

HB0118S02 compared with HB0118

~~{Omitted text}~~ shows text that was in HB0118 but was omitted in HB0118S02

inserted text shows text that was not in HB0118 but was inserted into HB0118S02

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1 **Driver Training Schools for Commercial Driver License Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Don L. Ipson

2

3 **LONG TITLE**

4 **General Description:**

5 This bill addresses ~~{driver training schools for}~~ commercial driver license (CDL) applicants.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ requires a CDL applicant to sign a form attesting to the applicant's English language ability;

~~{and}~~

10 ▶ requires reporting regarding CDL driver training schools~~{:}~~ ; and

11 ▶ **makes technical changes.**

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 None

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **53-3-204** , as last amended by Laws of Utah 2021, Chapter 262

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19 **53-3-205** , as last amended by Laws of Utah 2025, Chapter 291

20 **53-3-407** , as last amended by Laws of Utah 2022, Chapter 46

21 **53-3-407.1** , as enacted by Laws of Utah 2013, Chapter 411

22 **53-3-410** , as last amended by Laws of Utah 2016, Chapter 175

23

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

25 Section 1. Section **53-3-204** is amended to read:

26 **53-3-204. Persons who may not be licensed.**

26 (1)

(a) The division may not license a person who:

27 (i) is younger than 16 years old;

28 (ii) if the person is 18 years old or younger, has not completed a course in driver training approved
by the commissioner;

30 (iii) if the person is 19 years old or older has not completed:

31 (A) a course in driver training approved by the commissioner; or

32 (B) the requirements under Subsection 53-3-210.5(6)(c);

33 (iv) if the person is a minor as defined in Section 53-3-211, has not completed the driving
requirement under Section 53-3-211;

35 (v) is not a resident of the state, unless the person[;]

36 [~~(A) is issued a temporary CDL under Subsection 53-3-407(2)(b) prior to July 1, 2015; or]~~

38 [~~(B)~~] qualifies for a non-domiciled CDL as defined in 49 C.F.R. Part 383;

39 (vi) if the person is 17 years old or younger, has not held a learner permit issued under Section
53-3-210.5 or an equivalent by another state or branch of the United States Armed Forces for
six months; or

42 (vii) is younger than 18 years old and applying for a CDL under 49 C.F.R. Part 383.

43 (b) Subsections (1)(a)(i), (ii), (iii), (iv), and (vi) do not apply to a person:

44 (i) who has been licensed before July 1, 1967; or

45 (ii) who is 16 years old or older making application for a license who has been licensed in another state
or country.

47 (2) The division may not issue a license certificate to a person:

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- (a) whose license has been suspended, denied, cancelled, or disqualified during the period of suspension, denial, cancellation, or disqualification;
- 50 (b) whose privilege has been revoked, except as provided in Section 53-3-225;
- 51 (c) who has previously been adjudged mentally incompetent and who has not at the time of application been restored to competency as provided by law;
- 53 (d) who is required by this chapter to take an examination unless the person successfully passes the examination;
- 55 (e) whose driving privileges have been denied or suspended under:
- 56 (i) Section 80-6-707 by an order of the juvenile court; or
- 57 (ii) Section 53-3-231; or
- 58 (f) beginning on or after July 1, 2012, who holds an unexpired Utah identification card issued under Part 8, Identification Card Act, unless:
- 60 (i) the Utah identification card is canceled; and
- 61 (ii) if the Utah identification card is in the person's possession, the Utah identification card is surrendered to the division.
- 63 (3)
- (a) Except as provided in Subsection (3)(c), the division may not grant a motorcycle endorsement to a person who:
- 65 (i) has not been granted an original or provisional class D license, a CDL, or an out-of-state equivalent to an original or provisional class D license or a CDL; and
- 67 (ii) if the person is under 19 years old, has not held a motorcycle learner permit for two months unless Subsection (3)(b) applies.
- 69 (b) The division may waive the two month motorcycle learner permit holding period requirement under Subsection (3)(a)(ii) if the person proves to the satisfaction of the division that the person has completed a motorcycle rider education program that meets the requirements under Section 53-3-903.
- 73 (c) The division may grant a motorcycle endorsement to a person under 19 years old who has not held a motorcycle learner permit for two months if the person was issued a motorcycle endorsement prior to July 1, 2008.

