

Matt MacPherson proposes the following substitute bill:

Unlicensed Driver Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill addresses drivers without a driver license, driving privilege card, or learner permit.

Highlighted Provisions:

This bill:

- modifies the circumstances in which law enforcement is required to impound a vehicle;
- addresses identification of an individual who operates a vehicle without a valid driving credential;
- allows certain fees to be waived in certain circumstances;
- modifies certain fees; and
- defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-1a-1101, as last amended by Laws of Utah 2024, Chapter 319

41-6a-1406, as last amended by Laws of Utah 2024, Chapters 134, 319 and 380

53-3-202, as last amended by Laws of Utah 2019, Chapter 459

53-3-203, as last amended by Laws of Utah 2020, Chapter 390

63I-2-241, as enacted by Laws of Utah 2024, Third Special Session, Chapter 5

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

Section 1. Section **41-1a-1101** is amended to read:

41-1a-1101 . Seizure -- Circumstances where permitted -- Impound lot standards.

29 (1) As used in this section:

30 (a)(i) "Criminal offense" means a class B misdemeanor offense, a class A
31 misdemeanor offense, or a felony offense.

32 (ii) "Criminal offense" includes:

33 (A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony
34 offense described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2,
35 Driver Licensing Act, Title 73, Chapter 18, State Boating Act, or Title 76, Utah
36 Criminal Code; and

37 (B) a local ordinance that is a class B misdemeanor and is substantially similar to
38 an offense listed in Subsection (1)(a)(ii)(A).

39 (b) "Driving credential" means:

40 (i) a driver license, driving privilege card, or learner permit issued by the state of
41 Utah pursuant to Title 53, Chapter 3, Uniform Driver License Act; or

42 (ii) a driver license issued by:

43 (A) a state or territory of the United States;

44 (B) the United States Department of State; or

45 (C) a foreign country.

46 [~~(b)~~] (c) "Operator" means the same as that term is defined in Section 41-6a-102.

47 [~~(e)~~] (d) "Road rage event" means the commission of a criminal offense:

48 (i) by an operator of a vehicle;

49 (ii) in response to an incident that occurs or escalates upon a roadway; and

50 (iii) with the intent to endanger or intimidate an individual in another vehicle.

51 [~~(d)~~] (e) "Roadway" means:

52 (i) a highway; or

53 (ii) a private road or driveway as defined in Section 41-6a-102.

54 (2) The division or any peace officer, without a warrant, may seize and take possession of
55 any vehicle, vessel, or outboard motor:

56 (a) that the division or the peace officer has probable cause to believe has been stolen;

57 (b) on which any identification number has been defaced, altered, or obliterated;

58 (c) that has been abandoned in accordance with Section 41-6a-1408;

59 (d) for which the applicant has written a check for registration or title fees that has not
60 been honored by the applicant's bank and that is not paid within 30 days;

61 (e) that is placed on the water with improper registration;

62 (f) that is being operated on a highway:

- 63 (i) with registration that has been expired for more than three months;
- 64 (ii) having never been properly registered by the current owner; or
- 65 (iii) with registration that is suspended or revoked; or
- 66 (g)(i) that the division or the peace officer has probable cause to believe has been
- 67 involved in an accident described in Section 41-6a-401, 41-6a-401.3, or
- 68 41-6a-401.5; and
- 69 (ii) whose operator did not remain at the scene of the accident until the operator
- 70 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7.
- 71 (3)(a) The division or a peace officer shall seize and take possession of a vehicle,
- 72 without a warrant, when:
- 73 (i) the division or the peace officer has probable cause to believe that an operator of
- 74 the vehicle engaged in a road rage event; and
- 75 (ii) the operator of the vehicle has been arrested in conjunction with the road rage
- 76 event.
- 77 (b) Except as provided in Subsection (3)(d), the division or a peace officer shall seize
- 78 and take possession of a vehicle, without a warrant, when an operator of a vehicle
- 79 does not have a driving credential in the operator's possession unless the peace officer
- 80 is able to verify that the operator has been issued a driving credential.
- 81 ~~(b)~~ (c) A peace officer may release a vehicle seized and possessed under Subsection
- 82 (3)(a) or (3)(b) to the registered owner of the vehicle if the registered owner is not the
- 83 individual subject to arrest under Subsection (3)(a) or (3)(b) and is immediately
- 84 available, at the location of the arrest, to take possession of the vehicle.
- 85 (d) The division or a peace officer is not required to seize and take possession of a
- 86 vehicle as described in Subsection (3)(b) if the division or a peace officer makes a
- 87 reasonable determination that:
- 88 (i) the operator has been issued a driving credential that is expired;
- 89 (ii) seizing the vehicle would create a public safety concern to the operator or any of
- 90 the occupants in the vehicle;
- 91 (iii) seizing the vehicle would prevent the division or the peace officer from
- 92 addressing other public safety considerations;
- 93 (iv) the operator is less than 18 years old; ~~it~~ → [-or] ← ~~it~~
- 94 (v) an occupant of the vehicle possesses a driving credential and is willing to operate
- 95 the vehicle ~~it~~ → [·] ; or
- 95a (vi) **an individual with a driving credential is reasonably available to pick up the**

95b vehicle. ←Ĥ

96 (4)(a) Subject to the restriction in Subsection (4)(b), the division or any peace officer,
97 without a warrant:

98 (i) shall seize and take possession of any vehicle that is being operated on a highway
99 without owner's or operator's security in effect for the vehicle as required under
100 Section 41-12a-301 and the vehicle was involved in an accident; or

101 (ii) may seize and take possession of any vehicle that is being operated on a highway
102 without owner's or operator's security in effect for the vehicle as required under
103 Section 41-12a-301 after the division or any peace officer makes a reasonable
104 determination whether the vehicle would:

105 (A) present a public safety concern to the operator or any of the occupants in the
106 vehicle; or

107 (B) prevent the division or the peace officer from addressing other public safety
108 considerations.

109 (b) The division or any peace officer may not seize and take possession of a vehicle
110 under Subsection (4)(a):

111 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's
112 security as defined in Section 41-12a-303.2 in the vehicle unless the division or
113 peace officer verifies that owner's or operator's security is not in effect for the
114 vehicle through the Uninsured Motorist Identification Database created in
115 accordance with Section 41-12a-803; or

116 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security
117 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist
118 Identification Database created in accordance with Section 41-12a-803 indicates
119 that the owner's or operator's security is not in effect for the vehicle, unless the
120 division or a peace officer makes a reasonable attempt to independently verify that
121 owner's or operator's security is not in effect for the vehicle.

122 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to
123 transport and store the vessel.

124 (6) Any peace officer seizing or taking possession of a vehicle, vessel, or outboard motor
125 under this section shall comply with the provisions of Section 41-6a-1406.

126 (7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
127 the commission shall make rules setting standards for public garages, impound lots,
128 and impound yards that may be used by peace officers and the division.

