

# HB0198S01 compared with HB0198

~~text~~ shows text that was in HB0198 but was deleted in HB0198S01.

text shows text that was not in HB0198 but was inserted into HB0198S01.

**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 bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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 ~~a new standard issue license plate called~~ the Utah Dark Sky ~~license~~ support special group plate.

#### Highlighted Provisions:

This bill:

- ▶ creates ~~a new standard issue~~ the Utah Dark Sky support special group license plate ~~called~~;
- ▶ creates the Utah Dark Sky ~~license plate~~ 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

## HB0198S01 compared with HB0198

- ▶ 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-402}~~41-1a-418, as last amended by Laws of Utah ~~{2018}~~2020, Chapters ~~{20~~  
~~and 262}~~120, 322, and 405

41-1a-422, as last amended by Laws of Utah 2020, Chapters 120, 322, 354, and 405

ENACTS:

41-1a-423, Utah Code Annotated 1953

---

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

Section 1. Section ~~{41-1a-402}~~41-1a-418 is amended to read:

~~{41-1a-402}~~41-1a-418. ~~{Required colors, numerals, and letters -- Expiration.~~  
~~———— (1) Each license plate shall have displayed on it: ——— (a) the registration~~  
~~number assigned to the vehicle for which it is issued; — (b) the name of the state; and~~  
~~———— (c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal~~  
~~showing the date of expiration displayed in accordance with Subsection (6).~~  
~~———— (2) If registration is extended by affixing a registration decal to the license plate,~~  
~~the expiration date of the decal governs the expiration date of the license plate.~~  
~~———— (3) Except as provided in Subsection (4), each original license plate that is not one~~  
~~of the}~~Authorized special group license plates.

(1) The division shall only issue special group license plates ~~{issued under Section~~  
~~41-1a-418 shall be: — (a) a statehood centennial license plate with the same color, design, and~~  
~~slogan as the plates issued in conjunction with the statehood centennial; — (b) a Ski Utah~~  
~~license plate; [or] — (c) an In God We Trust license plate[.]; or — (d) a Utah Dark Sky~~  
~~license plate. (4) Beginning on the date that the division determines the existing inventories~~  
~~of statehood centennial license plates and Ski Utah license plates are exhausted, each license~~  
~~plate that is not one of the special group license plates issued under Section 41-1a-418 shall.~~

## HB0198S01 compared with HB0198

~~— (a) (i) display the "Life Elevated" slogan; and — (ii) have a color and design approved by the 57th Legislature in the 2007 General Session that features: — (A) a skier with the "Greatest Snow on Earth" slogan; or — (B) Delicate Arch; — (b) be an In God We Trust license plate; or — (c) be a Utah Dark Sky license plate; or — [(c)] (d) beginning on the date that the division determines the existing inventories of decals for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive license plate displaying the word "apportioned" or the abbreviation "APP." — (5) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216, license plates shall be renewed annually.~~

~~— (b) (i) The division shall issue the vehicle owner a month decal and a year decal upon the vehicle's first registration with the division.~~

~~— (ii) The division shall issue the vehicle owner only a year decal upon subsequent renewals of registration to validate registration renewal.~~

~~— (6) The decals issued } in accordance with {Subsection (5) shall be applied;} this section through Section 41-1a-422 to a person who is specified under this section within the categories listed as follows:~~

~~(a) {for license plates issued beginning in 1974 through 1985, decals displayed on license plates with black lettering on a white background shall be applied to the lower left-hand corner of the rear of the license plate vehicles; — (b) decals displayed on statehood centennial license plates and on Ski Utah license plates issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of the rear license plate; — (c) decals displayed on} disability special group license plates issued in accordance with Section {41-1a-418 shall be applied to the upper right-hand corner of the license plate unless there is a plate indentation on the upper left-hand corner of the license plate} 41-1a-420;~~

~~{(d) decals displayed on license plates with the "Life Elevated" slogan issued in accordance with} b) honor special group license plates, as in a war hero, which plates are issued for a:~~

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

(ii) former prisoner of war;

(iii) recipient of a Purple Heart;

(iv) disabled veteran;

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

## HB0198S01 compared with HB0198

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

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

(i) a special interest vehicle;

(ii) a vintage vehicle;

(iii) a farm truck; or

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

(B) beginning on the effective date of rules made by the Department of Transportation authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) ~~shall be applied in the upper left-hand corner for the month decal and the upper right-hand corner for the year decal;~~

~~\_\_\_\_\_ (e) decals displayed on license plates with the "In God We Trust" slogan issued in accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the rear license plate unless there is a plate indentation on the upper left-hand corner of the license plate; (f) decals displayed on~~ applies, a vehicle powered by clean fuel that meets the standards established by the Department of Transportation in rules authorized under Subsection 41-6a-702(5)(b);

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

(i) a current member of the Legislature;

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

(iii) a current member of the National Guard;

(iv) a licensed amateur radio operator;

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

(vi) an emergency medical technician;

(vii) a current member of a search and rescue team;

(viii) a current honorary consulate designated by the United States Department of State;

(ix) an individual supporting commemoration and recognition of women's suffrage;

(x) an individual supporting a fraternal, initiatic order for those sharing moral and metaphysical ideals, and designed to teach ethical and philosophical matters of brotherly love,

## HB0198S01 compared with HB0198

relief, and truth;

(xi) an individual supporting the Utah Wing of the Civil Air Patrol; or

(xii) an individual supporting the recognition and continuation of the work and life of

Dr. Martin Luther King, Jr.; or

(e) support special group license plates, as for a contributor to an institution or cause,

which plates are issued for a contributor to:

(i) an institution's scholastic scholarship fund;

(ii) the Division of Wildlife Resources;

(iii) the Department of Veterans and Military Affairs;

(iv) the Division of Parks and Recreation;

(v) the Department of Agriculture and Food;

(vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;

(vii) the Boy Scouts of America;

(viii) spay and neuter programs through No More Homeless Pets in Utah;

(ix) the Boys and Girls Clubs of America;

(x) Utah public education;

(xi) programs that provide support to organizations that create affordable housing for

those in severe need through the Division of Real Estate;

(xii) the Department of Public Safety;

(xiii) programs that support Zion National Park;

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

organizations;

(xv) programs that promote bicycle operation and safety awareness;

(xvi) programs that conduct or support cancer research;

(xvii) programs that create or support autism awareness;

(xviii) programs that create or support humanitarian service and educational and

cultural exchanges;

(xix) until September 30, 2017, programs that conduct or support prostate cancer awareness, screening, detection, or prevention;

(xx) programs that support and promote adoptions;

(xxi) programs that support issues affecting women and children through an

## HB0198S01 compared with HB0198

organization affiliated with a national professional men's basketball organization;

(xxii) programs that strengthen youth soccer, build communities, and promote environmental sustainability through an organization affiliated with a professional men's soccer organization;

(xxiii) programs that support children with heart disease;

(xxiv) programs that support the operation and maintenance of the Utah Law

Enforcement Memorial;

(xxv) programs that provide assistance to children with cancer;

(xxvi) programs that promote leadership and career development through agricultural education;

(xxvii) the Utah State Historical Society;

(xxviii) programs to transport veterans to visit memorials honoring the service and sacrifices of veterans;

(xxix) programs that promote motorcycle safety awareness;

(xxx) organizations that promote clean air through partnership, education, and awareness; [or]

(xxxi) programs dedicated to strengthening the state's Latino community through education, mentoring, and leadership opportunities[-]; or

(xxxii) an account to generate revenue to create a standard issue Utah Dark Sky license ~~{plates issued}~~plate.

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

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

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

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

## HB0198S01 compared with HB0198

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

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

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

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

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

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

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

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

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

## HB0198S01 compared with HB0198

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

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

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

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

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

(1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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



## **HB0198S01 compared with HB0198**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## HB0198S01 compared with HB0198

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

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

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

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

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

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

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

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

(ii) (A) For a veterans special group license plate described in Subsection 41-1a-421(1)(a)(v) or 41-1a-422(4), "contributor" means a person who has donated or in whose name at least a \$25 donation at the time of application and \$10 annual donation thereafter has been made.

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

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

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

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

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

## HB0198S01 compared with HB0198

who:

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

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

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

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

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

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

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

(i) the name of the contributor;

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

(iii) the date of the donation; and

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

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

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

(e) If the contribution is made at the time of application, the contribution shall be collected, treated, and deposited as provided under Subsection (3) ~~(d) or (4)(c) shall be applied~~

## HB0198S01 compared with HB0198

~~in the upper left-hand corner for the month decal and the upper right-hand corner for the year decal; [(f)] (g) decals issued for motorcycles shall be applied to the upper corner of};~~

(3) (a) An applicant for original or renewal support special group license plates under this section must be a contributor to the sponsoring organization associated with the license plate~~{ opposite the word "Utah"; and — [(g)] (h) decals displayed on};~~

(b) This contribution shall be:

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

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

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

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

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

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

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

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

(i) snowmobile license plates; or

(ii) conservation license plates~~{ issued under Section 41-1a-416 shall be applied as appropriate for the year of the plate.~~

~~— (7) (a) The month decal issued};~~

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

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

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

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

## HB0198S01 compared with HB0198

(2) The fund consists of:

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

(b) private contributions;

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

(d) money appropriated by the Legislature.

(3) Subject to Subsection ~~+(5) shall be displayed on~~ 41-1a-418(2), the commission shall:

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

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

(i) redesigning the license plate ~~in the left position.~~

~~—— (b) The year decal issued in accordance with Subsection (5) shall be displayed on the license plate in the right position.~~

~~—— (8) The current year decal issued in accordance with Subsection (5) shall be placed over or in place of the previous year decal.~~

~~—— (9) If a license plate, month decal, or year decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.~~

~~—— (10) (a) A violation of this section is an infraction.~~

~~—— (b) A court shall waive a fine for a violation under this section if: (i) the registration for the vehicle was current at the time of the citation; and (ii) the person to whom the citation was issued provides, within 21 business days, evidence that the license plate and decals are properly displayed in compliance with this section.~~

~~—— Section 2};~~

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

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

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

## HB0198S01 compared with HB0198

the fund.

Section 4. Effective date.

This bill takes effect on ~~October~~ November 1, 2021.