

DRIVER LICENSE CERTIFICATE

AMENDMENTS

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: Carlene M. Walker

LONG TITLE

General Description:

This bill modifies the Uniform Driver License Act to amend driver license certificate, commercial driver license certificate, and identification card content provisions.

Highlighted Provisions:

This bill:

▶ prohibits a driver license certificate, a commercial driver license certificate, or an identification card from bearing an applicant's Social Security number.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-3-207, as last amended by Chapters 30 and 309, Laws of Utah 2003

53-3-411, as renumbered and amended by Chapters 24 and 234, Laws of Utah 1993

53-3-805, as last amended by Chapters 131 and 309, Laws of Utah 2003

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

Section 1. Section **53-3-207** is amended to read:

53-3-207. License certificates issued to drivers by class of motor vehicle --

Contents -- Release of anatomical gift information -- Temporary licenses -- Minors' licenses and permits -- Violation.

(1) (a) The division shall issue to every person privileged to drive a motor vehicle, a license certificate indicating the type or class of motor vehicle the licensee may drive.

(b) A person may not drive a class of motor vehicle unless licensed in that class.

(2) (a) Every license certificate shall bear:

(i) the distinguishing number assigned to the licensee by the division;

(ii) the name, birth date, and Utah residence address of the licensee;

(iii) a brief description of the licensee for the purpose of identification;

(iv) any restrictions imposed on the license under Section 53-3-208;

(v) a photograph of the licensee;

(vi) a photograph or other facsimile of the licensee's signature; and

(vii) an indication whether the licensee intends to make an anatomical gift under Title 26, Chapter 28, Uniform Anatomical Gift Act, unless the license is extended under Subsection 53-3-214(3).

(b) A new license certificate issued by the division may not bear the licensee's Social Security number [~~only at the request of the licensee~~].

(c) (i) The license certificate shall be of an impervious material, resistant to wear, damage, and alteration.

(ii) Except as provided under Subsection (4)(b), the size, form, and color of the license certificate shall be as prescribed by the commissioner.

(iii) The commissioner may also prescribe the issuance of a special type of limited license certificate under Subsection 53-3-220(4) and may authorize the issuance of a renewed or duplicate license certificate without a picture if the applicant is not then living in the state.

(3) (a) (i) The division upon determining after an examination that an applicant is mentally and physically qualified to be granted a license may issue to an applicant a receipt for the fee.

(ii) The receipt serves as a temporary license certificate allowing him to drive a motor vehicle while the division is completing its investigation to determine whether he is entitled to be licensed.

(b) The receipt shall be in his immediate possession while driving a motor vehicle, and it is

invalid when the applicant's license certificate has been issued or when, for good cause, the privilege has been refused.

(c) The division shall indicate on the receipt a date after which it is not valid as a license certificate.

(4) (a) The division shall distinguish learner permits, temporary permits, and license certificates issued to any person younger than 21 years of age by use of plainly printed information or the use of a color or other means not used for other license certificates.

(b) The division shall distinguish a license certificate issued to any person:

(i) younger than 21 years of age by use of a portrait-style format not used for other license certificates and by plainly printing the date the license certificate holder is 21 years of age, which is the legal age for purchasing an alcoholic beverage or product under Section 32A-12-203; and

(ii) younger than 19 years of age, by plainly printing the date the license certificate holder is 19 years of age, which is the legal age for purchasing tobacco products under Section 76-10-104.

(c) The provisions of Subsection (4)(b) do not apply to a learner permit, temporary permit, or any other temporary permit or receipt issued by the division.

(5) The division shall issue temporary license certificates of the same nature, except as to duration, as the license certificates that they temporarily replace, as are necessary to implement applicable provisions of Section 53-3-223.

(6) A person who violates Subsection (1)(b) is guilty of a class C misdemeanor.
Section 2. Section **53-3-411** is amended to read:

53-3-411. Description of CDL -- Information to be included.

(1) The CDL certificate shall be printed with the identifying words "Commercial Driver License" or "CDL".

(2) To the maximum extent practicable, the CDL certificate shall be resistant to alteration.

(3) The CDL certificate shall include:

(a) the legal name and principal place of residence of the holder;

- (b) the holder's photograph in color;
 - (c) a physical description of the holder, including sex and height;
 - (d) the holder's birth date;
 - (e) the holder's Utah license certificate number;
 - (f) the holder's signature;
 - (g) the class or type of commercial motor vehicle or vehicles the holder is authorized to drive;
 - (h) any endorsements or restrictions to which the holder is subject;
 - (i) the name of the issuing state; and
 - (j) the dates between which the CDL is valid.
- (4) The CDL may not include the holder's Social Security number [~~only upon the request of the holder~~].

Section 3. Section **53-3-805** is amended to read:

53-3-805. Identification card -- Contents -- Specifications.

- (1) The division shall issue an identification card that:
- (a) provides all the information contained in the application, [~~other than~~] except the identification card may not bear the applicant's:
 - (i) Social Security number[~~; except as provided in Subsection (3)~~]; and
 - (ii) place of birth;
 - (b) contains a photograph of the applicant; and
 - (c) contains a facsimile of the applicant's signature.
- (2) (a) The card shall be of an impervious material, resistant to wear, damage, and alteration.
- (b) Except as provided under Section 53-3-806, the size, form, and color of the card is prescribed by the commissioner.
- (3) At the applicant's request, the card may include [~~any of the following: (a)~~] a statement that the applicant has a special medical problem or allergies to certain drugs, for the purpose of medical treatment[~~; and~~].

~~[(b) the applicant's Social Security number.]~~

(4) (a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated by the applicant in accordance with division rule.

(b) (i) Notwithstanding Title 63, Chapter 2, Government Records Access and Management Act, the division may, upon request, release to an organ procurement organization, as defined in Section 26-28-2, the names and addresses of all persons who under Subsection 53-3-804(2)(j) indicate that they intend to make an anatomical gift.

(ii) An organ procurement organization may use released information only to:

(A) obtain additional information for an anatomical gift registry; and

(B) inform applicants of anatomical gift options, procedures, and benefits.

(5) The division and its employees are not liable, as a result of false or inaccurate information provided under Subsection 53-3-804(2)(j), for direct or indirect:

(a) loss;

(b) detriment; or

(c) injury.