



# HB0136 compared with HB0136S04

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **41-1a-1101 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 220

26 **41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah  
2025, Chapter 378

28 **53-3-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 229

29 **53-3-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 390

30 **53-3-221 (Effective 05/06/26), as last amended by Laws of Utah 2025, Chapter 296**

31 **53-25-802 (Effective 05/06/26), as enacted by Laws of Utah 2025, Chapter 252**

32 **63I-2-241 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Third Special Session, Chapter 5

34

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

36 Section 1. Section **41-1a-1101** is amended to read:

37 **41-1a-1101. Seizure -- Circumstances where permitted -- Impound lot standards.**

34 (1) As used in this section:

35 (a)

(i) "Criminal offense" means a class B misdemeanor offense, a class A misdemeanor offense, or a felony offense.

37 (ii) "Criminal offense" includes:

38 (A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony offense described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2, Driver Licensing Act, Title 73, Chapter 18, State Boating Act, or Title 76, Utah Criminal Code; and

42 (B) a local ordinance that is a class B misdemeanor and is substantially similar to an offense listed in Subsection (1)(a)(ii)(A).

44 (b) "Driving credential" means:

45 (i) a driver license, driving privilege card, or learner permit issued by the state in accordance with Title 53, Chapter 3, Uniform Driver License Act; or

## HB0136 compared with HB0136S04

- 47 (ii) a driver license issued by:  
48 (A) a state or territory of the United States;  
49 (B) the United States Department of State; or  
50 (C) a foreign country.
- 51 ~~[(b)]~~ (c) "Operator" means the same as that term is defined in Section 41-6a-102.
- 52 ~~[(e)]~~ (d) "Road rage event" means the commission of a criminal offense:  
53 (i) by an operator of a vehicle;  
54 (ii) in response to an incident that occurs or escalates upon a roadway; and  
55 (iii) with the intent to endanger or intimidate an individual in another vehicle.
- 56 ~~[(d)]~~ (e) "Roadway" means:  
57 (i) a highway; or  
58 (ii) a private road or driveway as defined in Section 41-6a-102.
- 59 (2) The division or ~~[any]~~ a peace officer, without a warrant, may seize and take possession of ~~[any]~~ a  
vehicle, vessel, or outboard motor:  
61 (a) that the division or the peace officer has probable cause to believe has been stolen;  
62 (b) on which ~~[any]~~ an identification number has been defaced, altered, or obliterated;  
63 (c) that has been abandoned in accordance with Section 41-6a-1408;  
64 (d) for which the applicant has written a check for registration or title fees that has not been honored by  
the applicant's bank and that is not paid within 30 days;  
66 (e) that is placed on the water with improper registration;  
67 (f) that is being operated on a highway:  
68 (i) with registration that has been expired for more than three months;  
69 (ii) having never been properly registered by the current owner; or  
70 (iii) with registration that is suspended or revoked;  
71 (g)  
(i) that the division or the peace officer has probable cause to believe has been involved in an accident  
described in Section 41-6a-401, 41-6a-401.3, or 41-6a-401.5; and  
74 (ii) whose operator did not remain at the scene of the accident until the operator fulfilled the  
requirements described in Section 41-6a-401 or 41-6a-401.7; or  
76 (h) if the division or peace officer has probable cause to believe that the operator:  
77 (i) failed to properly display the license plate on a motorcycle as described in Section 41-1a-404.1; or

## HB0136 compared with HB0136S04

- 79 (ii) used the motorcycle:
- 80 (A) to perform a wheelie in violation of Section 41-6a-606.1; or
- 81 (B) to engage in lane splitting in violation of Section 41-6a-704.1.
- 82 (3)
- (a) The division or a peace officer shall seize and take possession of a vehicle, without a warrant, when:
- 84 (i) the division or the peace officer has probable cause to believe that an operator of the vehicle engaged in a road rage event; and
- 86 (ii) the operator of the vehicle has been arrested in conjunction with the road rage event.
- 88 ~~{(b) {Except as provided in Subsection (3)(d), the division or a peace officer shall seize and take possession of a vehicle, without a warrant, when an operator of a vehicle does not have a driving credential in the operator's possession unless the peace officer is able to verify that the operator has been issued a driving credential.}}~~
- 93 (b)
- 92 ~~{(b)}~~ {(c) Except as provided in Subsection (3)(d), the division or a peace officer shall seize and take possession of a vehicle, without a warrant, when an operator of a vehicle does not have a driving credential in the operator's possession unless the peace officer is able to verify that the operator has been issued a driving credential.}
- 97 (ii) Before seizing and taking possession of a vehicle as described in Subsection (3)(b)(i), a peace officer shall query the Driver License Division database to verify whether the operator has been issued a driving credential.
- 100 ~~{(b)}~~ (c) A peace officer may release a vehicle seized and possessed under Subsection (3)(a) or (3)(b) to the registered owner of the vehicle if the registered owner is not the individual subject to arrest under Subsection (3)(a) or (3)(b) and is immediately available, at the location of the arrest, to take possession of the vehicle.
- 96 (d) The division or a peace officer is not required to seize and take possession of a vehicle as described in Subsection (3)(b) if the division or a peace officer makes a reasonable determination that:
- 99 (i) the operator has been issued a driving credential that is expired;
- 100 (ii) seizing the vehicle would create a public safety concern to the operator or an occupant of the vehicle;
- 102 (iii) seizing the vehicle would prevent the division or the peace officer from addressing other public safety considerations;

