

Representative Stephen G. Handy proposes the following substitute bill:

LICENSE PLATES AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Utah Dark Sky support special group plate.

Highlighted Provisions:

This bill:

- ▶ creates the Utah Dark Sky support special group license plate;
- ▶ creates the Utah Dark Sky License Plate Support Fund;
- ▶ requires the State Tax Commission to administer the fund;
- ▶ allows the use of money in the fund to be used to transition the Utah Dark Sky support special group plate into a standard issue plate at a future date when the fund has enough money to pay for the transition; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

41-1a-418, as last amended by Laws of Utah 2020, Chapters 120, 322, and 405



26 [41-1a-422](#), as last amended by Laws of Utah 2020, Chapters 120, 322, 354, and 405

27 ENACTS:

28 [41-1a-423](#), Utah Code Annotated 1953

29

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

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

32 **41-1a-418. Authorized special group license plates.**

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

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

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

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

39 (ii) former prisoner of war;

40 (iii) recipient of a Purple Heart;

41 (iv) disabled veteran;

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

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

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

47 (i) a special interest vehicle;

48 (ii) a vintage vehicle;

49 (iii) a farm truck; or

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

52 (B) beginning on the effective date of rules made by the Department of Transportation
53 authorized under Subsection [41-6a-702](#)(5)(b) and until Subsection (4) applies, a vehicle
54 powered by clean fuel that meets the standards established by the Department of Transportation
55 in rules authorized under Subsection [41-6a-702](#)(5)(b);

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

- 57 (i) a current member of the Legislature;
- 58 (ii) a current member of the United States Congress;
- 59 (iii) a current member of the National Guard;
- 60 (iv) a licensed amateur radio operator;
- 61 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- 62 (vi) an emergency medical technician;
- 63 (vii) a current member of a search and rescue team;
- 64 (viii) a current honorary consulate designated by the United States Department of
65 State;
- 66 (ix) an individual supporting commemoration and recognition of women's suffrage;
- 67 (x) an individual supporting a fraternal, initiatic order for those sharing moral and
68 metaphysical ideals, and designed to teach ethical and philosophical matters of brotherly love,
69 relief, and truth;
- 70 (xi) an individual supporting the Utah Wing of the Civil Air Patrol; or
- 71 (xii) an individual supporting the recognition and continuation of the work and life of
72 Dr. Martin Luther King, Jr.; or
- 73 (e) support special group license plates, as for a contributor to an institution or cause,
74 which plates are issued for a contributor to:
 - 75 (i) an institution's scholastic scholarship fund;
 - 76 (ii) the Division of Wildlife Resources;
 - 77 (iii) the Department of Veterans and Military Affairs;
 - 78 (iv) the Division of Parks and Recreation;
 - 79 (v) the Department of Agriculture and Food;
 - 80 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
 - 81 (vii) the Boy Scouts of America;
 - 82 (viii) spay and neuter programs through No More Homeless Pets in Utah;
 - 83 (ix) the Boys and Girls Clubs of America;
 - 84 (x) Utah public education;
 - 85 (xi) programs that provide support to organizations that create affordable housing for
86 those in severe need through the Division of Real Estate;
 - 87 (xii) the Department of Public Safety;

