

1 **Driver License Suspension Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Anthony E. Loubet

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses suspension of driver licenses.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ requires the Driver License Division to notify a licensee or applicant by certified letter if
9 the division takes action against a driver license.

10 **Money Appropriated in this Bill:**

11 None

12 **Other Special Clauses:**

13 None

14 **Utah Code Sections Affected:**

15 **AMENDS:**

16 **53-3-221**, as last amended by Laws of Utah 2021, Chapter 120 and last amended by
17 Coordination Clause, Laws of Utah 2021, Chapters 83, 157

18 **53-3-303**, as last amended by Laws of Utah 2010, Chapter 286

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

21 Section 1. Section **53-3-221** is amended to read:

22 **53-3-221 . Offenses that may result in denial, suspension, disqualification, or**
23 **revocation of license -- Additional grounds for suspension -- Point system for traffic**
24 **violations -- Notice and hearing -- Reporting of traffic violation procedures.**

25 (1) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act,
26 the division may deny, suspend, disqualify, or revoke the license or permit of any person
27 without receiving a record of the person's conviction of crime when the division has
28 been notified or has reason to believe the person:

29 (a) has committed any offenses for which mandatory suspension or revocation of a
30 license is required upon conviction under Section 53-3-220;

- 31 (b) has, by reckless or unlawful driving of a motor vehicle, caused or contributed to an
32 accident resulting in death or injury to any other person, or serious property damage;
- 33 (c) is incompetent to drive a motor vehicle or mobility vehicle or has a mental or
34 physical disability rendering it unsafe for the person to drive a motor vehicle or
35 mobility vehicle upon the highways;
- 36 (d) has committed a serious violation of the motor vehicle laws of this state;
- 37 (e) has knowingly committed a violation of Section 53-3-229; or
- 38 (f) has been convicted of serious offenses against traffic laws governing the movement
39 of motor vehicles with a frequency that indicates a disrespect for traffic laws and a
40 disregard for the safety of other persons on the highways.
- 41 (2)(a)(i) Except as provided in Subsection 53-3-218(3), and subject to Subsection
42 (2)(a)(ii), the division may suspend a license of a person under Subsection (1):
- 43 (A) when the person has failed to comply with the terms stated on a traffic citation
44 issued in this state; or
- 45 (B) if the division receives a notification from a court as described in Subsection
46 41-6a-509(11)(d) or 41-6a-517(13)(b).
- 47 (ii) This Subsection (2) does not apply to highway weight limit violations or
48 violations of law governing the transportation of hazardous materials.
- 49 (b)(i) This Subsection (2) may not be exercised unless notice of the pending
50 suspension of the driving privilege has been sent at least 30 days previously to the
51 person at the address provided to the division.
- 52 (ii) After clearance by the division, a report authorized by Section 53-3-104 may not
53 contain any evidence of a suspension that occurred as a result of failure to comply
54 with the terms stated on a traffic citation.
- 55 (3) Except as provided in Subsection 53-3-218(3), the division may not revoke, deny,
56 suspend, or disqualify an individual's driver license based solely on:
- 57 (a) the individual's failure to appear;
- 58 (b) the individual's failure to pay an outstanding penalty accounts receivable; or
- 59 (c) the issuance of a bench warrant as a result of an event described in Subsection (3)(a)
60 or (b).
- 61 (4)(a) The division shall make rules establishing a point system as provided for in this
62 Subsection (4).
- 63 (b)(i) The division shall assign a number of points to each type of moving traffic
64 violation as a measure of its seriousness.

- 65 (ii) The points shall be based upon actual relationships between types of traffic
66 violations and motor vehicle traffic accidents.
- 67 (iii) Except as provided in Subsection (4)(b)(iv), the division may not assess points
68 against a person's driving record for a conviction of a traffic violation:
69 (A) that occurred in another state; and
70 (B) that was committed on or after July 1, 2011.
- 71 (iv) The provisions of Subsection (4)(b)(iii) do not apply to:
72 (A) a reckless or impaired driving violation or a speeding violation for exceeding
73 the posted speed limit by 21 or more miles per hour; or
74 (B) an offense committed in another state which, if committed within Utah, would
75 result in the mandatory suspension or revocation of a license upon conviction
76 under Section 53-3-220.
- 77 (c) Every person convicted of a traffic violation shall have assessed against the person's
78 driving record the number of points that the division has assigned to the type of
79 violation of which the person has been convicted, except that the number of points
80 assessed shall be decreased by 10% if on the abstract of the court record of the
81 conviction the court has graded the severity of violation as minimum, and shall be
82 increased by 10% if on the abstract the court has graded the severity of violation as
83 maximum.
- 84 (d)(i) A separate procedure for assessing points for speeding offenses shall be
85 established by the division based upon the severity of the offense.
- 86 (ii) The severity of a speeding violation shall be graded as:
87 (A) "minimum" for exceeding the posted speed limit by up to 10 miles per hour;
88 (B) "intermediate" for exceeding the posted speed limit by from 11 to 20 miles per
89 hour; and
90 (C) "maximum" for exceeding the posted speed limit by 21 or more miles per hour.
- 91 (iii) Consideration shall be made for assessment of no points on minimum speeding
92 violations, except for speeding violations in school zones.
- 93 (e)(i) Points assessed against a person's driving record shall be deleted for violations
94 occurring before a time limit set by the division.
- 95 (ii) The time limit may not exceed three years.
- 96 (iii) The division may also delete points to reward violation-free driving for periods
97 of time set by the division.
- 98 (f)(i) By publication in two newspapers having general circulation throughout the

