

Effective 5/12/2015

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

- (1)
 - (a) The division may not license a person who:
 - (i) is younger than 16 years of age;
 - (ii) if the person is 18 years of age or younger, has not completed a course in driver training approved by the commissioner;
 - (iii) if the person is 19 years of age or older has not completed:
 - (A) a course in driver training approved by the commissioner; or
 - (B) the requirements under Subsection 53-3-210.5(6)(c);
 - (iv) if the person is a minor as defined in Section 53-3-211, has not completed the driving requirement under Section 53-3-211;
 - (v) is not a resident of the state, unless the person:
 - (A) is issued a temporary CDL under Subsection 53-3-407(2)(b) prior to July 1, 2015; or
 - (B) qualifies for a non-domiciled CDL as defined in 49 C.F.R. Part 383;
 - (vi) if the person is 17 years of age or younger, has not held a learner permit issued under Section 53-3-210.5 or an equivalent by another state or branch of the United States Armed Forces for six months; or
 - (vii) is younger than 18 years of age and applying for a CDL under 49 C.F.R. Part 383.
 - (b) Subsections (1)(a)(i), (ii), (iii), (iv), and (vi) do not apply to a person:
 - (i) who has been licensed before July 1, 1967; or
 - (ii) who is 16 years of age or older making application for a license who has been licensed in another state or country.
- (2) The division may not issue a license certificate to a person:
 - (a) whose license has been suspended, denied, cancelled, or disqualified during the period of suspension, denial, cancellation, or disqualification;
 - (b) whose privilege has been revoked, except as provided in Section 53-3-225;
 - (c) who has previously been adjudged mentally incompetent and who has not at the time of application been restored to competency as provided by law;
 - (d) who is required by this chapter to take an examination unless the person successfully passes the examination;
 - (e) whose driving privileges have been denied or suspended under:
 - (i) Section 78A-6-606 by an order of the juvenile court; or
 - (ii) Section 53-3-231; or
 - (f) beginning on or after July 1, 2012, who holds an unexpired Utah identification card issued under Part 8, Identification Card Act, unless:
 - (i) the Utah identification card is canceled; and
 - (ii) if the Utah identification card is in the person's possession, the Utah identification card is surrendered to the division.
- (3)
 - (a) Except as provided in Subsection (3)(c), the division may not grant a motorcycle endorsement to a person who:
 - (i) has not been granted an original or provisional class D license, a CDL, or an out-of-state equivalent to an original or provisional class D license or a CDL; and
 - (ii) if the person is under 19 years of age, has not held a motorcycle learner permit for two months unless Subsection (3)(b) applies.
 - (b) The division may waive the two month motorcycle learner permit holding period requirement under Subsection (3)(a)(ii) if the person proves to the satisfaction of the division that the

person has completed a motorcycle rider education program that meets the requirements under Section 53-3-903.

- (c) The division may grant a motorcycle endorsement to a person under 19 years of age who has not held a motorcycle learner permit for two months if the person was issued a motorcycle endorsement prior to July 1, 2008.
- (4) The division may grant a class D license to a person whose commercial license is disqualified under Part 4, Uniform Commercial Driver License Act, if the person is not otherwise sanctioned under this chapter.

Amended by Chapter 422, 2015 General Session