- 129 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of
 130 public garages, impound lots, or impound yards per geographical area.
- 131 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard
 132 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a
 133 state impound yard set forth in this section and rules made in accordance with
 134 Subsection (7)(a).
- 135 (d)(i) Rules made by the commission shall include a requirement that a state impound
 136 yard have opaque fencing on any side of the state impound yard that has frontage
 137 with a highway.
- 138 (ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link
 139 fencing.
- 140 (8)(a) Except as provided under Subsection (8)(b), a person may not operate or allow to
 141 be operated a vehicle stored in a public garage, impound lot, or impound yard
 142 regulated under this part without prior written permission of the owner of the vehicle.
- 143 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking
 144 space to another within the facility and that is necessary for the normal management
 145 of the facility is not prohibited under Subsection (8)(a).
- 146 (9) A person who violates the provisions of Subsection (8) is guilty of a class C
 147 misdemeanor.
- 148 (10) The division or the peace officer who seizes a vehicle shall record the mileage shown
 149 on the vehicle's odometer at the time of seizure, if:
- 150 (a) the vehicle is equipped with an odometer; and
 151 (b) the odometer reading is accessible to the division or the peace officer.
- 152 Section 2. Section **41-6a-1406** is amended to read:
- 153 **41-6a-1406 . Removal and impoundment of vehicles -- Reporting and notification**
 154 **requirements -- Administrative impound fee -- Refunds -- Possessory lien -- Rulemaking.**
- 155 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section
 156 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order
 157 of a peace officer or by an order of a person acting on behalf of a law enforcement
 158 agency or highway authority, the impoundment of the vehicle, vessel, or outboard motor
 159 shall be at the expense of the owner.
- 160 (2) The vehicle, vessel, or outboard motor under Subsection (1) shall be impounded to a
 161 state impound yard.
- 162 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause it to be

- 163 removed by a tow truck motor carrier that meets standards established:
- 164 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
- 165 (b) by the department under Subsection (11).
- 166 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or
- 167 outboard motor that is impounded as described in Subsection (1).
- 168 (b) Before noon on the next business day after the date of the removal of the vehicle,
- 169 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor
- 170 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,
- 171 by:
- 172 (i) the peace officer or agency by whom the peace officer is employed; and
- 173 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
- 174 operator is employed.
- 175 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
- 176 include:
- 177 (i) the operator's name, if known;
- 178 (ii) a description of the vehicle, vessel, or outboard motor;
- 179 (iii) the vehicle identification number or vessel or outboard motor identification
- 180 number;
- 181 (iv) the case number designated by the peace officer, law enforcement agency
- 182 number, or government entity;
- 183 (v) the license number, temporary permit number, or other identification number
- 184 issued by a state agency;
- 185 (vi) the date, time, and place of impoundment;
- 186 (vii) the reason for removal or impoundment;
- 187 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
- 188 outboard motor; and
- 189 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 190 (d)(i) If the form described in Subsection (4)(c) does not include the reason for the
- 191 removal or impoundment described in Subsection (4)(c)(vii), the peace officer and
- 192 tow truck operator described in Subsection (4)(b) shall note "other" as the reason
- 193 for the removal or impoundment.
- 194 (ii) The commission shall update the form described in Subsection (4)(c) to include
- 195 driving without a driving credential as a reason for impoundment as described in
- 196 Subsection 41-1a-1101(3) no later than January 1, 2026.

- 197 ~~[(d)]~~ (e)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
198 Act, the State Tax Commission shall make rules to establish proper format and
199 information required on the form described in this Subsection (4).
- 200 (ii) The State Tax Commission shall ensure that the form described in this Subsection
201 (4) is provided in an electronic format.
- 202 ~~[(e)]~~ (f) Until the tow truck operator or tow truck motor carrier reports the removal as
203 required under this Subsection (4), a tow truck motor carrier or impound yard may
204 not:
- 205 (i) collect any fee associated with the removal; and
206 (ii) begin charging storage fees.
- 207 (5)(a) A report described in this Subsection (5) is required for any vehicle, vessel, or
208 outboard motor that is removed, except for:
- 209 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in
210 Subsection (1); or
211 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in
212 accordance with Section 72-9-603.
- 213 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer
214 shall provide documentation to the tow truck operator or tow truck motor carrier that
215 includes:
- 216 (i) the name and badge number of the peace officer;
217 (ii) the name and originating agency identifier of the law enforcement agency; and
218 (iii) the case number designated by the law enforcement officer or law enforcement
219 agency.
- 220 (c) For a removal described in Subsection (5)(a), before noon on the next business day
221 following the date of the removal of the vehicle, vessel, or outboard motor, the tow
222 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in
223 an electronic format approved by the Motor Vehicle Division:
- 224 (i) the report described in Subsection (4); or
225 (ii) the report described in Subsection (5)(d).
- 226 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck
227 motor carrier does not provide the report described in Subsection (4), the tow truck
228 operator or tow truck motor carrier shall provide a report to the Motor Vehicle
229 Division that includes:
- 230 (i) the name and badge number of the relevant peace officer;

