

LICENSE PLATE REQUIREMENT AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Kay J. Christofferson

LONG TITLE

General Description:

This bill allows a historical support special group license plate to have a partially reflective plate face and prohibits a tinted or translucent license plate cover.

Highlighted Provisions:

This bill:

- ▶ allows a historical support special group license plate to be manufactured with a partially reflective plate face;
- ▶ prohibits an individual from obscuring a license plate with a tinted or translucent license plate cover; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-401, as last amended by Laws of Utah 2022, Chapter 259

41-1a-403, as last amended by Laws of Utah 2015, Chapter 412

41-1a-404, as last amended by Laws of Utah 2022, Chapters 180, 259

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

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

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

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

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

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

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

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

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

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

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

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

(ii) The division may not transfer a personalized or special group license plate to a new registered owner under this Subsection (1)(c) if the new registered owner does not meet the qualification or eligibility requirements for that personalized or special group license plate under Sections 41-1a-410 through 41-1a-422.

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

(3) (a) (i) Except as provided in Subsection ~~[(3)(a)(iii)]~~ (3)(a)(ii), all license plates to

be manufactured and issued by the division shall be treated with a fully reflective material on the plate face that provides effective and dependable reflective brightness during the service period of the license plate.

~~[(ii) Except as provided in Subsection (3)(a)(iii), for a historical support special group license plate created under this part, the division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i) as soon as such material is available at a reasonable cost.]~~

~~[(iii) Notwithstanding the reflectivity requirement described in Subsection (3)(a)(i), the division may manufacture and issue a historical support special group license plate without a fully reflective plate face if:]~~

~~[(A) the historical special group license plate is requested for a vintage vehicle that has a model year of 1980 or older; and]~~

~~[(B) the division has manufacturing equipment and technology available to produce the plate in small quantities.]~~

(ii) Notwithstanding Subsection (3)(a)(i), a historical support special group license plate may be treated with a plate face that is partially reflective and provides effective and dependable reflective brightness during the service period of the license plate.

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

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

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

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

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

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

Section 2. Section **41-1a-403** is amended to read:

41-1a-403. Plates to be legible from 100 feet.

(1) License plates and the required letters and numerals on them, except the decals and the slogan, shall be of sufficient size to be plainly readable from a distance of 100 feet during daylight.

(2) An individual may not attach a tinted or translucent license plate cover that obscures the readability of the license plate as required in Subsection (1).

~~[(2)]~~ (3) A violation of this section is an infraction.

Section 3. Section **41-1a-404** is amended to read:

41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.

(1) License plates issued for a vehicle other than a motorcycle, trailer, vintage vehicle, or semitrailer shall be attached to the vehicle, one in the front and the other in the rear.

(2) (a) The license plate issued for a motorcycle, trailer, or semitrailer shall be attached to the rear of the motorcycle, trailer, or semitrailer.

(b) (i) An owner of a vintage vehicle shall ensure that a license plate is attached to the rear of the vintage vehicle.

(ii) An owner of a vintage vehicle is not required to display a license plate on the front of the vintage vehicle.

(3) Except as provided in Subsection (5), a license plate shall at all times be:

(a) securely fastened:

(i) in a horizontal position to the vehicle for which it is issued to prevent the plate from swinging;

(ii) at a height of not less than 12 inches from the ground, measuring from the bottom of the plate; and

(iii) in a place and position to be clearly visible; and

(b) maintained:

(i) free from foreign materials or a tinted or translucent license plate cover; and

(ii) in a condition to be clearly legible.

(4) Enforcement by a state or local law enforcement officer of the requirement under Subsection (1) to attach a license plate to the front of a vehicle shall be only as a secondary action when the vehicle has been detained for a suspected violation by any person in the vehicle of Title 41, Motor Vehicles, other than the requirement under Subsection (1) to attach a license plate to the front of the vehicle, or for another offense.

(5) The provisions of Subsections (3)(a)(iii) and (3)(b) do not apply:

(a) to a license plate that is obscured exclusively by one or more of the following devices or by the cargo the device is carrying, if the device is installed according to manufacturer specifications or generally accepted installation practices:

(i) a trailer hitch;

(ii) a wheelchair lift or wheelchair carrier;

(iii) a trailer being towed by the vehicle;

(iv) a bicycle rack, ski rack, or luggage rack; or

(v) a similar cargo carrying device; or

(b) to a military vehicle if the license plate is in the military vehicle and ready for inspection by law enforcement upon request.

(6) A violation of this section is an infraction.