

1 **DRIVER LICENSE AMENDMENTS - MOTOR**

2 **DRIVEN CYCLES**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Todd E. Kiser**

6 Senate Sponsor: Kevin T. Van Tassell

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**LONG TITLE**

8 **Committee Note:**

9 The Transportation Interim Committee recommended this bill.

10 **General Description:**

11 This bill modifies the Uniform Driver License Act by amending provisions relating to  
12 driver license requirements for certain motorcycles, street legal all-terrain vehicles, and  
13 motor-driven cycles.  
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15 **Highlighted Provisions:**

16 This bill:

17 ▶ clarifies that a person operating a motorcycle, motor-driven cycle, or street legal all-  
18 terrain vehicle is required to have a valid class D driver license and a motorcycle endorsement  
19 with certain exceptions;

20 ▶ clarifies that a person operating a moped or an electric assisted bicycle is not  
21 required to have a motorcycle endorsement;

22 ▶ clarifies that a person operating a motor assisted scooter or a personal assistive  
23 mobility device in accordance with certain requirements is not required to have a  
24 valid class D driver license; and

25 ▶ makes technical changes.

26 **Monies Appropriated in this Bill:**

27 None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53-3-202**, as last amended by Laws of Utah 2008, Chapters 250 and 304



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

35 Section 1. Section **53-3-202** is amended to read:

36 **53-3-202. Drivers must be licensed -- Taxicab endorsement -- Violation.**

37 (1) A person may not drive a motor vehicle on a highway in this state unless the person  
38 is:

39 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the  
40 division under this chapter;

41 (b) driving an official United States Government class D motor vehicle with a valid  
42 United States Government driver permit or license for that type of vehicle;

43 (c) driving a road roller, road machinery, or any farm tractor or implement of  
44 husbandry temporarily drawn, moved, or propelled on the highways;

45 (d) a nonresident who is at least 16 years of age and younger than 18 years of age who  
46 has in the nonresident's immediate possession a valid license certificate issued to the  
47 nonresident in the nonresident's home state or country and is driving in the class or classes  
48 identified on the home state license certificate, except those persons referred to in Part 6,  
49 Drivers' License Compact, of this chapter;

50 (e) a nonresident who is at least 18 years of age and who has in the nonresident's  
51 immediate possession a valid license certificate issued to the nonresident in the nonresident's  
52 home state or country if driving in the class or classes identified on the home state license  
53 certificate, except those persons referred to in Part 6, Drivers' License Compact, of this chapter;

54 (f) driving under a learner permit in accordance with Section 53-3-210.5;

55 (g) driving with a temporary license certificate issued in accordance with Section  
56 53-3-207; or

57 (h) exempt under Title 41, Chapter 22, Off-Highway Vehicles.

58 (2) A person may not drive or, while within the passenger compartment of a motor

59 vehicle, exercise any degree or form of physical control of a motor vehicle being towed by a  
60 motor vehicle upon a highway unless the person:

61 (a) holds a valid license issued under this chapter for the type or class of motor vehicle  
62 being towed; or

63 (b) is exempted under either Subsection (1)(b) or (1)(c).

64 (3) A person may not drive a motor vehicle as a taxicab on a highway of this state  
65 unless the person has a taxicab endorsement issued by the division on his license certificate.

66 (4) (a) ~~[A] Except as provided in Subsections (4)(b) and (c), a person may not operate~~  
67 ~~[an electric assisted bicycle as defined under Section 41-6a-102];~~

68 (i) a motorcycle unless the person has a valid class D driver license and a motorcycle  
69 endorsement issued under this chapter;

70 (ii) a street legal all-terrain vehicle unless the person has a valid class D driver license

71 ~~§→ [and a motorcycle endorsement issued under this chapter] ←§~~ ; or

72 (iii) a motor-driven cycle unless the person has a valid class D driver license and a  
73 motorcycle endorsement issued under this chapter.

74 (b) A person operating a moped, as defined in Section 41-6a-102, or an electric assisted  
75 bicycle, as defined in Section 41-6a-102, is not required to have a motorcycle endorsement  
76 issued under this chapter.

77 (c) A person is not required to have a valid class D driver license if the person is:

78 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance  
79 with Section 41-6a-1115; or

80 (ii) operating an electric personal assistive mobility device, as defined in Section  
81 41-6a-102, in accordance with Section 41-6a-1116.

82 ~~[(b) Subsection (4)(a) is an exception to the provisions of Section 53-3-104.]~~

83 (5) A person who violates this section is guilty of a class C misdemeanor.

### Legislative Review Note

as of 11-19-08 2:14 PM

Office of Legislative Research and General Counsel

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**H.B. 53 - Driver License Amendments - Motor Driven Cycles**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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