

Effective 1/1/2016

53-3-210.5 Learner permit.

- (1) Beginning on August 1, 2006, the division, upon receiving an application for a learner permit, may issue a learner permit effective for one year to an applicant who is at least 15 years of age.
- (2)
 - (a) The learner permit entitles an applicant that is 18 years of age or older to operate a class D motor vehicle only if:
 - (i) a person 21 years of age or older who is a licensed driver is occupying a seat beside the applicant; and
 - (ii) the applicant has the learner permit in the applicant's immediate possession while operating the motor vehicle.
 - (b) The learner permit entitles an applicant that is younger than 18 years of age to operate a class D motor vehicle only if:
 - (i)
 - (A) an approved driving instructor is occupying a seat beside the applicant;
 - (B) the applicant's parent or legal guardian, who must be a licensed driver, is occupying a seat beside the applicant; or
 - (C) a responsible adult who has signed for the applicant under Section 53-3-211 and who must be a licensed driver, is occupying a seat beside the applicant; and
 - (ii) the applicant has the learner permit in the applicant's immediate possession while operating the motor vehicle.
- (3) The division shall issue a learner permit to an applicant who:
 - (a) is at least 15 years of age;
 - (b) has passed the knowledge test required by the division;
 - (c) has passed the physical and mental fitness tests; and
 - (d) has submitted a nonrefundable fee for a learner permit under Section 53-3-105.
- (4)
 - (a) The division shall supply the learner permit form.
 - (b) The form under Subsection (4)(a) shall include:
 - (i) the applicant's full name, date of birth, sex, Utah residence address, height, weight, and eye color;
 - (ii) the date of issuance and expiration of the permit; and
 - (iii) the conditions and restrictions contained in this section for operating a class D motor vehicle.
- (5) An application and fee for a learner permit entitle the applicant to:
 - (a) not more than three attempts to pass the knowledge test for a class D license within one year; and
 - (b) a learner permit after the knowledge test is passed.
- (6)
 - (a) If an applicant has been issued a learner permit under this section or an equivalent by another state or branch of the United States Armed Forces, the applicant may be issued an original or provisional class D license from the division upon:
 - (i) completing a driver education course in a:
 - (A) commercial driver training school licensed under Part 5, Commercial Driver Training Schools Act; or
 - (B) driver education program approved by the State Board of Education or the division;
 - (ii) passing a knowledge test approved by the division that complies with the requirement of Subsection (6)(d);

- (iii) passing the skills test approved by the division;
 - (iv) reaching 16 years of age; and
 - (v) paying the nonrefundable fee for an original or provisional class D license application under Section 53-3-105.
- (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17 years of age or younger is required to hold a learner permit for six months before applying for a provisional class D license.
- (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the applicant:
- (i) is 19 years of age or older;
 - (ii) holds a learner permit for three months before applying for an original class D license; and
 - (iii) certifies that the applicant, under the authority of a permit issued under this chapter, has completed at least 40 hours of driving a motor vehicle, of which at least 10 hours were completed during night hours after sunset.
- (d) Fifty percent of the test questions included in the knowledge test required under Subsection (6)(a)(ii) shall cover the topic of major causes of traffic related deaths as identified in statistics published by the Highway Safety Office.

Amended by Chapter 207, 2015 General Session