

**Senator Wayne A. Harper** proposes the following substitute bill:

**VEHICLE LICENSE PLATE AND REGISTRATION**

**AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K. Thurston**

Senate Sponsor: Wayne A. Harper

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to license plates and vehicle emissions testing.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ amends provisions regarding standard license plates;
- ▶ creates a moratorium on the personalized license plate program;
- ▶ creates the sponsored special group license plate program;
- ▶ establishes eligibility criteria for different categories of sponsored special group

license plates;

▶ allows a county to exempt a motor vehicle from an emissions inspection under certain circumstances;

- ▶ repeals certain restricted accounts; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



26 This bill provides a special effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

- 29 [4-42-102](#), as enacted by Laws of Utah 2017, Chapter 194
- 30 [9-8-207](#), as last amended by Laws of Utah 2018, Chapter 260
- 31 [9-17-102](#), as last amended by Laws of Utah 2011, Chapter 303
- 32 [9-19-102](#), as enacted by Laws of Utah 2016, Chapter 70
- 33 [13-1-16](#), as enacted by Laws of Utah 2020, Chapter 405
- 34 [19-1-109](#), as enacted by Laws of Utah 2020, Chapter 322
- 35 [23-14-13.5](#), as enacted by Laws of Utah 2017, Chapter 383
- 36 [26-18b-101](#), as last amended by Laws of Utah 2021, Chapter 378
- 37 [26-21a-302](#), as last amended by Laws of Utah 2011, Chapter 303
- 38 [41-1a-102](#), as last amended by Laws of Utah 2019, Chapters 373, 428, 459, and 479
- 39 [41-1a-222](#), as last amended by Laws of Utah 2017, Chapter 24
- 40 [41-1a-401](#), as last amended by Laws of Utah 2018, Chapters 260, 260, and 454
- 41 [41-1a-410](#), as last amended by Laws of Utah 1993, Chapter 222
- 42 [41-1a-411](#), as last amended by Laws of Utah 2020, Chapter 259
- 43 [41-1a-416](#), as last amended by Laws of Utah 2008, Chapter 382
- 44 [41-1a-419](#), as last amended by Laws of Utah 2018, Chapter 260
- 45 [41-1a-1201](#), as last amended by Laws of Utah 2018, Chapter 424
- 46 [41-1a-1204](#), as last amended by Laws of Utah 2012, Chapter 397
- 47 [41-1a-1206](#), as last amended by Laws of Utah 2020, Chapter 377
- 48 [41-1a-1211](#), as last amended by Laws of Utah 2015, Chapter 119
- 49 [41-1a-1212](#), as last amended by Laws of Utah 2014, Chapters 61, 237, and 237
- 50 [41-1a-1218](#), as last amended by Laws of Utah 2012, Chapter 397
- 51 [41-1a-1222](#), as last amended by Laws of Utah 2021, Chapter 420
- 52 [41-1a-1305](#), as last amended by Laws of Utah 2020, Chapter 74
- 53 [41-6a-1642](#), as last amended by Laws of Utah 2021, Chapter 322
- 54 [53-1-118](#), as last amended by Laws of Utah 2011, Chapter 303
- 55 [53-1-120](#), as enacted by Laws of Utah 2016, Chapter 52
- 56 [53-7-109](#), as enacted by Laws of Utah 2009, Chapter 348

- 57 [53F-9-401](#), as last amended by Laws of Utah 2020, Chapter 408
- 58 [53F-9-403](#), as enacted by Laws of Utah 2021, Chapter 219
- 59 [59-10-1319](#), as last amended by Laws of Utah 2020, Chapter 322
- 60 [61-2-204](#), as last amended by Laws of Utah 2011, Chapter 303
- 61 [62A-1-202](#), as last amended by Laws of Utah 2021, Chapter 356
- 62 [62A-4a-608](#), as enacted by Laws of Utah 2011, Chapter 438
- 63 [63G-26-103](#), as enacted by Laws of Utah 2020, Chapter 393
- 64 [63I-1-263](#), as last amended by Laws of Utah 2021, Chapters 70, 72, 84, 90, 171, 196,
- 65 260, 280, 282, 345, 382, 401, 421 and last amended by Coordination Clause, Laws
- 66 of Utah 2021, Chapter 382
- 67 [63J-1-602.1](#), as last amended by Laws of Utah 2021, Chapters 280, 382, 401, and 438
- 68 [71-8-2](#), as last amended by Laws of Utah 2020, Chapter 409
- 69 [71-8-4](#), as last amended by Laws of Utah 2018, Chapter 39
- 70 [71-14-102](#), as enacted by Laws of Utah 2019, Chapter 213
- 71 [72-2-127](#), as enacted by Laws of Utah 2009, Chapter 380
- 72 [72-2-130](#), as enacted by Laws of Utah 2019, Chapter 38
- 73 [79-4-203](#), as last amended by Laws of Utah 2021, Chapter 280
- 74 [79-4-404](#), as renumbered and amended by Laws of Utah 2009, Chapter 344

75 ENACTS:

- 76 [41-1a-1601](#), Utah Code Annotated 1953
- 77 [41-1a-1602](#), Utah Code Annotated 1953
- 78 [41-1a-1603](#), Utah Code Annotated 1953
- 79 [41-1a-1604](#), Utah Code Annotated 1953
- 80 [41-1a-1605](#), Utah Code Annotated 1953
- 81 [41-1a-1606](#), Utah Code Annotated 1953
- 82 [41-1a-1607](#), Utah Code Annotated 1953
- 83 [41-1a-1608](#), Utah Code Annotated 1953
- 84 [41-1a-1609](#), Utah Code Annotated 1953
- 85 [41-1a-1610](#), Utah Code Annotated 1953

86 REPEALS:

- 87 [26-21a-304](#), as enacted by Laws of Utah 2016, Chapter 46

88            **26-58-102**, as enacted by Laws of Utah 2016, Chapter 71  
 89            **41-1a-421**, as last amended by Laws of Utah 2018, Chapter 39  
 90            **41-1a-422**, as last amended by Laws of Utah 2021, Chapters 219, 280, and 378  
 91            **78A-2-804**, as renumbered and amended by Laws of Utah 2021, Chapter 261

92 REPEALS AND REENACTS:

93            **41-1a-402**, as last amended by Laws of Utah 2018, Chapters 20 and 262  
 94            **41-1a-418**, as last amended by Laws of Utah 2021, Chapters 219, 280, and 378

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

97            Section 1. Section **4-42-102** is amended to read:

98            **4-42-102. Utah Intracurricular Student Organization Support for Agricultural**  
 99 **Education and Leadership Restricted Account.**

100            (1) There is created in the General Fund a restricted account known as the "Utah  
 101 Intracurricular Student Organization Support for Agricultural Education and Leadership  
 102 Restricted Account."

103            (2) The account shall be funded by:

104            [~~(a) contributions deposited into the account in accordance with Section **41-1a-422**;~~]

105            [~~(b)~~] (a) private contributions; and

106            [~~(c)~~] (b) donations or grants from public or private entities.

107            (3) Upon appropriation by the Legislature, the department shall distribute funds in the  
 108 account to one or more organizations that:

109            (a) are statewide agricultural education and leadership organizations; and

110            (b) promote leadership and career development through agricultural education.

111            (4) (a) An organization described in Subsection (3) may apply to the department to  
 112 receive a distribution in accordance with Subsection (3).

113            (b) An organization that receives a distribution from the department in accordance with  
 114 Subsection (3) shall expend the distribution only to:

115            (i) create or support programs that focus on issues described in Subsection (3);

116            (ii) create or sponsor programs that will benefit residents within the state; and

117            (iii) pay the costs of issuing or reordering Utah Intracurricular Student Organization  
 118 Support for Agricultural Education and Leadership special group license plate decals.

119 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
120 department may make rules providing procedures for an organization to apply to the  
121 department to receive a distribution under this Subsection (4).

122 (5) In accordance with Section 63J-1-602.1, appropriations from the account are  
123 nonlapsing.

124 Section 2. Section 9-8-207 is amended to read:

125 **9-8-207. Historical society -- Donations -- Accounting.**

126 (1) (a) There is created the Utah State Historical Society.

127 (b) The society may:

128 (i) solicit memberships from persons interested in the work of the society and charge  
129 dues for memberships commensurate with the advantages of membership and the needs of the  
130 society; and

131 (ii) receive gifts, donations, bequests, devises, and endowments of money or property,  
132 which shall then become the property of the state of Utah.

133 (2) ~~[(a)]~~ If the donor directs that money or property donated under Subsection (1)(b)(ii)  
134 be used in a specified manner, then the division shall use it in accordance with these directions.  
135 Otherwise, all donated money and the proceeds from donated property, together with the  
136 charges realized from society memberships, shall be deposited in the General Fund as restricted  
137 revenue of the society.

138 ~~[(b) Funds received from donations to the society under Section 41-1a-422 shall be~~  
139 ~~deposited into the General Fund as a dedicated credit to achieve the mission and purpose of the~~  
140 ~~society.]~~

141 (3) The division shall keep a correct account of funds and property received, held, or  
142 disbursed by the society, and shall make reports to the governor as in the case of other state  
143 institutions.

144 Section 3. Section 9-17-102 is amended to read:

145 **9-17-102. Humanitarian Service and Educational and Cultural Exchange**  
146 **Restricted Account.**

147 (1) There is created in the General Fund a restricted account known as the  
148 "Humanitarian Service and Educational and Cultural Exchange Restricted Account."

149 (2) The account shall be funded by:

150 [~~(a)~~ contributions deposited into the account in accordance with Section ~~41-1a-422~~;

151 [~~(b)~~] (a) private contributions; and

152 [~~(c)~~] (b) donations or grants from public or private entities.

153 (3) Upon appropriation by the Legislature, the department shall distribute funds in the  
154 account to one or more charitable organizations that:

155 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

156 (b) have a national parent organization which:

157 (i) provides international humanitarian service projects; and

158 (ii) has youth programs including programs to foster leadership in high school students,  
159 humanitarian service in high school and college, and conducts and promotes community  
160 service projects;

161 (c) have a non-profit youth exchange program that does not compensate those who  
162 administer the program within the state;

163 (d) have an annual leadership conference, which does not compensate those who  
164 administer the program within the state;

165 (e) have high school service clubs, which promote humanitarian services on a state  
166 level, a national level, and an international level; and

167 (f) have college service clubs, which promote humanitarian service on a state level, a  
168 national level, and an international level.

169 (4) (a) An organization described in Subsection (3) may apply to the department to  
170 receive a distribution in accordance with Subsection (3).

171 (b) An organization that receives a distribution from the department in accordance with  
172 Subsection (3) shall expend the distribution only to:

173 (i) pay the costs of supporting the following programs within the state:

174 (A) youth programs including programs to foster leadership in high school students and  
175 humanitarian service in high school and college;

176 (B) community service projects;

177 (C) a non-profit youth exchange program;

178 (D) an annual leadership conference;

179 (E) high school service clubs, which promote humanitarian service on a state level, a  
180 national level, and an international level; and

181 (F) college service clubs, which promote humanitarian service on a state level, a  
182 national level, and an international level; and

183 (ii) pay the costs of issuing or reordering Humanitarian Service and Educational and  
184 Cultural Exchange support special group license plate decals.

185 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
186 department may make rules providing procedures for an organization to apply to the  
187 department to receive a distribution under Subsection (3).

188 Section 4. Section **9-19-102** is amended to read:

189 **9-19-102. National Professional Men's Soccer Team Support of Building**  
190 **Communities Restricted Account.**

191 (1) There is created in the General Fund a restricted account known as the "National  
192 Professional Men's Soccer Team Support of Building Communities Restricted Account."

193 (2) The account shall be funded by:

194 [~~(a) contributions deposited into the account in accordance with Section 41-1a-422;~~]

195 [~~(b)~~] (a) private contributions; and

196 [~~(c)~~] (b) donations or grants from public or private entities.

197 (3) Upon appropriation by the Legislature, the department shall distribute funds in the  
198 account to one or more charitable organizations that:

199 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

200 (b) have a board that is appointed by the owners that, either on an individual or joint  
201 basis, own a controlling interest in a legal entity that is a franchised member of the  
202 internationally recognized national governing body for professional men's soccer in the United  
203 States;

204 (c) are headquartered within the state;

205 (d) create or support programs that focus on:

206 (i) strengthening communities through youth soccer by:

207 (A) using soccer to teach life skills;

208 (B) combating gang activity through youth involvement; and

209 (C) providing youth in underserved areas with opportunities to play soccer and become  
210 certified referees;

211 (ii) building communities through professional player initiatives, tournaments, and

212 community gathering areas; and

213 (iii) promoting environmental sustainability; and

214 (e) have a board of directors that disperses all funds of the organization.

215 (4) (a) An organization described in Subsection (3) may apply to the department to  
216 receive a distribution in accordance with Subsection (3).

217 (b) An organization that receives a distribution from the department in accordance with  
218 Subsection (3) shall expend the distribution only to:

219 (i) create or support programs that focus on issues described in Subsection (3);

220 (ii) create or sponsor programs that will benefit residents within the state; and

221 (iii) pay the costs of issuing or reordering National Professional Men's Soccer Team

222 Support of Building Communities support special group license plate decals.

223 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
224 department may make rules providing procedures for an organization to apply to the  
225 department to receive a distribution under this Subsection (4).

226 (5) In accordance with Section 63J-1-602.1, appropriations from the account are  
227 nonlapsing.

228 Section 5. Section 13-1-16 is amended to read:

229 **13-1-16. Latino Community Support Restricted Account.**

230 (1) There is created in the General Fund a restricted account known as the "Latino  
231 Community Support Restricted Account."

232 (2) The account shall be funded by:

233 [~~(a) contributions deposited into the account in accordance with Section 41-1a-422;~~]

234 [~~(b)~~] (a) private contributions; and

235 [~~(c)~~] (b) donations or grants from public or private entities.

236 (3) (a) The state treasurer shall invest money in the account according to Title 51,  
237 Chapter 7, State Money Management Act.

238 (b) The Division of Finance shall deposit interest or other earnings derived from  
239 investment of account money into the General Fund.

240 (4) Subject to appropriation, the department shall distribute the money in the account  
241 to one or more charitable organizations that:

242 (a) are tax exempt under Section 501(c)(3), Internal Revenue Code; and



243 (b) have as a primary part of the organization's mission to strengthen the state's Latino  
244 community by:

- 245 (i) creating strong leaders through education and mentoring;
- 246 (ii) providing scholarships and educational financial support; and
- 247 (iii) recognizing academic and vocational achievement, and school and community  
248 leadership.

249 (5) The department may also expend funds in the account to pay the costs of issuing or  
250 reordering Latino Community support special group license plate decals.

251 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
252 department shall make rules providing procedures for an organization to apply to receive  
253 money under this section.

254 Section 6. Section **19-1-109** is amended to read:

255 **19-1-109. Clean Air Support Restricted Account.**

256 (1) There is created in the General Fund a restricted account known as the "Clean Air  
257 Support Restricted Account."

258 (2) The account shall be funded by:

259 [~~(a) contributions deposited into the account in accordance with Section 41-1a-422;~~]

260 [~~(b)~~] (a) private contributions; and

261 [~~(c)~~] (b) donations or grants from public or private entities.

262 (3) (a) The state treasurer shall invest money in the account according to Title 51,  
263 Chapter 7, State Money Management Act.

264 (b) The Division of Finance shall deposit interest or other earnings derived from  
265 investment of account money into the account.

266 (4) Subject to appropriation, the department shall distribute the money in the account  
267 to one or more organizations that:

268 (a) are tax exempt under Section 501(c)(3), Internal Revenue Code; and

269 (b) have as part of the organization's mission:

270 (i) to encourage and educate the public about simple changes to improve air quality in  
271 the state;

272 (ii) to provide grants to organizations or individuals with innovative ideas to reduce  
273 emissions; and

274 (iii) to partner with other organizations to strengthen efforts to improve air quality.

275 (5) The department may also expend funds in the account to pay the costs of issuing or  
276 reordering Clean Air Support special group license plate decals.

277 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
278 department shall make rules providing procedures for an organization to apply to receive  
279 money under this section.

280 Section 7. Section **23-14-13.5** is amended to read:

281 **23-14-13.5. Support for State-Owned Shooting Ranges Restricted Account.**

282 (1) There is created in the General Fund a restricted account known as the "Support for  
283 State-Owned Shooting Ranges Restricted Account."

284 (2) The account shall be funded by:

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

286 [~~(b)~~] (a) private contributions; and

287 [~~(c)~~] (b) donations or grants from public or private entities.

288 (3) Upon appropriation by the Legislature, the division shall distribute funds in the  
289 account to facilitate construction of new firearm shooting ranges, and operation and  
290 maintenance of existing ranges, that are:

291 (a) built on land owned or leased by the state;

292 (b) owned by the division; and

293 (c) operated by the division or the division's contractors.

294 (4) The division shall only expend the funds to:

295 (a) construct, operate, and maintain firearm shooting ranges described in Subsection  
296 (3); and

297 (b) pay the costs of issuing or reordering Support the 2nd Amendment and  
298 State-Owned Shooting Ranges support special group license plate decals.

299 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are  
300 nonlapsing.

301 Section 8. Section **26-18b-101** is amended to read:

302 **26-18b-101. Allyson Gamble Organ Donation Contribution Fund created.**

303 (1) (a) There is created an expendable special revenue fund known as the Allyson  
304 Gamble Organ Donation Contribution Fund.

305 (b) The Allyson Gamble Organ Donation Contribution Fund shall consist of:  
 306 (i) private contributions;  
 307 (ii) donations or grants from public or private entities;  
 308 (iii) voluntary donations collected under Sections [41-1a-230.5](#) and [53-3-214.7](#); and  
 309 [~~(iv) contributions deposited into the account in accordance with Section [41-1a-422](#);~~  
 310 ~~and]~~  
 311 [~~(v)~~] (iv) interest and earnings on fund money.

312 (c) The cost of administering the Allyson Gamble Organ Donation Contribution Fund  
 313 shall be paid from money in the fund.

314 (2) The Department of Health shall:

315 (a) administer the funds deposited in the Allyson Gamble Organ Donation Contribution  
 316 Fund; and

317 (b) select qualified organizations and distribute the funds in the Allyson Gamble Organ  
 318 Donation Contribution Fund in accordance with Subsection (3).

319 (3) (a) The funds in the Allyson Gamble Organ Donation Contribution Fund may be  
 320 distributed to a selected organization that:

- 321 (i) promotes and supports organ donation;
- 322 (ii) assists in maintaining and operating a statewide organ donation registry; and
- 323 (iii) provides donor awareness education.

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

327 (4) The Department of Health may expend funds in the account to pay the costs of  
 328 administering the fund and issuing or reordering the Donate Life support special group license  
 329 plate and decals.

330 Section 9. Section **26-21a-302** is amended to read:

331 **26-21a-302. Cancer Research Restricted Account.**

332 (1) As used in this section, "account" means the Cancer Research Restricted Account  
 333 created by this section.

334 (2) There is created in the General Fund a restricted account known as the "Cancer  
 335 Research Restricted Account."

336 (3) The account shall be funded by:  
337 [~~(a)~~ contributions deposited into the account in accordance with Section ~~41-1a-422~~];  
338 [~~(b)~~] (a) private contributions;  
339 [~~(c)~~] (b) donations or grants from public or private entities; and  
340 [~~(d)~~] (c) interest and earnings on fund money.

341 (4) The department shall distribute funds in the account to one or more charitable  
342 organizations that:

343 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;  
344 (b) have been designated as an official cancer center of the state;  
345 (c) is a National Cancer Institute designated cancer center; and

346 (d) have as part of [~~its~~] the charitable organization's primary mission:  
347 (i) cancer research programs in basic science, translational science, population science,  
348 and clinical research to understand cancer from its beginnings; and

349 (ii) the dissemination and use of knowledge developed by the research described in  
350 Subsection (4)(d)(i) for the creation and improvement of cancer detection, treatments,  
351 prevention, and outreach programs.

352 (5) (a) An organization described in Subsection (4) may apply to the department to  
353 receive a distribution in accordance with Subsection (4).

354 (b) An organization that receives a distribution from the department in accordance with  
355 Subsection (4) shall expend the distribution only to conduct cancer research for the purpose of  
356 making improvements in cancer treatments, cures, detection, and prevention of cancer at the  
357 molecular and genetic levels.

358 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
359 department may make rules providing procedures for an organization to apply to the  
360 department to receive a distribution under Subsection (4).

361 Section 10. Section ~~41-1a-102~~ is amended to read:

362 **~~41-1a-102. Definitions.~~**

363 As used in this chapter:

364 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

365 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of  
366 vehicles as operated and certified to by a weighmaster.

