

1 **DRIVER LICENSE AND IDENTIFICATION CARD**

2 **AMENDMENTS**

3 2012 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kevin T. Van Tassell**

6 House Sponsor: Stephen E. Sandstrom

8 **LONG TITLE**

9 **General Description:**

10 This bill modifies the Traffic Code and the Uniform Driver License Act by amending
11 provisions relating to driver license and identification cards.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ prohibits a person from holding both an unexpired Utah license certificate and an
15 unexpired Utah identification card;
- 16 ▶ provides that if certain persons hold an unexpired Utah license certificate and an
17 unexpired Utah identification card, the person shall surrender either the Utah license
18 certificate or the Utah identification card within certain time frames, or the Driver
19 License Division shall cancel the person's Utah identification card;
- 20 ▶ provides that certain limited-term license certificates or identification cards expire
21 on the date of issuance in the first year following the year that the limited-term
22 license certificate or identification card was issued;
- 23 ▶ authorizes the Driver License Division to extend certain license certificates by
24 electronic means or other means determined by the division; and
- 25 ▶ makes technical changes.

26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 This bill takes effect on July 1, 2012.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53-3-204**, as last amended by Laws of Utah 2009, Chapter 356

33 **53-3-205**, as last amended by Laws of Utah 2011, Chapters 152, 190, 415, and 428

34 **53-3-214**, as last amended by Laws of Utah 2009, Chapter 315

35 **53-3-215**, as renumbered and amended by Laws of Utah 1993, Chapter 234

36 **53-3-803**, as renumbered and amended by Laws of Utah 1993, Chapter 234

37 **53-3-804**, as last amended by Laws of Utah 2011, Chapters 152 and 415

38 **53-3-807**, as last amended by Laws of Utah 2011, Chapter 366



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

41 Section 1. Section **53-3-204** is amended to read:

42 **53-3-204. Persons who may not be licensed.**

43 (1) (a) The division may not license a person who:

44 (i) is younger than 16 years of age;

45 (ii) has not completed a course in driver training approved by the commissioner;

46 (iii) if the person is a minor, has not completed the driving requirement under Section

47 53-3-211;

48 (iv) is not a resident of the state, unless the person is issued a temporary CDL under

49 Subsection 53-3-407(2)(b); or

50 (v) if the person is 17 years of age or younger, has not held a learner permit issued

51 under Section 53-3-210.5 for six months.

52 (b) Subsections (1)(a)(i), (ii), and (iii) do not apply to a person:

53 (i) who has been licensed before July 1, 1967; or

54 (ii) who is 16 years of age or older making application for a license who has been

55 licensed in another state or country.

56 (2) The division may not issue a license certificate to a person:

57 (a) whose license has been suspended, denied, cancelled, or disqualified during the

58 period of suspension, denial, cancellation, or disqualification;

59 (b) whose privilege has been revoked, except as provided in Section 53-3-225;

60 (c) who has previously been adjudged mentally incompetent and who has not at the
61 time of application been restored to competency as provided by law;

62 (d) who is required by this chapter to take an examination unless the person
63 successfully passes the examination; [~~or~~]

64 (e) whose driving privileges have been denied or suspended under:

65 (i) Section 78A-6-606 by an order of the juvenile court; or

66 (ii) Section 53-3-231[~~;~~]; or

67 (f) beginning on or after July 1, 2012, who holds an unexpired Utah identification card
68 issued under Part 8, Identification Cards, unless:

69 (i) the Utah identification card is canceled; and

70 (ii) if the Utah identification card is in the person's possession, the Utah identification
71 card is surrendered to the division.

72 (3) (a) Except as provided in Subsection (3)(c), the division may not grant a motorcycle
73 endorsement to a person who:

74 (i) has not been granted an original or provisional class D license, a CDL, or an
75 out-of-state equivalent to an original or provisional class D license or a CDL; and

76 (ii) if the person is under 19 years of age, has not held a motorcycle learner permit for
77 two months unless Subsection (3)(b) applies.

78 (b) The division may waive the two month motorcycle learner permit holding period
79 requirement under Subsection (3)(a)(ii) if the person proves to the satisfaction of the division
80 that the person has completed a motorcycle rider education program that meets the
81 requirements under Section 53-3-903.