## HB0136 compared with HB0136S04

- 104 (iv) the operator is under 18 years old;  
105 (v) an occupant of the vehicle possesses a driving credential and is willing to operate the vehicle; or  
107 (vi) an individual with a driving credential is reasonably available to pick up the vehicle with  
permission of the registered owner.
- 109 (4)  
(a) Subject to [~~the restriction in~~] Subsection (4)(b), the division or [~~any~~] a peace officer, without a  
warrant:  
111 (i) shall seize and take possession of [~~any~~] a vehicle that is being operated on a highway without  
owner's or operator's security in effect for the vehicle as required under Section 41-12a-301 and  
the vehicle was involved in an accident; or  
114 (ii) may seize and take possession of [~~any~~] a vehicle that is being operated on a highway without  
owner's or operator's security in effect for the vehicle as required under Section 41-12a-301  
after the division or [~~any~~] a peace officer makes a reasonable determination whether the seizure  
of the vehicle would:  
118 (A) present a public safety concern to the operator or [~~any of the occupants in~~] an occupant in the  
vehicle; or  
120 (B) prevent the division or the peace officer from addressing other public safety considerations.  
122 (b) The division or [~~any~~] a peace officer may not seize and take possession of a vehicle under  
Subsection (4)(a):  
124 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's security as defined  
in Section 41-12a-303.2 in the vehicle, unless the division or peace officer verifies that owner's  
or operator's security is not in effect for the vehicle through the Uninsured Motorist Identification  
Database created in accordance with Section 41-12a-803; or  
129 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security as defined in  
Section 41-12a-303.2 in the vehicle and the Uninsured Motorist Identification Database created in  
accordance with Section 41-12a-803 indicates that the owner's or operator's security is not in effect  
for the vehicle, unless the division or a peace officer makes a reasonable attempt to independently  
verify that owner's or operator's security is not in effect for the vehicle.  
135 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to transport  
and store the vessel.

137

## HB0136 compared with HB0136S04

(6) ~~[Any]~~ A peace officer seizing or taking possession of a vehicle, vessel, or outboard motor under this section shall comply with the provisions of Section 41-6a-1406.

139

(7)

(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the commission shall make rules setting standards for public garages, impound lots, and impound yards that may be used by peace officers and the division.

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(b) The standards shall be equitable, reasonable, and unrestrictive as to the number of public garages, impound lots, or impound yards per geographical area.

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(c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard unless the crusher, dismantler, or salvage dealer meets all of the requirements for a state impound yard ~~[set forth]~~ described in this section and rules made in accordance with Subsection (7)(a).

148

(d)

(i) Rules made by the commission shall include a requirement that a state impound yard have opaque fencing on ~~[any]~~ each side of the state impound yard that has frontage with a highway.

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(ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link fencing.

153

(8)

(a) Except as provided under Subsection (8)(b), a person may not operate or allow to be operated a vehicle stored in a public garage, impound lot, or impound yard regulated under this part without prior written permission of the owner of the vehicle.

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(b) Incidental and necessary operation of a vehicle to move the vehicle from one parking space to another within the facility and that is necessary for the normal management of the facility is not prohibited under Subsection (8)(a).

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(9) A person who violates ~~[the provisions of]~~ Subsection (8) is guilty of a class C misdemeanor.

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(10) The division or the peace officer who seizes a vehicle shall record the mileage shown on the vehicle's odometer at the time of seizure, if:

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(a) the vehicle is equipped with an odometer; and

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(b) the odometer reading is accessible to the division or the peace officer.

173

Section 2. Section **41-6a-1406** is amended to read:

174

**41-6a-1406. Removal and impoundment of vehicles -- Reporting and notification requirements -- Administrative impound fee -- Refunds -- Possessory lien -- Rulemaking.**

169

## HB0136 compared with HB0136S04

- (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order of a peace officer or by an order of a person acting on behalf of a law enforcement agency or highway authority, the impoundment of the vehicle, vessel, or outboard motor shall be at the expense of the owner.
- 174 (2) The vehicle, vessel, or outboard motor [~~under~~] described in Subsection (1) shall be impounded to a state impound yard.
- 176 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause [~~it~~] the vehicle, vessel, or outboard motor to be removed by a tow truck motor carrier that meets standards established:
- 179 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
- 180 (b) by the department under Subsection (11).
- 181 (4)
- (a) A report described in this Subsection (4) is required for a vehicle, vessel, or outboard motor that is impounded as described in Subsection (1).
- 183 (b) Before noon on the next business day after the date of the removal of the vehicle, vessel, or outboard motor, a report of the impoundment shall be sent to the Motor Vehicle Division, in an electronic format approved by the Motor Vehicle Division, by:
- 187 (i) the peace officer or agency by whom the peace officer is employed; and
- 188 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck operator is employed.
- 190 (c) The report shall be in a form specified by the Motor Vehicle Division and shall include:
- 192 (i) the operator's name, if known;
- 193 (ii) a description of the vehicle, vessel, or outboard motor;
- 194 (iii) the vehicle identification number or vessel or outboard motor identification number;
- 196 (iv) the case number designated by the peace officer, law enforcement agency number, or government entity;
- 198 (v) the license number, temporary permit number, or other identification number issued by a state agency;
- 200 (vi) the date, time, and place of impoundment;
- 201 (vii) the reason for removal or impoundment;
- 202 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or outboard motor; and
- 204 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 205 (d)

## HB0136 compared with HB0136S04

- (i) If the form described in Subsection (4)(c) does not include the reason for the removal or impoundment described in Subsection (4)(c)(vii), the peace officer and tow truck operator described in Subsection (4)(b) shall note "other" as the reason for the removal or impoundment.
- 209 (ii) The commission shall update the form described in Subsection (4)(c) to include operating a vehicle without a driving credential as a reason for impoundment as described in Subsection 41-1a-1101(3) no later than December 31, 2026.
- 212 [~~(d)~~] (e)
- (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Tax Commission shall make rules to establish proper format and information required on the form described in this Subsection (4).
- 215 (ii) The State Tax Commission shall ensure that the form described in this Subsection (4) is provided in an electronic format.
- 217 [~~(e)~~] (f) Until the tow truck operator or tow truck motor carrier reports the removal as required under this Subsection (4), a tow truck motor carrier or impound yard may not:
- 220 (i) collect [~~any fee~~] the fees associated with the removal; and
- 221 (ii) begin charging storage fees.
- 222 (5)
- (a) A report described in this Subsection (5) is required for [~~any~~] a vehicle, vessel, or outboard motor that is removed, except for:
- 224 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in Subsection (1);
- or
- 226 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in accordance with Section 72-9-603.
- 228 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer shall provide documentation to the tow truck operator or tow truck motor carrier that includes:
- 231 (i) the name and badge number of the peace officer;
- 232 (ii) the name and originating agency identifier of the law enforcement agency; and
- 233 (iii) the case number designated by the law enforcement officer or law enforcement agency.
- 235 (c) For a removal described in Subsection (5)(a), before noon on the next business day following the date of the removal of the vehicle, vessel, or outboard motor, the tow truck operator or tow truck

