

Matt MacPherson proposes the following substitute bill:

Unlicensed Driver Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill addresses drivers without a driver license, driving privilege card, or learner permit.

Highlighted Provisions:

This bill:

- defines terms;
- modifies the circumstances in which law enforcement is required to impound a vehicle;
- addresses identification of an individual who operates a vehicle without a valid driving credential;
- allows certain fees to be waived in certain circumstances;
- modifies certain fees;
- amends certain penalties associated with driving without a driver license;
- requires a vendor providing software service for a fingerprint device to ensure the software is compatible with law enforcement database software; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

- 41-1a-1101 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 220
- 41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah 2025, Chapter 378
- 53-3-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 229
- 53-3-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 390

29 **53-25-802 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 252
 30 **63I-2-241 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Third Special Session,
 31 Chapter 5

32
 33 *Be it enacted by the Legislature of the state of Utah:*

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

35 **41-1a-1101 (Effective 05/06/26). Seizure -- Circumstances where permitted --**
 36 **Impound lot standards.**

37 (1) As used in this section:

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

40 (ii) "Criminal offense" includes:

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

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

47 (b) "Driving credential" means:

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

50 (ii) a driver license issued by:

51 (A) a state or territory of the United States;

52 (B) the United States Department of State; or

53 (C) a foreign country.

54 [(b)] (c) "Operator" means the same as that term is defined in Section 41-6a-102.

55 [(e)] (d) "Road rage event" means the commission of a criminal offense:

56 (i) by an operator of a vehicle;

57 (ii) in response to an incident that occurs or escalates upon a roadway; and

58 (iii) with the intent to endanger or intimidate an individual in another vehicle.

59 [(d)] (e) "Roadway" means:

60 (i) a highway; or

61 (ii) a private road or driveway as defined in Section 41-6a-102.

62 (2) The division or [any] a peace officer, without a warrant, may seize and take possession

- 63 of [any] a vehicle, vessel, or outboard motor:
- 64 (a) that the division or the peace officer has probable cause to believe has been stolen;
- 65 (b) on which [any] an identification number has been defaced, altered, or obliterated;
- 66 (c) that has been abandoned in accordance with Section 41-6a-1408;
- 67 (d) for which the applicant has written a check for registration or title fees that has not
- 68 been honored by the applicant's bank and that is not paid within 30 days;
- 69 (e) that is placed on the water with improper registration;
- 70 (f) that is being operated on a highway:
- 71 (i) with registration that has been expired for more than three months;
- 72 (ii) having never been properly registered by the current owner; or
- 73 (iii) with registration that is suspended or revoked;
- 74 (g)(i) that the division or the peace officer has probable cause to believe has been
- 75 involved in an accident described in Section 41-6a-401, 41-6a-401.3, or
- 76 41-6a-401.5; and
- 77 (ii) whose operator did not remain at the scene of the accident until the operator
- 78 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7; or
- 79 (h) if the division or peace officer has probable cause to believe that the operator:
- 80 (i) failed to properly display the license plate on a motorcycle as described in Section
- 81 41-1a-404.1; or
- 82 (ii) used the motorcycle:
- 83 (A) to perform a wheelie in violation of Section 41-6a-606.1; or
- 84 (B) to engage in lane splitting in violation of Section 41-6a-704.1.
- 85 (3)(a) The division or a peace officer shall seize and take possession of a vehicle,
- 86 without a warrant, when:
- 87 (i) the division or the peace officer has probable cause to believe that an operator of
- 88 the vehicle engaged in a road rage event; and
- 89 (ii) the operator of the vehicle has been arrested in conjunction with the road rage
- 90 event.
- 91 (b)(i) Except as provided in Subsection (3)(d), the division or a peace officer shall
- 92 seize and take possession of a vehicle, without a warrant, when an operator of a
- 93 vehicle does not have a driving credential in the operator's possession unless the
- 94 peace officer is able to verify that the operator has been issued a driving credential.
- 95 (ii) Before seizing and taking possession of a vehicle as described in Subsection
- 96 (3)(b)(i), a peace officer shall query the Driver License Division database to verify

97 whether the operator has been issued a driving credential.

