

Daniel McCay proposes the following substitute bill:

**Unlicensed Driver Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Matt MacPherson**

Senate Sponsor: Daniel McCay

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**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 and the allocation of fee revenue;
- amends certain penalties associated with driving without a driver license;
- amends provisions related to administrative suspension of 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:**

This bill provides a special effective date.

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**41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah 2025, Chapter 378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

29 **53-3-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 390  
 30 **53-3-221 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 296  
 31 **53-25-802 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 252  
 32 **63I-2-241 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Third Special Session,  
 33 Chapter 5

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

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

37 **41-1a-1101 (Effective 05/06/26). Seizure -- Circumstances where permitted --**  
 38 **Impound lot standards.**

39 (1) As used in this section:

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

42 (ii) "Criminal offense" includes:

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

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

49 (b) "Driving credential" means:

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

52 (ii) a driver license issued by:

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

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

55 (C) a foreign country.

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

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

58 (i) by an operator of a vehicle;

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

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

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

62 (i) a highway; or

- 63 (ii) a private road or driveway as defined in Section 41-6a-102.
- 64 (2) The division or [any] a peace officer, without a warrant, may seize and take possession  
65 of [any] a vehicle, vessel, or outboard motor:
- 66 (a) that the division or the peace officer has probable cause to believe has been stolen;
- 67 (b) on which [any] an identification number has been defaced, altered, or obliterated;
- 68 (c) that has been abandoned in accordance with Section 41-6a-1408;
- 69 (d) for which the applicant has written a check for registration or title fees that has not  
70 been honored by the applicant's bank and that is not paid within 30 days;
- 71 (e) that is placed on the water with improper registration;
- 72 (f) that is being operated on a highway:
- 73 (i) with registration that has been expired for more than three months;
- 74 (ii) having never been properly registered by the current owner; or
- 75 (iii) with registration that is suspended or revoked;
- 76 (g)(i) that the division or the peace officer has probable cause to believe has been  
77 involved in an accident described in Section 41-6a-401, 41-6a-401.3, or  
78 41-6a-401.5; and
- 79 (ii) whose operator did not remain at the scene of the accident until the operator  
80 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7; or
- 81 (h) if the division or peace officer has probable cause to believe that the operator:
- 82 (i) failed to properly display the license plate on a motorcycle as described in Section  
83 41-1a-404.1; or
- 84 (ii) used the motorcycle:
- 85 (A) to perform a wheelie in violation of Section 41-6a-606.1; or
- 86 (B) to engage in lane splitting in violation of Section 41-6a-704.1.
- 87 (3)(a) The division or a peace officer shall seize and take possession of a vehicle,  
88 without a warrant, when:
- 89 (i) the division or the peace officer has probable cause to believe that an operator of  
90 the vehicle engaged in a road rage event; and
- 91 (ii) the operator of the vehicle has been arrested in conjunction with the road rage  
92 event.
- 93 (b)(i) Except as provided in Subsection (3)(d), the division or a peace officer shall  
94 seize and take possession of a vehicle, without a warrant, when an operator of a  
95 vehicle does not have a driving credential in the operator's possession unless the  
96 peace officer is able to verify that the operator has been issued a driving credential.

97 (ii) Before seizing and taking possession of a vehicle as described in Subsection  
 98 (3)(b)(i), a peace officer shall query the Driver License Division database to verify  
 99 whether the operator has been issued a driving credential.

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

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

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

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

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

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

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

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

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

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

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

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

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

130 (b) The division or ~~[any]~~ a peace officer may not seize and take possession of a vehicle

- 131 under Subsection (4)(a):
- 132 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's  
133 security as defined in Section 41-12a-303.2 in the vehicle, unless the division or  
134 peace officer verifies that owner's or operator's security is not in effect for the  
135 vehicle through the Uninsured Motorist Identification Database created in  
136 accordance with Section 41-12a-803; or
- 137 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security  
138 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist  
139 Identification Database created in accordance with Section 41-12a-803 indicates  
140 that the owner's or operator's security is not in effect for the vehicle, unless the  
141 division or a peace officer makes a reasonable attempt to independently verify that  
142 owner's or operator's security is not in effect for the vehicle.
- 143 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to  
144 transport and store the vessel.
- 145 (6) ~~[Any]~~ A peace officer seizing or taking possession of a vehicle, vessel, or outboard  
146 motor under this section shall comply with the provisions of Section 41-6a-1406.
- 147 (7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
148 the commission shall make rules setting standards for public garages, impound lots,  
149 and impound yards that may be used by peace officers and the division.
- 150 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of  
151 public garages, impound lots, or impound yards per geographical area.
- 152 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard  
153 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a  
154 state impound yard ~~[set forth]~~ described in this section and rules made in accordance  
155 with Subsection (7)(a).
- 156 (d)(i) Rules made by the commission shall include a requirement that a state impound  
157 yard have opaque fencing on ~~[any]~~ each side of the state impound yard that has  
158 frontage with a highway.
- 159 (ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link  
160 fencing.
- 161 (8)(a) Except as provided under Subsection (8)(b), a person may not operate or allow to  
162 be operated a vehicle stored in a public garage, impound lot, or impound yard  
163 regulated under this part without prior written permission of the owner of the vehicle.
- 164 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking

165 space to another within the facility and that is necessary for the normal management  
166 of the facility is not prohibited under Subsection (8)(a).

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

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

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

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

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

174 **41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29). Removal and**  
175 **impoundment of vehicles -- Reporting and notification requirements -- Administrative**  
176 **impound fee -- Refunds -- Possessory lien -- Rulemaking.**

177 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section  
178 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order  
179 of a peace officer or by an order of a person acting on behalf of a law enforcement  
180 agency or highway authority, the impoundment of the vehicle, vessel, or outboard motor  
181 shall be at the expense of the owner.

182 (2) The vehicle, vessel, or outboard motor [~~under~~] described in Subsection (1) shall be  
183 impounded to a state impound yard.

184 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause [~~it~~] the  
185 vehicle, vessel, or outboard motor to be removed by a tow truck motor carrier that meets  
186 standards established:

187 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and

188 (b) by the department under Subsection (11).

189 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or  
190 outboard motor that is impounded as described in Subsection (1).

191 (b) Before noon on the next business day after the date of the removal of the vehicle,  
192 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor  
193 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,  
194 by:

195 (i) the peace officer or agency by whom the peace officer is employed; and

196 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck  
197 operator is employed.

198 (c) The report shall be in a form specified by the Motor Vehicle Division and shall

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

- 233 Subsection (1); or
- 234 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in  
235 accordance with Section 72-9-603.
- 236 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer  
237 shall provide documentation to the tow truck operator or tow truck motor carrier that  
238 includes:
- 239 (i) the name and badge number of the peace officer;
- 240 (ii) the name and originating agency identifier of the law enforcement agency; and
- 241 (iii) the case number designated by the law enforcement officer or law enforcement  
242 agency.
- 243 (c) For a removal described in Subsection (5)(a), before noon on the next business day  
244 following the date of the removal of the vehicle, vessel, or outboard motor, the tow  
245 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in  
246 an electronic format approved by the Motor Vehicle Division:
- 247 (i) the report described in Subsection (4); or
- 248 (ii) the report described in Subsection (5)(d).
- 249 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck  
250 motor carrier does not provide the report described in Subsection (4), the tow truck  
251 operator or tow truck motor carrier shall provide a report to the Motor Vehicle  
252 Division that includes:
- 253 (i) the name and badge number of the relevant peace officer;
- 254 (ii) the name and originating agency identifier of the law enforcement agency;
- 255 (iii) the law enforcement agency case number;
- 256 (iv) subject to Subsection (5)(e), the vehicle identification number and the license  
257 number, temporary permit number, or other identification number issued by a  
258 state agency;
- 259 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and
- 260 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 261 (e) If ~~[either]~~ the vehicle identification number ~~[or the]~~ license number, temporary  
262 permit number, or other identification number issued by a state agency is not  
263 available, the report shall include:
- 264 (i) as much information as is available from both the vehicle identification number  
265 and the license plate number of the vehicle, vessel, or outboard motor; and
- 266 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,

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

301                   or impoundment] on which the vehicle, vessel, or outboard motor was removed or  
302                   impounded under this section, one of the parties fails to make a claim for release  
303                   of the vehicle, vessel, or outboard motor.

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

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

311           (e)(i) The Motor Vehicle Division shall disclose the information in the report  
312           described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent  
313           as defined in Section 41-12a-802 regarding a tow that was initiated:

314                   (A) by law enforcement; or

315                   (B) without the vehicle owner's consent.

316           (ii) The Motor Vehicle Division may rely on the information provided by the tow  
317           truck operator or tow truck motor carrier to determine if a tow meets the criteria  
318           described in Subsections (6)(e)(i)(A) and (B).

319           (iii) The designated agent may disclose information received regarding a tow  
320           described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the  
321           vehicle owner's verified insurance company.

322           (iv) The designated agent may not disclose information to a vehicle owner's  
323           insurance company if the tow does not meet the criteria described in Subsections  
324           (6)(e)(i)(A) and (B).

