

**Representative Paul Ray** proposes the following substitute bill:

**SPECIAL LICENSE PLATE AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Paul Ray**

Senate Sponsor: Evan J. Vickers

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**LONG TITLE**

**General Description:**

This bill creates the Donate Life support special group license plate.

**Highlighted Provisions:**

This bill:

- ▶ amends provisions related to the Organ Donation Contribution Fund to direct contributions from the Donate Life support special group license plate to be deposited into the fund;

- ▶ directs the Department of Health to distribute proceeds from the Donate Life support special group license plate to a nonprofit organization that specializes in the recovery and transplantation of organs and tissues;

- ▶ creates the Donate Life support special group license plate; 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:



26 [26-18b-101](#), as last amended by Laws of Utah 2013, Chapters 167 and 400  
27 [41-1a-418](#), as last amended by Laws of Utah 2020, Chapters 120, 322, and 405  
28 [41-1a-422](#), as last amended by Laws of Utah 2020, Chapters 120, 322, 354, and 405

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

31 Section 1. Section **26-18b-101** is amended to read:

32 **26-18b-101. Organ Donation Contribution Fund created.**

33 (1) (a) There is created an expendable special revenue fund known as the Organ  
34 Donation Contribution Fund.

35 (b) The Organ Donation Contribution Fund shall consist of:

36 (i) private contributions;

37 (ii) donations or grants from public or private entities;

38 (iii) voluntary donations collected under Sections [41-1a-230.5](#) and [53-3-214.7](#); ~~and~~

39 (iv) contributions deposited into the account in accordance with Section [41-1a-422](#);

40 and

41 ~~[(iv)]~~ (v) interest and earnings on fund money.

42 (c) The cost of administering the Organ Donation Contribution Fund shall be paid from  
43 money in the fund.

44 (2) The Department of Health shall:

45 (a) administer the funds deposited in the Organ Donation Contribution Fund; and

46 (b) select qualified organizations and distribute the funds in the Organ Donation

47 Contribution Fund in accordance with Subsection (3).

48 (3) (a) The funds in the Organ Donation Contribution Fund may be distributed to a  
49 selected organization that:

50 (i) promotes and supports organ donation;

51 (ii) assists in maintaining and operating a statewide organ donation registry; and

52 (iii) provides donor awareness education.

53 (b) An organization that meets the criteria of Subsections (3)(a)(i) through (iii) may  
54 apply to the Department of Health, in a manner prescribed by the department, to receive a  
55 portion of the money contained in the Organ Donation Contribution Fund.

56 (4) The Department of Health may expend funds in the account to pay the costs of

57 administering the fund and issuing or reordering the Donate Life support special group license  
58 plate and decals.

59 Section 2. Section **41-1a-418** is amended to read:

60 **41-1a-418. Authorized special group license plates.**

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

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

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

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

67 (ii) former prisoner of war;

68 (iii) recipient of a Purple Heart;

69 (iv) disabled veteran;

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

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

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

75 (i) a special interest vehicle;

76 (ii) a vintage vehicle;

77 (iii) a farm truck; or

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

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

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

85 (i) a current member of the Legislature;

