

Senator Lincoln Fillmore proposes the following substitute bill:

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 ▶ exempts the historical license plate from the reflectorization requirement if
17 materials are unavailable;

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

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

22 ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**



26 This bill provides a special effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **9-8-207**, as renumbered and amended by Laws of Utah 1992, Chapter 241

30 **41-1a-401**, as last amended by Laws of Utah 2016, Chapter 303

31 **41-1a-418**, as last amended by Laws of Utah 2017, Chapters 107, 181, and 194

32 **41-1a-419**, as last amended by Laws of Utah 2009, Chapter 183

33 **41-1a-422**, as last amended by Laws of Utah 2017, Chapters 107, 194, and 383



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

36 Section 1. Section **9-8-207** is amended to read:

37 **9-8-207. Historical society -- Donations -- Accounting.**

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

39 (b) The society may:

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

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

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

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

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

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

57 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**
58 **registration in lieu of or used with plates.**

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

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

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

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

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

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

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

71 (3) (a) [AH] Except for a historical support special group license plate created under
72 this part for which the appropriate reflective material may not be available, all license plates to
73 be manufactured and issued by the division shall be treated with a fully reflective material on
74 the plate face that provides effective and dependable reflective brightness during the service
75 period of the license plate.

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

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

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

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

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

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

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

88 **41-1a-418. Authorized special group license plates.**

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

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

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

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

95 (ii) former prisoner of war;

96 (iii) recipient of a Purple Heart;

97 (iv) disabled veteran;

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

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

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

103 (i) a special interest vehicle;

104 (ii) a vintage vehicle;

105 (iii) a farm truck; or

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

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

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

113 (i) a current member of the Legislature;

114 (ii) a current member of the United States Congress;

115 (iii) a current member of the National Guard;

116 (iv) a licensed amateur radio operator;

117 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;

118 (vi) an emergency medical technician;

- 119 (vii) a current member of a search and rescue team; or
- 120 (viii) a current honorary consulate designated by the United States Department of
- 121 State; or
- 122 (e) support special group license plates, as for a contributor to an institution or cause,
- 123 which plates are issued for a contributor to:
- 124 (i) an institution's scholastic scholarship fund;
- 125 (ii) the Division of Wildlife Resources;
- 126 (iii) the Department of Veterans' and Military Affairs;
- 127 (iv) the Division of Parks and Recreation;
- 128 (v) the Department of Agriculture and Food;
- 129 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 130 (vii) the Boy Scouts of America;
- 131 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 132 (ix) the Boys and Girls Clubs of America;
- 133 (x) Utah public education;
- 134 (xi) programs that provide support to organizations that create affordable housing for
- 135 those in severe need through the Division of Real Estate;
- 136 (xii) the Department of Public Safety;
- 137 (xiii) programs that support Zion National Park;
- 138 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
- 139 organizations;
- 140 (xv) programs that promote bicycle operation and safety awareness;
- 141 (xvi) programs that conduct or support cancer research;
- 142 (xvii) programs that create or support autism awareness;
- 143 (xviii) programs that create or support humanitarian service and educational and
- 144 cultural exchanges;
- 145 (xix) until September 30,2017, programs that conduct or support prostate cancer
- 146 awareness, screening, detection, or prevention;
- 147 (xx) programs that support and promote adoptions;
- 148 (xxi) programs that create or support civil rights education and awareness;
- 149 (xxii) programs that support issues affecting women and children through an

150 organization affiliated with a national professional men's basketball organization;
151 (xxiii) programs that strengthen youth soccer, build communities, and promote
152 environmental sustainability through an organization affiliated with a professional men's soccer
153 organization;

154 (xxiv) programs that support children with heart disease;

155 (xxv) programs that support the operation and maintenance of the Utah Law
156 Enforcement Memorial;

157 (xxvi) programs that provide assistance to children with cancer; ~~or~~

158 (xxvii) programs that promote leadership and career development through agricultural
159 education[-]; or

160 (xxviii) the Utah State Historical Society.

161 (2) (a) The division may not issue a new type of special group license plate or decal
162 unless the division receives:

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

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

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

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

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

179 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design
180 of a new support special group license plate or decal authorized in Section 41-1a-422 until the

181 applications and fees required under this Subsection (2) have been received by the division.