325           (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound  
326           yard as described in this section shall be released after a party described in  
327           Subsection (6)(a) or (7)(f):

328                   (i) makes a claim for release of the vehicle, vessel, or outboard motor at [any] an  
329                   office of the State Tax Commission;

330                   (ii) presents identification sufficient to prove ownership of the impounded or  
331                   removed vehicle, vessel, or outboard motor;

332                   (iii) completes the registration, if needed, and pays the appropriate fees;

333                   (iv) if the impoundment was made under Section 41-6a-527 or Subsection  
334                   41-1a-1101(3), pays:

- 335 (A) an administrative impound fee of [~~\$425~~] \$600; and
- 336 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an
- 337 administrative testing fee of [~~\$30~~] \$60; and
- 338 (v) pays all towing and storage fees to the place where the vehicle, vessel, or
- 339 outboard motor is stored.
- 340 (b)(i) Twenty-nine dollars of the administrative impound fee assessed under
- 341 Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.
- 342 (ii) [~~One-hundred and forty-seven~~] One-hundred eighty-seven dollars of the
- 343 administrative impound fee assessed under Subsection (7)(a)(iv)(A) shall be
- 344 deposited into the Department of Public Safety Restricted Account created in
- 345 Section 53-3-106.
- 346 (iii) Twenty dollars of the administrative impound fee assessed under Subsection
- 347 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund
- 348 created in Section 26B-1-318.
- 349 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the
- 350 remainder of the administrative impound fee assessed under Subsection
- 351 (7)(a)(iv)(A) shall be deposited into the General Fund.
- 352 (v) The administrative testing fee described in Subsection (7)(a)(iv)(B) shall be
- 353 deposited into the State Laboratory Drug Testing Account created in Section
- 354 26B-1-304.
- 355 (c) The administrative impound fee and the administrative testing fee assessed under
- 356 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the
- 357 registered owner, lien holder, or owner's agent presents written evidence to the State
- 358 Tax Commission that:
- 359 (i) the Driver License Division determined that the arrested person's driver license
- 360 should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as
- 361 shown by a letter or other report from the Driver License Division presented
- 362 within 180 days after the day on which the Driver License Division mailed the
- 363 final notification; or
- 364 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the
- 365 stolen vehicle report presented within 180 days after the day [~~of the impoundment~~]
- 366 on which the vehicle was impounded.
- 367 (d)(i) A tow truck operator, a tow truck motor carrier, and an impound yard shall
- 368 accept payment by cash and debit or credit card for a removal or impoundment

- 369 under Subsection (1) or ~~any~~ service rendered, performed, or supplied in  
370 connection with a removal or impoundment under Subsection (1).
- 371 (ii) Except as provided in Subsection (7)(f)(ii), an impound yard may not release a  
372 vehicle unless an individual with a driving credential, as defined in Section  
373 41-1a-1101, is present and able to operate the vehicle.
- 374 (e) The owner of an impounded vehicle may not be charged a fee for the storage of the  
375 impounded vehicle, vessel, or outboard motor if:
- 376 (i) the vehicle, vessel, or outboard motor is being held as evidence; and  
377 (ii) the vehicle, vessel, or outboard motor is not being released to a party described in  
378 Subsection (6)(a), even if the party satisfies the requirements to release the  
379 vehicle, vessel, or outboard motor under this Subsection (7).
- 380 (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or  
381 outboard motor impounded or removed to a state impound yard as described in this  
382 section shall be released to an individual that is not described in Subsection (6)(a) if  
383 the individual:
- 384 (i)(A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);  
385 (B) presents the individual's driver license or other government-issued  
386 identification; and  
387 (C) demonstrates that the individual has authority granted by a person described in  
388 Subsection (6)(a) to obtain and operate the vehicle; or  
389 (ii) is a tow truck operator or tow truck motor carrier that:
- 390 (A) demonstrates that the tow truck operator or tow truck motor carrier has  
391 authority granted by a person described in Subsection (6)(a) to obtain and  
392 operate the vehicle, vessel, or outboard motor;  
393 (B) provides a towing certificate issued by the Department of Transportation [  
394 ~~pursuant to~~] in accordance with Section 72-9-602;  
395 (C) pays all towing and storage fees; and  
396 (D) obtains or presents an impound release for the vehicle, vessel, or outboard  
397 motor [~~pursuant to~~] in accordance with Subsection (7)(a).
- 398 (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by  
399 a party described in Subsection (6)(a) or (7)(f) within the time [~~prescribed by~~]  
400 described in Section 41-1a-1103, the Motor Vehicle Division shall issue a certificate  
401 of sale for the impounded or removed vehicle, vessel, or outboard motor as described  
402 in Section 41-1a-1103.