## HB0136 compared with HB0136S04

motor carrier shall send to the Motor Vehicle Division in an electronic format approved by the Motor Vehicle Division:

- 239 (i) the report described in Subsection (4); or  
240 (ii) the report described in Subsection (5)(d).  
241 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck motor carrier  
does not provide the report described in Subsection (4), the tow truck operator or tow truck motor  
carrier shall provide a report to the Motor Vehicle Division that includes:  
245 (i) the name and badge number of the relevant peace officer;  
246 (ii) the name and originating agency identifier of the law enforcement agency;  
247 (iii) the law enforcement agency case number;  
248 (iv) subject to Subsection (5)(e), the vehicle identification number and the license number, temporary  
permit number, or other identification number issued by a state agency;  
251 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and  
252 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.  
253 (e) If ~~either the~~ vehicle identification number ~~;~~ ~~or the~~ license number, temporary permit  
number, or other identification number issued by a state agency is not available, the report shall  
include:  
256 (i) as much information as is available from both the vehicle identification number and the license plate  
number of the vehicle, vessel, or outboard motor; and  
258 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make, model, and model  
year of the vehicle, vessel, or outboard motor.  
260 (f) Until the tow truck operator or tow truck motor carrier reports the removal as required under this  
Subsection (5), a tow truck motor carrier may not:  
262 (i) collect ~~any fee~~ the fees associated with the removal; or  
263 (ii) begin charging storage fees.  
264 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be removed to:  
266 (i) a state impound yard; or  
267 (ii) a location that has been requested by the registered owner at the time of removal, if payment is  
made to the tow truck motor carrier or tow truck operator at the time of removal.  
270

## HB0136 compared with HB0136S04

(h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Tax Commission may make rules to establish proper format and information required on the form described in Subsection (5)(d), including submission in an electronic format.

274 (6)

(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner described in Section 41-1a-114, to the following parties with an interest in the vehicle, vessel, or outboard motor, as applicable:

278 (i) the registered owner;

279 (ii) ~~[any lien holder]~~ all lien holders; or

280 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard motor is currently operating under a temporary permit issued by the dealer, as described in Section 41-3-302.

283 (b) The notice shall:

284 (i) state the date, time, and place of removal, the name, if applicable, of the person operating the vehicle, vessel, or outboard motor at the time of removal, the reason for removal, and the place where the vehicle, vessel, or outboard motor is stored;

287 (ii) state that the registered owner is responsible for payment of towing, impound, and storage fees charged against the vehicle, vessel, or outboard motor;

289 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard motor is released; and

291 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the vehicle, vessel, or outboard motor, if, within 30 days after the day ~~[of the removal or impoundment]~~ on which the vehicle, vessel, or outboard motor was removed or impounded under this section, one of the parties fails to make a claim for release of the vehicle, vessel, or outboard motor.

296 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor is not registered in this state, the Motor Vehicle Division shall make a reasonable effort to notify the parties described in Subsection (6)(a) of the removal and the place where the vehicle, vessel, or outboard motor is stored.

300 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6) if a report was received by a tow truck operator or tow truck motor carrier reporting a tow truck service in accordance with Subsection 72-9-603(1)(a)(i).

303 (e)

## HB0136 compared with HB0136S04

- (i) The Motor Vehicle Division shall disclose the information in the report described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent as defined in Section 41-12a-802 regarding a tow that was initiated:
- 306 (A) by law enforcement; or  
307 (B) without the vehicle owner's consent.
- 308 (ii) The Motor Vehicle Division may rely on the information provided by the tow truck operator or tow truck motor carrier to determine if a tow meets the criteria described in Subsections (6)(e)(i)(A) and (B).
- 311 (iii) The designated agent may disclose information received regarding a tow described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the vehicle owner's verified insurance company.
- 314 (iv) The designated agent may not disclose information to a vehicle owner's insurance company if the tow does not meet the criteria described in Subsections (6)(e)(i)(A) and (B).
- 317 (7)
- (a) The vehicle, vessel, or outboard motor impounded or removed to a state impound yard as described in this section shall be released after a party described in Subsection (6)(a) or (7)(f):
- 320 (i) makes a claim for release of the vehicle, vessel, or outboard motor at ~~[any]~~ an office of the State Tax Commission;
- 322 (ii) presents identification sufficient to prove ownership of the impounded or removed vehicle, vessel, or outboard motor;
- 324 (iii) completes the registration, if needed, and pays the appropriate fees;
- 325 (iv) if the impoundment was made under Section 41-6a-527 or Subsection 41-1a-1101(3), pays:
- 327 (A) an administrative impound fee of ~~[\$425]~~ \$600; and  
328 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an administrative testing fee of ~~[\$30]~~ \$60; and
- 330 (v) pays all towing and storage fees to the place where the vehicle, vessel, or outboard motor is stored.
- 332 (b)
- (i) Twenty-nine dollars of the administrative impound fee assessed under Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.
- 334