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(4) The division may grant a class D license to a person whose commercial license is disqualified under Part 4, Uniform Commercial Driver License Act, if the person is not otherwise sanctioned under this chapter.

80 Section 2. Section **53-3-205** is amended to read:

81 **53-3-205. Application for license or endorsement -- Fee required -- Tests -- Expiration dates**
of licenses and endorsements -- Information required -- Previous licenses surrendered -- Driving
record transferred from other states -- Reinstatement -- Fee required -- License agreement.

84 (1) An application for an original license, provisional license, or endorsement shall be:

85 (a) made upon a form furnished by the division; and

86 (b) accompanied by a nonrefundable fee set under Section 53-3-105.

87 (2) An application and fee for an original provisional class D license or an original class D license entitle the applicant to:

89 (a) not more than three attempts to pass both the knowledge and the skills tests for a class D license within six months after the date of the application;

91 (b) a learner permit if needed pending completion of the application and testing process; and

93 (c) an original class D license and license certificate after all tests are passed and requirements are completed.

95 (3) An application and fee for a motorcycle or taxicab endorsement entitle the applicant to:

96 (a) not more than three attempts to pass both the knowledge and skills tests within six months after the date of the application;

98 (b) a motorcycle learner permit after the motorcycle knowledge test is passed; and

99 (c) a motorcycle or taxicab endorsement when all tests are passed.

100 (4) An application for a commercial class A, B, or C license entitles the applicant to:

101 (a) not more than two attempts to pass a knowledge test when accompanied by the fee provided in Subsection 53-3-105(18);

103 (b) not more than two attempts to pass a skills test when accompanied by a fee in Subsection 53-3-105(19) within six months after the date of application;

105 (c) both a commercial driver instruction permit and a temporary license permit for the license class held before the applicant submits the application if needed after the knowledge test is passed; and

108 (d) an original commercial class A, B, or C license and license certificate when all applicable tests are passed.

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- 110 (5) An application and fee for a CDL endorsement entitle the applicant to:
- 111 (a) not more than two attempts to pass a knowledge test and not more than two attempts to pass a skills
test within six months after the date of the application; and
- 113 (b) a CDL endorsement when all tests are passed.
- 114 (6)
- (a) If a CDL applicant does not pass a knowledge test, skills test, or an endorsement test within the
number of attempts provided in Subsection (4) or (5), each test may be taken two additional times
within the six months for the fee provided in Section 53-3-105.
- 118 (b)
- (i) An out-of-state resident who holds a valid CDIP issued by a state or jurisdiction that is compliant
with 49 C.F.R. Part 383 may take a skills test administered by the division if the out-of-state resident
pays the fee provided in Subsection 53-3-105(19).
- 122 (ii) The division shall:
- 123 (A) electronically transmit skills test results for an out-of-state resident to the licensing agency in the
state or jurisdiction in which the out-of-state resident has obtained a valid CDIP; and
- 126 (B) provide the out-of-state resident with documentary evidence upon successful completion of the
skills test.
- 128 (7)
- (a)
- (i) Except as provided under Subsections (7)(a)(ii), (f), and (g), an original class D license expires
on the birth date of the applicant in the eighth year after the year the license certificate was
issued.
- 131 (ii) An original provisional class D license expires on the birth date of the applicant in the fifth year
following the year the license certificate was issued.
- 133 (iii) Except as provided in Subsection (7)(f), a limited term class D license expires on the birth date
of the applicant in the fifth year the license certificate was issued.
- 135 (b) Except as provided under Subsections (7)(f) and (g), a renewal or an extension to a license expires
on the birth date of the licensee in the eighth year after the expiration date of the license certificate
renewed or extended.
- 138 (c) Except as provided under Subsections (7)(f) and (g), a duplicate license expires on the same date as
the last license certificate issued.