- 367 (3) "All-terrain type I vehicle" means the same as that term is defined in Section  
368 [41-22-2](#).
- 369 (4) "All-terrain type II vehicle" means the same as that term is defined in Section  
370 [41-22-2](#).
- 371 (5) "All-terrain type III vehicle" means the same as that term is defined in Section  
372 [41-22-2](#).
- 373 (6) "Alternative fuel vehicle" means:
- 374 (a) an electric motor vehicle;
- 375 (b) a hybrid electric motor vehicle;
- 376 (c) a plug-in hybrid electric motor vehicle; or
- 377 (d) a motor vehicle powered exclusively by a fuel other than:
- 378 (i) motor fuel;
- 379 (ii) diesel fuel;
- 380 (iii) natural gas; or
- 381 (iv) propane.
- 382 (7) "Amateur radio operator" means a person licensed by the Federal Communications  
383 Commission to engage in private and experimental two-way radio operation on the amateur  
384 band radio frequencies.
- 385 (8) "Autocycle" means the same as that term is defined in Section [53-3-102](#).
- 386 (9) "Automated driving system" means the same as that term is defined in Section  
387 [41-26-102.1](#).
- 388 (10) "Branded title" means a title certificate that is labeled:
- 389 (a) rebuilt and restored to operation;
- 390 (b) flooded and restored to operation; or
- 391 (c) not restored to operation.
- 392 (11) "Camper" means a structure designed, used, and maintained primarily to be  
393 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a  
394 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for  
395 camping.
- 396 (12) "Certificate of title" means a document issued by a jurisdiction to establish a  
397 record of ownership between an identified owner and the described vehicle, vessel, or outboard

398 motor.

399 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a  
400 weighmaster.

401 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or  
402 maintained for the transportation of persons or property that operates:

403 (a) as a carrier for hire, compensation, or profit; or

404 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the  
405 owner's commercial enterprise.

406 (15) "Commission" means the State Tax Commission.

407 (16) "Consumer price index" means the same as that term is defined in Section  
408 [59-13-102](#).

409 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,  
410 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on  
411 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established  
412 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.

413 (18) "Diesel fuel" means the same as that term is defined in Section [59-13-102](#).

414 (19) "Division" means the Motor Vehicle Division of the commission, created in  
415 Section [41-1a-106](#).

416 (20) "Dynamic driving task" means the same as that term is defined in Section  
417 [41-26-102.1](#).

418 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an  
419 electric motor drawing current from a rechargeable energy storage system.

420 (22) "Essential parts" means the integral and body parts of a vehicle of a type required  
421 to be registered in this state, the removal, alteration, or substitution of which would tend to  
422 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,  
423 or mode of operation.

424 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm  
425 implement for drawing plows, mowing machines, and other implements of husbandry.

426 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for  
427 the owner's or operator's own use in the transportation of:

428 (i) farm products, including livestock and its products, poultry and its products,

429 floricultural and horticultural products;

430 (ii) farm supplies, including tile, fence, and any other thing or commodity used in  
431 agricultural, floricultural, horticultural, livestock, and poultry production; and

432 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or  
433 other purposes connected with the operation of a farm.

434 (b) "Farm truck" does not include the operation of trucks by commercial processors of  
435 agricultural products.

436 (25) "Fleet" means one or more commercial vehicles.

437 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into  
438 this state from another state, territory, or country other than in the ordinary course of business  
439 by or through a manufacturer or dealer, and not registered in this state.

440 (27) "Gross laden weight" means the actual weight of a vehicle or combination of  
441 vehicles, equipped for operation, to which shall be added the maximum load to be carried.

442 (28) "Highway" or "street" means the entire width between property lines of every way  
443 or place of whatever nature when any part of it is open to the public, as a matter of right, for  
444 purposes of vehicular traffic.

445 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion  
446 energy from onboard sources of stored energy that are both:

447 (a) an internal combustion engine or heat engine using consumable fuel; and

448 (b) a rechargeable energy storage system where energy for the storage system comes  
449 solely from sources onboard the vehicle.

450 (30) (a) "Identification number" means the identifying number assigned by the  
451 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard  
452 motor.

453 (b) "Identification number" includes a vehicle identification number, state assigned  
454 identification number, hull identification number, and motor serial number.

455 (31) "Implement of husbandry" means a vehicle designed or adapted and used  
456 exclusively for an agricultural operation and only incidentally operated or moved upon the  
457 highways.

458 (32) (a) "In-state miles" means the total number of miles operated in this state during  
459 the preceding year by fleet power units.

460 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the  
461 total number of miles that those vehicles were towed on Utah highways during the preceding  
462 year.

463 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,  
464 province, territory, or possession of the United States or foreign country.

465 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or  
466 possession of the United States or any foreign country.

467 (35) "Lienholder" means a person with a security interest in particular property.

468 (36) "Manufactured home" means a transportable factory built housing unit constructed  
469 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards  
470 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body  
471 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more  
472 square feet, and which is built on a permanent chassis and designed to be used as a dwelling  
473 with or without a permanent foundation when connected to the required utilities, and includes  
474 the plumbing, heating, air-conditioning, and electrical systems.

475 (37) "Manufacturer" means a person engaged in the business of constructing,  
476 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or  
477 outboard motors for the purpose of sale or trade.

478 (38) "Mobile home" means a transportable factory built housing unit built prior to June  
479 15, 1976, in accordance with a state mobile home code which existed prior to the Federal  
480 Manufactured Housing and Safety Standards Act (HUD Code).

481 (39) "Motor fuel" means the same as that term is defined in Section [59-13-102](#).

482 (40) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and  
483 operation on the highways.

484 (b) "Motor vehicle" does not include:

485 (i) an off-highway vehicle; or

486 (ii) a motor assisted scooter as defined in Section [41-6a-102](#).

487 (41) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

488 (42) "Motorcycle" means:

489 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not  
490 more than three wheels in contact with the ground; or



491 (b) an autocycle.

492 (43) "Natural gas" means a fuel of which the primary constituent is methane.

493 (44) (a) "Nonresident" means a person who is not a resident of this state as defined by  
494 Section 41-1a-202, and who does not engage in intrastate business within this state and does  
495 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

496 (b) A person who engages in intrastate business within this state and operates in that  
497 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in  
498 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is  
499 considered a resident of this state, insofar as that vehicle is concerned in administering this  
500 chapter.

501 (45) "Odometer" means a device for measuring and recording the actual distance a  
502 vehicle travels while in operation, but does not include any auxiliary odometer designed to be  
503 periodically reset.

504 (46) "Off-highway implement of husbandry" means the same as that term is defined in  
505 Section 41-22-2.

506 (47) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

507 (48) (a) "Operate" means:

508 (i) to navigate a vessel; or

509 (ii) collectively, the activities performed in order to perform the entire dynamic driving  
510 task for a given motor vehicle by:

511 (A) a human driver as defined in Section 41-26-102.1; or

512 (B) an engaged automated driving system.

513 (b) "Operate" includes testing of an automated driving system.

514 (49) "Original issue license plate" means a license plate that is of a format and type  
515 issued by the state in the same year as the model year of a vehicle that is a model year 1973 or  
516 older.

517 [~~49~~] (50) "Outboard motor" means a detachable self-contained propulsion unit,  
518 excluding fuel supply, used to propel a vessel.

519 [~~50~~] (51) (a) "Owner" means a person, other than a lienholder, holding title to a  
520 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is  
521 subject to a security interest.

522 (b) If a vehicle is the subject of an agreement for the conditional sale or installment  
523 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions  
524 stated in the agreement and with an immediate right of possession vested in the conditional  
525 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the  
526 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this  
527 chapter.

528 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the  
529 owner until the lessee exercises the lessee's option to purchase the vehicle.

530 [~~51~~] (52) "Park model recreational vehicle" means a unit that:

531 (a) is designed and marketed as temporary living quarters for recreational, camping,  
532 travel, or seasonal use;

533 (b) is not permanently affixed to real property for use as a permanent dwelling;

534 (c) requires a special highway movement permit for transit; and

535 (d) is built on a single chassis mounted on wheels with a gross trailer area not  
536 exceeding 400 square feet in the setup mode.

537 [~~52~~] (53) "Personalized license plate" means a license plate that has displayed on it a  
538 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned  
539 to the vehicle by the division.

540 [~~53~~] (54) (a) "Pickup truck" means a two-axle motor vehicle with motive power  
541 manufactured, remanufactured, or materially altered to provide an open cargo area.

542 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a  
543 camper, camper shell, tarp, removable top, or similar structure.

544 [~~54~~] (55) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor  
545 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion  
546 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the  
547 vehicle while the vehicle is in motion.

548 [~~55~~] (56) "Pneumatic tire" means a tire in which compressed air is designed to  
549 support the load.

550 [~~56~~] (57) "Preceding year" means a period of 12 consecutive months fixed by the  
551 division that is within 16 months immediately preceding the commencement of the registration  
552 or license year in which proportional registration is sought. The division in fixing the period

553 shall conform it to the terms, conditions, and requirements of any applicable agreement or  
554 arrangement for the proportional registration of vehicles.

555 ~~[(57)]~~ (58) "Public garage" means a building or other place where vehicles or vessels  
556 are kept and stored and where a charge is made for the storage and keeping of vehicles and  
557 vessels.

558 ~~[(58)]~~ (59) "Receipt of surrender of ownership documents" means the receipt of  
559 surrender of ownership documents described in Section 41-1a-503.

560 ~~[(59)]~~ (60) "Reconstructed vehicle" means a vehicle of a type required to be registered  
561 in this state that is materially altered from its original construction by the removal, addition, or  
562 substitution of essential parts, new or used.

563 ~~[(60)]~~ (61) "Recreational vehicle" means the same as that term is defined in Section  
564 13-14-102.

565 ~~[(61)]~~ (62) "Registration" means a document issued by a jurisdiction that allows  
566 operation of a vehicle or vessel on the highways or waters of this state for the time period for  
567 which the registration is valid and that is evidence of compliance with the registration  
568 requirements of the jurisdiction.

569 (63) "Registration decal" means the decal issued by the division that is evidence of  
570 compliance with the division's registration requirements.

571 ~~[(62)]~~ (64) (a) "Registration year" means a 12 consecutive month period commencing  
572 with the completion of the applicable registration criteria.

573 (b) For administration of a multistate agreement for proportional registration the  
574 division may prescribe a different 12-month period.

575 ~~[(63)]~~ (65) "Repair or replacement" means the restoration of vehicles, vessels, or  
576 outboard motors to a sound working condition by substituting any inoperative part of the  
577 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

578 ~~[(64)]~~ (66) "Replica vehicle" means:

579 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

580 (b) a custom vehicle that meets the requirements under Subsection

581 41-6a-1507(1)(a)(i)(B).

582 ~~[(65)]~~ (67) "Road tractor" means a motor vehicle designed and used for drawing other  
583 vehicles and constructed so it does not carry any load either independently or any part of the

584 weight of a vehicle or load that is drawn.

585 ~~[(66)]~~ (68) "Sailboat" means the same as that term is defined in Section 73-18-2.

586 ~~[(67)]~~ (69) "Security interest" means an interest that is reserved or created by a security  
587 agreement to secure the payment or performance of an obligation and that is valid against third  
588 parties.

589 ~~[(68)]~~ (70) "Semitrailer" means a vehicle without motive power designed for carrying  
590 persons or property and for being drawn by a motor vehicle and constructed so that some part  
591 of its weight and its load rests or is carried by another vehicle.

592 ~~[(69)]~~ (71) "Special group license plate" means a type of license plate designed for a  
593 particular group of people or a license plate authorized and issued by the division in accordance  
594 with Section 41-1a-418 or Part 16, Sponsored Special Group License Plates.

595 ~~[(70)]~~ (72) (a) "Special interest vehicle" means a vehicle used for general  
596 transportation purposes and that is:

- 597 (i) 20 years or older from the current year; or  
598 (ii) a make or model of motor vehicle recognized by the division director as having  
599 unique interest or historic value.

600 (b) In making a determination under Subsection ~~[(70)]~~ (72)(a), the division director  
601 shall give special consideration to:

- 602 (i) a make of motor vehicle that is no longer manufactured;  
603 (ii) a make or model of motor vehicle produced in limited or token quantities;  
604 (iii) a make or model of motor vehicle produced as an experimental vehicle or one  
605 designed exclusively for educational purposes or museum display; or  
606 (iv) a motor vehicle of any age or make that has not been substantially altered or  
607 modified from original specifications of the manufacturer and because of its significance is  
608 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a  
609 leisure pursuit.

610 ~~[(71)]~~ (73) (a) "Special mobile equipment" means a vehicle:

- 611 (i) not designed or used primarily for the transportation of persons or property;  
612 (ii) not designed to operate in traffic; and  
613 (iii) only incidentally operated or moved over the highways.

614 (b) "Special mobile equipment" includes:

615 (i) farm tractors;  
616 (ii) off-road motorized construction or maintenance equipment including backhoes,  
617 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and  
618 (iii) ditch-digging apparatus.

619 (c) "Special mobile equipment" does not include a commercial vehicle as defined  
620 under Section [72-9-102](#).

621 ~~[(72)]~~ [\(74\)](#) "Specially constructed vehicle" means a vehicle of a type required to be  
622 registered in this state, not originally constructed under a distinctive name, make, model, or  
623 type by a generally recognized manufacturer of vehicles, and not materially altered from its  
624 original construction.

625 (75) (a) "Standard license plate" means a license plate for general issue described in  
626 Subsection [41-1a-402](#)(1).

627 (b) "Standard license plate" includes a license plate for general issue that the division  
628 issues before January 1, 2023.

629 ~~[(73)]~~ [\(76\)](#) "State impound yard" means a yard for the storage of a vehicle, vessel, or  
630 outboard motor that meets the requirements of rules made by the commission pursuant to  
631 Subsection [41-1a-1101](#)(5).

632 (77) "Symbol decal" means the decal that is designed to represent a special group and  
633 displayed on a special group license plate.

634 ~~[(74)]~~ [\(78\)](#) "Title" means the right to or ownership of a vehicle, vessel, or outboard  
635 motor.

636 ~~[(75)]~~ [\(79\)](#) (a) "Total fleet miles" means the total number of miles operated in all  
637 jurisdictions during the preceding year by power units.

638 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means  
639 the number of miles that those vehicles were towed on the highways of all jurisdictions during  
640 the preceding year.

641 ~~[(76)]~~ [\(80\)](#) "Trailer" means a vehicle without motive power designed for carrying  
642 persons or property and for being drawn by a motor vehicle and constructed so that no part of  
643 its weight rests upon the towing vehicle.

644 ~~[(77)]~~ [\(81\)](#) "Transferee" means a person to whom the ownership of property is  
645 conveyed by sale, gift, or any other means except by the creation of a security interest.

646           [(78)] (82) "Transferor" means a person who transfers the person's ownership in  
647 property by sale, gift, or any other means except by creation of a security interest.

648           [(79)] (83) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable  
649 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or  
650 vacation use that does not require a special highway movement permit when drawn by a  
651 self-propelled motor vehicle.

652           [(80)] (84) "Truck tractor" means a motor vehicle designed and used primarily for  
653 drawing other vehicles and not constructed to carry a load other than a part of the weight of the  
654 vehicle and load that is drawn.

655           [(81)] (85) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,  
656 camper, park model recreational vehicle, manufactured home, and mobile home.

657           [(82)] (86) "Vessel" means the same as that term is defined in Section 73-18-2.

658           [(83)] (87) "Vintage vehicle" means the same as that term is defined in Section  
659 41-21-1.

660           [(84)] (88) "Waters of this state" means the same as that term is defined in Section  
661 73-18-2.

662           [(85)] (89) "Weighmaster" means a person, association of persons, or corporation  
663 permitted to weigh vehicles under this chapter.

664           Section 11. Section 41-1a-222 is amended to read:

665           **41-1a-222. Application for multiyear registration -- Payment of taxes -- Penalties.**

666           (1) The owner of any intrastate fleet of commercial vehicles which is based in the state  
667 may apply to the commission for registration in accordance with this section.

668           (a) The application shall be made on a form prescribed by the commission.

669           (b) Upon payment of required fees and meeting other requirements prescribed by the  
670 commission, the division shall issue, to each vehicle for which application has been made, a  
671 multiyear license plate and registration card.

672           (i) The [~~license plate~~] registration decal and the registration card shall bear an  
673 expiration date fixed by the division and are valid until ownership of the vehicle to which they  
674 are issued is transferred by the applicant or until the expiration date, whichever comes first.

675           (ii) An annual renewal application must be made by the owner if registration  
676 identification has been issued on an annual installment fee basis and the required fees must be

677 paid on an annual basis.

678 (iii) License plates and registration cards issued pursuant to this section are valid for an  
679 eight-year period, commencing with the year of initial application in this state.

680 (c) When application for registration or renewal is made on an installment payment  
681 basis, the applicant shall submit acceptable evidence of a surety bond in a form, and with a  
682 surety, approved by the commission and in an amount equal to the total annual fees required  
683 for all vehicles registered to the applicant in accordance with this section.

684 (2) Each vehicle registered as part of a fleet of commercial vehicles must be titled in  
685 the name of the fleet.

686 (3) Each owner who registers fleets pursuant to this section shall pay the taxes or in  
687 lieu fees otherwise due pursuant to:

688 (a) Section 41-1a-206;

689 (b) Section 41-1a-207;

690 (c) Subsection 41-1a-301(12);

691 (d) Section 59-2-405.1;

692 (e) Section 59-2-405.2; or

693 (f) Section 59-2-405.3.

694 (4) An owner who fails to comply with the provisions of this section is subject to the  
695 penalties in Section 41-1a-1301 and, if the commission so determines, will result in the loss of  
696 the privileges granted in this section.

697 Section 12. Section 41-1a-401 is amended to read:

698 **41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of**  
699 **registration in lieu of or used with plates.**

700 (1) (a) Except as provided in Subsection (1)(c), the division upon registering a vehicle  
701 shall issue to the owner:

702 (i) one license plate for a motorcycle, trailer, or semitrailer;

703 (ii) one registration decal for a park model recreational vehicle, in lieu of a license  
704 plate, which shall be attached in plain sight to the rear of the park model recreational vehicle;

705 (iii) one registration decal for a camper, in lieu of a license plate, which shall be  
706 attached in plain sight to the rear of the camper; and

707 (iv) two identical license plates for every other vehicle.

708 (b) The license plate or registration decal issued under Subsection (1)(a) is for the  
709 particular vehicle registered and may not be removed during the term for which the license  
710 plate or registration decal is issued or used upon any other vehicle than the registered vehicle.

711 (c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection  
712 (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the  
713 ownership of which has been otherwise released, shall transfer the license plate issued to the  
714 person applying to register the vehicle if:

715 (A) the previous registered owner has included the license plate as part of the sale,  
716 trade, or ownership release; and

717 (B) the person applying to register the vehicle applies to transfer the license plate to the  
718 new registered owner of the vehicle.

719 (ii) The division may not transfer a personalized or special group license plate to a new  
720 registered owner under this Subsection (1)(c) if the new registered owner does not meet the  
721 qualification or eligibility requirements for that personalized or special group license plate  
722 under [~~Sections 41-1a-410 through 41-1a-422~~] this part or Part 16, Sponsored Special Group  
723 License Plates.

724 (2) The division may receive applications for registration renewal, renew registration,  
725 and issue new license plates or registration decals at any time prior to the expiration of  
726 registration.

727 (3) (a) (i) All license plates to be manufactured and issued by the division shall be  
728 treated with a fully reflective material on the plate face that provides effective and dependable  
729 reflective brightness during the service period of the license plate.

730 (ii) For a historical support special group license plate created under this part, the  
731 division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i)  
732 as soon as such material is available at a reasonable cost.

733 (b) The division shall prescribe all license plate material specifications and establish  
734 and implement procedures for conforming to the specifications.

735 (c) The specifications for the materials used such as the aluminum plate substrate, the  
736 reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may  
737 qualify as suppliers.

738 (d) The granting of contracts for the materials shall be by public bid.



739 (4) (a) The commission may issue, adopt, and require the use of indicia of registration  
740 it considers advisable in lieu of or in conjunction with license plates as provided in this part.

741 (b) All provisions of this part relative to license plates apply to these indicia of  
742 registration, so far as the provisions are applicable.

743 (5) A violation of this section is an infraction.

744 Section 13. Section [41-1a-402](#) is repealed and reenacted to read:

745 **41-1a-402. Standard license plates -- Required colors, numerals, and letters --**  
746 **Expiration.**

747 (1) (a) Upon registering a vehicle, the division shall issue to the owner a standard  
748 license plate described in Subsection (1)(b) unless the division issues to the owner:

749 (i) a special group license plate in accordance with Section [41-1a-418](#) or Part 16,  
750 Sponsored Special Group License Plates; or

751 (ii) an apportioned vehicle license plate in accordance with Section [41-1a-301](#).

752 (b) The division may offer up to four standard license plate options at one time, each  
753 with a different design as follows:

754 (i) two designs that incorporate one or more elements that represent the state's  
755 economy or geography;

756 (ii) one design that represents the state's values or culture; and

757 (iii) one design that commemorates a current event relevant to the state or a significant  
758 anniversary of a historic event relevant to the state.

