

KIWANIS SPECIAL GROUP LICENSE PLATE

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: _____

LONG TITLE

General Description:

This bill creates a support special group license plate.

Highlighted Provisions:

This bill:

▶ creates a support special group license plate to support the mission and purpose of the Kiwanis International clubs within the state; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

(1) The division shall only issue special group license plates in accordance with this



28 section through Section 41-1a-422 to a person who is specified under this section within the
29 categories listed as follows:

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

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

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

33 (ii) former prisoner of war;

34 (iii) recipient of a Purple Heart;

35 (iv) disabled veteran;

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

37 (vi) recipient of a campaign or combat theater award determined by the Department of

38 Veterans and Military Affairs;

39 (c) unique vehicle type special group license plates, as for historical, collectors value,

40 or other unique vehicle type, which plates are issued for:

41 (i) a special interest vehicle;

42 (ii) a vintage vehicle;

43 (iii) a farm truck; or

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

46 (B) beginning on the effective date of rules made by the Department of Transportation
47 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle

48 powered by clean fuel that meets the standards established by the Department of Transportation
49 in rules authorized under Subsection 41-6a-702(5)(b);

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

51 (i) a current member of the Legislature;

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

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

54 (iv) a licensed amateur radio operator;

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

56 (vi) an emergency medical technician;

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

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

- 59 State;
- 60 (ix) an individual supporting commemoration and recognition of women's suffrage;
- 61 (x) an individual supporting a fraternal, initiatic order for those sharing moral and
- 62 metaphysical ideals, and designed to teach ethical and philosophical matters of brotherly love,
- 63 relief, and truth;
- 64 (xi) an individual supporting the Utah Wing of the Civil Air Patrol; or
- 65 (xii) an individual supporting the recognition and continuation of the work and life of
- 66 Dr. Martin Luther King, Jr.; or
- 67 (e) support special group license plates, as for a contributor to an institution or cause,
- 68 which plates are issued for a contributor to:
- 69 (i) an institution's scholastic scholarship fund;
- 70 (ii) the Division of Wildlife Resources;
- 71 (iii) the Department of Veterans and Military Affairs;
- 72 (iv) the Division of Parks and Recreation;
- 73 (v) the Department of Agriculture and Food;
- 74 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 75 (vii) the Boy Scouts of America;
- 76 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 77 (ix) the Boys and Girls Clubs of America;
- 78 (x) Utah public education;
- 79 (xi) programs that provide support to organizations that create affordable housing for
- 80 those in severe need through the Division of Real Estate;
- 81 (xii) the Department of Public Safety;
- 82 (xiii) programs that support Zion National Park;
- 83 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
- 84 organizations;
- 85 (xv) programs that promote bicycle operation and safety awareness;
- 86 (xvi) programs that conduct or support cancer research;
- 87 (xvii) programs that create or support autism awareness;
- 88 (xviii) programs that create or support humanitarian service and educational and
- 89 cultural exchanges;

90 (xix) until September 30, 2017, programs that conduct or support prostate cancer
91 awareness, screening, detection, or prevention;
92 (xx) programs that support and promote adoptions;
93 (xxi) programs that support issues affecting women and children through an
94 organization affiliated with a national professional men's basketball organization;
95 (xxii) programs that strengthen youth soccer, build communities, and promote
96 environmental sustainability through an organization affiliated with a professional men's soccer
97 organization;
98 (xxiii) programs that support children with heart disease;
99 (xxiv) programs that support the operation and maintenance of the Utah Law
100 Enforcement Memorial;
101 (xxv) programs that provide assistance to children with cancer;
102 (xxvi) programs that promote leadership and career development through agricultural
103 education;
104 (xxvii) the Utah State Historical Society;
105 (xxviii) programs to transport veterans to visit memorials honoring the service and
106 sacrifices of veterans;
107 (xxix) programs that promote motorcycle safety awareness;
108 (xxx) organizations that promote clean air through partnership, education, and
109 awareness; [or]
110 (xxxii) programs dedicated to strengthening the state's Latino community through
111 education, mentoring, and leadership opportunities[-]; or
112 (xxxii) the Kiwanis International.
113 (2) (a) The division may not issue a new type of special group license plate or decal
114 unless the division receives:
115 (i) (A) a private donation for the start-up fee established under Section 63J-1-504 for
116 the production and administrative costs of providing the new special group license plates or
117 decals; or
118 (B) a legislative appropriation for the start-up fee provided under Subsection
119 (2)(a)(i)(A); and
120 (ii) beginning on January 1, 2012, and for the issuance of a support special group

121 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new
122 type of support special group license plate or decal to be issued with all fees required under this
123 part for the support special group license plate or decal issuance paid by each applicant.

