

Karen Kwan proposes the following substitute bill:

Driver Training Schools for Commercial Driver License Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: Don L. Ipson

LONG TITLE

General Description:

This bill addresses driver training schools for commercial driver license (CDL) applicants.

Highlighted Provisions:

This bill:

- requires a CDL applicant to sign a form attesting to the applicant's English language ability;
 - requires reporting regarding CDL driver training schools;
 - allows the Driver License Division to make rules regarding the qualification of a representative signing an English attestation form on behalf of a CDL training school;
- and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 53-3-204**, as last amended by Laws of Utah 2021, Chapter 262
- 53-3-205**, as last amended by Laws of Utah 2025, Chapter 291
- 53-3-407**, as last amended by Laws of Utah 2022, Chapter 46
- 53-3-407.1**, as enacted by Laws of Utah 2013, Chapter 411
- 53-3-410**, as last amended by Laws of Utah 2016, Chapter 175

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

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

29 **53-3-204 . Persons who may not be licensed.**

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

31 (i) is younger than 16 years old;

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

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

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

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

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

39 (v) is not a resident of the state, unless the person[?]

40 [~~(A) is issued a temporary CDL under Subsection 53-3-407(2)(b) prior to July 1,~~
41 ~~2015; or]~~42 [~~(B)] qualifies for a non-domiciled CDL as defined in 49 C.F.R. Part 383;~~43 (vi) if the person is 17 years old or younger, has not held a learner permit issued
44 under Section 53-3-210.5 or an equivalent by another state or branch of the United
45 States Armed Forces for six months; or

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

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

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

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

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

52 (a) whose license has been suspended, denied, cancelled, or disqualified during the
53 period of suspension, denial, cancellation, or disqualification;

54 (b) whose privilege has been revoked, except as provided in Section 53-3-225;

55 (c) who has previously been adjudged mentally incompetent and who has not at the time
56 of application been restored to competency as provided by law;57 (d) who is required by this chapter to take an examination unless the person successfully
58 passes the examination;

59 (e) whose driving privileges have been denied or suspended under:

60 (i) Section 80-6-707 by an order of the juvenile court; or

61 (ii) Section 53-3-231; or

62 (f) beginning on or after July 1, 2012, who holds an unexpired Utah identification card

- 63 issued under Part 8, Identification Card Act, unless:
- 64 (i) the Utah identification card is canceled; and
- 65 (ii) if the Utah identification card is in the person's possession, the Utah identification
- 66 card is surrendered to the division.
- 67 (3)(a) Except as provided in Subsection (3)(c), the division may not grant a motorcycle
- 68 endorsement to a person who:
- 69 (i) has not been granted an original or provisional class D license, a CDL, or an
- 70 out-of-state equivalent to an original or provisional class D license or a CDL; and
- 71 (ii) if the person is under 19 years old, has not held a motorcycle learner permit for
- 72 two months unless Subsection (3)(b) applies.
- 73 (b) The division may waive the two month motorcycle learner permit holding period
- 74 requirement under Subsection (3)(a)(ii) if the person proves to the satisfaction of the
- 75 division that the person has completed a motorcycle rider education program that
- 76 meets the requirements under Section 53-3-903.
- 77 (c) The division may grant a motorcycle endorsement to a person under 19 years old
- 78 who has not held a motorcycle learner permit for two months if the person was issued
- 79 a motorcycle endorsement prior to July 1, 2008.
- 80 (4) The division may grant a class D license to a person whose commercial license is
- 81 disqualified under Part 4, Uniform Commercial Driver License Act, if the person is not
- 82 otherwise sanctioned under this chapter.

