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MILITARY VEHICLE LICENSE PLATE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Ken Ivory

LONG TITLE

General Description:

This bill allows an exemption from the requirement to display a license plate on a military vehicle.

Highlighted Provisions:

This bill:

- allows an exemption from the requirement to display a license plate on a military vehicle if the license plate is in the vehicle and available for inspection by law enforcement.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-102, as last amended by Laws of Utah 2019, Chapters 373, 428, 459, and 479

41-1a-404, as last amended by Laws of Utah 2015, Chapters 81 and 412

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

Section 1. Section **41-1a-102** is amended to read:

41-1a-102. Definitions.

S.B. 77

28 As used in this chapter:
29 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.
30 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
31 vehicles as operated and certified to by a weighmaster.
32 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
33 41-22-2.
34 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
35 41-22-2.
36 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
37 41-22-2.
38 (6) "Alternative fuel vehicle" means:
39 (a) an electric motor vehicle;
40 (b) a hybrid electric motor vehicle;
41 (c) a plug-in hybrid electric motor vehicle; or
42 (d) a motor vehicle powered exclusively by a fuel other than:
43 (i) motor fuel;
44 (ii) diesel fuel;
45 (iii) natural gas; or
46 (iv) propane.
47 (7) "Amateur radio operator" means a person licensed by the Federal Communications
48 Commission to engage in private and experimental two-way radio operation on the amateur
49 band radio frequencies.
50 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.
51 (9) "Automated driving system" means the same as that term is defined in Section
52 41-26-102.1.
53 (10) "Branded title" means a title certificate that is labeled:
54 (a) rebuilt and restored to operation;
55 (b) flooded and restored to operation; or
56 (c) not restored to operation.
57 (11) "Camper" means a structure designed, used, and maintained primarily to be
58 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a

59 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
60 camping.
61 (12) "Certificate of title" means a document issued by a jurisdiction to establish a
62 record of ownership between an identified owner and the described vehicle, vessel, or outboard
63 motor.
64 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
65 weighmaster.
66 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
67 maintained for the transportation of persons or property that operates:
68 (a) as a carrier for hire, compensation, or profit; or
69 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
70 owner's commercial enterprise.
71 (15) "Commission" means the State Tax Commission.
72 (16) "Consumer price index" means the same as that term is defined in Section
73 59-13-102.
74 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
75 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
76 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
77 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.
78 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
79 (19) "Division" means the Motor Vehicle Division of the commission, created in
80 Section 41-1a-106.
81 (20) "Dynamic driving task" means the same as that term is defined in Section
82 41-26-102.1.
83 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an
84 electric motor drawing current from a rechargeable energy storage system.
85 (22) "Essential parts" means the integral and body parts of a vehicle of a type required
86 to be registered in this state, the removal, alteration, or substitution of which would tend to
87 conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type,
88 or mode of operation.
89 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm

90 implement for drawing plows, mowing machines, and other implements of husbandry.
91 (24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for
92 the owner's or operator's own use in the transportation of:
93 (i) farm products, including livestock and its products, poultry and its products,
94 floricultural and horticultural products;
95 (ii) farm supplies, including tile, fence, and any other thing or commodity used in
96 agricultural, floricultural, horticultural, livestock, and poultry production; and
97 (iii) livestock, poultry, and other animals and things used for breeding, feeding, or
98 other purposes connected with the operation of a farm.
99 (b) "Farm truck" does not include the operation of trucks by commercial processors of
100 agricultural products.
101 (25) "Fleet" means one or more commercial vehicles.
102 (26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into
103 this state from another state, territory, or country other than in the ordinary course of business
104 by or through a manufacturer or dealer, and not registered in this state.
105 (27) "Gross laden weight" means the actual weight of a vehicle or combination of
106 vehicles, equipped for operation, to which shall be added the maximum load to be carried.
107 (28) "Highway" or "street" means the entire width between property lines of every way
108 or place of whatever nature when any part of it is open to the public, as a matter of right, for
109 purposes of vehicular traffic.
110 (29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion
111 energy from onboard sources of stored energy that are both:
112 (a) an internal combustion engine or heat engine using consumable fuel; and
113 (b) a rechargeable energy storage system where energy for the storage system comes
114 solely from sources onboard the vehicle.
115 (30) (a) "Identification number" means the identifying number assigned by the
116 manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard
117 motor.
118 (b) "Identification number" includes a vehicle identification number, state assigned
119 identification number, hull identification number, and motor serial number.
120 (31) "Implement of husbandry" means a vehicle designed or adapted and used

