

DRIVER LICENSE AMENDMENTS

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: David Ure

LONG TITLE

General Description:

This bill modifies the Uniform Driver License Act to amend records provisions for driver licensing and identification cards.

Highlighted Provisions:

This bill:

► requires that all records of the division shall be available for federal, state, and local law enforcement purposes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-3-109, as last amended by Chapters 85 and 289, Laws of Utah 2001

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

Section 1. Section **53-3-109** is amended to read:

53-3-109. Records -- Access -- Fees -- Rulemaking.

(1) (a) Except as provided in this section, all records of the division shall be classified and disclosed in accordance with Title 63, Chapter 2, Government Records Access and Management Act.



28 (b) The division may only disclose personal identifying information:
29 (i) when the division determines it is in the interest of the public safety to disclose the
30 information; and

31 (ii) in accordance with the federal Driver's Privacy Protection Act of 1994, 18 U.S.C.
32 Chapter 123.

33 (c) All records regarding applicants for a driver license or an identification card
34 collected under this chapter shall be available for federal, state, and local law enforcement
35 purposes.

36 (2) A person who receives personal identifying information shall be advised by the
37 division that the person may not:

38 (a) disclose the personal identifying information from that record to any other person;
39 or

40 (b) use the personal identifying information from that record for advertising or
41 solicitation purposes.

42 (3) The division may:

43 (a) collect fees in accordance with Section 53-3-105 for searching and compiling its
44 files or furnishing a report on the driving record of a person; and

45 (b) prepare under the seal of the division and deliver upon request, a certified copy of
46 any record of the division, and charge a fee under Section 63-38-3.2 for each document
47 authenticated.

48 (4) Each certified copy of a driving record furnished in accordance with this section is
49 admissible in any court proceeding in the same manner as the original.

50 (5) (a) A driving record furnished under this section may only report on the driving
51 record of a person for a period of six years.

52 (b) Subsection (5)(a) does not apply to court or law enforcement reports and to reports
53 of commercial driver license violations.

54 (6) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
55 division may make rules to designate:

56 (a) what information shall be included in a report on the driving record of a person;

57 (b) the form of a report or copy of the report which may include electronic format;

58 (c) the form of a certified copy, as required under Section 53-3-216, which may include

59 electronic format;

60 (d) the form of a signature required under this chapter which may include electronic
61 format; and

62 (e) the form of written request to the division required under this chapter which may
63 include electronic format.

Legislative Review Note

as of **2-9-04 3:38 PM**

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0132

Driver License Amendments

17-Feb-04

11:42 AM

State Impact

It is estimated that provisions of this bill can be implemented with existing resources.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst