

HB0464S02 compared with HB0464S03

19 AMENDS:

20 **53-3-210.5** , as last amended by Laws of Utah 2025, Chapter 242

21 **53-3-211** , as last amended by Laws of Utah 2008, Chapter 314

22 **53-3-505.5** , as last amended by Laws of Utah 2018, Chapter 415

23 **53G-10-508** , as last amended by Laws of Utah 2021, Chapter 247

24 ENACTS:

25 **53G-10-509** , Utah Code Annotated 1953

26

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

28 Section 1. Section **53-3-210.5** is amended to read:

29 **53-3-210.5. Learner permit.**

30 (1) The division, upon receiving an application for a learner permit, may issue a learner permit effective
for 18 months to an applicant who is at least 15 years old.

32 (2)

(a) The learner permit entitles an applicant that is 18 years old or older to operate a class D motor
vehicle only if [~~a person~~] an individual 21 years old or older who is a licensed driver is occupying a
seat beside the applicant.

35 (b) The learner permit entitles an applicant that is younger than 18 years old to operate a class D motor
vehicle only if:

37 (i) an approved driving instructor is occupying a seat beside the applicant;

38 (ii) the applicant's parent or legal guardian, who must be a licensed driver, is occupying a seat beside
the applicant;

40 (iii) a responsible adult who has signed for the applicant under Section 53-3-211 and who must be a
licensed driver, is occupying a seat beside the applicant; or

42 (iv) a responsible individual 21 years old or older who is not the parent or legal guardian is occupying a
seat beside the applicant and:

44 (A) the parent or legal guardian is not a licensed driver;

45 (B) the individual occupying the seat beside the applicant has in the individual's immediate possession
evidence that the individual is authorized by the parent or legal guardian to accompany the applicant
while operating the motor vehicle; and

49 (C) the individual occupying the seat beside the applicant is a licensed driver.

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- 50 (c) The applicant shall have the learner permit in the applicant's immediate possession while operating
the motor vehicle.
- 52 (3) The division shall issue a learner permit to an applicant who:
- 53 (a) is at least 15 years old;
- 54 (b) has passed the knowledge test required by the division;
- 55 (c) has passed the physical and mental fitness tests; and
- 56 (d) has submitted a nonrefundable fee for a learner permit under Section 53-3-105.
- 57 (4)
- (a) The division shall supply the learner permit form.
- 58 (b) The form under Subsection (4)(a) shall include:
- 59 (i) the applicant's full name, date of birth, sex, Utah residence address, height, weight, and eye color;
- 61 (ii) the date of issuance and expiration of the permit; and
- 62 (iii) the conditions and restrictions contained in this section for operating a class D motor vehicle.
- 64 (5) An application and fee for a learner permit entitle the applicant to:
- 65 (a) not more than three attempts to pass the knowledge test for a class D license within one year; and
- 67 (b) a learner permit after the knowledge test is passed.
- 68 (6)
- (a) If an applicant has been issued a learner permit under this section or an equivalent by another state
or branch of the United States Armed Forces, the applicant may be issued an original or provisional
class D license from the division upon:
- 71 (i) completing a driver education course~~[-in a]~~:
- 72 (A) in a commercial driver training school licensed under Part 5, Commercial Driver Training Schools
Act;~~[-or]~~
- 74 (B) in a driver education program approved by the State Board of Education or the division; or
- 76 (C) with the applicant's parent as described in Section 53G-10-509;
- 77 (ii) passing a knowledge test approved by the division that complies with the requirement of
Subsection (6)(d);
- 79 (iii) passing the skills test approved by the division;
- 80 (iv) reaching 16 years old; and
- 81 (v) paying the nonrefundable fee for an original or provisional class D license application under
Section 53-3-105.

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- 83 (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17 years old or younger
is required to hold a learner permit for six months before applying for a provisional class D license.
- 86 (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the applicant:
- 88 (i) is 19 years old or older;
- 89 (ii) holds a learner permit for three months before applying for an original class D license; and
- 91 (iii) certifies that the applicant, under the authority of a permit issued under this chapter, has completed
at least 40 hours of driving a motor vehicle, of which at least 10 hours were completed during night
hours after sunset.
- 94 (d) Fifty percent of the test questions included in the knowledge test required under Subsection (6)(a)(ii)
shall cover the topic of major causes of traffic related deaths as identified in statistics published by
the Highway Safety Office.