98 [(b)] (c) A peace officer may release a vehicle seized and possessed under Subsection
99 (3)(a) or (3)(b) to the registered owner of the vehicle if the registered owner is not the
100 individual subject to arrest under Subsection (3)(a) or (3)(b) and is immediately
101 available, at the location of the arrest, to take possession of the vehicle.

102 (d) The division or a peace officer is not required to seize and take possession of a
103 vehicle as described in Subsection (3)(b) if the division or a peace officer makes a
104 reasonable determination that:

105 (i) the operator has been issued a driving credential that is expired;

106 (ii) seizing the vehicle would create a public safety concern to the operator or an
107 occupant of the vehicle;

108 (iii) seizing the vehicle would prevent the division or the peace officer from
109 addressing other public safety considerations;

110 (iv) the operator is under 18 years old;

111 (v) an occupant of the vehicle possesses a driving credential and is willing to operate
112 the vehicle; or

113 (vi) an individual with a driving credential is reasonably available to pick up the
114 vehicle with permission of the registered owner.

115 (4)(a) Subject to ~~[the restriction in]~~ Subsection (4)(b), the division or ~~[any]~~ a peace
116 officer, without a warrant:

117 (i) shall seize and take possession of ~~[any]~~ a vehicle that is being operated on a
118 highway without owner's or operator's security in effect for the vehicle as required
119 under Section 41-12a-301 and the vehicle was involved in an accident; or

120 (ii) may seize and take possession of ~~[any]~~ a vehicle that is being operated on a
121 highway without owner's or operator's security in effect for the vehicle as required
122 under Section 41-12a-301 after the division or ~~[any]~~ a peace officer makes a
123 reasonable determination whether the seizure of the vehicle would:

124 (A) present a public safety concern to the operator or ~~[any of the occupants in]~~ an
125 occupant in the vehicle; or

126 (B) prevent the division or the peace officer from addressing other public safety
127 considerations.

128 (b) The division or ~~[any]~~ a peace officer may not seize and take possession of a vehicle
129 under Subsection (4)(a):

130 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's

- 131 security as defined in Section 41-12a-303.2 in the vehicle, unless the division or
132 peace officer verifies that owner's or operator's security is not in effect for the
133 vehicle through the Uninsured Motorist Identification Database created in
134 accordance with Section 41-12a-803; or
- 135 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security
136 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist
137 Identification Database created in accordance with Section 41-12a-803 indicates
138 that the owner's or operator's security is not in effect for the vehicle, unless the
139 division or a peace officer makes a reasonable attempt to independently verify that
140 owner's or operator's security is not in effect for the vehicle.
- 141 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to
142 transport and store the vessel.
- 143 (6) ~~[Any]~~ A peace officer seizing or taking possession of a vehicle, vessel, or outboard
144 motor under this section shall comply with the provisions of Section 41-6a-1406.
- 145 (7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
146 the commission shall make rules setting standards for public garages, impound lots,
147 and impound yards that may be used by peace officers and the division.
- 148 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of
149 public garages, impound lots, or impound yards per geographical area.
- 150 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard
151 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a
152 state impound yard ~~[set forth]~~ described in this section and rules made in accordance
153 with Subsection (7)(a).
- 154 (d)(i) Rules made by the commission shall include a requirement that a state impound
155 yard have opaque fencing on ~~[any]~~ each side of the state impound yard that has
156 frontage with a highway.
- 157 (ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link
158 fencing.
- 159 (8)(a) Except as provided under Subsection (8)(b), a person may not operate or allow to
160 be operated a vehicle stored in a public garage, impound lot, or impound yard
161 regulated under this part without prior written permission of the owner of the vehicle.
- 162 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking
163 space to another within the facility and that is necessary for the normal management
164 of the facility is not prohibited under Subsection (8)(a).

