

1 **VOTING AND VOTER REGISTRATION AMENDMENTS**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jacob L. Anderegg**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions of the Election Code and the Uniform Driver License Act
10 relating to voting and voter registration.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines the term "documentation of United States citizenship";
- 14 ▶ prohibits an individual from voting in the 2019 municipal general election, or any
15 subsequent election, unless the individual has provided documentation of United
16 States citizenship to:
- 17 • the county clerk for the county where the person is legally entitled to vote; or
 - 18 • the driver license division;
- 19 ▶ provides that the preceding paragraph does not prohibit an individual who legally
20 completes and submits a federal voter registration form from voting in an election
21 for federal office;
- 22 ▶ provides that documentation of United States citizenship obtained by the lieutenant
23 governor or a county clerk under this bill is a private record under the Government
24 Records Access and Management Act;
- 25 ▶ modifies the voter registration form, the driver license form, and the driver license
26 renewal form to notify an individual of the provisions of this bill and allow an
27 individual to consent to the Driver License Division (division) informing the



28 appropriate election official that the individual has provided documentation of United States
29 citizenship;

30 ▶ grants rulemaking authority to the division and describes the duties of the division
31 regarding the keeping of records and sharing of information described in this bill;

32 and

33 ▶ makes technical changes.

34 **Money Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 None

38 **Utah Code Sections Affected:**

39 AMENDS:

40 20A-1-102, as last amended by Laws of Utah 2013, Chapter 320

41 20A-2-104, as last amended by Laws of Utah 2010, Chapter 197

42 20A-2-108, as last amended by Laws of Utah 2004, Chapter 219

43 20A-2-204, as last amended by Laws of Utah 2006, Chapters 264 and 326

44 53-3-104, as last amended by Laws of Utah 2013, Chapter 411

45 53-3-205, as last amended by Laws of Utah 2013, Chapters 214 and 259

46 ENACTS:

47 20A-2-101.1, Utah Code Annotated 1953



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

50 Section 1. Section 20A-1-102 is amended to read:

51 **20A-1-102. Definitions.**

52 As used in this title:

53 (1) "Active voter" means a registered voter who has not been classified as an inactive
54 voter by the county clerk.

55 (2) "Automatic tabulating equipment" means apparatus that automatically examines
56 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

57 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,
58 upon which a voter records the voter's votes.

59 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy
60 envelopes.

61 [~~(5)~~] (4) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

62 (a) contain the names of offices and candidates and statements of ballot propositions to
63 be voted on; and

64 (b) are used in conjunction with ballot sheets that do not display that information.

65 [~~(6)~~] (5) "Ballot proposition" means a question, issue, or proposal that is submitted to
66 voters on the ballot for their approval or rejection including:

67 (a) an opinion question specifically authorized by the Legislature;

68 (b) a constitutional amendment;

69 (c) an initiative;

70 (d) a referendum;

71 (e) a bond proposition;

72 (f) a judicial retention question;

73 (g) an incorporation of a city or town; or

74 (h) any other ballot question specifically authorized by the Legislature.

75 [~~(4)~~] (6) "Ballot sheet":

76 (a) means a ballot that:

77 (i) consists of paper or a card where the voter's votes are marked or recorded; and

78 (ii) can be counted using automatic tabulating equipment; and

79 (b) includes punch card ballots and other ballots that are machine-countable.

80 (7) "Bind," "binding," or "bound" means securing more than one piece of paper

81 together with a staple or stitch in at least three places across the top of the paper in the blank
82 space reserved for securing the paper.

83 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
84 [20A-4-306](#) to canvass election returns.

85 (9) "Bond election" means an election held for the purpose of approving or rejecting
86 the proposed issuance of bonds by a government entity.

87 (10) "Book voter registration form" means voter registration forms contained in a
88 bound book that are used by election officers and registration agents to register persons to vote.

89 (11) "Business reply mail envelope" means an envelope that may be mailed free of

90 charge by the sender.

91 (12) "By-mail voter registration form" means a voter registration form designed to be
92 completed by the voter and mailed to the election officer.

93 (13) "Canvass" means the review of election returns and the official declaration of
94 election results by the board of canvassers.

95 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
96 the canvass.

97 (15) "Contracting election officer" means an election officer who enters into a contract
98 or interlocal agreement with a provider election officer.

99 (16) "Convention" means the political party convention at which party officers and
100 delegates are selected.

101 (17) "Counting center" means one or more locations selected by the election officer in
102 charge of the election for the automatic counting of ballots.

103 (18) "Counting judge" means a poll worker designated to count the ballots during
104 election day.

105 (19) "Counting poll watcher" means a person selected as provided in Section
106 [20A-3-201](#) to witness the counting of ballots.

107 (20) "Counting room" means a suitable and convenient private place or room,
108 immediately adjoining the place where the election is being held, for use by the poll workers
109 and counting judges to count ballots during election day.

110 (21) "County officers" means those county officers that are required by law to be
111 elected.

112 (22) "Date of the election" or "election day" or "day of the election":

113 (a) means the day that is specified in the calendar year as the day that the election
114 occurs; and

115 (b) does not include:

116 (i) deadlines established for absentee voting; or

117 (ii) any early voting or early voting period as provided under Chapter 3, Part 6, Early
118 Voting.

119 (23) (a) "Documentation of United States citizenship" means a legible photocopy or
120 presentation to the appropriate county clerk or the Driver License Division of any of the

121 following that provide evidence that the applicant is a citizen of the United States:

122 (i) the pages of a United States passport that identify the applicant and the applicant's
123 passport number;

124 (ii) a legally issued birth certificate;

125 (iii) a final adoption decree showing the applicant's name and United States birthplace;

126 (iv) a Consular Report of Birth Abroad of a citizen of the United States;

127 (v) a certificate of naturalization or the number of the certificate of naturalization;

128 (vi) a certificate of citizenship issued by the United States Citizenship and Immigration
129 Services;

130 (vii) other documents of proof of citizenship that are established pursuant to the
131 Immigration Reform and Control Act of 1986, Pub. L. No. 99-603;

132 (viii) a Bureau of Indian Affairs card number, tribal treaty card number, or tribal
133 enrollment number;

134 (ix) an American Indian card, with KIC classification, issued by the United States
135 Department of Homeland Security;

136 (x) a United States military record of service showing the applicant's place of birth in
137 the United States;

138 (xi) other documentation that cannot be obtained without presentation of any of the
139 documentation described in Subsections (23)(a)(i) through (23)(a)(x); or

140 (xii) other proof of United States citizenship accepted by the Driver License Division,
141 as provided by rule made in accordance with Section [53-3-104](#).