82 (c) The division may grant a motorcycle endorsement to a person under 19 years of age
83 who has not held a motorcycle learner permit for two months if the person was issued a
84 motorcycle endorsement prior to July 1, 2008.

85 (4) The division may grant a class D license to a person whose commercial license is

86 disqualified under Part 4, Uniform Commercial Driver License Act, if the person is not
87 otherwise sanctioned under this chapter.

88 Section 2. Section **53-3-205** is amended to read:

89 **53-3-205. Application for license or endorsement -- Fee required -- Tests --**
90 **Expiration dates of licenses and endorsements -- Information required -- Previous**
91 **licenses surrendered -- Driving record transferred from other states -- Reinstatement --**
92 **Fee required -- License agreement.**

93 (1) An application for any original license, provisional license, or endorsement shall
94 be:

- 95 (a) made upon a form furnished by the division; and
- 96 (b) accompanied by a nonrefundable fee set under Section 53-3-105.

97 (2) An application and fee for an original provisional class D license or an original
98 class D license entitle the applicant to:

99 (a) not more than three attempts to pass both the knowledge and the skills tests for a
100 class D license within six months of the date of the application;

101 (b) a learner permit if needed pending completion of the application and testing
102 process; and

103 (c) an original class D license and license certificate after all tests are passed.

104 (3) An application and fee for a motorcycle or taxicab endorsement entitle the
105 applicant to:

106 (a) not more than three attempts to pass both the knowledge and skills tests within six
107 months of the date of the application;

108 (b) a motorcycle learner permit after the motorcycle knowledge test is passed; and

109 (c) a motorcycle or taxicab endorsement when all tests are passed.

110 (4) An application and fees for a commercial class A, B, or C license entitle the
111 applicant to:

112 (a) not more than two attempts to pass a knowledge test and not more than two
113 attempts to pass a skills test within six months of the date of the application;

114 (b) a commercial driver instruction permit if needed after the knowledge test is passed;
115 and

116 (c) an original commercial class A, B, or C license and license certificate when all
117 applicable tests are passed.

118 (5) An application and fee for a CDL endorsement entitle the applicant to:

119 (a) not more than two attempts to pass a knowledge test and not more than two
120 attempts to pass a skills test within six months of the date of the application; and

121 (b) a CDL endorsement when all tests are passed.

122 (6) If a CDL applicant does not pass a knowledge test, skills test, or an endorsement
123 test within the number of attempts provided in Subsection (4) or (5), each test may be taken
124 two additional times within the six months for the fee provided in Section 53-3-105.

125 (7) (a) Except as provided under Subsections (7)(f), (g), and (h), an original license
126 expires on the birth date of the applicant in the fifth year following the year the license
127 certificate was issued.

128 (b) Except as provided under Subsections (7)(f), (g), and (h), a renewal or an extension
129 to a license expires on the birth date of the licensee in the fifth year following the expiration
130 date of the license certificate renewed or extended.

131 (c) Except as provided under Subsections (7)(f) and (g), a duplicate license expires on
132 the same date as the last license certificate issued.

133 (d) An endorsement to a license expires on the same date as the license certificate
134 regardless of the date the endorsement was granted.

135 (e) A regular license certificate and any endorsement to the regular license certificate
136 held by a person ordered to active duty and stationed outside Utah in any of the armed forces of
137 the United States or by an immediate family member or dependent who is residing outside of
138 the state, which expires during the time period the person is stationed outside of the state, is
139 valid until 90 days after the person's orders have been terminated or the person has been
140 discharged, unless:

141 (i) the license is suspended, disqualified, denied, or has been cancelled or revoked by

142 the division; or

143 (ii) the licensee updates the information or photograph on the license certificate.

144 (f) (i) Except as provided in Subsection (7)(f)(ii), a limited-term license certificate or a
145 renewal to a limited-term license certificate expires:

146 (A) on the expiration date of the period of time of the individual's authorized stay in
147 the United States or on the date provided under this Subsection (7), whichever is sooner; or

148 (B) on the [~~birth date of the applicant~~] date of issuance in the first year following the
149 year that the limited-term license certificate was issued if there is no definite end to the
150 individual's period of authorized stay.

151 (ii) A limited-term license certificate or a renewal to a limited-term license certificate
152 issued to an approved asylee or a refugee expires on the birth date of the applicant in the fourth
153 year following the year that the limited-term license certificate was issued.