## HB0136 compared with HB0136S04

- (ii) [~~One-hundred and { } One hundred~~ ]~~forty-seven~~ One-hundred eighty-seven dollars of the administrative impound fee assessed under Subsection (7)(a)(iv)(A) shall be deposited into the Department of Public Safety Restricted Account created in Section 53-3-106.
- 337 (iii) Twenty dollars of the administrative impound fee assessed under Subsection (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund created in Section 26B-1-318.
- 340 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the remainder of the administrative impound fee assessed under Subsection (7)(a)(iv)(A) shall be deposited into the General Fund.
- 343 (v) The administrative testing fee described in Subsection (7)(a)(iv)(B) shall be deposited into the State Laboratory Drug Testing Account created in Section 26B-1-304.
- 346 (c) The administrative impound fee and the administrative testing fee assessed under Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the registered owner, lien holder, or owner's agent presents written evidence to the State Tax Commission that:
- 350 (i) the Driver License Division determined that the arrested person's driver license should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as shown by a letter or other report from the Driver License Division presented within 180 days after the day on which the Driver License Division mailed the final notification; or
- 355 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the stolen vehicle report presented within 180 days after the day ~~[of the impoundment]~~ on which the vehicle was impounded.
- 358 (d)
- (i) A tow truck operator, a tow truck motor carrier, and an impound yard shall accept payment by cash and debit or credit card for a removal or impoundment under Subsection (1) or ~~[any]~~ service rendered, performed, or supplied in connection with a removal or impoundment under Subsection (1).
- 362 (ii) An impound yard may not release a vehicle unless an individual with a driving credential, as defined in Section 41-1a-1101, is present and able to operate the vehicle.
- 365 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the impounded vehicle, vessel, or outboard motor if:
- 367 (i) the vehicle, vessel, or outboard motor is being held as evidence; and
- 368

## HB0136 compared with HB0136S04

- (ii) the vehicle, vessel, or outboard motor is not being released to a party described in Subsection (6)(a), even if the party satisfies the requirements to release the vehicle, vessel, or outboard motor under this Subsection (7).
- 371 (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or outboard motor  
impounded or removed to a state impound yard as described in this section shall be released to an  
individual that is not described in Subsection (6)(a) if the individual:
- 375 (i)
- (A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);
- 376 (B) presents the individual's driver license or other government-issued identification; and
- 378 (C) demonstrates that the individual has authority granted by a person described in Subsection (6)(a) to  
obtain and operate the vehicle; or
- 380 (ii) is a tow truck operator or tow truck motor carrier that:
- 381 (A) demonstrates that the tow truck operator or tow truck motor carrier has authority granted by a  
person described in Subsection (6)(a) to obtain and operate the vehicle, vessel, or outboard motor;
- 384 (B) provides a towing certificate issued by the Department of Transportation [~~pursuant to~~] in  
accordance with Section 72-9-602;
- 386 (C) pays all towing and storage fees; and
- 387 (D) obtains or presents an impound release for the vehicle, vessel, or outboard motor [~~pursuant to~~] in  
accordance with Subsection (7)(a).
- 389 (8)
- (a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by a party described  
in Subsection (6)(a) or (7)(f) within the time [~~prescribed by~~] described in Section 41-1a-1103, the  
Motor Vehicle Division shall issue a certificate of sale for the impounded or removed vehicle,  
vessel, or outboard motor as described in Section 41-1a-1103.
- 394 (b) The date of impoundment or removal is considered the date of seizure for computing the time period  
[~~provided under~~] described in Section 41-1a-1103.
- 396 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the impoundment or  
removal of the owner's vehicle, vessel, or outboard motor has a cause of action for all the fees and  
charges, together with damages, court costs, and attorney fees, against the operator of the vehicle,  
vessel, or outboard motor whose actions caused the removal or impoundment.
- 401 (10)

## HB0136 compared with HB0136S04

- (a) As used in this Subsection (10), "life essential item" means the same as that term is defined in Subsection 72-9-603(13).
- 403 (b) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel, or outboard motor.
- 405 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and ~~[any]~~nonlife essential items contained in the vehicle, vessel, or outboard motor.
- 407 (d) Except for a vehicle, vessel, or outboard motor being held as evidence, a tow truck operator, a tow truck motor carrier, or an impound yard shall allow a person described in Subsection (6)(a) or an individual described in Subsection (7)(f)(i) to take possession of ~~[any]~~life essential ~~[item]~~ items within the vehicle, vessel, or outboard motor during normal business hours regardless of whether the towing, impound fees, or storage fees have been paid.
- 413 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an impound yard shall allow a person described in Subsection (6)(a) or an individual described in Subsection (7)(f)(i) to enter the vehicle, vessel, or outboard motor during normal business hours and remove personal property not attached to the vehicle, vessel, or outboard motor.
- 419 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the department shall make rules setting the performance standards for towing companies to be used by the department.
- 422 (12)
- (a) The Motor Vehicle Division may specify that a report required under Subsection (4) be submitted in electronic form utilizing a database for submission, storage, and retrieval of the information.
- 425 (b)
- (i) Unless otherwise provided by statute, the Motor Vehicle Division or the administrator of the database may adopt a schedule of fees assessed for utilizing the database.
- 428 (ii) The fees under this Subsection (12)(b) shall:
- 429 (A) be reasonable and fair; and
- 430 (B) reflect the cost of administering the database.
- 440 Section 3. Section **53-3-202** is amended to read:
- 441 **53-3-202. Drivers must be licensed -- Violation.**
- 433

## HB0136 compared with HB0136S04

- (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state unless the human driver is:
- 435 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the division under  
this chapter;
- 437 (b) driving an official United States Government class D motor vehicle with a valid United States  
Government driver permit or license for that type of vehicle;
- 439 (c)
- (i) driving a road roller, road machinery, or [~~any~~]farm tractor or implement of husbandry temporarily  
drawn, moved, or propelled on the highways; and
- 441 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a construction or  
agricultural activity;
- 443 (d) a nonresident who is at least 16 years old and younger than 18 years old who has in the nonresident's  
immediate possession a valid license certificate issued to the nonresident in the nonresident's home  
state or country and is driving in the class or classes identified on the home state license certificate,  
except those persons referred to in Part 6, Drivers' License Compact, of this chapter;
- 448 (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate possession  
a valid license certificate issued to the nonresident in the nonresident's home state or country if  
driving in the class or classes identified on the home state license certificate, except those persons  
referred to in Part 6, Drivers' License Compact, of this chapter;
- 453 (f) driving under a learner permit in accordance with Section 53-3-210.5;
- 454 (g) driving with a temporary license certificate issued in accordance with Section 53-3-207; or
- 456 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.
- 457 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle motion  
control for a vehicle being towed by another motor vehicle upon a highway unless the human driver:
- 460 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor vehicle being  
towed; or
- 462 (b) is exempted under either Subsection (1)(b) or (1)(c).
- 463 (3)
- (a) A human driver may not drive a motor vehicle as a taxicab on a highway of this state unless the  
person has a valid class D driver license issued by the division.

