

HB0308S02 compared with HB0308S01

{Omitted text} shows text that was in HB0308S01 but was omitted in HB0308S02
inserted text shows text that was not in HB0308S01 but was inserted into HB0308S02

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Driving by Minors Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jill Koford

Senate Sponsor:

LONG TITLE

General Description:

This bill amends restrictions on a newly licensed driver that is younger than 18 years old.

Highlighted Provisions:

This bill:

- allows a newly licensed driver who is younger than 18 years old to drive one passenger ~~{who}~~ that is ~~{not an immediate family member}~~ younger than 18 years old; and
- allows an individual with a learner permit who is younger than 18 years old to drive with an adult other than a parent, in certain circumstances.

Money Appropriated in this Bill:

None

None

AMENDS:

41-8-3, as last amended by Laws of Utah 2015, Chapter 412, as last amended by Laws of Utah 2015, Chapter 412

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53-3-210.5, as last amended by Laws of Utah 2021, Chapter 247, as last amended by Laws of Utah 2021, Chapter 247

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- 21 *Be it enacted by the Legislature of the state of Utah:*
- 22 Section 1. Section **41-8-3** is amended to read:
- 23 **41-8-3. Operation of vehicle by persons under 16 and six months -- Passenger limitations --**
Exceptions -- Penalties.
- 25 (1) In addition to the provisions of Title 53, Chapter 3, Uniform Driver License Act, a person, whether
resident or nonresident of this state, may not operate a motor vehicle upon any highway of this state
with [any] more than one passenger who is [~~not an immediate family member of the driver~~] younger
than 18 years old until the earlier of:
- 29 (a) six months from the date the [~~person's~~] individual's driver license was issued; or
- 30 (b) the [~~person~~] individual reaches 18 years [~~of age~~] old.
- 31 (2) It is an affirmative defense to a charge under Subsection (1) that the [~~person~~] individual is operating
a motor vehicle:
- 33 (a) accompanied by a licensed driver at least 21 years [~~of age~~] old who is occupying a seat next to the
driver;
- 35 (b) on assignment of a farmer or rancher and the driver is engaged in an agricultural operation; or
- 37 (c) in an emergency.
- 38 (3) In addition to any penalties imposed under Title 53, Chapter 3, Uniform Driver License Act, a
violation of this section is an infraction.
- 40 (4)
- . (a) Enforcement of this section by state or local law enforcement officers shall be only as a secondary
action when an operator of a motor vehicle has been detained for a suspected violation of Title 41,
Motor Vehicles, other than this section, or for another offense.
- 44 (b) A peace officer may not seize or impound a vehicle if:
- 45 (i) the operator of the vehicle is cited for a violation of this section; and
- 46 (ii) the seizure or impoundment is not otherwise authorized under Section 41-1a-1101, 41-6a-1405,
41-6a-1608, or 73-18-20.1 or required under Section 41-6a-527.
- 48 Section 2. Section **53-3-210.5** is amended to read:
- 49 **53-3-210.5. Learner permit.**

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- 50 (1) The division, upon receiving an application for a learner permit, may issue a learner permit effective
for 18 months to an applicant who is at least 15 years old.
- 52 (2)
- (a) The learner permit entitles an applicant that is 18 years old or older to operate a class D motor
vehicle only if~~;~~
- 54 ~~(i)~~ (i) a person 21 years old or older who is a licensed driver is occupying a seat beside the
applicant~~;~~ and .
- 56 ~~(ii) the applicant has the learner permit in the applicant's immediate possession while operating the
motor vehicle.~~
- 58 (b) The learner permit entitles an applicant that is younger than 18 years old to operate a class D motor
vehicle only if:
- 60 (i)
- ~~(A)~~ (A) an approved driving instructor is occupying a seat beside the applicant;
- 61 ~~(B)~~ (ii) the applicant's parent or legal guardian, who must be a licensed driver, is occupying a seat
beside the applicant;~~or~~
- 63 ~~(C)~~ (iii) a responsible adult who has signed for the applicant under Section 53-3-211 and who must be
a licensed driver, is occupying a seat beside the applicant;~~and~~ or
- 66 ~~{(D) the applicant's parent or legal guardian is not a licensed driver, a responsible adult who is at least
21 years old, must be a licensed driver, is occupying a seat beside the applicant, and has in their
immediate possession evidence that they are authorized by the parent or legal guardian; and }~~
- 70 ~~(i)~~ (iv) a responsible individual 21 years old or older who is not the parent or legal guardian is
occupying a seat beside the applicant and:
- 68 (A) the parent or legal guardian is not a licensed driver;
- 69 (B) the individual occupying the seat beside the applicant has in the individual's immediate possession
evidence that the individual is authorized by the parent or legal guardian to accompany the applicant
while operating the motor vehicle; and
- 73 (C) the individual occupying the seat beside the applicant is a licensed driver.
- 74 (c) ~~the~~ The applicant ~~has~~ shall have the learner permit in the applicant's immediate possession while
operating the motor vehicle.
- 72 (3) The division shall issue a learner permit to an applicant who:
- 73 (a) is at least 15 years old;

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- 74 (b) has passed the knowledge test required by the division;
- 75 (c) has passed the physical and mental fitness tests; and
- 76 (d) has submitted a nonrefundable fee for a learner permit under Section 53-3-105.
- 77 (4)
- . (a) The division shall supply the learner permit form.
- 78 (b) The form under Subsection (4)(a) shall include:
- 79 (i) the applicant's full name, date of birth, sex, Utah residence address, height, weight, and eye color;
- 81 (ii) the date of issuance and expiration of the permit; and
- 82 (iii) the conditions and restrictions contained in this section for operating a class D motor vehicle.
- 84 (5) An application and fee for a learner permit entitle the applicant to:
- 85 (a) not more than three attempts to pass the knowledge test for a class D license within one year; and
- 87 (b) a learner permit after the knowledge test is passed.
- 88 (6)
- . (a) If an applicant has been issued a learner permit under this section or an equivalent by another state or branch of the United States Armed Forces, the applicant may be issued an original or provisional class D license from the division upon:
- 91 (i) completing a driver education course in a:
- 92 (A) commercial driver training school licensed under Part 5, Commercial Driver Training Schools Act;
- or
- 94 (B) driver education program approved by the State Board of Education or the division;
- 96 (ii) passing a knowledge test approved by the division that complies with the requirement of Subsection (6)(d);
- 98 (iii) passing the skills test approved by the division;
- 99 (iv) reaching 16 years old; and
- 100 (v) paying the nonrefundable fee for an original or provisional class D license application under Section 53-3-105.
- 102 (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17 years old or younger is required to hold a learner permit for six months before applying for a provisional class D license.
- 105 (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the applicant:
- 107 (i) is 19 years old or older;
- 108 (ii) holds a learner permit for three months before applying for an original class D license; and

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- 110 (iii) certifies that the applicant, under the authority of a permit issued under this chapter, has completed at least 40 hours of driving a motor vehicle, of which at least 10 hours were completed during night hours after sunset.
- 113 (d) Fifty percent of the test questions included in the knowledge test required under Subsection (6)(a)(ii) shall cover the topic of major causes of traffic related deaths as identified in statistics published by the Highway Safety Office.

120 Section 3. **Effective date.**

This bill takes effect on May 7, 2025.

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