759 (c) The division shall offer:

760 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and

761 (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.

762 (d) The division may not offer more than four standard license plate designs at any one  
763 time.

764 (2) Before the division offers a design described in Subsection (1)(b), the governor's  
765 office shall:

766 (a) consult with the Utah Department of Cultural and Community Engagement  
767 regarding the proposed design;

768 (b) identify which current standard license plate design will be replaced by the  
769 proposed design; and

770 (c) submit to the Transportation Interim Committee a request for the Legislature to  
771 approve the proposed design by concurrent resolution.

772 (3) The division may issue a new standard license plate design only if:

773 (a) the Legislature has by concurrent resolution approved the standard license plate  
774 design; and

775 (b) sufficient funds are appropriated for the initial costs of production.

776 (4) (a) Except as provided in Subsection (4)(b), the division may not order or produce a  
777 standard license plate that is discontinued under this section.

778 (b) The division may issue a discontinued standard license plate until the division  
779 exhausts the discontinued standard license plate's remaining stock.

780 (5) Each license plate shall have displayed on it:

781 (a) the registration number assigned to the vehicle for which the license plate is issued;

782 (b) the name of the state; and

783 (c) unless exempted by Section [41-1a-301](#) or [41-1a-407](#), a registration decal showing  
784 the date of expiration displayed in accordance with Subsection (8).

785 (6) If registration is extended by affixing a registration decal to the license plate, the  
786 expiration date of the registration decal governs the expiration date of the license plate.

787 (7) (a) Except as provided under Subsection [41-1a-215\(2\)](#) and Section [41-1a-216](#),  
788 license plates shall be renewed annually.

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

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

793 (8) Except as otherwise provided by rule:

794 (a) the month registration decal issued in accordance with Subsection (7) shall be  
795 displayed on the license plate in the left position; and

796 (b) the year registration decal issued in accordance with Subsection (7) shall be  
797 displayed on the license plate in the right position.

798 (9) The current year registration decal issued in accordance with Subsection (7) shall  
799 be placed over or in place of the previous year registration decal.

800 (10) If a license plate, month registration decal, or year registration decal is lost or

801 destroyed, the division shall issue a replacement upon application and payment of the fees  
802 required under Section 41-1a-1211 or 41-1a-1212.

803 (11) (a) A violation of this section is an infraction.

804 (b) A court shall waive a fine for a violation under this section if:

805 (i) the registration for the vehicle was current at the time of the citation; and

806 (ii) the person to whom the citation was issued provides, within 21 business days,  
807 evidence that the license plate and registration decals are properly displayed in compliance with  
808 this section.

809 (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
810 the division may make rules regarding the placement and positioning of registration decals on  
811 license plates issued by the division.

812 Section 14. Section **41-1a-410** is amended to read:

813 **41-1a-410. Eligibility for personalized plates.**

814 (1) [A] Subject to Subsection 41-1a-411(4)(a), a person who is the registered owner of  
815 a vehicle not subject to registration under Section 41-1a-301, registered with the division, or  
816 who applies for an original registration of a vehicle not subject to registration under Section  
817 41-1a-301, may upon payment of the fee prescribed in Section 41-1a-1211 apply to the division  
818 for personalized license plates.

819 (2) Application shall be made in accordance with Section 41-1a-411.

820 (3) The personalized plates shall be affixed to the vehicle for which registration is  
821 sought in lieu of the regular license plates.

822 (4) Personalized license plates shall be issued only to the registered owner of the  
823 vehicle on which they are to be displayed.

824 Section 15. Section **41-1a-411** is amended to read:

825 **41-1a-411. Application for personalized plates -- Refusal authorized.**

826 (1) [An] Subject to Subsection (4)(a), an applicant for personalized license plates or  
827 renewal of the plates shall file an application for the plates in the form and by the date the  
828 division requires, indicating the combination of letters, numbers, or both requested as a  
829 registration number.

830 (2) (a) Except as provided in Subsection (3) and subject to Subsection (4)(a), the  
831 division may refuse to issue any combination of letters, numbers, or both that:

832 (i) may carry connotations offensive to good taste and decency or that would be  
833 misleading; or

834 (ii) disparages a group based on:

835 (A) race;

836 (B) color;

837 (C) national origin;

838 (D) religion;

839 (E) age;

840 (F) sex;

841 (G) gender identity;

842 (H) sexual orientation;

843 (I) citizenship status; or

844 (J) physical or mental disability.

845 (b) ~~[The]~~ Subject to Subsection (4)(a), the division may refuse to issue a combination  
846 of letters, numbers, or both as a registration number if that same combination is already in use  
847 as a registration number on an existing license plate.

848 (3) (a) Except as provided in Subsection (2) or (3)(b), and subject to Subsection (4)(a),  
849 the division may not refuse a combination of letters, numbers, or both as a registration number  
850 if:

851 (i) the license plate is ~~[an honor]~~ a state agency recognition special group license plate  
852 ~~[as described in Section 41-1a-421]~~ as defined in Section 41-1a-1601 for a military veteran,  
853 and the combination of letters, numbers, or both refers to:

854 (A) a year related to military service;

855 (B) a military branch; or

856 (C) an official achievement, badge, or honor received for military service; or

857 (ii) the combination of letters, numbers, or both as a registration number refers to an  
858 official state symbol described in Section 63G-1-601.

859 (b) ~~[If]~~ Subject to Subsection (4)(a), if an applicant requests a combination containing  
860 only numbers, the division may refuse the combination if the combination includes less than  
861 four numerical digits.

862 (4) (a) Beginning July 1, 2022, the division may not accept an application for a

863 personalized plate under this section.

864 (b) On or before October 1 of each year, the Transportation Interim Committee shall  
865 study personalized license plate programs in other states including:

866 (i) information on relevant court cases and rulings involving other state's personalized  
867 license plate programs;

868 (ii) if available, other state responses to legal challenges to that state's personalized  
869 license plate program; and

870 (iii) recommendations regarding Utah's personalized license plate program, including:

871 (A) reinstating the personalized license plate program;

872 (B) continuing the moratorium; or

873 (C) modifying or repealing the personalized license plate program.

874 Section 16. Section **41-1a-416** is amended to read:

875 **41-1a-416. Original issue license plates -- Alternative stickers -- Rulemaking.**

876 (1) The owner of a motor vehicle that is a model year 1973 or older may apply to the  
877 division for permission to display an original issue license plate [~~of a format and type issued by~~  
878 ~~the state in the same year as the model year of the vehicle~~].

879 [~~(2) The owner of a motor vehicle who desires to display original issue license plates~~  
880 ~~instead of license plates issued under Section 41-1a-401 shall:~~]

881 (2) An owner described in Subsection (1) shall:

882 (a) complete an application on a form provided by the division;

883 [~~(b) supply and submit the original license plates that the owner desires to display to~~  
884 ~~the division for approval; and]~~

885 (b) supply and submit to the division for approval the original issue license plate that  
886 the owner intends to display on the motor vehicle; and

887 (c) pay the fees prescribed in Sections 41-1a-1206 and 41-1a-1211.

888 (3) [~~The division, prior to approval of an application under this section,~~] Before  
889 approving an application under this section, the division shall determine that the original issue  
890 license [~~plates~~] plate:

891 (a) [~~are~~] is of a format and type issued by the state for use on a motor vehicle [~~in this~~  
892 ~~state~~];

893 (b) [~~have~~] has numbers and characters that are unique and do not conflict with existing

894 license plate series in this state;

895 (c) ~~[are]~~ is legible, durable, and otherwise in a condition that serves the purposes of this  
896 chapter~~[-, except that original issue license plates are exempt from the provision of Section~~  
897 ~~41-1a-401 regarding reflectorization and Section 41-1a-403 regarding legibility from 100 feet];~~  
898 and

899 (d) ~~[are]~~ is from the same year of issue as the model year of the motor vehicle on which  
900 ~~[they are]~~ the original issue license plate is to be displayed.

901 (4) (a) ~~[An]~~ Except as provided in this section, the owner of a motor vehicle displaying  
902 an original issue license [plates] plate approved under this section is not exempt from any  
903 [other requirement of] requirement described in this chapter [except as specified under this  
904 section].

905 (b) An original issue license plate approved under this section is exempt from:

906 (i) the provisions of Section 41-1a-401 regarding reflectorization; and

907 (ii) Section 41-1a-403.

908 (5) (a) ~~[An owner of a motor vehicle currently registered in this state whose original~~  
909 ~~issue license plates are not approved by the division because of the requirement in Subsection~~  
910 ~~(3)(b)]~~ A registered owner whose original issue license plate does not meet the requirement  
911 described in Subsection (3)(b) may apply to the division for a sticker to allow the temporary  
912 display of the original issue license [plates] plate if:

913 (i) ~~the [plates otherwise comply]~~ license plate otherwise complies with this section;

914 (ii) ~~the [plates are]~~ license plate is only displayed when the motor vehicle is used for  
915 participating in motor vehicle club activities, exhibitions, tours, parades, and similar activities  
916 ~~[and are not used for general daily transportation];~~

917 (iii) the license ~~[plates]~~ plate and registration issued under this chapter for normal use  
918 of the motor vehicle for general daily transportation on the highways of this state are kept in the  
919 motor vehicle and shown to a peace officer on request; and

920 (iv) the sticker issued by the division under this subsection is properly affixed to the  
921 face of the original issue license plate.

922 (b) The sticker issued under this section shall be the size and form customarily  
923 furnished by the division.

924 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

925 division may make rules for the implementation of this section.

926 Section 17. Section **41-1a-418** is repealed and reenacted to read:

927 **41-1a-418. Authorized special group license plates.**

928 (1) In accordance with this chapter, the division shall issue to an eligible applicant a  
929 special group license plate in one of the following categories:

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

931 (b) a special group license plate issued for:

932 (i) a vintage vehicle; or

933 (ii) a farm truck; or

934 (c) a sponsored special group license plate as defined in Section [41-1a-1601](#).

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

937 (a) a private donation for the start-up fee established under Section [63J-1-504](#) for the  
938 production and administrative costs of providing the new special group license plate or symbol  
939 decal; or

940 (b) a legislative appropriation for the start-up fee described in Subsection (2)(a).

941 (3) Notwithstanding other provisions of this chapter, the division may not require a  
942 required contribution as defined in Section [41-1a-1601](#) for a special group license plate  
943 described in Subsection (1)(a) or (b).

944 Section 18. Section **41-1a-419** is amended to read:

945 **41-1a-419. Plate design -- Personalized special group license plates --**  
946 **Rulemaking.**

947 ~~[(1) (a) The design and maximum number of numerals or characters on special group~~  
948 ~~license plates shall be determined by the division in accordance with the requirements under~~  
949 ~~Subsection (1)(b).]~~

950 (1) (a) In accordance with Subsection (1)(b), the division shall determine the design  
951 and number of numerals or characters on a special group license plate.

952 (b) (i) Except as provided in Subsection (1)(b)(ii), each special group license plate  
953 shall display:

954 (A) the word Utah;

955 (B) the name or identifying slogan of the special group;

956 (C) a symbol decal not exceeding two positions in size representing the special group;  
957 and

958 (D) the combination of letters, numbers, or both uniquely identifying the registered  
959 vehicle.

960 (ii) The division, in consultation with the Utah State Historical Society, shall design  
961 the historical support special group license plate, which shall:

962 (A) have a black background;

963 (B) have white characters; and

964 (C) display the word Utah.

965 (2) (a) The division shall, after consultation with a representative designated by the  
966 ~~[special group]~~ sponsoring organization as defined in Section 41-1a-1601, specify the word or  
967 words comprising the special group name and the symbol decal to be displayed upon the  
968 special group license ~~[plates]~~ plate.

969 (b) A special group license plate symbol decal may not be redesigned:

970 (i) unless the division receives a redesign fee established by the division under Section  
971 63J-1-504; and

972 (ii) more frequently than every five years.

973 (c) ~~[(i) Except as provided in Subsection (2)(c)(ii), a]~~ A special group license plate  
974 symbol decal may not be reordered unless the division receives a symbol decal reorder fee  
975 established by the division ~~[under]~~ in accordance with Section 63J-1-504.

976 ~~[(ii) A recognition special group license plate symbol decal for a currently employed,  
977 volunteer, or retired firefighter issued in accordance with Subsection 41-1a-418(1)(d)(v) that is  
978 reordered on or after July 1, 2007, but on or before June 30, 2008, is exempt from the symbol  
979 decal reorder fee authorized under Subsection (2)(c)(i).]~~

980 (3) The license plates issued for horseless carriages prior to July 1, 1992, are valid  
981 without renewal as long as the vehicle is owned by the registered owner and the license plates  
982 may not be recalled by the division.

983 ~~[(4) A person who meets the criteria established under Sections 41-1a-418 through  
984 41-1a-422 for issuance of special group license plates may make application in the same  
985 manner provided in Sections 41-1a-410 and 41-1a-411 for personalized special group license  
986 plates.]~~



987 (4) Subject to Subsection 41-1a-411(4)(a), a person who meets the requirements  
988 described in this part or Part 16, Sponsored Special Group License Plates, for a special group  
989 license plate may, in accordance with Sections 41-1a-410 and 41-1a-411, apply for a  
990 personalized special group license plate.

991 (5) ~~[The]~~ Subject to the provisions of this chapter, the commission shall make rules in  
992 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

993 (a) establish qualifying criteria for persons to receive, renew, or surrender special group  
994 license plates; and

995 (b) establish the ~~[maximum]~~ number of numerals or characters for special group  
996 license plates.

997 Section 19. Section **41-1a-1201** is amended to read:

998 **41-1a-1201. Disposition of fees.**

999 (1) All fees received and collected under this part shall be transmitted daily to the state  
1000 treasurer.

1001 (2) Except as provided in Subsections (3), (6), (7), (8), and (9) and Sections  
1002 ~~[41-1a-422,]~~ 41-1a-1220, 41-1a-1221, ~~[and]~~ 41-1a-1223, and 41-1a-1603, all fees collected  
1003 under this part shall be deposited ~~[in]~~ into the Transportation Fund.

1004 (3) Funds generated under Subsections 41-1a-1211(1)(b)(ii), (6)(b)(ii), and (7) and  
1005 Section 41-1a-1212 may be used by the commission to cover the costs incurred in issuing  
1006 license plates under Part 4, License Plates and Registration Indicia.

1007 (4) In accordance with Section 63J-1-602.2, all funds available to the commission for  
1008 the purchase and distribution of license plates and decals are nonlapsing.

1009 (5) (a) Except as provided in Subsections (3) and (5)(b) and Section 41-1a-1205, the  
1010 expenses of the commission in enforcing and administering this part shall be provided for by  
1011 legislative appropriation from the revenues of the Transportation Fund.

1012 (b) Three dollars of the registration fees imposed under Subsections 41-1a-1206(2)(a)  
1013 and (b) for each vehicle registered for a six-month registration period under Section  
1014 41-1a-215.5 may be used by the commission to cover the costs incurred in enforcing and  
1015 administering this part.

1016 (6) (a) The following portions of the registration fees imposed under Section  
1017 41-1a-1206 for each vehicle shall be deposited in the Transportation Investment Fund of 2005

1018 created under Section 72-2-124:

1019 (i) \$30 of the registration fees imposed under Subsections 41-1a-1206(1)(a), (1)(b),  
1020 (1)(f), (4), and (7);

1021 (ii) \$21 of the registration fees imposed under Subsections 41-1a-1206(1)(c)(i) and  
1022 (1)(c)(ii);

1023 (iii) \$2.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(ii);

1024 (iv) \$23 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(i);

1025 (v) \$24.50 of the registration fee imposed under Subsection 41-1a-1206(1)(e)(i); and

1026 (vi) \$1 of the registration fee imposed under Subsection 41-1a-1206(1)(d)(ii).

1027 (b) The following portions of the registration fees collected for each vehicle registered  
1028 for a six-month registration period under Section 41-1a-215.5 shall be deposited in the  
1029 Transportation Investment Fund of 2005 created by Section 72-2-124:

1030 (i) \$23.25 of each registration fee collected under Subsection 41-1a-1206(2)(a)(i); and

1031 (ii) \$23 of each registration fee collected under Subsection 41-1a-1206(2)(a)(ii).

1032 (7) (a) Ninety-four cents of each registration fee imposed under Subsections  
1033 41-1a-1206(1)(a) and (b) for each vehicle shall be deposited in the Public Safety Restricted  
1034 Account created in Section 53-3-106.

1035 (b) Seventy-one cents of each registration fee imposed under Subsections  
1036 41-1a-1206(2)(a) and (b) for each vehicle registered for a six-month registration period under  
1037 Section 41-1a-215.5 shall be deposited in the Public Safety Restricted Account created in  
1038 Section 53-3-106.

1039 (8) (a) One dollar of each registration fee imposed under Subsections 41-1a-1206(1)(a)  
1040 and (b) for each vehicle shall be deposited into the Motor Vehicle Safety Impact Restricted  
1041 Account created in Section 53-8-214.

1042 (b) One dollar of each registration fee imposed under Subsections 41-1a-1206(2)(a)  
1043 and (b) for each vehicle registered for a six-month registration period under Section  
1044 41-1a-215.5 shall be deposited into the Motor Vehicle Safety Impact Restricted Account  
1045 created in Section 53-8-214.

1046 (9) Fifty cents of each registration fee imposed under Subsection 41-1a-1206(1)(a) for  
1047 each motorcycle shall be deposited ~~in~~ into the Spinal Cord and Brain Injury Rehabilitation  
1048 Fund created in Section 26-54-102.

1049 Section 20. Section **41-1a-1204** is amended to read:

1050 **41-1a-1204. Automobile driver education fee -- Amount -- When paid --**

1051 **Exception.**

1052 (1) Each year there is levied and shall be paid to the commission the automobile driver  
1053 education fee.

1054 (2) (a) Except as provided in Subsections (2)(b) and (c), the fee is \$2.50 upon each  
1055 motor vehicle to be registered for a one-year registration period.

1056 (b) The fee is \$2.00 upon each motor vehicle to be registered under Section  
1057 **41-1a-215.5** for a six-month registration period.

1058 (c) The following registrations are exempt from the fee in Subsection (2)(a) or (b):

1059 (i) a motorcycle registration; and

1060 (ii) a registration of a vehicle with a Purple Heart special group license plate issued [in  
1061 accordance with Section ~~41-1a-421~~.];

1062 (A) on or before December 31, 2022; or

1063 (B) in accordance with Part 16, Sponsored Special Group License Plates.

