

Representative Adam Robertson proposes the following substitute bill:

DRIVER LICENSE RENEWAL AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Adam Robertson

Senate Sponsor: Wayne A. Harper

LONG TITLE

General Description:

This bill changes the required frequency of driver license and identification card renewal from five years to eight years.

Highlighted Provisions:

This bill:

- ▶ changes the initial term and renewal period for a regular class D driver license from five years to eight years;
- ▶ changes the renewal period for a provisional driver license from five years to eight years;
- ▶ increases driver license and endorsement application and renewal fees;
- ▶ adjusts the allowable reportable violations a driver may have on the driver's record to be eligible to renew a license on the eight-year cycle; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:



26 AMENDS:

27 **53-3-105**, as last amended by Laws of Utah 2018, Chapters 301 and 417

28 **53-3-205**, as last amended by Laws of Utah 2018, Chapters 39, 128, and 417

29 **53-3-214**, as last amended by Laws of Utah 2012, Chapter 335

30 **53-3-803**, as last amended by Laws of Utah 2014, Chapter 252

31 **53-3-804**, as last amended by Laws of Utah 2018, Chapter 39

32 **53-3-806.5**, as last amended by Laws of Utah 2017, Chapter 282

33 **53-3-807**, as last amended by Laws of Utah 2015, Chapter 210



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

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

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

39 The following fees apply under this chapter:

40 (1) An original class D license application under Section **53-3-205** is [~~\$32~~] \$52.

41 (2) An original provisional license application for a class D license under Section
42 **53-3-205** is \$39.

43 (3) An original limited term license application under Section **53-3-205** is \$32.

44 [~~3~~] (4) An original application for a motorcycle endorsement under Section **53-3-205**
45 is [~~\$11~~] \$18.

46 [~~4~~] (5) An original application for a taxicab endorsement under Section **53-3-205** is
47 [~~\$9~~] \$14.

48 [~~5~~] (6) A learner permit application under Section **53-3-210.5** is \$19.

49 [~~6~~] (7) A renewal of a class D license under Section **53-3-214** is [~~\$32~~] \$52 unless
50 Subsection [~~10~~] (12) applies.

51 [~~7~~] (8) A renewal of a provisional license application for a class D license under
52 Section **53-3-214** is [~~\$32~~] \$52.

53 (9) A renewal of a limited term license application under Section **53-3-214** is \$32.

54 [~~8~~] (10) A renewal of a motorcycle endorsement under Section **53-3-214** is [~~\$11~~]
55 \$18.

56 [~~9~~] (11) A renewal of a taxicab endorsement under Section **53-3-214** is [~~\$9~~] \$14.

57 ~~[(10)]~~ (12) A renewal of a class D license for a person 65 and older under Section
58 53-3-214 is ~~[\$17]~~ \$27.

59 ~~[(11)]~~ (13) An extension of a class D license under Section 53-3-214 is ~~[\$26]~~ \$42
60 unless Subsection ~~[(15)]~~ (17) applies.

61 ~~[(12)]~~ (14) An extension of a provisional license application for a class D license under
62 Section 53-3-214 is ~~[\$26]~~ \$42.

63 ~~[(13)]~~ (15) An extension of a motorcycle endorsement under Section 53-3-214 is ~~[\$11]~~
64 \$18.

65 ~~[(14)]~~ (16) An extension of a taxicab endorsement under Section 53-3-214 is ~~[\$9]~~ \$14.

66 ~~[(15)]~~ (17) An extension of a class D license for a person 65 and older under Section
67 53-3-214 is ~~[\$14]~~ \$22.

68 ~~[(16)]~~ (18) An original or renewal application for a commercial class A, B, or C license
69 or an original or renewal of a provisional commercial class A or B license under Part 4,
70 Uniform Commercial Driver License Act, is \$52.

71 ~~[(17)]~~ (19) A commercial class A, B, or C license skills test is \$78.

72 ~~[(18)]~~ (20) Each original CDL endorsement for passengers, hazardous material, double
73 or triple trailers, or tankers is \$9.

74 ~~[(19)]~~ (21) An original CDL endorsement for a school bus under Part 4, Uniform
75 Commercial Driver License Act, is \$9.

76 ~~[(20)]~~ (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial
77 Driver License Act, is \$9.

