

Effective 5/10/2016

53-3-305 Notification of impaired person to the division -- Confidentiality of notification -- Rulemaking -- Penalty.

- (1) A person who is aware of a physical, mental, or emotional impairment of another person that appears to present an imminent threat to driving safety may notify the division of the impairment.
- (2) If the division determines that the notification made under Subsection (1) was made in good faith, the division may require the person who is the subject of the notification to submit to:
 - (a) one or more medical reports under Subsection 53-3-304(1);
 - (b) a physical and mental fitness test under Section 53-3-206;
 - (c) the knowledge test required by the division; or
 - (d) the skills test approved by the division.
- (3)
 - (a) A person making a notification under Subsection (1) may request that the notification be confidential.
 - (b) If requested by the person notifying the division, the notification provided under this section relating to a physical, mental, or emotional impairment is classified as a protected record under Title 63G, Chapter 2, Government Records Access and Management Act, and the identity of the person notifying the division may not be disclosed by the division.
 - (c) The division may not accept an anonymous notification under this section.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules establishing procedures for making a protected notification under this section to ensure that the notification is made in good faith.
- (5) A person who makes a notification with the intent to annoy, intimidate, or harass the person that is the subject of the notification is guilty of an infraction.

Amended by Chapter 303, 2016 General Session