1064 Section 21. Section **41-1a-1206** is amended to read:

1065 **41-1a-1206. Registration fees -- Fees by gross laden weight.**

1066 (1) Except as provided in Subsections (2) and (3), at the time application is made for  
1067 registration or renewal of registration of a vehicle or combination of vehicles under this  
1068 chapter, a registration fee shall be paid to the division as follows:

1069 (a) \$46.00 for each motorcycle;

1070 (b) \$44 for each motor vehicle of 12,000 pounds or less gross laden weight, excluding  
1071 motorcycles;

1072 (c) unless the semitrailer or trailer is exempt from registration under Section **41-1a-202**  
1073 or is registered under Section **41-1a-301**:

1074 (i) \$31 for each trailer or semitrailer over 750 pounds gross unladen weight; or

1075 (ii) \$28.50 for each commercial trailer or commercial semitrailer of 750 pounds or less  
1076 gross unladen weight;

1077 (d) (i) \$53 for each farm truck over 12,000 pounds, but not exceeding 14,000 pounds  
1078 gross laden weight; plus

1079 (ii) \$9 for each 2,000 pounds over 14,000 pounds gross laden weight;

- 1080 (e) (i) \$69.50 for each motor vehicle or combination of motor vehicles, excluding farm
- 1081 trucks, over 12,000 pounds, but not exceeding 14,000 pounds gross laden weight; plus
- 1082 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 1083 (f) (i) \$69.50 for each park model recreational vehicle over 12,000 pounds, but not
- 1084 exceeding 14,000 pounds gross laden weight; plus
- 1085 (ii) \$19 for each 2,000 pounds over 14,000 pounds gross laden weight;
- 1086 (g) \$45 for each vintage vehicle that is less than 40 years old; and
- 1087 (h) in addition to the fee described in Subsection (1)(b):
- 1088 (i) for each electric motor vehicle:
- 1089 (A) \$90 during calendar year 2020; and
- 1090 (B) \$120 beginning January 1, 2021, and thereafter;
- 1091 (ii) for each hybrid electric motor vehicle:
- 1092 (A) \$15 during calendar year 2020; and
- 1093 (B) \$20 beginning January 1, 2021, and thereafter;
- 1094 (iii) for each plug-in hybrid electric motor vehicle:
- 1095 (A) \$39 during calendar year 2020; and
- 1096 (B) \$52 beginning January 1, 2021, and thereafter; and
- 1097 (iv) for any motor vehicle not described in Subsections (1)(h)(i) through (iii) that is
- 1098 fueled exclusively by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 1099 (A) \$90 during calendar year 2020; and
- 1100 (B) \$120 beginning January 1, 2021, and thereafter.
- 1101 (2) (a) At the time application is made for registration or renewal of registration of a
- 1102 vehicle under this chapter for a six-month registration period under Section [41-1a-215.5](#), a
- 1103 registration fee shall be paid to the division as follows:
- 1104 (i) \$34.50 for each motorcycle; and
- 1105 (ii) \$33.50 for each motor vehicle of 12,000 pounds or less gross laden weight,
- 1106 excluding motorcycles.
- 1107 (b) In addition to the fee described in Subsection (2)(a)(ii), for registration or renewal
- 1108 of registration of a vehicle under this chapter for a six-month registration period under Section
- 1109 [41-1a-215.5](#) a registration fee shall be paid to the division as follows:
- 1110 (i) for each electric motor vehicle:

- 1111 (A) \$69.75 during calendar year 2020; and
- 1112 (B) \$93 beginning January 1, 2021, and thereafter;
- 1113 (ii) for each hybrid electric motor vehicle:
- 1114 (A) \$11.25 during calendar year 2020; and
- 1115 (B) \$15 beginning January 1, 2021, and thereafter;
- 1116 (iii) for each plug-in hybrid electric motor vehicle:
- 1117 (A) \$30 during calendar year 2020; and
- 1118 (B) \$40 beginning January 1, 2021, and thereafter; and
- 1119 (iv) for each motor vehicle not described in Subsections (2)(b)(i) through (iii) that is
- 1120 fueled by a source other than motor fuel, diesel fuel, natural gas, or propane:
- 1121 (A) \$69.75 during calendar year 2020; and
- 1122 (B) \$93 beginning January 1, 2021, and thereafter.
- 1123 (3) (a) (i) Beginning on January 1, 2019, the commission shall, on January 1, annually
- 1124 adjust the registration fees described in Subsections (1)(a), (1)(b), (1)(c)(i), (1)(c)(ii), (1)(d)(i),
- 1125 (1)(e)(i), (1)(f)(i), (1)(g), (2)(a), (4)(a), and (7), by taking the registration fee rate for the
- 1126 previous year and adding an amount equal to the greater of:
- 1127 (A) an amount calculated by multiplying the registration fee of the previous year by the
- 1128 actual percentage change during the previous fiscal year in the Consumer Price Index; and
- 1129 (B) 0.
- 1130 (ii) Beginning on January 1, 2022, the commission shall, on January 1, annually adjust
- 1131 the registration fees described in Subsections (1)(h)(i)(B), (1)(h)(ii)(B), (1)(h)(iii)(B),
- 1132 (1)(h)(iv)(B), (2)(b)(i)(B), (2)(b)(ii)(B), (2)(b)(iii)(B), and (2)(b)(iv)(B) by taking the
- 1133 registration fee rate for the previous year and adding an amount equal to the greater of:
- 1134 (A) an amount calculated by multiplying the registration fee of the previous year by the
- 1135 actual percentage change during the previous fiscal year in the Consumer Price Index; and
- 1136 (B) 0.
- 1137 (b) The amounts calculated as described in Subsection (3)(a) shall be rounded up to the
- 1138 nearest 25 cents.
- 1139 (4) (a) The initial registration fee for a vintage vehicle that is 40 years old or older is
- 1140 \$40.
- 1141 (b) A vintage vehicle that is 40 years old or older is exempt from the renewal of

1142 registration fees under Subsection (1).

1143 (c) A vehicle with a Purple Heart special group license plate issued [~~in accordance with~~  
1144 ~~Section 41-1a-421~~] on or before December 31, 2022, or issued in accordance with Part 16,  
1145 Sponsored Special Group License Plates, is exempt from the registration fees under Subsection  
1146 (1).

1147 (d) A camper is exempt from the registration fees under Subsection (1).

1148 (5) If a motor vehicle is operated in combination with a semitrailer or trailer, each  
1149 motor vehicle shall register for the total gross laden weight of all units of the combination if the  
1150 total gross laden weight of the combination exceeds 12,000 pounds.

1151 (6) (a) Registration fee categories under this section are based on the gross laden  
1152 weight declared in the licensee's application for registration.

1153 (b) Gross laden weight shall be computed in units of 2,000 pounds. A fractional part  
1154 of 2,000 pounds is a full unit.

1155 (7) The owner of a commercial trailer or commercial semitrailer may, as an alternative  
1156 to registering under Subsection (1)(c), apply for and obtain a special registration and license  
1157 plate for a fee of \$130.

1158 (8) Except as provided in Section 41-6a-1642, a truck may not be registered as a farm  
1159 truck unless:

- 1160 (a) the truck meets the definition of a farm truck under Section 41-1a-102; and
- 1161 (b) (i) the truck has a gross vehicle weight rating of more than 12,000 pounds; or
- 1162 (ii) the truck has a gross vehicle weight rating of 12,000 pounds or less and the owner  
1163 submits to the division a certificate of emissions inspection or a waiver in compliance with  
1164 Section 41-6a-1642.

1165 (9) A violation of Subsection (8) is an infraction that shall be punished by a fine of not  
1166 less than \$200.

1167 (10) Trucks used exclusively to pump cement, bore wells, or perform crane services  
1168 with a crane lift capacity of five or more tons, are exempt from 50% of the amount of the fees  
1169 required for those vehicles under this section.

1170 Section 22. Section 41-1a-1211 is amended to read:

1171 **41-1a-1211. License plate fees -- Application fees for issuance and renewal of**  
1172 **personalized and special group license plates -- Replacement fee for license plates --**

1173 **Postage fees.**

1174 (1) (a) Except as provided in Subsections (11), (12), (13), and (14), a license plate fee  
1175 established in accordance with Section 63J-1-504 shall be paid to the division for the issuance  
1176 of any new license plate under Part 4, License Plates and Registration Indicia.

1177 (b) The license plate fee shall be deposited as follows:

1178 (i) \$1 in the Transportation Fund; and

1179 (ii) the remainder of the fee charged under Subsection (1)(a), as provided in Section  
1180 41-1a-1201.

1181 (2) An applicant for original issuance of personalized license plates issued under  
1182 Section 41-1a-410 shall pay a \$50 per set license plate application fee in addition to the fee  
1183 required in Subsection (1).

1184 (3) Beginning July 1, 2003, a person who applies for a special group license plate shall  
1185 pay a \$5 fee for the original set of license plates in addition to the fee required under  
1186 Subsection (1).

1187 (4) An applicant for original issuance of personalized special group license plates shall  
1188 pay the license plate application fees required in Subsection (2) in addition to the license plate  
1189 fees and license plate application fees established under Subsections (1) and (3).

1190 (5) An applicant for renewal of personalized license plates issued under Section  
1191 41-1a-410 shall pay a \$10 per set application fee.

1192 (6) (a) The division may charge a fee established under Section 63J-1-504 to recover  
1193 the costs for the replacement of any license plate issued under Part 4, License Plates and  
1194 Registration Indicia.

1195 (b) The license plate fee shall be deposited as follows:

1196 (i) \$1 in the Transportation Fund; and

1197 (ii) the remainder of the fee charged under Subsection (6)(a), as provided in Section  
1198 41-1a-1201.

1199 (7) The division may charge a fee established under Section 63J-1-504 to recover [its]  
1200 the division's costs for the replacement of [decals] a symbol decal issued under Section  
1201 41-1a-418.

1202 (8) The division may charge a fee established under Section 63J-1-504 to recover the  
1203 cost of issuing stickers under Section 41-1a-416.

1204 (9) In addition to any other fees required by this section, the division shall assess a fee  
1205 established under Section 63J-1-504 to cover postage expenses if new or replacement license  
1206 plates are mailed to the applicant.

1207 (10) The fees required under this section are separate from and in addition to  
1208 registration fees required under Section 41-1a-1206.

1209 (11) (a) An applicant for a license plate issued under Section 41-1a-407 is not subject  
1210 to the license plate fee under Subsection (1).

1211 (b) An applicant for a Purple Heart special group license plate issued [~~in accordance~~  
1212 ~~with Section 41-1a-421~~] on or before December 31, 2022, or issued in accordance with Part 16,  
1213 Sponsored Special Group License Plates, is exempt from the fees under Subsections (1), (3),  
1214 and (7).

1215 (12) A person is exempt from the fee under Subsection (1) or (6) if the person:

1216 (a) was issued a clean fuel special group license plate in accordance with Section  
1217 41-1a-418 prior to the effective date of rules made by the Department of Transportation under  
1218 Subsection 41-6a-702(5)(b);

1219 (b) beginning on the effective date of rules made by the Department of Transportation  
1220 authorized under Subsection 41-6a-702(5)(b), is no longer eligible for a clean fuel special  
1221 group license plate under the rules made by the Department of Transportation; and

1222 (c) upon renewal or reissuance, is required to replace the clean fuel special group  
1223 license plate with a new license plate.

1224 [~~(13) Until June 30, 2011, a person is exempt from the license plate fee under~~  
1225 ~~Subsection (1) or (6) if the person:]~~

1226 [~~(a) was issued a firefighter recognition special group license plate in accordance with~~  
1227 ~~Section 41-1a-418 prior to July 1, 2009;]~~

1228 [~~(b) upon renewal of the person's vehicle registration on or after July 1, 2009, is not a~~  
1229 ~~contributor to the Firefighter Support Restricted Account as required under Section 41-1a-418;~~  
1230 ~~and]~~

1231 [~~(c) is required to replace the firefighter special group license plate with a new license~~  
1232 ~~plate in accordance with Section 41-1a-418.]~~

1233 [(14) A person is not subject to the license plate fee under Subsection (1) if the person  
1234 presents official documentation that the person is a recipient of the Purple Heart Award



1235 issued:]

1236 [~~(a) by a recognized association representing peace officers who:~~]

1237 [~~(i) receives a salary from a federal, state, county, or municipal government or any~~  
1238 ~~subdivision of the state; and]~~

1239 [~~(ii) works in the state; or]~~

1240 [~~(b) in accordance with Subsection 41-1a-421(2):]~~

1241 (13) An individual is exempt from the license plate fee under Subsection (1) if the  
1242 individual presents official documentation that the individual is a recipient of the Purple Heart

1243 Award in one of the following forms:

1244 (a) official documentation issued by a recognized association representing peace  
1245 officers who:

1246 (i) receive a salary from a federal, state, county, or municipal government or any other  
1247 subdivision of the state; and

1248 (ii) work in the state;

1249 (b) a membership card in the Military Order of the Purple Heart; or

1250 (c) an original or certificate in lieu of the applicant's military discharge form, DD-214,  
1251 issued by the National Personnel Records Center.

1252 Section 23. Section **41-1a-1212** is amended to read:

1253 **41-1a-1212. Fee for replacement of license plate decals.**

1254 A fee established in accordance with Section **63J-1-504** shall be paid to the division for  
1255 the replacement of a license plate registration decal required by Section **41-1a-402** or a  
1256 registration decal required by Section **41-1a-401**.

1257 Section 24. Section **41-1a-1218** is amended to read:

1258 **41-1a-1218. Uninsured motorist identification fee for tracking motor vehicle**  
1259 **insurance -- Exemption -- Deposit.**

1260 (1) (a) Except as provided in Subsections (1)(b) and (c), at the time application is made  
1261 for registration or renewal of registration of a motor vehicle under this chapter, the applicant  
1262 shall pay an uninsured motorist identification fee of \$1 on each motor vehicle.

1263 (b) Except as provided in Subsection (1)(c), at the time application is made for  
1264 registration or renewal of registration of a motor vehicle for a six-month registration period  
1265 under Section **41-1a-215.5**, the applicant shall pay an uninsured motorist identification fee of

1266 75 cents on each motor vehicle.

1267 (c) The following are exempt from the fee required under Subsection (1)(a) or (b):

1268 (i) a commercial vehicle registered as part of a fleet under Section 41-1a-222 or  
1269 Section 41-1a-301;

1270 (ii) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209  
1271 or Subsection 41-1a-419(3); and

1272 (iii) a motor vehicle with a Purple Heart special group license plate issued ~~in~~  
1273 ~~accordance with Section 41-1a-421.~~];

1274 (A) on or before December 31, 2022; or

1275 (B) in accordance with Part 16, Sponsored Special Group License Plates.

1276 (2) The revenue generated under this section shall be deposited in the Uninsured  
1277 Motorist Identification Restricted Account created in Section 41-12a-806.

1278 Section 25. Section 41-1a-1222 is amended to read:

1279 **41-1a-1222. Local option highway construction and transportation corridor**  
1280 **preservation fee -- Exemptions -- Deposit -- Transfer -- County ordinance -- Notice.**

1281 (1) As used in this section:

1282 (a) "Metro township" means the same as that term is defined in Section 10-2a-403.

1283 (b) "Unincorporated" means the same as that term is defined in Section 10-1-104.

1284 (2) (a) (i) Except as provided in Subsection (2)(a)(ii), a county legislative body may  
1285 impose a local option highway construction and transportation corridor preservation fee of up  
1286 to \$10 on each motor vehicle registration within the county.

1287 (ii) A county legislative body may impose a local option highway construction and  
1288 transportation corridor preservation fee of up to \$7.75 on each motor vehicle registration for a  
1289 six-month registration period under Section 41-1a-215.5 within the county.

1290 (iii) A fee imposed under Subsection (2)(a)(i) or (ii) shall be set in whole dollar  
1291 increments.

1292 (b) If imposed under Subsection (2)(a), at the time application is made for registration  
1293 or renewal of registration of a motor vehicle under this chapter, the applicant shall pay the local  
1294 option highway construction and transportation corridor preservation fee established by the  
1295 county legislative body.

1296 (c) The following are exempt from the fee required under Subsection (2)(a):

1297 (i) a motor vehicle that is exempt from the registration fee under Section 41-1a-1209 or  
1298 Subsection 41-1a-419(3);

1299 (ii) a commercial vehicle with an apportioned registration under Section 41-1a-301;  
1300 and

1301 (iii) a motor vehicle with a Purple Heart special group license plate issued [in  
1302 accordance with Section 41-1a-421.];

1303 (A) on or before December 31, 2022; or

1304 (B) in accordance with Part 16, Sponsored Special Group License Plates.

1305 (3) (a) Except as provided in Subsection (3)(b), the revenue generated under this  
1306 section shall be:

1307 (i) deposited in the Local Highway and Transportation Corridor Preservation Fund  
1308 created in Section 72-2-117.5;

1309 (ii) credited to the county from which it is generated; and

1310 (iii) used and distributed in accordance with Section 72-2-117.5.

1311 (b) The revenue generated by a fee imposed under this section in a county of the first  
1312 class shall be deposited or transferred as follows:

1313 (i) 50% of the revenue shall be:

1314 (A) deposited in the County of the First Class Highway Projects Fund created in  
1315 Section 72-2-121; and

1316 (B) used in accordance with Section 72-2-121;

1317 (ii) 30% of the revenue shall be deposited, credited, and used as provided in Subsection  
1318 (3)(a); and

1319 (iii) 20% of the revenue shall be transferred to the legislative body of a county of the  
1320 first class.

1321 (4) Beginning in a fiscal year beginning on or after July 1, 2023, and for 15 years  
1322 thereafter, the legislative body of the county of the first class shall annually transfer, from the  
1323 revenue transferred to the legislative body of a county of the first class as described in  
1324 Subsection (3)(b)(iii):

1325 (a) \$300,000 to Kearns township; and

1326 (b) \$225,000 to Magna township.

1327 (5) To impose or change the amount of a fee under this section, the county legislative

1328 body shall pass an ordinance:

1329 (a) approving the fee;

1330 (b) setting the amount of the fee; and

1331 (c) providing an effective date for the fee as provided in Subsection (6).

1332 (6) (a) If a county legislative body enacts, changes, or repeals a fee under this section,  
1333 the enactment, change, or repeal shall take effect on July 1 if the commission receives notice  
1334 meeting the requirements of Subsection (6)(b) from the county prior to April 1.

1335 (b) The notice described in Subsection (6)(a) shall:

1336 (i) state that the county will enact, change, or repeal a fee under this part;

1337 (ii) include a copy of the ordinance imposing the fee; and

1338 (iii) if the county enacts or changes the fee under this section, state the amount of the  
1339 fee.

1340 Section 26. Section **41-1a-1305** is amended to read:

1341 **41-1a-1305. License plate and registration card violations -- Class C**

1342 **misdemeanor.**

1343 It is a class C misdemeanor:

1344 (1) to break, injure, interfere with, or remove from any vehicle any seal, lock, or device  
1345 on it for holding or displaying any license plate or registration card attached for denoting  
1346 registration and identity of the vehicle;

1347 (2) to remove from any registered vehicle the license plate or registration card issued or  
1348 attached to it for its registration;

1349 (3) to place or display any license plate or registration card upon any other vehicle than  
1350 the one for which it was issued by the division;

1351 (4) to use or permit the use or display of any license plate, registration card, or permit  
1352 upon or in the operation of any vehicle other than that for which it was issued;

1353 (5) to operate upon any highway of this state any vehicle required by law to be  
1354 registered without having the license plate or plates securely attached, except that the  
1355 registration card issued by the division to all trailers and semitrailers shall be carried in the  
1356 towing vehicle;

1357 (6) for any weighmaster to knowingly make any false entry in his record of weights of  
1358 vehicles subject to registration or to knowingly report to the commission or division any false

1359 information regarding the weights;

1360 (7) for any inspector, officer, agent, employee, or other person performing any of the  
1361 functions required for the registration or operation of vehicles subject to registration, to do,  
1362 permit, cause, connive at, or permit to be done any act with the intent, or knowledge that the  
1363 probable effect of the act would be to injure any person, deprive him of his property, or to  
1364 injure or defraud the state with respect to its revenues relating to title or registration of  
1365 vehicles;

1366 (8) for any person to combine or conspire with another to do, attempt to do, or cause or  
1367 allow any of the acts in this chapter classified as a misdemeanor;

1368 (9) to operate any motor vehicle with a camper mounted on it upon any highway  
1369 without displaying a current registration decal in clear sight upon the rear of the camper, issued  
1370 by the county assessor of the county in which the camper has situs for taxation;

1371 (10) to manufacture, use, display, or sell any facsimile or reproduction of any license  
1372 plate issued by the division or any article that would appear to be a substitute for a license  
1373 plate; or

1374 (11) to fail to return to the division any registration card, license plate or plates,  
1375 registration decal, permit, or title that has been canceled, suspended, voided, or revoked.

1376 Section 27. Section **41-1a-1601** is enacted to read:

1377 **Part 16. Sponsored Special Group License Plates**

1378 **41-1a-1601. Definitions.**

1379 As used in this part:

1380 (1) "Applicant" means a registered owner who submits an application to obtain or  
1381 renew a sponsored special group license plate in accordance with this part.

1382 (2) (a) "Charitable purpose" means:

1383 (i) relief of the poor, the distressed, or the underprivileged;

1384 (ii) advancement of religion;

1385 (iii) advancement of education or science;

1386 (iv) erecting or maintaining a public building, monument, or work;

1387 (v) reducing the burdens of government;

1388 (vi) reducing neighborhood tensions;

1389 (vii) eliminating prejudice and discrimination;

- 1390 (viii) defending human rights and civil rights secured by law; or  
1391 (ix) combating community deterioration and juvenile delinquency.  
1392 (b) "Charitable purpose" does not include providing abortion or abortion-related  
1393 services.  
1394 (3) "Collegiate special group license plate" means a sponsored special group license  
1395 plate issued to a contributor to an institution.  
1396 (4) "Contributor" means an applicant who contributes the required contribution to a  
1397 sponsoring organization for a sponsored special group license plate.  
1398 (5) (a) "Existing special group license plate" means a special group license plate that  
1399 the division issues before January 1, 2023.  
1400 (b) "Existing special group license plate" does not include a special group license plate  
1401 described in Subsection [41-1a-418\(1\)\(a\)](#) or (b).  
1402 (6) "Existing state agency recognition special group license plate" means an existing  
1403 special group license plate issued to a registered owner who:  
1404 (a) has one of the following that is related to a government purpose:  
1405 (i) a special license;  
1406 (ii) an accomplishment; or  
1407 (iii) an honor; or  
1408 (b) holds an elected office.  
1409 (7) "Institution" means:  
1410 (a) a state institution of higher education as defined in Section [53B-3-102](#); or  
1411 (b) a private institution of higher education in the state accredited by a regional or  
1412 national accrediting agency recognized by the United State Department of Education.  
1413 (8) "Private nonprofit organization" means a private nonprofit organization that:  
1414 (a) qualifies as being tax exempt under Section 501(c)(3) of the Internal Revenue  
1415 Code; and  
1416 (b) has a charitable purpose.  
1417 (9) "Private nonprofit special group license plate" means a sponsored special group  
1418 license plate issued to a contributor to a private nonprofit organization.  
1419 (10) "Required contribution" means:  
1420 (a) the minimum annual contribution amount established under Subsection

1421 41-1a-1603(4)(a)(iii); or

1422 (b) if the sponsoring organization establishes a minimum annual contribution amount  
1423 in accordance with Subsection 41-1a-1603(4)(b) that is greater than the minimum required  
1424 contribution amount established under Subsection 41-1a-1603(4)(a)(iii), the amount the  
1425 sponsoring organization establishes.