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- 140 (d) An endorsement to a license expires on the same date as the license certificate regardless of the date
the endorsement was granted.
- 142 (e)
- (i) A regular license certificate and an endorsement to the regular license certificate held by an
individual described in Subsection (7)(e)(ii), that expires during the time period the individual is
stationed outside of the state, is valid until 90 days after the individual's orders are terminated, the
individual is discharged, or the individual's assignment is changed or terminated, unless:
- 147 (A) the license is suspended, disqualified, denied, or has been cancelled or revoked by the division;
or
- 149 (B) the licensee updates the information or photograph on the license certificate.
- 150 (ii) The provisions in Subsection (7)(e)(i) apply to an individual:
- 151 (A) ordered to active duty and stationed outside of Utah in any of the armed forces of the United States;
- 153 (B) who is an immediate family member or dependent of an individual described in Subsection (7)(e)
(ii)(A) and is residing outside of Utah;
- 155 (C) who is a civilian employee of the United States State Department or United States Department of
Defense and is stationed outside of the United States; or
- 157 (D) who is an immediate family member or dependent of an individual described in Subsection (7)(e)
(ii)(C) and is residing outside of the United States.
- 159 (f)
- (i) Except as provided in Subsection (7)(f)(ii), a limited-term license certificate or a renewal to a
limited-term license certificate expires:
- 161 (A) on the expiration date of the period of time of the individual's authorized stay in the United
States or on the date provided under this Subsection (7), whichever is sooner; or
- 164 (B) on the date of issuance in the first year following the year that the limited-term license
certificate was issued if there is no definite end to the individual's period of authorized stay.
- 167 (ii) A limited-term license certificate or a renewal to a limited-term license certificate issued to an
approved asylee or a refugee expires on the birth date of the applicant in the fifth year following the
year that the limited-term license certificate was issued.
- 171 (g) A driving privilege card issued or renewed under Section 53-3-207 expires on the birth date of the
applicant in the first year following the year that the driving privilege card was issued or renewed.
- 174 (8)

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- (a) In addition to the information required by Title 63G, Chapter 4, Administrative Procedures Act, for requests for agency action, an applicant shall:
- 176 (i) provide:
- 177 (A) the applicant's full legal name;
- 178 (B) the applicant's birth date;
- 179 (C) the applicant's sex;
- 180 (D)
- (I) documentary evidence of the applicant's valid social security number;
- 181 (II) written proof that the applicant is ineligible to receive a social security number;
- 183 (III) the applicant's temporary identification number[~~(ITIN)~~] issued by the Internal Revenue Service for an individual who:
- 185 (Aa) does not qualify for a social security number; and
- 186 (Bb) is applying for a driving privilege card; or
- 187 (IV) other documentary evidence approved by the division;
- 188 (E) the applicant's Utah residence address as documented by a form or forms acceptable under rules made by the division under Section 53-3-104[~~, unless the application is for a temporary CDL issued under Subsection 53-3-407(2)(b)~~]; and
- 192 (F) fingerprints, or a fingerprint confirmation form described in Subsection 53-3-205.5(1)(a)(ii), and a photograph in accordance with Section 53-3-205.5 if the applicant is applying for a driving privilege card;
- 195 (ii) provide evidence of the applicant's lawful presence in the United States by providing documentary evidence:
- 197 (A) that the applicant is:
- 198 (I) a United States citizen;
- 199 (II) a United States national; or
- 200 (III) a legal permanent resident alien; or
- 201 (B) of the applicant's:
- 202 (I) unexpired immigrant or nonimmigrant visa status for admission into the United States;
- 204 (II) pending or approved application for asylum in the United States;
- 205 (III) admission into the United States as a refugee;
- 206 (IV) pending or approved application for temporary protected status in the United States;