465

## HB0136 compared with HB0136S04

(b) A human driver may not drive a motor vehicle as a private passenger carrier on a highway of this state unless the human driver has:

467 (i) a taxicab endorsement issued by the division on the human driver's license certificate; or

469 (ii) a commercial driver license with:

470 (A) a taxicab endorsement;

471 (B) a passenger endorsement; or

472 (C) a school bus endorsement.

473 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor vehicle as a private passenger carrier from regulation under other statutory and regulatory schemes, including:

476 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

477 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor Commission in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

480 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

483 (4)

(a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not operate:

485 (i) a motorcycle unless the human driver has a valid class D driver license and a motorcycle endorsement issued under this chapter;

487 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver license; or

489 (iii) a motor-driven cycle unless the human driver has a valid class D driver license and a motorcycle endorsement issued under this chapter.

491 (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required to have a motorcycle endorsement issued under this chapter.

493 (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102, is not required to have a valid class D driver license or a motorcycle endorsement issued under this chapter.

496 (d) An individual is not required to have a valid class D driver license if the person is:

497 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance with Section 41-6a-1115; or

499 (ii) operating an electric personal assistive mobility device, as defined in Section 41-6a-102, in accordance with Section 41-6a-1116.

501

## HB0136 compared with HB0136S04

- (e) A human driver operating an autocycle is not required to have a motorcycle endorsement issued under this chapter.
- 503 (5) An automated driving system as defined in Section 41-26-102.1 is not required to have a driver license.
- 505 (6)
- (a) As used in this Subsection (6), a "quick fingerprint" is a fingerprint, taken on a biometric device, that is:
- 507 (i) taken for the purpose of identifying an individual;
- 508 (ii) queried against {an-} the Automated Fingerprint Identification System, Bureau of Criminal Identification fingerprint database, National Crime Information Center database, or a similar fingerprint database system;
- 520 (iii) not added to or stored in the Automated Fingerprint Identification System, Bureau of Criminal Identification fingerprint database, National Crime Information Center database, or a similar fingerprint database system; and
- 523 (iv) accomplished in approximately 15 minutes or less.
- 524 (b) An individual without a driver license, driving privilege card, or learner permit that is lawfully subjected to a stop by a peace officer as described in Section 77-7-15 shall present another form of government-issued identification.
- 527 (c) Subject to Subsection (7), a peace officer shall take a quick fingerprint of an individual described in Subsection (6)(b) if:
- 529 (i) the peace officer is unable to verify that the individual has been issued a driving credential;
- 531 (ii) the individual does not provide a form of identification; or
- 532 (iii) the peace officer has reasonable suspicion to believe that the form of identification presented is fraudulent.
- 534 (d) Nothing in this Subsection (6) prohibits a peace officer from conducting a full fingerprint panel subject to a noncustodial booking.
- 536 (7) A peace officer is not required to comply with Subsection (6)(c) if the peace officer makes a reasonable determination that:
- 538 (a) doing so would create a safety concern for the driver or peace officer;
- 539 (b) doing so would prevent the peace officer from addressing other public safety considerations;
- 541 (c) the peace officer does not have adequate equipment to take a fingerprint;

## HB0136 compared with HB0136S04

- 542 (d) the driver is under 18 years old; or
- 543 (e) the peace officer would be unable to complete a fingerprint check due to lack of cellular service.
- 545 (8) A law enforcement agency shall ensure access to fingerprinting equipment to comply with  
Subsection (6) no later than January 1, 2028.
- 547 [(6)] (9)
- (a) { ~~Ĥ~~ → {} { ~~or a similar fingerprint database system~~ } {} ← ~~Ĥ~~ } ;
- 509 (iii) not added to or stored in the Automated Fingerprint Identification System { ~~Ĥ~~ → {} { ~~or a similar~~  
~~fingerprint database system~~ } {} ← ~~Ĥ~~ } ; and
- 510 (iv) { ~~accomplished in approximately 15 minutes or less.~~ }
- 511 ~~{(b)} {An individual without a driver license, driving privilege card, or learner permit that is lawfully~~  
~~subjected to a stop by a peace officer as described in Section 77-7-15 shall present another form of~~  
~~government-issued identification.}~~
- 514 ~~{(c)} {Subject to Subsection (7), a peace officer shall take a quick fingerprint of an individual described~~  
~~in Subsection (6)(b) if:~~ }
- 516 ~~{(i)} {the peace officer is unable to verify that the individual has been issued a driving credential;}~~
- 518 ~~{(ii)} {the individual does not provide a form of identification; or}~~
- 519 ~~{(iii)} {the peace officer has reasonable suspicion to believe that the form of identification presented is~~  
~~fraudulent.}~~
- 521 ~~{(d)} {Nothing in this Subsection (6) prohibits a peace officer from conducting a full fingerprint panel~~  
~~subject to a noncustodial booking.}~~
- 523 ~~{(7)} {A peace officer is not required to comply with Subsection (6)(c) if the peace officer makes a~~  
~~reasonable determination that:~~ }
- 525 ~~{(a)} {doing so would create a safety concern for the driver or peace officer;}~~
- 526 ~~{(b)} {doing so would prevent the peace officer from addressing other public safety considerations;}~~
- 528 ~~{(c)} {the peace officer does not have adequate equipment to take a fingerprint;}~~
- 529 ~~{(d)} {the driver is under 18 years old; or}~~
- 530 ~~{(e)} {the peace officer would be unable to complete a fingerprint check due to lack of cellular~~  
~~service.}~~
- 532 ~~{(8)} {A law enforcement agency shall ensure access to fingerprinting equipment to comply with~~  
~~Subsection (6) no later than January 1, 2028.}~~
- 534 ~~[(6)] (9)~~

## HB0136 compared with HB0136S04

{(a)} [A person] Except as described in Subsection (9)(b) and (9)(c), an individual who violates this section is guilty of { ~~an~~ } { } **an infraction** { } { a class C misdemeanor } { } { } .