97 Section 2. Section **53-3-211** is amended to read:

98 **53-3-211. Application of minors -- Liability of person signing application -- Cancellation of
cosigning adult's liability -- Behind-the-wheel driving certification.**

- 100 (1) As used in this section, "minor" means any [~~person~~] individual younger than 18 years [~~of age~~] old
who is not married or has not been emancipated by adjudication.
- 102 (2)
- (a) The application of a minor for a learner permit or provisional license shall be signed by the parent or
guardian of the applicant.
- 104 (b) If the minor applicant does not have a parent or guardian or is in the legal custody of the Division
of Child and Family Services, then a parent or responsible adult who is willing to assume the
obligation imposed under this chapter may sign the application.
- 107 (3)
- (a) Except as provided in Subsection (4), the liability of a minor for civil compensatory damages caused
when operating a motor vehicle upon a highway is imputed to the [~~person~~] individual who has
signed the application of the minor under Subsection (2).
- 111 (b) The [~~person~~] individual who has signed the application under Subsection (2) is jointly and severally
liable with the minor as provided in Subsections (3)(a) and (c).
- 113 (c) The liability imposed under Subsections (3)(a) and (b) is limited to the policy minimum limits
established in Section 31A-22-304.

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(d) The liability provisions in this Subsection (3) are in addition to the liability provisions in Section 53-3-212.

117 (4)

(a) If owner's or operator's security covering the minor's operation of the motor vehicle is in effect in amounts as required under Section 31A-22-304, the ~~[person]~~ individual who signed the minor's application under Subsection (2) is not subject to the liability imposed under Subsection (3).

121 (b) Notwithstanding the requirement under Subsection (3), if a foster parent signs an application under Subsection (2) for a minor who is in the legal custody of the Division of Child and Family Services and who resides with the foster parent, the foster parent's liability may not exceed the greater of:

125 (i) minimum liability insurance policy limits established under Section 31A-22-304; or

127 (ii) the policy limits of the foster parent's liability insurance policy issued in accordance with Section 31A-22-302 that were in effect at the time damages were caused by the minor's operation of a motor vehicle.

130 (5)

(a) ~~[A person]~~ An individual who has signed the application of a minor under Subsection (2) may file with the division a verified written request that the permit or license of the minor be canceled.

133 (b) The division shall then cancel the permit or license of the minor, and the ~~[person]~~ individual who signed the application of the minor under Subsection (2) is relieved from the liability imposed under Subsection (3) or the minor operating a motor vehicle subsequent to the cancellation.

137 (6)

(a) The division upon receipt of satisfactory evidence of the death of the ~~[person]~~ individual who signed the application of a minor under Subsection (2) shall cancel the permit or license and may not issue a new permit or license until a new application, signed and verified, is made under this chapter.

141 (b) This Subsection (6) does not apply to an application of ~~[a person]~~ an individual who is no longer a minor.

143 (7)

(a) In addition to the liability assumed under this section, the ~~[person]~~ individual who signs the application of a minor for a provisional license must certify that, under the authority of a permit issued under this chapter, the minor applicant~~[, under the authority of a permit issued under this chapter, has]~~ :

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(i) completed at least 40 hours of driving a motor vehicle, of which at least 10 hours shall be during night hours after sunset[-] ; and

149 (ii) if the minor applicant completed driver education requirements with a parent as described in Section 53G-10-509, attended a Zero Fatalities Parent-Teen Night provided by the Department of Transportation with a parent, either virtually or in person.

153 (b) The hours of driving a motor vehicle required under Subsection (7)(a) may include:

154 (i) hours completed in a driver education course as required under Subsection 53-3-505.5(1); and

156 (ii) up to five hours completed by driving simulation practice on a fully interactive driving simulation device at the substitution rate provided under Subsection 53-3-505.5(2)(b).

159 (8)

(a) The individual signing the application form described in Subsection (7)(a) shall indicate if the applicant intends to complete the driver education course requirement with the applicant's parent as described in Section 53G-10-509.

162 (b) If an applicant's parent as defined in Section 53G-10-509 signs the form indicating that the applicant will complete the driver education course requirement as described in Subsection (8)(a), the division shall inform the parent that parent-taught driver education resources as described in Subsection {53G-10-508(2)(b)} 53G-10-508(2) are available from a local education agency.

167 (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules creating and managing:

169 (a) a form allowing a parent instructing a child in driver education as described in Section 53G-10-509 to track the child's driving hours as described in Subsections 53G-10-509(3)(a), (b), and (c);

172 (b) a process of scanning and recording the driving hours form described in Subsection (9)(a); and

174 (c) other processes or forms necessary to implement parent-taught driver education as described in Section 53G-10-509.

176 Section 3. Section **53-3-505.5** is amended to read:

177 **53-3-505.5. Behind-the-wheel training requirements.**

169 (1) Except as provided under Subsection (2) and Section 53G-3-509, a driver education course under this part or Title 53G, Chapter 10, Part 5, Driver Education Classes, that is used to satisfy the driver training requirement under Section 53-3-204 shall require each student to complete at least six hours of behind-the-wheel driving a dual-control motor vehicle with a certified instructor seated in the front seat next to the student driver.