154 (g) A driving privilege card issued or renewed under Section 53-3-207 expires on the
155 birth date of the applicant in the first year following the year that the driving privilege card was
156 issued or renewed.

157 (h) An original license or a renewal to an original license expires on the birth date of
158 the applicant in the first year following the year that the license was issued if the applicant is
159 required to register as a sex offender under Section 77-27-21.5.

160 (8) (a) In addition to the information required by Title 63G, Chapter 4, Administrative
161 Procedures Act, for requests for agency action, each applicant shall:

162 (i) provide [~~the applicant's~~]:

163 (A) the applicant's full legal name;

164 (B) the applicant's birth date;

165 (C) the applicant's gender;

166 (D) (I) documentary evidence of the applicant's valid Social Security number;

167 (II) written proof that the applicant is ineligible to receive a Social Security number;

168 (III) the applicant's temporary identification number (ITIN) issued by the Internal

169 Revenue Service for a person who:

170 (Aa) does not qualify for a Social Security number; and
171 (Bb) is applying for a driving privilege card; or
172 (IV) other documentary evidence approved by the division;
173 (E) the applicant's Utah residence address as documented by a form or forms
174 acceptable under rules made by the division under Section 53-3-104, unless the application is
175 for a temporary CDL issued under Subsection 53-3-407(2)(b); and
176 (F) [~~submit~~] fingerprints and a photograph in accordance with Section 53-3-205.5 if the
177 person is applying for a driving privilege card;
178 (ii) provide evidence of the applicant's lawful presence in the United States by
179 providing documentary evidence:
180 (A) that a person is:
181 (I) a United States citizen;
182 (II) a United States national; or
183 (III) a legal permanent resident alien; or
184 (B) of the applicant's:
185 (I) unexpired immigrant or nonimmigrant visa status for admission into the United
186 States;
187 (II) pending or approved application for asylum in the United States;
188 (III) admission into the United States as a refugee;
189 (IV) pending or approved application for temporary protected status in the United
190 States;
191 (V) approved deferred action status;
192 (VI) pending application for adjustment of status to legal permanent resident or
193 conditional resident; or
194 (VII) conditional permanent resident alien status;
195 (iii) provide a description of the applicant;
196 (iv) state whether the applicant has previously been licensed to drive a motor vehicle
197 and, if so, when and by what state or country;

198 (v) state whether the applicant has ever had any license suspended, cancelled, revoked,
199 disqualified, or denied in the last 10 years, or whether the applicant has ever had any license
200 application refused, and if so, the date of and reason for the suspension, cancellation,
201 revocation, disqualification, denial, or refusal;

202 (vi) state whether the applicant intends to make an anatomical gift under Title 26,
203 Chapter 28, Revised Uniform Anatomical Gift Act, in compliance with Subsection (15);

204 (vii) state whether the applicant is required to register as a sex offender under Section
205 77-27-21.5;

206 (viii) state whether the applicant is a veteran of the United States military, provide
207 verification that the applicant was honorably discharged from the United States military, and
208 state whether the applicant does or does not authorize sharing the information with the state
209 Department of Veterans' Affairs;

210 (ix) provide all other information the division requires; and

211 (x) sign the application which signature may include an electronic signature as defined
212 in Section 46-4-102.

213 (b) Each applicant shall have a Utah residence address, unless the application is for a
214 temporary CDL issued under Subsection 53-3-407(2)(b).

215 (c) Each applicant shall provide evidence of lawful presence in the United States in
216 accordance with Subsection (8)(a)(ii), unless the application is for a driving privilege card.

217 (d) The division shall maintain on its computerized records an applicant's:

218 (i) (A) Social Security number;

219 (B) temporary identification number (ITIN); or

220 (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies; and

221 (ii) indication whether the applicant is required to register as a sex offender under
222 Section 77-27-21.5.

223 (9) The division shall require proof of every applicant's name, birthdate, and birthplace
224 by at least one of the following means:

225 (a) current license certificate;

226 (b) birth certificate;
227 (c) Selective Service registration; or
228 (d) other proof, including church records, family Bible notations, school records, or
229 other evidence considered acceptable by the division.