536

(b)

(i) Except as provided in Subsection [~~(6)(d)~~] (9)(b)(iii), a person who violates Subsection (4)(a)(i) or (4)(a)(iii) is subject to a minimum fine of \$350.

538

[~~(e)~~] (ii) The fine described in Subsection [~~(6)(b)~~] (9)(b)(i) is in addition to any other fine for a violation of Title 41, Chapter 6a, Traffic Code, or a local ordinance related to the operation of the motorcycle.

541

[~~(d)~~] (iii)

[~~(i)~~] (A) A court shall waive the fine imposed under Subsection [~~(6)(b)~~] (9)(b)(i) if the person provides to the court within 30 days [of the date of the entry of a plea or sentencing, whichever is later] from the day on which the {person-} individual enters a plea, or within 30 days from the day on which the court imposes a sentence, whichever is later, proof that the person has been issued a motorcycle endorsement as provided in this chapter.

547

[~~(ii)~~] (B) A court may extend the 30-day time period described in Subsection [~~(6)(d)(i)~~] (9)(b)(iii)(A) for a reasonable time period for the person to obtain a motorcycle endorsement for good cause shown.

550

(c)

(i) An individual is guilty of a class B misdemeanor if, at the time of the offense, the individual has previously been convicted of a violation of this section.

552

(ii) In addition to the penalties described in Subsections (9)(a), (b), and (c)(i), an individual who violates this section is also subject to seizure of the vehicle as described in Section 41-1a-1101.

568

Section 4. Section **53-3-203** is amended to read:

569

**53-3-203. Authorizing or permitting driving in violation of chapter -- Renting of motor vehicles -- License requirements -- Employees must be licensed -- Violations.**

559

(1) A person may not authorize or knowingly permit a motor vehicle owned by the person or under the person's control to be driven by a person in violation of this chapter.

561

(2)

(a) A person may not rent a motor vehicle to another person unless the person who will be the driver is licensed in this state, or in the case of a nonresident, licensed under the laws of the state or country of [his-]residence.

564

(b) A person may not rent a motor vehicle to another person until the person:

## HB0136 compared with HB0136S04

- 565 (i) has inspected the license certificate of the person who will be the driver; and  
566 (ii) verified the signature on the license certificate by comparison with the signature of the person who  
will be the driver written in [his] the person's presence.
- 568 (c)
- (i) A person may verify the information described in Subsection (2)(b) for a subsequent vehicle rental  
through the use of an electronic system maintained by the person for the purposes of expediting the  
vehicle rental process.
- 571 (ii) The electronic system described in Subsection (2)(c)(i) may contain information voluntarily  
provided by the person who will be the driver including:
- 573 (A) information included on the driver license certificate; and  
574 (B) biometric information.
- 575 (d) A person renting a motor vehicle to another shall keep a record of the:
- 576 (i) registration number of the rented motor vehicle;  
577 (ii) name and address of the person to whom the motor vehicle is rented;  
578 (iii) number of the license certificate of the renter; and  
579 (iv) date and place the license certificate was issued.
- 580 (e) The record is open to inspection by [any] a peace officer or officer or employee of the division.
- 582 (3) A person may not employ a person to drive a motor vehicle who is not licensed as required under  
this chapter.
- 584 (4) A person who violates this section is guilty of an infraction[-] and subject to a minimum fine of  
\$500.

599 Section 5. Section 53-3-221 is amended to read:

600 **53-3-221. Offenses that may result in denial, suspension, disqualification, or revocation of  
license -- Additional grounds for suspension -- Point system for traffic violations -- Notice and  
hearing -- Reporting of traffic violation procedures.**

- 604 (1) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act, the division  
may deny, suspend, disqualify, or revoke the license or permit of any individual without receiving  
a record of the individual's conviction of crime when the division has been notified or has reason to  
believe the individual:
- 608 (a) has committed any offenses for which mandatory suspension or revocation of a license is required  
upon conviction under Section 53-3-220;

## HB0136 compared with HB0136S04

- 610 (b) has, by reckless [~~or unlawful~~] driving of a motor vehicle, caused or contributed to an accident  
resulting in death or injury to any other individual, or [~~serious~~] property damage;
- 613 (c) is incompetent to drive a motor vehicle or mobility vehicle or has a mental or physical disability  
rendering it unsafe for the individual to drive a motor vehicle or mobility vehicle upon the  
highways;
- 616 (d) has committed a serious violation of the motor vehicle laws of this state;
- 617 (e) has knowingly committed a violation of Section 53-3-229; or
- 618 (f) has been convicted of serious offenses against traffic laws governing the movement of motor  
vehicles with a frequency that indicates a disrespect for traffic laws and a disregard for the safety of  
other individuals on the highways.
- 621 (2)
- (a)
- (i) Except as provided in Subsection 53-3-218(3), and subject to Subsection (2)(a)(ii), the division  
may suspend a license of an individual under Subsection (1):
- 623 (A) when the individual has failed to comply with the terms stated on a traffic citation issued in  
this state; or
- 625 (B) if the division receives a notification from a court as described in Subsection 41-6a-509(11)  
(d) or 41-6a-517(13)(b).
- 627 (ii) This Subsection (2) does not apply to highway weight limit violations or violations of law  
governing the transportation of hazardous materials.
- 629 (b)
- (i) This Subsection (2) may not be exercised unless notice of the pending suspension of the driving  
privilege has been sent at least 30 days previously to the individual at the address provided to the  
division.
- 632 (ii) After clearance by the division, a report authorized by Section 53-3-104 may not contain any  
evidence of a suspension that occurred as a result of failure to comply with the terms stated on a  
traffic citation.
- 635 (3) Except as provided in Subsection 53-3-218(3), the division may not revoke, deny, suspend, or  
disqualify an individual's driver license based solely on:
- 637 (a) the individual's failure to appear;
- 638 (b) the individual's failure to pay an outstanding penalty accounts receivable; or