- 165 (9) A person who violates [~~the provisions of~~] Subsection (8) is guilty of a class C
166 misdemeanor.
- 167 (10) The division or the peace officer who seizes a vehicle shall record the mileage shown
168 on the vehicle's odometer at the time of seizure, if:
- 169 (a) the vehicle is equipped with an odometer; and
170 (b) the odometer reading is accessible to the division or the peace officer.
- 171 Section 2. Section **41-6a-1406** is amended to read:
- 172 **41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29). Removal and**
173 **impoundment of vehicles -- Reporting and notification requirements -- Administrative**
174 **impound fee -- Refunds -- Possessory lien -- Rulemaking.**
- 175 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section
176 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order
177 of a peace officer or by an order of a person acting on behalf of a law enforcement
178 agency or highway authority, the impoundment of the vehicle, vessel, or outboard motor
179 shall be at the expense of the owner.
- 180 (2) The vehicle, vessel, or outboard motor [~~under~~] described in Subsection (1) shall be
181 impounded to a state impound yard.
- 182 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause [~~it~~] the
183 vehicle, vessel, or outboard motor to be removed by a tow truck motor carrier that meets
184 standards established:
- 185 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and
186 (b) by the department under Subsection (11).
- 187 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or
188 outboard motor that is impounded as described in Subsection (1).
- 189 (b) Before noon on the next business day after the date of the removal of the vehicle,
190 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor
191 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,
192 by:
- 193 (i) the peace officer or agency by whom the peace officer is employed; and
194 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck
195 operator is employed.
- 196 (c) The report shall be in a form specified by the Motor Vehicle Division and shall
197 include:
- 198 (i) the operator's name, if known;

- 199 (ii) a description of the vehicle, vessel, or outboard motor;
- 200 (iii) the vehicle identification number or vessel or outboard motor identification
- 201 number;
- 202 (iv) the case number designated by the peace officer, law enforcement agency
- 203 number, or government entity;
- 204 (v) the license number, temporary permit number, or other identification number
- 205 issued by a state agency;
- 206 (vi) the date, time, and place of impoundment;
- 207 (vii) the reason for removal or impoundment;
- 208 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or
- 209 outboard motor; and
- 210 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 211 (d)(i) If the form described in Subsection (4)(c) does not include the reason for the
- 212 removal or impoundment described in Subsection (4)(c)(vii), the peace officer and
- 213 tow truck operator described in Subsection (4)(b) shall note "other" as the reason
- 214 for the removal or impoundment.
- 215 (ii) The commission shall update the form described in Subsection (4)(c) to include
- 216 operating a vehicle without a driving credential as a reason for impoundment as
- 217 described in Subsection 41-1a-1101(3) no later than December 31, 2026.
- 218 ~~(d)~~ (e)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
- 219 Act, the State Tax Commission shall make rules to establish proper format and
- 220 information required on the form described in this Subsection (4).
- 221 (ii) The State Tax Commission shall ensure that the form described in this Subsection
- 222 (4) is provided in an electronic format.
- 223 ~~(e)~~ (f) Until the tow truck operator or tow truck motor carrier reports the removal as
- 224 required under this Subsection (4), a tow truck motor carrier or impound yard may
- 225 not:
- 226 (i) collect ~~any fee~~ the fees associated with the removal; and
- 227 (ii) begin charging storage fees.
- 228 (5)(a) A report described in this Subsection (5) is required for ~~any~~ a vehicle, vessel, or
- 229 outboard motor that is removed, except for:
- 230 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in
- 231 Subsection (1); or
- 232 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in