1426 (11) "Sponsored special group license plate" means a license plate:

1427 (a) designed for and associated with a sponsoring organization; and

1428 (b) issued to an applicant in accordance with this part.

1429 (12) "Sponsoring organization" means an institution, a private nonprofit organization,  
1430 or a state agency that is or seeks to be associated with a sponsored special group license plate  
1431 created under this part.

1432 (13) "State agency recognition special group license plate" means a sponsored special  
1433 group license plate issued to an applicant who:

1434 (a) has one of the following that is related to a government purpose:

1435 (i) a special license;

1436 (ii) an accomplishment; or

1437 (iii) an honor; or

1438 (b) holds an elected office.

1439 (14) "State agency support special group license plate" means:

1440 (a) a sponsored special group license plate issued to a contributor to a state agency to  
1441 support a specific state agency program; or

1442 (b) an existing special group license plate issued for a special interest vehicle.

1443 Section 28. Section **41-1a-1602** is enacted to read:

1444 **41-1a-1602. Sponsored special group license plate program.**

1445 (1) The division shall establish and administer a sponsored special group license plate  
1446 program as described in this part.

1447 (2) The division shall issue to an applicant who satisfies the requirements of this part  
1448 one of the following:

1449 (a) a collegiate special group license plate;

1450 (b) a private nonprofit special group license plate;

1451 (c) a state agency support special group license plate; or

1452 (d) a state agency recognition special group license plate.

1453 Section 29. Section **41-1a-1603** is enacted to read:

1454 **41-1a-1603. Application Requirements -- Fees -- Contributions -- Rulemaking.**

1455 (1) An applicant for a sponsored special group license plate shall submit to the  
1456 division:

1457 (a) in a form and manner that the division prescribes, a complete application;

1458 (b) payment of the fee for the issuance of the sponsored special group license plate  
1459 established under Subsection (4)(a)(i);

1460 (c) the required contribution for the sponsored special group license plate, unless the  
1461 applicant previously paid the required contribution as part of a preorder application described  
1462 in Subsection (4); and

1463 (d) if the sponsoring organization elects to require verification as described in Section  
1464 41-1a-1604, a verification form obtained from the sponsoring organization.

1465 (2) An applicant who owns a vehicle with the sponsoring organization's sponsored  
1466 special group license plate shall submit to the division the required contribution to renew the  
1467 sponsored special group license plate.

1468 (3) (a) An applicant who wishes to obtain a new type of sponsored special group  
1469 license plate may preorder the new type of sponsored special group license plate by:

1470 (i) submitting to the sponsoring organization associated with the new type of sponsored  
1471 special group license plate a complete preorder form created by the division; and

1472 (ii) making the required contribution to the sponsoring organization.

1473 (b) After the division approves the sponsoring organization's request for the new type  
1474 of sponsored special group license plate under Section 41-1a-1604, an applicant who submitted  
1475 a preorder in accordance with Subsection (3)(a) may apply for the sponsored special group  
1476 license plate in accordance with Subsection (1).

1477 (4) (a) The division shall, in accordance with Section 63J-1-504, establish:

1478 (i) the fee to charge an applicant for the division's costs of issuing or renewing a  
1479 sponsored special group license plate or symbol decal;

1480 (ii) the fee to charge a sponsoring organization for the division's costs of designing and  
1481 administering a new type of sponsored special group license plate; and

1482 (iii) subject to Subsection (4)(b), in an amount equal to at least \$25, the minimum



1483 annual contribution amount an applicant is required to make to obtain or renew the sponsoring  
1484 organization's sponsored special group license plate.

1485 (b) A sponsoring organization may establish a required contribution amount for the  
1486 sponsoring organization's sponsored special group license plate that is greater than the amount  
1487 established by the division under Subsection (4)(a)(iii).

1488 (5) An applicant's contribution is a voluntary contribution for funding the sponsoring  
1489 organization's activities and not a motor vehicle registration fee.

1490 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
1491 commission may make rules to establish and administer the sponsored special group license  
1492 plate program.

1493 Section 30. Section **41-1a-1604** is enacted to read:

1494 **41-1a-1604. New sponsored special group license plates -- Eligibility criteria.**

1495 (1) If a sponsoring organization satisfies the requirements of this part, the division shall  
1496 approve an application for a new type of sponsored special group license plate and issue the  
1497 sponsored special group license plate in accordance with this part.

1498 (2) Subject to the other provisions of this part, a sponsoring organization requesting a  
1499 new type of sponsored special group license plate shall submit to the division, in a form and  
1500 manner the division prescribes:

1501 (a) a complete application requesting the new type of sponsored special group license  
1502 plate that includes:

1503 (i) information about the sponsoring organization the division needs to process the  
1504 request;

1505 (ii) contact information for an individual representing the sponsoring organization;

1506 (iii) if the sponsoring organization establishes a required contribution amount under  
1507 Subsection [41-1a-1603](#)(4)(b) that is greater than the minimum required contribution amount  
1508 established under Subsection [41-1a-1603](#)(4)(a)(iii), the amount of the required contribution;

1509 (iv) account information to allow the division to disburse funds from required  
1510 contributions the division collects through the sponsored special group license plate program to  
1511 the sponsoring organization;

1512 (v) a link to a functional website described in Subsection (7); and

1513 (vi) if the sponsoring organization requires an applicant to submit a verification form

1514 described in Subsection (8)(b)(i), a statement indicating that a verification form is required;  
1515 (b) at least 500 complete preorder applications for the new type of sponsored special  
1516 group license plate, including verification that each preorder application included the required  
1517 contribution;  
1518 (c) the fee for the cost of designing and administering the new type of sponsored  
1519 special group license plate established under Subsection [41-1a-1603](#)(4)(a)(ii); and  
1520 (d) if the new type of sponsored special group license plate is a private nonprofit  
1521 special group license plate:  
1522 (i) a copy of the Internal Revenue Service letter approving the sponsoring  
1523 organization's Section 501(c)(3) status;  
1524 (ii) an affidavit signed under penalty of perjury declaring that the sponsoring  
1525 organization has a charitable purpose; and  
1526 (iii) an indication of the private nonprofit organization's charitable purpose.  
1527 (3) If an application under Subsection (2) is for a special group license plate that was  
1528 discontinued in accordance with this part, each registered vehicle with the discontinued special  
1529 group license plate is considered a complete preorder application for the purposes of  
1530 Subsection (2)(b).  
1531 (4) The division:  
1532 (a) may share data collected under Subsection (2)(d)(iii) with the Legislature and the  
1533 state auditor;  
1534 (b) may not use the information in Subsection (2)(d)(iii) in deciding whether to  
1535 approve the sponsoring organization's application; and  
1536 (c) is not required to evaluate the accuracy or veracity of information the private  
1537 nonprofit organization provides under Subsection (2)(d).  
1538 (5) Except as otherwise provided in this part, the division may not begin design work  
1539 on or issue a new type of sponsored special group license plate unless the sponsoring  
1540 organization satisfies the requirements of Subsection (2).  
1541 (6) A sponsoring organization that is a state agency may request a state agency  
1542 recognition special group license plate without meeting the minimum preorder requirements of  
1543 Subsection (2)(b) if:  
1544 (a) the governor certifies that there is a legitimate government operations purpose for

1545 issuing the state agency recognition special group license plate; and

1546 (b) through appropriation or any other source, funds are available to cover the startup  
1547 and administrative costs of the state agency recognition special group license plate.

1548 (7) A sponsoring organization of a sponsored special group license plate issued in  
1549 accordance with this part shall maintain a functional website that:

1550 (a) explains how the sponsoring organization will use the required contributions in  
1551 accordance with this part;

1552 (b) if applicable, makes available the sponsoring organization's most recent Internal  
1553 Revenue Service Form 990; and

1554 (c) provides instructions for how to obtain a verification form if the sponsoring  
1555 organization elects to require verification in accordance with Subsection (8).

1556 (8) (a) A sponsoring organization may establish eligibility requirements for the  
1557 sponsoring organization's sponsored special group license plate.

1558 (b) If a sponsoring organization establishes eligibility requirements under this  
1559 subsection, the sponsoring organization shall:

1560 (i) inform the division that a verification form is required as part of an application for  
1561 the sponsoring organization's sponsored special group license plate;

1562 (ii) establish a process for providing a verification form to an applicant; and

1563 (iii) provide a verification form prescribed by the division to an applicant who satisfies  
1564 the sponsoring organization's eligibility requirements.

1565 (9) The division shall begin issuing the new type of sponsored special group license  
1566 plate no later than six months after the day on which the division receives the items described  
1567 in Subsection (2).

1568 (10) The division may:

1569 (a) consider a request for a sponsored special group license plate for two or more  
1570 military branches as a request for a single type of sponsored special group license plate for the  
1571 purposes of meeting the eligibility criteria described in this section; and

1572 (b) charge an appropriate fee for ordering multiple symbol decals for each military  
1573 branch.

1574 Section 31. Section **41-1a-1605** is enacted to read:

1575 **41-1a-1605. Collegiate special group license plates.**

1576 (1) A sponsoring organization that is an institution shall only use funds received  
1577 through the sponsored special group license plate program for the institution's scholastic  
1578 scholarships.

1579 (2) The state auditor may audit each institution to verify that the money an institution  
1580 collects from contributors is used only for scholastic scholarships.

1581 Section 32. Section **41-1a-1606** is enacted to read:

1582 **41-1a-1606. Private nonprofit special group license plates.**

1583 (1) A sponsoring organization that is a private nonprofit organization shall:

1584 (a) only use funds received through the sponsored special group license plate program  
1585 for the charitable purpose described in the private nonprofit organization's application  
1586 submitted to the division under Section [41-1a-1603](#); and

1587 (b) may not use funds received through the sponsored special group license plate  
1588 program to pay the private nonprofit organization's employee salaries or benefits,  
1589 administrative costs, or fundraising expenses.

1590 (2) A private nonprofit organization may collect a contributor's personal information  
1591 for the purposes of future fundraising and any required reporting, if the private nonprofit  
1592 organization requires a verification form described in Section [41-1a-1604](#).

1593 (3) The state auditor may audit each private nonprofit organization to verify that the  
1594 money the private nonprofit organization collects from contributors is used for the private  
1595 nonprofit organization's charitable purpose in accordance with this part.

1596 Section 33. Section **41-1a-1607** is enacted to read:

1597 **41-1a-1607. State agency special group license plates.**

1598 A sponsoring organization that is a state agency:

1599 (1) shall only use funds received through the sponsored special group license plate  
1600 program for the implementation or administration of the state agency's designated program; and

1601 (2) may not direct funds received through the sponsored special group license plate  
1602 program to a nongovernmental entity.

1603 Section 34. Section **41-1a-1608** is enacted to read:

1604 **41-1a-1608. Review -- Discontinuance.**

1605 (1) The division shall annually review each sponsored special group license plate to  
1606 determine the number of registered vehicles with each type of sponsored special group license

1607 plate during the preceding calendar year.

1608 (2) (a) The division shall discontinue a type of sponsored special group license plate if  
1609 for two consecutive calendar years, the division's annual review shows that fewer than 500  
1610 registered vehicles have that type of sponsored special group license plate.

1611 (b) The division shall discontinue a sponsored special group license plate under  
1612 Subsection (2)(a) beginning January 1 of the calendar year following the year of the second  
1613 annual review.

1614 (3) If the division discontinues a type of sponsored special group license plate in  
1615 accordance with this section, the division may not reinstate the sponsored special group license  
1616 plate unless the sponsoring organization submits a request for the discontinued sponsored  
1617 special group license plate in the same manner as a request for a new type of sponsored special  
1618 group license plate under Section [41-1a-1604](#).

1619 (4) (a) A registered owner to whom the division issued an existing special group  
1620 license plate or a sponsored special group license plate that the division discontinues in  
1621 accordance with this section or Section [41-1a-1609](#) may continue to display the license plate  
1622 upon renewing the motor vehicle's registration.

1623 (b) A registered owner described in Subsection (4)(a) is not required to pay a required  
1624 contribution to the sponsoring organization associated with the sponsored special group license  
1625 plate.

1626 (5) The division may not transfer to a new registered owner a special group license  
1627 plate that is discontinued under this part.

1628 (6) Subsection (2) does not apply to a state agency recognition special group license  
1629 plate that is an existing special group license plate.

1630 Section 35. Section **41-1a-1609** is enacted to read:

1631 **41-1a-1609. Transition of existing special group license plates.**

1632 (1) (a) Except as provided in this section, on March 31, 2023, the division shall  
1633 discontinue each existing special group license plate.

1634 (b) The division may not issue an existing special group license plate that the division  
1635 discontinues in accordance with this Subsection (1).

1636 (2) (a) Subject to the other provisions of this part, the division may issue an existing  
1637 special group license plate on or after March 31, 2023, if:

1638 (i) before March 31, 2023, the sponsoring organization submits to the division a  
1639 request for the existing special group license plate in the same manner as a request for a new  
1640 type of sponsored special group license plate under Section [41-1a-1604](#); and

1641 (ii) except for an existing state agency recognition special group license plate described  
1642 in Subsection (6) or (8), there are at least 500 registered vehicles with the existing special  
1643 group license plate on December 31, 2022.

1644 (b) For an application described in Subsection (2)(a), the requirements described in  
1645 Subsection [41-1a-1604](#)(2)(b) do not apply.

1646 (3) (a) A private nonprofit organization may be a sponsoring organization of an  
1647 existing special group license plate only if the sponsoring organization received contributions  
1648 related to the existing special group license plate on or after January 1, 2021.

1649 (b) Subsection (3)(a) does not apply to an existing special group license plate described  
1650 in Subsection (7).

1651 (4) If a sponsoring organization that is a state agency submits a request described in  
1652 Subsection (2)(a), upon notice to the division and with the private nonprofit organization's  
1653 agreement, the sponsoring organization may transfer the existing special group license plate to  
1654 a private nonprofit organization to sponsor the special group license plate as a private nonprofit  
1655 special group license plate.

1656 (5) After the division discontinues an existing special group license plate in accordance  
1657 with this section, the division may not reinstate the special group license plate unless the  
1658 sponsoring organization submits a request for the existing special group license plate in the  
1659 same manner as a request for a new type of sponsored special group license plate under Section  
1660 [41-1a-1604](#).

1661 (6) If a state agency submits a request under this section or Section [41-1a-1604](#) for one  
1662 of the following existing special group license plates and meets the requirements of this part,  
1663 the division shall reinstate the existing special group license plate as a state agency recognition  
1664 special group license plate:

1665 (a) a veteran special group license plate issued to:

1666 (i) a survivor of the Japanese attack on Pearl Harbor;

1667 (ii) a former prisoner of war;

1668 (iii) a Purple Heart recipient;

- 1669 (iv) a disabled veteran; or  
1670 (v) a recipient of a gold star award issued by the United States Secretary of Defense; or  
1671 (b) a recognition special group license plate issued for:  
1672 (i) a current member of the Legislature;  
1673 (ii) a current member of the United States Congress;  
1674 (iii) a current honorary consul designated by the United States Department of State;  
1675 (iv) a current member of the National Guard;  
1676 (v) an individual supporting the Utah Wing of the Civil Air Patrol;  
1677 (vi) a licensed amateur radio operator;  
1678 (vii) an emergency medical technician;  
1679 (viii) an individual supporting commemoration and recognition of women's suffrage;  
1680 or  
1681 (ix) an individual supporting the recognition and continuation of the work and life of  
1682 Dr. Martin Luther King, Jr.  
1683 (7) If a private nonprofit organization submits a request under this section or Section  
1684 41-1a-1604 for one of the following existing special group license plates and meets the  
1685 requirements of this part, the division shall reinstate the existing special group license plate as a  
1686 private nonprofit special group license plate to:  
1687 (a) a current member of a search and rescue team; or  
1688 (b) a fraternal initiatic order recognition.  
1689 (8) If a state agency submits a request under this section or Section 41-1a-1604 for an  
1690 existing special group license plate issued to a campaign or combat theater award recipient and  
1691 meets the requirements of this part, the division shall reinstate the existing special group  
1692 license plate as a state agency recognition special group license plate.  
1693 (9) The requirements of this part related to a required contribution do not apply to a  
1694 special group license plate described in Subsection (6) or (7) unless the sponsoring  
1695 organization informs the division in the sponsoring organization's request under this section or  
1696 Section 41-1a-1604 that the sponsoring organization requires a required contribution.  
1697 Section 36. Section **41-1a-1610** is enacted to read:  
1698 **41-1a-1610. Sponsored Special Group License Plate Fund.**  
1699 (1) As used in this section, "fund" means the Sponsored Special Group License Plate

1700 Fund created in Subsection (2).

1701 (2) There is created an expendable special revenue fund known as the "Sponsored  
1702 Special Group License Plate Fund."

1703 (3) The fund consists of all required contributions the division collects under this part.

1704 (4) The division shall, at least annually, disburse to each sponsoring organization any  
1705 money, less any fees or actual administrative costs associated with issuing a sponsoring  
1706 organization's sponsored special group license plate, from the fund.

1707 Section 37. Section **41-6a-1642** is amended to read:

1708 **41-6a-1642. Emissions inspection -- County program.**

1709 (1) The legislative body of each county required under federal law to utilize a motor  
1710 vehicle emissions inspection and maintenance program or in which an emissions inspection  
1711 and maintenance program is necessary to attain or maintain any national ambient air quality  
1712 standard shall require:

1713 (a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle  
1714 is exempt from emissions inspection and maintenance program requirements be presented:

1715 (i) as a condition of registration or renewal of registration; and

1716 (ii) at other times as the county legislative body may require to enforce inspection  
1717 requirements for individual motor vehicles, except that the county legislative body may not  
1718 routinely require a certificate of emissions inspection, or waiver of the certificate, more often  
1719 than required under Subsection (9); and

1720 (b) compliance with this section for a motor vehicle registered or principally operated  
1721 in the county and owned by or being used by a department, division, instrumentality, agency, or  
1722 employee of:

1723 (i) the federal government;

1724 (ii) the state and any of its agencies; or

1725 (iii) a political subdivision of the state, including school districts.

1726 (2) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions  
1727 inspection and maintenance program certificate of emissions inspection as described in  
1728 Subsection (1), but the program may not deny vehicle registration based solely on the presence  
1729 of a defeat device covered in the Volkswagen partial consent decrees or a United States  
1730 Environmental Protection Agency-approved vehicle modification in the following vehicles:



- 1731 (a) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide  
1732 emissions are mitigated in the state pursuant to a partial consent decree, including:  
1733 (i) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;  
1734 (ii) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and  
1735 2014;  
1736 (iii) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;  
1737 (iv) Volkswagen Golf Sportwagen, model year 2015;  
1738 (v) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;  
1739 (vi) Volkswagen Beetle, model years 2013, 2014, and 2015;  
1740 (vii) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and  
1741 (viii) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and  
1742 (b) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide  
1743 emissions are mitigated in the state to a settlement, including:  
1744 (i) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and  
1745 2016;  
1746 (ii) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;  
1747 (iii) Audi A6 Quattro, model years 2014, 2015, and 2016;  
1748 (iv) Audi A7 Quattro, model years 2014, 2015, and 2016;  
1749 (v) Audi A8, model years 2014, 2015, and 2016;  
1750 (vi) Audi A8L, model years 2014, 2015, and 2016;  
1751 (vii) Audi Q5, model years 2014, 2015, and 2016; and  
1752 (viii) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.  
1753 (3) (a) The legislative body of a county identified in Subsection (1), in consultation  
1754 with the Air Quality Board created under Section [19-1-106](#), shall make regulations or  
1755 ordinances regarding:  
1756 (i) emissions standards;  
1757 (ii) test procedures;  
1758 (iii) inspections stations;  
1759 (iv) repair requirements and dollar limits for correction of deficiencies; and  
1760 (v) certificates of emissions inspections.  
1761 (b) In accordance with Subsection (3)(a), a county legislative body:

1762 (i) shall make regulations or ordinances to attain or maintain ambient air quality  
1763 standards in the county, consistent with the state implementation plan and federal  
1764 requirements;

1765 (ii) may allow for a phase-in of the program by geographical area; and

1766 (iii) shall comply with the analyzer design and certification requirements contained in  
1767 the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

1768 (c) The county legislative body and the Air Quality Board shall give preference to an  
1769 inspection and maintenance program that:

1770 (i) is decentralized, to the extent the decentralized program will attain and maintain  
1771 ambient air quality standards and meet federal requirements;

1772 (ii) is the most cost effective means to achieve and maintain the maximum benefit with  
1773 regard to ambient air quality standards and to meet federal air quality requirements as related to  
1774 vehicle emissions; and

1775 (iii) provides a reasonable phase-out period for replacement of air pollution emission  
1776 testing equipment made obsolete by the program.