142 (b) "Documentation of United States citizenship" does not include proof of voter
143 registration from another county or state.

144 ~~[(23)]~~ (24) "Elected official" means:

145 (a) a person elected to an office under Section [20A-1-303](#);

146 (b) a person who is considered to be elected to a municipal office in accordance with
147 Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or

148 (c) a person who is considered to be elected to a local district office in accordance with
149 Subsection [20A-1-206\(3\)\(c\)\(ii\)](#).

150 ~~[(24)]~~ (25) "Election" means a regular general election, a municipal general election, a
151 statewide special election, a local special election, a regular primary election, a municipal

152 primary election, and a local district election.

153 ~~[(25)]~~ (26) "Election Assistance Commission" means the commission established by
154 Public Law 107-252, the Help America Vote Act of 2002.

155 ~~[(26)]~~ (27) "Election cycle" means the period beginning on the first day persons are
156 eligible to file declarations of candidacy and ending when the canvass is completed.

157 ~~[(27)]~~ (28) "Election judge" means a poll worker that is assigned to:

- 158 (a) preside over other poll workers at a polling place;
- 159 (b) act as the presiding election judge; or
- 160 (c) serve as a canvassing judge, counting judge, or receiving judge.

161 ~~[(28)]~~ (29) "Election officer" means:

- 162 (a) the lieutenant governor, for all statewide ballots and elections;
- 163 (b) the county clerk for:
 - 164 (i) a county ballot and election; and
 - 165 (ii) a ballot and election as a provider election officer as provided in Section

166 [20A-5-400.1](#) or [20A-5-400.5](#);

167 (c) the municipal clerk for:

- 168 (i) a municipal ballot and election; and
- 169 (ii) a ballot and election as a provider election officer as provided in Section

170 [20A-5-400.1](#) or [20A-5-400.5](#);

171 (d) the local district clerk or chief executive officer for:

- 172 (i) a local district ballot and election; and
- 173 (ii) a ballot and election as a provider election officer as provided in Section

174 [20A-5-400.1](#) or [20A-5-400.5](#); or

175 (e) the business administrator or superintendent of a school district for:

- 176 (i) a school district ballot and election; and
- 177 (ii) a ballot and election as a provider election officer as provided in Section

178 [20A-5-400.1](#) or [20A-5-400.5](#).

179 ~~[(29)]~~ (30) "Election official" means any election officer, election judge, or poll
180 worker.

181 ~~[(30)]~~ (31) "Election results" means:

- 182 (a) for an election other than a bond election, the count of votes cast in the election and

183 the election returns requested by the board of canvassers; or

184 (b) for bond elections, the count of those votes cast for and against the bond
185 proposition plus any or all of the election returns that the board of canvassers may request.

186 ~~[(31)]~~ (32) "Election returns" includes the pollbook, the military and overseas absentee
187 voter registration and voting certificates, one of the tally sheets, any unprocessed absentee
188 ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot
189 disposition form, and the total votes cast form.

190 ~~[(32)]~~ (33) "Electronic ballot" means a ballot that is recorded using a direct electronic
191 voting device or other voting device that records and stores ballot information by electronic
192 means.

193 ~~[(33)]~~ (34) "Electronic signature" means an electronic sound, symbol, or process
194 attached to or logically associated with a record and executed or adopted by a person with the
195 intent to sign the record.

196 ~~[(34)]~~ (35) (a) "Electronic voting device" means a voting device that uses electronic
197 ballots.

198 (b) "Electronic voting device" includes a direct recording electronic voting device.

199 ~~[(35)]~~ (36) "Inactive voter" means a registered voter who has:

200 (a) been sent the notice required by Section [20A-2-306](#); and

201 (b) failed to respond to that notice.

202 ~~[(36)]~~ (37) "Inspecting poll watcher" means a person selected as provided in this title to
203 witness the receipt and safe deposit of voted and counted ballots.

204 ~~[(37)]~~ (38) "Judicial office" means the office filled by any judicial officer.

205 ~~[(38)]~~ (39) "Judicial officer" means any justice or judge of a court of record or any
206 county court judge.

207 ~~[(39)]~~ (40) "Local district" means a local government entity under Title 17B, Limited
208 Purpose Local Government Entities - Local Districts, and includes a special service district
209 under Title 17D, Chapter 1, Special Service District Act.

210 ~~[(40)]~~ (41) "Local district officers" means those local district officers that are required
211 by law to be elected.

212 ~~[(41)]~~ (42) "Local election" means a regular municipal election, a local special
213 election, a local district election, and a bond election.

214 [~~(42)~~] (43) "Local political subdivision" means a county, a municipality, a local
215 district, or a local school district.

216 [~~(43)~~] (44) "Local special election" means a special election called by the governing
217 body of a local political subdivision in which all registered voters of the local political
218 subdivision may vote.

219 [~~(44)~~] (45) "Municipal executive" means:

220 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;
221 or

222 (b) the mayor in the council-manager form of government defined in Subsection
223 10-3b-103(6).

224 [~~(45)~~] (46) "Municipal general election" means the election held in municipalities and
225 local districts on the first Tuesday after the first Monday in November of each odd-numbered
226 year for the purposes established in Section 20A-1-202.

227 [~~(46)~~] (47) "Municipal legislative body" means the council of the city or town in any
228 form of municipal government.

229 [~~(47)~~] (48) "Municipal office" means an elective office in a municipality.

230 [~~(48)~~] (49) "Municipal officers" means those municipal officers that are required by
231 law to be elected.

232 [~~(49)~~] (50) "Municipal primary election" means an election held to nominate
233 candidates for municipal office.

234 [~~(50)~~] (51) "Official ballot" means the ballots distributed by the election officer to the
235 poll workers to be given to voters to record their votes.