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- 208 (V) approved deferred action status;
- 209 (VI) pending application for adjustment of status to legal permanent resident or conditional resident; or
- 211 (VII) conditional permanent resident alien status;
- 212 (iii) provide a description of the applicant;
- 213 (iv) state whether the applicant has previously been licensed to drive a motor vehicle and, if so,
when and by what state or country;
- 215 (v) state whether the applicant has ever had a license suspended, cancelled, revoked, disqualified, or
denied in the last 10 years, or whether the applicant has ever had a license application refused,
and if so, the date of and reason for the suspension, cancellation, revocation, disqualification,
denial, or refusal;
- 219 (vi) state whether the applicant intends to make an anatomical gift under Title 26B, Chapter 8, Part
3, Revised Uniform Anatomical Gift Act, in compliance with Subsection (15);
- 222 (vii) state whether the applicant is required to register as a sex offender, kidnap offender, or
child abuse offender, in accordance with Title 53, Chapter 29, Sex, Kidnap, and Child Abuse
Offender Registry;
- 225 (viii) state whether the applicant is a veteran of the United States military, provide verification
that the applicant was granted an honorable or general discharge from the United States Armed
Forces, and state whether the applicant does or does not authorize sharing the information with
the Department of Veterans and Military Affairs;
- 230 (ix) provide all other information the division requires; and
- 231 (x) sign the application which signature may include an electronic signature as defined in Section
46-4-102.
- 233 (b) Unless the applicant provides acceptable verification of homelessness as described in rules made
by the division, an applicant shall have a Utah residence address~~[- unless the application is for a
temporary CDL issued under Subsection 53-3-407(2)(b)-]~~ .
- 236 (c) An applicant shall provide evidence of lawful presence in the United States in accordance with
Subsection (8)(a)(ii), unless the application is for a driving privilege card.
- 239 (d) The division shall maintain on the division's computerized records an applicant's:
- 240 (i)
- (A) social security number;
- 241 (B) temporary identification number~~[-(ITIN)]~~; or

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- 242 (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies; and
244 (ii) indication whether the applicant is required to register as a sex offender, kidnap offender, or child
abuse offender in accordance with Title 53, Chapter 29, Sex, Kidnap, and Child Abuse Offender
Registry.
- 247 (9) The division shall require proof of an applicant's name, birth date, and birthplace by at least one of
the following means:
- 249 (a) current license certificate;
250 (b) birth certificate;
251 (c) Selective Service registration; or
252 (d) other proof, including church records, family Bible notations, school records, or other evidence
considered acceptable by the division.
- 254 (10)
- (a) Except as provided in Subsection (10)(c), if an applicant receives a license in a higher class than
what the applicant originally was issued:
- 256 (i) the license application is treated as an original application; and
257 (ii) license and endorsement fees is assessed under Section 53-3-105.
- 258 (b) An applicant that receives a downgraded license in a lower license class during an existing license
cycle that has not expired:
- 260 (i) may be issued a duplicate license with a lower license classification for the remainder of the existing
license cycle; and
262 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a duplicate license is
issued under Subsection (10)(b)(i).
- 264 (c) An applicant who has received a downgraded license in a lower license class under Subsection (10)
(b):
- 266 (i) may, when eligible, receive a duplicate license in the highest class previously issued during a license
cycle that has not expired for the remainder of the existing license cycle; and
269 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a duplicate license is
issued under Subsection (10)(c)(i).
- 271 (11)
- (a) When an application is received from an applicant previously licensed in another state to drive a
motor vehicle, the division shall request a copy of the driver's record from the other state.

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- 274 (b) When received, the driver's record becomes part of the driver's record in this state with the same
effect as though entered originally on the driver's record in this state.
- 276 (12) An application for reinstatement of a license after the suspension, cancellation, disqualification,
denial, or revocation of a previous license is accompanied by the additional fee or fees specified in
Section 53-3-105.
- 279 (13) An individual who has an appointment with the division for testing and fails to keep the
appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee under
Section 53-3-105.
- 282 (14) An applicant who applies for an original license or renewal of a license agrees that the individual's
license is subject to a suspension or revocation authorized under this title or Title 41, Motor
Vehicles.
- 286 (15)
(a) Upon an application for a commercial class A, B, or C license, the applicant shall sign an
acknowledgment, issued by the division, acknowledging that to pass a commercial driver license
skills test, the applicant is required to read and speak the English language sufficiently to:
- 290 (i) converse with the general public;
291 (ii) understand highway traffic signs and signals;
292 (iii) respond to official inquiries; and
293 (iv) make entries on reports and records.
- 294 (b) The division shall file and retain the acknowledgment described in Subsection (15)(a).
- 285 [(15)] (16)
(a) A licensee shall authenticate the indication of intent under Subsection (8)(a)(vi) in accordance with
division rule.
- 287 (b)
(i) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the
division may, upon request, release to an organ procurement organization, as defined in Section
26B-8-301, the names and addresses of all applicants who, under Subsection (8)(a)(vi), indicate that
they intend to make an anatomical gift.
- 292 (ii) An organ procurement organization may use released information only to:
293 (A) obtain additional information for an anatomical gift registry; and
294 (B) inform licensees of anatomical gift options, procedures, and benefits.