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

405 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the  
406 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause  
407 of action for all the fees and charges, together with damages, court costs, and attorney  
408 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused  
409 the removal or impoundment.

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

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

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

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

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

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

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

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

- 437 (ii) The fees under this Subsection (12)(b) shall:
- 438 (A) be reasonable and fair; and
- 439 (B) reflect the cost of administering the database.

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

441 **53-3-202 (Effective 05/06/26). Drivers must be licensed -- Violation.**

- 442 (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state
- 443 unless the human driver is:
- 444 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the
- 445 division under this chapter;
- 446 (b) driving an official United States Government class D motor vehicle with a valid
- 447 United States Government driver permit or license for that type of vehicle;
- 448 (c)(i) driving a road roller, road machinery, or ~~[any]~~ farm tractor or implement of
- 449 husbandry temporarily drawn, moved, or propelled on the highways; and
- 450 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a
- 451 construction or agricultural activity;
- 452 (d) a nonresident who is at least 16 years old and younger than 18 years old who has in
- 453 the nonresident's immediate possession a valid license certificate issued to the
- 454 nonresident in the nonresident's home state or country and is driving in the class or
- 455 classes identified on the home state license certificate, except those persons referred
- 456 to in Part 6, Drivers' License Compact, of this chapter;
- 457 (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate
- 458 possession a valid license certificate issued to the nonresident in the nonresident's
- 459 home state or country if driving in the class or classes identified on the home state
- 460 license certificate, except those persons referred to in Part 6, Drivers' License
- 461 Compact, of this chapter;
- 462 (f) driving under a learner permit in accordance with Section 53-3-210.5;
- 463 (g) driving with a temporary license certificate issued in accordance with Section
- 464 53-3-207; or
- 465 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.
- 466 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle
- 467 motion control for a vehicle being towed by another motor vehicle upon a highway
- 468 unless the human driver:
- 469 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor
- 470 vehicle being towed; or

- 471 (b) is exempted under either Subsection (1)(b) or (1)(c).
- 472 (3)(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this  
473 state unless the person has a valid class D driver license issued by the division.
- 474 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a  
475 highway of this state unless the human driver has:
- 476 (i) a taxicab endorsement issued by the division on the human driver's license  
477 certificate; or
- 478 (ii) a commercial driver license with:
- 479 (A) a taxicab endorsement;
- 480 (B) a passenger endorsement; or
- 481 (C) a school bus endorsement.
- 482 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor  
483 vehicle as a private passenger carrier from regulation under other statutory and  
484 regulatory schemes, including:
- 485 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;
- 486 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor  
487 Commission in accordance with Title 63G, Chapter 3, Utah Administrative  
488 Rulemaking Act; and
- 489 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor  
490 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative  
491 Rulemaking Act.
- 492 (4)(a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not  
493 operate:
- 494 (i) a motorcycle unless the human driver has a valid class D driver license and a  
495 motorcycle endorsement issued under this chapter;
- 496 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver  
497 license; or
- 498 (iii) a motor-driven cycle unless the human driver has a valid class D driver license  
499 and a motorcycle endorsement issued under this chapter.
- 500 (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required  
501 to have a motorcycle endorsement issued under this chapter.
- 502 (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102,  
503 is not required to have a valid class D driver license or a motorcycle endorsement  
504 issued under this chapter.

- 505 (d) An individual is not required to have a valid class D driver license if the person is:  
506 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance  
507 with Section 41-6a-1115; or  
508 (ii) operating an electric personal assistive mobility device, as defined in Section  
509 41-6a-102, in accordance with Section 41-6a-1116.
- 510 (e) A human driver operating an autocycle is not required to have a motorcycle  
511 endorsement issued under this chapter.
- 512 (5) An automated driving system as defined in Section 41-26-102.1 is not required to have  
513 a driver license.
- 514 (6)(a) As used in this Subsection (6), a "quick fingerprint" is a fingerprint, taken on a  
515 biometric device, that is:
- 516 (i) taken for the purpose of identifying an individual;  
517 (ii) queried against the Automated Fingerprint Identification System, Bureau of  
518 Criminal Identification fingerprint database, National Crime Information Center  
519 database, or a similar fingerprint database system;  
520 (iii) not added to or stored in the Automated Fingerprint Identification System,  
521 Bureau of Criminal Identification fingerprint database, National Crime  
522 Information Center database, or a similar fingerprint database system; and  
523 (iv) accomplished in approximately 15 minutes or less.
- 524 (b) An individual without a driver license, driving privilege card, or learner permit that  
525 is lawfully subjected to a stop by a peace officer as described in Section 77-7-15 shall  
526 present another form of government-issued identification.
- 527 (c) Subject to Subsection (7), a peace officer shall take a quick fingerprint of an  
528 individual described in Subsection (6)(b) if:
- 529 (i) the peace officer is unable to verify that the individual has been issued a driving  
530 credential;  
531 (ii) the individual does not provide a form of identification; or  
532 (iii) the peace officer has reasonable suspicion to believe that the form of  
533 identification presented is fraudulent.
- 534 (d) Nothing in this Subsection (6) prohibits a peace officer from conducting a full  
535 fingerprint panel subject to a noncustodial booking.
- 536 (7) A peace officer is not required to comply with Subsection (6)(c) if the peace officer  
537 makes a reasonable determination that:
- 538 (a) doing so would create a safety concern for the driver or peace officer;