124 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
125 hold applications for support special group license plates or decals authorized in Section
126 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

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

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

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

137 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
138 registration of a motor vehicle that has been issued a firefighter recognition special group
139 license plate unless the applicant is a contributor as defined in Subsection
140 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

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

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

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

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

152 applicant beginning on January 1 of the following calendar year after the three consecutive year
153 time period for which that type of support special group license plate or decal has fewer than
154 500 license plates issued each year.

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

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

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

162 Section 2. Section [41-1a-422](#) is amended to read:

163 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
164 **contribution collection procedures.**

165 (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

- 183 (J) the Utah Association of Public School Foundations to support public education;
- 184 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
185 assist people who have severe housing needs;
- 186 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
187 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
188 Safety employees;
- 189 (M) the Division of Parks and Recreation for distribution to organizations that provide
190 support for Zion National Park;
- 191 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
192 firefighter organizations;
- 193 (O) the Share the Road Bicycle Support Restricted Account created in Section
194 72-2-127 to support bicycle operation and safety awareness programs;
- 195 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
196 cancer research programs;
- 197 (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support
198 autism awareness programs;
- 199 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
200 created in Section 9-17-102 to support humanitarian service and educational and cultural
201 programs;
- 202 (S) Upon renewal of a prostate cancer support special group license plate, to the Cancer
203 Research Restricted Account created in Section 26-21a-302 to support cancer research
204 programs;
- 205 (T) the Choose Life Adoption Support Restricted Account created in Section
206 62A-4a-608 to support programs that promote adoption;
- 207 (U) the National Professional Men's Basketball Team Support of Women and Children
208 Issues Restricted Account created in Section 62A-1-202;
- 209 (V) the Utah Law Enforcement Memorial Support Restricted Account created in
210 Section 53-1-120;
- 211 (W) the Children with Cancer Support Restricted Account created in Section
212 26-21a-304 for programs that provide assistance to children with cancer;
- 213 (X) the National Professional Men's Soccer Team Support of Building Communities

214 Restricted Account created in Section 9-19-102;
215 (Y) the Children with Heart Disease Support Restricted Account created in Section
216 26-58-102;
217 (Z) the Utah Intracurricular Student Organization Support for Agricultural Education
218 and Leadership Restricted Account created in Section 4-42-102;
219 (AA) the Division of Wildlife Resources for the Support for State-Owned Shooting
220 Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and
221 operation and maintenance of existing, state-owned firearm shooting ranges;
222 (BB) the Utah State Historical Society to further the mission and purpose of the Utah
223 State Historical Society;
224 (CC) the Motorcycle Safety Awareness Support Restricted Account created in Section
225 72-2-130; [or]
226 (DD) the Transportation of Veterans to Memorials Support Restricted Account created
227 in Section 71-14-102;
228 (EE) clean air support causes, with half of the donation deposited into the Clean Air
229 Support Restricted Account created in Section 19-1-109, and half of the donation deposited
230 into the Clean Air Fund created in Section 59-10-1319; [or]
231 (FF) the Latino Community Support Restricted Account created in Section 13-1-16[-];
232 or
233 (GG) the Kiwanis International for the benefit of a Utah Kiwanis Club.
234 (ii) (A) For a veterans special group license plate described in Subsection
235 41-1a-421(1)(a)(v) or 41-1a-422(4), "contributor" means a person who has donated or in whose
236 name at least a \$25 donation at the time of application and \$10 annual donation thereafter has
237 been made.
238 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a
239 person who:
240 (I) has donated or in whose name at least \$30 has been donated at the time of
241 application and annually after the time of application; and
242 (II) is a member of a trade organization for real estate licensees that has more than
243 15,000 Utah members.
244 (C) For an Honoring Heroes special group license plate, "contributor" means a person

245 who has donated or in whose name at least \$35 has been donated at the time of application and
246 annually thereafter.

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

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

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

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

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

258 (b) "Institution" means a state institution of higher education as defined under Section
259 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
260 national accrediting agency recognized by the United States Department of Education.

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

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

267 (i) the name of the contributor;

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

269 (iii) the date of the donation; and

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

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

273 (d) After an applicant has been issued collegiate license plates or renewal decals, the
274 commission shall charge the institution whose plate was issued, a fee determined in accordance

275 with Section 63J-1-504 for management and administrative expenses incurred in issuing and
276 renewing the collegiate license plates.

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

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

282 (b) This contribution shall be:

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

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

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

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

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

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

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

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

298 (i) snowmobile license plates; or

299 (ii) conservation license plates.

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