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

84 **53-3-205 . Application for license or endorsement -- Fee required -- Tests --**

85 **Expiration dates of licenses and endorsements -- Information required -- Previous**

86 **licenses surrendered -- Driving record transferred from other states -- Reinstatement --**

87 **Fee required -- License agreement.**

- 88 (1) An application for an original license, provisional license, or endorsement shall be:
- 89 (a) made upon a form furnished by the division; and
- 90 (b) accompanied by a nonrefundable fee set under Section 53-3-105.
- 91 (2) An application and fee for an original provisional class D license or an original class D
- 92 license entitle the applicant to:
- 93 (a) not more than three attempts to pass both the knowledge and the skills tests for a
- 94 class D license within six months after the date of the application;
- 95 (b) a learner permit if needed pending completion of the application and testing process;
- 96 and

- 97 (c) an original class D license and license certificate after all tests are passed and
98 requirements are completed.
- 99 (3) An application and fee for a motorcycle or taxicab endorsement entitle the applicant to:
100 (a) not more than three attempts to pass both the knowledge and skills tests within six
101 months after the date of the application;
102 (b) a motorcycle learner permit after the motorcycle knowledge test is passed; and
103 (c) a motorcycle or taxicab endorsement when all tests are passed.
- 104 (4) An application for a commercial class A, B, or C license entitles the applicant to:
105 (a) not more than two attempts to pass a knowledge test when accompanied by the fee
106 provided in Subsection 53-3-105(18);
107 (b) not more than two attempts to pass a skills test when accompanied by a fee in
108 Subsection 53-3-105(19) within six months after the date of application;
109 (c) both a commercial driver instruction permit and a temporary license permit for the
110 license class held before the applicant submits the application if needed after the
111 knowledge test is passed; and
112 (d) an original commercial class A, B, or C license and license certificate when all
113 applicable tests are passed.
- 114 (5) An application and fee for a CDL endorsement entitle the applicant to:
115 (a) not more than two attempts to pass a knowledge test and not more than two attempts
116 to pass a skills test within six months after the date of the application; and
117 (b) a CDL endorsement when all tests are passed.
- 118 (6)(a) If a CDL applicant does not pass a knowledge test, skills test, or an endorsement
119 test within the number of attempts provided in Subsection (4) or (5), each test may be
120 taken two additional times within the six months for the fee provided in Section
121 53-3-105.
- 122 (b)(i) An out-of-state resident who holds a valid CDIP issued by a state or
123 jurisdiction that is compliant with 49 C.F.R. Part 383 may take a skills test
124 administered by the division if the out-of-state resident pays the fee provided in
125 Subsection 53-3-105(19).
- 126 (ii) The division shall:
127 (A) electronically transmit skills test results for an out-of-state resident to the
128 licensing agency in the state or jurisdiction in which the out-of-state resident
129 has obtained a valid CDIP; and
130 (B) provide the out-of-state resident with documentary evidence upon successful

- 131 completion of the skills test.
- 132 (7)(a)(i) Except as provided under Subsections (7)(a)(ii), (f), and (g), an original class
133 D license expires on the birth date of the applicant in the eighth year after the year
134 the license certificate was issued.
- 135 (ii) An original provisional class D license expires on the birth date of the applicant
136 in the fifth year following the year the license certificate was issued.
- 137 (iii) Except as provided in Subsection (7)(f), a limited term class D license expires on
138 the birth date of the applicant in the fifth year the license certificate was issued.
- 139 (b) Except as provided under Subsections (7)(f) and (g), a renewal or an extension to a
140 license expires on the birth date of the licensee in the eighth year after the expiration
141 date of the license certificate renewed or extended.
- 142 (c) Except as provided under Subsections (7)(f) and (g), a duplicate license expires on
143 the same date as the last license certificate issued.
- 144 (d) An endorsement to a license expires on the same date as the license certificate
145 regardless of the date the endorsement was granted.
- 146 (e)(i) A regular license certificate and an endorsement to the regular license
147 certificate held by an individual described in Subsection (7)(e)(ii), that expires
148 during the time period the individual is stationed outside of the state, is valid until
149 90 days after the individual's orders are terminated, the individual is discharged, or
150 the individual's assignment is changed or terminated, unless:
- 151 (A) the license is suspended, disqualified, denied, or has been cancelled or
152 revoked by the division; or
- 153 (B) the licensee updates the information or photograph on the license certificate.
- 154 (ii) The provisions in Subsection (7)(e)(i) apply to an individual:
- 155 (A) ordered to active duty and stationed outside of Utah in any of the armed forces
156 of the United States;
- 157 (B) who is an immediate family member or dependent of an individual described
158 in Subsection (7)(e)(ii)(A) and is residing outside of Utah;
- 159 (C) who is a civilian employee of the United States State Department or United
160 States Department of Defense and is stationed outside of the United States; or
- 161 (D) who is an immediate family member or dependent of an individual described
162 in Subsection (7)(e)(ii)(C) and is residing outside of the United States.
- 163 (f)(i) Except as provided in Subsection (7)(f)(ii), a limited-term license certificate or
164 a renewal to a limited-term license certificate expires:

- 165 (A) on the expiration date of the period of time of the individual's authorized stay
166 in the United States or on the date provided under this Subsection (7),
167 whichever is sooner; or
- 168 (B) on the date of issuance in the first year following the year that the limited-term
169 license certificate was issued if there is no definite end to the individual's
170 period of authorized stay.
- 171 (ii) A limited-term license certificate or a renewal to a limited-term license certificate
172 issued to an approved asylee or a refugee expires on the birth date of the applicant
173 in the fifth year following the year that the limited-term license certificate was
174 issued.
- 175 (g) A driving privilege card issued or renewed under Section 53-3-207 expires on the
176 birth date of the applicant in the first year following the year that the driving privilege
177 card was issued or renewed.
- 178 (8)(a) In addition to the information required by Title 63G, Chapter 4, Administrative
179 Procedures Act, for requests for agency action, an applicant shall:
- 180 (i) provide:
- 181 (A) the applicant's full legal name;
- 182 (B) the applicant's birth date;
- 183 (C) the applicant's sex;
- 184 (D)(I) documentary evidence of the applicant's valid social security number;
- 185 (II) written proof that the applicant is ineligible to receive a social security
186 number;
- 187 (III) the applicant's temporary identification number [~~(ITIN)~~] issued by the
188 Internal Revenue Service for an individual who:
- 189 (Aa) does not qualify for a social security number; and
190 (Bb) is applying for a driving privilege card; or
- 191 (IV) other documentary evidence approved by the division;
- 192 (E) the applicant's Utah residence address as documented by a form or forms
193 acceptable under rules made by the division under Section 53-3-104~~[- unless~~
194 ~~the application is for a temporary CDL issued under Subsection 53-3-407(2)(b)];~~
195 and
- 196 (F) fingerprints, or a fingerprint confirmation form described in Subsection
197 53-3-205.5(1)(a)(ii), and a photograph in accordance with Section 53-3-205.5
198 if the applicant is applying for a driving privilege card;

- 199 (ii) provide evidence of the applicant's lawful presence in the United States by
200 providing documentary evidence:
- 201 (A) that the applicant is:
- 202 (I) a United States citizen;
- 203 (II) a United States national; or
- 204 (III) a legal permanent resident alien; or
- 205 (B) of the applicant's:
- 206 (I) unexpired immigrant or nonimmigrant visa status for admission into the
207 United States;
- 208 (II) pending or approved application for asylum in the United States;
- 209 (III) admission into the United States as a refugee;
- 210 (IV) pending or approved application for temporary protected status in the
211 United States;
- 212 (V) approved deferred action status;
- 213 (VI) pending application for adjustment of status to legal permanent resident or
214 conditional resident; or
- 215 (VII) conditional permanent resident alien status;
- 216 (iii) provide a description of the applicant;
- 217 (iv) state whether the applicant has previously been licensed to drive a motor vehicle
218 and, if so, when and by what state or country;
- 219 (v) state whether the applicant has ever had a license suspended, cancelled, revoked,
220 disqualified, or denied in the last 10 years, or whether the applicant has ever had a
221 license application refused, and if so, the date of and reason for the suspension,
222 cancellation, revocation, disqualification, denial, or refusal;
- 223 (vi) state whether the applicant intends to make an anatomical gift under Title 26B,
224 Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, in compliance with
225 Subsection (15);
- 226 (vii) state whether the applicant is required to register as a sex offender, kidnap
227 offender, or child abuse offender, in accordance with Title 53, Chapter 29, Sex,
228 Kidnap, and Child Abuse Offender Registry;
- 229 (viii) state whether the applicant is a veteran of the United States military, provide
230 verification that the applicant was granted an honorable or general discharge from
231 the United States Armed Forces, and state whether the applicant does or does not
232 authorize sharing the information with the Department of Veterans and Military