236 [~~(51)~~] (52) "Official endorsement" means:

237 (a) the information on the ballot that identifies:

238 (i) the ballot as an official ballot;

239 (ii) the date of the election; and

240 (iii) the facsimile signature of the election officer; and

241 (b) the information on the ballot stub that identifies:

242 (i) the poll worker's initials; and

243 (ii) the ballot number.

244 [~~(52)~~] (53) "Official register" means the official record furnished to election officials

245 by the election officer that contains the information required by Section [20A-5-401](#).

246 [~~(53)~~] (54) "Paper ballot" means a paper that contains:

247 (a) the names of offices and candidates and statements of ballot propositions to be
248 voted on; and

249 (b) spaces for the voter to record the voter's vote for each office and for or against each
250 ballot proposition.

251 [~~(54)~~] (55) "Political party" means an organization of registered voters that has
252 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
253 Formation and Procedures.

254 [~~(55)~~] (56) (a) "Poll worker" means a person assigned by an election official to assist
255 with an election, voting, or counting votes.

256 (b) "Poll worker" includes election judges.

257 (c) "Poll worker" does not include a watcher.

258 [~~(56)~~] (57) "Pollbook" means a record of the names of voters in the order that they
259 appear to cast votes.

260 [~~(57)~~] (58) "Polling place" means the building where voting is conducted.

261 [~~(58)~~] (59) "Position" means a square, circle, rectangle, or other geometric shape on a
262 ballot in which the voter marks the voter's choice.

263 [~~(62)~~] (60) "Primary convention" means the political party conventions at which
264 nominees for the regular primary election are selected.

265 [~~(63)~~] (61) "Protective counter" means a separate counter, which cannot be reset, that:

266 (a) is built into a voting machine; and

267 (b) records the total number of movements of the operating lever.

268 [~~(59)~~] (62) "Provider election officer" means an election officer who enters into a
269 contract or interlocal agreement with a contracting election officer to conduct an election for
270 the contracting election officer's local political subdivision in accordance with Section
271 [20A-5-400.1](#).

272 [~~(60)~~] (63) "Provisional ballot" means a ballot voted provisionally by a person:

273 (a) whose name is not listed on the official register at the polling place;

274 (b) whose legal right to vote is challenged as provided in this title; or

275 (c) whose identity was not sufficiently established by a poll worker.

276 ~~[(61)]~~ (64) "Provisional ballot envelope" means an envelope printed in the form
277 required by Section 20A-6-105 that is used to identify provisional ballots and to provide
278 information to verify a person's legal right to vote.

279 ~~[(64)]~~ (65) "Qualify" or "qualified" means to take the oath of office and begin
280 performing the duties of the position for which the person was elected.

281 ~~[(65)]~~ (66) "Receiving judge" means the poll worker that checks the voter's name in the
282 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
283 after the voter has voted.

284 ~~[(66)]~~ (67) "Registration form" means a book voter registration form and a by-mail
285 voter registration form.

286 ~~[(67)]~~ (68) "Regular ballot" means a ballot that is not a provisional ballot.

287 ~~[(68)]~~ (69) "Regular general election" means the election held throughout the state on
288 the first Tuesday after the first Monday in November of each even-numbered year for the
289 purposes established in Section 20A-1-201.

290 ~~[(69)]~~ (70) "Regular primary election" means the election on the fourth Tuesday of
291 June of each even-numbered year, to nominate candidates of political parties and nonpolitical
292 groups to advance to the regular general election.

293 ~~[(70)]~~ (71) "Resident" means a person who resides within a specific voting precinct in
294 Utah.

295 ~~[(71)]~~ (72) "Sample ballot" means a mock ballot similar in form to the official ballot
296 printed and distributed as provided in Section 20A-5-405.

297 ~~[(72)]~~ (73) "Scratch vote" means to mark or punch the straight party ticket and then
298 mark or punch the ballot for one or more candidates who are members of different political
299 parties.

300 ~~[(73)]~~ (74) "Secrecy envelope" means the envelope given to a voter along with the
301 ballot into which the voter places the ballot after the voter has voted it in order to preserve the
302 secrecy of the voter's vote.

303 ~~[(74)]~~ (75) "Special election" means an election held as authorized by Section
304 20A-1-203.

305 ~~[(75)]~~ (76) "Spoiled ballot" means each ballot that:

306 (a) is spoiled by the voter;

307 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

308 (c) lacks the official endorsement.

309 ~~[(76)]~~ (77) "Statewide special election" means a special election called by the governor
310 or the Legislature in which all registered voters in Utah may vote.

311 ~~[(77)]~~ (78) "Stub" means the detachable part of each ballot.

312 ~~[(78)]~~ (79) "Substitute ballots" means replacement ballots provided by an election
313 officer to the poll workers when the official ballots are lost or stolen.

314 ~~[(79)]~~ (80) "Ticket" means each list of candidates for each political party or for each
315 group of petitioners.

316 ~~[(80)]~~ (81) "Transfer case" means the sealed box used to transport voted ballots to the
317 counting center.

318 ~~[(81)]~~ (82) "Vacancy" means the absence of a person to serve in any position created
319 by statute, whether that absence occurs because of death, disability, disqualification,
320 resignation, or other cause.

321 ~~[(82)]~~ (83) "Valid voter identification" means:

322 (a) a form of identification that bears the name and photograph of the voter which may
323 include:

324 (i) a currently valid Utah driver license;

325 (ii) a currently valid identification card that is issued by:

326 (A) the state; or

327 (B) a branch, department, or agency of the United States;

328 (iii) a currently valid Utah permit to carry a concealed weapon;

329 (iv) a currently valid United States passport; or

330 (v) a currently valid United States military identification card;

331 (b) one of the following identification cards, whether or not the card includes a
332 photograph of the voter:

333 (i) a valid tribal identification card;

334 (ii) a Bureau of Indian Affairs card; or

335 (iii) a tribal treaty card; or

336 (c) two forms of identification not listed under Subsection ~~[(82)]~~ (83)(a) or (b) but that
337 bear the name of the voter and provide evidence that the voter resides in the voting precinct,

338 which may include:

339 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
340 election;

341 (ii) a bank or other financial account statement, or a legible copy thereof;

342 (iii) a certified birth certificate;

343 (iv) a valid Social Security card;

344 (v) a check issued by the state or the federal government or a legible copy thereof;

345 (vi) a paycheck from the voter's employer, or a legible copy thereof;

346 (vii) a currently valid Utah hunting or fishing license;

347 (viii) certified naturalization documentation;

348 (ix) a currently valid license issued by an authorized agency of the United States;

349 (x) a certified copy of court records showing the voter's adoption or name change;

350 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

351 (xii) a currently valid identification card issued by:

352 (A) a local government within the state;

353 (B) an employer for an employee; or

354 (C) a college, university, technical school, or professional school located within the
355 state; or

356 (xiii) a current Utah vehicle registration.