78 ~~[(21)]~~ (23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is
79 \$26.

80 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.

81 ~~[(22)]~~ (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.

82 ~~[(23)]~~ (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is
83 \$23.

84 ~~[(24)]~~ (26) (a) A license reinstatement application under Section 53-3-205 is \$40.

85 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or
86 combination of alcohol and any drug-related offense is \$45 in addition to the fee under
87 Subsection ~~[(24)]~~ (26)(a).

88 ~~[(25)]~~ (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or
89 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or
90 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under
91 Part 4, Uniform Commercial Driver License Act, is \$255.

92 (b) This administrative fee is in addition to the fees under Subsection ~~[(24)]~~ (26).

93 ~~[(26)]~~ (28) (a) An administrative fee for providing the driving record of a driver under
94 Section 53-3-104 or 53-3-420 is \$8.

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

97 ~~[(27)]~~ (29) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.

98 ~~[(28)]~~ (30) (a) Except as provided under Subsections ~~[(28)]~~ (30)(b) and (c), an
99 identification card application under Section 53-3-808 is \$23.

100 (b) An identification card application under Section 53-3-808 for a person with a
101 disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

102 (c) A fee may not be charged for an identification card application if the individual
103 applying:

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

105 (B) is indigent; and

106 (C) is at least 18 years of age; or

107 (ii) submits written verification that the individual is homeless, as defined in Section
108 26-18-411, or a person who is homeless, as defined in Section 35A-5-302, from:

109 (A) a homeless shelter, as defined in Section 10-9a-526;

110 (B) a permanent housing, permanent, supportive, or transitional facility, as defined in
111 Section 35A-5-302; or

112 (C) the Department of Workforce Services.

113 ~~[(29)]~~ (31) (a) An extension of a regular identification card under Subsection
114 53-3-807(5) for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

115 (b) The fee described in Subsection ~~[(29)]~~ (31)(a) shall be waived if the applicant
116 submits written verification that the individual is homeless, as defined in Section 26-18-411, or
117 a person who is homeless, as defined in Section 35A-5-302, from:

118 (i) a homeless shelter, as defined in Section 10-9a-526;

119 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in
120 Section 35A-5-302; or

121 (iii) the Department of Workforce Services.

122 [~~30~~] (32) (a) An extension of a regular identification card under Subsection
123 53-3-807(6) is \$23.

124 (b) The fee described in Subsection [~~30~~] (32)(a) shall be waived if the applicant
125 submits written verification that the individual is homeless, as defined in Section 26-18-411, or
126 a person who is homeless, as defined in Section 35A-5-302, from:

127 (i) a homeless shelter, as defined in Section 10-9a-526;

128 (ii) a permanent housing, permanent, supportive, or transitional facility, as defined in
129 Section 35A-5-302; or

130 (iii) the Department of Workforce Services.

131 [~~31~~] (33) In addition to any license application fees collected under this chapter, the
132 division shall impose on individuals submitting fingerprints in accordance with Section
133 53-3-205.5 the fees that the Bureau of Criminal Identification is authorized to collect for the
134 services the Bureau of Criminal Identification provides under Section 53-3-205.5.

135 [~~32~~] (34) An original mobility vehicle permit application under Section 41-6a-1118 is
136 \$30.

137 [~~33~~] (35) A renewal of a mobility vehicle permit under Section 41-6a-1118 is \$30.

138 [~~34~~] (36) A duplicate mobility vehicle permit under Section 41-6a-1118 is \$12.

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

140 **53-3-205. Application for license or endorsement -- Fee required -- Tests --**

141 **Expiration dates of licenses and endorsements -- Information required -- Previous**

142 **licenses surrendered -- Driving record transferred from other states -- Reinstatement --**

143 **Fee required -- License agreement.**

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

146 (a) made upon a form furnished by the division; and

147 (b) accompanied by a nonrefundable fee set under Section 53-3-105.

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

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

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

154 (c) an original class D license and license certificate after all tests are passed and
155 requirements are completed.

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

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

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

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

162 (4) An application for a commercial class A, B, or C license entitles the applicant to:

163 (a) not more than two attempts to pass a knowledge test when accompanied by the fee
164 provided in Subsection 53-3-105(16);

165 (b) not more than two attempts to pass a skills test when accompanied by a fee in
166 Subsection 53-3-105(17) within six months of the date of application;

167 (c) both a commercial driver instruction permit and a temporary license permit for the
168 license class held before the applicant submits the application if needed after the knowledge
169 test is passed; and

170 (d) an original commercial class A, B, or C license and license certificate when all
171 applicable tests are passed.

