

Representative A. Cory Maloy proposes the following substitute bill:

DRIVER LICENSE SUSPENSION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: A. Cory Maloy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to suspension of an individual's driver license.

Highlighted Provisions:

This bill:

- ▶ defines a term;
- ▶ prohibits the suspension of an individual's driver license by the Driver License

Division based solely on:

- the individual's failure to pay certain fines; or
- the issuance of a bench warrant issued as a result of the individual's failure to appear or pay certain fines;

▶ allows a court to try in absentia certain individuals charged with certain violations who fail to make a court appearance;

▶ prohibits a court from ordering a driver license suspension or revocation under certain circumstances; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **41-6a-509**, as last amended by Laws of Utah 2017, Chapter 446

30 **41-6a-517**, as last amended by Laws of Utah 2018, Third Special Session, Chapter 1

31 **41-6a-1715**, as last amended by Laws of Utah 2014, Chapter 416

32 **53-3-102**, as last amended by Laws of Utah 2019, Chapters 426 and 459

33 **53-3-218**, as last amended by Laws of Utah 2018, Chapter 121

34 **53-3-221**, as last amended by Laws of Utah 2015, Chapter 52

35

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

37 Section 1. Section **41-6a-509** is amended to read:

38 **41-6a-509. Driver license suspension or revocation for a driving under the**
39 **influence violation.**

40 (1) The Driver License Division shall, if the person is 21 years of age or older at the
41 time of arrest:

42 (a) suspend for a period of 120 days the operator's license of a person convicted for the
43 first time under Section **41-6a-502** of an offense committed on or after July 1, 2009; or

44 (b) revoke for a period of two years the license of a person if:

45 (i) the person has a prior conviction as defined under Subsection **41-6a-501**(2); and

46 (ii) the current driving under the influence violation under Section **41-6a-502** is
47 committed:

48 (A) within a period of 10 years from the date of the prior violation; and

49 (B) on or after July 1, 2009.

50 (2) The Driver License Division shall, if the person is 19 years of age or older but
51 under 21 years of age at the time of arrest:

52 (a) suspend the person's driver license until the person is 21 years of age or for a period
53 of one year, whichever is longer, if the person is convicted for the first time of a driving under
54 the influence violation under Section **41-6a-502** of an offense that was committed on or after
55 July 1, 2011;

56 (b) deny the person's application for a license or learner's permit until the person is 21

57 years of age or for a period of one year, whichever is longer, if the person:

58 (i) is convicted for the first time of a driving under the influence violation under
59 Section 41-6a-502 of an offense committed on or after July 1, 2011; and

60 (ii) has not been issued an operator license;

61 (c) revoke the person's driver license until the person is 21 years of age or for a period
62 of two years, whichever is longer, if:

63 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2); and

64 (ii) the current driving under the influence violation under Section 41-6a-502 is
65 committed on or after July 1, 2009, and within a period of 10 years from the date of the prior
66 violation; or

67 (d) deny the person's application for a license or learner's permit until the person is 21
68 years of age or for a period of two years, whichever is longer, if:

69 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2);

70 (ii) the current driving under the influence violation under Section 41-6a-502 is
71 committed on or after July 1, 2009, and within a period of 10 years from the date of the prior
72 violation; and

73 (iii) the person has not been issued an operator license.

74 (3) The Driver License Division shall, if the person is under 19 years of age at the time
75 of arrest:

76 (a) suspend the person's driver license until the person is 21 years of age if the person
77 is convicted for the first time of a driving under the influence violation under Section
78 41-6a-502 of an offense that was committed on or after July 1, 2009;

79 (b) deny the person's application for a license or learner's permit until the person is 21
80 years of age if the person:

81 (i) is convicted for the first time of a driving under the influence violation under
82 Section 41-6a-502 of an offense committed on or after July 1, 2009; and

83 (ii) has not been issued an operator license;

84 (c) revoke the person's driver license until the person is 21 years of age if:

85 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2); and

86 (ii) the current driving under the influence violation under Section 41-6a-502 is
87 committed on or after July 1, 2009, and within a period of 10 years from the date of the prior

88 violation; or

89 (d) deny the person's application for a license or learner's permit until the person is 21
90 years of age if:

91 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2);

92 (ii) the current driving under the influence violation under Section 41-6a-502 is
93 committed on or after July 1, 2009, and within a period of 10 years from the date of the prior
94 violation; and

95 (iii) the person has not been issued an operator license.