- 88 (xiii) programs that support Zion National Park;
- 89 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
- 90 organizations;
- 91 (xv) programs that promote bicycle operation and safety awareness;
- 92 (xvi) programs that conduct or support cancer research;
- 93 (xvii) programs that create or support autism awareness;
- 94 (xviii) programs that create or support humanitarian service and educational and
- 95 cultural exchanges;
- 96 (xix) until September 30, 2017, programs that conduct or support prostate cancer
- 97 awareness, screening, detection, or prevention;
- 98 (xx) programs that support and promote adoptions;
- 99 (xxi) programs that support issues affecting women and children through an
- 100 organization affiliated with a national professional men's basketball organization;
- 101 (xxii) programs that strengthen youth soccer, build communities, and promote
- 102 environmental sustainability through an organization affiliated with a professional men's soccer
- 103 organization;
- 104 (xxiii) programs that support children with heart disease;
- 105 (xxiv) programs that support the operation and maintenance of the Utah Law
- 106 Enforcement Memorial;
- 107 (xxv) programs that provide assistance to children with cancer;
- 108 (xxvi) programs that promote leadership and career development through agricultural
- 109 education;
- 110 (xxvii) the Utah State Historical Society;
- 111 (xxviii) programs to transport veterans to visit memorials honoring the service and
- 112 sacrifices of veterans;
- 113 (xxix) programs that promote motorcycle safety awareness;
- 114 (xxx) organizations that promote clean air through partnership, education, and
- 115 awareness; [or]
- 116 (xxxii) programs dedicated to strengthening the state's Latino community through
- 117 education, mentoring, and leadership opportunities[-]; or
- 118 (xxxii) an account to generate revenue to create a standard issue Utah Dark Sky license

119 plate.

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

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

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

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

131 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
132 hold applications for support special group license plates or decals authorized in Section
133 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

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

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

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

144 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
145 registration of a motor vehicle that has been issued a firefighter recognition special group
146 license plate unless the applicant is a contributor as defined in Subsection
147 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

148 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
149 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle

150 registration shall:

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

153 (B) replace the firefighter recognition special group license plate with a new license
154 plate.

155 (3) Beginning on July 1, 2011, if a support special group license plate or decal type
156 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
157 license plates issued each year for a three consecutive year time period that begins on July 1,
158 the division may not issue that type of support special group license plate or decal to a new
159 applicant beginning on January 1 of the following calendar year after the three consecutive year
160 time period for which that type of support special group license plate or decal has fewer than
161 500 license plates issued each year.

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

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

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

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

170 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
171 **contribution collection procedures.**

172 (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

200 (O) the Share the Road Bicycle Support Restricted Account created in Section
201 72-2-127 to support bicycle operation and safety awareness programs;

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

204 (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support
205 autism awareness programs;

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

209 (S) Upon renewal of a prostate cancer support special group license plate, to the Cancer
210 Research Restricted Account created in Section 26-21a-302 to support cancer research
211 programs;

212 (T) the Choose Life Adoption Support Restricted Account created in Section
213 [62A-4a-608](#) to support programs that promote adoption;

214 (U) the National Professional Men's Basketball Team Support of Women and Children
215 Issues Restricted Account created in Section [62A-1-202](#);

216 (V) the Utah Law Enforcement Memorial Support Restricted Account created in
217 Section [53-1-120](#);

218 (W) the Children with Cancer Support Restricted Account created in Section
219 [26-21a-304](#) for programs that provide assistance to children with cancer;

220 (X) the National Professional Men's Soccer Team Support of Building Communities
221 Restricted Account created in Section [9-19-102](#);

222 (Y) the Children with Heart Disease Support Restricted Account created in Section
223 [26-58-102](#);

224 (Z) the Utah Intracurricular Student Organization Support for Agricultural Education
225 and Leadership Restricted Account created in Section [4-42-102](#);

226 (AA) the Division of Wildlife Resources for the Support for State-Owned Shooting
227 Ranges Restricted Account created in Section [23-14-13.5](#), for the creation of new, and
228 operation and maintenance of existing, state-owned firearm shooting ranges;

229 (BB) the Utah State Historical Society to further the mission and purpose of the Utah
230 State Historical Society;

231 (CC) the Motorcycle Safety Awareness Support Restricted Account created in Section
232 [72-2-130](#); [or]

233 (DD) the Transportation of Veterans to Memorials Support Restricted Account created
234 in Section [71-14-102](#);

235 (EE) clean air support causes, with half of the donation deposited into the Clean Air
236 Support Restricted Account created in Section [19-1-109](#), and half of the donation deposited
237 into the Clean Air Fund created in Section [59-10-1319](#); [or]

238 (FF) the Latino Community Support Restricted Account created in Section [13-1-16](#)[?];
239 or

240 (GG) the Utah Dark Sky License Plate Support Fund created in Section [41-1a-423](#).