230 (10) (a) Except as provided in Subsection (10)(c), if an applicant receives a license in a
231 higher class than what the applicant originally was issued:
232 (i) the license application shall be treated as an original application; and
233 (ii) license and endorsement fees shall be assessed under Section 53-3-105.

234 (b) An applicant that receives a downgraded license in a lower license class during an
235 existing license cycle that has not expired:
236 (i) may be issued a duplicate license with a lower license classification for the
237 remainder of the existing license cycle; and
238 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(22) if a
239 duplicate license is issued under Subsection (10)(b)(i).

240 (c) An applicant who has received a downgraded license in a lower license class under
241 Subsection (10)(b):
242 (i) may, when eligible, receive a duplicate license in the highest class previously issued
243 during a license cycle that has not expired for the remainder of the existing license cycle; and
244 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(22) if a
245 duplicate license is issued under Subsection (10)(c)(i).

246 (11) (a) When an application is received from a person previously licensed in another
247 state to drive a motor vehicle, the division shall request a copy of the driver's record from the
248 other state.
249 (b) When received, the driver's record becomes part of the driver's record in this state
250 with the same effect as though entered originally on the driver's record in this state.

251 (12) An application for reinstatement of a license after the suspension, cancellation,
252 disqualification, denial, or revocation of a previous license shall be accompanied by the
253 additional fee or fees specified in Section 53-3-105.

254 (13) A person who has an appointment with the division for testing and fails to keep
255 the appointment or to cancel at least 48 hours in advance of the appointment shall pay the fee
256 under Section 53-3-105.

257 (14) A person who applies for an original license or renewal of a license agrees that the
258 person's license is subject to any suspension or revocation authorized under this title or Title
259 41, Motor Vehicles.

260 (15) (a) The indication of intent under Subsection (8)(a)(vi) shall be authenticated by
261 the licensee in accordance with division rule.

262 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and
263 Management Act, the division may, upon request, release to an organ procurement
264 organization, as defined in Section 26-28-102, the names and addresses of all persons who
265 under Subsection (8)(a)(vi) indicate that they intend to make an anatomical gift.

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

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

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

269 (16) Notwithstanding Title 63G, Chapter 2, Government Records Access and
270 Management Act, the division may release to the Department of Veterans' Affairs the names
271 and addresses of all persons who indicate their status as a veteran under Subsection (8)(a)(viii).

272 (17) The division and its employees are not liable, as a result of false or inaccurate
273 information provided under Subsection (8)(a)(vi) or (viii), for direct or indirect:

274 (a) loss;

275 (b) detriment; or

276 (c) injury.

277 (18) A person who knowingly fails to provide the information required under
278 Subsection (8)(a)(vii) is guilty of a class A misdemeanor.

279 (19) (a) Until December 1, 2014, a person born on or after December 1, 1964, may
280 hold both an unexpired Utah license certificate and an unexpired Utah identification card.

281 (b) On or after December 1, 2014, a person born on or after December 1, 1964:

282 (i) may not hold both an unexpired Utah license certificate and an unexpired
283 identification card; and
284 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
285 identification card in the person's possession, shall be required to surrender either the unexpired
286 Utah license certificate or the unexpired Utah identification card.

287 (c) If a person has not surrendered either the Utah license certificate or the Utah
288 identification card as required under this Subsection (19), the division shall cancel the Utah
289 identification card on December 1, 2014.

290 (20) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold
291 both an unexpired Utah license certificate and an unexpired Utah identification card.

292 (b) On or after December 1, 2017, a person born prior to December 1, 1964:

293 (i) may not hold both an unexpired Utah license certificate and an unexpired
294 identification card; and

295 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
296 identification card in the person's possession, shall be required to surrender either the unexpired
297 Utah license certificate or the unexpired Utah identification card.

298 (c) If a person has not surrendered either the Utah license certificate or the Utah
299 identification card as required under this Subsection (20), the division shall cancel the Utah
300 identification card on December 1, 2017.

301 Section 3. Section **53-3-214** is amended to read:

302 **53-3-214. Renewal -- Fees required -- Extension without examination.**

303 (1) (a) The holder of a valid license may renew the holder's license and any
304 endorsement to the license by applying:

- 305 (i) at any time within six months before the license expires; or
- 306 (ii) more than six months prior to the expiration date if the applicant furnishes proof
307 that the applicant will be absent from the state during the six-month period prior to the
308 expiration of the license.

