

1                                   **LICENSURE FOR PEOPLE WITH CERTAIN**  
2   **DISABILITIES**

3   1999 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Ed P. Mayne**

6 AN ACT RELATING TO PUBLIC SAFETY; AMENDING CERTAIN DRIVER LICENSE  
7 MEDICAL ADVISORY BOARD DUTIES RELATED TO INTRASTATE COMMERCIAL  
8 DRIVER QUALIFICATIONS.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11                   **53-3-303.5**, as enacted by Chapter 231, Laws of Utah 1997

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

13                   Section 1. Section **53-3-303.5** is amended to read:

14                   **53-3-303.5. Driver License Medical Advisory Board.**

15                   (1) The Driver License Medical Advisory Board shall:

16                   (a) advise the director of the division; and

17                   (b) establish and recommend written functional ability profile guidelines and standards for  
18 determining the physical, mental, and emotional capabilities of applicants for specific types of  
19 licenses, appropriate to various driving abilities.

20                   (2) (a) The Driver License Medical Advisory Board shall establish fitness standards,  
21 including a waiver of a driver's physical qualifications, for [issuing] intrastate commercial driver  
22 licenses under Title 53, Chapter 3, Part 4, Uniform Commercial Driver License Act.

23                   (b) The standards under this Subsection (2) may only be implemented if the United States  
24 Department of Transportation (USDOT) will not impose any sanctions, including funding  
25 sanctions, against the state of Utah.

26                   (3) In case of uncertainty of interpretation of these guidelines and standards, or in special  
27 circumstances, applicants may request a review of any division decision by a panel of board

28 members. All of the actions of the director and board are subject to judicial review.

29 (4) (a) If the applicant for an intrastate commercial driver license under Subsection (2)  
30 applies for the license under a waiver program, the applicant shall bear any costs directly  
31 associated with the cost of administration of the waiver program, with respect to the applicant's  
32 application, in addition to any fees required under Section 53-3-105.

33 (b) The division shall establish any additional fee necessary to administer the license under  
34 this Subsection (4) in accordance with Section 63-38-3.2.

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**Legislative Review Note**  
**as of 12-28-98 3:17 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**