

**DRIVER LICENSE REVISIONS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill revises provisions in the Uniform Driver License Act.

**Highlighted Provisions:**

This bill:

► requires the Driver License Division of the Department of Public Safety, upon request from an individual and subject to certain written verification, to include an identifying symbol **Ĥ→ or sticker ←Ĥ** on the individual's driver license or identification card to indicate that the individual is an individual with a disability; and

► makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:**

**AMENDS:**

**46-1-2**, as last amended by Laws of Utah 2019, Chapter 192

**53-3-207 (Superseded 07/01/20)**, as last amended by Laws of Utah 2016, Chapter 350

**53-3-207 (Effective 07/01/20)**, as last amended by Laws of Utah 2019, Chapter 232

**53-3-805**, as last amended by Laws of Utah 2018, Chapter 39

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H.B. 240



152 veteran of the United States military on the application for a driver license in accordance with  
 153 Section 53-3-205 and provides verification that the person was granted an honorable or general  
 154 discharge from the United States Armed Forces, an indication that the person is a United States  
 155 military veteran for a regular license certificate or limited-term license certificate issued on or  
 156 after July 1, 2011.

157 (b) A regular license certificate or limited-term license certificate issued to any person  
 158 younger than 21 years on a portrait-style format as required in Subsection [~~(5)~~] (6)(b)(i) is not  
 159 required to include an indication that the person is a United States military veteran under  
 160 Subsection (3)(a)(viii).

161 (c) A new license certificate issued by the division may not bear the person's Social  
 162 Security number.

163 (d) (i) The regular license certificate, limited-term license certificate, or driving  
 164 privilege card shall be of an impervious material, resistant to wear, damage, and alteration.

165 (ii) Except as provided under Subsection [~~(4)~~] (5)(b), the size, form, and color of the  
 166 regular license certificate, limited-term license certificate, or driving privilege card shall be as  
 167 prescribed by the commissioner.

168 (iii) The commissioner may also prescribe the issuance of a special type of limited  
 169 regular license certificate, limited-term license certificate, or driving privilege card under  
 170 Subsection 53-3-220(4).

171 (4) (a) As used in this Subsection (4):

172 (i) "Disability" means a physical or mental disability, as defined and covered by the  
 173 Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12102.

174 (ii) "Health care professional" means:

175 (A) a licensed physician, physician assistant, nurse practitioner, or mental health  
 176 therapist; or

177 (B) another licensed health care professional designated by the division, by rule made  
 178 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

179 (b) At the applicant's request, the division shall include an identifying symbol ~~H~~→ or  
 179a sticker ←~~H~~ on the  
 180 regular license certificate, limited-term license certificate, or driving privilege card to indicate  
 181 that the applicant is an individual with a disability, if the applicant provides written verification  
 182 from a health care professional that the applicant is an individual with a disability.

183 (c) The written verification described in Subsection (4)(b) shall be made on a form  
 184 provided by the division.

185 (d) The division may not:

186 (i) charge a fee to include the disability identifying symbol ~~H~~→ or sticker ←~~H~~ described in  
 186a Subsection  
 187 (4)(b) on the applicant's regular license certificate, limited-term license certificate, or driving  
 188 privilege card; or

189 (ii) require the applicant to provide subsequent written verification that the applicant is  
 190 an individual with a disability for including the disability identifying symbol ~~H~~→ or sticker ←~~H~~ on  
 190a the applicant's  
 191 renewed or extended regular license certificate, limited-term license certificate, or driving  
 192 privilege card, after including the disability identifying symbol ~~H~~→ or sticker ←~~H~~ on the  
 192a applicant's previously  
 193 issued regular license certificate, limited-term license certificate, or driving privilege card in  
 194 accordance with Subsection (4)(b).