- 233 accordance with Section 72-9-603.
- 234 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer
235 shall provide documentation to the tow truck operator or tow truck motor carrier that
236 includes:
- 237 (i) the name and badge number of the peace officer;
- 238 (ii) the name and originating agency identifier of the law enforcement agency; and
- 239 (iii) the case number designated by the law enforcement officer or law enforcement
240 agency.
- 241 (c) For a removal described in Subsection (5)(a), before noon on the next business day
242 following the date of the removal of the vehicle, vessel, or outboard motor, the tow
243 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in
244 an electronic format approved by the Motor Vehicle Division:
- 245 (i) the report described in Subsection (4); or
- 246 (ii) the report described in Subsection (5)(d).
- 247 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck
248 motor carrier does not provide the report described in Subsection (4), the tow truck
249 operator or tow truck motor carrier shall provide a report to the Motor Vehicle
250 Division that includes:
- 251 (i) the name and badge number of the relevant peace officer;
- 252 (ii) the name and originating agency identifier of the law enforcement agency;
- 253 (iii) the law enforcement agency case number;
- 254 (iv) subject to Subsection (5)(e), the vehicle identification number and the license
255 number, temporary permit number, or other identification number issued by a
256 state agency;
- 257 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and
- 258 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 259 (e) If [either] the vehicle identification number[~~or the~~] , license number, temporary
260 permit number, or other identification number issued by a state agency is not
261 available, the report shall include:
- 262 (i) as much information as is available from both the vehicle identification number
263 and the license plate number of the vehicle, vessel, or outboard motor; and
- 264 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,
265 model, and model year of the vehicle, vessel, or outboard motor.
- 266 (f) Until the tow truck operator or tow truck motor carrier reports the removal as

- 267 required under this Subsection (5), a tow truck motor carrier may not:
- 268 (i) collect [~~any fee~~] the fees associated with the removal; or
- 269 (ii) begin charging storage fees.
- 270 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be
- 271 removed to:
- 272 (i) a state impound yard; or
- 273 (ii) a location that has been requested by the registered owner at the time of removal,
- 274 if payment is made to the tow truck motor carrier or tow truck operator at the time
- 275 of removal.
- 276 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 277 State Tax Commission may make rules to establish proper format and information
- 278 required on the form described in Subsection (5)(d), including submission in an
- 279 electronic format.
- 280 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in
- 281 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner
- 282 described in Section 41-1a-114, to the following parties with an interest in the
- 283 vehicle, vessel, or outboard motor, as applicable:
- 284 (i) the registered owner;
- 285 (ii) [~~any lien holder~~] all lien holders; or
- 286 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard
- 287 motor is currently operating under a temporary permit issued by the dealer, as
- 288 described in Section 41-3-302.
- 289 (b) The notice shall:
- 290 (i) state the date, time, and place of removal, the name, if applicable, of the person
- 291 operating the vehicle, vessel, or outboard motor at the time of removal, the reason
- 292 for removal, and the place where the vehicle, vessel, or outboard motor is stored;
- 293 (ii) state that the registered owner is responsible for payment of towing, impound,
- 294 and storage fees charged against the vehicle, vessel, or outboard motor;
- 295 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard
- 296 motor is released; and
- 297 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the
- 298 vehicle, vessel, or outboard motor, if, within 30 days after the day [~~of the removal~~
- 299 ~~or impoundment~~] on which the vehicle, vessel, or outboard motor was removed or
- 300 impounded under this section, one of the parties fails to make a claim for release