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- 174 (2) Up to three hours of the behind-the-wheel driving may be substituted as follows:
- 175 (a) two hours of range driving on an approved driving range under Section 53G-10-502 equals one hour
of the behind-the-wheel driving required under Subsection (1);
- 177 (b) two hours of driving simulation practice on a driving simulation device that is fully interactive as
set forth in rules made under Section 53-3-505, equals one hour of the behind-the-wheel driving
required under Subsection (1); and
- 180 (c) four hours of driving simulation practice on a driving simulation device that is not fully interactive
as set forth in rules made under Section 53-3-505, equals one hour of the behind-the-wheel driving
required under Subsection (1), with a maximum of one hour of the behind-the-wheel driving
required under Subsection (1) that may be substituted under this Subsection (2)(c).
- 185 (3) The behind-the-wheel driving required under Subsection (1) shall include, if feasible, driving on
interstate and other multilane highways.

196 Section 4. Section **53G-10-508** is amended to read:

197 **53G-10-508. Programs authorized -- Minimum standards.**

189 (1) A local education agency may:

190 [~~(a) allow a student to complete the classroom training portion of driver education through home study;~~]

192 [~~(b) provide each parent with driver education instructional materials to assist in parent involvement
with driver education including behind-the-wheel driving materials;~~]

194 [~~(e)~~] (a) offer driver education outside of school hours in order to reduce the cost of providing driver
education;

196 [~~(d)~~] (b) offer driver education through community education programs;

197 [~~(e)~~] (c) offer the classroom portion of driver education in the public schools and allow the student to
complete the behind-the-wheel portion with a private provider:

199 (i) licensed under Section 53-3-504; and

200 (ii) not associated with the school or under contract with the school under Subsection 53G-10-503(3); or

202 [~~(f)~~] (d) offer any combination of Subsections (1)(a) through [~~(e)~~]; (c).

203 (2) A local education agency shall ~~{:~~ allow a student to complete the classroom training portion of
driver education through home study.

214 [(2)] (3) { ~~allow a student to complete the classroom training portion of driver education through home
study; and~~ }

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~~{(b)} {upon request, provide a parent with driver education instructional materials to assist in parent involvement with driver education including behind-the-wheel driving materials without cost to the parent.}~~

209 ~~{(2)}{(3)}~~ In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall establish in rule minimum standards for the school-related programs under ~~[Subsection (1):]~~ Subsections (1) and (2).

217 Section 5. Section **5** is enacted to read:

218 **53G-10-509. Parents as driver education instructors.**

214 (1) As used in this section:

215 (a) "Driver education requirement" means the requirement for driver education described in Subsection 53-3-204(1)(a)(ii).

217 (b) "Observation time" means an individual observing another individual's operation of a motor vehicle while the operator:

219 (i) follows all traffic laws;

220 (ii) comments out loud about driving behaviors and decisions made to safely operate a motor vehicle;
and

222 (iii) answers the observing individual's questions about the safe operation of a motor vehicle.

224 (c) "Parent" means an individual's parent, stepparent, grandparent, foster parent, or legal guardian.

226 (2) A local education agency, in connection with the Driver License Division, shall provide material as described in Section 53G-10-508 to a parent to allow the parent to provide instruction for a driver education requirement for the parent's own child or grandchild.

229 (3) ~~{A}~~ In addition to the 40 hours of required driving as described in Subsection 53-3-211(7), a parent providing instruction for a driver education requirement for an individual shall:

230 (a) sit beside the individual during all driving hours completed by the individual to fulfill behind-the-wheel driving hours requirements as described in Section 53-3-505.5;

232 ~~{(b)} {complete 40 hours total of supervised driving time with the individual;}~~

233 ~~{(c)} {complete 10 of the hours described in Subsection (3)(b) at night;}~~

234 (d) ~~{(b)}~~ complete six hours of observation time with the individual; and

235 (e) ~~{(c)}~~ complete classroom instruction time requirements as described in Section 53G-10-502.

237 (4) An individual completing a driver education requirement by parent instruction:

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(a) is not required to use a dual-control motor vehicle as described in Section 53-3-505.5 to complete the driving hours requirement as described in Subsection (3)(a);

240 (b) may complete the six hours of behind-the-wheel driving as described in Section 53-3-505.5 with a parent; and

242 (c) shall complete the driving hours and observation hours requirements described in Subsection (3).

244 (5) An individual's parent may provide instruction for a driver education requirement for the individual if the individual's parent:

246 (a) has a valid class D driver license;

247 (b) states on the form described in Subsection 53-3-211(8) that the driver education requirement was fulfilled by parent instruction; and

249 (c) attends with the individual, in-person or virtually, a Zero Fatalities Parent-Teen Night provided by the Department of Transportation.

255 Section 6. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-19-26 7:57 AM