241 (ii) (A) For a veterans special group license plate described in Subsection
242 [41-1a-421\(1\)\(a\)\(v\)](#) or [41-1a-422\(4\)](#), "contributor" means a person who has donated or in whose

243 name at least a \$25 donation at the time of application and \$10 annual donation thereafter has
244 been made.

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

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

249 (II) is a member of a trade organization for real estate licensees that has more than
250 15,000 Utah members.

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

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

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

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

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

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

265 (b) "Institution" means a state institution of higher education as defined under Section
266 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
267 national accrediting agency recognized by the United States Department of Education.

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

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

- 274 (i) the name of the contributor;
- 275 (ii) the institution to which a donation was made;
- 276 (iii) the date of the donation; and
- 277 (iv) an attestation that the donation was for a scholastic scholarship.
- 278 (c) The state auditor may audit each institution to verify that the money collected by the
- 279 institutions from contributors is used for scholastic scholarships.
- 280 (d) After an applicant has been issued collegiate license plates or renewal decals, the
- 281 commission shall charge the institution whose plate was issued, a fee determined in accordance
- 282 with Section [63J-1-504](#) for management and administrative expenses incurred in issuing and
- 283 renewing the collegiate license plates.
- 284 (e) If the contribution is made at the time of application, the contribution shall be
- 285 collected, treated, and deposited as provided under Subsection (3).
- 286 (3) (a) An applicant for original or renewal support special group license plates under
- 287 this section must be a contributor to the sponsoring organization associated with the license
- 288 plate.
- 289 (b) This contribution shall be:
- 290 (i) unless collected by the named institution under Subsection (2), collected by the
- 291 division;
- 292 (ii) considered a voluntary contribution for the funding of the activities specified under
- 293 this section and not a motor vehicle registration fee;
- 294 (iii) deposited into the appropriate account less actual administrative costs associated
- 295 with issuing the license plates; and
- 296 (iv) for a firefighter special group license plate, deposited into the appropriate account
- 297 less:
- 298 (A) the costs of reordering firefighter special group license plate decals; and
- 299 (B) the costs of replacing recognition special group license plates with new license
- 300 plates under Subsection [41-1a-1211](#)(13).
- 301 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to
- 302 registration or renewal of registration.
- 303 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to
- 304 the division when issuing original:

- 305 (i) snowmobile license plates; or
- 306 (ii) conservation license plates.
- 307 (4) Veterans license plates shall display one of the symbols representing the Army,
- 308 Navy, Air Force, Marines, Coast Guard, or American Legion.

309 Section 3. Section **41-1a-423** is enacted to read:

310 **41-1a-423. Utah Dark Sky License Plate Support Fund.**

311 (1) There is created an expendable special revenue fund known as the "Utah Dark Sky
312 License Plate Support Fund."

313 (2) The fund consists of:

314 (a) contributions deposited into the fund in accordance with Section [41-1a-422](#);

315 (b) private contributions;

316 (c) donations or grants from public or private entities; and

317 (d) money appropriated by the Legislature.

318 (3) Subject to Subsection 41-1a-418(2), the commission shall:

319 (a) expend money in the fund to pay the costs of ordering and issuing Utah Dark Sky
320 support special group license plates and decals; and

321 (b) maintain the remainder of the money in the fund to pay for the costs to transition
322 the Utah Dark Sky support special group plate into a standard issue plate, including future costs
323 of:

324 (i) redesigning the license plate;

325 (ii) ordering and manufacturing inventory of the standard issue Utah Dark Sky license
326 plate; and

327 (iii) other costs associated with the transition of the Utah Dark Sky license plate from a
328 support special group license plate to a standard issue license plate.

329 (4) The commission may use money in the fund to pay for the costs of administering
330 the fund.

331 Section 4. **Effective date.**

332 This bill takes effect on November 1, 2021.