195 (e) The inclusion of a disability identifying symbol ~~H~~→ or sticker ←~~H~~ on an individual's  
 195a regular license  
 196 certificate, limited-term license certificate, or driving privilege card in accordance with  
 197 Subsection (4)(b) does not confer any legal rights or privileges on the individual, including  
 198 parking privileges for individuals with disabilities under Section 41-1a-414.

199 ~~[(4)]~~ (5) (a) (i) The division, upon determining after an examination that an applicant is  
 200 mentally and physically qualified to be granted a driving privilege, may issue to an applicant a  
 201 receipt for the fee if the applicant is eligible for a regular license certificate or limited-term  
 202 license certificate.

203 (ii) (A) The division shall issue a temporary regular license certificate or temporary  
 204 limited-term license certificate allowing the person to drive a motor vehicle while the division  
 205 is completing its investigation to determine whether the person is entitled to be granted a  
 206 driving privilege.

207 (B) A temporary regular license certificate or a temporary limited-term license  
 208 certificate issued under this Subsection ~~[(4)]~~ (5) shall be recognized and have the same rights  
 209 and privileges as a regular license certificate or a limited-term license certificate.

210 (b) The temporary regular license certificate or temporary limited-term license  
 211 certificate shall be in the person's immediate possession while driving a motor vehicle, and it is  
 212 invalid when the person's regular license certificate or limited-term license certificate has been  
 213 issued or when, for good cause, the privilege has been refused.

307 (c) A new license certificate issued by the division may not bear the individual's social  
308 security number.

309 (d) (i) The regular license certificate, limited-term license certificate, or driving  
310 privilege card shall be of an impervious material, resistant to wear, damage, and alteration.

311 (ii) Except as provided under Subsection [~~(4)~~] (5)(b), the size, form, and color of the  
312 regular license certificate, limited-term license certificate, or driving privilege card shall be as  
313 prescribed by the commissioner.

314 (iii) The commissioner may also prescribe the issuance of a special type of limited  
315 regular license certificate, limited-term license certificate, or driving privilege card under  
316 Subsection 53-3-220(4).

317 (4) (a) As used in this Subsection (4):

318 (i) "Disability" means a physical or mental disability, as defined and covered by the  
319 Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12102.

320 (ii) "Health care professional" means:

321 (A) a licensed physician, physician assistant, nurse practitioner, or mental health  
322 therapist; or

323 (B) another licensed health care professional designated by the division, by rule made  
324 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

325 (b) At the applicant's request, the division shall include an identifying symbol  
325a ↔ or sticker ↔ on the  
326 regular license certificate, limited-term license certificate, or driving privilege card to indicate  
327 that the applicant is an individual with a disability, if the applicant provides written verification  
328 from a health care professional that the applicant is an individual with a disability.

329 (c) The written verification described in Subsection (4)(b) shall be made on a form  
330 provided by the division.

331 (d) The division may not:

332 (i) charge a fee to include the disability identifying symbol ↔ or sticker ↔ described in  
332a Subsection

333 (4)(b) on the applicant's regular license certificate, limited-term license certificate, or driving  
334 privilege card; or

335 (ii) require the applicant to provide subsequent written verification that the applicant is  
336 an individual with a disability for including the disability identifying symbol ↔ or sticker ↔ on  
336a the applicant's  
337 renewed or extended regular license certificate, limited-term license certificate, or driving

338 privilege card, after including the disability identifying symbol ~~H~~→ or sticker ←~~H~~ on the  
338a applicant's previously  
339 issued regular license certificate, limited-term license certificate, or driving privilege card in  
340 accordance with Subsection (4)(b).

341 (e) The inclusion of a disability identifying symbol ~~H~~→ or sticker ←~~H~~ on an individual's  
341a regular license  
342 certificate, limited-term license certificate, or driving privilege card in accordance with  
343 Subsection (4)(b) does not confer any legal rights or privileges on the individual, including  
344 parking privileges for individuals with disabilities under Section 41-1a-414.

