

1                   **STATE LABORATORY DRUG TESTING ACCOUNT**

2                                   **AMENDMENTS**

3   2014 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Ronda Rudd Menlove**

6                                   Senate Sponsor: Allen M. Christensen

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8   **LONG TITLE**

9   **General Description:**

10           This bill amends provisions related to drug and alcohol analysis testing and associated  
11 funding provisions.

12   **Highlighted Provisions:**

13           This bill:

14           ▶ increases the administrative fee for license reinstatement after an alcohol-related or  
15 drug-related offense;

16           ▶ increases the amount deposited in the State Laboratory Drug Testing Account from  
17 the Department of Public Safety Restricted Account; and

18           ▶ requires the Department of Public Safety to report to the Department of Health  
19 annually the amount the Department of Public Safety expects to collect from  
20 administrative fees for license reinstatement in the next fiscal year.

21   **Money Appropriated in this Bill:**

22           This bill appropriates in fiscal year 2014-2015:

23           ▶ to the Department of Health - Disease Control and Prevention as an ongoing  
24 appropriation:

25           • from the General Fund Restricted - State Laboratory Drug Testing Account,  
26 \$228,300.

27   **Other Special Clauses:**

28           This bill takes effect on July 1, 2014.

29   **Utah Code Sections Affected:**

30 AMENDS:

31 **53-3-105**, as last amended by Laws of Utah 2011, Chapter 428

32 **53-3-106**, as last amended by Laws of Utah 2012, Chapter 356

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

35 Section 1. Section **53-3-105** is amended to read:

36 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**  
37 **and identification cards.**

38 The following fees apply under this chapter:

39 (1) An original class D license application under Section **53-3-205** is \$25.

40 (2) An original provisional license application for a class D license under Section  
41 **53-3-205** is \$30.

42 (3) An original application for a motorcycle endorsement under Section **53-3-205** is  
43 \$9.50.

44 (4) An original application for a taxicab endorsement under Section **53-3-205** is \$7.

45 (5) A learner permit application under Section **53-3-210.5** is \$15.

46 (6) A renewal of a class D license under Section **53-3-214** is \$25 unless Subsection  
47 (10) applies.

48 (7) A renewal of a provisional license application for a class D license under Section  
49 **53-3-214** is \$25.

50 (8) A renewal of a motorcycle endorsement under Section **53-3-214** is \$9.50.

51 (9) A renewal of a taxicab endorsement under Section **53-3-214** is \$7.

52 (10) A renewal of a class D license for a person 65 and older under Section **53-3-214** is  
53 \$13.

54 (11) An extension of a class D license under Section **53-3-214** is \$20 unless Subsection  
55 (15) applies.

56 (12) An extension of a provisional license application for a class D license under  
57 Section **53-3-214** is \$20.

- 58 (13) An extension of a motorcycle endorsement under Section 53-3-214 is \$9.50.
- 59 (14) An extension of a taxicab endorsement under Section 53-3-214 is \$7.
- 60 (15) An extension of a class D license for a person 65 and older under Section
- 61 53-3-214 is \$11.
- 62 (16) An original or renewal application for a commercial class A, B, or C license or an
- 63 original or renewal of a provisional commercial class A or B license under Part 4, Uniform
- 64 Commercial Driver License Act, is:
- 65 (a) \$40 for the knowledge test; and
- 66 (b) \$60 for the skills test.
- 67 (17) Each original CDL endorsement for passengers, hazardous material, double or
- 68 triple trailers, or tankers is \$7.
- 69 (18) An original CDL endorsement for a school bus under Part 4, Uniform Commercial
- 70 Driver License Act, is \$7.
- 71 (19) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver
- 72 License Act, is \$7.
- 73 (20) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$20.
- 74 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$40.
- 75 (21) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$7.
- 76 (22) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$18.
- 77 (23) (a) A license reinstatement application under Section 53-3-205 is \$30.
- 78 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or
- 79 combination of alcohol and any drug-related offense is \$35 in addition to the fee under
- 80 Subsection (23)(a).
- 81 (24) (a) An administrative fee for license reinstatement after an alcohol, drug, or
- 82 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or
- 83 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under
- 84 Part 4, Uniform Commercial Driver License Act, is [~~\$170~~] \$230.
- 85 (b) This administrative fee is in addition to the fees under Subsection (23).

