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53-3-202 Drivers must be licensed -- Violation.

- (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state unless the human driver is:
 - (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the division under this chapter;
 - (b) driving an official United States Government class D motor vehicle with a valid United States Government driver permit or license for that type of vehicle;
 - (c)
 - (i) driving a road roller, road machinery, or farm tractor or implement of husbandry temporarily drawn, moved, or propelled on the highways; and
 - (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a construction or agricultural activity;
 - (d) a nonresident who is at least 16 years old and younger than 18 years old who has in the nonresident's immediate possession a valid license certificate issued to the nonresident in the nonresident's home state or country and is driving in the class or classes identified on the home state license certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;
 - (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate possession a valid license certificate issued to the nonresident in the nonresident's home state or country if driving in the class or classes identified on the home state license certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;
 - (f) driving under a learner permit in accordance with Section 53-3-210.5;
 - (g) driving with a temporary license certificate issued in accordance with Section 53-3-207; or
 - (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.
- (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle motion control for a vehicle being towed by another motor vehicle upon a highway unless the human driver:
 - (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor vehicle being towed; or
 - (b) is exempted under either Subsection (1)(b) or (1)(c).
- (3)
 - (a) A human driver may not drive a motor vehicle as a taxicab on a highway of this state unless the person has a valid class D driver license issued by the division.
 - (b) A human driver may not drive a motor vehicle as a private passenger carrier on a highway of this state unless the human driver has:
 - (i) a taxicab endorsement issued by the division on the human driver's license certificate; or
 - (ii) a commercial driver license with:
 - (A) a taxicab endorsement;
 - (B) a passenger endorsement; or
 - (C) a school bus endorsement.
 - (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor vehicle as a private passenger carrier from regulation under other statutory and regulatory schemes, including:
 - (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;

- (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor Commission in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (4)
- (a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not operate:
 - (i) a motorcycle unless the human driver has a valid class D driver license and a motorcycle endorsement issued under this chapter;
 - (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver license; or
 - (iii) a motor-driven cycle unless the human driver has a valid class D driver license and a motorcycle endorsement issued under this chapter.
 - (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required to have a motorcycle endorsement issued under this chapter.
 - (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102, is not required to have a valid class D driver license or a motorcycle endorsement issued under this chapter.
 - (d) An individual is not required to have a valid class D driver license if the person is:
 - (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance with Section 41-6a-1115; or
 - (ii) operating an electric personal assistive mobility device, as defined in Section 41-6a-102, in accordance with Section 41-6a-1116.
 - (e) A human driver operating an autocycle is not required to have a motorcycle endorsement issued under this chapter.
- (5) An automated driving system as defined in Section 41-26-102.1 is not required to have a driver license.
- (6)
- (a) As used in this Subsection (6), a "quick fingerprint" is a fingerprint, taken on a biometric device, that is:
 - (i) taken for the purpose of identifying an individual;
 - (ii) queried against the Automated Fingerprint Identification System, Bureau of Criminal Identification fingerprint database, National Crime Information Center database, or a similar fingerprint database system;
 - (iii) not added to or stored in the Automated Fingerprint Identification System, Bureau of Criminal Identification fingerprint database, National Crime Information Center database, or a similar fingerprint database system; and
 - (iv) accomplished in approximately 15 minutes or less.
 - (b) An individual without a driver license, driving privilege card, or learner permit that is lawfully subjected to a stop by a peace officer as described in Section 77-7-15 shall present another form of government-issued identification.
 - (c) Subject to Subsection (7), a peace officer shall take a quick fingerprint of an individual described in Subsection (6)(b) if:
 - (i) the peace officer is unable to verify that the individual has been issued a driving credential;
 - (ii) the individual does not provide a form of identification; or
 - (iii) the peace officer has reasonable suspicion to believe that the form of identification presented is fraudulent.
 - (d) Nothing in this Subsection (6) prohibits a peace officer from conducting a full fingerprint panel subject to a noncustodial booking.

- (7) A peace officer is not required to comply with Subsection (6)(c) if the peace officer makes a reasonable determination that:
- (a) doing so would create a safety concern for the driver or peace officer;
 - (b) doing so would prevent the peace officer from addressing other public safety considerations;
 - (c) the peace officer does not have adequate equipment to take a fingerprint;
 - (d) the driver is under 18 years old; or
 - (e) the peace officer would be unable to complete a fingerprint check due to lack of cellular service.
- (8) A law enforcement agency shall ensure access to fingerprinting equipment to comply with Subsection (6) no later than January 1, 2028.
- (9)
- (a) Except as described in Subsection (9)(b) and (9)(c), an individual who violates this section is guilty of an infraction.
 - (b)
 - (i) Except as provided in Subsection (9)(b)(iii), an individual who violates Subsection (4)(a)(i) or (4)(a)(iii) is subject to a minimum fine of \$350.
 - (ii) The fine described in Subsection (9)(b)(i) is in addition to any other fine for a violation of Title 41, Chapter 6a, Traffic Code, or a local ordinance related to the operation of the motorcycle.
 - (iii)
 - (A) A court shall waive the fine imposed under Subsection (9)(b)(i) if the individual provides to the court within 30 days from the day on which the individual enters a plea, or within 30 days from the day on which the court imposes a sentence, whichever is later, proof that the individual has been issued a motorcycle endorsement as provided in this chapter.
 - (B) A court may extend the 30-day time period described in Subsection (9)(b)(iii)(A) for a reasonable time period for the individual to obtain a motorcycle endorsement for good cause shown.
 - (c)
 - (i) An individual is guilty of a class B misdemeanor if, at the time of the offense, the individual has previously been convicted of a violation of this section.
 - (ii) In addition to the penalties described in Subsections (9)(a), (b), and (c)(i), an individual who violates this section is also subject to seizure of the vehicle as described in Section 41-1a-1101.

Amended by Chapter 460, 2026 General Session