- 301 of the vehicle, vessel, or outboard motor.
- 302 (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor
303 is not registered in this state, the Motor Vehicle Division shall make a reasonable
304 effort to notify the parties described in Subsection (6)(a) of the removal and the place
305 where the vehicle, vessel, or outboard motor is stored.
- 306 (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)
307 if a report was received by a tow truck operator or tow truck motor carrier reporting a
308 tow truck service in accordance with Subsection 72-9-603(1)(a)(i).
- 309 (e)(i) The Motor Vehicle Division shall disclose the information in the report
310 described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent
311 as defined in Section 41-12a-802 regarding a tow that was initiated:
- 312 (A) by law enforcement; or
313 (B) without the vehicle owner's consent.
- 314 (ii) The Motor Vehicle Division may rely on the information provided by the tow
315 truck operator or tow truck motor carrier to determine if a tow meets the criteria
316 described in Subsections (6)(e)(i)(A) and (B).
- 317 (iii) The designated agent may disclose information received regarding a tow
318 described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the
319 vehicle owner's verified insurance company.
- 320 (iv) The designated agent may not disclose information to a vehicle owner's
321 insurance company if the tow does not meet the criteria described in Subsections
322 (6)(e)(i)(A) and (B).
- 323 (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound
324 yard as described in this section shall be released after a party described in
325 Subsection (6)(a) or (7)(f):
- 326 (i) makes a claim for release of the vehicle, vessel, or outboard motor at [~~any~~] an
327 office of the State Tax Commission;
- 328 (ii) presents identification sufficient to prove ownership of the impounded or
329 removed vehicle, vessel, or outboard motor;
- 330 (iii) completes the registration, if needed, and pays the appropriate fees;
- 331 (iv) if the impoundment was made under Section 41-6a-527 or Subsection
332 41-1a-1101(3), pays:
- 333 (A) an administrative impound fee of [~~\$425~~] \$600; and
334 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an

- 335 administrative testing fee of [~~\$30~~] \$60; and
- 336 (v) pays all towing and storage fees to the place where the vehicle, vessel, or
- 337 outboard motor is stored.
- 338 (b)(i) Twenty-nine dollars of the administrative impound fee assessed under
- 339 Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.
- 340 (ii) [~~One-hundred-and-~~] One hundred forty-seven dollars of the administrative
- 341 impound fee assessed under Subsection (7)(a)(iv)(A) shall be deposited into the
- 342 Department of Public Safety Restricted Account created in Section 53-3-106.
- 343 (iii) Twenty dollars of the administrative impound fee assessed under Subsection
- 344 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund
- 345 created in Section 26B-1-318.
- 346 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the
- 347 remainder of the administrative impound fee assessed under Subsection
- 348 (7)(a)(iv)(A) shall be deposited into the General Fund.
- 349 (v) The administrative testing fee described in Subsection (7)(a)(iv)(B) shall be
- 350 deposited into the State Laboratory Drug Testing Account created in Section
- 351 26B-1-304.
- 352 (c) The administrative impound fee and the administrative testing fee assessed under
- 353 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the
- 354 registered owner, lien holder, or owner's agent presents written evidence to the State
- 355 Tax Commission that:
- 356 (i) the Driver License Division determined that the arrested person's driver license
- 357 should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as
- 358 shown by a letter or other report from the Driver License Division presented
- 359 within 180 days after the day on which the Driver License Division mailed the
- 360 final notification; or
- 361 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
- 362 stolen vehicle report presented within 180 days after the day [~~of the impoundment~~]
- 363 on which the vehicle was impounded.
- 364 (d)(i) A tow truck operator, a tow truck motor carrier, and an impound yard shall
- 365 accept payment by cash and debit or credit card for a removal or impoundment
- 366 under Subsection (1) or [~~any~~]service rendered, performed, or supplied in
- 367 connection with a removal or impoundment under Subsection (1).
- 368 (ii) An impound yard may not release a vehicle unless an individual with a driving

369 credential, as defined in Section 41-1a-1101, is present and able to operate the
370 vehicle.

371 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the
372 impounded vehicle, vessel, or outboard motor if:

373 (i) the vehicle, vessel, or outboard motor is being held as evidence; and

374 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in
375 Subsection (6)(a), even if the party satisfies the requirements to release the
376 vehicle, vessel, or outboard motor under this Subsection (7).

