

LICENSE PLATE REQUIREMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill amends provisions related to the issuance of personalized license plates.

Highlighted Provisions:

This bill:

- ▶ defines terms related to words on a personalized license plate;
- ▶ designates a personalized license plate as a limited public forum;
- ▶ prohibits the Motor Vehicle Division from issuing a personalized license plate if the requested combination of numbers and letters is indecent, obscene, profane, or connotes certain other illegal activities or substances; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-411, as last amended by Laws of Utah 2020, Chapter 259

41-1a-419, as last amended by Laws of Utah 2023, Chapter 33

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



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

29 **41-1a-411. Application for personalized plates -- Refusal authorized.**

30 (1) As used in this section:

31 (a) (i) "Indecent" or "indecent" means a statement or use of innuendo, euphemism, or
32 double-entendre that:

33 (A) depicts or describes sexual or eliminatory activities or organs; and

34 (B) is patently offensive or appears to pander or is used to titillate or shock.

35 (ii) "Indecent" includes terms that describe or connote breasts, genitalia, pubic area, or
36 buttocks.

37 (iii) "Indecent" does not include the use of the number "69" if the number "69" is used
38 in a combination with the vehicle make, model, style, or type, or commonly used or readily
39 understood abbreviations of those terms.

40 (b) "Obscene" or "obscenity" means a statement that:

41 (i) appeals to sexual or lustful ideas or desires; or

42 (ii) describes sexual conduct.

43 (c) (i) "Profane" or "profanity" means a statement that is vulgar, coarse, or irreverent.

44 (ii) "Profane" or "profanity" includes:

45 (A) any personally reviling epithet that naturally provokes a violent resentment; or

46 (B) language so grossly offensive to members of the public that the language amounts
47 to a nuisance.

48 [(+)] (2) An applicant for personalized license plates or renewal of the plates shall file
49 an application for the plates in the form and by the date the division requires, indicating the
50 combination of letters, numbers, or both requested as a registration number.

51 (3) (a) A personalized license plate is a limited public forum.

52 (b) The division may not issue a personalized license plate if the combination of letters,
53 numbers, or both:

54 (i) is determined to include indecency, obscenity, or profanity;

55 (ii) connotes:

56 (A) any intoxicant or illicit narcotic or drug;

57 (B) the sale, use, seller, purveyor, or user of any intoxicant or any illicit narcotic or
58 drug; or

59 (C) the physiological or mental state produced by any intoxicant or any illicit narcotic
60 or drug; or

61 (iii) includes words, signs, or symbols that represent:

62 (A) illegal activity;

63 (B) organized crime associations; or

64 (C) gang or gang terminology.

65 (c) In determining whether the requested personalized license plate violates is indecent,
66 obscene, profane, or is otherwise prohibited as described in Subsection (3)(b), the division shall
67 consider how a reasonable person would interpret the requested language with no other
68 context.

69 (d) The division may refuse to issue a combination of letters, numbers, or both as a
70 registration number if that same combination is already in use as a registration number on an
71 existing license plate.

72 ~~[(2) (a) Except as provided in Subsection (3), the division may refuse to issue any~~
73 ~~combination of letters, numbers, or both that:]~~

74 ~~[(i) may carry connotations offensive to good taste and decency or that would be~~
75 ~~misleading; or]~~

76 ~~[(ii) disparages a group based on:]~~

77 ~~[(A) race;]~~

78 ~~[(B) color;]~~

79 ~~[(C) national origin;]~~

80 ~~[(D) religion;]~~

81 ~~[(E) age;]~~

82 ~~[(F) sex;]~~

83 ~~[(G) gender identity;]~~

84 ~~[(H) sexual orientation;]~~

85 ~~[(I) citizenship status; or]~~

86 ~~[(J) physical or mental disability.]~~

87 ~~[(b) The division may refuse to issue a combination of letters, numbers, or both as a~~
88 ~~registration number if that same combination is already in use as a registration number on an~~
89 ~~existing license plate.]~~

90 ~~[(3)]~~ (4) (a) Except as provided in Subsection ~~[(2) or (3)(b)]~~ (3) or (4)(b), the division
91 may not refuse a combination of letters, numbers, or both as a registration number if:

92 (i) the license plate is an honor special group license plate as described in Section
93 41-1a-421, and the combination of letters, numbers, or both refers to:

94 (A) a year related to military service;

95 (B) a military branch; or

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

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

99 (b) If an applicant requests a combination containing only numbers, the division may
100 refuse the combination if the combination includes less than four numerical digits.

101 Section 2. Section 41-1a-419 is amended to read:

102 **41-1a-419. Plate design -- Vintage vehicle certification and registration --**
103 **Personalized special group license plates -- Rulemaking.**

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

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

108 (A) the word Utah;

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

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

111 and

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

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

116 (A) have a black background;

117 (B) have white characters; and

118 (C) display the word Utah.

119 (2) (a) The division shall, after consultation with a representative designated by the
120 sponsoring organization as defined in Section 41-1a-1601, specify the word or words

121 comprising the special group name and the symbol decal to be displayed upon the special group
122 license plate.

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

124 (i) unless the division receives a redesign fee established by the division under Section
125 63J-1-504; and

126 (ii) more frequently than every five years.

127 (c) A special group license plate symbol decal may not be reordered unless the division
128 receives a symbol decal reorder fee established by the division in accordance with Section
129 63J-1-504.

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

133 (4) [~~Subject to Subsection 41-1a-411(4)(a), a~~] A person who meets the requirements
134 described in this part or Part 16, Sponsored Special Group License Plates, for a special group
135 license plate may, apply for a personalized special group license plate in accordance with
136 Sections 41-1a-410 and 41-1a-411.

137 (5) Subject to this chapter, the commission shall make rules in accordance with Title
138 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

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

141 (b) establish the number of numerals or characters for special group license plates.

142 Section 3. **Effective date.**

143 This bill takes effect on May 1, 2024.