86 (25) (a) An administrative fee for providing the driving record of a driver under  
87 Section 53-3-104 or 53-3-420 is \$6.

88 (b) The division may not charge for a report furnished under Section 53-3-104 to a  
89 municipal, county, state, or federal agency.

90 (26) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.

91 (27) (a) Except as provided under Subsections (27)(b) and (c), an identification card  
92 application under Section 53-3-808 is \$18.

93 (b) An identification card application under Section 53-3-808 for a person with a  
94 disability, as defined in 42 U.S.C. Sec. 12102, is \$13.

95 (c) A fee may not be charged for an identification card application if the person  
96 applying:

97 (i) has not been issued a Utah driver license;

98 (ii) is indigent; and

99 (iii) is at least 18 years of age.

100 (28) In addition to any license application fees collected under this chapter, the division  
101 shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the  
102 fees that the Bureau of Criminal Identification is authorized to collect for the services the  
103 Bureau of Criminal Identification provides under Section 53-3-205.5.

104 Section 2. Section 53-3-106 is amended to read:

105 **53-3-106. Disposition of revenues under this chapter -- Restricted account created**  
106 **-- Uses as provided by appropriation -- Nonlapsing.**

107 (1) There is created within the Transportation Fund a restricted account known as the  
108 "Department of Public Safety Restricted Account."

109 (2) The account consists of money generated from the following revenue sources:

110 (a) all money received under this chapter;

111 (b) administrative fees received according to the fee schedule authorized under this  
112 chapter and Section 63J-1-504;

113 (c) beginning on January 1, 2013, money received in accordance with Section

114 41-1a-1201; and

115 (d) any appropriations made to the account by the Legislature.

116 (3) (a) The account shall earn interest.

117 (b) All interest earned on account money shall be deposited in the account.

118 (4) The expenses of the department in carrying out this chapter shall be provided for by  
119 legislative appropriation from this account.

120 (5) The amount in excess of \$45 of the fees collected under Subsection 53-3-105(24)  
121 shall be appropriated by the Legislature from this account to the department to implement the  
122 provisions of Section 53-1-117, except that of the amount in excess of \$45, [~~\$40~~] \$100 shall be  
123 deposited in the State Laboratory Drug Testing Account created in Section 26-1-34.

124 (6) All money received under Subsection 41-6a-1406(6)(b)(ii) shall be appropriated by  
125 the Legislature from this account to the department to implement the provisions of Section  
126 53-1-117.

127 (7) Beginning in fiscal year 2009-10, the Legislature shall appropriate \$100,000  
128 annually from the account to the state medical examiner appointed under Section 26-4-4 for  
129 use in carrying out duties related to highway crash deaths under Subsection 26-4-7(1).

130 (8) The division shall remit the fees collected under Subsection 53-3-105(28) to the  
131 Bureau of Criminal Identification to cover the costs for the services the Bureau of Criminal  
132 Identification provides under Section 53-3-205.5.

133 (9) (a) Beginning on January 1, 2013, the Legislature shall appropriate all money  
134 received in the account under Section 41-1a-1201 to the Utah Highway Patrol Division for  
135 field operations.

136 (b) The Legislature may appropriate additional money from the account to the Utah  
137 Highway Patrol Division for law enforcement purposes.

138 (10) Appropriations to the department from the account are nonlapsing.

139 (11) The department shall report to the Department of Health, on or before December  
140 31, the amount the department expects to collect under Subsection 53-3-105(24) in the next  
141 fiscal year.