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

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

- 88 (iv) a licensed amateur radio operator;
- 89 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- 90 (vi) an emergency medical technician;
- 91 (vii) a current member of a search and rescue team;
- 92 (viii) a current honorary consulate designated by the United States Department of
- 93 State;
- 94 (ix) an individual supporting commemoration and recognition of women's suffrage;
- 95 (x) an individual supporting a fraternal, initiatic order for those sharing moral and
- 96 metaphysical ideals, and designed to teach ethical and philosophical matters of brotherly love,
- 97 relief, and truth;
- 98 (xi) an individual supporting the Utah Wing of the Civil Air Patrol; or
- 99 (xii) an individual supporting the recognition and continuation of the work and life of
- 100 Dr. Martin Luther King, Jr.; or
- 101 (e) support special group license plates, as for a contributor to an institution or cause,
- 102 which plates are issued for a contributor to:
- 103 (i) an institution's scholastic scholarship fund;
- 104 (ii) the Division of Wildlife Resources;
- 105 (iii) the Department of Veterans and Military Affairs;
- 106 (iv) the Division of Parks and Recreation;
- 107 (v) the Department of Agriculture and Food;
- 108 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 109 (vii) the Boy Scouts of America;
- 110 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 111 (ix) the Boys and Girls Clubs of America;
- 112 (x) Utah public education;
- 113 (xi) programs that provide support to organizations that create affordable housing for
- 114 those in severe need through the Division of Real Estate;
- 115 (xii) the Department of Public Safety;
- 116 (xiii) programs that support Zion National Park;
- 117 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
- 118 organizations;

- 119 (xv) programs that promote bicycle operation and safety awareness;
- 120 (xvi) programs that conduct or support cancer research;
- 121 (xvii) programs that create or support autism awareness;
- 122 (xviii) programs that create or support humanitarian service and educational and
- 123 cultural exchanges;
- 124 (xix) until September 30, 2017, programs that conduct or support prostate cancer
- 125 awareness, screening, detection, or prevention;
- 126 (xx) programs that support and promote adoptions;
- 127 (xxi) programs that support issues affecting women and children through an
- 128 organization affiliated with a national professional men's basketball organization;
- 129 (xxii) programs that strengthen youth soccer, build communities, and promote
- 130 environmental sustainability through an organization affiliated with a professional men's soccer
- 131 organization;
- 132 (xxiii) programs that support children with heart disease;
- 133 (xxiv) programs that support the operation and maintenance of the Utah Law
- 134 Enforcement Memorial;
- 135 (xxv) programs that provide assistance to children with cancer;
- 136 (xxvi) programs that promote leadership and career development through agricultural
- 137 education;
- 138 (xxvii) the Utah State Historical Society;
- 139 (xxviii) programs to transport veterans to visit memorials honoring the service and
- 140 sacrifices of veterans;
- 141 (xxix) programs that promote motorcycle safety awareness;
- 142 (xxx) organizations that promote clean air through partnership, education, and
- 143 awareness; [or]
- 144 (xxxii) programs dedicated to strengthening the state's Latino community through
- 145 education, mentoring, and leadership opportunities[-]; or
- 146 (xxxii) organizations dedicated to facilitating, connecting, registering, and advocating
- 147 for organ donors and donor families.
- 148 (2) (a) The division may not issue a new type of special group license plate or decal
- 149 unless the division receives:

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

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

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

159 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and  
160 hold applications for support special group license plates or decals authorized in Section  
161 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

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

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

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

172 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle  
173 registration of a motor vehicle that has been issued a firefighter recognition special group  
174 license plate unless the applicant is a contributor as defined in Subsection  
175 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

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

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

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

183 (3) Beginning on July 1, 2011, if a support special group license plate or decal type  
184 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500  
185 license plates issued each year for a three consecutive year time period that begins on July 1,  
186 the division may not issue that type of support special group license plate or decal to a new  
187 applicant beginning on January 1 of the following calendar year after the three consecutive year  
188 time period for which that type of support special group license plate or decal has fewer than  
189 500 license plates issued each year.

