

28 ▶ makes technical corrections.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill provides a special effective date.

32a **§→ This bill provides a coordination clause. ←§**

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **53-3-102**, as last amended by Laws of Utah 2014, Chapter 252

36 **53-3-109**, as last amended by Laws of Utah 2011, Chapters 190 and 243

37 **53-3-221**, as last amended by Laws of Utah 2014, Chapters 101 and 225

38 **53-3-402**, as last amended by Laws of Utah 2013, Chapter 411

39 **53-3-410.1**, as last amended by Laws of Utah 2013, Chapter 411

40 **53-3-420**, as last amended by Laws of Utah 2007, Chapter 53

41 **53-3-709**, as renumbered and amended by Laws of Utah 1993, Chapter 234

42 **72-9-107**, as last amended by Laws of Utah 2009, Chapters 155 and 356

42a **§→ Utah Code Sections Affected by Coordination Clause:**

42b **53-3-102, as last amended by Laws of Utah 2014, Chapter 252** ←§



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

45 Section 1. Section **53-3-102** is amended to read:

46 **53-3-102. Definitions.**

47 As used in this chapter:

48 (1) "Cancellation" means the termination by the division of a license issued through
49 error or fraud or for which consent under Section **53-3-211** has been withdrawn.

50 (2) "Class D license" means the class of license issued to drive motor vehicles not
51 defined as commercial motor vehicles or motorcycles under this chapter.

52 (3) "Commercial driver instruction permit" or "CDIP" means a permit issued under
53 Section **53-3-408**.

54 ~~(3)~~ (4) "Commercial driver license" or "CDL" means a license:

55 (a) issued substantially in accordance with the requirements of Title XII, Pub. L.
56 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,
57 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
58 commercial motor vehicle; and

59 (b) that was obtained by providing evidence of lawful presence in the United States
60 with one of the document requirements described in Subsection [53-3-410\(1\)\(i\)\(i\)](#).

61 (5) ~~§~~ **→** (a) ~~←~~ **§** "Commercial driver license motor vehicle record" or "CDL MVR" means a
61a driving
62 record that:

63 ~~§~~ **→** [(a)] (i) ~~←~~ **§** applies to a person who holds or is required to hold a commercial driver
63a instruction
64 permit or a CDL license; and

65 ~~§~~ **→** [(b)] (ii) ~~←~~ **§** contains the following:

66 ~~§~~ **→** [(i)] (A) ~~←~~ **§** information contained in the driver history, including convictions, pleas
66a held in

67 abeyance, disqualifications, and other licensing actions for violations of any state or local law
68 relating to motor vehicle traffic control, committed in any type of vehicle;

69 ~~§~~ **→** [(ii)] (B) ~~←~~ **§** driver self-certification status information under Section [53-3-410.1](#); and

70 ~~§~~ **→** [(iii)] (C) ~~←~~ **§** information from medical certification record keeping in accordance with
70a 49
71 C.F.R. Sec. 383.73(o).

71a ~~§~~ **→** (b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a
71b motor vehicle record described in Subsection [53-3-102\(28\)](#). ← ~~§~~

72 [(4)] (6) (a) "Commercial motor vehicle" means a motor vehicle or combination of
73 motor vehicles designed or used to transport passengers or property if the motor vehicle:

74 (i) has a gross vehicle weight rating of 26,001 or more pounds or a lesser rating as
75 determined by federal regulation;

76 (ii) is designed to transport 16 or more passengers, including the driver; or

77 (iii) is transporting hazardous materials and is required to be placarded in accordance
78 with 49 C.F.R. Part 172, Subpart F.

79 (b) The following vehicles are not considered a commercial motor vehicle for purposes
80 of Part 4, Uniform Commercial Driver License Act:

81 (i) equipment owned and operated by the United States Department of Defense when
82 driven by any active duty military personnel and members of the reserves and national guard on
83 active duty including personnel on full-time national guard duty, personnel on part-time
84 training, and national guard military technicians and civilians who are required to wear military
85 uniforms and are subject to the code of military justice;

86 (ii) vehicles controlled and driven by a farmer to transport agricultural products, farm
87 machinery, or farm supplies to or from a farm within 150 miles of his farm but not in operation
88 as a motor carrier for hire;

89 (iii) firefighting and emergency vehicles; and

648 ~~[(1) the driver license administrator of any other state requesting that information;]~~

649 (1) another state ~~§~~ → [via the commercial driver license information system] ← ~~§~~ ;

650 (2) [any employer or prospective employer of a person to drive a commercial motor

651 vehicle] a motor carrier ~~§~~ → [or] , ← ~~§~~ prospective motor carrier ~~§~~ → [with a release from the

651a subject of the

652 record granting disclosure of the record upon request] , or authorized agent of a motor carrier or

652a prospective motor carrier after notification to the driver ← ~~§~~ and payment of a fee under Section

653 53-3-105;

654 (3) ~~[insurers of commercial motor vehicle drivers]~~ the subject of the record upon

655 request and payment of a fee under Section 53-3-105; and

656 (4) the Secretary of the United States Department of Transportation.

657 Section 7. Section **53-3-709** is amended to read:

658 **53-3-709. Amendment of compact.**

659 (1) (a) This compact may be amended from time to time.

660 (b) Amendments shall be presented in resolution form to the chairman of the board of
661 compact administrators and may be initiated by one or more party jurisdictions.

662 (2) Adoption of an amendment requires endorsement of all party jurisdictions and
663 becomes effective 30 days after the date of the last endorsement.

664 (3) (a) Failure of a party jurisdiction to respond to the compact chairman within 120
665 days after receipt of the proposed amendment constitutes endorsement.

666 (b) A report authorized by Section 53-3-104 may not contain any evidence of a
667 suspension that occurred as a result of failure to comply with the requirements of this part.

668 (c) The provisions of Subsection (3)(b) do not apply to:

669 (i) a CDIP or CDL license holder; or

670 (ii) a violation that occurred in a commercial motor vehicle.

671 Section 8. Section **72-9-107** is amended to read:

672 **72-9-107. Medical exemptions for farm vehicle operators.**

673 Except as provided in Section 53-3-206, an operator of a farm vehicle or combination
674 of farm vehicles is exempt from additional requirements for physical qualifications, medical
675 examinations, and medical certification if the farm vehicle or combination of farm vehicles
676 being operated is:

677 (1) under 26,001 pounds gross vehicle weight rating;

678 (2) not operated as a commercial motor vehicle in accordance with Subsection

679 53-3-102[(4)](6)(b)(ii); and

680 (3) not operated as an interstate commercial motor vehicle.

681 Section 9. **Effective date.**

682 This bill takes effect on July 1, 2015.

682a **§→ Section 10. Coordinating H.B. 26 with S.B. 20 -- Substantive and technical amendments.**

682b **If this H.B. 26 and S.B. 20, Uniform Driver License Act Amendments, both pass and**

682c **become law, it is the intent of the Legislature that the Office of Legislative Research and**

682d **General Counsel shall prepare the Utah Code database for publication by amending**

682e **Subsection 53-3-102(3) to read:**

682f **"(3) "Commercial driver instruction permit" or "CDIP" means a commercial learner**

682g **permit:**

682h **(a) issued under Section 53-3-408; or**

682i **(b) issued by a state or other jurisdiction of domicile in compliance with the standards**

682j **contained in 49 C.F.R. Part 383." ←§**

Legislative Review Note
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Office of Legislative Research and General Counsel