99 state, the division shall give notice of the number of points it has assigned to each
100 type of traffic violation, the time limit set by the division for the deletion of
101 points, and the point level at which the division will generally take action to deny
102 or suspend under this section.

103 (ii) The division may not change any of the information provided above regarding
104 points without first giving new notice in the same manner.

105 (5)(a)(i) If the division finds that the license of a person should be denied, suspended,
106 disqualified, or revoked under this section, the division shall immediately notify
107 the licensee [~~in a manner specified by the division~~] by certified mail and afford the
108 person an opportunity for a hearing in the county where the licensee resides.

109 (ii) The hearing shall be documented, and the division or its authorized agent may
110 administer oaths, may issue subpoenas for the attendance of witnesses and the
111 production of relevant books and papers, and may require a reexamination of the
112 licensee.

113 (iii) One or more members of the division may conduct the hearing, and any decision
114 made after a hearing before any number of the members of the division is as valid
115 as if made after a hearing before the full membership of the division.

116 (iv) After the hearing the division shall either rescind or affirm its decision to deny,
117 suspend, disqualify, or revoke the license.

118 (b) The denial, suspension, disqualification, or revocation of the license remains in
119 effect pending qualifications determined by the division regarding a person:

120 (i) whose license has been denied or suspended following reexamination;

121 (ii) who is incompetent to drive a motor vehicle;

122 (iii) who is afflicted with mental or physical infirmities that might make him
123 dangerous on the highways; or

124 (iv) who may not have the necessary knowledge or skill to drive a motor vehicle
125 safely.

126 (6)(a) Subject to Subsection (6)(d), the division shall suspend a person's license when
127 the division receives notice from the Office of Recovery Services that the Office of
128 Recovery Services has ordered the suspension of the person's license.

129 (b) A suspension under Subsection (6)(a) shall remain in effect until the division
130 receives notice from the Office of Recovery Services that the Office of Recovery
131 Services has rescinded the order of suspension.

132 (c) After an order of suspension is rescinded under Subsection (6)(b), a report authorized

- 133 by Section 53-3-104 may not contain any evidence of the suspension.
- 134 (d)(i) If the division suspends a person's license under this Subsection (6), the
135 division shall, upon application, issue a temporary limited driver license to the
136 person if that person needs a driver license for employment, education, or child
137 visitation.
- 138 (ii) The temporary limited driver license described in this section:
- 139 (A) shall provide that the person may operate a motor vehicle only for the purpose
140 of driving to or from the person's place of employment, education, or child
141 visitation;
- 142 (B) shall prohibit the person from driving a motor vehicle for any purpose other
143 than a purpose described in Subsection (6)(d)(ii)(A); and
- 144 (C) shall expire 90 days after the day on which the temporary limited driver
145 license is issued.
- 146 (iii)(A) During the period beginning on the day on which a temporary limited
147 driver license is issued under this Subsection (6), and ending on the day that
148 the temporary limited driver license expires, the suspension described in this
149 Subsection (6) only applies if the person who is suspended operates a motor
150 vehicle for a purpose other than employment, education, or child visitation.
- 151 (B) Upon expiration of a temporary limited driver license described in this
152 Subsection (6)(d):
- 153 (I) a suspension described in Subsection (6)(a) shall be in full effect until the
154 division receives notice, under Subsection (6)(b), that the order of
155 suspension is rescinded; and
- 156 (II) a person suspended under Subsection (6)(a) may not drive a motor vehicle
157 for any reason.
- 158 (iv) The division is not required to issue a limited driver license to a person under this
159 Subsection (6)(d) if there are other legal grounds for the suspension of the person's
160 driver license.
- 161 (v) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
162 Administrative Rulemaking Act, to implement the provisions of this part.
- 163 (7)(a) The division may suspend or revoke the license of any resident of this state upon
164 receiving notice of the conviction of that person in another state of an offense
165 committed there that, if committed in this state, would be grounds for the suspension
166 or revocation of a license.

