

S.B. 227

**PUBLIC SAFETY DRIVING PRIVILEGE AND IDENTIFICATION CARD
AMENDMENTS**

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 1, 2005 11:03 AM

Representative **David Ure** proposes the following amendments:

1. *Page 1, Line 12:*

12 This bill:

▸ requires the Driver License Division to make rules for acceptable documentation of an applicant's identity, Utah residency, Utah residence address, proof of legal presence, and proof of citizenship;

▸ prohibits the Driver License Division from issuing a driver license, driving privilege card, or identification card to a person who is not a Utah resident;

2. *Page 2, Lines 44 through 46*

Senate Committee Amendments

2-16-2005:

44 AMENDS:

53-3-104, as last amended by Chapter 85, Laws of Utah 2001

45 53-3-205, as last amended by Chapter 222, Laws of Utah 2004

53-3-204, as last amended by Chapter 30, Laws of Utah 2003

46 53-3-207, as last amended by Chapter 144, Laws of Utah 2004

3. *Page 2, Line 50*

Senate Committee Amendments

2-16-2005:

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

Section 1. Section 53-3-104 is amended to read:

53-3-104. Division duties.

The division shall:

(1) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
make rules:

(a) for examining applicants for a license, as necessary for the safety and welfare of the traveling public;

(b) for acceptable documentation of an applicant's identity, Utah resident status, Utah residence address, proof of legal presence, proof of citizenship, and other proof or documentation required under this chapter;

~~{(b)}~~ (c) regarding the restrictions to be imposed on a person driving a motor vehicle with a temporary learner permit; and

~~{(c)}~~ (d) for exemptions from licensing requirements as authorized in this chapter;

(2) examine each applicant according to the class of license applied for;

(3) license motor vehicle drivers;

(4) file every application for a license received by it and shall maintain indices containing:

(a) all applications denied and the reason each was denied;

(b) all applications granted; and

(c) the name of every licensee whose license has been suspended, disqualified, or revoked by the division and the reasons for the action;

(5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with this chapter;

(6) file all accident reports and abstracts of court records of convictions received by it under state law;

(7) maintain a record of each licensee showing his convictions and the traffic accidents in which he has been involved where a conviction has resulted;

(8) consider the record of a licensee upon an application for renewal of a license and at other appropriate times;

(9) search the license files, compile, and furnish a report on the driving record of any person licensed in the state in accordance with Section 53-3-109;

(10) develop and implement a record system as required by Section 41-6-48.5;

(11) in accordance with Section 53A-13-208, establish:

(a) procedures and standards to certify teachers of driver education classes to administer knowledge and skills tests;

(b) minimal standards for the tests; and

(c) procedures to enable school districts to administer or process any tests for students to receive a class D operator's license;

(12) in accordance with Section 53-3-510, establish:

(a) procedures and standards to certify licensed instructors of commercial driver training school courses to administer the skills test;

(b) minimal standards for the test; and

(c) procedures to enable licensed commercial driver training schools to administer or process skills tests for students to receive a class D operator's license; and

(13) provide administrative support to the Driver License Medical Advisory Board created in Section 53-3-303.

4. Page 7, Line 184:

184 (c) injury.

Section 3. Section 53-3-204 is amended to read:

53-3-204. Persons who may not be licensed.

- (1) (a) The division may not license a person who:
- (i) is younger than 16 years of age;
 - (ii) has not completed a course in driver training approved by the commissioner; or
 - (iii) if the person is a minor, has not completed the driving requirement under Section 53-3-211 ~~{-}~~ ;or

(iv) is not a resident of the state of Utah.

- (b) ~~{-Subsection-}~~ Subsections (1)(a) (i), (ii), and (iii) ~~{-does-}~~ do not apply to a person:
- (i) who has been licensed before July 1, 1967;
 - (ii) who is 16 years of age or older making application for a license who has been licensed in another state or country; or
 - (iii) who is applying for a permit under Section 53-3-210 or 53A-13-208.
- (2) The division may not issue a license certificate to a person:
- (a) whose license has been suspended, denied, cancelled, or disqualified during the period of suspension, denial, cancellation, or disqualification;
 - (b) whose privilege has been revoked, except as provided in Section 53-3-225;
 - (c) who has previously been adjudged mentally incompetent and who has not at the time of application been restored to competency as provided by law;
 - (d) who is required by this chapter to take an examination unless the person successfully passes the examination; or
 - (e) whose driving privileges have been denied or suspended under:
 - (i) Section 78-3a-506 by an order of the juvenile court; or
 - (ii) Section 53-3-231.
- (3) The division may grant a class D or M license to a person whose commercial license is disqualified under Part 4 of this chapter if the person is not otherwise sanctioned under this chapter.

5. Page 10, Lines 277 through 278:

- 277 (1) To apply for an identification card, the applicant shall ;
(a) be a Utah resident:
(b) have a Utah residence
278 address ;and
(c) and appear in person at any license examining station.

Renumber remaining sections accordingly.