- 233 Affairs;
- 234 (ix) provide all other information the division requires; and
- 235 (x) sign the application which signature may include an electronic signature as
- 236 defined in Section 46-4-102.
- 237 (b) Unless the applicant provides acceptable verification of homelessness as described in
- 238 rules made by the division, an applicant shall have a Utah residence address~~[-, unless~~
- 239 ~~the application is for a temporary CDL issued under Subsection 53-3-407(2)(b)].~~
- 240 (c) An applicant shall provide evidence of lawful presence in the United States in
- 241 accordance with Subsection (8)(a)(ii), unless the application is for a driving privilege
- 242 card.
- 243 (d) The division shall maintain on the division's computerized records an applicant's:
- 244 (i)(A) social security number;
- 245 (B) temporary identification number~~[-(ITIN)]~~; or
- 246 (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies;
- 247 and
- 248 (ii) indication whether the applicant is required to register as a sex offender, kidnap
- 249 offender, or child abuse offender in accordance with Title 53, Chapter 29, Sex,
- 250 Kidnap, and Child Abuse Offender Registry.
- 251 (9) The division shall require proof of an applicant's name, birth date, and birthplace by at
- 252 least one of the following means:
- 253 (a) current license certificate;
- 254 (b) birth certificate;
- 255 (c) Selective Service registration; or
- 256 (d) other proof, including church records, family Bible notations, school records, or
- 257 other evidence considered acceptable by the division.
- 258 (10)(a) Except as provided in Subsection (10)(c), if an applicant receives a license in a
- 259 higher class than what the applicant originally was issued:
- 260 (i) the license application is treated as an original application; and
- 261 (ii) license and endorsement fees is assessed under Section 53-3-105.
- 262 (b) An applicant that receives a downgraded license in a lower license class during an
- 263 existing license cycle that has not expired:
- 264 (i) may be issued a duplicate license with a lower license classification for the
- 265 remainder of the existing license cycle; and
- 266 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a

- 267 duplicate license is issued under Subsection (10)(b)(i).
- 268 (c) An applicant who has received a downgraded license in a lower license class under
269 Subsection (10)(b):
- 270 (i) may, when eligible, receive a duplicate license in the highest class previously
271 issued during a license cycle that has not expired for the remainder of the existing
272 license cycle; and
- 273 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a
274 duplicate license is issued under Subsection (10)(c)(i).
- 275 (11)(a) When an application is received from an applicant previously licensed in another
276 state to drive a motor vehicle, the division shall request a copy of the driver's record
277 from the other state.
- 278 (b) When received, the driver's record becomes part of the driver's record in this state
279 with the same effect as though entered originally on the driver's record in this state.
- 280 (12) An application for reinstatement of a license after the suspension, cancellation,
281 disqualification, denial, or revocation of a previous license is accompanied by the
282 additional fee or fees specified in Section 53-3-105.
- 283 (13) An individual who has an appointment with the division for testing and fails to keep
284 the appointment or to cancel at least 48 hours in advance of the appointment shall pay
285 the fee under Section 53-3-105.
- 286 (14) An applicant who applies for an original license or renewal of a license agrees that the
287 individual's license is subject to a suspension or revocation authorized under this title or
288 Title 41, Motor Vehicles.
- 289 (15)(a) A licensee shall authenticate the indication of intent under Subsection (8)(a)(vi)
290 in accordance with division rule.
- 291 (b)(i) Notwithstanding Title 63G, Chapter 2, Government Records Access and
292 Management Act, the division may, upon request, release to an organ procurement
293 organization, as defined in Section 26B-8-301, the names and addresses of all
294 applicants who, under Subsection (8)(a)(vi), indicate that they intend to make an
295 anatomical gift.
- 296 (ii) An organ procurement organization may use released information only to:
297 (A) obtain additional information for an anatomical gift registry; and
298 (B) inform licensees of anatomical gift options, procedures, and benefits.
- 299 (16) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management
300 Act, the division may release to the Department of Veterans and Military Affairs the

