

1 **APPEARANCE OF DRIVER LICENSE**

2 **AMENDMENTS**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: John L. Valentine**

6 **This act modifies the Public Safety Code by amending the format for driver license**
7 **certificates and identification cards issued by the Driver License Division. This act**
8 **requires driver license certificates issued to an applicant under 21 years of age and all**
9 **identification cards to be in a portrait-style format. This act requires driver license**
10 **certificates and identification cards issued to an applicant under 21 years of age to plainly**
11 **print the date the applicant turns 21 years of age and the date the applicant turns 19**
12 **years of age.**

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

14 AMENDS:

15 **53-3-207**, as last amended by Chapter 117, Laws of Utah 2001

16 **53-3-805**, as last amended by Chapter 117, Laws of Utah 2001

17 **53-3-806**, as renumbered and amended by Chapter 234, Laws of Utah 1993

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

19 Section 1. Section **53-3-207** is amended to read:

20 **53-3-207. License certificates issued to drivers by class of motor vehicle --**
21 **Contents -- Release of anatomical gift information -- Temporary licenses -- Minors'**
22 **licenses and permits -- Violation.**

23 (1) (a) The division shall issue to every person privileged to drive a motor vehicle, a
24 license certificate indicating the type or class of motor vehicle the licensee may drive.

25 (b) A person may not drive a class of motor vehicle unless licensed in that class.

26 (2) (a) Every license certificate shall bear:

27 (i) the distinguishing number assigned to the licensee by the division;



- 28 (ii) the name, birth date, and residence address of the licensee;
- 29 (iii) a brief description of the licensee for the purpose of identification;
- 30 (iv) any restrictions imposed on the license under Section 53-3-208;
- 31 (v) a photograph of the licensee;
- 32 (vi) a photograph or other facsimile of the licensee's signature; and
- 33 (vii) an indication whether the licensee intends to make an anatomical gift under Title
- 34 26, Chapter 28, Uniform Anatomical Gift Act, unless the license is extended under Subsection
- 35 53-3-214(3).

36 (b) A new license certificate issued by the division may bear the social security number

37 of the licensee only at the request of the licensee.

38 (c) (i) The license certificate shall be of an impervious material, resistant to wear,

39 damage, and alteration.

40 (ii) ~~[The]~~ Except as provided under Subsection (4)(b), the size, form, and color of the

41 license certificate shall be as prescribed by the commissioner.

42 (iii) The commissioner may also prescribe the issuance of a special type of limited

43 license certificate under Subsection 53-3-220(4) and may authorize the issuance of a renewed

44 or duplicate license certificate without a picture if the applicant is not then living in the state.

45 (3) (a) (i) The division upon determining after an examination that an applicant is

46 mentally and physically qualified to be granted a license may issue to an applicant a receipt for

47 the fee.

48 (ii) The receipt serves as a temporary license certificate allowing him to drive a motor

49 vehicle while the division is completing its investigation to determine whether he is entitled to

50 be licensed.

51 (b) The receipt shall be in his immediate possession while driving a motor vehicle, and

52 it is invalid when the applicant's license certificate has been issued or when, for good cause, the

53 privilege has been refused.

54 (c) The division shall indicate on the receipt a date after which it is not valid as a

55 license certificate.

56 (4) (a) The division shall distinguish learner permits, temporary permits, and license

57 certificates issued to any person younger than 21 years of age by use of ~~[the]~~ plainly printed

58 ~~[word "minor" or "under 21"]~~ information or the use of a ~~[special]~~ color or other means not

59 used for other license certificates.

60 (b) The division shall distinguish a license certificate issued to any person:

61 (i) younger than 21 years of age by use of a portrait-style format not used for other
62 license certificates and by plainly printing the date the license certificate holder is 21 years of
63 age, which is the legal age for purchasing an alcoholic beverage or product under Section
64 32A-12-203; and

65 (ii) younger than 19 years of age, by plainly printing the date the license certificate
66 holder is 19 years of age, which is the legal age for purchasing tobacco products under Section
67 76-10-104.