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

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

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

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

179 (b) (i) Beginning July 1, 2015, an out-of-state resident who holds a valid CDIP issued
180 by a state or jurisdiction that is compliant with 49 C.F.R. Part 383 may take a skills test

181 administered by the division if the out-of-state resident pays the fee provided in Subsection
182 [53-3-105](#)(17).

183 (ii) The division shall:

184 (A) electronically transmit skills test results for an out-of-state resident to the licensing
185 agency in the state or jurisdiction in which the person has obtained a valid CDIP; and

186 (B) provide the out-of-state resident with documentary evidence upon successful
187 completion of the skills test.

188 (7) (a) (i) Except as provided under Subsections [~~(7)(f)~~] (7)(a)(ii), (f), (g), and (h), an
189 original class D license expires on the birth date of the applicant in the [~~fifth~~] eighth year
190 following the year the license certificate was issued.

191 (ii) An original provisional class D license expires on the birth date of the applicant in
192 the fifth year following the year the license certificate was issued.

193 (iii) Except as provided in Subsection (7)(f), a limited term class D license expires on
194 the birth date of the applicant in the fifth year the license certificate was issued.

195 (b) Except as provided under Subsections (7)(f), (g), and (h), a renewal or an extension
196 to a license expires on the birth date of the licensee in the [~~fifth~~] eighth year following the
197 expiration date of the license certificate renewed or extended.

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

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

202 (e) (i) A regular license certificate and any endorsement to the regular license
203 certificate held by a person described in Subsection (7)(e)(ii), which expires during the time
204 period the person is stationed outside of the state, is valid until 90 days after the person's orders
205 have been terminated, the person has been discharged, or the person's assignment has been
206 changed or terminated, unless:

207 (A) the license is suspended, disqualified, denied, or has been cancelled or revoked by
208 the division; or

209 (B) the licensee updates the information or photograph on the license certificate.

210 (ii) The provisions in Subsection (7)(e)(i) apply to a person:

211 (A) ordered to active duty and stationed outside of Utah in any of the armed forces of

212 the United States;

213 (B) who is an immediate family member or dependent of a person described in
214 Subsection (7)(e)(ii)(A) and is residing outside of Utah;

215 (C) who is a civilian employee of the United States State Department or United States
216 Department of Defense and is stationed outside of the United States; or

217 (D) who is an immediate family member or dependent of a person described in
218 Subsection (7)(e)(ii)(C) and is residing outside of the United States.

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

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

223 (B) on the date of issuance in the first year following the year that the limited-term
224 license certificate was issued if there is no definite end to the individual's period of authorized
225 stay.

226 (ii) A limited-term license certificate or a renewal to a limited-term license certificate
227 issued to an approved asylee or a refugee expires on the birth date of the applicant in the fifth
228 year following the year that the limited-term license certificate was issued.

229 (g) A driving privilege card issued or renewed under Section [53-3-207](#) expires on the
230 birth date of the applicant in the first year following the year that the driving privilege card was
231 issued or renewed.

232 (h) An original license or a renewal to an original license expires on the birth date of
233 the applicant in the first year following the year that the license was issued if the applicant is
234 required to register as a sex offender in accordance with Title 77, Chapter 41, Sex and Kidnap
235 Offender Registry.

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

238 (i) provide:

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

240 (B) the applicant's birth date;

241 (C) the applicant's gender;

