

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

7

8 **LONG TITLE**

9 **General Description:**

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

13 **Highlighted Provisions:**

14 This bill:

15 ▶ clarifies that a person operating a motorcycle or motor-driven cycle is required to
16 have a valid class D driver license and a motorcycle endorsement with certain
17 exceptions;

18 ▶ clarifies that a person operating a moped, street legal all-terrain vehicle, or an
19 electric assisted bicycle is not required to have a motorcycle endorsement;

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

23 ▶ makes technical changes.

24 **Monies Appropriated in this Bill:**

25 None

26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53-3-202**, as last amended by Laws of Utah 2008, Chapters 250 and 304



31
32 *Be it enacted by the Legislature of the state of Utah:*

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

34 **53-3-202. Drivers must be licensed -- Taxicab endorsement -- Violation.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

70 or

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

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

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

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

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

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

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