- 167 (b) The division may, upon receiving a record of the conviction in this state of a
168 nonresident driver of a motor vehicle or motorboat of any offense under the motor
169 vehicle laws of this state, forward a certified copy of the record to the motor vehicle
170 administrator in the state where the person convicted is a resident.
- 171 (8)(a) The division may suspend or revoke the license of any nonresident to drive a
172 motor vehicle in this state for any cause for which the license of a resident driver may
173 be suspended or revoked.
- 174 (b) Any nonresident who drives a motor vehicle upon a highway when the person's
175 license has been suspended or revoked by the division is guilty of a class C
176 misdemeanor.
- 177 (9)(a) The division may not deny or suspend the license of any person for a period of
178 more than one year except:
- 179 (i) for failure to comply with the terms of a traffic citation under Subsection (2);
180 (ii) upon receipt of a second or subsequent order suspending juvenile driving
181 privileges under Section 53-3-219;
182 (iii) when extending a denial or suspension upon receiving certain records or reports
183 under Subsection 53-3-220(2);
184 (iv) for failure to give and maintain owner's or operator's security under Section
185 41-12a-411;
186 (v) when the division suspends the license under Subsection (6); or
187 (vi) when the division denies the license under Subsection (14).
- 188 (b) The division may suspend the license of a person under Subsection (2) until the
189 person shows satisfactory evidence of compliance with the terms of the traffic
190 citation.
- 191 (10)(a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures
192 Act, the division may suspend the license of any person without receiving a record of
193 the person's conviction for a crime when the division has reason to believe that the
194 person's license was granted by the division through error or fraud or that the
195 necessary consent for the license has been withdrawn or is terminated.
- 196 (b) The procedure upon suspension is the same as under Subsection (5), except that after
197 the hearing the division shall either rescind its order of suspension or cancel the
198 license.
- 199 (11)(a) The division, having good cause to believe that a licensed driver is incompetent
200 or otherwise not qualified to be licensed, may upon notice in a manner specified by

- 201 the division of at least five days to the licensee require him to submit to an
202 examination.
- 203 (b) Upon the conclusion of the examination the division may suspend or revoke the
204 person's license, permit him to retain the license, or grant a license subject to a
205 restriction imposed in accordance with Section 53-3-208.
- 206 (c) Refusal or neglect of the licensee to submit to an examination is grounds for
207 suspension or revocation of the licensee's license.
- 208 (12)(a) Except as provided in Subsection (12)(b), a report authorized by Section
209 53-3-104 may not contain any evidence of a conviction for speeding on an interstate
210 system in this state if the conviction was for a speed of 10 miles per hour or less,
211 above the posted speed limit and did not result in an accident, unless authorized in a
212 manner specified by the division by the individual whose report is being requested.
- 213 (b) The provisions of Subsection (12)(a) do not apply for:
214 (i) a CDIP or CDL license holder; or
215 (ii) a violation that occurred in a commercial motor vehicle.
- 216 (13)(a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures
217 Act, the division may suspend the license of a person if it has reason to believe that
218 the person is the owner of a motor vehicle for which security is required under Title
219 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators
220 Act, and has driven the motor vehicle or permitted it to be driven within this state
221 without the security being in effect.
- 222 (b) The division may suspend a driving privilege card holder's driving privilege card if
223 the division receives notification from the Motor Vehicle Division that:
224 (i) the driving privilege card holder is the registered owner of a vehicle; and
225 (ii) the driving privilege card holder's vehicle registration has been revoked under
226 Subsection 41-1a-110(2)(a)(ii)(A).
- 227 (c) Section 41-12a-411 regarding the requirement of proof of owner's or operator's
228 security applies to persons whose driving privileges are suspended under this
229 Subsection (13).
- 230 (14) The division may deny an individual's license if the person fails to comply with the
231 requirement to downgrade the person's CDL to a class D license under Section
232 53-3-410.1.
- 233 (15) The division may deny a person's class A, B, C, or D license if the person fails to
234 comply with the requirement to have a K restriction removed from the person's license.