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

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

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

197 Section 3. Section 41-1a-422 is amended to read:

198 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**  
199 **contribution collection procedures.**

200 (1) As used in this section:

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

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

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

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

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

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

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

- 212 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America  
213 council as specified by the contributor;
- 214 (H) No More Homeless Pets in Utah for distribution to organizations or individuals  
215 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 216 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth  
217 development programs;
- 218 (J) the Utah Association of Public School Foundations to support public education;
- 219 (K) the Utah Housing Opportunity Restricted Account created in Section [61-2-204](#) to  
220 assist people who have severe housing needs;
- 221 (L) the Public Safety Honoring Heroes Restricted Account created in Section [53-1-118](#)  
222 to support the families of fallen Utah Highway Patrol troopers and other Department of Public  
223 Safety employees;
- 224 (M) the Division of Parks and Recreation for distribution to organizations that provide  
225 support for Zion National Park;
- 226 (N) the Firefighter Support Restricted Account created in Section [53-7-109](#) to support  
227 firefighter organizations;
- 228 (O) the Share the Road Bicycle Support Restricted Account created in Section  
229 [72-2-127](#) to support bicycle operation and safety awareness programs;
- 230 (P) the Cancer Research Restricted Account created in Section [26-21a-302](#) to support  
231 cancer research programs;
- 232 (Q) Autism Awareness Restricted Account created in Section [53F-9-401](#) to support  
233 autism awareness programs;
- 234 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account  
235 created in Section [9-17-102](#) to support humanitarian service and educational and cultural  
236 programs;
- 237 (S) Upon renewal of a prostate cancer support special group license plate, to the Cancer  
238 Research Restricted Account created in Section [26-21a-302](#) to support cancer research  
239 programs;
- 240 (T) the Choose Life Adoption Support Restricted Account created in Section  
241 [62A-4a-608](#) to support programs that promote adoption;
- 242 (U) the National Professional Men's Basketball Team Support of Women and Children



243 Issues Restricted Account created in Section [62A-1-202](#);

244 (V) the Utah Law Enforcement Memorial Support Restricted Account created in

245 Section [53-1-120](#);

246 (W) the Children with Cancer Support Restricted Account created in Section

247 [26-21a-304](#) for programs that provide assistance to children with cancer;

248 (X) the National Professional Men's Soccer Team Support of Building Communities

249 Restricted Account created in Section [9-19-102](#);

250 (Y) the Children with Heart Disease Support Restricted Account created in Section

251 [26-58-102](#);

252 (Z) the Utah Intracurricular Student Organization Support for Agricultural Education

253 and Leadership Restricted Account created in Section [4-42-102](#);

254 (AA) the Division of Wildlife Resources for the Support for State-Owned Shooting

255 Ranges Restricted Account created in Section [23-14-13.5](#), for the creation of new, and

256 operation and maintenance of existing, state-owned firearm shooting ranges;

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

258 State Historical Society;

259 (CC) the Motorcycle Safety Awareness Support Restricted Account created in Section

260 [72-2-130](#); [or]

261 (DD) the Transportation of Veterans to Memorials Support Restricted Account created

262 in Section [71-14-102](#);

263 (EE) clean air support causes, with half of the donation deposited into the Clean Air

264 Support Restricted Account created in Section [19-1-109](#), and half of the donation deposited

265 into the Clean Air Fund created in Section [59-10-1319](#); [or]

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

267 or

268 (GG) the Organ Donation Contribution Fund created in Section [26-18b-101](#).

269 (ii) (A) For a veterans special group license plate described in Subsection

270 [41-1a-421\(1\)\(a\)\(v\)](#) or [41-1a-422\(4\)](#), "contributor" means a person who has donated or in whose

271 name at least a \$25 donation at the time of application and \$10 annual donation thereafter has

272 been made.

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

274 person who:

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

277 (II) is a member of a trade organization for real estate licensees that has more than  
278 15,000 Utah members.

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

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

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

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

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

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

293 (b) "Institution" means a state institution of higher education as defined under Section  
294 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or  
295 national accrediting agency recognized by the United States Department of Education.

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

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

302 (i) the name of the contributor;

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

304 (iii) the date of the donation; and

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

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

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

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

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

317 (b) This contribution shall be:

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

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

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

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

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

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

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

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

333 (i) snowmobile license plates; or

334 (ii) conservation license plates.

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

337           Section 4. **Effective date.**

338           This bill takes effect on October 15, 2021.