309 (b) The application for a renewal of, extension of, or any endorsement to a license shall

310 be accompanied by a fee under Section 53-3-105.

311 (2) (a) Except as provided under Subsections (2)(b) and (3), upon application for
312 renewal of a regular license certificate, provisional license, and any endorsement to a regular
313 license certificate, the division shall reexamine each applicant as if for an original license and
314 endorsement to the license, if applicable.

315 (b) Except as provided under Subsection (2)(c), upon application for renewal of a
316 limited-term license certificate, limited-term provisional license certificate, and any
317 endorsement to a limited-term license certificate, the division shall:

318 (i) reexamine each applicant as if for an original limited-term license certificate and
319 endorsement to the limited-term license certificate, if applicable; and

320 (ii) verify through valid documentary evidence that the status by which the individual
321 originally qualified for the limited-term license certificate has been extended by the United
322 States Citizenship and Immigration Services or other authorized agency of the United States
323 Department of Homeland Security.

324 (c) The division may waive any or all portions of the test designed to demonstrate the
325 applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

326 (3) (a) Except as provided under Subsections (3)(b) and (c), the division may extend a
327 regular license certificate, any endorsement to the regular license certificate, a provisional
328 license, and any endorsement to a provisional license for five years without examination for
329 licensees whose driving records for the five years immediately preceding the determination of
330 eligibility for extension show:

331 (i) no suspensions;

332 (ii) no revocations;

333 (iii) no conviction for reckless driving under Section 41-6a-528; and

334 (iv) no more than four reportable violations in the preceding five years.

335 (b) Except as provided in Subsection (3)(g), after the expiration of a regular license
336 certificate, a new regular license certificate and any endorsement to a regular license certificate
337 may not be issued until the person has again passed the tests under Section 53-3-206 and paid

338 the required fee.

339 (c) After the expiration of a limited-term license certificate, a new limited-term license
340 certificate and any endorsement to a limited-term license certificate may not be issued until the
341 person has:

342 (i) again passed the tests under Section 53-3-206 and paid the required fee; and

343 (ii) presented documentary evidence that the status by which the individual originally
344 qualified for the limited-term license certificate has been extended by the United States
345 Citizenship and Immigration Services or other authorized agency of the United States
346 Department of Homeland Security.

347 (d) A person 65 years of age or older shall take and pass the eye examination specified
348 in Section 53-3-206.

349 (e) An extension may not be granted to any person:

350 (i) who is identified by the division as having a medical impairment that may represent
351 a hazard to public safety;

352 (ii) holding a CDL or limited-term CDL issued under Part 4, Uniform Commercial
353 Driver License Act;

354 (iii) who is holding a limited-term license certificate; or

355 (iv) who is holding a driving privilege card issued in accordance with Section
356 53-3-207.

357 (f) The division shall allow extensions:

358 (i) by mail, electronic means, or other means as determined by the division at the
359 appropriate extension fee rate under Section 53-3-105;

360 (ii) only if the applicant qualifies under this section; and

361 (iii) for only one extension.

362 (g) The division may waive any or all portions of the test designed to demonstrate the
363 applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

364 Section 4. Section **53-3-215** is amended to read:

365 **53-3-215. Duplicate license certificate -- Fee.**

366 (1) (a) If a license certificate issued under this chapter is lost, stolen, or destroyed, the
367 person to whom the license certificate was issued may obtain a duplicate upon furnishing proof
368 satisfactory to the division that the license certificate has been lost, stolen, or destroyed and
369 upon payment of a duplicate fee under Section 53-3-105.

370 (b) A person may not be issued a duplicate license certificate under this section unless
371 the person complies with Subsection 53-3-204(2)(f).

372 (2) When the division is advised that a license certificate has been lost, stolen, or
373 destroyed, the license certificate is then void.

374 Section 5. Section **53-3-803** is amended to read:

375 **53-3-803. Application for identification card -- Age requirements -- Application**
376 **on behalf of others.**

377 (1) A person at least 16 years of age or older may apply to the division for an
378 identification card.

379 (2) A person younger than 16 years of age may apply to the division for an
380 identification card with the consent of the applicant's parent or guardian.

381 (3) (a) If a person is unable to apply for the card due to his youth or incapacitation, the
382 application may be made on behalf of that person by his parent or guardian.