121 exclusively for an agricultural operation and only incidentally operated or moved upon the
122 highways.
123 (32) (a) "In-state miles" means the total number of miles operated in this state during
124 the preceding year by fleet power units.
125 (b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the
126 total number of miles that those vehicles were towed on Utah highways during the preceding
127 year.
128 (33) "Interstate vehicle" means a commercial vehicle operated in more than one state,
129 province, territory, or possession of the United States or foreign country.
130 (34) "Jurisdiction" means a state, district, province, political subdivision, territory, or
131 possession of the United States or any foreign country.
132 (35) "Lienholder" means a person with a security interest in particular property.
133 (36) "Manufactured home" means a transportable factory built housing unit constructed
134 on or after June 15, 1976, according to the Federal Home Construction and Safety Standards
135 Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body
136 feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more
137 square feet, and which is built on a permanent chassis and designed to be used as a dwelling
138 with or without a permanent foundation when connected to the required utilities, and includes
139 the plumbing, heating, air-conditioning, and electrical systems.
140 (37) "Manufacturer" means a person engaged in the business of constructing,
141 manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or
142 outboard motors for the purpose of sale or trade.
143 (38) "Military vehicle" means a vehicle of any size or weight that was manufactured
144 for use by armed forces and that is maintained in a condition that represents the vehicle's
145 military design and markings regardless of current ownership or use.
146 [~~(38)~~] (39) "Mobile home" means a transportable factory built housing unit built prior
147 to June 15, 1976, in accordance with a state mobile home code which existed prior to the
148 Federal Manufactured Housing and Safety Standards Act (HUD Code).
149 [~~(39)~~] (40) "Motor fuel" means the same as that term is defined in Section 59-13-102.
150 [~~(40)~~] (41) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for
151 use and operation on the highways.

152 (b) "Motor vehicle" does not include:
153 (i) an off-highway vehicle; or
154 (ii) a motor assisted scooter as defined in Section 41-6a-102.
155 [~~(41)~~] (42) "Motorboat" means the same as that term is defined in Section 73-18-2.
156 [~~(42)~~] (43) "Motorcycle" means:
157 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
158 more than three wheels in contact with the ground; or
159 (b) an autocycle.
160 [~~(43)~~] (44) "Natural gas" means a fuel of which the primary constituent is methane.
161 [~~(44)~~] (45) (a) "Nonresident" means a person who is not a resident of this state as
162 defined by Section 41-1a-202, and who does not engage in intrastate business within this state
163 and does not operate in that business any motor vehicle, trailer, or semitrailer within this state.
164 (b) A person who engages in intrastate business within this state and operates in that
165 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
166 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
167 considered a resident of this state, insofar as that vehicle is concerned in administering this
168 chapter.
169 [~~(45)~~] (46) "Odometer" means a device for measuring and recording the actual distance
170 a vehicle travels while in operation, but does not include any auxiliary odometer designed to be
171 periodically reset.
172 [~~(46)~~] (47) "Off-highway implement of husbandry" means the same as that term is
173 defined in Section 41-22-2.
174 [~~(47)~~] (48) "Off-highway vehicle" means the same as that term is defined in Section
175 41-22-2.
176 [~~(48)~~] (49) (a) "Operate" means:
177 (i) to navigate a vessel; or
178 (ii) collectively, the activities performed in order to perform the entire dynamic driving
179 task for a given motor vehicle by:
180 (A) a human driver as defined in Section 41-26-102.1; or
181 (B) an engaged automated driving system.
182 (b) "Operate" includes testing of an automated driving system.

183 [~~(49)~~] (50) "Outboard motor" means a detachable self-contained propulsion unit,
184 excluding fuel supply, used to propel a vessel.
185 [~~(50)~~] (51) (a) "Owner" means a person, other than a lienholder, holding title to a
186 vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is
187 subject to a security interest.
188 (b) If a vehicle is the subject of an agreement for the conditional sale or installment
189 sale or mortgage of the vehicle with the right of purchase upon performance of the conditions
190 stated in the agreement and with an immediate right of possession vested in the conditional
191 vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the
192 conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this
193 chapter.
194 (c) If a vehicle is the subject of an agreement to lease, the lessor is considered the
195 owner until the lessee exercises the lessee's option to purchase the vehicle.
196 [~~(51)~~] (52) "Park model recreational vehicle" means a unit that:
197 (a) is designed and marketed as temporary living quarters for recreational, camping,
198 travel, or seasonal use;
199 (b) is not permanently affixed to real property for use as a permanent dwelling;
200 (c) requires a special highway movement permit for transit; and
201 (d) is built on a single chassis mounted on wheels with a gross trailer area not
202 exceeding 400 square feet in the setup mode.
203 [~~(52)~~] (53) "Personalized license plate" means a license plate that has displayed on it a
204 combination of letters, numbers, or both as requested by the owner of the vehicle and assigned
205 to the vehicle by the division.
206 [~~(53)~~] (54) (a) "Pickup truck" means a two-axle motor vehicle with motive power
207 manufactured, remanufactured, or materially altered to provide an open cargo area.
208 (b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a
209 camper, camper shell, tarp, removable top, or similar structure.
210 [~~(54)~~] (55) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor
211 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion
212 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the
213 vehicle while the vehicle is in motion.