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

243 (II) written proof that the applicant is ineligible to receive a Social Security number;
244 (III) the applicant's temporary identification number (ITIN) issued by the Internal
245 Revenue Service for a person who:
246 (Aa) does not qualify for a Social Security number; and
247 (Bb) is applying for a driving privilege card; or
248 (IV) other documentary evidence approved by the division;
249 (E) the applicant's Utah residence address as documented by a form or forms
250 acceptable under rules made by the division under Section 53-3-104, unless the application is
251 for a temporary CDL issued under Subsection 53-3-407(2)(b); and
252 (F) fingerprints and a photograph in accordance with Section 53-3-205.5 if the person
253 is applying for a driving privilege card;
254 (ii) provide evidence of the applicant's lawful presence in the United States by
255 providing documentary evidence:
256 (A) that a person is:
257 (I) a United States citizen;
258 (II) a United States national; or
259 (III) a legal permanent resident alien; or
260 (B) of the applicant's:
261 (I) unexpired immigrant or nonimmigrant visa status for admission into the United
262 States;
263 (II) pending or approved application for asylum in the United States;
264 (III) admission into the United States as a refugee;
265 (IV) pending or approved application for temporary protected status in the United
266 States;
267 (V) approved deferred action status;
268 (VI) pending application for adjustment of status to legal permanent resident or
269 conditional resident; or
270 (VII) conditional permanent resident alien status;
271 (iii) provide a description of the applicant;
272 (iv) state whether the applicant has previously been licensed to drive a motor vehicle
273 and, if so, when and by what state or country;

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

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

280 (vii) state whether the applicant is required to register as a sex offender in accordance
281 with Title 77, Chapter 41, Sex and Kidnap Offender Registry;

282 (viii) state whether the applicant is a veteran of the United States military, provide
283 verification that the applicant was granted an honorable or general discharge from the United
284 States Armed Forces, and state whether the applicant does or does not authorize sharing the
285 information with the Department of Veterans and Military Affairs;

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

287 (x) sign the application which signature may include an electronic signature as defined
288 in Section [46-4-102](#).

289 (b) Each applicant shall have a Utah residence address, unless the application is for a
290 temporary CDL issued under Subsection [53-3-407\(2\)\(b\)](#).

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

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

294 (i) (A) Social Security number;

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

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

297 (ii) indication whether the applicant is required to register as a sex offender in
298 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

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

301 (a) current license certificate;

302 (b) birth certificate;

303 (c) Selective Service registration; or

304 (d) other proof, including church records, family Bible notations, school records, or

305 other evidence considered acceptable by the division.

306 (10) (a) Except as provided in Subsection (10)(c), if an applicant receives a license in a
307 higher class than what the applicant originally was issued:

308 (i) the license application shall be treated as an original application; and

309 (ii) license and endorsement fees shall be assessed under Section 53-3-105.

310 (b) An applicant that receives a downgraded license in a lower license class during an
311 existing license cycle that has not expired:

312 (i) may be issued a duplicate license with a lower license classification for the
313 remainder of the existing license cycle; and

314 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(23) if a
315 duplicate license is issued under Subsection (10)(b)(i).

316 (c) An applicant who has received a downgraded license in a lower license class under
317 Subsection (10)(b):

318 (i) may, when eligible, receive a duplicate license in the highest class previously issued
319 during a license cycle that has not expired for the remainder of the existing license cycle; and

320 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(23) if a
321 duplicate license is issued under Subsection (10)(c)(i).

322 (11) (a) When an application is received from a person previously licensed in another
323 state to drive a motor vehicle, the division shall request a copy of the driver's record from the
324 other state.

325 (b) When received, the driver's record becomes part of the driver's record in this state
326 with the same effect as though entered originally on the driver's record in this state.

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

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

333 (14) A person who applies for an original license or renewal of a license agrees that the
334 person's license is subject to any suspension or revocation authorized under this title or Title
335 41, Motor Vehicles.

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

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

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

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

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

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

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

351 (a) loss;

352 (b) detriment; or

353 (c) injury.

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

356 ~~[(19) (a) Until December 1, 2014, a person born on or after December 1, 1964, may~~
357 ~~hold both an unexpired Utah license certificate and an unexpired Utah identification card.]~~

358 ~~[(b) On or after December 1, 2014, a person born on or after December 1, 1964:]~~

359 ~~[(i) may not hold both an unexpired Utah license certificate and an unexpired~~
360 ~~identification card, and]~~

361 ~~[(ii) if the person has both an unexpired Utah license certificate and an unexpired Utah~~
362 ~~identification card in the person's possession, shall be required to surrender either the unexpired~~
363 ~~Utah license certificate or the unexpired Utah identification card.]~~

364 ~~[(c) If a person has not surrendered either the Utah license certificate or the Utah~~
365 ~~identification card as required under this Subsection (19), the division shall cancel the Utah~~
366 ~~identification card on December 1, 2014.]~~

