



400 individual who resides in a foreign jurisdiction.

401 (16) "Out-of-service order" means a temporary prohibition against driving a  
402 commercial motor vehicle.

403 (17) "Port-of-entry agent" has the same meaning as provided in Section 72-1-102.

404 (18) "Serious traffic violation" means a conviction of any of the following:

405 (a) speeding 15 or more miles per hour above the posted speed limit;

406 (b) reckless driving as defined by state or local law;

407 (c) improper or erratic traffic lane changes;

408 (d) following the vehicle ahead too closely;

409 (e) any other motor vehicle traffic law which arises in connection with a fatal traffic  
410 accident;

411 (f) operating a commercial motor vehicle without a CDL or a CDIP;

412 (g) operating a commercial motor vehicle without the proper class of CDL or CDL  
413 endorsement for the type of vehicle group being operated or for the passengers or cargo being  
414 transported; [or]

415 (h) operating a commercial motor vehicle without a CDL or CDIP license certificate in  
416 the driver's possession in violation of Section 53-3-404[-]; ~~§~~ → [or] ← ~~§~~

417 (i) using a handheld wireless communication device ~~§~~ → [as defined in] in violation of ← ~~§~~  
417a Section 41-6a-1716

418 while operating a commercial motor vehicle ~~§~~ → ; or

418a (j) using a hand-held mobile telephone while operating a commercial motor vehicle in  
418b violation of 49 C.F.R. Sec. 392.82 ← ~~§~~ .

419 (19) "State" means a state of the United States, the District of Columbia, any province  
420 or territory of Canada, or Mexico.

421 (20) "United States" means the 50 states and the District of Columbia.

422 Section 4. Section **53-3-407** is amended to read:

423 **53-3-407. Qualifications for commercial driver license -- Fee -- Third parties may**  
424 **administer skills test.**

425 (1) (a) As used in this section, "CDL driver training school" means a business  
426 enterprise conducted by an individual, association, partnership, or corporation that:

427 (i) educates and trains persons, either practically or theoretically, or both, to drive  
428 commercial motor vehicles; and

429 (ii) prepares an applicant for an examination under Subsection (2)(a)(ii) or (2)(b)(i)(B).

430 (b) A CDL driver training school may charge a consideration or tuition for the services