

**DRIVER LICENSE IDENTIFICATION**

1999 GENERAL SESSION

STATE OF UTAH

**Sponsor: David Ure**

AN ACT RELATING TO PUBLIC SAFETY; ALLOWING A TEMPORARY IDENTIFICATION NUMBER ISSUED BY THE INTERNAL REVENUE SERVICE TO BE USED AS AN IDENTIFICATION TO OBTAIN A DRIVER LICENSE AND IDENTIFICATION CARD IN CERTAIN CIRCUMSTANCES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**53-3-205**, as last amended by Chapter 155, Laws of Utah 1995

**53-3-804**, as renumbered and amended by Chapter 234, Laws of Utah 1993

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

Section 1. Section **53-3-205** is amended to read:

**53-3-205. Application for license or endorsement -- Fee required -- Tests -- Expiration dates of licenses and endorsements -- Information required -- Previous licenses surrendered -- Driving record transferred from other states -- Reinstatement -- Fee required -- License agreement.**

(1) An application for any original license, provisional license, or endorsement shall be:

(a) made upon a form furnished by the division; and

(b) accompanied by a nonrefundable fee set under Section 53-3-105.

(2) An application and fee for an original class D license entitle the applicant to:

(a) not more than three attempts to pass both the written and skills tests for a class D license within six months of the date of the application;

(b) a learner permit if needed after the written test is passed; and

(c) an original class D license and license certificate after all tests are passed.

(3) An application and fee for an original class M license entitle the applicant to:

(a) not more than three attempts to pass both the written and skills tests for a class M license within six months of the date of the application;

(b) a learner permit if needed after the written test is passed; and

(c) an original class M license and license certificate after all tests are passed.

(4) An application and fee for a motorcycle or taxicab endorsement entitle the applicant to:

(a) not more than three attempts to pass both the written and skills tests within six months of the date of the application;

(b) a motorcycle learner permit if needed after the motorcycle written test is passed; and

(c) a motorcycle or taxicab endorsement when all tests are passed.

(5) An application and fees for a commercial class A, B, or C license entitle the applicant to:

(a) not more than two attempts to pass a written test and not more than two attempts to pass a skills test within six months of the date of the application;

(b) a commercial driver instruction permit if needed after the written test is passed; and

(c) an original commercial class A, B, or C license and license certificate when all applicable tests are passed.

(6) An application and fee for a CDL endorsement entitle the applicant to:

(a) not more than two attempts to pass a written test and not more than two attempts to pass a skills test within six months of the date of the application; and

(b) a CDL endorsement when all tests are passed.

(7) If a CDL applicant does not pass a written test, skills test, or an endorsement test within the number of attempts provided in Subsection (5) or (6), each test may be taken two additional times within the six months for the fee provided in Section 53-3-105.

(8) An original license, an extension or a renewal, and any endorsement to the license granted before October 1, 1991, expires on the birth date of the applicant in the fourth year following the year the license certificate is issued.

(9) (a) An original license granted after September 30, 1991, expires on the birth date of the applicant in the fifth year following the year the license certificate was issued.

(b) A renewal or an extension to a license granted after September 30, 1991, expires on the birth date of the licensee in the fifth year following the expiration date of the license certificate

renewed or extended.

(c) A duplicate license expires on the same date as the last license certificate issued.

(d) An endorsement to a license expires on the same date as the license certificate regardless of the date the endorsement was granted.

(e) A license and any endorsement to the license held by a person ordered to active duty and stationed outside Utah in any of the armed forces of the United States, which expires during the time period the person is stationed outside of the state, is valid until 90 days after the person has been discharged or has left the service, unless the license is suspended, disqualified, denied, or has been cancelled or revoked by the division, or the licensee updates the information or photograph on the license certificate.

(10) (a) In addition to the information required by Title 63, Chapter 46b, Administrative Procedures Act, for requests for agency action, each application shall:

(i) state the full legal name, birth date, sex, Social Security number or temporary identification number (ITIN) issued by the Internal Revenue Service for a person who does not qualify for a Social Security number, and residence address of the applicant;

(ii) briefly describe the applicant;

(iii) state whether the applicant has previously been licensed to drive a motor vehicle and, if so, when and by what state or country;

(iv) state whether the applicant has ever had any license suspended, cancelled, revoked, disqualified, or denied in the last six years, or whether the applicant has ever had any license application refused, and if so, the date of and reason for the suspension, cancellation, revocation, disqualification, denial, or refusal;

(v) provide all other information the division requires; and

(vi) be signed and verified before a person authorized to administer oaths.

(b) An applicant's Social Security number or temporary identification number (ITIN) shall be maintained on the computerized records of the division.

(11) The division shall require proof of every applicant's name, birthdate, and birthplace by at least one of the following means:

(a) current license certificate;

(b) birth certificate;

(c) Selective Service registration; or

(d) other proof, including church records, family Bible notations, school records, or other evidence considered acceptable by the division.

(12) When an applicant receives a license in another class, all previous license certificates shall be surrendered and canceled. However, a disqualified commercial license may not be canceled unless it expires before the new license certificate is issued.

(13) (a) When an application is received from a person previously licensed in another state to drive a motor vehicle, the division shall request a copy of the driver's record from the other state.

(b) When received, the driver's record becomes part of the driver's record in this state with the same effect as though entered originally on the driver's record in this state.

(14) An application for reinstatement of a license after the suspension, cancellation, disqualification, denial, or revocation of a previous license shall be accompanied by the additional fee or fees specified in Section 53-3-105.

(15) A person who has an appointment with the division for testing and fails to keep the appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee under Section 53-3-105.

(16) A person who applies for an original license or renewal of a license agrees that the person's license is subject to any suspension or revocation authorized under this title or Title 41, Motor Vehicles.

Section 2. Section **53-3-804** is amended to read:

**53-3-804. Application for identification card -- Required information.**

(1) To apply for an identification card, the applicant shall appear in person at any license examining station.

(2) The applicant shall provide the following information to the division:

(a) true and full legal name and address;

(b) date of birth as set forth in a certified copy of the applicant's birth certificate, or other satisfactory evidence of birth, which shall be attached to the application;

(c) Social Security number or temporary identification number (ITIN) issued by the Internal Revenue Service for a person who does not qualify for a Social Security number;

(d) place of birth;

(e) height and weight;

(f) color of eyes and hair;

- 121 (g) signature;
- 122 (h) photograph; and
- 123 (i) organ donor indication, if desired.

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**Legislative Review Note**  
**as of 12-15-98 12:54 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**