- 231 (ii) the name and originating agency identifier of the law enforcement agency;
232 (iii) the law enforcement agency case number;
233 (iv) subject to Subsection (5)(e), the vehicle identification number and the license
234 number, temporary permit number, or other identification number issued by a
235 state agency;
236 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and
237 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 238 (e) If either the vehicle identification number or the license number, temporary permit
239 number, or other identification number issued by a state agency is not available, the
240 report shall include:
- 241 (i) as much information as is available from both the vehicle identification number
242 and the license plate number of the vehicle, vessel, or outboard motor; and
243 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,
244 model, and model year of the vehicle, vessel, or outboard motor.
- 245 (f) Until the tow truck operator or tow truck motor carrier reports the removal as
246 required under this Subsection (5), a tow truck motor carrier may not:
- 247 (i) collect any fee associated with the removal; or
248 (ii) begin charging storage fees.
- 249 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be
250 removed to:
- 251 (i) a state impound yard; or
252 (ii) a location that has been requested by the registered owner at the time of removal,
253 if payment is made to the tow truck motor carrier or tow truck operator at the time
254 of removal.
- 255 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
256 State Tax Commission may make rules to establish proper format and information
257 required on the form described in Subsection [~~(5)(e),~~] (5)(d) including submission in
258 an electronic format.
- 259 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in
260 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner
261 described in Section 41-1a-114, to the following parties with an interest in the
262 vehicle, vessel, or outboard motor, as applicable:
- 263 (i) the registered owner;
264 (ii) any lien holder; or

- 265 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard
266 motor is currently operating under a temporary permit issued by the dealer, as
267 described in Section 41-3-302.
- 268 (b) The notice shall:
- 269 (i) state the date, time, and place of removal, the name, if applicable, of the person
270 operating the vehicle, vessel, or outboard motor at the time of removal, the reason
271 for removal, and the place where the vehicle, vessel, or outboard motor is stored;
- 272 (ii) state that the registered owner is responsible for payment of towing, impound,
273 and storage fees charged against the vehicle, vessel, or outboard motor;
- 274 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard
275 motor is released; and
- 276 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the
277 vehicle, vessel, or outboard motor, if, within 30 days after the day of the removal
278 or impoundment under this section, one of the parties fails to make a claim for
279 release of the vehicle, vessel, or outboard motor.
- 280 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor
281 is not registered in this state, the Motor Vehicle Division shall make a reasonable
282 effort to notify the parties described in Subsection (6)(a) of the removal and the place
283 where the vehicle, vessel, or outboard motor is stored.
- 284 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)
285 if a report was received by a tow truck operator or tow truck motor carrier reporting a
286 tow truck service in accordance with Subsection 72-9-603(1)(a)(i).
- 287 (e)(i) The Motor Vehicle Division shall disclose the information in the report
288 described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent
289 as defined in Section 41-12a-802 regarding a tow that was initiated:
- 290 (A) by law enforcement; or
291 (B) without the vehicle owner's consent.
- 292 (ii) The Motor Vehicle Division may rely on the information provided by the tow
293 truck operator or tow truck motor carrier to determine if a tow meets the criteria
294 described in Subsections (6)(e)(i)(A) and (B).
- 295 (iii) The designated agent may disclose information received regarding a tow
296 described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the
297 vehicle owner's verified insurance company.
- 298 (iv) The designated agent may not disclose information to a vehicle owner's

299 insurance company if the tow does not meet the criteria described in Subsections
300 (6)(e)(i)(A) and (B).