357 [~~83~~] (84) "Valid write-in candidate" means a candidate who has qualified as a
358 write-in candidate by following the procedures and requirements of this title.

359 [~~84~~] (85) "Voter" means a person who:

360 (a) meets the requirements for voting in an election;

361 (b) meets the requirements of election registration;

362 (c) is registered to vote; and

363 (d) is listed in the official register book.

364 [~~85~~] (86) "Voter registration deadline" means the registration deadline provided in
365 Section 20A-2-102.5.

366 [~~86~~] (87) "Voting area" means the area within six feet of the voting booths, voting
367 machines, and ballot box.

368 [~~87~~] (88) "Voting booth" means:

369 (a) the space or compartment within a polling place that is provided for the preparation
370 of ballots, including the voting machine enclosure or curtain; or

371 (b) a voting device that is free standing.

372 [~~88~~] (89) "Voting device" means:

373 (a) an apparatus in which ballot sheets are used in connection with a punch device for
374 piercing the ballots by the voter;

375 (b) a device for marking the ballots with ink or another substance;

376 (c) an electronic voting device or other device used to make selections and cast a ballot
377 electronically, or any component thereof;

378 (d) an automated voting system under Section 20A-5-302; or

379 (e) any other method for recording votes on ballots so that the ballot may be tabulated
380 by means of automatic tabulating equipment.

381 [~~89~~] (90) "Voting machine" means a machine designed for the sole purpose of
382 recording and tabulating votes cast by voters at an election.

383 [~~90~~] (91) "Voting poll watcher" means a person appointed as provided in this title to
384 witness the distribution of ballots and the voting process.

385 [~~91~~] (92) "Voting precinct" means the smallest voting unit established as provided by
386 law within which qualified voters vote at one polling place.

387 [~~92~~] (93) "Watcher" means a voting poll watcher, a counting poll watcher, an
388 inspecting poll watcher, and a testing watcher.

389 [~~93~~] (94) "Western States Presidential Primary" means the election established in
390 Chapter 9, Part 8, Western States Presidential Primary.

391 [~~94~~] (95) "Write-in ballot" means a ballot containing any write-in votes.

392 [~~95~~] (96) "Write-in vote" means a vote cast for a person whose name is not printed on
393 the ballot according to the procedures established in this title.

394 Section 2. Section 20A-2-101.1 is enacted to read:

395 **20A-2-101.1. Documentation of United States citizenship required to vote.**

396 (1) Except as provided in Subsection (2), an individual may not vote in the 2019
397 municipal general election, or any subsequent election, unless the individual has provided
398 documentation of United States citizenship to:

399 (a) the county clerk for the county where the individual is legally entitled to vote; or

400 (b) the Driver License Division.

401 (2) (a) An individual who legally completes and submits a federal voter registration
402 form as provided in United States Code, Title 42, Chapter 20, National Voter Registration Act,
403 is not required to submit documentation of United States citizenship to vote in an election for
404 federal office.

405 (b) An individual who legally completes a federal voter registration form described in
406 Subsection (2)(a) may not, in the 2019 municipal general election or any subsequent election,
407 vote in a state or local election unless the individual has provided documentation of United
408 States citizenship to:

409 (i) the county clerk for the county where the person is legally entitled to vote; or

410 (ii) the Driver License Division.

411 (3) Nothing in this section shall be construed to:

412 (a) prohibit an individual from registering to vote under United States Code, Title 42,
413 Chapter 20, National Voter Registration Act;

414 (b) supercede or contradict United States Code, Title 42, Chapter 20, National Voter
415 Registration Act; or

416 (c) prohibit an individual who has lawfully registered to vote under United States
417 Code, Title 42, Chapter 20, National Voter Registration Act, from voting in an election for
418 federal office.

419 (4) Any documentation of United States citizenship obtained by the lieutenant
420 governor or a county clerk in accordance with this chapter or Title 53, Chapter 3, Uniform
421 Driver License Act, is a private record under Title 63G, Chapter 2, Government Records
422 Access and Management Act.

423 Section 3. Section **20A-2-104** is amended to read:

424 **20A-2-104. Voter registration form -- Registered voter lists -- Fees for copies.**

425 (1) Every person applying to be registered shall complete a registration form printed in
426 substantially the following form:

427 -----

428 UTAH ELECTION REGISTRATION FORM

429 Are you a citizen of the United States of America? Yes No

430 Will you be 18 years old on or before election day? Yes No

431 If you checked "no" to either of the above two questions, do not complete this form.

432 Name of Voter

433 _____

434 First Middle Last

435 Utah Driver License or Utah Identification Card Number _____

436 Beginning in the 2019 municipal general election, and in any election held after the 2019
437 municipal general election, you will not be permitted to vote in any race, other than a race for
438 federal office, unless you provide documentation of United States citizenship. You may
439 provide this documentation in one of two ways:

440 If you have provided documentation of United states citizenship to the Driver License
441 Division, you may authorize the Driver License Division to inform the appropriate election
442 official that you are a United States citizen by checking this box.

443 You may attach proper documentation of United States citizenship to this registration
444 form and, by checking this box, consent to provision of the documentation to the appropriate
445 election official.

446 Date of Birth _____

447 Street Address of Principal Place of Residence

448 _____

449 City County State Zip Code

450 Telephone Number (optional) _____

451 Last four digits of Social Security Number _____

452 Last former address at which I was registered to vote (if
453 known) _____

454 _____

455 City County State Zip Code

456 Political Party

457 (a listing of each registered political party, as defined in Section 20A-8-101 and maintained by
458 the lieutenant governor under Section 67-1a-2, with each party's name preceded by a checkbox)

459 Unaffiliated (no political party preference) Other (Please specify) _____

460 I do swear (or affirm), subject to penalty of law for false statements, that the
461 information contained in this form is true, and that I am a citizen of the United States and a

462 resident of the state of Utah, residing at the above address. I will be at least 18 years old and
463 will have resided in Utah for 30 days immediately before the next election. I am not a
464 convicted felon currently incarcerated for commission of a felony.

