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LICENSE PLATE REVISIONS

2022 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 license plate.

Highlighted Provisions:

This bill:

- ▶ creates a support special group license plate called the Utah Dark Sky 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 license 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 2021, Chapters 219, 280, and 378

41-1a-422, as last amended by Laws of Utah 2021, Chapters 219, 280, and 378

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 State Parks or the Division of 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;

116 (xxxi) programs dedicated to strengthening the state's Latino community through

117 education, mentoring, and leadership opportunities;

118 (xxxii) organizations dedicated to facilitating, connecting, registering, and advocating

119 for organ donors and donor families; [or]

120 (xxxiii) public education on behalf of the Kiwanis International clubs[-]; or

121 (xxxiv) an account to generate revenue to create a standard issue Utah Dark Sky
122 license plate.

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

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

128 (B) a legislative appropriation for the start-up fee provided under Subsection

129 (2)(a)(i)(A); and

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

134 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
135 hold applications for support special group license plates or decals authorized in Section
136 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

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

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

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

147 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
148 registration of a motor vehicle that has been issued a firefighter recognition special group
149 license plate unless the applicant is a contributor as defined in Subsection
150 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

151 (ii) A registered owner of a vehicle that has been issued a firefighter recognition

152 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle
153 registration shall:

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

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

158 (3) Beginning on July 1, 2011, if a support special group license plate or decal type
159 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
160 license plates issued each year for a three consecutive year time period that begins on July 1,
161 the division may not issue that type of support special group license plate or decal to a new
162 applicant beginning on January 1 of the following calendar year after the three consecutive year
163 time period for which that type of support special group license plate or decal has fewer than
164 500 license plates issued each year.

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

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

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

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

173 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
174 **contribution collection procedures.**

175 (1) As used in this section:

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

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

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

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

- 183 (D) the Department of Agriculture and Food for the benefit of conservation districts;
- 184 (E) the Division of Recreation for the benefit of snowmobile programs;
- 185 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
186 the donation evenly divided between the two;
- 187 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
188 council as specified by the contributor;
- 189 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
190 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 191 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
192 development programs;
- 193 (J) the Utah Association of Public School Foundations to support public education;
- 194 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
195 assist people who have severe housing needs;
- 196 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
197 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
198 Safety employees;
- 199 (M) the Division of State Parks for distribution to organizations that provide support
200 for Zion National Park;
- 201 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
202 firefighter organizations;
- 203 (O) the Share the Road Bicycle Support Restricted Account created in Section
204 72-2-127 to support bicycle operation and safety awareness programs;
- 205 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
206 cancer research programs;
- 207 (Q) Autism Awareness Restricted Account created in Section 53F-9-401 to support
208 autism awareness programs;
- 209 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
210 created in Section 9-17-102 to support humanitarian service and educational and cultural
211 programs;
- 212 (S) Upon renewal of a prostate cancer support special group license plate, to the Cancer
213 Research Restricted Account created in Section 26-21a-302 to support cancer research

- 214 programs;
- 215 (T) the Choose Life Adoption Support Restricted Account created in Section
- 216 [62A-4a-608](#) to support programs that promote adoption;
- 217 (U) the National Professional Men's Basketball Team Support of Women and Children
- 218 Issues Restricted Account created in Section [62A-1-202](#);
- 219 (V) the Utah Law Enforcement Memorial Support Restricted Account created in
- 220 Section [53-1-120](#);
- 221 (W) the Children with Cancer Support Restricted Account created in Section
- 222 [26-21a-304](#) for programs that provide assistance to children with cancer;
- 223 (X) the National Professional Men's Soccer Team Support of Building Communities
- 224 Restricted Account created in Section [9-19-102](#);
- 225 (Y) the Children with Heart Disease Support Restricted Account created in Section
- 226 [26-58-102](#);
- 227 (Z) the Utah Intracurricular Student Organization Support for Agricultural Education
- 228 and Leadership Restricted Account created in Section [4-42-102](#);
- 229 (AA) the Division of Wildlife Resources for the Support for State-Owned Shooting
- 230 Ranges Restricted Account created in Section [23-14-13.5](#), for the creation of new, and
- 231 operation and maintenance of existing, state-owned firearm shooting ranges;
- 232 (BB) the Utah State Historical Society to further the mission and purpose of the Utah
- 233 State Historical Society;
- 234 (CC) the Motorcycle Safety Awareness Support Restricted Account created in Section
- 235 [72-2-130](#);
- 236 (DD) the Transportation of Veterans to Memorials Support Restricted Account created
- 237 in Section [71-14-102](#);
- 238 (EE) clean air support causes, with half of the donation deposited into the Clean Air
- 239 Support Restricted Account created in Section [19-1-109](#), and half of the donation deposited
- 240 into the Clean Air Fund created in Section [59-10-1319](#);
- 241 (FF) the Latino Community Support Restricted Account created in Section [13-1-16](#);
- 242 (GG) the Allyson Gamble Organ Donation Contribution Fund created in Section
- 243 [26-18b-101](#); [or]
- 244 (HH) public education on behalf of the Kiwanis International clubs, with the amount of

245 the donation required to cover the costs of issuing, ordering, or reordering Kiwanis support
246 special group plates, as determined by the State Tax Commission, deposited into the Kiwanis
247 Education Support Fund created in Section [53F-9-403](#), and all remaining donation amounts
248 deposited into the Education Fund~~[-]; or~~

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

250 (ii) (A) For a veterans special group license plate described in Subsection
251 [41-1a-421\(1\)\(a\)\(v\)](#) or [41-1a-422\(4\)](#), "contributor" means a person who has donated or in whose
252 name at least a \$25 donation at the time of application and \$10 annual donation thereafter has
253 been made.

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

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

258 (II) is a member of a trade organization for real estate licensees that has more than
259 15,000 Utah members.

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

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

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

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

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

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

274 (b) "Institution" means a state institution of higher education as defined under Section
275 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or

276 national accrediting agency recognized by the United States Department of Education.

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

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

- 283 (i) the name of the contributor;
- 284 (ii) the institution to which a donation was made;
- 285 (iii) the date of the donation; and
- 286 (iv) an attestation that the donation was for a scholastic scholarship.

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

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

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

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

298 (b) This contribution shall be:

- 299 (i) unless collected by the named institution under Subsection (2), collected by the
300 division;
- 301 (ii) considered a voluntary contribution for the funding of the activities specified under
302 this section and not a motor vehicle registration fee;
- 303 (iii) deposited into the appropriate account less actual administrative costs associated
304 with issuing the license plates; and
- 305 (iv) for a firefighter special group license plate, deposited into the appropriate account
306 less:

307 (A) the costs of reordering firefighter special group license plate decals; and
308 (B) the costs of replacing recognition special group license plates with new license
309 plates under Subsection [41-1a-1211](#)(13).

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

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

314 (i) snowmobile license plates; or

315 (ii) conservation license plates.

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

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

319 **41-1a-423. Utah Dark Sky License Plate Support Fund.**

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

322 (2) The fund consists of:

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

324 (b) private contributions;

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

326 (d) money appropriated by the Legislature.

327 (3) Subject to Subsection [41-1a-418](#)(2), the commission shall:

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

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

333 (i) redesigning the license plate;

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

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

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

340 Section 4. **Effective date.**

341 This bill takes effect on November 1, 2022.