

**CONFIDENTIALITY OF REPORTS TO  
DRIVER LICENSE DIVISION**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Allen M. Christensen**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies the Impaired Persons Licensing Act by amending provisions relating to notifying the division of an impairment.

**Highlighted Provisions:**

This bill:

- ▶ provides that a person may notify the Driver License Division if the person is aware of a physical, mental, or emotional impairment of another person that is an imminent threat to driver safety;

- ▶ provides that the Driver License Division may require a person that is the subject of a notification to submit to certain medical reports or certain tests;

- ▶ provides that a notification is a protected record and may not be disclosed by the division if requested;

- ▶ grants the Driver License Division rulemaking authority to establish a procedure to make a protected notification; and

- ▶ provides that it is a class C misdemeanor to make a notification with the intent to annoy, intimidate, or harass a person.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**



28 None

29 **Utah Code Sections Affected:**

30 ENACTS:

31 **53-3-305**, Utah Code Annotated 1953



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

34 Section 1. Section **53-3-305** is enacted to read:

35 **53-3-305. Notification of impaired person to division -- Confidentiality of**  
36 **notification -- Rulemaking -- Penalty.**

37 (1) A person who is aware of a physical, mental, or emotional impairment of another  
38 person that appears to present an imminent threat to driving safety may notify the division of  
39 the impairment.

40 (2) If the division determines that the notification under Subsection (1) was made in  
41 good faith, the division may require the person who is the subject of the notification to submit  
42 to:

43 (a) one or more medical reports under Subsection 53-3-304(1);

44 (b) a physical and mental fitness test under Section 53-3-206;

45 (c) the knowledge test required by the division; or

46 (d) the skills test approved by the division.

47 (3) The notification provided under this section relating to a physical, mental, or  
48 emotional impairment is classified as a protected record under Title 63, Chapter 2, Government  
49 Records Access and Management Act, and the identity of the person notifying the division may  
50 not be disclosed by the division if requested by the person notifying the division.

51 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
52 division shall makes rules establishing procedures for making a protected notification under  
53 this section to ensure that the notification is made in good faith.

54 (5) A person who makes a notification with the intent to annoy, intimidate, or harass  
55 the person that is the subject of the notification is guilty of a class C misdemeanor.

**Legislative Review Note**  
as of 12-5-06 1:56 PM

**Office of Legislative Research and General Counsel**

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**S.B. 84 - Confidentiality of Reports to Driver License Division**

**Fiscal Note**

2007 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*1/3/2007, 8:55:31 AM, Lead Analyst: Ricks, G.*

**Office of the Legislative Fiscal Analyst**