

Ariel Defay proposes the following substitute bill:

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Motorcycle Safety Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ariel Defay

Senate Sponsor: Heidi Balderree

LONG TITLE

General Description:

This bill increases a fine for a person who operates a motorcycle without a motorcycle endorsement.

Highlighted Provisions:

This bill:

- increases a fine for a person who operates a motorcycle without a motorcycle endorsement on the person's driver license;
- requires a court to waive the increased fine if the person obtains a motorcycle endorsement within 30 days of the date of the plea or sentencing; and
- allows a court to extend the 30-day period if the court finds it reasonable and necessary.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

Section 1. Section **53-3-202** is amended to read:

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

- (1) A human driver may not drive a motor vehicle or an autocyple on a highway in this state unless the human driver is:
 - (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the division under this chapter;
 - (b) driving an official United States Government class D motor vehicle with a valid

- 30 United States Government driver permit or license for that type of vehicle;
- 31 (c)(i) driving a road roller, road machinery, or any farm tractor or implement of
32 husbandry temporarily drawn, moved, or propelled on the highways; and
33 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a
34 construction or agricultural activity;
- 35 (d) a nonresident who is at least 16 years [~~of age~~] old and younger than 18 years [~~of age~~]
36 old who has in the nonresident's immediate possession a valid license certificate
37 issued to the nonresident in the nonresident's home state or country and is driving in
38 the class or classes identified on the home state license certificate, except those
39 persons referred to in Part 6, Drivers' License Compact, of this chapter;
- 40 (e) a nonresident who is at least 18 years [~~of age~~] old and who has in the nonresident's
41 immediate possession a valid license certificate issued to the nonresident in the
42 nonresident's home state or country if driving in the class or classes identified on the
43 home state license certificate, except those persons referred to in Part 6, Drivers'
44 License Compact, of this chapter;
- 45 (f) driving under a learner permit in accordance with Section 53-3-210.5;
- 46 (g) driving with a temporary license certificate issued in accordance with Section
47 53-3-207; or
- 48 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.
- 49 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle
50 motion control for a vehicle being towed by another motor vehicle upon a highway
51 unless the human driver:
- 52 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor
53 vehicle being towed; or
54 (b) is exempted under either Subsection (1)(b) or (1)(c).
- 55 (3)(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this
56 state unless the person has a valid class D driver license issued by the division.
- 57 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a
58 highway of this state unless the human driver has:
- 59 (i) a taxicab endorsement issued by the division on the human driver's license
60 certificate; or
61 (ii) a commercial driver license with:
62 (A) a taxicab endorsement;
63 (B) a passenger endorsement; or

- 64 (C) a school bus endorsement.
- 65 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor
66 vehicle as a private passenger carrier from regulation under other statutory and
67 regulatory schemes, including:
- 68 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;
- 69 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor
70 Commission in accordance with Title 63G, Chapter 3, Utah Administrative
71 Rulemaking Act; and
- 72 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor
73 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative
74 Rulemaking Act.
- 75 (4)(a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not
76 operate:
- 77 (i) a motorcycle unless the human driver has a valid class D driver license and a
78 motorcycle endorsement issued under this chapter;
- 79 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver
80 license; or
- 81 (iii) a motor-driven cycle unless the human driver has a valid class D driver license
82 and a motorcycle endorsement issued under this chapter.
- 83 (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required
84 to have a motorcycle endorsement issued under this chapter.
- 85 (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102,
86 is not required to have a valid class D driver license or a motorcycle endorsement
87 issued under this chapter.
- 88 (d) An individual is not required to have a valid class D driver license if the person is:
- 89 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance
90 with Section 41-6a-1115; or
- 91 (ii) operating an electric personal assistive mobility device, as defined in Section
92 41-6a-102, in accordance with Section 41-6a-1116.
- 93 (e) A human driver operating an auticycle is not required to have a motorcycle
94 endorsement issued under this chapter.
- 95 (5) An automated driving system as defined in Section 41-26-102.1 is not required to have
96 a driver license.
- 97 (6)(a) A person who violates this section is guilty of an infraction.

98 (b) Except as provided in Subsection (6)(d), a person who violates Subsection (4)(a)(i)
99 or (4)(a)(iii) is subject to a minimum fine of \$350.

100 (c) The fine described in Subsection (6)(b) is in addition to any other fine for a violation
101 of Title 41, Chapter 6a, Traffic Code, or a local ordinance related to the operation of
102 the motorcycle.

103 (d)(i) A court shall waive the fine imposed under Subsection (6)(b) if the person
104 provides to the court within 30 days of the date of the entry of a plea or
105 sentencing, whichever is later, proof that the person has been issued a motorcycle
106 endorsement as provided in this chapter.

107 (ii) A court may extend the 30-day time period described in Subsection (6)(d)(i) for a
108 reasonable time period for the person to obtain a motorcycle endorsement for
109 good cause shown.

110 Section 2. **Effective Date.**

111 This bill takes effect on May 7, 2025.