214 [~~(55)~~] (56) "Pneumatic tire" means a tire in which compressed air is designed to
215 support the load.
216 [~~(56)~~] (57) "Preceding year" means a period of 12 consecutive months fixed by the
217 division that is within 16 months immediately preceding the commencement of the registration
218 or license year in which proportional registration is sought. The division in fixing the period
219 shall conform it to the terms, conditions, and requirements of any applicable agreement or
220 arrangement for the proportional registration of vehicles.
221 [~~(57)~~] (58) "Public garage" means a building or other place where vehicles or vessels
222 are kept and stored and where a charge is made for the storage and keeping of vehicles and
223 vessels.
224 [~~(58)~~] (59) "Receipt of surrender of ownership documents" means the receipt of
225 surrender of ownership documents described in Section 41-1a-503.
226 [~~(59)~~] (60) "Reconstructed vehicle" means a vehicle of a type required to be registered
227 in this state that is materially altered from its original construction by the removal, addition, or
228 substitution of essential parts, new or used.
229 [~~(60)~~] (61) "Recreational vehicle" means the same as that term is defined in Section
230 13-14-102.
231 [~~(61)~~] (62) "Registration" means a document issued by a jurisdiction that allows
232 operation of a vehicle or vessel on the highways or waters of this state for the time period for
233 which the registration is valid and that is evidence of compliance with the registration
234 requirements of the jurisdiction.
235 [~~(62)~~] (63) (a) "Registration year" means a 12 consecutive month period commencing
236 with the completion of the applicable registration criteria.
237 (b) For administration of a multistate agreement for proportional registration the
238 division may prescribe a different 12-month period.
239 [~~(63)~~] (64) "Repair or replacement" means the restoration of vehicles, vessels, or
240 outboard motors to a sound working condition by substituting any inoperative part of the
241 vehicle, vessel, or outboard motor, or by correcting the inoperative part.
242 [~~(64)~~] (65) "Replica vehicle" means:
243 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or
244 (b) a custom vehicle that meets the requirements under Subsection

245 41-6a-1507(1)(a)(i)(B).
246 [~~(65)~~] (66) "Road tractor" means a motor vehicle designed and used for drawing other
247 vehicles and constructed so it does not carry any load either independently or any part of the
248 weight of a vehicle or load that is drawn.
249 [~~(66)~~] (67) "Sailboat" means the same as that term is defined in Section 73-18-2.
250 [~~(67)~~] (68) "Security interest" means an interest that is reserved or created by a security
251 agreement to secure the payment or performance of an obligation and that is valid against third
252 parties.
253 [~~(68)~~] (69) "Semitrailer" means a vehicle without motive power designed for carrying
254 persons or property and for being drawn by a motor vehicle and constructed so that some part
255 of its weight and its load rests or is carried by another vehicle.
256 [~~(69)~~] (70) "Special group license plate" means a type of license plate designed for a
257 particular group of people or a license plate authorized and issued by the division in accordance
258 with Section 41-1a-418.
259 [~~(70)~~] (71) (a) "Special interest vehicle" means a vehicle used for general
260 transportation purposes and that is:
261 (i) 20 years or older from the current year; or
262 (ii) a make or model of motor vehicle recognized by the division director as having
263 unique interest or historic value.
264 (b) In making a determination under Subsection [~~(70)~~] (71)(a), the division director
265 shall give special consideration to:
266 (i) a make of motor vehicle that is no longer manufactured;
267 (ii) a make or model of motor vehicle produced in limited or token quantities;
268 (iii) a make or model of motor vehicle produced as an experimental vehicle or one
269 designed exclusively for educational purposes or museum display; or
270 (iv) a motor vehicle of any age or make that has not been substantially altered or
271 modified from original specifications of the manufacturer and because of its significance is
272 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
273 leisure pursuit.
274 [~~(71)~~] (72) (a) "Special mobile equipment" means a vehicle:
275 (i) not designed or used primarily for the transportation of persons or property;

