

1 **Commercial Driver License Modifications**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jefferson S. Burton**

Senate Sponsor:

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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses qualifications for a commercial driver license.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ modifies which criminal offenses disqualify a driver from holding a commercial driver  
9 license; and

10 ▶ requires a commercial driver license applicant to complete a background check.

11 **Money Appropriated in this Bill:**

12 None

13 **Other Special Clauses:**

14 None

15 **Utah Code Sections Affected:**

16 AMENDS:

17 **53-3-407**, as last amended by Laws of Utah 2022, Chapter 46

18 **53-3-413**, as last amended by Laws of Utah 2019, Chapter 382

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

21 Section 1. Section **53-3-407** is amended to read:

22 **53-3-407 . Qualifications for commercial driver license -- Fee -- Third parties**  
23 **may administer skills test.**

24 (1)(a) As used in this section, "CDL driver training school" means a business enterprise  
25 conducted by an individual, association, partnership, or corporation that:

26 (i) educates and trains persons, either practically or theoretically, or both, to drive  
27 commercial motor vehicles; and

28 (ii) prepares an applicant for an examination under Subsection (2)(a)(iii).

29 (b) A CDL driver training school may charge a consideration or tuition for the services  
30 provided under Subsection (1)(a).

- 31 (2)(a) Except as provided in Subsection (2)(c), a CDL may be issued only to a person  
32 who:
- 33 (i) is a resident of this state or is an out-of-state resident if the person qualifies for a  
34 non-domiciled CDL as defined in 49 C.F.R. Part 383;
  - 35 (ii) has held a CDIP for a minimum of 14 days prior to taking the skills test under 49  
36 C.F.R. Part 383, including a person who is upgrading a CDL class or endorsement  
37 requiring a skills test under 49 C.F.R. Part 383;
  - 38 (iii) has passed a test of knowledge and skills for driving a commercial motor vehicle,  
39 that complies with minimum standards established by federal regulation in 49  
40 C.F.R. Part 383, Subparts G and H; and
  - 41 (iv) has complied with all requirements of 49 C.F.R. Part 383 and other applicable  
42 state laws and federal regulations.
- 43 (b) A person who applies for a CDL is exempt from the requirement to pass a skills test  
44 to be eligible for the license if the person:
- 45 (i) is a resident of the state of Utah;
  - 46 (ii) has successfully completed a skills test administered by a state or a party  
47 authorized by a state or jurisdiction that is compliant with 49 C.F.R. Part 383; and
  - 48 (iii) held a valid Utah CDIP at the time the test was administered.
- 49 (c) The department shall waive any tests specified in this section for a commercial driver  
50 license applicant who, subject to the limitations and requirements of 49 C.F.R. Sec.  
51 383.77, meets all certifications required for a waiver under 49 C.F.R. Sec. 383.77 and  
52 certifies that the applicant:
- 53 (i) is a member of the active or reserve components of any branch or unit of the  
54 armed forces or a veteran who received an honorable or general discharge from  
55 any branch or unit of the active or reserve components of the United States Armed  
56 Forces;
  - 57 (ii) is or was regularly employed in a position in the armed forces requiring operation  
58 of a commercial motor vehicle; and
  - 59 (iii) has legally operated, while on active duty for at least two years immediately  
60 preceding application for a commercial driver license, a vehicle representative of  
61 the commercial motor vehicle the driver applicant operates or expects to operate.
- 62 (d) An applicant who requests a waiver under Subsection (2)(c) shall present a  
63 completed application for a military skills test waiver at the time of the request.
- 64 (3) For the first time, the division may not grant a CDL to an individual if:

- 65 (a) within three years immediately preceding application for a CDL, the individual has  
66 been convicted of a violation of Subsection 76-3-203.5(1)(c) or Section 41-6a-210; or
- 67 (b) the individual has been convicted of a violation of Section 76-5-103 with:  
68 (i) the use of a motor vehicle; or  
69 (ii) a road rage enhancement as described in Section 76-3-203.17.
- 70 [~~3~~] (4) Tests required under this section shall be prescribed and administered by the  
71 division.
- 72 [~~4~~] (5) The division shall authorize a person, an agency of this state, an employer, a private  
73 driver training facility or other private institution, or a department, agency, or entity of  
74 local government to administer the skills test required under this section if:  
75 (a) the test is the same test as prescribed by the division, and is administered in the same  
76 manner; and  
77 (b) the party authorized under this section to administer the test has entered into an  
78 agreement with the state that complies with the requirements of 49 C.F.R. Sec.  
79 383.75.
- 80 [~~5~~] (6)(a) An out-of-state resident who holds a valid CDIP issued by a state or  
81 jurisdiction that is compliant with 49 C.F.R. Part 383 may take a skills test  
82 administered by a party authorized under this section.
- 83 (b) A person authorized under this section to administer the skills test may charge a fee  
84 for administration of the skills test.
- 85 (c) A person authorized under this section to administer the skills test shall:  
86 (i) electronically transmit skills test results for an out-of-state resident to the licensing  
87 agency in the state or jurisdiction in which the person has obtained a valid CDIP;  
88 and  
89 (ii) provide the out-of-state resident with documentary evidence upon successful  
90 completion of the skills test.
- 91 [~~6~~] (7) A person who has an appointment with the division for testing and fails to keep the  
92 appointment or to cancel at least 48 hours in advance of the appointment shall pay the  
93 fee under Section 53-3-105.
- 94 [~~7~~] (8) A person authorized under this section to administer the skills test is not criminally  
95 or civilly liable for the administration of the test unless he administers the test in a  
96 grossly negligent manner.
- 97 [~~8~~] (9) The division may waive the skills test required under this section if it determines  
98 that the applicant meets the requirements of 49 C.F.R. Sec. 383.77.

99 Section 2. Section **53-3-413** is amended to read:

100 **53-3-413 . Issuance of CDL by division -- Driving record -- Expiration date --**  
101 **Renewal -- Hazardous materials provision.**

102 (1)(a) Before the division may grant a CDL, the division shall obtain the driving record  
103 information regarding the applicant through the CDLIS, the NDR, and from each  
104 state where the applicant has been licensed[-] ; and

105 (b) Beginning July 1, 2025, shall obtain the applicant's completed fingerprint  
106 background check by the Bureau of Criminal Identification and the Federal Bureau of  
107 Investigation.

108 (c) The background check described in Subsection (1)(a)(ii) is valid for the entire  
109 application period.

110 (2) The division shall notify the CDLIS and provide all information required to ensure  
111 identification of the CDL holder within 10 days after:

112 (a) issuing a CDL following application for an original, renewal, transfer, or upgrade of  
113 the CDL; or

114 (b) any change is made to the identifying information of a CDL holder.

115 (3)(a) The expiration date for a CDL is the birth date of the holder in the fifth year  
116 following the year of issuance of the CDL.

117 (b) A limited-term CDL expires on:

118 (i) the expiration date of the period of time of the individual's authorized stay in the  
119 United States or on the date provided in Subsection (3)(a), whichever is sooner; or

120 (ii) on the birth date of the applicant in the first year following the year that the  
121 limited-term CDL was issued if there is no definite end to the individual's period  
122 of authorized stay.

123 (c) A CDL held by an individual ordered to active duty and stationed outside Utah in  
124 any of the armed forces of the United States, which expires during the time period the  
125 individual is stationed outside of the state, is valid until 90 days after the individual  
126 has been discharged or has left the service, unless:

127 (i) the license is suspended, disqualified, denied, or has been cancelled or revoked by  
128 the division; or

129 (ii) the licensee updates the information or photograph on the license certificate.

130 (4)(a) The applicant for a renewal of a CDL shall complete the application form required  
131 by Section 53-3-410 and provide updated information and required certification.

132 (b) In addition to the requirements under Subsection (4)(a), the applicant for a renewal

133 of a limited-term CDL shall present documentary evidence that the status by which  
134 the individual originally qualified for the limited-term CDL has been extended by the  
135 United States Citizenship and Immigration Services or other authorized agency of the  
136 United States Department of Homeland Security.

137 (5) The division shall distinguish a limited-term CDL by clearly indicating on the document:

138 (a) that it is temporary; and

139 (b) its expiration date.

140 (6)(a) The division may not issue a hazardous materials endorsement on a CDL unless  
141 the applicant meets the security threat assessment standards of the federal  
142 Transportation Security Administration.

143 (b) The division shall revoke the hazardous materials endorsement on a CDL upon  
144 receiving notice from the federal Transportation Security Administration that the  
145 individual holding a hazardous materials endorsement does not meet Transportation  
146 Security Administration security threat assessment standards.

147 (c) To obtain an original hazardous materials endorsement or retain a hazardous  
148 materials endorsement upon CDL renewal or transfer, the applicant must take and  
149 pass the knowledge test for hazardous materials endorsement in addition to any other  
150 testing required by the division.

151 (7) Unless otherwise provided, the provisions, requirements, classes, endorsements, fees,  
152 restrictions, and sanctions under this code apply to a limited-term CDL in the same way  
153 as a CDL issued under this chapter.

154 **Section 3. Effective Date.**

155 This bill takes effect on May 7, 2025.