301 (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound
302 yard as described in this section shall be released after a party described in
303 Subsection (6)(a):

304 (i) makes a claim for release of the vehicle, vessel, or outboard motor at any office of
305 the State Tax Commission;

306 (ii) presents identification sufficient to prove ownership of the impounded or
307 removed vehicle, vessel, or outboard motor;

308 (iii) completes the registration, if needed, and pays the appropriate fees;

309 (iv) if the impoundment was made under Section 41-6a-527 or Subsection 41-1a-1101
310 (3), pays:

311 (A) an administrative impound fee of [~~\$425~~] \$600; and

312 (B) in addition to the administrative fee described in Subsection [~~(6)(a)(iv)(A)~~]
313 (7)(a)(iv)(A), an administrative testing fee of \$30; and

314 (v) pays all towing and storage fees to the place where the vehicle, vessel, or
315 outboard motor is stored.

316 (b)(i) [~~\$29~~] Twenty nine dollars of the administrative impound fee assessed under
317 Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.

318 (ii) One-hundred and forty-seven dollars of the administrative impound fee assessed
319 under Subsection (7)(a)(iv)(A) shall be deposited into the Department of Public
320 Safety Restricted Account created in Section 53-3-106.

321 (iii) Twenty dollars of the administrative impound fee assessed under Subsection
322 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund
323 created in Section 26B-1-318.

324 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the
325 remainder of the administrative impound fee assessed under Subsection
326 (7)(a)(iv)(A) shall be deposited into the General Fund.

327 (v) The administrative testing fee described in Subsection [~~(6)(a)(iv)(B)~~] (7)(a)(iv)(B)
328 shall be deposited into the State Laboratory Drug Testing Account created in
329 Section 26B-1-304.

330 (c) The administrative impound fee and the administrative testing fee assessed under
331 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the
332 registered owner, lien holder, or owner's agent presents written evidence to the State

- 333 Tax Commission that:
- 334 (i) the Driver License Division determined that the arrested person's driver license
335 should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as
336 shown by a letter or other report from the Driver License Division presented
337 within 180 days after the day on which the Driver License Division mailed the
338 final notification; or
- 339 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
340 stolen vehicle report presented within 180 days after the day of the impoundment.
- 341 (d)(i) A tow truck operator, a tow truck motor carrier, and an impound yard shall
342 accept payment by cash and debit or credit card for a removal or impoundment
343 under Subsection (1) or any service rendered, performed, or supplied in
344 connection with a removal or impoundment under Subsection (1).
- 345 (ii) An impound yard may not release a vehicle unless an individual with a driving
346 credential, as defined in Section 41-1a-1101, is present and able to drive the
347 vehicle.
- 348 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
349 impounded vehicle, vessel, or outboard motor if:
- 350 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
351 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
352 Subsection (6)(a), even if the party satisfies the requirements to release the
353 vehicle, vessel, or outboard motor under this Subsection (7).
- 354 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by
355 a party described in Subsection (6)(a) within the time prescribed by Section
356 41-1a-1103, the Motor Vehicle Division shall issue a certificate of sale for the
357 impounded or removed vehicle, vessel, or outboard motor as described in Section
358 41-1a-1103.
- 359 (b) The date of impoundment or removal is considered the date of seizure for computing
360 the time period provided under Section 41-1a-1103.
- 361 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the
362 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause
363 of action for all the fees and charges, together with damages, court costs, and attorney
364 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused
365 the removal or impoundment.
- 366 (10) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel, or

367 outboard motor.

368 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
369 department shall make rules setting the performance standards for towing companies to
370 be used by the department.

371 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection
372 (4) be submitted in electronic form utilizing a database for submission, storage, and
373 retrieval of the information.

374 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the
375 administrator of the database may adopt a schedule of fees assessed for utilizing
376 the database.

377 (ii) The fees under this Subsection (12)(b) shall:

378 (A) be reasonable and fair; and

379 (B) reflect the cost of administering the database.