- 301 names and addresses of all applicants who indicate their status as a veteran under
302 Subsection (8)(a)(viii).
- 303 (17) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management
304 Act, the division shall, upon request, release to the [~~Sex, Kidnap, and Child Abuse~~
305 ~~Offender Registry office in~~] Bureau of Criminal Identification within the Department of
306 Public Safety, the names and addresses of all applicants who, under Subsection
307 (8)(a)(vii), indicate they are required to register as a sex offender, kidnap offender, or
308 child abuse offender in accordance with Title 53, Chapter 29, Sex, Kidnap, and Child
309 Abuse Offender Registry.
- 310 (18) The division and its employees are not liable, as a result of false or inaccurate
311 information provided under Subsection (8)(a)(vi) or (viii), for direct or indirect:
312 (a) loss;
313 (b) detriment; or
314 (c) injury.
- 315 (19) An applicant who knowingly fails to provide the information required under
316 Subsection (8)(a)(vii) is guilty of a class A misdemeanor.
- 317 (20) A person may not hold both an unexpired Utah license certificate and an unexpired
318 identification card.
- 319 (21)(a) An applicant who applies for an original motorcycle endorsement to a regular
320 license certificate is exempt from the requirement to pass the knowledge and skills
321 test to be eligible for the motorcycle endorsement if the applicant:
322 (i) is a resident of the state of Utah;
323 (ii)(A) is ordered to active duty and stationed outside of Utah in any of the armed
324 forces of the United States; or
325 (B) is an immediate family member or dependent of an individual described in
326 Subsection (21)(a)(ii)(A) and is residing outside of Utah;
327 (iii) has a digitized driver license photo on file with the division;
328 (iv) provides proof to the division of the successful completion of a certified
329 Motorcycle Safety Foundation rider training course; and
330 (v) provides the necessary information and documentary evidence required under
331 Subsection (8).
- 332 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
333 division shall make rules:
334 (i) establishing the procedures for an individual to obtain a motorcycle endorsement

- 335 under this Subsection (21); and
 336 (ii) identifying the applicable restrictions for a motorcycle endorsement issued under
 337 this Subsection (21).

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

339 **53-3-407 . Qualifications for commercial driver license -- Fee -- Third parties**
 340 **may administer skills test.**

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

- 343 (i) educates and trains persons, either practically or theoretically, or both, to drive
 344 commercial motor vehicles; and
 345 (ii) prepares an applicant for an examination under Subsection[~~(2)(a)(iii).~~] (3)(a)(iii).

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

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

- 351 (i) converse with the general public;
 352 (ii) understand highway traffic signs and signals;
 353 (iii) respond to official inquires; and
 354 (iv) make entries on reports and records.

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

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

- 359 (i) creating standards to ensure that the individual signing an English language
 360 attestation form on behalf of a CDL driver training school as described in
 361 Subsection (2)(a) is qualified to determine an applicant's English language ability
 362 for the purposes of signing the form; and
 363 (ii) to monitor compliance with the standards described in Subsection (2)(c)(i).
 364 (d) The division shall publish on the division's website the name and address of a CDL
 365 training school that is not in compliance with the standards described in Subsection
 366 (2)(c)(i).

