

DRIVER LICENSE SUSPENSION AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: D. Chris Butters

House Sponsor: Curtis Oda

LONG TITLE

General Description:

This bill modifies the Uniform Driver License Act by amending provisions relating to the driver license suspension point system.

Highlighted Provisions:

This bill:

- provides that the division may not assess points against a person's driving record for a conviction of ~~§~~ [a] certain ~~§~~ traffic ~~§~~ [violation] violations ~~§~~ that occurred in another state and that ~~§~~ [was] were ~~§~~ committed on or after July 1, 2011; and

- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-3-221, as last amended by Laws of Utah 2008, Chapters 322 and 382

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

Section 1. Section **53-3-221** is amended to read:

53-3-221. Offenses which may result in denial, suspension, disqualification, or



59 (ii) After clearance by the division, a report authorized by Section 53-3-104 may not
60 contain any evidence of a suspension that occurred as a result of failure to comply with the
61 terms stated on a traffic citation.

62 (3) (a) The division may suspend the license of a person under Subsection (1) when the
63 division has been notified by a court that the person has an outstanding unpaid fine, an
64 outstanding incomplete restitution requirement, or an outstanding warrant levied by order of a
65 court.

66 (b) The suspension remains in effect until the division is notified by the court that the
67 order has been satisfied.

68 (c) After clearance by the division, a report authorized by Section 53-3-104 may not
69 contain any evidence of the suspension.

70 (4) (a) The division shall make rules establishing a point system as provided for in this
71 Subsection (4).

72 ~~[(a)]~~ (b) (i) The division shall assign a number of points to each type of moving traffic
73 violation as a measure of its seriousness.

74 (ii) The points shall be based upon actual relationships between types of traffic
75 violations and motor vehicle traffic accidents.

76 (iii) ~~§~~ → ~~[The]~~ **Except as provided in Subsection (4)(b)(iv), the** ← ~~§~~ division may not
76a assess points against a person's driving record for a
77 conviction of a traffic violation:

78 (A) that occurred in another state; and

79 (B) that was committed on or after July 1, 2011.

79a ~~§~~ → (iv) **The provisions of Subsection (4)(b)(iii) do not apply to:**

79b (A) **a reckless or impaired driving violation** ← ~~§~~ → **or a speeding violation for exceeding**
79b1 **the posted speed limit by 21 or more miles per hour** ← ~~§~~ → **;** ← ~~§~~ → **or**

79c ~~[(B)]~~ **a moving traffic violation that causes or contributes to a motor vehicle traffic**
79d **accident that results in death or injury to another person or serious property damage; or**

79e ~~—(C)]~~ (B) ← ~~§~~ → **an offense committed in another state which, if committed within Utah, would**
79f **result in the mandatory suspension or revocation of a license upon conviction under Section**
79g **53-3-220.** ← ~~§~~ →

80 ~~[(b)]~~ (c) Every person convicted of a traffic violation shall have assessed against the
81 person's driving record the number of points that the division has assigned to the type of
82 violation of which the person has been convicted, except that the number of points assessed
83 shall be decreased by 10% if on the abstract of the court record of the conviction the court has
84 graded the severity of violation as minimum, and shall be increased by 10% if on the abstract