367 ~~[(20) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold~~
368 ~~both an unexpired Utah license certificate and an unexpired Utah identification card.]~~

369 ~~[(b) On or after December 1, 2017, a person born prior to December 1, 1964:]~~

370 ~~[(i) may not hold both an unexpired Utah license certificate and an unexpired~~
371 ~~identification card; and]~~

372 ~~[(ii) if the person has both an unexpired Utah license certificate and an unexpired Utah~~
373 ~~identification card in the person's possession, shall be required to surrender either the unexpired~~
374 ~~Utah license certificate or the unexpired Utah identification card.]~~

375 ~~[(c) If a person has not surrendered either the Utah license certificate or the Utah~~
376 ~~identification card as required under this Subsection (20), the division shall cancel the Utah~~
377 ~~identification card on December 1, 2017.]~~

378 (19) A person may not hold both an unexpired Utah license certificate and an
379 unexpired identification card.

380 ~~[(21)]~~ (20) (a) A person who applies for an original motorcycle endorsement to a
381 regular license certificate is exempt from the requirement to pass the knowledge and skills test
382 to be eligible for the motorcycle endorsement if the person:

383 (i) is a resident of the state of Utah;

384 (ii) (A) is ordered to active duty and stationed outside of Utah in any of the armed
385 forces of the United States; or

386 (B) is an immediate family member or dependent of a person described in Subsection
387 ~~[(21)]~~ (20)(a)(ii)(A) and is residing outside of Utah;

388 (iii) has a digitized driver license photo on file with the division;

389 (iv) provides proof to the division of the successful completion of a certified
390 Motorcycle Safety Foundation rider training course; and

391 (v) provides the necessary information and documentary evidence required under
392 Subsection (8).

393 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
394 division shall make rules:

395 (i) establishing the procedures for a person to obtain a motorcycle endorsement under
396 this Subsection ~~[(21)]~~ (20); and

397 (ii) identifying the applicable restrictions for a motorcycle endorsement issued under

398 this Subsection [(21)] (20).

399 Section 3. Section 53-3-214 is amended to read:

400 **53-3-214. Renewal -- Fees required -- Extension without examination.**

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

403 (i) at any time within six months before the license expires; or

404 (ii) more than six months prior to the expiration date if the applicant furnishes proof
405 that the applicant will be absent from the state during the six-month period prior to the
406 expiration of the license.

407 (b) The application for a renewal of, extension of, or any endorsement to a license shall
408 be accompanied by a fee under Section 53-3-105.

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

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

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

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

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

424 (3) (a) (i) Except as provided under Subsections (3)(b) and (c), the division may renew
425 or extend a regular license certificate[;] or any endorsement to the regular license certificate[; ~~a~~
426 ~~provisional license, and any endorsement to a provisional license for five]~~ for eight years
427 without examination for licensees whose driving records for the [~~five]~~ eight years immediately
428 preceding the determination of eligibility for extension show:

429 [(i)] (A) no suspensions;
430 [(ii)] (B) no revocations;
431 [(iii)] (C) no conviction for reckless driving under Section 41-6a-528; and
432 [(iv)] (D) no more than [~~four~~] six reportable violations in the preceding [~~five~~] eight
433 years.

434 (ii) Except as provided under Subsections (3)(b) and (c), the division may renew or
435 extend a provisional license and any endorsement to a provisional license for eight years
436 without examination for licensees whose driving records for the five years immediately
437 preceding the determination of eligibility for extension show:

- 438 (A) no suspensions;
- 439 (B) no revocations;
- 440 (C) no conviction for reckless driving under Section 41-6a-528; and
- 441 (D) no more than four reportable violations in the preceding five years.

442 (iii) Except as provided under Subsections (3)(b) and (c), the division may renew or
443 extend a limited term license and any endorsement to a limited term license for five years
444 without examination for licensees whose driving records for the five years immediately
445 preceding the determination of eligibility for extension show:

- 446 (A) no suspensions;
- 447 (B) no revocations;
- 448 (C) no conviction for reckless driving under Section 41-6a-528; and
- 449 (D) no more than four reportable violations in the preceding five years.

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

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

- 457 (i) again passed the tests under Section 53-3-206 and paid the required fee; and
- 458 (ii) presented documentary evidence that the status by which the individual originally
459 qualified for the limited-term license certificate has been extended by the United States

460 Citizenship and Immigration Services or other authorized agency of the United States
461 Department of Homeland Security.