367 ~~(2)~~ (3)(a) Except as provided in Subsection [~~(2)(e)~~] (3)(c), a CDL may be issued only to
 368 a person who:

- 369 (i) is a resident of this state or is an out-of-state resident if the person qualifies for a
370 non-domiciled CDL as defined in 49 C.F.R. Part 383;
- 371 (ii) has held a CDIP for a minimum of 14 days prior to taking the skills test under 49
372 C.F.R. Part 383, including a person who is upgrading a CDL class or endorsement
373 requiring a skills test under 49 C.F.R. Part 383;
- 374 (iii) has passed a test of knowledge and skills for driving a commercial motor vehicle,
375 that complies with minimum standards established by federal regulation in 49
376 C.F.R. Part 383, Subparts G and H; and
- 377 (iv) has complied with all requirements of 49 C.F.R. Part 383 and other applicable
378 state laws and federal regulations.
- 379 (b) A person who applies for a CDL is exempt from the requirement to pass a skills test
380 to be eligible for the license if the person:
- 381 (i) is a resident of the state of Utah;
- 382 (ii) has successfully completed a skills test administered by a state or a party
383 authorized by a state or jurisdiction that is compliant with 49 C.F.R. Part 383; and
384 (iii) held a valid Utah CDIP at the time the test was administered.
- 385 (c) The department shall waive any tests specified in this section for a commercial driver
386 license applicant who, subject to the limitations and requirements of 49 C.F.R. Sec.
387 383.77, meets all certifications required for a waiver under 49 C.F.R. Sec. 383.77 and
388 certifies that the applicant:
- 389 (i) is a member of the active or reserve components of any branch or unit of the
390 armed forces or a veteran who received an honorable or general discharge from
391 any branch or unit of the active or reserve components of the United States Armed
392 Forces;
- 393 (ii) is or was regularly employed in a position in the armed forces requiring operation
394 of a commercial motor vehicle; and
- 395 (iii) has legally operated, while on active duty for at least two years immediately
396 preceding application for a commercial driver license, a vehicle representative of
397 the commercial motor vehicle the driver applicant operates or expects to operate.
- 398 (d) An applicant who requests a waiver under Subsection [~~(2)(e)~~] (3)(c) shall present a
399 completed application for a military skills test waiver at the time of the request.
- 400 [~~(3)~~] (4) Tests required under this section shall be prescribed and administered by the
401 division.
- 402 [~~(4)~~] (5) The division shall authorize a person, an agency of this state, an employer, a private

403 driver training facility or other private institution, or a department, agency, or entity of
404 local government to administer the skills test required under this section if:

405 (a) the test is the same test as prescribed by the division, and is administered in the same
406 manner; and

407 (b) the party authorized under this section to administer the test has entered into an
408 agreement with the state that complies with the requirements of 49 C.F.R. Sec.
409 383.75.

410 [(5)] (6)(a) An out-of-state resident who holds a valid CDIP issued by a state or
411 jurisdiction that is compliant with 49 C.F.R. Part 383 may take a skills test
412 administered by a party authorized under this section.

413 (b) A person authorized under this section to administer the skills test may charge a fee
414 for administration of the skills test.

415 (c) A person authorized under this section to administer the skills test shall:

416 (i) electronically transmit skills test results for an out-of-state resident to the licensing
417 agency in the state or jurisdiction in which the person has obtained a valid CDIP;
418 and

419 (ii) provide the out-of-state resident with documentary evidence upon successful
420 completion of the skills test.

421 [(6)] (7) A person who has an appointment with the division for testing and fails to keep the
422 appointment or to cancel at least 48 hours in advance of the appointment shall pay the
423 fee under Section 53-3-105.

424 [(7)] (8) A person authorized under this section to administer the skills test is not criminally
425 or civilly liable for the administration of the test unless [he] the person administers the
426 test in a grossly negligent manner.

427 [(8)] (9) The division may waive the skills test required under this section if it determines
428 that the applicant meets the requirements of 49 C.F.R. Sec. 383.77.

