization Support for Agricultural Education
318 and Leadership Restricted Account created in Section 4-42-102; [or]

319 (BB) the Division of Wildlife Resources for the Support for State-Owned Shooting
320 Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and
321 operation and maintenance of existing, state-owned firearm shooting ranges[:]; or

322 (CC) the Utah State Historical Society to further the mission and purpose of the Utah
323 State Historical Society.

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

326 donation thereafter has been made.

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

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

331 (II) is a member of a trade organization for real estate licensees that has more than
332 15,000 Utah members.

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

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

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

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

341 (E) For a cancer research special group license plate, "contributor" means a person who
342 has donated or in whose name at least \$35 has been donated at the time of application and
343 annually after the time of application.

344 (F) For a Martin Luther King, Jr. Civil Rights Support special group license plate,
345 "contributor" means a person who has donated or in whose name at least \$35 has been donated
346 at the time of application and annually thereafter.

347 (G) For a Utah Law Enforcement Memorial Support special group license plate,
348 "contributor" means a person who has donated or in whose name at least \$35 has been donated
349 at the time of application and annually thereafter.

350 (b) "Institution" means a state institution of higher education as defined under Section
351 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
352 national accrediting agency recognized by the United States Department of Education.

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

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

359 (i) the name of the contributor;

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

361 (iii) the date of the donation; and

362 (iv) an attestation that the donation was for a scholastic scholarship.

363 (c) The state auditor may audit each institution to verify that the money collected by the
364 institutions from contributors is used for scholastic scholarships.

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

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

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

374 (b) This contribution shall be:

375 (i) unless collected by the named institution under Subsection (2), collected by the
376 division;

377 (ii) considered a voluntary contribution for the funding of the activities specified under
378 this section and not a motor vehicle registration fee;

379 (iii) deposited into the appropriate account less actual administrative costs associated

380 with issuing the license plates; and

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

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

384 (B) the costs of replacing recognition special group license plates with new license
385 plates under Subsection [41-1a-1211](#)(13).

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

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

390 (i) snowmobile license plates; or

391 (ii) conservation license plates.

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

394 **Section 6. Effective date.**

395 This bill takes effect on October 1, 2018.