68 (c) The provisions of Subsection (4)(b) do not apply to a learner permit, temporary
69 permit, or any other temporary permit or receipt issued by the division.

70 (5) The division shall issue temporary license certificates of the same nature, except as
71 to duration, as the license certificates that they temporarily replace, as are necessary to
72 implement applicable provisions of Section 53-3-223.

73 (6) A person who violates Subsection (1)(b) is guilty of a class C misdemeanor.

74 Section 2. Section **53-3-805** is amended to read:

75 **53-3-805. Identification card -- Contents -- Specifications.**

76 (1) The division shall issue an identification card that:

77 (a) provides all the information contained in the application, other than the applicant's:

78 (i) Social Security number, except as provided in Subsection (3); and

79 (ii) place of birth;

80 (b) contains a photograph of the applicant; and

81 (c) contains a facsimile of the applicant's signature.

82 (2) (a) The card shall be of an impervious material, resistant to wear, damage, and
83 alteration.

84 (b) ~~[The]~~ Except as provided under Section 53-3-806, the size, form, and color of the
85 card is prescribed by the commissioner.

86 (3) At the applicant's request, the card may include any of the following:

87 (a) a statement that the applicant has a special medical problem or allergies to certain
88 drugs, for the purpose of medical treatment; and

89 (b) the applicant's Social Security number.

90 (4) (a) The indication of intent under Subsection 53-3-804(2)(~~(i)~~)(j) shall be
91 authenticated by the applicant in accordance with division rule.

92 (b) (i) Notwithstanding Title 63, Chapter 2, Government Records Access and
93 Management Act, the division may, upon request, release to an organ procurement
94 organization, as defined in Section 26-28-2, the names and addresses of all persons who under
95 Subsection 53-3-804(2)(~~(i)~~)(j) indicate that they intend to make an anatomical gift.

96 (ii) An organ procurement organization may use released information only to:

97 (A) obtain additional information for an anatomical gift registry; and

98 (B) inform applicants of anatomical gift options, procedures, and benefits.

99 (5) The division and its employees are not liable, as a result of false or inaccurate
100 information provided under Subsection 53-3-804(2)(~~(i)~~)(j), for direct or indirect:

101 (a) loss;

102 (b) detriment; or

103 (c) injury.

104 Section 3. Section **53-3-806** is amended to read:

105 **53-3-806. Portrait-style format -- Minor's card distinguishable.**

106 (1) The division shall use a portrait-style format for all identification cards, similar to
107 the format used for license certificates issued to a person younger than 21 years of age under
108 Section 53-3-207.

109 (2) The identification card issued to a [minor] person younger than 21 years of age
110 shall be distinguished by [the] use of [the] plainly printed [word "minor"] information or by the
111 use of a color or other means not used for the identification card issued to adults.

112 (3) The division shall distinguish an identification card issued to any person:

113 (a) younger than 21 years of age by plainly printing the date the identification card
114 holder is 21 years of age, which is the legal age for purchasing an alcoholic beverage or product
115 under Section 32A-12-203; and

116 (b) younger than 19 years of age by plainly printing the date the identification card
117 holder is 19 years of age, which is the legal age for purchasing tobacco products under Section
118 76-10-104.

Legislative Review Note

as of 1-16-03 10:39 AM

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

Office of Legislative Research and General Counsel

State Impact

It is estimated that for FY 2004, one time funds of \$61,000 from the Transportation Fund Restricted Department of Public Safety Restricted Account will be required to implement provisions of this bill.

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
Transportation Restricted	\$61,000	\$0	\$0	\$0
TOTAL	\$61,000	\$0	\$0	\$0

Individual and Business Impact

No significant fiscal impact.

Office of the Legislative Fiscal Analyst