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

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

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

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

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

470 (iv) who is holding a driving privilege card issued in accordance with Section
471 53-3-207.

472 (f) The division shall allow extensions:

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

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

476 (iii) for only one extension.

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

479 Section 4. Section 53-3-803 is amended to read:

480 **53-3-803. Application for identification card -- Age requirements -- Application**
481 **on behalf of others.**

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

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

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

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

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

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

492 (4) [~~Beginning on or after July 1, 2012, a~~] A person who holds an unexpired Utah
493 license certificate issued under Part 2, Driver Licensing Act, may not be issued a Utah
494 identification card or an extension of a regular identification card unless:

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

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

498 Section 5. Section **53-3-804** is amended to read:

499 **53-3-804. Application for identification card -- Required information -- Release**
500 **of anatomical gift information -- Cancellation of identification card.**

501 (1) To apply for a regular identification card or limited-term identification card, the
502 applicant shall:

503 (a) be a Utah resident;

504 (b) have a Utah residence address; and

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

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

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

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

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

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

512 (d) place of birth;

513 (e) height and weight;

514 (f) color of eyes and hair;

515 (g) signature;

516 (h) photograph;

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

519 (i) that a person is:

520 (A) a United States citizen;

521 (B) a United States national; or

- 522 (C) a legal permanent resident alien; or
523 (ii) of the applicant's:
524 (A) unexpired immigrant or nonimmigrant visa status for admission into the United
525 States;
526 (B) pending or approved application for asylum in the United States;
527 (C) admission into the United States as a refugee;
528 (D) pending or approved application for temporary protected status in the United
529 States;
530 (E) approved deferred action status;
531 (F) pending application for adjustment of status to legal permanent resident or
532 conditional resident; or
533 (G) conditional permanent resident alien status;
534 (j) an indication whether the applicant intends to make an anatomical gift under Title
535 26, Chapter 28, Revised Uniform Anatomical Gift Act;
536 (k) an indication whether the applicant is required to register as a sex offender in
537 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry; and
538 (l) an indication whether the applicant is a veteran of the United States Armed Forces,
539 verification that the applicant has received an honorable or general discharge from the United
540 States Armed Forces, and an indication whether the applicant does or does not authorize
541 sharing the information with the state Department of Veterans and Military Affairs.
- 542 (3) The requirements of Section [53-3-234](#) apply to this section for each person, age 16
543 and older, applying for an identification card. Refusal to consent to the release of information
544 shall result in the denial of the identification card.
- 545 (4) A person who knowingly fails to provide the information required under Subsection
546 (2)(k) is guilty of a class A misdemeanor.
- 547 ~~[(5)(a) Until December 1, 2014, a person born on or after December 1, 1964, may hold~~
548 ~~both an unexpired Utah license certificate and an unexpired Utah identification card.]~~
- 549 ~~[(b) On or after December 1, 2014, a person born on or after December 1, 1964:]~~
- 550 ~~[(i) may not hold both an unexpired Utah license certificate and an unexpired~~
551 ~~identification card; and]~~
- 552 ~~[(ii) if the person has both an unexpired Utah license certificate and an unexpired Utah~~

553 identification card in the person's possession, shall be required to surrender either the unexpired
554 Utah license certificate or the unexpired Utah identification card.]

555 [~~(c) If a person has not surrendered either the Utah license certificate or the Utah
556 identification card as required under this Subsection (5), the division shall cancel the Utah
557 identification card on December 1, 2014.~~]

558 [~~(6) (a) Until December 1, 2017, a person born prior to December 1, 1964, may hold
559 both an unexpired Utah license certificate and an unexpired Utah identification card.~~]

560 [~~(b) On or after December 1, 2017, a person born prior to December 1, 1964:~~]

561 [~~(i) may not hold both an unexpired Utah license certificate and an unexpired
562 identification card; and]~~

563 [~~(ii) if the person has both an unexpired Utah license certificate and an unexpired Utah
564 identification card in the person's possession, shall be required to surrender either the unexpired
565 Utah license certificate or the unexpired Utah identification card.~~]

566 [~~(c) If a person has not surrendered either the Utah license certificate or the Utah
567 identification card as required under this Subsection (6), the division shall cancel the Utah
568 identification card on December 1, 2017.~~]

569 (5) A person may not hold both an unexpired Utah license certificate and an unexpired
570 identification card.