465 Signed and sworn

466 _____

467 Voter's Signature

468 _____(month/day/year).

469 CITIZENSHIP AFFIDAVIT

470 Name:

471 Name at birth, if different:

472 Place of birth:

473 Date of birth:

474 Date and place of naturalization (if applicable):

475 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
476 citizen and that to the best of my knowledge and belief the information above is true and
477 correct.

478 _____

479 Signature of Applicant

480 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or
481 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
482 up to one year in jail and a fine of up to \$2,500.

483 NOTICE: IN ORDER TO BE ALLOWED TO VOTE, YOU MUST PRESENT VALID
484 VOTER IDENTIFICATION TO THE POLL WORKER BEFORE VOTING, WHICH MUST
485 BE A VALID FORM OF PHOTO IDENTIFICATION THAT SHOWS YOUR NAME AND
486 PHOTOGRAPH; OR
487 TWO DIFFERENT FORMS OF IDENTIFICATION THAT SHOW YOUR NAME AND
488 CURRENT ADDRESS.

489 FOR OFFICIAL USE ONLY

490 Type of I.D. _____

491 Voting Precinct _____

492 Voting I.D. Number _____

493

494 (2) (a) Except as provided under Subsection (2)(b), the county clerk shall retain a copy
495 of each voter registration form in a permanent countywide alphabetical file, which may be
496 electronic or some other recognized system.

497 (b) The county clerk may transfer a superceded voter registration form to the Division
498 of Archives and Records Service created under Section 63A-12-101.

499 (3) (a) Each county clerk shall retain lists of currently registered voters.

500 (b) The lieutenant governor shall maintain a list of registered voters in electronic form.

501 (c) If there are any discrepancies between the two lists, the county clerk's list is the
502 official list.

503 (d) The lieutenant governor and the county clerks may charge the fees established
504 under the authority of Subsection 63G-2-203(10) to individuals who wish to obtain a copy of
505 the list of registered voters.

506 (4) When political parties not listed on the voter registration form qualify as registered
507 political parties under Title 20A, Chapter 8, Political Party Formation and Procedures, the
508 lieutenant governor shall inform the county clerks about the name of the new political party
509 and direct the county clerks to ensure that the voter registration form is modified to include that
510 political party.

511 (5) Upon receipt of a voter registration form from an applicant, the county clerk or the
512 clerk's designee shall:

513 (a) review each voter registration form for completeness and accuracy; and

514 (b) if the county clerk believes, based upon a review of the form, that a person may be
515 seeking to register to vote who is not legally entitled to register to vote, refer the form to the
516 county attorney for investigation and possible prosecution.

517 Section 4. Section 20A-2-108 is amended to read:

518 **20A-2-108. Driver license registration form -- Transmittal of information.**

519 (1) The lieutenant governor and the Driver License Division shall design the driver
520 license application and renewal forms to include the ~~[question "if]~~ following questions:

521 (a) "If you are not registered to vote where you live now, would you like to register to
522 vote today?"; and

523 (b) "Regardless of whether you are currently registered to vote, in order to vote in state

524 or local elections in the 2019 municipal general election, or any subsequent election, you must
525 provide documentation of United States citizenship to the appropriate election official. Do you
526 wish to authorize the Driver License Division to inform the appropriate election official that
527 you have provided documentation of United States citizenship?"

528 (2) (a) The lieutenant governor and the Driver License Division shall design a motor
529 voter registration form to be used in conjunction with driver license application and renewal
530 forms.

531 (b) Each driver license application and renewal form shall contain:

532 (i) a place for the applicant to decline to register to vote;

533 (ii) an eligibility statement in substantially the following form:

534 "I do swear (or affirm), subject to penalty of law for false statements, that the
535 information contained in this form is true, and that I am a citizen of the United States and a
536 resident of the state of Utah, residing at the above address. I will be at least 18 years old and
537 will have resided in Utah for 30 days immediately before the next election.

538 Signed and sworn

539 _____

540 Voter's Signature

541 _____(month\day\year)";

542 (iii) a citizenship affidavit in substantially the following form:

543 "CITIZENSHIP AFFIDAVIT

544 Name:

545 Name at birth, if different:

546 Place of birth:

547 Date of birth:

548 Date and place of naturalization (if applicable):

549 I hereby swear and affirm, under penalties for voting fraud set forth below, that I am a
550 citizen and that to the best of my knowledge and belief the information above is true and
551 correct.

552 _____

553 Signature of Applicant

554 In accordance with Section 20A-2-401, the penalty for willfully causing, procuring, or

555 allowing yourself to be registered to vote if you know you are not entitled to register to vote is
556 up to one year in jail and a fine of up to \$2,500";

557 (iv) a statement in substantially the following form:

558 "Regardless of whether you are currently registered to vote, in order to vote in state or
559 local elections in the 2019 municipal general election, or any subsequent election, you must
560 provide documentation of United States citizenship to the appropriate election official. Do you
561 wish to authorize the Driver License Division to inform the appropriate election official that
562 you have provided documentation of United States citizenship?"

563 ~~[(iv)]~~ (v) a statement that if an applicant declines to register to vote, the fact that the
564 applicant has declined to register will remain confidential and will be used only for voter
565 registration purposes; and

566 ~~[(v)]~~ (vi) a statement that if an applicant does register to vote, the office at which the
567 applicant submits a voter registration application will remain confidential and will be used only
568 for voter registration purposes.

569 (3) Upon receipt of a voter registration form from an applicant, the county clerk or the
570 clerk's designee shall:

571 (a) review the voter registration form for completeness and accuracy; and

572 (b) if the county clerk believes, based upon a review of the form, that a person may be
573 seeking to register to vote who is not legally entitled to register to vote, refer the form to the
574 county attorney for investigation and possible prosecution.

575 Section 5. Section **20A-2-204** is amended to read:

576 **20A-2-204. Registering to vote when applying for or renewing a driver license.**

577 (1) As used in this section, "voter registration form" means the driver license
578 application/voter registration form and the driver license renewal/voter registration form
579 required by Section **20A-2-108**.