380 Section 3. Section **53-3-202** is amended to read:

381 **53-3-202 . Drivers must be licensed -- Violation.**

382 (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state
383 unless the human driver is:

384 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the
385 division under this chapter;

386 (b) driving an official United States Government class D motor vehicle with a valid
387 United States Government driver permit or license for that type of vehicle;

388 (c)(i) driving a road roller, road machinery, or any farm tractor or implement of
389 husbandry temporarily drawn, moved, or propelled on the highways; and

390 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a
391 construction or agricultural activity;

392 (d) a nonresident who is at least 16 years of age and younger than 18 years of age who
393 has in the nonresident's immediate possession a valid license certificate issued to the
394 nonresident in the nonresident's home state or country and is driving in the class or
395 classes identified on the home state license certificate, except those persons referred
396 to in Part 6, Drivers' License Compact, of this chapter;

397 (e) a nonresident who is at least 18 years of age and who has in the nonresident's
398 immediate possession a valid license certificate issued to the nonresident in the
399 nonresident's home state or country if driving in the class or classes identified on the
400 home state license certificate, except those persons referred to in Part 6, Drivers'

- 401 License Compact, of this chapter;
- 402 (f) driving under a learner permit in accordance with Section 53-3-210.5;
- 403 (g) driving with a temporary license certificate issued in accordance with Section
- 404 53-3-207; or
- 405 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.
- 406 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle
- 407 motion control for a vehicle being towed by another motor vehicle upon a highway
- 408 unless the human driver:
- 409 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor
- 410 vehicle being towed; or
- 411 (b) is exempted under either Subsection (1)(b) or (1)(c).
- 412 (3)(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this
- 413 state unless the person has a valid class D driver license issued by the division.
- 414 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a
- 415 highway of this state unless the human driver has:
- 416 (i) a taxicab endorsement issued by the division on the human driver's license
- 417 certificate; or
- 418 (ii) a commercial driver license with:
- 419 (A) a taxicab endorsement;
- 420 (B) a passenger endorsement; or
- 421 (C) a school bus endorsement.
- 422 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor
- 423 vehicle as a private passenger carrier from regulation under other statutory and
- 424 regulatory schemes, including:
- 425 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;
- 426 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor
- 427 Commission in accordance with Title 63G, Chapter 3, Utah Administrative
- 428 Rulemaking Act; and
- 429 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor
- 430 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative
- 431 Rulemaking Act.
- 432 (4)(a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not
- 433 operate:
- 434 (i) a motorcycle unless the human driver has a valid class D driver license and a

- 435 motorcycle endorsement issued under this chapter;
- 436 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver
437 license; or
- 438 (iii) a motor-driven cycle unless the human driver has a valid class D driver license
439 and a motorcycle endorsement issued under this chapter.
- 440 (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required
441 to have a motorcycle endorsement issued under this chapter.
- 442 (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102,
443 is not required to have a valid class D driver license or a motorcycle endorsement
444 issued under this chapter.
- 445 (d) An individual is not required to have a valid class D driver license if the person is:
- 446 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance
447 with Section 41-6a-1115; or
- 448 (ii) operating an electric personal assistive mobility device, as defined in Section
449 41-6a-102, in accordance with Section 41-6a-1116.
- 450 (e) A human driver operating an auticycle is not required to have a motorcycle
451 endorsement issued under this chapter.
- 452 (5) An automated driving system as defined in Section 41-26-102.1 is not required to have
453 a driver license.
- 454 (6)(a) As used in this Subsection (6), a "quick fingerprint" is a fingerprint, taken on a
455 biometric device, that is:
- 456 (i) taken for the purpose of identifying an individual;
- 457 (ii) queried against an Automated Fingerprint Identification System;
- 458 (iii) is not added to or stored in the Automated Fingerprint Identification System; and
- 459 (iv) can be accomplished in approximately 15 minutes or less.
- 460 (b) An individual without a driver license, driving privilege card, or learner permit that
461 is lawfully subjected to a stop by a peace officer as described in Section 77-7-15 shall
462 present another form of government-issued identification.
- 463 (c) Subject to Subsection (7), a peace officer shall take a quick fingerprint of an
464 individual described in Subsection (6)(b) if:
- 465 (i) the peace officer is unable to verify that the individual has been issued a driving
466 credential;
- 467 (ii) the individual does not provide a form of identification; or
- 468 (iii) the peace officer has reasonable suspicion to believe that the form of