## HB0136 compared with HB0136S04

- 639 (c) the issuance of a bench warrant as a result of an event described in Subsection (3)(a) or (b).  
641 (4)  
(a) The division shall make rules establishing a point system as provided for in this Subsection (4).  
643 (b)  
(i) The division shall assign a number of points to each type of moving traffic violation as a measure of  
its seriousness.  
645 (ii) The points shall be based upon actual relationships between types of traffic violations and motor  
vehicle traffic accidents.  
647 (iii) Except as provided in Subsection (4)(b)(iv), the division may not assess points against an  
individual's driving record for a conviction of a traffic violation:  
649 (A) that occurred in another state; and  
650 (B) that was committed on or after July 1, 2011.  
651 (iv) The provisions of Subsection (4)(b)(iii) do not apply to:  
652 (A) a reckless or impaired driving violation or a speeding violation for exceeding the posted speed limit  
by 21 or more miles per hour; or  
654 (B) an offense committed in another state which, if committed within Utah, would result in the  
mandatory suspension or revocation of a license upon conviction under Section 53-3-220.  
657 (c) Every individual convicted of a traffic violation shall have assessed against the individual's driving  
record the number of points that the division has assigned to the type of violation of which the  
individual has been convicted, except that the number of points assessed shall be decreased by 10%  
if on the abstract of the court record of the conviction the court has graded the severity of violation  
as minimum, and shall be increased by 10% if on the abstract the court has graded the severity of  
violation as maximum.  
664 (d)  
(i) A separate procedure for assessing points for speeding offenses shall be established by the division  
based upon the severity of the offense.  
666 (ii) The severity of a speeding violation shall be graded as:  
667 (A) "minimum" for exceeding the posted speed limit by up to 10 miles per hour;  
668 (B) "intermediate" for exceeding the posted speed limit by 11 to 20 miles per hour; and  
670 (C) "maximum" for exceeding the posted speed limit by 21 or more miles per hour.  
671

## HB0136 compared with HB0136S04

- (iii) Consideration shall be made for assessment of no points on minimum speeding violations, except for speeding violations in school zones.
- 673 (e)
- (i) Points assessed against an individual's driving record shall be deleted for violations occurring before a time limit set by the division.
- 675 (ii) The time limit may not exceed three years.
- 676 (iii) The division may also delete points to reward violation-free driving for periods of time set by the division.
- 678 (f)
- (i) By publication in two newspapers having general circulation throughout the state, the division shall give notice of the number of points it has assigned to each type of traffic violation, the time limit set by the division for the deletion of points, and the point level at which the division will generally take action to deny or suspend under this section.
- 683 (ii) The division may not change any of the information provided above regarding points without first giving new notice in the same manner.
- 685 (5)
- (a)
- (i) If the division finds that the license of an individual should be denied, suspended, disqualified, or revoked under this section, the division shall immediately notify the licensee in a manner specified by the division and afford the individual an opportunity for a hearing in the county where the licensee resides.
- 690 (ii) The hearing shall be documented, and the division or its authorized agent may administer oaths, may issue subpoenas for the attendance of witnesses and the production of relevant books and papers, and may require a reexamination of the licensee.
- 694 (iii) One or more members of the division may conduct the hearing, and any decision made after a hearing before any number of the members of the division is as valid as if made after a hearing before the full membership of the division.
- 697 (iv) After the hearing the division shall either rescind or affirm its decision to deny, suspend, disqualify, or revoke the license.
- 699 (b) The denial, suspension, disqualification, or revocation of the license remains in effect pending qualifications determined by the division regarding an individual:

## HB0136 compared with HB0136S04

- 701 (i) whose license has been denied or suspended following reexamination;  
702 (ii) who is incompetent to drive a motor vehicle;  
703 (iii) who is afflicted with mental or physical infirmities that might make the individual dangerous on the  
highways; or  
705 (iv) who may not have the necessary knowledge or skill to drive a motor vehicle safely.  
707 (6)  
(a) Subject to Subsection (6)(d), the division shall suspend an individual's license when the division  
receives notice from the Office of Recovery Services that the Office of Recovery Services has  
ordered the suspension of the individual's license.  
710 (b) A suspension under Subsection (6)(a) shall remain in effect until the division receives notice from  
the Office of Recovery Services that the Office of Recovery Services has rescinded the order of  
suspension.  
713 (c) After an order of suspension is rescinded under Subsection (6)(b), a report authorized by Section  
53-3-104 may not contain any evidence of the suspension.  
715 (d)  
(i) If the division suspends an individual's license under this Subsection (6), the division shall, upon  
application, issue a temporary limited driver license to the individual if that individual needs a driver  
license for employment, education, or child visitation.  
719 (ii) The temporary limited driver license described in this section:  
720 (A) shall provide that the individual may operate a motor vehicle only for the purpose of driving to or  
from the individual's place of employment, education, or child visitation;  
723 (B) shall prohibit the individual from driving a motor vehicle for any purpose other than a purpose  
described in Subsection (6)(d)(ii)(A); and  
725 (C) shall expire 90 days after the day on which the temporary limited driver license is issued.  
727 (iii)  
(A) During the period beginning on the day on which a temporary limited driver license is issued under  
this Subsection (6), and ending on the day that the temporary limited driver license expires, the  
suspension described in this Subsection (6) only applies if the individual who is suspended operates  
a motor vehicle for a purpose other than employment, education, or child visitation.  
732 (B) Upon expiration of a temporary limited driver license described in this Subsection (6)(d):  
734