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- 295 ~~[(16)]~~ (17) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may release to the Department of Veterans and Military Affairs the names and addresses of all applicants who indicate their status as a veteran under Subsection (8)(a)(viii).
- 299 ~~[(17)]~~ (18) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division shall, upon request, release to the~~[Sex, Kidnap, and Child Abuse Offender Registry~~ ~~{ } {Bureau of Criminal Identification} { }~~ office in] Bureau of Criminal Identification within the Department of Public Safety, the names and addresses of all applicants who, under Subsection (8)(a)(vii), indicate they are required to register as a sex offender, kidnap offender, or child abuse offender in accordance with Title 53, Chapter 29, Sex, Kidnap, and Child Abuse Offender Registry.
- 306 ~~[(18)]~~ (19) The division and its employees are not liable, as a result of false or inaccurate information provided under Subsection (8)(a)(vi) or (viii), for direct or indirect:
- 308 (a) loss;
- 309 (b) detriment; or
- 310 (c) injury.
- 311 ~~[(19)]~~ (20) An applicant who knowingly fails to provide the information required under Subsection (8)(a)(vii) is guilty of a class A misdemeanor.
- 313 ~~[(20)]~~ (21) A person may not hold both an unexpired Utah license certificate and an unexpired identification card.
- 315 ~~[(21)]~~ (22)
- (a) An applicant who applies for an original motorcycle endorsement to a regular license certificate is exempt from the requirement to pass the knowledge and skills test to be eligible for the motorcycle endorsement if the applicant:
- 318 (i) is a resident of the state of Utah;
- 319 (ii)
- (A) is ordered to active duty and stationed outside of Utah in any of the armed forces of the United States; or
- 321 (B) is an immediate family member or dependent of an individual described in Subsection ~~[(21)(a)(ii)]~~ ~~(A)]~~ (22)(a)(ii)(A) and is residing outside of Utah;
- 323 (iii) has a digitized driver license photo on file with the division;
- 324 (iv) provides proof to the division of the successful completion of a certified Motorcycle Safety Foundation rider training course; and

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326 (v) provides the necessary information and documentary evidence required under Subsection (8).

328 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall
make rules:

330 (i) establishing the procedures for an individual to obtain a motorcycle endorsement under this
Subsection (21); and

332 (ii) identifying the applicable restrictions for a motorcycle endorsement issued under this Subsection
(21).

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

345 **53-3-407. Qualifications for commercial driver license -- Fee -- Third parties may administer
skills test.**

337 (1)

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

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

341 (ii) prepares an applicant for an examination under Subsection { (2)(a)(iii). } { (3)(a)(iii). }

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

344 { (2) }

{ (a) Before enrolling an applicant, a CDL driver training school and the applicant shall sign a form,
issued by the division, attesting that the applicant can read and speak the English language
sufficiently to: }

347 { (i) converse with the general public; }

348 { (ii) understand highway traffic signs and signals; }

349 { (iii) respond to official inquiries; and }

350 { (iv) make entries on reports and records. }

351 { (b) An applicant shall present the form described in Subsection (2)(a) to a commercial driver license
third party examiner when the applicant begins testing. }

353 { (2) } { (3) }

(a) Except as provided in Subsection { (2)(c) } { (3)(e) }, a CDL may be issued only to a person who:

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- (i) is a resident of this state or is an out-of-state resident if the person qualifies for a non-domiciled CDL as defined in 49 C.F.R. Part 383;
- 357 (ii) has held a CDIP for a minimum of 14 days prior to taking the skills test under 49 C.F.R. Part 383, including a person who is upgrading a CDL class or endorsement requiring a skills test under 49 C.F.R. Part 383;
- 360 (iii) has passed a test of knowledge and skills for driving a commercial motor vehicle, that complies with minimum standards established by federal regulation in 49 C.F.R. Part 383, Subparts G and H; and
- 363 (iv) has complied with all requirements of 49 C.F.R. Part 383 and other applicable state laws and federal regulations.
- 365 (b) A person who applies for a CDL is exempt from the requirement to pass a skills test to be eligible for the license if the person:
- 367 (i) is a resident of the state of Utah;
- 368 (ii) has successfully completed a skills test administered by a state or a party authorized by a state or jurisdiction that is compliant with 49 C.F.R. Part 383; and
- 370 (iii) held a valid Utah CDIP at the time the test was administered.
- 371 (c) The department shall waive any tests specified in this section for a commercial driver license applicant who, subject to the limitations and requirements of 49 C.F.R. Sec. 383.77, meets all certifications required for a waiver under 49 C.F.R. Sec. 383.77 and certifies that the applicant:
- 375 (i) is a member of the active or reserve components of any branch or unit of the armed forces or a veteran who received an honorable or general discharge from any branch or unit of the active or reserve components of the United States Armed Forces;
- 379 (ii) is or was regularly employed in a position in the armed forces requiring operation of a commercial motor vehicle; and
- 381 (iii) has legally operated, while on active duty for at least two years immediately preceding application for a commercial driver license, a vehicle representative of the commercial motor vehicle the driver applicant operates or expects to operate.
- 384 (d) An applicant who requests a waiver under Subsection ~~{{(2)(c){}}~~ ~~(3)(e)~~ shall present a completed application for a military skills test waiver at the time of the request.
- 386 ~~{{(3){}}~~ ~~{{(4){}}~~ Tests required under this section shall be prescribed and administered by the division.
- 388 (4) The division shall maintain a record of:

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- 389 (a) applicants who fail a commercial driver license skills test or fail to take a commercial driver license
391 skills test due to the applicant's English language proficiency; and
388 (b) the CDL driver training school attended by an applicant described in Subsection (4)(a).
- 388 [(4)] (5) The division shall authorize a person, an agency of this state, an employer, a private driver
training facility or other private institution, or a department, agency, or entity of local government to
administer the skills test required under this section if:
- 391 (a) the test is the same test as prescribed by the division, and is administered in the same manner; and
393 (b) the party authorized under this section to administer the test has entered into an agreement with the
state that complies with the requirements of 49 C.F.R. Sec. 383.75.
- 396 [(5)] (6)
- (a) An out-of-state resident who holds a valid CDIP issued by a state or jurisdiction that is compliant
with 49 C.F.R. Part 383 may take a skills test administered by a party authorized under this section.
- 399 (b) A person authorized under this section to administer the skills test may charge a fee for
administration of the skills test.
- 401 (c) A person authorized under this section to administer the skills test shall:
- 402 (i) electronically transmit skills test results for an out-of-state resident to the licensing agency in the
state or jurisdiction in which the person has obtained a valid CDIP; and
405 (ii) provide the out-of-state resident with documentary evidence upon successful completion of the
skills test.
- 407 [(6)] (7) A person who has an appointment with the division for testing and fails to keep the
appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee under
Section 53-3-105.
- 410 [(7)] (8) A person authorized under this section to administer the skills test is not criminally or civilly
liable for the administration of the test unless [he] the person administers the test in a grossly
negligent manner.
- 413 [(8)] (9) The division may waive the skills test required under this section if it determines that the
applicant meets the requirements of 49 C.F.R. Sec. 383.77.
- 420 Section 4. Section **53-3-407.1** is amended to read:
- 421 **53-3-407.1. Commercial driver license third party tester or third party examiner license --**
Fingerprint background check required.
- 418