377 (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or
378 outboard motor impounded or removed to a state impound yard as described in this
379 section shall be released to an individual that is not described in Subsection (6)(a) if
380 the individual:

381 (i)(A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);

382 (B) presents the individual's driver license or other government-issued
383 identification; and

384 (C) demonstrates that the individual has authority granted by a person described in
385 Subsection (6)(a) to obtain and operate the vehicle; or

386 (ii) is a tow truck operator or tow truck motor carrier that:

387 (A) demonstrates that the tow truck operator or tow truck motor carrier has
388 authority granted by a person described in Subsection (6)(a) to obtain and
389 operate the vehicle, vessel, or outboard motor;

390 (B) provides a towing certificate issued by the Department of Transportation [
391 ~~pursuant to~~] in accordance with Section 72-9-602;

392 (C) pays all towing and storage fees; and

393 (D) obtains or presents an impound release for the vehicle, vessel, or outboard
394 motor [~~pursuant to~~] in accordance with Subsection (7)(a).

395 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by
396 a party described in Subsection (6)(a) or (7)(f) within the time [~~prescribed by~~]
397 described in Section 41-1a-1103, the Motor Vehicle Division shall issue a certificate
398 of sale for the impounded or removed vehicle, vessel, or outboard motor as described
399 in Section 41-1a-1103.

400 (b) The date of impoundment or removal is considered the date of seizure for computing
401 the time period [~~provided under~~] described in Section 41-1a-1103.

402 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the

403 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause
404 of action for all the fees and charges, together with damages, court costs, and attorney
405 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused
406 the removal or impoundment.

407 (10)(a) As used in this Subsection (10), "life essential item" means the same as that term
408 is defined in Subsection 72-9-603(13).

409 (b) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel,
410 or outboard motor.

411 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and [~~any~~]
412 nonlife essential items contained in the vehicle, vessel, or outboard motor.

413 (d) Except for a vehicle, vessel, or outboard motor being held as evidence, a tow truck
414 operator, a tow truck motor carrier, or an impound yard shall allow a person
415 described in Subsection (6)(a) or an individual described in Subsection (7)(f)(i) to
416 take possession of [~~any~~]life essential [~~item~~] items within the vehicle, vessel, or
417 outboard motor during normal business hours regardless of whether the towing,
418 impound fees, or storage fees have been paid.

419 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon
420 payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an
421 impound yard shall allow a person described in Subsection (6)(a) or an individual
422 described in Subsection (7)(f)(i) to enter the vehicle, vessel, or outboard motor during
423 normal business hours and remove personal property not attached to the vehicle,
424 vessel, or outboard motor.

425 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
426 department shall make rules setting the performance standards for towing companies to
427 be used by the department.

428 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection
429 (4) be submitted in electronic form utilizing a database for submission, storage, and
430 retrieval of the information.

431 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the
432 administrator of the database may adopt a schedule of fees assessed for utilizing
433 the database.

434 (ii) The fees under this Subsection (12)(b) shall:

435 (A) be reasonable and fair; and

436 (B) reflect the cost of administering the database.

437 Section 3. Section **53-3-202** is amended to read:

438 **53-3-202 (Effective 05/06/26). Drivers must be licensed -- Violation.**

439 (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state
440 unless the human driver is:

441 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the
442 division under this chapter;

443 (b) driving an official United States Government class D motor vehicle with a valid
444 United States Government driver permit or license for that type of vehicle;

445 (c)(i) driving a road roller, road machinery, or [~~any~~]farm tractor or implement of
446 husbandry temporarily drawn, moved, or propelled on the highways; and

447 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a
448 construction or agricultural activity;

449 (d) a nonresident who is at least 16 years old and younger than 18 years old who has in
450 the nonresident's immediate possession a valid license certificate issued to the
451 nonresident in the nonresident's home state or country and is driving in the class or
452 classes identified on the home state license certificate, except those persons referred
453 to in Part 6, Drivers' License Compact, of this chapter;

454 (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate
455 possession a valid license certificate issued to the nonresident in the nonresident's
456 home state or country if driving in the class or classes identified on the home state
457 license certificate, except those persons referred to in Part 6, Drivers' License
458 Compact, of this chapter;

459 (f) driving under a learner permit in accordance with Section 53-3-210.5;

460 (g) driving with a temporary license certificate issued in accordance with Section
461 53-3-207; or

462 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.