276 (ii) not designed to operate in traffic; and
277 (iii) only incidentally operated or moved over the highways.
278 (b) "Special mobile equipment" includes:
279 (i) farm tractors;
280 (ii) off-road motorized construction or maintenance equipment including backhoes,
281 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and
282 (iii) ditch-digging apparatus.
283 (c) "Special mobile equipment" does not include a commercial vehicle as defined
284 under Section 72-9-102.
285 [~~(72)~~] (73) "Specially constructed vehicle" means a vehicle of a type required to be
286 registered in this state, not originally constructed under a distinctive name, make, model, or
287 type by a generally recognized manufacturer of vehicles, and not materially altered from its
288 original construction.
289 [~~(73)~~] (74) "State impound yard" means a yard for the storage of a vehicle, vessel, or
290 outboard motor that meets the requirements of rules made by the commission pursuant to
291 Subsection 41-1a-1101(5).
292 [~~(74)~~] (75) "Title" means the right to or ownership of a vehicle, vessel, or outboard
293 motor.
294 [~~(75)~~] (76) (a) "Total fleet miles" means the total number of miles operated in all
295 jurisdictions during the preceding year by power units.
296 (b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means
297 the number of miles that those vehicles were towed on the highways of all jurisdictions during
298 the preceding year.
299 [~~(76)~~] (77) "Trailer" means a vehicle without motive power designed for carrying
300 persons or property and for being drawn by a motor vehicle and constructed so that no part of
301 its weight rests upon the towing vehicle.
302 [~~(77)~~] (78) "Transferee" means a person to whom the ownership of property is
303 conveyed by sale, gift, or any other means except by the creation of a security interest.
304 [~~(78)~~] (79) "Transferor" means a person who transfers the person's ownership in
305 property by sale, gift, or any other means except by creation of a security interest.
306 [~~(79)~~] (80) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable

307 vehicle without motive power, designed as a temporary dwelling for travel, recreational, or
308 vacation use that does not require a special highway movement permit when drawn by a
309 self-propelled motor vehicle.
310 [~~(80)~~] (81) "Truck tractor" means a motor vehicle designed and used primarily for
311 drawing other vehicles and not constructed to carry a load other than a part of the weight of the
312 vehicle and load that is drawn.
313 [~~(81)~~] (82) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle,
314 camper, park model recreational vehicle, manufactured home, and mobile home.
315 [~~(82)~~] (83) "Vessel" means the same as that term is defined in Section 73-18-2.
316 [~~(83)~~] (84) "Vintage vehicle" means the same as that term is defined in Section
317 41-21-1.
318 [~~(84)~~] (85) "Waters of this state" means the same as that term is defined in Section
319 73-18-2.
320 [~~(85)~~] (86) "Weighmaster" means a person, association of persons, or corporation
321 permitted to weigh vehicles under this chapter.
322 Section 2. Section **41-1a-404** is amended to read:
323 **41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.**
324 (1) License plates issued for a vehicle other than a motorcycle, trailer, or semitrailer
325 shall be attached to the vehicle, one in the front and the other in the rear.
326 (2) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to
327 the rear of the motorcycle, trailer, or semitrailer.
328 (3) Except as provided in Subsection (5), a license plate shall at all times be:
329 (a) securely fastened:
330 (i) in a horizontal position to the vehicle for which it is issued to prevent the plate from
331 swinging;
332 (ii) at a height of not less than 12 inches from the ground, measuring from the bottom
333 of the plate; and
334 (iii) in a place and position to be clearly visible; and
335 (b) maintained:
336 (i) free from foreign materials; and
337 (ii) in a condition to be clearly legible.

338 (4) Enforcement by a state or local law enforcement officer of the requirement under
339 Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary
340 action when the vehicle has been detained for a suspected violation by any person in the
341 vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a
342 license plate to the front of the vehicle, or for another offense.
343 (5) The provisions of Subsections (3)(a)(iii) and (3)(b) do not apply:
344 (a) to a license plate that is obscured exclusively by one or more of the following
345 devices or by the cargo the device is carrying, if the device is installed according to
346 manufacturer specifications or generally accepted installation practices:
347 [~~(a)~~] (i) a trailer hitch;
348 [~~(b)~~] (ii) a wheelchair lift or wheelchair carrier;
349 [~~(c)~~] (iii) a trailer being towed by the vehicle;
350 [~~(d)~~] (iv) a bicycle rack, ski rack, or luggage rack; or
351 [~~(e)~~] (v) a similar cargo carrying device[~~.~~]; or
352 (b) to a military vehicle if the license plate is in the military vehicle and ready for
353 inspection by law enforcement upon request.
354 (6) A violation of this section is an infraction.