1777 (d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

1778 (i) may be accomplished in accordance with applicable federal requirements; and

1779 (ii) does not otherwise interfere with the attainment and maintenance of ambient air  
1780 quality standards.

1781 (4) The following vehicles are exempt from an emissions inspection program and the  
1782 provisions of this section:

1783 (a) an implement of husbandry as defined in Section [41-1a-102](#);

1784 (b) a motor vehicle that:

1785 (i) meets the definition of a farm truck under Section [41-1a-102](#); and

1786 (ii) has a gross vehicle weight rating of 12,001 pounds or more;

1787 (c) a vintage vehicle as defined in Section [41-21-1](#);

1788 (d) a custom vehicle as defined in Section [41-6a-1507](#);

1789 (e) to the extent allowed under the current federally approved state implementation  
1790 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor  
1791 vehicle that is less than two years old on January 1 based on the age of the vehicle as  
1792 determined by the model year identified by the manufacturer;

1793 (f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating  
1794 of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed  
1795 statement to the legislative body stating the truck is used:

1796 (i) by the owner or operator of a farm located on property that qualifies as land in  
1797 agricultural use under Sections 59-2-502 and 59-2-503; and

1798 (ii) exclusively for the following purposes in operating the farm:

1799 (A) for the transportation of farm products, including livestock and its products,  
1800 poultry and its products, floricultural and horticultural products; and

1801 (B) in the transportation of farm supplies, including tile, fence, and every other thing or  
1802 commodity used in agricultural, floricultural, horticultural, livestock, and poultry production  
1803 and maintenance;

1804 (g) a motorcycle as defined in Section 41-1a-102;

1805 (h) an electric motor vehicle as defined in Section 41-1a-102; and

1806 (i) a motor vehicle with a model year of 1967 or older.

1807 (5) The county shall issue to the registered owner who signs and submits a signed  
1808 statement under Subsection (4)(f) a certificate of exemption from emissions inspection  
1809 requirements for purposes of registering the exempt vehicle.

1810 (6) A legislative body of a county described in Subsection (1) may exempt from an  
1811 emissions inspection program a diesel-powered motor vehicle with a:

1812 (a) gross vehicle weight rating of more than 14,000 pounds; or

1813 (b) model year of 1997 or older.

1814 (7) The legislative body of a county required under federal law to utilize a motor  
1815 vehicle emissions inspection program shall require:

1816 (a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

1817 (i) a model year of 2007 or newer;

1818 (ii) a gross vehicle weight rating of 14,000 pounds or less; and

1819 (iii) a model year that is five years old or older; and

1820 (b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

1821 (i) with a gross vehicle weight rating of 14,000 pounds or less;

1822 (ii) that has a model year of 1998 or newer; and

1823 (iii) that has a model year that is five years old or older.

1824 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under  
1825 federal law to utilize a motor vehicle emissions inspection and maintenance program or in  
1826 which an emissions inspection and maintenance program is necessary to attain or maintain any  
1827 national ambient air quality standard may require each college or university located in a county  
1828 subject to this section to require its students and employees who park a motor vehicle not  
1829 registered in a county subject to this section to provide proof of compliance with an emissions  
1830 inspection accepted by the county legislative body if the motor vehicle is parked on the college  
1831 or university campus or property.

1832 (b) College or university parking areas that are metered or for which payment is  
1833 required per use are not subject to the requirements of this Subsection (8).

1834 (c) The legislative body of a county shall make the reasons for implementing the  
1835 provisions of this Subsection (8) part of the record at the time that the county legislative body  
1836 takes its official action to implement the provisions of this Subsection (8).

1837 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection  
1838 for each motor vehicle that meets the inspection and maintenance program requirements  
1839 established in rules made under Subsection (3).

1840 (b) The frequency of the emissions inspection shall be determined based on the age of  
1841 the vehicle as determined by model year and shall be required annually subject to the  
1842 provisions of Subsection (9)(c).

1843 (c) (i) To the extent allowed under the current federally approved state implementation  
1844 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative  
1845 body of a county identified in Subsection (1) shall only require the emissions inspection every  
1846 two years for each vehicle.

1847 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six  
1848 years old on January 1.

1849 (iii) For a county required to implement a new vehicle emissions inspection and  
1850 maintenance program on or after December 1, 2012, under Subsection (1), but for which no  
1851 current federally approved state implementation plan exists, a vehicle shall be tested at a  
1852 frequency determined by the county legislative body, in consultation with the Air Quality  
1853 Board created under Section [19-1-106](#), that is necessary to comply with federal law or attain or  
1854 maintain any national ambient air quality standard.

1855 (iv) If a county legislative body establishes or changes the frequency of a vehicle  
1856 emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment  
1857 or change shall take effect on January 1 if the State Tax Commission receives notice meeting  
1858 the requirements of Subsection (9)(c)(v) from the county before October 1.

1859 (v) The notice described in Subsection (9)(c)(iv) shall:

1860 (A) state that the county will establish or change the frequency of the vehicle emissions  
1861 inspection and maintenance program under this section;

1862 (B) include a copy of the ordinance establishing or changing the frequency; and

1863 (C) if the county establishes or changes the frequency under this section, state how  
1864 frequently the emissions testing will be required.

1865 (d) If an emissions inspection is only required every two years for a vehicle under  
1866 Subsection (9)(c), the inspection shall be required for the vehicle in:

1867 (i) odd-numbered years for vehicles with odd-numbered model years; or

1868 (ii) in even-numbered years for vehicles with even-numbered model years.

1869 (10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection  
1870 required under this section may be made no more than two months before the renewal of  
1871 registration.

1872 (b) (i) If the title of a used motor vehicle is being transferred, the owner may use an  
1873 emissions inspection certificate issued for the motor vehicle during the previous 11 months to  
1874 satisfy the requirement under this section.

1875 (ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may  
1876 use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded  
1877 motor vehicle dealer's name during the previous 11 months to satisfy the requirement under  
1878 this section.

1879 (c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the  
1880 lessee may use an emissions inspection certificate issued during the previous 11 months to  
1881 satisfy the requirement under this section.

1882 (d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not  
1883 use an emissions inspection made more than 11 months before the renewal of registration to  
1884 satisfy the requirement under this section.

1885 (e) If the application for renewal of registration is for a six-month registration period

1886 under Section 41-1a-215.5, the owner may use an emissions inspection certificate issued during  
1887 the previous eight months to satisfy the requirement under this section.

1888 (11) (a) A county identified in Subsection (1) shall collect information about and  
1889 monitor the program.

1890 (b) A county identified in Subsection (1) shall supply this information to an appropriate  
1891 legislative committee, as designated by the Legislative Management Committee, at times  
1892 determined by the designated committee to identify program needs, including funding needs.

1893 (12) If approved by the county legislative body, a county that had an established  
1894 emissions inspection fee as of January 1, 2002, may increase the established fee that an  
1895 emissions inspection station may charge by \$2.50 for each year that is exempted from  
1896 emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

1897 (13) (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in  
1898 Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration  
1899 within the county in accordance with the procedures and requirements of Section 41-1a-1223.

1900 (b) A county that imposes a local emissions compliance fee may use revenues  
1901 generated from the fee for the establishment and enforcement of an emissions inspection and  
1902 maintenance program in accordance with the requirements of this section.

1903 (c) A county that imposes a local emissions compliance fee may use revenues  
1904 generated from the fee to promote programs to maintain a local, state, or national ambient air  
1905 quality standard.

1906 (14) A county legislative body described in Subsection (1) may exempt a motor vehicle  
1907 from an emissions inspection if:

1908 (a) the motor vehicle is 30 years old or older;

1909 (b) the county determines that the motor vehicle was driven less than 1,500 miles  
1910 during the preceding 12-month period; and

1911 (c) the owner provides to the county legislative body a statement signed by the owner  
1912 that states the motor vehicle:

1913 (i) is primarily a collector's item used for:

1914 (A) participation in club activities;

1915 (B) exhibitions;

1916 (C) tours; or

1917 (D) parades; or

1918 (ii) is only used for occasional transportation.

1919 Section 38. Section **53-1-118** is amended to read:

1920 **53-1-118. Public Safety Honoring Heroes Restricted Account -- Creation --**  
1921 **Funding -- Distribution of funds by the commissioner.**

1922 (1) There is created in the General Fund a restricted account known as the Public  
1923 Safety Honoring Heroes Restricted Account.

1924 (2) The account shall be funded by:

1925 [~~(a) contributions deposited into the Public Safety Honoring Heroes Restricted~~  
1926 ~~Account in accordance with Section ~~41-1a-422~~;~~]

1927 [~~(b)~~] (a) private contributions; and

1928 [~~(c)~~] (b) donations or grants from public or private entities.

1929 (3) The Legislature shall appropriate money in the account to the commissioner.

1930 (4) The commissioner shall distribute the funds to one or more charitable organizations

1931 that:

1932 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

1933 and

1934 (b) have as a primary part of their mission to support the families of fallen Utah  
1935 Highway Patrol troopers and other Department of Public Safety employees.

1936 (5) The commissioner may only consider proposals that are:

1937 (a) proposed by a charitable organization under Subsection (4); and

1938 (b) designed to support families of fallen Utah Highway Patrol troopers and other  
1939 Department of Public Safety employees.

1940 (6) (a) An organization described in Subsection (4) may apply to the commissioner to  
1941 receive a distribution in accordance with Subsection (4).

1942 (b) An organization that receives a distribution from the commissioner in accordance  
1943 with Subsection (4) shall expend the distribution only to support the families of fallen Utah  
1944 Highway Patrol troopers and other Department of Public Safety employees.

1945 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
1946 commissioner shall make rules providing procedures for an organization to apply to receive  
1947 funds under this section.

1948 Section 39. Section **53-1-120** is amended to read:

1949 **53-1-120. Utah Law Enforcement Memorial Support Restricted Account --**  
1950 **Creation -- Funding -- Distribution of funds by the commissioner.**

1951 (1) There is created in the General Fund a restricted account known as the Utah Law  
1952 Enforcement Memorial Support Restricted Account.

1953 (2) The account shall be funded by:

1954 [~~(a) contributions deposited into the Utah Law Enforcement Memorial Support~~  
1955 ~~Restricted Account in accordance with Section [41-1a-422](#);~~]

1956 [~~(b)~~] (a) private contributions; and

1957 [~~(c)~~] (b) donations or grants from public or private entities.

1958 (3) Subject to appropriations by the Legislature, money in the account may only be  
1959 used by the commissioner for purposes described in this section.

1960 (4) Upon appropriation, the commissioner shall distribute the funds to one or more  
1961 charitable organizations that:

1962 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;  
1963 and

1964 (b) have as a primary part of their mission to support the operation and maintenance of  
1965 the Utah Law Enforcement Memorial.

1966 (5) The commissioner may only consider proposals that are:

1967 (a) proposed by a charitable organization described in Subsection (4); and

1968 (b) designed to support the operation and maintenance of the Utah Law Enforcement  
1969 Memorial.

1970 (6) (a) An organization described in Subsection (4) may apply to the commissioner to  
1971 receive a distribution in accordance with Subsection (4).

1972 (b) An organization that receives a distribution from the commissioner in accordance  
1973 with Subsection (4) shall expend the distribution only to support the operation and maintenance  
1974 of the Utah Law Enforcement Memorial.

1975 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
1976 commissioner shall make rules providing procedures for an organization to apply to receive  
1977 funds under this section.

1978 Section 40. Section **53-7-109** is amended to read:



1979 **53-7-109. Firefighter Support Restricted Account.**

1980 (1) There is created in the General Fund the Firefighter Support Restricted Account.

1981 (2) The account shall be funded by ~~[(a) contributions deposited into the account in~~  
 1982 ~~accordance with Section 41-1a-422; and (b)]~~ donations or grants from public or private entities.

1983 (3) The Legislature shall appropriate funds in the account to the division.

1984 (4) The division shall distribute funds in the account to one or more charitable  
 1985 organizations that:

1986 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

1987 (b) provide firefighter education and training programs;

1988 (c) initiate and maintain active participation in all aspects of fire service;

1989 (d) maintain a fire history museum; and

1990 (e) represent over 2,000 active, inactive, retired, volunteer, or career firefighters

1991 throughout the state.

1992 (5) (a) An organization described in Subsection (4) may apply to the division to receive  
 1993 a distribution in accordance with Subsection (4).

1994 (b) An organization that receives a distribution from the division in accordance with  
 1995 Subsection (4) shall expend the distribution only to:

1996 (i) pay for firefighter education or training programs;

1997 (ii) pay for firefighter scholarship programs;

1998 (iii) pay the costs of maintaining a fire history museum;

1999 (iv) pay the costs of representing firefighter interests on a national and local level; and

2000 (v) pay for assistance with purchasing equipment or apparatuses used in firefighting.

2001 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
 2002 division may make rules providing procedures for an organization to apply to the division to  
 2003 receive a distribution under Subsection (4).

2004 Section 41. Section **53F-9-401** is amended to read:

2005 **53F-9-401. Autism Awareness Restricted Account.**

2006 (1) There is created in the General Fund a restricted account known as the "Autism  
 2007 Awareness Restricted Account."

2008 (2) The account shall be funded by:

2009 ~~[(a) contributions deposited into the account in accordance with Section 41-1a-422;]~~

2010            [~~(b)~~] (a) private contributions; and  
2011            [~~(c)~~] (b) donations or grants from public or private entities.  
2012            (3) Upon appropriation by the Legislature, the state superintendent shall:  
2013            (a) (i) ensure the inventory of Autism Awareness Support special group license plate  
2014            decals are in stock; and  
2015            (ii) transfer money to the State Tax Commission to pay for the group license plate as  
2016            needed;  
2017            (b) distribute funds in the account to one or more charitable organizations that:  
2018            (i) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;  
2019            (ii) has as the organization's sole mission to promote access to resources and  
2020            responsible information for individuals of all ages who have, or are affected by, autism or  
2021            autism spectrum related conditions;  
2022            (iii) is an independent organization that has representation from state agencies and  
2023            private providers serving individuals with autism spectrum disorder and their families in the  
2024            state;  
2025            (iv) includes representation of:  
2026            (A) national and local autism advocacy groups, as available; and  
2027            (B) interested parents and professionals; and  
2028            (v) does not endorse any specific treatment, therapy, or intervention used for autism.  
2029            (4) (a) An organization described in Subsection (3) may apply to the state  
2030            superintendent to receive a distribution in accordance with Subsection (3).  
2031            (b) An organization that receives a distribution from the state superintendent in  
2032            accordance with Subsection (3) shall expend the distribution only to:  
2033            (i) pay for autism education and public awareness of programs and related services in  
2034            the state;  
2035            (ii) enhance programs designed to serve individuals with autism;  
2036            (iii) provide support to caregivers providing services for individuals with autism;  
2037            (iv) pay administrative costs of the organization; and  
2038            (v) pay for academic scholarships and research efforts in the area of autism spectrum  
2039            disorder.  
2040            (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

2041 state board may make rules providing procedures for an organization to apply to the state  
2042 superintendent to receive a distribution under Subsection (3).

2043 Section 42. Section **53F-9-403** is amended to read:

2044 **53F-9-403. Kiwanis Education Support Fund.**

2045 (1) There is created an expendable special revenue fund known as the "Kiwanis  
2046 Education Support Fund."

2047 (2) The fund consists of:

2048 [~~(a) contributions deposited into the fund in accordance with Section 41-1a-422;~~]

2049 [~~(b)~~] (a) private contributions;

2050 [~~(c)~~] (b) donations or grants from public or private entities; and

2051 [~~(d)~~] (c) money appropriated to the fund by the Legislature.

2052 (3) Subject to Subsection 41-1a-418(2), the State Tax Commission:

2053 (a) shall expend money in the fund to pay the initial costs of ordering and issuing  
2054 Kiwanis special group license plates; and

2055 (b) as needed, may expend money in the fund to pay the costs of reordering Kiwanis  
2056 special group license plates and decals.

2057 [~~(4) On an annual basis, the State Tax Commission shall:~~]

2058 [~~(a) evaluate the fund's ability to cover the costs described in Subsection (3); and]~~

2059 [~~(b) based on the evaluation described in Subsection (4)(a), adjust the allocation of  
2060 contributions described in Subsection (2)(a) deposited into the fund.]~~

2061 Section 43. Section **59-10-1319** is amended to read:

2062 **59-10-1319. Contribution to Clean Air Fund.**

2063 (1) (a) There is created an expendable special revenue fund known as the "Clean Air  
2064 Fund."

2065 (b) The fund shall consist of all amounts deposited into the fund in accordance with  
2066 Subsection (2).

2067 (2) (a) Except as provided in Section 59-10-1304, for a taxable year beginning on or  
2068 after January 1, 2017, a resident or nonresident individual who files an individual income tax  
2069 return under this chapter may designate on the resident or nonresident individual's individual  
2070 income tax return a contribution as provided in this section to be:

2071 (i) deposited into the Clean Air Fund; and

- 2072 (ii) expended as provided in Subsection (3).
- 2073 (b) The fund shall also consist of amounts deposited into the fund through:
- 2074 [~~(i) contributions deposited into the account in accordance with Section 41-1a-422;~~]
- 2075 [~~(ii)~~] (i) private contributions; and
- 2076 [~~(iii)~~] (ii) donations or grants from public or private entities.
- 2077 (3) (a) At least once each year, the commission shall disburse from the Clean Air Fund
- 2078 all money deposited into the fund since the last disbursement.
- 2079 (b) The commission shall disburse money under Subsection (3)(a) to the Division of
- 2080 Air Quality for the purpose of:
- 2081 (i) providing money for grants to individuals or organizations in the state to fund
- 2082 activities intended to improve air quality in the state;
- 2083 (ii) enhancing programs designed to educate the public about the importance of air
- 2084 quality to the health, well-being, and livelihood of individuals in the state; and
- 2085 (iii) pay the costs of issuing or reordering Clean Air Support special group license plate
- 2086 decals.
- 2087 Section 44. Section **61-2-204** is amended to read:
- 2088 **61-2-204. Utah Housing Opportunity Restricted Account.**
- 2089 (1) For purposes of this section, "account" means the Utah Housing Opportunity
- 2090 Restricted Account created by this section.
- 2091 (2) There is created in the General Fund a restricted account known as the "Utah
- 2092 Housing Opportunity Restricted Account."
- 2093 (3) The account shall be funded by:
- 2094 [~~(a) contributions deposited into the account in accordance with Section 41-1a-422;~~]
- 2095 [~~(b)~~] (a) private contributions; and
- 2096 [~~(c)~~] (b) donations or grants from public or private entities.
- 2097 (4) (a) The state treasurer shall invest money in the account according to Title 51,
- 2098 Chapter 7, State Money Management Act.
- 2099 (b) The Division of Finance shall deposit interest or other earnings derived from
- 2100 investment of account money into the General Fund.
- 2101 (5) The Legislature shall appropriate money in the account to the division.
- 2102 (6) The division shall distribute the money in the account to one or more charitable

2103 organizations that:

2104 (a) are tax exempt under Section 501(c)(3), Internal Revenue Code; and

2105 (b) have as a primary part of their mission to provide support to organizations that  
2106 create affordable housing for those in severe need.

2107 (7) The division may consider a proposal only if it is:

2108 (a) proposed by an organization described in Subsection (6); and

2109 (b) designed to provide support to organizations that create affordable housing for  
2110 those in severe need.

2111 (8) (a) An organization described in Subsection (6) may apply to the division to receive  
2112 a distribution in accordance with Subsection (6).

2113 (b) An organization that receives a distribution from the division in accordance with  
2114 Subsection (6) shall expend the distribution only to provide support to organizations that create  
2115 affordable housing for those in severe need.

2116 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2117 division shall make rules providing procedures for an organization to apply to receive money  
2118 under this section.

2119 Section 45. Section **62A-1-202** is amended to read:

2120 **62A-1-202. National Professional Men's Basketball Team Support of Women and**  
2121 **Children Issues Restricted Account.**

2122 (1) There is created in the General Fund a restricted account known as the "National  
2123 Professional Men's Basketball Team Support of Women and Children Issues Restricted  
2124 Account."

2125 (2) The account shall be funded by:

2126 [~~(a) contributions deposited into the account in accordance with Section 41-1a-422;~~]

2127 [~~(b)~~] (a) private contributions; and

2128 [~~(c)~~] (b) donations or grants from public or private entities.

2129 (3) Upon appropriation by the Legislature, the department shall distribute funds in the  
2130 account to one or more charitable organizations that:

2131 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

2132 (b) are selected by the owners that, either on an individual or joint basis, own a  
2133 controlling interest in a legal entity that is a franchised member of the internationally

2134 recognized national governing body for professional men's basketball in the United States;

2135 (c) are headquartered within the state;

2136 (d) create or support programs that focus on issues affecting women and children  
2137 within the state, with an emphasis on health and education; and

2138 (e) have a board of directors that disperses all funds of the organization.