- 469 identification presented is fraudulent.
- 470 (d) Nothing in this Subsection (6) prohibits a peace officer from conducting a full
- 471 fingerprint panel subject to a noncustodial booking.
- 472 (7) A peace officer is not required to comply with Subsection (6)(c) if the peace officer
- 473 makes a reasonable determination that:
- 474 (a) doing so would create a safety concern for the driver or peace officer;
- 475 (b) doing so would prevent the peace officer from addressing other public safety
- 476 considerations;
- 477 (c) the peace officer does not have adequate equipment to take a fingerprint;
- 478 (d) the driver is less than 18 years old; or
- 479 (e) the peace officer would be unable to complete a fingerprint check due to lack of
- 480 cellular service.
- 481 (8) A law enforcement agency shall ensure access to fingerprinting equipment to comply
- 482 with Subsection (6) no later than January 1, 2027.
- 483 [(6)] (9)(a) [A person] Except as described in Subsection (9)(b), an individual who
- 484 violates this section is guilty of [an infraction.] a class C misdemeanor.
- 485 (b) An individual is guilty of a class B misdemeanor if, at the time of the offense, the
- 486 individual has previously been convicted of a violation of this section.
- 487 (c) In addition to the penalties described in Subsections (9)(a) and (b), an individual who
- 488 violates this section is also subject to seizure of the vehicle as described in Section
- 489 41-1a-1101.
- 490 Section 4. Section **53-3-203** is amended to read:
- 491 **53-3-203 . Authorizing or permitting driving in violation of chapter -- Renting of**
- 492 **motor vehicles -- License requirements -- Employees must be licensed -- Violations.**
- 493 (1) A person may not authorize or knowingly permit a motor vehicle owned by the person
- 494 or under the person's control to be driven by a person in violation of this chapter.
- 495 (2)(a) A person may not rent a motor vehicle to another person unless the person who
- 496 will be the driver is licensed in this state, or in the case of a nonresident, licensed
- 497 under the laws of the state or country of his residence.
- 498 (b) A person may not rent a motor vehicle to another person until the person:
- 499 (i) has inspected the license certificate of the person who will be the driver; and
- 500 (ii) verified the signature on the license certificate by comparison with the signature
- 501 of the person who will be the driver written in his presence.
- 502 (c)(i) A person may verify the information described in Subsection (2)(b) for a

- 503 subsequent vehicle rental through the use of an electronic system maintained by
504 the person for the purposes of expediting the vehicle rental process.
- 505 (ii) The electronic system described in Subsection (2)(c)(i) may contain information
506 voluntarily provided by the person who will be the driver including:
507 (A) information included on the driver license certificate; and
508 (B) biometric information.
- 509 (d) A person renting a motor vehicle to another shall keep a record of the:
510 (i) registration number of the rented motor vehicle;
511 (ii) name and address of the person to whom the motor vehicle is rented;
512 (iii) number of the license certificate of the renter; and
513 (iv) date and place the license certificate was issued.
- 514 (e) The record is open to inspection by any peace officer or officer or employee of the
515 division.
- 516 (3) A person may not employ a person to drive a motor vehicle who is not licensed as
517 required under this chapter.
- 518 (4) A person who violates this section is guilty of an infraction[-] and subject to a minimum
519 fine of \$500.

520 Section 5. Section **63I-2-241** is amended to read:

521 **63I-2-241 . Repeal dates: Title 41.**

522 [~~Reserved.~~] Subsection 41-6a-1406(4)(d), regarding impound report requirements, is
523 repealed January 1, 2026.

524 Section 6. **Effective Date.**

525 This bill takes effect on May 7, 2025.