580 (2) Any citizen who is qualified to vote may register to vote by completing the voter
581 registration form.

582 (3) The Driver License Division shall:

583 (a) assist applicants in completing the voter registration form unless the applicant
584 refuses assistance;

585 (b) accept completed forms for transmittal to the appropriate election official;

586 (c) transmit a copy of each voter registration form to the appropriate election official
587 within five days after it is received by the division;

588 (d) if authorized by the applicant who completes the voter registration form, inform the
589 appropriate election official that the applicant has provided documentation of United States
590 citizenship to the Driver License Division;

591 ~~[(d)]~~ (e) transmit each address change within five days after it is received by the
592 division; and

593 ~~[(e)]~~ (f) transmit electronically to the lieutenant governor's office the name, address,
594 birth date, and driver license number of each person who answers "yes" to the question on the
595 driver license form about registering to vote.

596 (4) Upon receipt of a correctly completed voter registration form, the county clerk
597 shall:

598 (a) enter the applicant's name on the list of registered voters for the voting precinct in
599 which the applicant resides; ~~[and]~~

600 (b) indicate on the list of registered voters whether the applicant has provided
601 documentation of United States citizenship; and

602 ~~[(b)]~~ (c) notify the applicant ~~[of registration.]:~~

603 (i) that the applicant is registered to vote;

604 (ii) whether the applicant has provided documentation of United States citizenship; and

605 (iii) if the applicant has not provided documentation of United States citizenship, of the
606 consequences, described in Section [20A-2-101.1](#), of failing to provide documentation of United
607 States citizenship.

608 (5) (a) If the county clerk receives a correctly completed voter registration form that is
609 dated after the voter registration deadline, the county clerk shall:

610 (i) register the applicant after the next election; and

611 (ii) if possible, promptly phone or mail a notice to the applicant before the election,
612 informing the applicant that ~~[his]~~ the applicant's registration will not be effective until after the
613 election.

614 (b) When the county clerk receives a correctly completed voter registration form at
615 least seven days before an election that is dated on or before the voter registration deadline, the
616 county clerk shall:

- 617 (i) process the voter registration form; ~~and~~
 618 (ii) record the new voter in the official register~~[-]~~; and
 619 (iii) indicate on the list of registered voters whether the voter has provided
 620 documentation of United States citizenship.

621 (6) If the county clerk determines that a voter registration form received from the
 622 Driver License Division is incorrect because of an error or because it is incomplete, the county
 623 clerk shall mail notice to the ~~person~~ individual attempting to register, informing ~~him that he~~
 624 the individual that the individual has not been registered because of an error or because the
 625 form is incomplete.

626 Section 6. Section **53-3-104** is amended to read:

627 **53-3-104. Division duties.**

628 The division shall:

629 (1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 630 make rules:

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

633 (b) for acceptable documentation of an applicant's identity, Social Security number,
 634 Utah resident status, Utah residence address, proof of legal presence, proof of citizenship in the
 635 United States, honorable discharge from the United States military, and other proof or
 636 documentation required under this chapter;

637 (c) for informing the appropriate election official whether an individual has provided
 638 documentation of United States citizenship if the individual has consented to providing that
 639 information;

640 ~~(e)~~ (d) regarding the restrictions to be imposed on a person driving a motor vehicle
 641 with a temporary learner permit or learner permit;

642 ~~(f)~~ (e) for exemptions from licensing requirements as authorized in this chapter; and

643 ~~(g)~~ (f) establishing procedures for the storage and maintenance of applicant
 644 information provided in accordance with Section [53-3-205](#), [53-3-410](#), or [53-3-804](#);

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

646 (3) license motor vehicle drivers;

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

648 containing:

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

650 (b) all applications granted; and

651 (c) the name of every licensee whose license has been suspended, disqualified, or

652 revoked by the division and the reasons for the action;

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

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

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

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

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

663 (10) develop and implement a record system as required by Section 41-6a-604;

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

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

667 (b) minimal standards for the tests; and

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

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

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

673 (b) minimal standards for the test; and

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

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

678 (14) upon request by the lieutenant governor, provide the lieutenant governor with a

679 digital copy of the driver license or identification card signature of a person who is an applicant
680 for voter registration under Section 20A-2-206; and

681 (15) in accordance with Section 53-3-407.1, establish:

682 (a) procedures and standards to license a commercial driver license third party tester or
683 commercial driver license third party examiner to administer the commercial driver license
684 skills tests;

685 (b) minimum standards for the commercial driver license skills test; and

686 (c) procedures to enable a licensed commercial driver license third party tester or
687 commercial driver license third party examiner to administer a commercial driver license skills
688 test for an applicant to receive a commercial driver license.

689 Section 7. Section 53-3-205 is amended to read:

690 **53-3-205. Application for license or endorsement -- Fee required -- Tests --**
691 **Expiration dates of licenses and endorsements -- Information required -- Previous**
692 **licenses surrendered -- Driving record transferred from other states -- Reinstatement --**
693 **Fee required -- License agreement.**

694 (1) An application for any original license, provisional license, or endorsement shall
695 be:

696 (a) made upon a form furnished by the division; and

697 (b) accompanied by a nonrefundable fee set under Section 53-3-105.

698 (2) An application and fee for an original provisional class D license or an original
699 class D license entitle the applicant to:

700 (a) not more than three attempts to pass both the knowledge and the skills tests for a
701 class D license within six months of the date of the application;

702 (b) a learner permit if needed pending completion of the application and testing
703 process; and

704 (c) an original class D license and license certificate after all tests are passed and
705 requirements are completed.

706 (3) An application and fee for a motorcycle or taxicab endorsement entitle the
707 applicant to:

708 (a) not more than three attempts to pass both the knowledge and skills tests within six
709 months of the date of the application;

710 (b) a motorcycle learner permit after the motorcycle knowledge test is passed; and
711 (c) a motorcycle or taxicab endorsement when all tests are passed.

712 (4) An application and fees for a commercial class A, B, or C license entitle the
713 applicant to:

714 (a) not more than two attempts to pass a knowledge test and not more than two
715 attempts to pass a skills test within six months of the date of the application;

716 (b) a commercial driver instruction permit if needed after the knowledge test is passed;
717 and

718 (c) an original commercial class A, B, or C license and license certificate when all
719 applicable tests are passed.