429 Section 4. Section **53-3-407.1** is amended to read:

430 **53-3-407.1 . Commercial driver license third party tester or third party examiner**
431 **license -- Fingerprint background check required.**

432 (1) A commercial driver license third party tester or commercial driver license third party
433 examiner shall be licensed by the division to be eligible to administer the commercial
434 driver license skills tests.

435 (2)(a) An applicant for a commercial driver license third party tester or third party
436 examiner license shall submit fingerprints in a form acceptable to the division at the

- 437 time the license application is filed and shall consent to a fingerprint background
438 check by the Utah Bureau of Criminal Identification and the Federal Bureau of
439 Investigation regarding the application.
- 440 (b) The division shall request the Department of Public Safety to complete a Federal
441 Bureau of Investigation criminal background check for each commercial driver
442 license third party tester or third party examiner applicant through the national
443 criminal history system or any successor system.
- 444 (c) The Utah Bureau of Criminal Identification shall release to the division all
445 information received in response to the division's request under this Subsection (2).
- 446 (d) A commercial driver license third party tester or third party examiner license may
447 not be issued under this section until the criminal background check required under
448 this Subsection (2) has been completed and reviewed by the division.
- 449 (e) In addition to any fees imposed under this chapter, the division shall:
- 450 (i) impose on individuals submitting fingerprints in accordance with this Subsection
451 (2) the fees that the Bureau of Criminal Identification [~~is authorized to~~] may collect
452 for the services the Bureau of Criminal Identification provides under this section;
453 and
- 454 (ii) remit the fees collected under this Subsection (2)(e) to the Bureau of Criminal
455 Identification.
- 456 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
457 division shall make rules establishing:
- 458 (a) minimum standards for a commercial driver license third party tester or third party
459 examiner license;
- 460 (b) procedures for an applicant to apply for a commercial driver license third party tester
461 or third party examiner license;
- 462 (c) minimum standards for the commercial driver license skills test; [~~and~~]
- 463 (d) procedures to enable a licensed commercial driver license third party tester or
464 commercial driver license third party examiner to administer or process a commercial
465 driver license skills test for an applicant to receive a commercial driver license[~~-~~] ; and
- 466 (e) procedures for a commercial driver license third party tester or third party examiner
467 to:
- 468 (i) collect and report the name of a CDL driver training school that a CDL applicant
469 used, if applicable, to the division; and
- 470 (ii) report data regarding CDL applicant passage rates to the division.

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

472 **53-3-410 . Applicant information required for CDIP and CDL -- State resident to**
473 **have state CDL.**

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

476 (a) full legal name;

477 (b) current mailing address;

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

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

481 (e) date of birth;

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

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

486 (i) initial issuance of a Utah license;

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

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

489 (h) the applicant's signature;

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

492 (i) that a person is:

493 (A) a United States Citizen;

494 (B) a United States national; or

495 (C) a legal permanent resident alien; or

496 (ii) of the applicant's:

497 (A) unexpired immigrant or nonimmigrant visa status for admission into the
498 United States;

499 (B) pending or approved application for asylum in the United States;

500 (C) admission into the United States as a refugee;

501 (D) pending or approved application for temporary protected status in the United
502 States;

503 (E) approved deferred action status;

504 (F) pending application for adjustment of status to legal permanent resident or

- 505 conditional resident; or
506 (G) conditional permanent resident alien status; and
507 (j) beginning on January 30, 2012, a medical certification status.
- 508 (2) An application under this section shall also include all certifications required by 49
509 C.F.R., Part 383.71.
- 510 (3) When the holder of a license under this part changes the holder's name, mailing address,
511 or residence, the holder shall make application for a duplicate license within 30 days of
512 the change.
- 513 (4) A person who has been a resident of this state for 30 consecutive days may not drive a
514 commercial motor vehicle under the authority of a commercial driver license issued by
515 another jurisdiction.

516 Section 6. **Effective Date.**

517 This bill takes effect on May 6, 2026.