463 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle
464 motion control for a vehicle being towed by another motor vehicle upon a highway
465 unless the human driver:

466 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor
467 vehicle being towed; or

468 (b) is exempted under either Subsection (1)(b) or (1)(c).

469 (3)(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this
470 state unless the person has a valid class D driver license issued by the division.

- 471 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a
472 highway of this state unless the human driver has:
- 473 (i) a taxicab endorsement issued by the division on the human driver's license
474 certificate; or
- 475 (ii) a commercial driver license with:
- 476 (A) a taxicab endorsement;
- 477 (B) a passenger endorsement; or
- 478 (C) a school bus endorsement.
- 479 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor
480 vehicle as a private passenger carrier from regulation under other statutory and
481 regulatory schemes, including:
- 482 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;
- 483 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor
484 Commission in accordance with Title 63G, Chapter 3, Utah Administrative
485 Rulemaking Act; and
- 486 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor
487 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative
488 Rulemaking Act.
- 489 (4)(a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not
490 operate:
- 491 (i) a motorcycle unless the human driver has a valid class D driver license and a
492 motorcycle endorsement issued under this chapter;
- 493 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver
494 license; or
- 495 (iii) a motor-driven cycle unless the human driver has a valid class D driver license
496 and a motorcycle endorsement issued under this chapter.
- 497 (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required
498 to have a motorcycle endorsement issued under this chapter.
- 499 (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102,
500 is not required to have a valid class D driver license or a motorcycle endorsement
501 issued under this chapter.
- 502 (d) An individual is not required to have a valid class D driver license if the person is:
- 503 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance
504 with Section 41-6a-1115; or

- 505 (ii) operating an electric personal assistive mobility device, as defined in Section
506 41-6a-102, in accordance with Section 41-6a-1116.
- 507 (e) A human driver operating an autocycle is not required to have a motorcycle
508 endorsement issued under this chapter.
- 509 (5) An automated driving system as defined in Section 41-26-102.1 is not required to have
510 a driver license.
- 511 (6)(a) As used in this Subsection (6), a "quick fingerprint" is a fingerprint, taken on a
512 biometric device, that is:
- 513 (i) taken for the purpose of identifying an individual;
514 (ii) queried against the Automated Fingerprint Identification System, Bureau of
515 Criminal Identification fingerprint database, National Crime Information Center
516 database, or a similar fingerprint database system;
517 (iii) not added to or stored in the Automated Fingerprint Identification System,
518 Bureau of Criminal Identification fingerprint database, National Crime
519 Information Center database, or a similar fingerprint database system; and
520 (iv) accomplished in approximately 15 minutes or less.
- 521 (b) An individual without a driver license, driving privilege card, or learner permit that
522 is lawfully subjected to a stop by a peace officer as described in Section 77-7-15 shall
523 present another form of government-issued identification.
- 524 (c) Subject to Subsection (7), a peace officer shall take a quick fingerprint of an
525 individual described in Subsection (6)(b) if:
- 526 (i) the peace officer is unable to verify that the individual has been issued a driving
527 credential;
528 (ii) the individual does not provide a form of identification; or
529 (iii) the peace officer has reasonable suspicion to believe that the form of
530 identification presented is fraudulent.
- 531 (d) Nothing in this Subsection (6) prohibits a peace officer from conducting a full
532 fingerprint panel subject to a noncustodial booking.
- 533 (7) A peace officer is not required to comply with Subsection (6)(c) if the peace officer
534 makes a reasonable determination that:
- 535 (a) doing so would create a safety concern for the driver or peace officer;
536 (b) doing so would prevent the peace officer from addressing other public safety
537 considerations;
538 (c) the peace officer does not have adequate equipment to take a fingerprint;

