

**COMMERCIAL DRIVERS LICENSE MEDICAL  
WAIVERS**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Ed P. Mayne**

**This act modifies the Public Safety Code by amending provisions related to person applying for a medical waiver related to an intrastate commercial driving privilege.**

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

AMENDS:

**53-3-303.5**, as last amended by Chapter 74, Laws of Utah 1999

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

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

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

(1) The Driver License Medical Advisory Board shall:

(a) advise the director of the division; and

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

(2) (a) The Driver License Medical Advisory Board shall establish fitness standards, including provisions for a waiver of specified federal driver's physical qualifications under 49 CFR 391.41, for intrastate commercial [~~driver licenses under Title 53, Chapter 3, Part 4, Uniform Commercial Driver License Act~~] driving privileges.

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

(3) In case of uncertainty of interpretation of these guidelines and standards, or in special circumstances, applicants may request a review of any division decision by a panel of board members. All of the actions of the director and board are subject to judicial review.

(4) (a) If [~~the applicant for an intrastate commercial driver license under Subsection (2)~~]

~~applies for the license under a waiver program]~~ a person applies for a waiver established under Subsection (2), the applicant shall bear any costs directly associated with the cost of administration of the waiver program, with respect to the applicant's application, in addition to any fees required under Section 53-3-105.

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