345 [~~(4)~~] (5) (a) (i) The division, upon determining after an examination that an applicant is  
346 mentally and physically qualified to be granted a driving privilege, may issue to an applicant a  
347 receipt for the fee if the applicant is eligible for a regular license certificate or limited-term  
348 license certificate.

349 (ii) (A) The division shall issue a temporary regular license certificate or temporary  
350 limited-term license certificate allowing the individual to drive a motor vehicle while the  
351 division is completing its investigation to determine whether the individual is entitled to be  
352 granted a driving privilege.

353 (B) A temporary regular license certificate or a temporary limited-term license  
354 certificate issued under this Subsection [~~(4)~~] (5) shall be recognized and have the same rights  
355 and privileges as a regular license certificate or a limited-term license certificate.

356 (b) The temporary regular license certificate or temporary limited-term license  
357 certificate shall be in the individual's immediate possession while driving a motor vehicle, and  
358 it is invalid when the individual's regular license certificate or limited-term license certificate  
359 has been issued or when, for good cause, the privilege has been refused.

360 (c) The division shall indicate on the temporary regular license certificate or temporary  
361 limited-term license certificate a date after which it is not valid as a temporary license.

362 (d) (i) Except as provided in Subsection [~~(4)~~] (5)(d)(ii), the division may not issue a  
363 temporary driving privilege card or other temporary permit to an applicant for a driving  
364 privilege card.

365 (ii) The division may issue a learner permit issued in accordance with Section  
366 53-3-210.5 to an applicant for a driving privilege card.

367 [~~(5)~~] (6) (a) The division shall distinguish learner permits, temporary permits, regular  
368 license certificates, limited-term license certificates, and driving privilege cards issued to any

431 (ii) "Health care professional" means the same as that term is defined in Subsection  
 432 53-3-207(4).

433 (b) At the applicant's request, the division shall include an identifying symbol ~~H→~~ or  
 433a sticker ~~←H~~ on the  
 434 identification card to indicate that the applicant is an individual with a disability, if the  
 435 applicant provides written verification from a health care professional that the applicant is an  
 436 individual with a disability.

437 (c) The written verification described in Subsection (4)(b) shall be made on a form  
 438 provided by the division.

439 (d) The division may not:

440 (i) charge a fee to include the disability identifying symbol ~~H→~~ or sticker ~~←H~~ described in  
 440a Subsection

441 (4)(b) on the applicant's identification card; or

442 (ii) require the applicant to provide subsequent written verification that the applicant is  
 443 an individual with a disability for including the disability identifying symbol ~~H→~~ or sticker ~~←H~~ on  
 443a the applicant's  
 444 extended identification card, after including the disability identifying symbol ~~H→~~ or sticker ~~←H~~ on  
 444a the applicant's  
 445 previously issued identification card in accordance with Subsection (4)(b).

446 (e) The inclusion of a disability identifying symbol ~~H→~~ or sticker ~~←H~~ on an individual's  
 446a identification  
 447 card in accordance with Subsection (4)(b) does not confer any legal rights or privileges on the  
 448 individual, including parking privileges for individuals with disabilities under Section  
 449 41-1a-414.

450 ~~[(4)]~~ (5) (a) The indication of intent under Subsection 53-3-804(2)(j) shall be  
 451 authenticated by the applicant in accordance with division rule.

452 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
 453 Management Act, the division may, upon request, release to an organ procurement  
 454 organization, as defined in Section 26-28-102, the names and addresses of all ~~[persons]~~  
 455 individuals who under Subsection 53-3-804(2)(j) indicate that they intend to make an  
 456 anatomical gift.

457 (ii) An organ procurement organization may use released information only to:  
 458 (A) obtain additional information for an anatomical gift registry; and  
 459 (B) inform applicants of anatomical gift options, procedures, and benefits.

460 ~~[(5)]~~ (6) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
 461 Management Act, the division may release to the Department of Veterans and Military Affairs