- 539 (d) the driver is under 18 years old; or
- 540 (e) the peace officer would be unable to complete a fingerprint check due to lack of
- 541 cellular service.
- 542 (8) A law enforcement agency shall ensure access to fingerprinting equipment to comply
- 543 with Subsection (6) no later than January 1, 2028.
- 544 [(6)] (9)(a) [A person] Except as described in Subsection (9)(b) and (9)(c), an individual
- 545 who violates this section is guilty of an infraction.
- 546 (b)(i) Except as provided in Subsection [(6)(d)] (9)(b)(iii), a person who violates
- 547 Subsection (4)(a)(i) or (4)(a)(iii) is subject to a minimum fine of \$350.
- 548 [(e)] (ii) The fine described in Subsection [(6)(b)] (9)(b)(i) is in addition to any other
- 549 fine for a violation of Title 41, Chapter 6a, Traffic Code, or a local ordinance
- 550 related to the operation of the motorcycle.
- 551 [(d)] (iii)(i) (A) A court shall waive the fine imposed under Subsection [(6)(b)]
- 552 (9)(b)(i) if the person provides to the court within 30 days [of the date of the
- 553 entry of a plea or sentencing, whichever is later] from the day on which the
- 554 person enters a plea, or within 30 days from the day on which the court
- 555 imposes a sentence, whichever is later, proof that the person has been issued a
- 556 motorcycle endorsement as provided in this chapter.
- 557 [(i)] (B) A court may extend the 30-day time period described in Subsection [
- 558 (6)(d)(i)] (9)(b)(iii)(A) for a reasonable time period for the person to obtain a
- 559 motorcycle endorsement for good cause shown.
- 560 (c)(i) An individual is guilty of a class B misdemeanor if, at the time of the offense,
- 561 the individual has previously been convicted of a violation of this section.
- 562 (ii) In addition to the penalties described in Subsections (9)(a), (b), and (c)(i), an
- 563 individual who violates this section is also subject to seizure of the vehicle as
- 564 described in Section 41-1a-1101.

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

566 **53-3-203 (Effective 05/06/26). Authorizing or permitting driving in violation of**

567 **chapter -- Renting of motor vehicles -- License requirements -- Employees must be**

568 **licensed -- Violations.**

569 (1) A person may not authorize or knowingly permit a motor vehicle owned by the person

570 or under the person's control to be driven by a person in violation of this chapter.

571 (2)(a) A person may not rent a motor vehicle to another person unless the person who

572 will be the driver is licensed in this state, or in the case of a nonresident, licensed

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

596 Section 5. Section **53-25-802** is amended to read:

597 **53-25-802 (Effective 05/06/26). Portable biometric capture method requirement.**

- 598 (1) Beginning January 1, [~~2027~~] 2028, a law enforcement agency shall ensure that every law
- 599 enforcement officer who is on duty outside of the law enforcement agency's facility is
- 600 supplied with a portable biometric capture device.
- 601 (2)(a) A software vendor that allows a law enforcement agency to file a citation
- 602 electronically as described in Section 77-7-20 shall ensure that the software vendor's
- 603 software is capable of submitting biometric data captured by a portable biometric
- 604 device electronically to the court's electronic filing interface.
- 605 (b) A software vendor shall ensure that the connection described in Subsection (2)(a) is
- 606 operational within one year of the criminal justice agency's system that uses the

607 software service becoming active.

608 (3) A software service is subject to Subsection (2) if the software service:

609 (a) is for use by a criminal justice agency within the state's criminal justice system; and

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

611 Section 6. Section **63I-2-241** is amended to read:

612 **63I-2-241 (Effective 05/06/26). Repeal dates: Title 41.**

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

615 Section 7. **Effective Date.**

616 This bill takes effect on May 6, 2026.