

Senator Deidre M. Henderson proposes the following substitute bill:

DRIVER LICENSE TESTING REVISIONS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ provides that if an applicant has been issued an equivalent learner permit by another state or branch of the United States Armed Forces, the applicant is subject to the driver education, testing, age, and fee requirements;
- ▶ provides that an applicant for an original or provisional class D license shall pass a knowledge test approved by the division;
- ▶ provides that a percentage of the test questions included in the knowledge test shall cover the topic of major causes of traffic related deaths as identified in statistics published by the Utah Highway Safety Office; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2014:

- ▶ to the Department of Public Safety - Driver License:
 - from the Department of Public Safety Restricted Account, \$20,000.



- 26 This bill appropriates in fiscal year 2015:
- 27 ▶ to the Department of Public Safety - Driver License:
 - 28 • from the Department of Public Safety Restricted Account, \$14,000.

29 **Other Special Clauses:**

30 This bill provides an effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **53-3-210.5**, as last amended by Laws of Utah 2012, Chapter 176



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

36 Section 1. Section **53-3-210.5** is amended to read:

37 **53-3-210.5. Learner permit.**

38 (1) Beginning on August 1, 2006, the division, upon receiving an application for a
39 learner permit, may issue a learner permit effective for one year to an applicant who is at least
40 15 years of age.

41 (2) (a) The learner permit entitles an applicant that is 18 years of age or older to operate
42 a class D motor vehicle only if:

43 (i) a person 21 years of age or older who is a licensed driver is occupying a seat beside
44 the applicant; and

45 (ii) the applicant has the learner permit in the applicant's immediate possession while
46 operating the motor vehicle.

47 (b) The learner permit entitles an applicant that is younger than 18 years of age to
48 operate a class D motor vehicle only if:

49 (i) (A) an approved driving instructor is occupying a seat beside the applicant;

50 (B) the applicant's parent or legal guardian, who must be a licensed driver, is
51 occupying a seat beside the applicant; or

52 (C) a responsible adult who has signed for the applicant under Section **53-3-211** and
53 who must be a licensed driver, is occupying a seat beside the applicant; and

54 (ii) the applicant has the learner permit in the applicant's immediate possession while
55 operating the motor vehicle.

56 (3) The division shall issue a learner permit to an applicant who:

- 57 (a) is at least 15 years of age;
- 58 (b) has passed the knowledge test required by the division;
- 59 (c) has passed the physical and mental fitness tests; and
- 60 (d) has submitted a nonrefundable fee for a learner permit under Section 53-3-105.
- 61 (4) (a) The division shall supply the learner permit form.
- 62 (b) The form under Subsection (4)(a) shall include:
 - 63 (i) the applicant's full name, date of birth, sex, Utah residence address, height, weight,
 - 64 and eye color;
 - 65 (ii) the date of issuance and expiration of the permit; and
 - 66 (iii) the conditions and restrictions contained in this section for operating a class D
 - 67 motor vehicle.
- 68 (5) An application and fee for a learner permit entitle the applicant to:
 - 69 (a) not more than three attempts to pass the knowledge test for a class D license within
 - 70 one year; and
 - 71 (b) a learner permit after the knowledge test is passed.
- 72 (6) (a) If an applicant has been issued a learner permit under this section or an
- 73 equivalent by another state or branch of the United States Armed Forces, the applicant may be
- 74 issued an original or provisional class D license from the division upon:
 - 75 (i) completing a driver education course in a:
 - 76 (A) commercial driver training school licensed under Part 5, Commercial Driver
 - 77 Training Schools Act; or
 - 78 (B) driver education program approved by the State Board of Education or the division;
 - 79 (ii) passing a knowledge test approved by the division that complies with the
 - 80 requirement of Subsection (6)(d);
 - 81 [~~(ii)~~] (iii) passing the skills test approved by the division;
 - 82 [~~(iii)~~] (iv) reaching 16 years of age; and
 - 83 [~~(iv)~~] (v) paying the nonrefundable fee for an original or provisional class D license
 - 84 application under Section 53-3-105.
- 85 (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17
- 86 years of age or younger is required to hold a learner permit for six months before applying for a
- 87 provisional class D license.

88 (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the
89 applicant:

90 (i) is 19 years of age or older;

91 (ii) holds a learner permit for three months before applying for an original class D
92 license; and

93 (iii) certifies that the applicant, under the authority of a permit issued under this
94 chapter, has completed at least 40 hours of driving a motor vehicle, of which at least 10 hours
95 were completed during night hours after sunset.

96 (d) Fifty percent of the test questions included in the knowledge test required under
97 Subsection (6)(a)(ii) shall cover the topic of major causes of traffic related deaths as identified
98 in statistics published by the Utah Highway Safety Office.

99 Section 2. **Appropriation.**

100 (1) Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,
101 for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of
102 money are appropriated from resources not otherwise appropriated, or reduced from amounts
103 previously appropriated, out of the funds or accounts indicated. These sums of money are in
104 addition to any amounts previously appropriated for fiscal year 2014.

105	<u>To Department of Public Safety - Driver License</u>	
106	<u>From Department of Public Safety Restricted Account</u>	<u>\$20,000</u>
107	<u>Schedule of Programs:</u>	
108	<u>Driver Services</u>	<u>\$20,000</u>

109 (2) Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,
110 for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of
111 money are appropriated from resources not otherwise appropriated, or reduced from amounts
112 previously appropriated, out of the funds or accounts indicated. These sums of money are in
113 addition to any amounts previously appropriated for fiscal year 2015.

114	<u>To Department of Public Safety - Driver License</u>	
115	<u>From Department of Public Safety Restricted Account</u>	<u>\$14,000</u>
116	<u>Schedule of Programs:</u>	
117	<u>Driver Services</u>	<u>\$14,000</u>

118 Section 3. **Effective date.**

119 (1) Except as provided in Subsection (2), this bill takes effect on January 1, 2015.

120 (2) Uncodified Section 2, Appropriation, takes effect on May 13, 2014.