

ISSUANCE OF A DRIVERS LICENSE

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Brent D. Parker

This act modifies the Public Safety Code by amending certain driver license requirements.

The act clarifies the penalty for certain driver license violations.

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

AMENDS:

53-3-204, as last amended by Chapter 28, Laws of Utah 1999

53-3-216, as last amended by Chapter 216, Laws of Utah 1999

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

Section 1. Section **53-3-204** is amended to read:

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) has not completed a course in driver training approved by the commissioner; [~~and~~] or

(iii) if the person is a minor, [~~does~~] has not [~~complete~~] completed the driving requirement

under Section 53-3-211.

(b) Subsection (1)(a) does 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(b) whose privilege has been revoked, except as provided in Section 53-3-225;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; or

(e) whose driving privileges have been denied or suspended under:

(i) Section 78-3a-506 by an order of the juvenile court; or

(ii) Section 53-3-231.

(3) The division may grant a class D or M license to a person whose commercial license is disqualified under Part 4 of this chapter if the person is not otherwise sanctioned under this chapter.

Section 2. Section **53-3-216** is amended to read:

53-3-216. Change of address -- Duty of licensee to notify division within ten days -- Change of name -- Proof necessary -- Method of giving notice by division.

(1) If a person, after applying for or receiving a license, moves from the address named in the application or in the license certificate issued to him, the person shall within ten days of moving, notify the division in writing of his new address and the number of any license certificate held by him.

(2) If a person requests to change the surname on the applicant's license, the division shall issue a substitute license with the new name upon receiving an application and fee for a duplicate license and any of the following proofs of the applicant's full legal name:

(a) an original or certified copy of the applicant's marriage certificate;

(b) a certified copy of a court order under Title 42, Chapter 1, Change of Name, showing the name change;

(c) an original or certified copy of a birth certificate issued by a government agency;

(d) a certified copy of a divorce decree or annulment granted the applicant that specifies the name change requested; or

(e) a certified copy of a divorce decree that does not specify the name change requested together with:

(i) an original or certified copy of the applicant's birth certificate;

(ii) the applicant's marriage license;

(iii) a driver license record showing use of a maiden name; or

(iv) other documentation the division finds acceptable.

(3) (a) If the division is authorized or required to give any notice under this chapter or other law regulating the operation of vehicles, the notice shall, unless otherwise prescribed, be given by:

(i) personal delivery to the person to be notified; or

(ii) deposit in the United States mail with postage prepaid, addressed to the person at his address as shown by the records of the division.

(b) The giving of notice by mail is complete upon the expiration of four days after the deposit of the notice.

(c) Proof of the giving of notice in either manner may be made by the certificate of any officer or employee of the division or affidavit of any person older than 18 years of age, naming the person to whom the notice was given and specifying the time, place, and manner of giving the notice.

(4) The division may use state mailing or United States Postal Service information to:

(a) verify an address on an application or on records of the division; and

(b) correct mailing addresses in the division's records.

(5) A violation of the provisions of Subsection (1) is an infraction.