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

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

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

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

194 (B) replace the firefighter recognition special group license plate with a new license
195 plate.

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

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

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

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

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

211 **41-1a-419. Plate design -- Vintage vehicle certification and registration --**

212 **Personalized special group license plates -- Rulemaking.**

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

216 (b) ~~Each~~ (i) Except as provided in Subsection (1)(b)(ii), each special group license
217 plate shall display:

218 [(i)] (A) the word Utah;

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

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

222 [(iv)] (D) the combination of letters, numbers, or both uniquely identifying the
223 registered vehicle.

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

226 (A) have a black background;

227 (B) have white characters; and

228 (C) display the word Utah.

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

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

233 (i) unless the division receives a redesign fee established by the division under Section
234 [63J-1-504](#); and

235 (ii) more frequently than every five years.

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

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

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

246 (4) A person who meets the criteria established under Sections 41-1a-418 through
247 41-1a-422 for issuance of special group license plates may make application in the same
248 manner provided in Sections 41-1a-410 and 41-1a-411 for personalized special group license
249 plates.

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

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

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

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

257 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
258 **contribution collection procedures.**

259 (1) As used in this section:

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

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

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

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

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

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

269 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
270 the donation evenly divided between the two;

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

273 (H) No More Homeless Pets in Utah for distribution to organizations or individuals

274 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
275 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
276 development programs;
277 (J) the Utah Association of Public School Foundations to support public education;
278 (K) the Utah Housing Opportunity Restricted Account created in Section [61-2-204](#) to
279 assist people who have severe housing needs;
280 (L) the Public Safety Honoring Heroes Restricted Account created in Section [53-1-118](#)
281 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
282 Safety employees;
283 (M) the Division of Parks and Recreation for distribution to organizations that provide
284 support for Zion National Park;
285 (N) the Firefighter Support Restricted Account created in Section [53-7-109](#) to support
286 firefighter organizations;
287 (O) the Share the Road Bicycle Support Restricted Account created in Section
288 [72-2-127](#) to support bicycle operation and safety awareness programs;
289 (P) the Cancer Research Restricted Account created in Section [26-21a-302](#) to support
290 cancer research programs;
291 (Q) Autism Awareness Restricted Account created in Section [53A-1-304](#) to support
292 autism awareness programs;
293 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
294 created in Section [9-17-102](#) to support humanitarian service and educational and cultural
295 programs;
296 (S) Prostate Cancer Support Restricted Account created in Section [26-21a-303](#) for
297 programs that conduct or support prostate cancer awareness, screening, detection, or prevention
298 until September 30, 2017, and beginning on October 1, 2017, upon renewal of a prostate cancer
299 support special group license plate, to the Cancer Research Restricted Account created in
300 Section [26-21a-302](#) to support cancer research programs;
301 (T) the Choose Life Adoption Support Restricted Account created in Section
302 [62A-4a-608](#) to support programs that promote adoption;
303 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
304 Section [9-18-102](#);

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

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

309 (X) the Children with Cancer Support Restricted Account created in Section
310 26-21a-304 for programs that provide assistance to children with cancer;

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

313 (Z) the Children with Heart Disease Support Restricted Account created in Section
314 26-58-102;

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

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

320 (CC) the Utah State Historical Society to further the mission and purpose of the Utah
321 State Historical Society.

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

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

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

329 (II) is a member of a trade organization for real estate licensees that has more than
330 15,000 Utah members.

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

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

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

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

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

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

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

348 (b) "Institution" means a state institution of higher education as defined under Section
349 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
350 national accrediting agency recognized by the United States Department of Education.

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

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

357 (i) the name of the contributor;

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

359 (iii) the date of the donation; and

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

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

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

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

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

372 (b) This contribution shall be:

373 (i) unless collected by the named institution under Subsection (2), collected by the
374 division;

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

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

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

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

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

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

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

388 (i) snowmobile license plates; or

389 (ii) conservation license plates.

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

392 **Section 6. Effective date.**

393 This bill takes effect on October 1, 2018.