383 (b) A parent or guardian applying for an identification card on behalf of a child or
384 incapacitated person shall provide:

385 (i) identification, as required by the commissioner; and

386 (ii) the consent of the incapacitated person, as required by the commissioner.

387 (4) Beginning on or after July 1, 2012, a person who holds an unexpired Utah license
388 certificate issued under Part 2, Driver Licensing Act, may not be issued a Utah Identification
389 card unless:

390 (a) the Utah license certificate is canceled; and

391 (b) if the Utah license certificate is in the person's possession, the Utah license
392 certificate is surrendered to the division.

393 Section 6. Section **53-3-804** is amended to read:

394 **53-3-804. Application for identification card -- Required information -- Release**
395 **of anatomical gift information.**

396 (1) To apply for an identification card or limited-term identification card, the applicant
397 shall:

398 (a) be a Utah resident;

399 (b) have a Utah residence address; and

400 (c) appear in person at any license examining station.

401 (2) The applicant shall provide the following information to the division:

402 (a) true and full legal name and Utah residence address;

403 (b) date of birth as set forth in a certified copy of the applicant's birth certificate, or
404 other satisfactory evidence of birth, which shall be attached to the application;

405 (c) (i) Social Security number; or

406 (ii) written proof that the applicant is ineligible to receive a Social Security number;

407 (d) place of birth;

408 (e) height and weight;

409 (f) color of eyes and hair;

410 (g) signature;

411 (h) photograph;

412 (i) evidence of the applicant's lawful presence in the United States by providing
413 documentary evidence:

414 (i) that a person is:

415 (A) a United States citizen;

416 (B) a United States national; or

417 (C) a legal permanent resident alien; or

418 (ii) of the applicant's:

419 (A) unexpired immigrant or nonimmigrant visa status for admission into the United
420 States;

421 (B) pending or approved application for asylum in the United States;

- 422 (C) admission into the United States as a refugee;
- 423 (D) pending or approved application for temporary protected status in the United
424 States;
- 425 (E) approved deferred action status;
- 426 (F) pending application for adjustment of status to legal permanent resident or
427 conditional resident; or
- 428 (G) conditional permanent resident alien status;
- 429 (j) an indication whether the applicant intends to make an anatomical gift under Title
430 26, Chapter 28, Revised Uniform Anatomical Gift Act;
- 431 (k) an indication whether the applicant is required to register as a sex offender under
432 Section 77-27-21.5; and
- 433 (l) an indication whether the applicant is a veteran of the United States military,
434 verification that the applicant has been honorably discharged from the United States military,
435 and an indication whether the applicant does or does not authorize sharing the information with
436 the state Department of Veterans' Affairs.
- 437 (3) The requirements of Section 53-3-234 apply to this section for each person, age 16
438 and older, applying for an identification card. Refusal to consent to the release of information
439 shall result in the denial of the identification card.
- 440 (4) A person who knowingly fails to provide the information required under Subsection
441 (2)(k) is guilty of a class A misdemeanor.
- 442 (5) (a) Until December 1, 2014, a person born on or after December 1, 1964, may hold
443 both an unexpired Utah license certificate and an unexpired Utah identification card.
- 444 (b) On or after December 1, 2014, a person born on or after December 1, 1964:
- 445 (i) may not hold both an unexpired Utah license certificate and an unexpired
446 identification card; and
- 447 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
448 identification card in the person's possession, shall be required to surrender either the unexpired
449 Utah license certificate or the unexpired Utah identification card.

450 (c) If a person has not surrendered either the Utah license certificate or the Utah
451 identification card as required under this Subsection (5), the division shall cancel the Utah
452 identification card on December 1, 2014.

453 (6) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold
454 both an unexpired Utah license certificate and an unexpired Utah identification card.

455 (b) On or after December 1, 2017, a person born prior to December 1, 1964:

456 (i) may not hold both an unexpired Utah license certificate and an unexpired
457 identification card; and

458 (ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
459 identification card in the person's possession, shall be required to surrender either the unexpired
460 Utah license certificate or the unexpired Utah identification card.

461 (c) If a person has not surrendered either the Utah license certificate or the Utah
462 identification card as required under this Subsection (6), the division shall cancel the Utah
463 identification card on December 1, 2017.