2139 (4) (a) An organization described in Subsection (3) may apply to the department to  
2140 receive a distribution in accordance with Subsection (3).

2141 (b) An organization that receives a distribution from the department in accordance with  
2142 Subsection (3) shall expend the distribution only to:

2143 (i) create or support programs that focus on issues affecting women and children, with  
2144 an emphasis on health and education;

2145 (ii) create or sponsor programs that will benefit residents within the state; and

2146 (iii) pay the costs of issuing or reordering National Professional Men's Basketball  
2147 Team Support of Women and Children Issues support special group license plate decals.

2148 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2149 department may make rules providing procedures for an organization to apply to the  
2150 department to receive a distribution under this Subsection (4).

2151 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are  
2152 nonlapsing.

2153 Section 46. Section **62A-4a-608** is amended to read:

2154 **62A-4a-608. Choose Life Adoption Support Restricted Account.**

2155 (1) There is created in the General Fund the "Choose Life Adoption Support Restricted  
2156 Account."

2157 (2) The account shall be funded by:

2158 [~~(a) contributions deposited into the Choose Life Adoption Support Restricted Account~~  
2159 ~~in accordance with Section [41-1a-422](#);~~]

2160 [~~(b)~~] (a) appropriations to the account by the Legislature;

2161 [~~(c)~~] (b) private contributions; and

2162 [~~(d)~~] (c) donations or grants from public or private entities.

2163 (3) The Legislature shall appropriate money in the account to the division.

2164 (4) The division shall distribute the funds in the account to one or more charitable

2165 organizations that:

2166 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

2167 (b) have as part of their primary mission the support, promotion, and education of

2168 adoption programs; and

2169 (c) are licensed or registered to do business within the state in accordance with state

2170 law.

2171 (5) (a) An organization described in Subsection (4) may apply to the division to receive  
2172 a distribution in accordance with Subsection (4).

2173 (b) An organization that receives a distribution from the division in accordance with  
2174 Subsection (4) shall expend the distribution only to:

2175 (i) produce and distribute educational and promotional materials on adoption;

2176 (ii) conduct educational courses on adoption; and

2177 (iii) provide other programs that support adoption.

2178 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2179 division may make rules providing procedures and requirements for an organization to apply to  
2180 the division to receive a distribution under Subsection (4).

2181 Section 47. Section **63G-26-103** is amended to read:

2182 **63G-26-103. Protection of personal information.**

2183 (1) Except as provided in Subsections (2), (3), and (5), a public agency may not:

2184 (a) require an individual to provide the public agency with personal information or  
2185 otherwise compel the release of personal information;

2186 (b) require an entity exempt from federal income tax under Section 501(c) of the  
2187 Internal Revenue Code to provide the public agency with personal information or compel the  
2188 entity to release personal information;

2189 (c) release, publicize, or otherwise publicly disclose personal information in possession  
2190 of a public agency; or

2191 (d) request or require a current or prospective contractor or grantee of the public  
2192 agency to provide the public agency with a list of entities exempt from federal income tax  
2193 under Section 501(c) of the Internal Revenue Code to which the contractor or grantee has  
2194 provided financial or nonfinancial support.

2195 (2) Subsection (1) does not apply to:

2196 (a) a disclosure of personal information required under Title 20A, Election Code, Title  
2197 36, Chapter 11, Lobbyist Disclosure and Regulation Act, or any other legal requirement  
2198 relating to reporting campaign contributions, campaign expenditures, lobbying disclosures, or  
2199 lobbying expenditures;

2200 (b) a disclosure of personal information expressly required by law;

2201 (c) a disclosure of personal information voluntarily made:

2202 (i) as part of public comment or in a public meeting; or

2203 (ii) in another manner that is publicly accessible;

2204 (d) a disclosure of personal information pursuant to a warrant or court order issued by a  
2205 court of competent jurisdiction;

2206 (e) a lawful request for discovery of personal information in litigation or a criminal  
2207 proceeding;

2208 (f) the use of personal information in a legal proceeding;

2209 (g) a public agency sharing personal information with another public agency in  
2210 accordance with the requirements of law; or

2211 (h) a nonprofit created under Title 11, Chapter 13a, Governmental Nonprofit  
2212 Corporations Act.

2213 (3) Subsections (1)(a), (b), and (d) do not apply to:

2214 (a) administration or enforcement of Title 13, Chapter 11, Utah Consumer Sales  
2215 Practices Act, or Title 13, Chapter 22, Charitable Solicitations Act;

2216 (b) the request or use of personal information necessary to the State Tax Commission's  
2217 administration of tax or motor vehicle laws; or

2218 (c) access to personal information by the Office of the Legislative Auditor General or  
2219 the state auditor's office to conduct an audit.

2220 (4) A court shall consider whether to:

2221 (a) limit a request for discovery of personal information; or

2222 (b) issue a protective order in relation to the disclosure of personal information  
2223 obtained or used in relation to a legal proceeding.

2224 (5) Subsection (1) does not apply to disclosure of a contributor~~[-as defined in Section~~  
2225 [41-1a-422](#)], to a sponsoring organization [~~described in Subsection [41-1a-422](#)(3)~~], as those  
2226 terms are defined in Section [41-1a-1601](#).



- 2227 Section 48. Section **63I-1-263** is amended to read:
- 2228 **63I-1-263. Repeal dates, Titles 63A to 63N.**
- 2229 (1) In relation to the Utah Transparency Advisory Board, on January 1, 2025:
- 2230 (a) Section **63A-16-102** is repealed;
- 2231 (b) Section **63A-16-201** is repealed; and
- 2232 (c) Section **63A-16-202** is repealed.
- 2233 (2) Subsection **63A-5b-405(5)**, relating to prioritizing and allocating capital
- 2234 improvement funding, is repealed July 1, 2024.
- 2235 (3) Section **63A-5b-1003**, State Facility Energy Efficiency Fund, is repealed July 1,
- 2236 2023.
- 2237 (4) Sections **63A-9-301** and **63A-9-302**, related to the Motor Vehicle Review
- 2238 Committee, are repealed July 1, 2023.
- 2239 (5) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July
- 2240 1, 2028.
- 2241 (6) Title 63C, Chapter 6, Utah Seismic Safety Commission, is repealed January 1,
- 2242 2025.
- 2243 (7) Title 63C, Chapter 12, Snake Valley Aquifer Advisory Council, is repealed July 1,
- 2244 2024.
- 2245 (8) Title 63C, Chapter 17, Point of the Mountain Development Commission Act, is
- 2246 repealed July 1, 2023.
- 2247 (9) Title 63C, Chapter 18, Behavioral Health Crisis Response Commission, is repealed
- 2248 July 1, 2023.
- 2249 (10) Title 63C, Chapter 23, Education and Mental Health Coordinating Council, is
- 2250 repealed July 1, 2026.
- 2251 (11) Title 63A, Chapter 16, Part 7, Data Security Management Council, is repealed
- 2252 July 1, 2025.
- 2253 (12) Section **63G-6a-805**, which creates the Purchasing from Persons with Disabilities
- 2254 Advisory Board, is repealed July 1, 2026.
- 2255 (13) Title 63G, Chapter 21, Agreements to Provide State Services, is repealed July 1,
- 2256 2025.
- 2257 (14) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1,

2258 2024.

2259 (15) Title 63H, Chapter 8, Utah Housing Corporation Act, is repealed July 1, 2026.

2260 (16) Subsection [63J-1-602.1](#)~~[(17)]~~(15), Nurse Home Visiting Restricted Account is  
2261 repealed July 1, 2026.

2262 (17) (a) Subsection [63J-1-602.1](#)~~[(61)]~~(59), relating to the Utah Statewide Radio System  
2263 Restricted Account, is repealed July 1, 2022.

2264 (b) When repealing Subsection [63J-1-602.1](#)~~[(61)]~~(59), the Office of Legislative  
2265 Research and General Counsel shall, in addition to the office's authority under Subsection  
2266 [36-12-12](#)(3), make necessary changes to subsection numbering and cross references.

2267 (18) Subsection [63J-1-602.2](#)(5), referring to dedicated credits to the Utah Marriage  
2268 Commission, is repealed July 1, 2023.

2269 (19) Subsection [63J-1-602.2](#)(6), referring to the Trip Reduction Program, is repealed  
2270 July 1, 2022.

2271 (20) Subsection [63J-1-602.2](#)(24), related to the Utah Seismic Safety Commission, is  
2272 repealed January 1, 2025.

2273 ~~[(21) Title 63J, Chapter 4, Part 5, Resource Development Coordinating Committee, is~~  
2274 ~~repealed July 1, 2027.]~~

2275 ~~[(22)]~~ (21) In relation to the advisory committee created in Subsection [63L-11-305](#)(3),  
2276 on July 1, 2022:

2277 (a) Subsection [63L-11-305](#)(1)(a), which defines "advisory committee," is repealed; and

2278 (b) Subsection [63L-11-305](#)(3), which creates the advisory committee, is repealed.

2279 ~~[(23)]~~ (22) In relation to the Utah Substance Use and Mental Health Advisory Council,  
2280 on January 1, 2023:

2281 (a) Sections [63M-7-301](#), [63M-7-302](#), [63M-7-303](#), [63M-7-304](#), and [63M-7-306](#) are  
2282 repealed;

2283 (b) Section [63M-7-305](#), the language that states "council" is replaced with  
2284 "commission";

2285 (c) Subsection [63M-7-305](#)(1) is repealed and replaced with:

2286 "(1) "Commission" means the Commission on Criminal and Juvenile Justice."; and

2287 (d) Subsection [63M-7-305](#)(2) is repealed and replaced with:

2288 "(2) The commission shall:

2289 (a) provide ongoing oversight of the implementation, functions, and evaluation of the  
2290 Drug-Related Offenses Reform Act; and

2291 (b) coordinate the implementation of Section 77-18-104 and related provisions in  
2292 Subsections 77-18-103(2)(c) and (d)."

2293 ~~[(24)]~~ (23) The Crime Victim Reparations and Assistance Board, created in Section  
2294 63M-7-504, is repealed July 1, 2027.

2295 ~~[(25)]~~ (24) Title 63M, Chapter 7, Part 6, Utah Council on Victims of Crime, is repealed  
2296 July 1, 2022.

2297 ~~[(26)]~~ (25) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1,  
2298 2026.

2299 ~~[(27)] Title 63N, Chapter 1, Part 5, Governor's Economic Development Coordinating~~  
2300 ~~Council, is repealed July 1, 2024.]~~

2301 ~~[(28)]~~ (26) Title 63N, Chapter 2, Part 2, Enterprise Zone Act, is repealed July 1, 2028.

2302 ~~[(29)]~~ (27) Section 63N-2-512, related to the Hotel Impact Mitigation Fund, is repealed  
2303 July 1, 2028.

2304 ~~[(30)]~~ (28) (a) Title 63N, Chapter 2, Part 6, Utah Small Business Jobs Act, is repealed  
2305 January 1, 2021.

2306 (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for  
2307 calendar years beginning on or after January 1, 2021.

2308 (c) Notwithstanding Subsection ~~[(30)]~~ (28)(b), an entity may carry forward a tax credit  
2309 in accordance with Section 59-9-107 if:

2310 (i) the person is entitled to a tax credit under Section 59-9-107 on or before December  
2311 31, 2020; and

2312 (ii) the qualified equity investment that is the basis of the tax credit is certified under  
2313 Section 63N-2-603 on or before December 31, 2023.

2314 ~~[(31)]~~ (29) Title 63N, Chapter 4, Part 4, Rural Employment Expansion Program, is  
2315 repealed July 1, 2023.

2316 ~~[(32)]~~ (30) Title 63N, Chapter 7, Part 1, Board of Tourism Development, is repealed  
2317 July 1, 2025.

2318 ~~[(33)]~~ (31) Title 63N, Chapter 9, Part 2, Outdoor Recreational Infrastructure Grant  
2319 Program, is repealed January 1, 2028.

- 2320 Section 49. Section **63J-1-602.1** is amended to read:
- 2321 **63J-1-602.1. List of nonlapsing appropriations from accounts and funds.**
- 2322 Appropriations made from the following accounts or funds are nonlapsing:
- 2323 (1) The Utah Intracurricular Student Organization Support for Agricultural Education
- 2324 and Leadership Restricted Account created in Section [4-42-102](#).
- 2325 (2) The Native American Repatriation Restricted Account created in Section [9-9-407](#).
- 2326 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
- 2327 Section [9-18-102](#).
- 2328 (4) The National Professional Men's Soccer Team Support of Building Communities
- 2329 Restricted Account created in Section [9-19-102](#).
- 2330 (5) Funds collected for directing and administering the C-PACE district created in
- 2331 Section [11-42a-106](#).
- 2332 (6) Money received by the Utah Inland Port Authority, as provided in Section
- 2333 [11-58-105](#).
- 2334 (7) The "Latino Community Support Restricted Account" created in Section [13-1-16](#).
- 2335 (8) The Clean Air Support Restricted Account created in Section [19-1-109](#).
- 2336 (9) The Division of Air Quality Oil, Gas, and Mining Restricted Account created in
- 2337 Section [19-2a-106](#).
- 2338 (10) The Division of Water Quality Oil, Gas, and Mining Restricted Account created in
- 2339 Section [19-5-126](#).
- 2340 (11) The "Support for State-Owned Shooting Ranges Restricted Account" created in
- 2341 Section [23-14-13.5](#).
- 2342 (12) Award money under the State Asset Forfeiture Grant Program, as provided under
- 2343 Section [24-4-117](#).
- 2344 (13) Funds collected from the program fund for local health department expenses
- 2345 incurred in responding to a local health emergency under Section [26-1-38](#).
- 2346 [~~(14) The Children with Cancer Support Restricted Account created in Section~~
- 2347 ~~[26-21a-304](#).~~]
- 2348 [(~~15~~) (14) State funds for matching federal funds in the Children's Health Insurance
- 2349 Program as provided in Section [26-40-108](#).
- 2350 [~~(16) The Children with Heart Disease Support Restricted Account created in Section~~

2351 ~~26-58-102~~]

2352 [~~17~~] (15) The Nurse Home Visiting Restricted Account created in Section ~~26-63-601~~.

2353 [~~18~~] (16) The Technology Development Restricted Account created in Section

2354 ~~31A-3-104~~.

2355 [~~19~~] (17) The Criminal Background Check Restricted Account created in Section

2356 ~~31A-3-105~~.

2357 [~~20~~] (18) The Captive Insurance Restricted Account created in Section ~~31A-3-304~~,

2358 except to the extent that Section ~~31A-3-304~~ makes the money received under that section free

2359 revenue.

2360 [~~21~~] (19) The Title Licensee Enforcement Restricted Account created in Section

2361 ~~31A-23a-415~~.

2362 [~~22~~] (20) The Health Insurance Actuarial Review Restricted Account created in

2363 Section ~~31A-30-115~~.

2364 [~~23~~] (21) The Insurance Fraud Investigation Restricted Account created in Section

2365 ~~31A-31-108~~.

2366 [~~24~~] (22) The Underage Drinking Prevention Media and Education Campaign

2367 Restricted Account created in Section ~~32B-2-306~~.

2368 [~~25~~] (23) The School Readiness Restricted Account created in Section ~~35A-15-203~~.

2369 [~~26~~] (24) Money received by the Utah State Office of Rehabilitation for the sale of

2370 certain products or services, as provided in Section ~~35A-13-202~~.

2371 [~~27~~] (25) The Oil and Gas Administrative Penalties Account created in Section

2372 ~~40-6-11~~.

2373 [~~28~~] (26) The Oil and Gas Conservation Account created in Section ~~40-6-14.5~~.

2374 [~~29~~] (27) The Division of Oil, Gas, and Mining Restricted account created in Section

2375 ~~40-6-23~~.

2376 [~~30~~] (28) The Electronic Payment Fee Restricted Account created by Section

2377 ~~41-1a-121~~ to the Motor Vehicle Division.

2378 [~~31~~] (29) The Motor Vehicle Enforcement Division Temporary Permit Restricted

2379 Account created by Section ~~41-3-110~~ to the State Tax Commission.

2380 [~~32~~] (30) The Utah Law Enforcement Memorial Support Restricted Account created

2381 in Section ~~53-1-120~~.

- 2382            [~~(33)~~] (31) The State Disaster Recovery Restricted Account to the Division of  
2383 Emergency Management, as provided in Section [53-2a-603](#).
- 2384            [~~(34)~~] (32) The Department of Public Safety Restricted Account to the Department of  
2385 Public Safety, as provided in Section [53-3-106](#).
- 2386            [~~(35)~~] (33) The Utah Highway Patrol Aero Bureau Restricted Account created in  
2387 Section [53-8-303](#).
- 2388            [~~(36)~~] (34) The DNA Specimen Restricted Account created in Section [53-10-407](#).
- 2389            [~~(37)~~] (35) The Canine Body Armor Restricted Account created in Section [53-16-201](#).
- 2390            [~~(38)~~] (36) The Technical Colleges Capital Projects Fund created in Section  
2391 [53B-2a-118](#).
- 2392            [~~(39)~~] (37) The Higher Education Capital Projects Fund created in Section  
2393 [53B-22-202](#).
- 2394            [~~(40)~~] (38) A certain portion of money collected for administrative costs under the  
2395 School Institutional Trust Lands Management Act, as provided under Section [53C-3-202](#).
- 2396            [~~(41)~~] (39) The Public Utility Regulatory Restricted Account created in Section  
2397 [54-5-1.5](#), subject to Subsection [54-5-1.5\(4\)\(d\)](#).
- 2398            [~~(42)~~] (40) Funds collected from a surcharge fee to provide certain licensees with  
2399 access to an electronic reference library, as provided in Section [58-3a-105](#).
- 2400            [~~(43)~~] (41) Certain fines collected by the Division of Occupational and Professional  
2401 Licensing for violation of unlawful or unprofessional conduct that are used for education and  
2402 enforcement purposes, as provided in Section [58-17b-505](#).
- 2403            [~~(44)~~] (42) Funds collected from a surcharge fee to provide certain licensees with  
2404 access to an electronic reference library, as provided in Section [58-22-104](#).
- 2405            [~~(45)~~] (43) Funds collected from a surcharge fee to provide certain licensees with  
2406 access to an electronic reference library, as provided in Section [58-55-106](#).
- 2407            [~~(46)~~] (44) Funds collected from a surcharge fee to provide certain licensees with  
2408 access to an electronic reference library, as provided in Section [58-56-3.5](#).
- 2409            [~~(47)~~] (45) Certain fines collected by the Division of Occupational and Professional  
2410 Licensing for use in education and enforcement of the Security Personnel Licensing Act, as  
2411 provided in Section [58-63-103](#).
- 2412            [~~(48)~~] (46) The Relative Value Study Restricted Account created in Section [59-9-105](#).

- 2413            [~~(49)~~] (47) The Cigarette Tax Restricted Account created in Section [59-14-204](#).
- 2414            [~~(50)~~] (48) Funds paid to the Division of Real Estate for the cost of a criminal  
2415 background check for a mortgage loan license, as provided in Section [61-2c-202](#).
- 2416            [~~(51)~~] (49) Funds paid to the Division of Real Estate for the cost of a criminal  
2417 background check for principal broker, associate broker, and sales agent licenses, as provided  
2418 in Section [61-2f-204](#).
- 2419            [~~(52)~~] (50) Certain funds donated to the Department of Human Services, as provided in  
2420 Section [62A-1-111](#).
- 2421            [~~(53)~~] (51) The National Professional Men's Basketball Team Support of Women and  
2422 Children Issues Restricted Account created in Section [62A-1-202](#).
- 2423            [~~(54)~~] (52) Certain funds donated to the Division of Child and Family Services, as  
2424 provided in Section [62A-4a-110](#).
- 2425            [~~(55)~~] (53) The Choose Life Adoption Support Restricted Account created in Section  
2426 [62A-4a-608](#).
- 2427            [~~(56)~~] (54) Funds collected by the Office of Administrative Rules for publishing, as  
2428 provided in Section [63G-3-402](#).
- 2429            [~~(57)~~] (55) The Immigration Act Restricted Account created in Section [63G-12-103](#).
- 2430            [~~(58)~~] (56) Money received by the military installation development authority, as  
2431 provided in Section [63H-1-504](#).
- 2432            [~~(59)~~] (57) The Computer Aided Dispatch Restricted Account created in Section  
2433 [63H-7a-303](#).
- 2434            [~~(60)~~] (58) The Unified Statewide 911 Emergency Service Account created in Section  
2435 [63H-7a-304](#).
- 2436            [~~(61)~~] (59) The Utah Statewide Radio System Restricted Account created in Section  
2437 [63H-7a-403](#).
- 2438            [~~(62)~~] (60) The Utah Capital Investment Restricted Account created in Section  
2439 [63N-6-204](#).
- 2440            [~~(63)~~] (61) The Motion Picture Incentive Account created in Section [63N-8-103](#).
- 2441            [~~(64)~~] (62) Certain money payable for expenses of the Pete Suazo Utah Athletic  
2442 Commission, as provided under Section [63N-10-301](#).
- 2443            [~~(65)~~] (63) Funds collected by the housing of state probationary inmates or state parole

2444 inmates, as provided in Subsection [64-13e-104\(2\)](#).