- 539           (b) doing so would prevent the peace officer from addressing other public safety  
 540           considerations;
- 541           (c) the peace officer does not have adequate equipment to take a fingerprint;  
 542           (d) the driver is under 18 years old; or  
 543           (e) the peace officer would be unable to complete a fingerprint check due to lack of  
 544           cellular service.
- 545           (8) A law enforcement agency shall ensure access to fingerprinting equipment to comply  
 546           with Subsection (6) no later than January 1, 2028.
- 547           ~~(6)~~ (9)(a) ~~[A person]~~ Except as described in Subsection (9)(b) and (9)(c), an individual  
 548           who violates this section is guilty of an infraction.
- 549           (b)(i) Except as provided in Subsection ~~[(6)(d)]~~ ~~[, a person]~~ (9)(b)(iii), and individual  
 550           who violates Subsection (4)(a)(i) or (4)(a)(iii) is subject to a minimum fine of  
 551           \$350.
- 552           ~~(e)~~ (ii) The fine described in Subsection ~~[(6)(b)]~~ (9)(b)(i) is in addition to any other  
 553           fine for a violation of Title 41, Chapter 6a, Traffic Code, or a local ordinance  
 554           related to the operation of the motorcycle.
- 555           ~~(d)~~ (iii)(i) (A) A court shall waive the fine imposed under Subsection ~~[(6)(b)]~~  
 556           (9)(b)(i) if the ~~[person]~~ individual provides to the court within 30 days ~~[of the~~  
 557           ~~date of the entry of a plea or sentencing, whichever is later]~~ from the day on  
 558           which the individual enters a plea, or within 30 days from the day on which the  
 559           court imposes a sentence, whichever is later, proof that the [person] individual  
 560           has been issued a motorcycle endorsement as provided in this chapter.
- 561           ~~(i)~~ (B) A court may extend the 30-day time period described in Subsection [  
 562           ~~(6)(d)(i)]~~ (9)(b)(iii)(A) for a reasonable time period for the ~~[person]~~ individual to  
 563           obtain a motorcycle endorsement for good cause shown.
- 564           (c)(i) An individual is guilty of a class B misdemeanor if, at the time of the offense,  
 565           the individual has previously been convicted of a violation of this section.
- 566           (ii) In addition to the penalties described in Subsections (9)(a), (b), and (c)(i), an  
 567           individual who violates this section is also subject to seizure of the vehicle as  
 568           described in Section 41-1a-1101.

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

570           **53-3-203 (Effective 05/06/26). Authorizing or permitting driving in violation of**  
 571           **chapter -- Renting of motor vehicles -- License requirements -- Employees must be**  
 572           **licensed -- Violations.**

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

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

601 **53-3-221 (Effective 05/06/26). Offenses that may result in denial, suspension,**  
602 **disqualification, or revocation of license -- Additional grounds for suspension -- Point**  
603 **system for traffic violations -- Notice and hearing -- Reporting of traffic violation**  
604 **procedures.**

- 605 (1) By following the procedures in Title 63G, Chapter 4, Administrative Procedures Act,  
606 the division may deny, suspend, disqualify, or revoke the license or permit of any

- 607 individual without receiving a record of the individual's conviction of crime when the  
 608 division has been notified or has reason to believe the individual:
- 609 (a) has committed any offenses for which mandatory suspension or revocation of a  
 610 license is required upon conviction under Section 53-3-220;
  - 611 (b) has, by reckless [~~or unlawful~~]driving of a motor vehicle, caused or contributed to an  
 612 accident resulting in death or injury to any other individual, or [~~serious~~]property  
 613 damage;
  - 614 (c) is incompetent to drive a motor vehicle or mobility vehicle or has a mental or  
 615 physical disability rendering it unsafe for the individual to drive a motor vehicle or  
 616 mobility vehicle upon the highways;
  - 617 (d) has committed a serious violation of the motor vehicle laws of this state;
  - 618 (e) has knowingly committed a violation of Section 53-3-229; or
  - 619 (f) has been convicted of serious offenses against traffic laws governing the movement  
 620 of motor vehicles with a frequency that indicates a disrespect for traffic laws and a  
 621 disregard for the safety of other individuals on the highways.
- 622 (2)(a)(i) Except as provided in Subsection 53-3-218(3), and subject to Subsection  
 623 (2)(a)(ii), the division may suspend a license of an individual under Subsection (1):
- 624 (A) when the individual has failed to comply with the terms stated on a traffic  
 625 citation issued in this state; or
  - 626 (B) if the division receives a notification from a court as described in Subsection  
 627 41-6a-509(11)(d) or 41-6a-517(13)(b).
  - 628 (ii) This Subsection (2) does not apply to highway weight limit violations or  
 629 violations of law governing the transportation of hazardous materials.
- 630 (b)(i) This Subsection (2) may not be exercised unless notice of the pending  
 631 suspension of the driving privilege has been sent at least 30 days previously to the  
 632 individual at the address provided to the division.
- 633 (ii) After clearance by the division, a report authorized by Section 53-3-104 may not  
 634 contain any evidence of a suspension that occurred as a result of failure to comply  
 635 with the terms stated on a traffic citation.
- 636 (3) Except as provided in Subsection 53-3-218(3), the division may not revoke, deny,  
 637 suspend, or disqualify an individual's driver license based solely on:
- 638 (a) the individual's failure to appear;
  - 639 (b) the individual's failure to pay an outstanding penalty accounts receivable; or
  - 640 (c) the issuance of a bench warrant as a result of an event described in Subsection (3)(a)

- 641 or (b).
- 642 (4)(a) The division shall make rules establishing a point system as provided for in this  
643 Subsection (4).
- 644 (b)(i) The division shall assign a number of points to each type of moving traffic  
645 violation as a measure of its seriousness.
- 646 (ii) The points shall be based upon actual relationships between types of traffic  
647 violations and motor vehicle traffic accidents.
- 648 (iii) Except as provided in Subsection (4)(b)(iv), the division may not assess points  
649 against an individual's driving record for a conviction of a traffic violation:  
650 (A) that occurred in another state; and  
651 (B) that was committed on or after July 1, 2011.
- 652 (iv) The provisions of Subsection (4)(b)(iii) do not apply to:  
653 (A) a reckless or impaired driving violation or a speeding violation for exceeding  
654 the posted speed limit by 21 or more miles per hour; or  
655 (B) an offense committed in another state which, if committed within Utah, would  
656 result in the mandatory suspension or revocation of a license upon conviction  
657 under Section 53-3-220.
- 658 (c) Every individual convicted of a traffic violation shall have assessed against the  
659 individual's driving record the number of points that the division has assigned to the  
660 type of violation of which the individual has been convicted, except that the number  
661 of points assessed shall be decreased by 10% if on the abstract of the court record of  
662 the conviction the court has graded the severity of violation as minimum, and shall be  
663 increased by 10% if on the abstract the court has graded the severity of violation as  
664 maximum.
- 665 (d)(i) A separate procedure for assessing points for speeding offenses shall be  
666 established by the division based upon the severity of the offense.
- 667 (ii) The severity of a speeding violation shall be graded as:  
668 (A) "minimum" for exceeding the posted speed limit by up to 10 miles per hour;  
669 (B) "intermediate" for exceeding the posted speed limit by 11 to 20 miles per  
670 hour; and  
671 (C) "maximum" for exceeding the posted speed limit by 21 or more miles per hour.
- 672 (iii) Consideration shall be made for assessment of no points on minimum speeding  
673 violations, except for speeding violations in school zones.
- 674 (e)(i) Points assessed against an individual's driving record shall be deleted for

- 675 violations occurring before a time limit set by the division.
- 676 (ii) The time limit may not exceed three years.
- 677 (iii) The division may also delete points to reward violation-free driving for periods  
678 of time set by the division.
- 679 (f)(i) By publication in two newspapers having general circulation throughout the  
680 state, the division shall give notice of the number of points it has assigned to each  
681 type of traffic violation, the time limit set by the division for the deletion of  
682 points, and the point level at which the division will generally take action to deny  
683 or suspend under this section.
- 684 (ii) The division may not change any of the information provided above regarding  
685 points without first giving new notice in the same manner.
- 686 (5)(a)(i) If the division finds that the license of an individual should be denied,  
687 suspended, disqualified, or revoked under this section, the division shall  
688 immediately notify the licensee in a manner specified by the division and afford  
689 the individual an opportunity for a hearing in the county where the licensee  
690 resides.
- 691 (ii) The hearing shall be documented, and the division or its authorized agent may  
692 administer oaths, may issue subpoenas for the attendance of witnesses and the  
693 production of relevant books and papers, and may require a reexamination of the  
694 licensee.
- 695 (iii) One or more members of the division may conduct the hearing, and any decision  
696 made after a hearing before any number of the members of the division is as valid  
697 as if made after a hearing before the full membership of the division.
- 698 (iv) After the hearing the division shall either rescind or affirm its decision to deny,  
699 suspend, disqualify, or revoke the license.
- 700 (b) The denial, suspension, disqualification, or revocation of the license remains in  
701 effect pending qualifications determined by the division regarding an individual:
- 702 (i) whose license has been denied or suspended following reexamination;
- 703 (ii) who is incompetent to drive a motor vehicle;
- 704 (iii) who is afflicted with mental or physical infirmities that might make the  
705 individual dangerous on the highways; or
- 706 (iv) who may not have the necessary knowledge or skill to drive a motor vehicle  
707 safely.
- 708 (6)(a) Subject to Subsection (6)(d), the division shall suspend an individual's license

- 709 when the division receives notice from the Office of Recovery Services that the  
710 Office of Recovery Services has ordered the suspension of the individual's license.
- 711 (b) A suspension under Subsection (6)(a) shall remain in effect until the division  
712 receives notice from the Office of Recovery Services that the Office of Recovery  
713 Services has rescinded the order of suspension.
- 714 (c) After an order of suspension is rescinded under Subsection (6)(b), a report authorized  
715 by Section 53-3-104 may not contain any evidence of the suspension.
- 716 (d)(i) If the division suspends an individual's license under this Subsection (6), the  
717 division shall, upon application, issue a temporary limited driver license to the  
718 individual if that individual needs a driver license for employment, education, or  
719 child visitation.
- 720 (ii) The temporary limited driver license described in this section:
- 721 (A) shall provide that the individual may operate a motor vehicle only for the  
722 purpose of driving to or from the individual's place of employment, education,  
723 or child visitation;
- 724 (B) shall prohibit the individual from driving a motor vehicle for any purpose  
725 other than a purpose described in Subsection (6)(d)(ii)(A); and
- 726 (C) shall expire 90 days after the day on which the temporary limited driver  
727 license is issued.
- 728 (iii)(A) During the period beginning on the day on which a temporary limited  
729 driver license is issued under this Subsection (6), and ending on the day that  
730 the temporary limited driver license expires, the suspension described in this  
731 Subsection (6) only applies if the individual who is suspended operates a motor  
732 vehicle for a purpose other than employment, education, or child visitation.
- 733 (B) Upon expiration of a temporary limited driver license described in this  
734 Subsection (6)(d):
- 735 (I) a suspension described in Subsection (6)(a) shall be in full effect until the  
736 division receives notice, under Subsection (6)(b), that the order of  
737 suspension is rescinded; and
- 738 (II) an individual suspended under Subsection (6)(a) may not drive a motor  
739 vehicle for any reason.
- 740 (iv) The division is not required to issue a limited driver license to an individual  
741 under this Subsection (6)(d) if there are other legal grounds for the suspension of  
742 the individual's driver license.

- 743 (v) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah  
744 Administrative Rulemaking Act, to implement the provisions of this part.
- 745 (7)(a) The division may suspend or revoke the license of any resident of this state upon  
746 receiving notice of the conviction of that individual in another state of an offense  
747 committed there that, if committed in this state, would be grounds for the suspension  
748 or revocation of a license.
- 749 (b) The division may, upon receiving a record of the conviction in this state of a  
750 nonresident driver of a motor vehicle or motorboat of any offense under the motor  
751 vehicle laws of this state, forward a certified copy of the record to the motor vehicle  
752 administrator in the state where the individual convicted is a resident.
- 753 (8)(a) The division may suspend or revoke the license of any nonresident to drive a  
754 motor vehicle in this state for any cause for which the license of a resident driver may  
755 be suspended or revoked.
- 756 (b) Any nonresident who drives a motor vehicle upon a highway when the individual's  
757 license has been suspended or revoked by the division is guilty of a class C  
758 misdemeanor.
- 759 (9)(a) The division may not deny or suspend the license of any individual for a period of  
760 more than one year except:
- 761 (i) for failure to comply with the terms of a traffic citation under Subsection (2);  
762 (ii) upon receipt of a second or subsequent order suspending juvenile driving  
763 privileges under Section 53-3-219;  
764 (iii) when extending a denial or suspension upon receiving certain records or reports  
765 under Subsection 53-3-220(2);  
766 (iv) for failure to give and maintain owner's or operator's security under Section  
767 41-12a-411;  
768 (v) when the division suspends the license under Subsection (6); or  
769 (vi) when the division denies the license under Subsection (14).
- 770 (b) The division may suspend the license of an individual under Subsection (2) until the  
771 individual shows satisfactory evidence of compliance with the terms of the traffic  
772 citation.
- 773 (10)(a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures  
774 Act, the division may suspend the license of any individual without receiving a  
775 record of the individual's conviction for a crime when the division has reason to  
776 believe that the individual's license was granted by the division through error or fraud