720 (5) An application and fee for a CDL endorsement entitle the applicant to:

721 (a) not more than two attempts to pass a knowledge test and not more than two
722 attempts to pass a skills test within six months of the date of the application; and

723 (b) a CDL endorsement when all tests are passed.

724 (6) If a CDL applicant does not pass a knowledge test, skills test, or an endorsement
725 test within the number of attempts provided in Subsection (4) or (5), each test may be taken
726 two additional times within the six months for the fee provided in Section [53-3-105](#).

727 (7) (a) Except as provided under Subsections (7)(f), (g), and (h), an original license
728 expires on the birth date of the applicant in the fifth year following the year the license
729 certificate was issued.

730 (b) Except as provided under Subsections (7)(f), (g), and (h), a renewal or an extension
731 to a license expires on the birth date of the licensee in the fifth year following the expiration
732 date of the license certificate renewed or extended.

733 (c) Except as provided under Subsections (7)(f) and (g), a duplicate license expires on
734 the same date as the last license certificate issued.

735 (d) An endorsement to a license expires on the same date as the license certificate
736 regardless of the date the endorsement was granted.

737 (e) (i) A regular license certificate and any endorsement to the regular license
738 certificate held by a person described in Subsection (7)(e)(ii), which expires during the time
739 period the person is stationed outside of the state, is valid until 90 days after the person's orders
740 have been terminated, the person has been discharged, or the person's assignment has been

741 changed or terminated, unless:

742 (A) the license is suspended, disqualified, denied, or has been cancelled or revoked by
743 the division; or

744 (B) the licensee updates the information or photograph on the license certificate.

745 (ii) The provisions in Subsection (7)(e)(i) apply to a person:

746 (A) ordered to active duty and stationed outside of Utah in any of the armed forces of
747 the United States;

748 (B) who is an immediate family member or dependent of a person described in
749 Subsection (7)(e)(ii)(A) and is residing outside of Utah;

750 (C) who is a civilian employee of the United States State Department or United States
751 Department of Defense and is stationed outside of the United States; or

752 (D) who is an immediate family member or dependent of a person described in
753 Subsection (7)(e)(ii)(C) and is residing outside of the United States.

754 (f) (i) Except as provided in Subsection (7)(f)(ii), a limited-term license certificate or a
755 renewal to a limited-term license certificate expires:

756 (A) on the expiration date of the period of time of the individual's authorized stay in
757 the United States or on the date provided under this Subsection (7), whichever is sooner; or

758 (B) on the date of issuance in the first year following the year that the limited-term
759 license certificate was issued if there is no definite end to the individual's period of authorized
760 stay.

761 (ii) A limited-term license certificate or a renewal to a limited-term license certificate
762 issued to an approved asylee or a refugee expires on the birth date of the applicant in the fourth
763 year following the year that the limited-term license certificate was issued.

764 (g) A driving privilege card issued or renewed under Section [53-3-207](#) expires on the
765 birth date of the applicant in the first year following the year that the driving privilege card was
766 issued or renewed.

767 (h) An original license or a renewal to an original license expires on the birth date of
768 the applicant in the first year following the year that the license was issued if the applicant is
769 required to register as a sex offender in accordance with Title 77, Chapter 41, Sex and Kidnap
770 Offender Registry.

771 (8) (a) In addition to the information required by Title 63G, Chapter 4, Administrative

772 Procedures Act, for requests for agency action, each applicant shall:
773 (i) provide:
774 (A) the applicant's full legal name;
775 (B) the applicant's birth date;
776 (C) the applicant's gender;
777 (D) (I) documentary evidence of the applicant's valid Social Security number;
778 (II) written proof that the applicant is ineligible to receive a Social Security number;
779 (III) the applicant's temporary identification number (ITIN) issued by the Internal
780 Revenue Service for a person who:
781 (Aa) does not qualify for a Social Security number; and
782 (Bb) is applying for a driving privilege card; or
783 (IV) other documentary evidence approved by the division;
784 (E) the applicant's Utah residence address as documented by a form or forms
785 acceptable under rules made by the division under Section 53-3-104, unless the application is
786 for a temporary CDL issued under Subsection 53-3-407(2)(b); and
787 (F) fingerprints and a photograph in accordance with Section 53-3-205.5 if the person is
788 applying for a driving privilege card;
789 (ii) provide evidence of the applicant's lawful presence in the United States by
790 providing documentary evidence:
791 (A) that a person is:
792 (I) a United States citizen;
793 (II) a United States national; or
794 (III) a legal permanent resident alien; or
795 (B) of the applicant's:
796 (I) unexpired immigrant or nonimmigrant visa status for admission into the United
797 States;
798 (II) pending or approved application for asylum in the United States;
799 (III) admission into the United States as a refugee;
800 (IV) pending or approved application for temporary protected status in the United
801 States;
802 (V) approved deferred action status;

803 (VI) pending application for adjustment of status to legal permanent resident or
804 conditional resident; or

805 (VII) conditional permanent resident alien status;

806 (iii) provide a description of the applicant;

807 (iv) state whether the applicant has previously been licensed to drive a motor vehicle
808 and, if so, when and by what state or country;

809 (v) state whether the applicant has ever had any license suspended, cancelled, revoked,
810 disqualified, or denied in the last 10 years, or whether the applicant has ever had any license
811 application refused, and if so, the date of and reason for the suspension, cancellation,
812 revocation, disqualification, denial, or refusal;

813 (vi) state whether the applicant intends to make an anatomical gift under Title 26,
814 Chapter 28, Revised Uniform Anatomical Gift Act, in compliance with Subsection (15);

815 (vii) state whether the applicant is required to register as a sex offender in accordance
816 with Title 77, Chapter 41, Sex and Kidnap Offender Registry;

817 (viii) state whether the applicant is a veteran of the United States military, provide
818 verification that the applicant was honorably discharged from the United States military, and
819 state whether the applicant does or does not authorize sharing the information with the state
820 Department of Veterans' and Military Affairs;

821 (ix) provide all other information the division requires; and

822 (x) sign the application which signature may include an electronic signature as defined
823 in Section [46-4-102](#).

824 (b) Each applicant shall have a Utah residence address, unless the application is for a
825 temporary CDL issued under Subsection [53-3-407\(2\)\(b\)](#).

826 (c) Each applicant shall provide evidence of lawful presence in the United States in
827 accordance with Subsection (8)(a)(ii), unless the application is for a driving privilege card.

828 (d) The division shall maintain on its computerized records an applicant's:

829 (i) (A) Social Security number;

830 (B) temporary identification number (ITIN); or

831 (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies; [~~and~~]

832 (ii) status as a citizen of the United States if the applicant provides documentation of
833 United States citizenship; and

834 [(it)] (iii) indication of whether the applicant is required to register as a sex offender in
835 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

836 (e) The division shall inform the appropriate election official that an applicant has
837 provided documentation of United States citizenship if the applicant:

838 (i) provides documentation of United States citizenship to the division; and

839 (ii) authorizes the division to inform the appropriate election official that the applicant
840 has provided documentation of United States citizenship.

841 (9) The division shall require proof of every applicant's name, birthdate, and birthplace
842 by at least one of the following means:

843 (a) current license certificate;

844 (b) birth certificate;

845 (c) Selective Service registration; or

846 (d) other proof, including church records, family Bible notations, school records, or
847 other evidence considered acceptable by the division.

848 (10) (a) Except as provided in Subsection (10)(c), if an applicant receives a license in a
849 higher class than what the applicant originally was issued:

850 (i) the license application shall be treated as an original application; and

851 (ii) license and endorsement fees shall be assessed under Section 53-3-105.

852 (b) An applicant that receives a downgraded license in a lower license class during an
853 existing license cycle that has not expired:

854 (i) may be issued a duplicate license with a lower license classification for the
855 remainder of the existing license cycle; and

856 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(22) if a
857 duplicate license is issued under Subsection (10)(b)(i).

858 (c) An applicant who has received a downgraded license in a lower license class under
859 Subsection (10)(b):

860 (i) may, when eligible, receive a duplicate license in the highest class previously issued
861 during a license cycle that has not expired for the remainder of the existing license cycle; and

862 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(22) if a
863 duplicate license is issued under Subsection (10)(c)(i).

864 (11) (a) When an application is received from a person previously licensed in another

865 state to drive a motor vehicle, the division shall request a copy of the driver's record from the
866 other state.

867 (b) When received, the driver's record becomes part of the driver's record in this state
868 with the same effect as though entered originally on the driver's record in this state.

869 (12) An application for reinstatement of a license after the suspension, cancellation,
870 disqualification, denial, or revocation of a previous license shall be accompanied by the
871 additional fee or fees specified in Section 53-3-105.

872 (13) A person who has an appointment with the division for testing and fails to keep
873 the appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee
874 under Section 53-3-105.

875 (14) A person who applies for an original license or renewal of a license agrees that the
876 person's license is subject to any suspension or revocation authorized under this title or Title
877 41, Motor Vehicles.

878 (15) (a) The indication of intent under Subsection (8)(a)(vi) shall be authenticated by
879 the licensee in accordance with division rule.

880 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and
881 Management Act, the division may, upon request, release to an organ procurement
882 organization, as defined in Section 26-28-102, the names and addresses of all persons who
883 under Subsection (8)(a)(vi) indicate that they intend to make an anatomical gift.

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

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

886 (B) inform licensees of anatomical gift options, procedures, and benefits.

887 (16) Notwithstanding Title 63G, Chapter 2, Government Records Access and
888 Management Act, the division may release to the Department of Veterans' and Military Affairs
889 the names and addresses of all persons who indicate their status as a veteran under Subsection
890 (8)(a)(viii).

891 (17) The division and its employees are not liable, as a result of false or inaccurate
892 information provided under Subsection (8)(a)(vi) or (viii), for direct or indirect:

893 (a) loss;

894 (b) detriment; or

895 (c) injury.

896 (18) A person who knowingly fails to provide the information required under
897 Subsection (8)(a)(vii) is guilty of a class A misdemeanor.

898 (19) (a) Until December 1, 2014, a person born on or after December 1, 1964, may
899 hold both an unexpired Utah license certificate and an unexpired Utah identification card.

900 (b) On or after December 1, 2014, a person born on or after December 1, 1964:

901 (i) may not hold both an unexpired Utah license certificate and an unexpired
902 identification card; and

903 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
904 identification card in the person's possession, shall be required to surrender either the unexpired
905 Utah license certificate or the unexpired Utah identification card.

906 (c) If a person has not surrendered either the Utah license certificate or the Utah
907 identification card as required under this Subsection (19), the division shall cancel the Utah
908 identification card on December 1, 2014.

909 (20) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold
910 both an unexpired Utah license certificate and an unexpired Utah identification card.

911 (b) On or after December 1, 2017, a person born prior to December 1, 1964:

912 (i) may not hold both an unexpired Utah license certificate and an unexpired
913 identification card; and

914 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
915 identification card in the person's possession, shall be required to surrender either the unexpired
916 Utah license certificate or the unexpired Utah identification card.

917 (c) If a person has not surrendered either the Utah license certificate or the Utah
918 identification card as required under this Subsection (20), the division shall cancel the Utah
919 identification card on December 1, 2017.

920 (21) (a) A person who applies for an original motorcycle endorsement to a regular
921 license certificate is exempt from the requirement to pass the knowledge and skills test to be
922 eligible for the motorcycle endorsement if the person:

923 (i) is a resident of the state of Utah;

924 (ii) (A) is ordered to active duty and stationed outside of Utah in any of the armed
925 forces of the United States; or

926 (B) is an immediate family member or dependent of a person described in Subsection

927 (21)(a)(ii)(A) and is residing outside of Utah;
928 (iii) has a digitized driver license photo on file with the division;
929 (iv) provides proof to the division of the successful completion of a certified
930 Motorcycle Safety Foundation rider training course; and
931 (v) provides the necessary information and documentary evidence required under
932 Subsection (8).
933 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
934 division shall make rules:
935 (i) establishing the procedures for a person to obtain a motorcycle endorsement under
936 this Subsection (21); and
937 (ii) identifying the applicable restrictions for a motorcycle endorsement issued under
938 this Subsection (21).

Legislative Review Note
as of 12-18-13 2:36 PM

Office of Legislative Research and General Counsel