464 Section 7. Section **53-3-807** is amended to read:

465 **53-3-807. Expiration -- Address and name change -- Extension for a person with**
466 **a disability.**

467 (1) (a) An identification card issued on or after July 1, 2006, expires on the birth date
468 of the applicant in the fifth year following the issuance of the identification card.

469 (b) A limited-term identification card expires on:

470 (i) the expiration date of the period of time of the individual's authorized stay in the
471 United States or on the birth date of the applicant in the fifth year following the issuance of the
472 limited-term identification card, whichever is sooner; or

473 (ii) on the ~~[birth date of the applicant]~~ date of issuance in the first year following the
474 year that the limited-term identification card was issued if there is no definite end to the
475 individual's period of authorized stay.

476 (2) If a person has applied for and received an identification card and subsequently
477 moves from the address shown on the application or on the card, the person shall within 10

478 days notify the division in a manner specified by the division of the person's new address.

479 (3) If a person has applied for and received an identification card and subsequently
480 changes the person's name under Title 42, Chapter 1, Change of Name, the person:

481 (a) shall surrender the card to the division; and

482 (b) may apply for a new card in the person's new name by:

483 (i) furnishing proper documentation to the division as provided in Section 53-3-804;

484 and

485 (ii) paying the fee required under Section 53-3-105.

486 (4) (a) Except as provided in Subsection (4)(c), if a person has applied for and received
487 an identification card and is currently required to register as a sex offender under Section
488 77-27-21.5:

489 (i) the person's identification card expires annually on the next birth date of the
490 cardholder, on and after July 1, 2006;

491 (ii) the person shall surrender the person's identification card to the division on or
492 before the cardholder's next birth date beginning on July 1, 2006; and

493 (iii) the person may apply for an identification card with an expiration date identified in
494 Subsection (8) by:

495 (A) furnishing proper documentation to the division as provided in Section 53-3-804;

496 and

497 (B) paying the fee for an identification card required under Section 53-3-105.

498 (b) Except as provided in Subsection (4)(c), if a person has applied for and received an
499 identification card and is subsequently convicted of any offense listed in Subsection

500 77-27-21.5(1)(n), the person shall surrender the card to the division on the person's next birth
501 date following the conviction and may apply for a new card with an expiration date identified
502 in Subsection (8) by:

503 (i) furnishing proper documentation to the division as provided in Section 53-3-804;

504 and

505 (ii) paying the fee required under Section 53-3-105.

506 (c) A person who is unable to comply with the provisions of Subsection (4)(a) or (4)(b)
507 because the person is in the custody of the Department of Corrections or Division of Juvenile
508 Justice Services, confined in a correctional facility not operated by or under contract with the
509 Department of Corrections, or committed to a state mental facility, shall comply with the
510 provisions of Subsection (4)(a) or (b) within 10 days of being released from confinement.

511 (5) A person older than 21 years of age with a disability, as defined under the
512 Americans with Disabilities Act of 1990, Pub. L. 101-336, may extend the expiration date on
513 an identification card for five years if the person with a disability or an agent of the person with
514 a disability:

515 (a) requests that the division send the application form to obtain the extension or
516 requests an application form in person at the division's offices;

517 (b) completes the application;

518 (c) certifies that the extension is for a person 21 years of age or older with a disability;

519 and

520 (d) returns the application to the division together with the identification card fee
521 required under Section 53-3-105.

522 (6) (a) (i) An identification card may only be extended once, except as prohibited under
523 Subsection (6)(b).

524 (ii) After an extension an application for an identification card must be applied for in
525 person at the division's offices.

526 (b) An identification card issued to a person required to register as a sex offender under
527 Section 77-27-21.5 may not be extended.

528 (7) An identification card issued prior to July 1, 2006, to a person 65 years of age or
529 older [~~does not expire, but continues in effect until the death of that person~~] expires on
530 December 1, 2017.

531 (8) Notwithstanding the provisions of this section, an identification card expires on the
532 birth date of the applicant in the first year following the year that the identification card was
533 issued if the applicant is required to register as a sex offender under Section 77-27-21.5.

534 (9) A person who knowingly fails to surrender an identification card under Subsection
535 (4) is guilty of a class A misdemeanor.

536 Section 8. **Effective date.**

537 This bill takes effect on July 1, 2012.