571 Section 6. Section **53-3-806.5** is amended to read:

572 **53-3-806.5. Identification card required if offender does not have driver license.**

573 (1) (a) If a person is required to register as a sex offender in accordance with Title 77,
574 Chapter 41, Sex and Kidnap Offender Registry or as a child abuse offender in accordance with
575 Title 77, Chapter 43, Child Abuse Offender Registry, and the person does not hold a current
576 driver license in compliance with Section **53-3-205**, the person shall obtain an identification
577 card.

578 (b) The person shall maintain a current identification card during any time the person is
579 required to register as a sex or child abuse offender and the person does not hold a valid driver
580 license.

581 (2) Failure to maintain a current identification card as required under Subsection (1)
582 [~~on and after April 30, 2007~~] is a class A misdemeanor for each month of violation of
583 Subsection (1).

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

585 **53-3-807. Expiration -- Address and name change -- Extension.**

586 (1) (a) A regular identification card [~~issued on or after July 1, 2006;~~] expires on the
587 birth date of the applicant in the fifth year following the issuance of the regular identification
588 card.

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

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

593 (ii) on the date of issuance in the first year following the year that the limited-term
594 identification card was issued if there is no definite end to the individual's period of authorized
595 stay.

596 (2) If a person has applied for and received an identification card and subsequently
597 moves from the address shown on the application or on the card, the person shall within 10
598 days notify the division in a manner specified by the division of the person's new address.

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

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

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

603 (i) furnishing proper documentation to the division as provided in Section [53-3-804](#);

604 and

605 (ii) paying the fee required under Section [53-3-105](#).

606 (4) (a) Except as provided in Subsection (4)(c), if a person has applied for and received
607 an identification card and is currently required to register as a sex offender in accordance with
608 Title 77, Chapter 41, Sex and Kidnap Offender Registry:

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

611 (ii) the person shall surrender the person's identification card to the division on or
612 before the cardholder's next birth date [~~beginning on July 1, 2006; and~~].

613 [~~(iii) the person may apply for an identification card with an expiration date identified
614 in Subsection (8) by:~~]

615 [~~(A) furnishing proper documentation to the division as provided in Section 53-3-804;~~
616 ~~and]~~

617 [~~(B) paying the fee for an identification card required under Section 53-3-105.]~~

618 (b) Except as provided in Subsection (4)(c), if a person has applied for and received an
619 identification card and is subsequently convicted of any offense listed in Subsection
620 77-41-102(17), the person shall surrender the card to the division on the person's next birth
621 date following the conviction and may apply for a new card [~~with an expiration date identified~~
622 ~~in Subsection (8)] by:~~

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

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

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

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

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

637 (b) completes the application;

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

639 and

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

642 (6) ~~(a)~~ The division may extend a valid regular identification card for five years~~[-(a)~~
643 ~~(i)]~~ at any time within six months before the identification card expires~~[-and]~~.

644 [~~(ii) if the identification card was issued after January 1, 2010.]~~

645 (b) The application for an extension of a regular identification card shall be

646 accompanied by a fee under Section 53-3-105.

647 (c) The division shall allow extensions:

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

650 (ii) only if the applicant qualifies under this section.

651 (7) (a) (i) Except as prohibited under Subsection (7)(b), a regular identification card
652 may only be extended once under Subsections (5) and (6).

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

655 (b) An identification card issued to a person required to register as a sex offender in
656 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry, may not be extended.

657 [~~8~~] An identification card issued prior to July 1, 2006 to a person 65 years of age or
658 older expires on December 1, 2017.]

659 [~~9~~] (8) Notwithstanding the provisions of this section, an identification card expires
660 on the birth date of the applicant in the first year following the year that the identification card
661 was issued if the applicant is required to register as a sex offender in accordance with Title 77,
662 Chapter 41, Sex and Kidnap Offender Registry.

663 [~~10~~] (9) A person who knowingly fails to surrender an identification card under
664 Subsection (4) is guilty of a class A misdemeanor.

665 Section 8. **Effective date.**

666 This bill takes effect on January 1, 2020.