

**DRIVER LICENSE - APPLICATION OF  
MINOR**

2006 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: David Litvack**

Senate Sponsor: Gene Davis

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**LONG TITLE**

**General Description:**

This bill modifies the Driver Licensing Act by amending provisions related to applications by minors.

**Highlighted Provisions:**

This bill:

- ▶ provides that if a minor applicant for a temporary learner permit, practice permit, or provisional license is in the legal custody of the Division of Child and Family Services, a parent or responsible adult who is willing to assume certain obligations and liability requirements may sign the application; and
- ▶ makes technical changes.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53-3-211**, as last amended by Chapter 222, Laws of Utah 2004

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



28 Section 1. Section **53-3-211** is amended to read:

29 **53-3-211. Application of minors -- Liability of person signing application --**  
30 **Cancellation of cosigning adult's liability -- Behind-the-wheel driving certification.**

31 (1) As used in this section, "minor" means any person younger than 18 years of age  
32 who is not married or has not been emancipated by adjudication.

33 (2) (a) The application of a minor for a temporary learner permit, practice permit, or  
34 provisional license shall be signed by the parent or guardian of the applicant.

35 (b) If the minor applicant does not have a parent or guardian or is in the legal custody  
36 of the Division of Child and Family Services, then a parent or a responsible adult who is  
37 willing to assume the obligation imposed under this chapter may sign the application.

38 (3) (a) Except as provided in Subsection (4), the liability of a minor for civil  
39 compensatory damages caused when operating a motor vehicle upon a highway is imputed to  
40 the person who has signed the application of the minor under Subsection (2).

41 (b) The person who has signed the application under Subsection (2) is jointly and  
42 severally liable with the minor as provided in Subsections (3)(a) and (c).

43 (c) The liability imposed under Subsections (3)(a) and (b) is limited to the policy  
44 minimum limits established in Section 31A-22-304.

45 (d) The liability provisions in this Subsection (3) are in addition to the liability  
46 provisions in Section 53-3-212.

47 (4) If owner's or operator's security covering the minor's operation of the motor vehicle  
48 is in effect in amounts as required under Section 31A-22-304, the person who signed the  
49 minor's application under Subsection (2) is not subject to the liability imposed under  
50 Subsection (3).

51 (5) (a) A person who has signed the application of a minor under Subsection (2) may  
52 file with the division a verified written request that the permit or license of the minor be  
53 canceled.

54 (b) The division shall then cancel the permit or license of the minor, and the person  
55 who signed the application of the minor under Subsection (2) is relieved from the liability  
56 imposed under Subsection (3) or the minor operating a motor vehicle subsequent to the  
57 cancellation.

58 (6) (a) The division upon receipt of satisfactory evidence of the death of the person

59 who signed the application of a minor under Subsection (2) shall cancel the permit or license  
60 and may not issue a new permit or license until a new application, signed and verified, is made  
61 under this chapter.

62 (b) This Subsection (6) does not apply to an application of a person who is no longer a  
63 minor.

64 (7) (a) In addition to the liability assumed under this section, the person who signs the  
65 application of a minor for a provisional license must certify that the minor applicant, under the  
66 authority of a permit issued under this chapter, has completed at least 40 hours of driving a  
67 motor vehicle, of which at least ten hours shall be during night hours after sunset.

68 (b) The hours of driving a motor vehicle required under Subsection (7)(a) may include:

69 (i) hours completed in a driver education course as required under Subsection  
70 53-3-505.5(1); and

71 (ii) up to five hours completed by driving simulation practice on a fully interactive  
72 driving simulation device at the substitution rate provided under Subsection 53-3-505.5(2)(b).

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**Legislative Review Note**

**as of 1-9-06 12:41 PM**

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0298**

**Driver License - Application of Minor**

*23-Jan-06*

*10:08 AM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**