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- (1) A commercial driver license third party tester or commercial driver license third party examiner shall be licensed by the division to be eligible to administer the commercial driver license skills tests.
- 421 (2)
- (a) An applicant for a commercial driver license third party tester or third party examiner license shall submit fingerprints in a form acceptable to the division at the time the license application is filed and shall consent to a fingerprint background check by the Utah Bureau of Criminal Identification and the Federal Bureau of Investigation regarding the application.
- 426 (b) The division shall request the Department of Public Safety to complete a Federal Bureau of Investigation criminal background check for each commercial driver license third party tester or third party examiner applicant through the national criminal history system or any successor system.
- 430 (c) The Utah Bureau of Criminal Identification shall release to the division all information received in response to the division's request under this Subsection (2).
- 432 (d) A commercial driver license third party tester or third party examiner license may not be issued under this section until the criminal background check required under this Subsection (2) has been completed and reviewed by the division.
- 435 (e) In addition to any fees imposed under this chapter, the division shall:
- 436 (i) impose on individuals submitting fingerprints in accordance with this Subsection (2) the fees that the Bureau of Criminal Identification ~~[is authorized to]~~ may collect for the services the Bureau of Criminal Identification provides under this section; and
- 440 (ii) remit the fees collected under this Subsection (2)(e) to the Bureau of Criminal Identification.
- 442 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules establishing:
- 444 (a) minimum standards for a commercial driver license third party tester or third party examiner license;
- 446 (b) procedures for an applicant to apply for a commercial driver license third party tester or third party examiner license;
- 448 (c) minimum standards for the commercial driver license skills test; ~~[and]~~
- 449 (d) procedures to enable a licensed commercial driver license third party tester or commercial driver license third party examiner to administer or process a commercial driver license skills test for an applicant to receive a commercial driver license~~[-]~~ ; and

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(e) procedures for a commercial driver license third party tester or third party examiner to~~{:}~~ notify the division when an applicant fails a commercial driver license skills test or fails to take a commercial driver license skills test due to the applicant's English language proficiency.

454 ~~{(i)} {send the form described in Subsection 53-3-407(2) to the division if the CDL applicant does not speak and understand English;}~~

456 ~~{(ii)} {collect and report the name of a CDL driver training school that a CDL applicant used, if applicable, to the division; and}~~

458 ~~{(iii)} {report data regarding CDL applicant passage rates to the division.}~~

461 Section 5. Section **53-3-410** is amended to read:

462 **53-3-410. Applicant information required for CDIP and CDL -- State resident to have state CDL.**

462 (1) The application for a CDL, limited-term CDL, or CDIP shall include the following information regarding the applicant:

464 (a) full legal name;

465 (b) current mailing address;

466 (c) Utah residential address~~[, unless the application is for a temporary CDL issued under Subsection 53-3-407(2)(b)]~~;

468 (d) physical description, including sex, height, weight, and eye color;

469 (e) date of birth;

470 (f) documentary evidence of the applicant's valid ~~[Social Security]~~ social security number;

472 (g) a complete list of all states in which the applicant was issued a driver license in the previous 10 years upon:

474 (i) initial issuance of a Utah license;

475 (ii) renewal of a CDL for the first time after September 30, 2002; or

476 (iii) transfer of a CDL from another state;

477 (h) the applicant's signature;

478 (i) evidence of the applicant's lawful presence in the United States by providing documentary evidence:

480 (i) that a person is:

481 (A) a United States Citizen;

482 (B) a United States national; or

483 (C) a legal permanent resident alien; or

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- 484 (ii) of the applicant's:
- 485 (A) unexpired immigrant or nonimmigrant visa status for admission into the United States;
- 487 (B) pending or approved application for asylum in the United States;
- 488 (C) admission into the United States as a refugee;
- 489 (D) pending or approved application for temporary protected status in the United States;
- 491 (E) approved deferred action status;
- 492 (F) pending application for adjustment of status to legal permanent resident or conditional resident; or
- 494 (G) conditional permanent resident alien status; and
- 495 (j) beginning on January 30, 2012, a medical certification status.
- 496 (2) An application under this section shall also include all certifications required by 49 C.F.R., Part
383.71.
- 498 (3) When the holder of a license under this part changes the holder's name, mailing address, or
residence, the holder shall make application for a duplicate license within 30 days of the change.
- 501 (4) A person who has been a resident of this state for 30 consecutive days may not drive a commercial
motor vehicle under the authority of a commercial driver license issued by another jurisdiction.

506 Section 6. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

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