## HB0136 compared with HB0136S04

- (I) a suspension described in Subsection (6)(a) shall be in full effect until the division receives notice, under Subsection (6)(b), that the order of suspension is rescinded; and
- 737 (II) an individual suspended under Subsection (6)(a) may not drive a motor vehicle for any reason.
- 739 (iv) The division is not required to issue a limited driver license to an individual under this Subsection (6)(d) if there are other legal grounds for the suspension of the individual's driver license.
- 742 (v) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to implement the provisions of this part.
- 744 (7)
- (a) The division may suspend or revoke the license of any resident of this state upon receiving notice of the conviction of that individual in another state of an offense committed there that, if committed in this state, would be grounds for the suspension or revocation of a license.
- 748 (b) The division may, upon receiving a record of the conviction in this state of a nonresident driver of a motor vehicle or motorboat of any offense under the motor vehicle laws of this state, forward a certified copy of the record to the motor vehicle administrator in the state where the individual convicted is a resident.
- 752 (8)
- (a) The division may suspend or revoke the license of any nonresident to drive a motor vehicle in this state for any cause for which the license of a resident driver may be suspended or revoked.
- 755 (b) Any nonresident who drives a motor vehicle upon a highway when the individual's license has been suspended or revoked by the division is guilty of a class C misdemeanor.
- 758 (9)
- (a) The division may not deny or suspend the license of any individual for a period of more than one year except:
- 760 (i) for failure to comply with the terms of a traffic citation under Subsection (2);
- 761 (ii) upon receipt of a second or subsequent order suspending juvenile driving privileges under Section 53-3-219;
- 763 (iii) when extending a denial or suspension upon receiving certain records or reports under Subsection 53-3-220(2);
- 765 (iv) for failure to give and maintain owner's or operator's security under Section 41-12a-411;
- 767 (v) when the division suspends the license under Subsection (6); or
- 768 (vi) when the division denies the license under Subsection (14).

## HB0136 compared with HB0136S04

- 769 (b) The division may suspend the license of an individual under Subsection (2) until the individual  
shows satisfactory evidence of compliance with the terms of the traffic citation.
- 772 (10)
- (a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act, the division  
may suspend the license of any individual without receiving a record of the individual's conviction  
for a crime when the division has reason to believe that the individual's license was granted by the  
division through error or fraud or that the necessary consent for the license has been withdrawn or is  
terminated.
- 777 (b) The procedure upon suspension is the same as under Subsection (5), except that after the hearing the  
division shall either rescind its order of suspension or cancel the license.
- 780 (11)
- (a) The division, having good cause to believe that a licensed driver is incompetent or otherwise not  
qualified to be licensed, may upon notice in a manner specified by the division of at least five days  
to the licensee require the licensee to submit to an examination.
- 784 (b) Upon the conclusion of the examination the division may suspend or revoke the individual's license,  
permit the individual to retain the license, or grant a license subject to a restriction imposed in  
accordance with Section 53-3-208.
- 787 (c) Refusal or neglect of the licensee to submit to an examination is grounds for suspension or  
revocation of the licensee's license.
- 789 (12)
- (a) Except as provided in Subsection (12)(b), a report authorized by Section 53-3-104 may not contain  
any evidence of a conviction for speeding on an interstate system in this state if the conviction  
was for a speed of 10 miles per hour or less, above the posted speed limit and did not result in an  
accident, unless authorized in a manner specified by the division by the individual whose report is  
being requested.
- 794 (b) The provisions of Subsection (12)(a) do not apply for:
- 795 (i) a CDIP or CDL license holder; or
- 796 (ii) a violation that occurred in a commercial motor vehicle.
- 797 (13)
- (a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act, the division  
may suspend the license of an individual if it has reason to believe that the individual is the owner of

## HB0136 compared with HB0136S04

a motor vehicle for which security is required under Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act, and has driven the motor vehicle or permitted it to be driven within this state without the security being in effect.

- 803 (b) The division may suspend a driving privilege card holder's driving privilege card if the division  
receives notification from the Motor Vehicle Division that:
- 805 (i) the driving privilege card holder is the registered owner of a vehicle; and
- 806 (ii) the driving privilege card holder's vehicle registration has been revoked under Subsection  
41-1a-110(2)(a)(ii)(A).
- 808 (c) Section 41-12a-411 regarding the requirement of proof of owner's or operator's security applies to  
individuals whose driving privileges are suspended under this Subsection (13).
- 811 (14) The division may deny an individual's license if the individual fails to comply with the requirement  
to downgrade the individual's CDL to a class D license under Section 53-3-409 or 53-3-410.1.
- 814 (15) The division may deny an individual's class A, B, C, or D license if the individual fails to comply  
with the requirement to have a K restriction removed from the individual's license.
- 817 (16) Any suspension or revocation of an individual's license under this section also disqualifies any  
license issued to that individual under Part 4, Uniform Commercial Driver License Act.

820 Section 6. Section 53-25-802 is amended to read:

821 **53-25-802. Portable biometric capture method requirement.**

- 822 (1) Beginning January 1, [~~2027~~] 2028, a law enforcement agency shall ensure that every law  
enforcement officer who is on duty outside of the law enforcement agency's facility is supplied with  
a portable biometric capture device.
- 825 (2)
- (a) A software vendor that allows a law enforcement agency to file a citation electronically as described  
in Section 77-7-20 shall ensure that the software vendor's software is capable of submitting  
biometric data captured by a portable biometric device electronically to the court's electronic filing  
interface.
- 829 (b) A software vendor shall ensure that the connection described in Subsection (2)(a) is operational  
within one year of the criminal justice agency's system that uses the software service becoming  
active.
- 832 (3) A software service is subject to Subsection (2) if the software service:
- 833 (a) is for use by a criminal justice agency within the state's criminal justice system; and

## HB0136 compared with HB0136S04

834 (b) collects and stores data required by statute to be reported to the department.

835 Section 7. Section **63I-2-241** is amended to read:

836 **63I-2-241. Repeal dates: Title 41.**

[Reserved.]Subsection 41-6a-1406(4)(d), regarding impound report requirements, is repealed January 1, 2027.

839 Section 8. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-24-26 12:49 PM