235 (16) Any suspension or revocation of a person's license under this section also disqualifies
236 any license issued to that person under Part 4, Uniform Commercial Driver License Act.
237 Section 2. Section **53-3-303** is amended to read:

238 **53-3-303 . Driver License Medical Advisory Board -- Membership -- Guidelines**
239 **for licensing impaired persons -- Recommendations to division.**

240 (1) There is created within the division the Driver License Medical Advisory Board.

241 (2)(a) The board is comprised of three regular members appointed by the Commissioner
242 of Public Safety to four-year terms.

243 (b) The board shall be assisted by expert panel members nominated by the board as
244 necessary and as approved by the Commissioner of Public Safety.

245 (c) Notwithstanding the requirements of Subsection (2)(a), the executive director shall,
246 at the time of appointment or reappointment, adjust the length of terms to ensure that
247 the terms of board members are staggered so that approximately half of the board is
248 appointed every two years.

249 (d) When a vacancy occurs in the membership for any reason, the replacement shall be
250 appointed for the unexpired term.

251 (e) The expert panel members shall recommend medical standards in the areas of the
252 panel members' special competence for determining the physical, mental, and
253 emotional capabilities of applicants for licenses and licensees.

254 (3) In reviewing individual cases, a panel acting with the authority of the board consists of
255 at least two members, of which at least one is a regular board member.

256 (4) The director of the division or his designee serves as secretary to the board and its
257 panels.

258 (5) Members of the board and expert panel members nominated by them shall be health
259 care professionals.

260 (6) A member may not receive compensation or benefits for the member's service, but may
261 receive per diem and travel expenses in accordance with:

262 (a) Section 63A-3-106;

263 (b) Section 63A-3-107; and

264 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and
265 63A-3-107.

266 (7) The board shall meet from time to time when called by the director of the division.

267 (8)(a) The board shall recommend guidelines and standards for determining the physical,
268 mental, and emotional capabilities of applicants for licenses and for licensees.

- 269 (b) The guidelines and standards are applicable to all Utah licensees and for all
270 individuals who hold learner permits and are participating in driving activities in all
271 forms of driver education.
- 272 (c) The guidelines and standards shall be published by the division.
- 273 (9)(a) If the division has reason to believe that an applicant or licensee is an impaired
274 person, it may:
- 275 ~~[(a)]~~ (i) act upon the matter based upon the published guidelines and standards; or
276 ~~[(b)]~~ (ii) convene a panel to consider the matter and submit findings and a
277 recommendation; the division shall consider the recommendation along with other
278 evidence in determining whether a license should be suspended, revoked, denied,
279 disqualified, canceled, or restricted.
- 280 (b) The division shall notify the affected applicant or licensee by certified mail of any
281 action under this Subsection (9).
- 282 (10)(a) If the division has acted under Subsection (9) to suspend, revoke, deny,
283 disqualify, cancel, or restrict the driving privilege without the convening of a panel,
284 the affected applicant or licensee may within 10 days of receiving notice of the action
285 request in a manner prescribed by the division a review of the division's action by a
286 panel.
- 287 (b) The panel shall review the matters and make written findings and conclusions.
- 288 (c) The division shall affirm or modify its previous action.
- 289 (11)(a) Actions of the division are subject to judicial review as provided in this part.
- 290 (b) The guidelines, standards, findings, conclusions, and recommendations of the board
291 or of a panel are admissible as evidence in any judicial review.
- 292 (12) Members of the board and its panels incur no liability for recommendations, findings,
293 conclusions, or for other acts performed in good faith and incidental to membership on
294 the board or a panel.
- 295 (13) The division shall provide forms for the use of health care professionals in depicting
296 the medical history of any physical, mental, or emotional impairment affecting the
297 applicant's or licensee's ability to drive a motor vehicle.
- 298 (14)(a)(i) Individuals who apply for or hold a license and have, or develop, or suspect
299 that they have developed a physical, mental, or emotional impairment that may
300 affect driving safety are responsible for reporting this to the division or its agent.
- 301 (ii) If there is uncertainty, the individual is expected to seek competent medical
302 evaluation and advice as to the significance of the impairment as it relates to

- 303 driving safety, and to refrain from driving until a clarification is made.
- 304 (b) Health care professionals who care for patients with physical, mental, or emotional
305 impairments that may affect their driving safety, whether defined by published
306 guidelines and standards or not, are responsible for making available to their patients
307 without reservation their recommendations and appropriate information related to
308 driving safety and responsibilities.
- 309 (c) A health care professional or other person who becomes aware of a physical, mental,
310 or emotional impairment that appears to present an imminent threat to driving safety
311 and reports this information to the division in good faith has immunity from any
312 damages claimed as a result of making the report.

313 Section 3. **Effective Date.**

314 This bill takes effect on May 7, 2025.