

Jill Koford proposes the following substitute bill:

**Driving by Minors Amendments**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jill Koford**

Senate Sponsor:

2

3 **LONG TITLE**

4 **General Description:**

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

6 **Highlighted Provisions:**

7 This bill:

8 ▶ allows a newly licensed driver who is younger than 18 years old to drive one passenger

9 who is not an immediate family member; and

10 ▶ allows an individual with a learner permit who is younger than 18 years old to drive with  
11 an adult other than a parent, in certain circumstances.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **41-8-3**, as last amended by Laws of Utah 2015, Chapter 412

19 **53-3-210.5**, as last amended by Laws of Utah 2021, Chapter 247

20

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**  
24 **limitations -- Exceptions -- Penalties.**

25 (1) In addition to the provisions of Title 53, Chapter 3, Uniform Driver License Act, a  
26 person, whether resident or nonresident of this state, may not operate a motor vehicle  
27 upon any highway of this state with [any] more than one passenger who is not an  
28 immediate family member of the driver until the earlier of:

29 (a) six months from the date the person's driver license was issued; or

- 30 (b) the person reaches 18 years [~~of age~~] old.
- 31 (2) It is an affirmative defense to a charge under Subsection (1) that the person is operating  
32 a motor vehicle:
- 33 (a) accompanied by a licensed driver at least 21 years [~~of age~~] old who is occupying a  
34 seat next to the driver;
- 35 (b) on assignment of a farmer or rancher and the driver is engaged in an agricultural  
36 operation; or
- 37 (c) in an emergency.
- 38 (3) In addition to any penalties imposed under Title 53, Chapter 3, Uniform Driver License  
39 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  
41 only as a secondary action when an operator of a motor vehicle has been detained for  
42 a suspected violation of Title 41, Motor Vehicles, other than this section, or for  
43 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,  
47 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.**
- 50 (1) The division, upon receiving an application for a learner permit, may issue a learner  
51 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  
53 class D motor vehicle only if:
- 54 (i) a person 21 years old or older who is a licensed driver is occupying a seat beside  
55 the applicant; and
- 56 (ii) the applicant has the learner permit in the applicant's immediate possession while  
57 operating the motor vehicle.
- 58 (b) The learner permit entitles an applicant that is younger than 18 years old to operate a  
59 class D motor vehicle only if:
- 60 (i)(A) an approved driving instructor is occupying a seat beside the applicant;
- 61 (B) the applicant's parent or legal guardian, who must be a licensed driver, is  
62 occupying a seat beside the applicant;[~~or~~]
- 63 (C) a responsible adult who has signed for the applicant under Section 53-3-211

64 and who must be a licensed driver, is occupying a seat beside the applicant;[  
65 and] or

66 (D) the applicant's parent or legal guardian is not a licensed driver, a responsible  
67 adult who is at least 21 years old, must be a licensed driver, is occupying a seat  
68 beside the applicant, and has in their immediate possession evidence that they  
69 are authorized by the parent or legal guardian; and

70 (ii) the applicant has the learner permit in the applicant's immediate possession while  
71 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;

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,  
80 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  
83 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  
86 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  
89 by another state or branch of the United States Armed Forces, the applicant may be  
90 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  
93 Training Schools Act; or

94 (B) driver education program approved by the State Board of Education or the  
95 division;

96 (ii) passing a knowledge test approved by the division that complies with the  
97 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  
101 application under Section 53-3-105.
- 102 (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17 years  
103 old or younger is required to hold a learner permit for six months before applying for  
104 a provisional class D license.
- 105 (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the  
106 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  
109 license; and  
110 (iii) certifies that the applicant, under the authority of a permit issued under this  
111 chapter, has completed at least 40 hours of driving a motor vehicle, of which at  
112 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  
114 Subsection (6)(a)(ii) shall cover the topic of major causes of traffic related deaths as  
115 identified in statistics published by the Highway Safety Office.

116 **Section 3. Effective Date.**

117 This bill takes effect on May 7, 2025.