- 777 or that the necessary consent for the license has been withdrawn or is terminated.
- 778 (b) The procedure upon suspension is the same as under Subsection (5), except that after  
779 the hearing the division shall either rescind its order of suspension or cancel the  
780 license.
- 781 (11)(a) The division, having good cause to believe that a licensed driver is incompetent  
782 or otherwise not qualified to be licensed, may upon notice in a manner specified by  
783 the division of at least five days to the licensee require the licensee to submit to an  
784 examination.
- 785 (b) Upon the conclusion of the examination the division may suspend or revoke the  
786 individual's license, permit the individual to retain the license, or grant a license  
787 subject to a restriction imposed in accordance with Section 53-3-208.
- 788 (c) Refusal or neglect of the licensee to submit to an examination is grounds for  
789 suspension or revocation of the licensee's license.
- 790 (12)(a) Except as provided in Subsection (12)(b), a report authorized by Section  
791 53-3-104 may not contain any evidence of a conviction for speeding on an interstate  
792 system in this state if the conviction was for a speed of 10 miles per hour or less,  
793 above the posted speed limit and did not result in an accident, unless authorized in a  
794 manner specified by the division by the individual whose report is being requested.
- 795 (b) The provisions of Subsection (12)(a) do not apply for:  
796 (i) a CDIP or CDL license holder; or  
797 (ii) a violation that occurred in a commercial motor vehicle.
- 798 (13)(a) By following the procedures in Title 63G, Chapter 4, Administrative Procedures  
799 Act, the division may suspend the license of an individual if it has reason to believe  
800 that the individual is the owner of a motor vehicle for which security is required  
801 under Title 41, Chapter 12a, Financial Responsibility of Motor Vehicle Owners and  
802 Operators Act, and has driven the motor vehicle or permitted it to be driven within  
803 this state without the security being in effect.
- 804 (b) The division may suspend a driving privilege card holder's driving privilege card if  
805 the division receives notification from the Motor Vehicle Division that:  
806 (i) the driving privilege card holder is the registered owner of a vehicle; and  
807 (ii) the driving privilege card holder's vehicle registration has been revoked under  
808 Subsection 41-1a-110(2)(a)(ii)(A).
- 809 (c) Section 41-12a-411 regarding the requirement of proof of owner's or operator's  
810 security applies to individuals whose driving privileges are suspended under this

811 Subsection (13).

812 (14) The division may deny an individual's license if the individual fails to comply with the  
813 requirement to downgrade the individual's CDL to a class D license under Section  
814 53-3-409 or 53-3-410.1.

815 (15) The division may deny an individual's class A, B, C, or D license if the individual fails  
816 to comply with the requirement to have a K restriction removed from the individual's  
817 license.

818 (16) Any suspension or revocation of an individual's license under this section also  
819 disqualifies any license issued to that individual under Part 4, Uniform Commercial  
820 Driver License Act.

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

822 **53-25-802 (Effective 05/06/26). Portable biometric capture method requirement.**

823 (1) Beginning January 1, [~~2027~~] 2028, a law enforcement agency shall ensure that every law  
824 enforcement officer who is on duty outside of the law enforcement agency's facility is  
825 supplied with a portable biometric capture device.

826 (2)(a) A software vendor that allows a law enforcement agency to file a citation  
827 electronically as described in Section 77-7-20 shall ensure that the software vendor's  
828 software is capable of submitting biometric data captured by a portable biometric  
829 device electronically to the court's electronic filing interface.

830 (b) A software vendor shall ensure that the connection described in Subsection (2)(a) is  
831 operational within one year of the criminal justice agency's system that uses the  
832 software service becoming active.

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

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

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

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

837 **63I-2-241 (Effective 05/06/26). Repeal dates: Title 41.**

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

840 Section 8. **Effective Date.**

841 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

842 (2) The actions affecting Section 41-6a-1406 (Effective 07/01/26) (Partially Repealed 07/01/29)  
843 take effect on July 1, 2026.