2445 ~~[(66)]~~ [\(64\)](#) Certain forestry and fire control funds utilized by the Division of Forestry,  
2446 Fire, and State Lands, as provided in Section [65A-8-103](#).

2447 ~~[(67)]~~ [\(65\)](#) The Transportation of Veterans to Memorials Support Restricted Account  
2448 created in Section [71-14-102](#).

2449 ~~[(68)]~~ [\(66\)](#) The Amusement Ride Safety Restricted Account, as provided in Section  
2450 [72-16-204](#).

2451 ~~[(69)]~~ [\(67\)](#) Certain funds received by the Office of the State Engineer for well drilling  
2452 fines or bonds, as provided in Section [73-3-25](#).

2453 ~~[(70)]~~ [\(68\)](#) The Water Resources Conservation and Development Fund, as provided in  
2454 Section [73-23-2](#).

2455 ~~[(71)]~~ [\(69\)](#) Funds donated or paid to a juvenile court by private sources, as provided in  
2456 Subsection [78A-6-203\(1\)\(c\)](#).

2457 ~~[(72)]~~ [\(70\)](#) Fees for certificate of admission created under Section [78A-9-102](#).

2458 ~~[(73)]~~ [\(71\)](#) Funds collected for adoption document access as provided in Sections  
2459 [78B-6-141](#), [78B-6-144](#), and [78B-6-144.5](#).

2460 ~~[(74)]~~ [\(72\)](#) Funds collected for indigent defense as provided in Title 78B, Chapter 22,  
2461 Part 4, Utah Indigent Defense Commission.

2462 ~~[(75)]~~ [\(73\)](#) The Utah Geological Survey Oil, Gas, and Mining Restricted Account  
2463 created in Section [79-3-403](#).

2464 ~~[(76)]~~ [\(74\)](#) Revenue for golf user fees at the Wasatch Mountain State Park, Palisades  
2465 State Park, and Green River State Park, as provided under Section [79-4-403](#).

2466 ~~[(77)]~~ [\(75\)](#) Certain funds received by the Division of State Parks from the sale or  
2467 disposal of buffalo, as provided under Section [79-4-1001](#).

2468 ~~[(78)]~~ [\(76\)](#) The Drinking While Pregnant Prevention Media and Education Campaign  
2469 Restricted Account created in Section [32B-2-308](#).

2470 Section 50. Section [71-8-2](#) is amended to read:

2471 **71-8-2. Department of Veterans and Military Affairs created -- Appointment of**  
2472 **executive director -- Department responsibilities.**

2473 (1) There is created the Department of Veterans and Military Affairs.

2474 (2) The governor shall appoint an executive director for the department, after



2475 consultation with the Veterans Advisory Council, who is subject to Senate confirmation.

2476 (a) The executive director shall be an individual who:

2477 (i) has served on active duty in the armed forces for more than 180 consecutive days;

2478 (ii) was a member of a reserve component who served in a campaign or expedition for

2479 which a campaign medal has been authorized; or

2480 (iii) incurred an actual service-related injury or disability in the line of duty, whether or

2481 not that person completed 180 consecutive days of active duty; and

2482 (iv) was separated or retired under honorable conditions.

2483 (b) Any veteran or veterans group may submit names to the council for consideration.

2484 (3) The department shall:

2485 (a) conduct and supervise all veteran activities as provided in this title;

2486 ~~[(b) determine which campaign or combat theater awards are eligible for a special~~

2487 ~~group license plate in accordance with Section 41-1a-418;]~~

2488 ~~[(c) verify that an applicant for a campaign or combat theater award special group~~

2489 ~~license plate is qualified to receive it;]~~

2490 ~~[(d) provide an applicant that qualifies a form indicating the campaign or combat~~

2491 ~~theater award special group license plate for which the applicant qualifies;]~~

2492 ~~[(e)]~~ (b) adopt rules in accordance with Title 63G, Chapter 3, Utah Administrative

2493 Rulemaking Act, to carry out the provisions of this title; and

2494 ~~[(f)]~~ (c) ensure that any training or certification required of a public official or public

2495 employee, as those terms are defined in Section 63G-22-102, complies with Title 63G, Chapter

2496 22, State Training and Certification Requirements, if the training or certification is required:

2497 (i) under this title;

2498 (ii) by the department; or

2499 (iii) by an agency or division within the department.

2500 (4) (a) The department may award grants for the purpose of supporting veteran and

2501 military outreach, employment, education, healthcare, homelessness prevention, and

2502 recognition events.

2503 (b) The department may award a grant described in Subsection (4)(a) to:

2504 (i) an institution of higher education listed in Section 53B-1-102;

2505 (ii) a nonprofit organization involved in veterans or military-related activities; or

2506 (iii) a political subdivision of the state.

2507 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

2508 department shall make rules for the administration of grants, including establishing:

2509 (i) the form and process for submitting an application to the department;

2510 (ii) the method and criteria for selecting a grant recipient;

2511 (iii) the method and formula for determining a grant amount; and

2512 (iv) the reporting requirements of a grant recipient.

2513 (d) A grant may be awarded by the department only after consultation with the

2514 Veterans Advisory Council.

2515 (5) Nothing in this chapter shall be construed as altering or preempting the provisions

2516 of Title 39, Militia and Armories, as specifically related to the Utah National Guard.

2517 Section 51. Section **71-8-4** is amended to read:

2518 **71-8-4. Veterans Advisory Council -- Membership -- Duties and responsibilities --**

2519 **Per diem and travel expenses.**

2520 (1) There is created a Veterans Advisory Council whose purpose is to advise the

2521 executive director of the Department of Veterans and Military Affairs on issues relating to

2522 veterans.

2523 (2) The council shall consist of the following 14 members:

2524 (a) 11 voting members to serve four-year terms:

2525 (i) seven veterans at large appointed by the governor;

2526 (ii) the commander or the commander's designee, whose terms shall last for as long as

2527 they hold that office, from each of the following organizations:

2528 (A) Veterans of Foreign Wars;

2529 (B) American Legion; and

2530 (C) Disabled American Veterans; and

2531 (iii) a representative from the Office of the Governor; and

2532 (b) three nonvoting members:

2533 (i) the executive director of the Department of Veterans and Military Affairs;

2534 (ii) the director of the VA Health Care System or his designee; and

2535 (iii) the director of the VA Benefits Administration Regional Office in Salt Lake City,

2536 or his designee.

2537 (3) (a) Except as required by Subsection (3)(b), as terms of current council members  
2538 expire, the governor shall appoint each new or reappointed member to a four-year term  
2539 commencing on July 1.

2540 (b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the  
2541 time of appointment or reappointment, adjust the length of terms to ensure that the terms of  
2542 council members are staggered so that approximately half of the members appointed by the  
2543 governor are appointed every two years.

2544 (4) When a vacancy occurs in the membership for any reason, the governor shall  
2545 appoint a replacement for the unexpired term within 60 days of receiving notice.

2546 (5) Members appointed by the governor may not serve more than three consecutive  
2547 terms.

2548 (6) (a) Any veterans group or veteran may provide the executive director with a list of  
2549 recommendations for members on the council.

2550 (b) The executive director shall provide the governor with the list of recommendations  
2551 for members to be appointed to the council.

2552 (c) The governor shall make final appointments to the council by June 30 of any year in  
2553 which appointments are to be made under this chapter.

2554 (7) The council shall elect a chair and vice chair from among the council members  
2555 every two years. The chair and vice chair shall each be an individual who:

2556 (a) has served on active duty in the armed forces for more than 180 consecutive days;

2557 (b) was a member of a reserve component who served in a campaign or expedition for  
2558 which a campaign medal has been authorized; or

2559 (c) incurred an actual service-related injury or disability in the line of duty, whether or  
2560 not that person completed 180 consecutive days of active duty; and

2561 (d) was separated or retired under honorable conditions.

2562 (8) (a) The council shall meet at least once every quarter.

2563 (b) The executive director of the Department of Veterans and Military Affairs may  
2564 convene additional meetings, as necessary.

2565 (9) The department shall provide staff to the council.

2566 (10) Six voting members are a quorum for the transaction of business.

2567 (11) The council shall:

2568 (a) solicit input concerning veterans issues from veterans' groups throughout the state;

2569 (b) report issues received to the executive director of the Department of Veterans and

2570 Military Affairs and make recommendations concerning them;

2571 (c) keep abreast of federal developments that affect veterans locally and advise the

2572 executive director of them;

2573 (d) approve, by a majority vote, the use of money generated from veterans license

2574 plates under Section [~~41-1a-422~~] 41-1a-1603 for veterans programs; and

2575 (e) assist the director in developing guidelines and qualifications for:

2576 (i) participation by donors and recipients in the Veterans Assistance Registry created in

2577 Section 71-12-101; and

2578 (ii) developing a process for providing contact information between qualified donors

2579 and recipients.

2580 (12) A member may not receive compensation or benefits for the member's service, but  
2581 may receive per diem and travel expenses in accordance with:

2582 (a) Section 63A-3-106;

2583 (b) Section 63A-3-107; and

2584 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
2585 63A-3-107.

2586 Section 52. Section **71-14-102** is amended to read:

2587 **71-14-102. Transportation of Veterans to Memorials Support Restricted**

2588 **Account.**

2589 (1) As used in this section, "department" means the Department of Veterans and  
2590 Military Affairs created in Section 71-8-2.

2591 (2) There is created in the General Fund a restricted account known as the

2592 "Transportation of Veterans to Memorials Support Restricted Account."

2593 [~~(3) The account shall be funded by contributions deposited into the account in~~  
2594 ~~accordance with Section 41-1a-422.]~~

2595 [~~(4)~~] (3) Upon appropriation by the Legislature, the department shall distribute funds in  
2596 the account to one or more charitable organizations that:

2597 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

2598 and

2599 (b) have as a primary mission the transportation of veterans to Washington D.C. to  
2600 visit memorials dedicated to honor the service and sacrifice of veterans.

2601 ~~[(5)]~~ (4) (a) An organization described in Subsection ~~[(4)]~~ (3) may apply to the  
2602 department to receive a distribution in accordance with Subsection ~~[(4)]~~ (3).

2603 (b) An organization that receives a distribution from the department in accordance with  
2604 Subsection ~~[(4)]~~ (3) shall expend the distribution only:

2605 (i) to facilitate, coordinate, and cover costs of travel to visit veterans memorials in  
2606 Washington D.C.; and

2607 (ii) pay the costs of issuing or reordering Transportation of Veterans to Memorials  
2608 Support special group license plate decals.

2609 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2610 department may make rules providing procedures for an organization to apply to the  
2611 department to receive a distribution as provided in this section.

2612 ~~[(6)]~~ (5) In accordance with Section 63J-1-602.1, appropriations from the account are  
2613 nonlapsing.

2614 Section 53. Section 72-2-127 is amended to read:

2615 **72-2-127. Share the Road Bicycle Support Restricted Account.**

2616 (1) There is created in the General Fund the Share the Road Bicycle Support Restricted  
2617 Account.

2618 (2) The account shall be funded by:

2619 ~~[(a) contributions deposited into the account in accordance with Section 41-1a-422;]~~

2620 ~~[(b)]~~ (a) appropriations to the account by the Legislature;

2621 ~~[(c)]~~ (b) private contributions; and

2622 ~~[(d)]~~ (c) donations or grants from public or private entities.

2623 (3) The Legislature shall appropriate funds in the account to the department.

2624 (4) The department may expend up to 5% of the money appropriated under Subsection  
2625 (3) to administer account distributions in accordance with Subsections (5) and (6).

2626 (5) The department shall distribute contributions in the account to one or more  
2627 charitable organizations that:

2628 (a) are exempt from federal income taxation under Section 501(c)(3) of the Internal  
2629 Revenue Code;

2630 (b) have as part of their primary mission the promotion and education of:  
2631 (i) safe bicycle operation;  
2632 (ii) safe motor vehicle operation around bicycles; and  
2633 (iii) healthy lifestyles; and  
2634 (c) contribute to the start-up fee for the production and administrative costs for  
2635 providing a Share the Road Bicycle Support special group license plate in accordance with  
2636 Subsection ~~41-1a-418~~(2)[~~(a)~~].  
2637 (6) (a) An organization described in Subsection (5) may apply to the department to  
2638 receive a distribution in accordance with Subsection (5).  
2639 (b) An organization that receives a distribution from the department in accordance with  
2640 Subsection (5) shall expend the distribution only to:  
2641 (i) pay the costs of reordering Share the Road Bicycle Support special group license  
2642 plate decals;  
2643 (ii) produce and distribute materials to educate:  
2644 (A) bicyclists and motorists about safe bicycling, sharing the road, and obeying the law  
2645 in Utah; and  
2646 (B) the public on healthy lifestyles;  
2647 (iii) participate in transportation planning that provides accommodations for safe  
2648 bicycling;  
2649 (iv) promote a network of safe bicycling routes throughout the state; and  
2650 (v) provide other programs that promote bicycle safety.  
2651 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2652 department may make rules providing procedures and requirements for an organization to  
2653 apply to the department to receive a distribution under Subsection (5).  
2654 Section 54. Section **72-2-130** is amended to read:  
2655 **72-2-130. Motorcycle Safety Awareness Support Restricted Account.**  
2656 (1) There is created in the General Fund the Motorcycle Safety Awareness Support  
2657 Restricted Account.  
2658 (2) The account shall be funded by:  
2659 [~~(a) contributions deposited into the account in accordance with Section ~~41-1a-422~~;~~]  
2660 [~~(b)~~] (a) appropriations to the account by the Legislature;

2661            [~~(e)~~] (b) private contributions; and  
2662            [~~(d)~~] (c) donations or grants from public or private entities.  
2663            (3) The Legislature shall appropriate funds in the account to the department.  
2664            (4) The department may expend up to 5% of the money appropriated under Subsection  
2665 (3) to administer account distributions in accordance with Subsections (5) and (6).  
2666            (5) The department shall distribute contributions in the account to one or more  
2667 charitable organizations that:  
2668            (a) are exempt from federal income taxation under Section 501(c)(3) of the Internal  
2669 Revenue Code;  
2670            (b) have as part of their primary mission:  
2671            (i) the promotion of motorcycle safety and awareness;  
2672            (ii) safe motor vehicle operation around motorcycles; and  
2673            (iii) assistance to motorcycle riders who have been involved in an accident that resulted  
2674 in hospitalization; and  
2675            (c) contribute to the start-up fee for the production and administrative costs for  
2676 providing a Motorcycle Safety Awareness Support special group license plate in accordance  
2677 with Subsection [41-1a-418\(2\)](#)[~~(a)~~].  
2678            (6) (a) An organization described in Subsection (5) may apply to the department to  
2679 receive a distribution in accordance with Subsection (5).  
2680            (b) An organization that receives a distribution from the department in accordance with  
2681 Subsection (5) shall expend the distribution only to:  
2682            (i) pay the costs of reordering Motorcycle Safety Awareness Support special group  
2683 license plate decals;  
2684            (ii) produce and distribute materials to educate motorcycle riders and motorists about  
2685 motorcycle safety and awareness and obeying the law in Utah;  
2686            (iii) promote education on motorcycle safety;  
2687            (iv) assist motorcycle riders and families of motorcycle riders who have been involved  
2688 in a motorcycle accident resulting in hospitalization; and  
2689            (v) provide other programs that promote motorcycle and related traffic safety.  
2690            (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2691 department may make rules providing procedures and requirements for an organization to

2692 apply to the department to receive a distribution under Subsection (5).

2693 Section 55. Section **79-4-203** is amended to read:

2694 **79-4-203. Powers and duties of division.**

2695 (1) As used in this section, "real property" includes land under water, upland, and all  
2696 other property commonly or legally defined as real property.

2697 (2) The Division of Wildlife Resources shall retain the power and jurisdiction  
2698 conferred upon the Division of Wildlife Resources by law within state parks and on property  
2699 controlled by the Division of State Parks with reference to fish and game.

2700 (3) The division shall permit multiple use of state parks and property controlled by the  
2701 division for purposes such as grazing, fishing, hunting, camping, mining, and the development  
2702 and utilization of water and other natural resources.

2703 (4) (a) The division may acquire real and personal property in the name of the state by  
2704 all legal and proper means, including purchase, gift, devise, eminent domain, lease, exchange,  
2705 or otherwise, subject to the approval of the executive director and the governor.

2706 (b) In acquiring any real or personal property, the credit of the state may not be pledged  
2707 without the consent of the Legislature.

2708 (5) (a) Before acquiring any real property, the division shall notify the county  
2709 legislative body of the county where the property is situated of its intention to acquire the  
2710 property.

2711 (b) If the county legislative body requests a hearing within 10 days of receipt of the  
2712 notice, the division shall hold a public hearing in the county concerning the matter.

2713 (6) Acceptance of gifts or devises of land or other property is at the discretion of the  
2714 division, subject to the approval of the executive director and the governor.

2715 (7) The division shall acquire property by eminent domain in the manner authorized by  
2716 Title 78B, Chapter 6, Part 5, Eminent Domain.

2717 (8) (a) The division may make charges for special services and use of facilities, the  
2718 income from which is available for park purposes.

2719 (b) The division may conduct and operate those services necessary for the comfort and  
2720 convenience of the public.

2721 (9) (a) The division may lease or rent concessions of all lawful kinds and nature in state  
2722 parks and property to persons, partnerships, and corporations for a valuable consideration upon



2723 the recommendation of the board.

2724 (b) The division shall comply with Title 63G, Chapter 6a, Utah Procurement Code, in  
2725 selecting concessionaires.

2726 (10) The division shall proceed without delay to negotiate with the federal government  
2727 concerning the Weber Basin and other recreation and reclamation projects.

2728 ~~[(11) The division shall receive and distribute voluntary contributions collected under~~  
2729 ~~Section 41-1a-422 in accordance with Section 79-4-404.]~~

2730 Section 56. Section 79-4-404 is amended to read:

2731 **79-4-404. Zion National Park Support Programs Restricted Account -- Creation**  
2732 **-- Funding -- Distribution of funds.**

2733 (1) There is created within the General Fund the Zion National Park Support Programs  
2734 Restricted Account.

2735 (2) The account shall be funded by:

2736 ~~[(a) contributions deposited into the account in accordance with Section 41-1a-422;]~~

2737 ~~[(b)]~~ (a) private contributions; or

2738 ~~[(c)]~~ (b) donations or grants from public or private entities.

2739 (3) The Legislature shall appropriate funds in the account to the division.

2740 (4) The board may expend up to 10% of the money appropriated under Subsection (3)  
2741 to administer account distributions in accordance with Subsections (5) and (6).

2742 (5) The division shall distribute contributions to one or more organizations that:

2743 (a) are exempt from federal income taxation under Section 501(c)(3), Internal Revenue  
2744 Code;

2745 (b) operate under a written agreement with the National Park Service to provide  
2746 interpretive, educational, and research activities for the benefit of Zion National Park;

2747 (c) produce and distribute educational and promotional materials on Zion National  
2748 Park;

2749 (d) conduct educational courses on the history and ecosystem of the greater Zion  
2750 Canyon area; and

2751 (e) provide other programs that enhance visitor appreciation and enjoyment of Zion  
2752 National Park.

2753 (6) (a) An organization described in Subsection (5) may apply to the division to receive

- 2754 a distribution in accordance with Subsection (5).  
2755 (b) An organization that receives a distribution from the division in accordance with  
2756 Subsection (5) shall expend the distribution only to:  
2757 (i) produce and distribute educational and promotional materials on Zion National  
2758 Park;  
2759 (ii) conduct educational courses on the history and ecosystem of the greater Zion  
2760 Canyon area; and  
2761 (iii) provide other programs that enhance visitor appreciation and enjoyment of Zion  
2762 National Park.  
2763 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2764 division may make rules providing procedures and requirements for an organization to apply to  
2765 the division to receive a distribution under Subsection (5).

2766 Section 57. **Repealer.**

2767 This bill repeals:

2768 Section **26-21a-304, Children with Cancer Support Restricted Account.**

2769 Section **26-58-102, Children with Heart Disease Support Restricted Account.**

2770 Section **41-1a-421, Honor special group license plates -- Personal identity**  
2771 **requirements.**

2772 Section **41-1a-422, Support special group license plates -- Contributor -- Voluntary**  
2773 **contribution collection procedures.**

2774 Section **78A-2-804, Guardian Ad Litem Services Account established -- Funding.**

2775 Section 58. **Effective date.**

2776 (1) Except as provided in Subsection (2), this bill takes effect on January 1, 2023.

2777 (2) The changes to Sections 41-1a-410 and 41-1a-411 take effect on May 4, 2022.