

Representative Christine F. Watkins proposes the following substitute bill:

LICENSE PLATE PLACEMENT AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Christine F. Watkins

Senate Sponsor: _____

LONG TITLE

General Description:

This bill prohibits a citation for failure to attach a front license plate if the primary offense is a parking violation.

Highlighted Provisions:

This bill:

► prohibits law enforcement from issuing a citation for a failure to attach a front license plate if the primary offense is a parking violation under the Traffic Code or a local parking ordinance.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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-404** is amended to read:



26 **41-1a-404. Location and position of plates -- Visibility of plates -- Exceptions.**

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

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

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

32 (a) securely fastened:

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

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

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

38 (b) maintained:

39 (i) free from foreign materials; and

40 (ii) in a condition to be clearly legible.

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

45 (a) the requirement under Subsection (1) to attach a license plate to the front of the
46 vehicle~~[-, or for another offense.];~~

47 (b) a parking violation under Section [41-6a-1401](#); or

48 (c) a violation of a parking ordinance of a political subdivision.

49 (5) The provisions of Subsections (3)(a)(iii) and (3)(b) do not apply to a license plate
50 that is obscured exclusively by one or more of the following devices or by the cargo the device
51 is carrying, if the device is installed according to manufacturer specifications or generally
52 accepted installation practices:

53 (a) a trailer hitch;

54 (b) a wheelchair lift or wheelchair carrier;

55 (c) a trailer being towed by the vehicle;

56 (d) a bicycle rack, ski rack, or luggage rack; or

- 57 (e) a similar cargo carrying device.
- 58 (6) A violation of this section is an infraction.