96 (4) The Driver License Division shall suspend or revoke the license of a person as
97 ordered by the court under Subsection (10).

98 (5) The Driver License Division shall:

99 (a) deny, suspend, or revoke the operator's license of a person convicted under Section
100 41-6a-502 of an offense that was committed prior to July 1, 2009, for the denial, suspension, or
101 revocation periods in effect prior to July 1, 2009; or

102 (b) deny, suspend, or revoke the operator's license of a person for the denial,
103 suspension, or revocation periods in effect from July 1, 2009, through June 30, 2011, if:

104 (i) the person was 20 years of age or older but under 21 years of age at the time of
105 arrest; and

106 (ii) the conviction under Section 41-6a-502 is for an offense that was committed on or
107 after July 1, 2009, and prior to July 1, 2011.

108 (6) The Driver License Division shall subtract from any suspension or revocation
109 period the number of days for which a license was previously suspended under Section
110 53-3-223 or 53-3-231, if the previous suspension was based on the same occurrence upon
111 which the record of conviction is based.

112 (7) If a conviction recorded as impaired driving is amended to a driving under the
113 influence conviction under Section 41-6a-502 in accordance with Subsection
114 41-6a-502.5(3)(a)(ii), the Driver License Division:

115 (a) may not subtract from any suspension or revocation any time for which a license
116 was previously suspended or revoked under Section 53-3-223 or 53-3-231; and

117 (b) shall start the suspension or revocation time under Subsection (1) on the date of the
118 amended conviction.

119 (8) A court that reported a conviction of a violation of Section 41-6a-502 for a
120 violation that occurred on or after July 1, 2009, to the Driver License Division may shorten the
121 suspension period imposed under Subsection (2)(a) or (b) or Subsection (3)(a) or (b) prior to
122 completion of the suspension period if the person:

123 (a) completes at least six months of the license suspension;

124 (b) completes a screening;

125 (c) completes an assessment, if it is found appropriate by a screening under Subsection
126 (8)(b);

127 (d) completes substance abuse treatment if it is found appropriate by the assessment
128 under Subsection (8)(c);

129 (e) completes an educational series if substance abuse treatment is not required by an
130 assessment under Subsection (8)(c) or the court does not order substance abuse treatment;

131 (f) has not been convicted of a violation of any motor vehicle law in which the person
132 was involved as the operator of the vehicle during the suspension period imposed under
133 Subsection (2)(a) or (b) or Subsection (3)(a) or (b);

134 (g) has complied with all the terms of the person's probation or all orders of the court if
135 not ordered to probation; and

136 (h) (i) is 18 years of age or older and provides a sworn statement to the court that the
137 person has not unlawfully consumed alcohol during the suspension period imposed under
138 Subsection (2)(a) or (b) or Subsection (3)(a) or (b); or

139 (ii) is under 18 years of age and has the person's parent or legal guardian provide an
140 affidavit or sworn statement to the court certifying that to the parent or legal guardian's
141 knowledge the person has not unlawfully consumed alcohol during the suspension period
142 imposed under Subsection (2)(a) or (b) or Subsection (3)(a) or (b).

143 (9) If the court shortens a person's license suspension period in accordance with the
144 requirements of Subsection (8), the court shall forward the order shortening the person's
145 suspension period prior to the completion of the suspension period imposed under Subsection
146 (2)(a) or (b) or Subsection (3)(a) or (b) to the Driver License Division.

147 (10) (a) (i) In addition to any other penalties provided in this section, a court may order
148 the operator's license of a person who is convicted of a violation of Section 41-6a-502 to be
149 suspended or revoked for an additional period of 90 days, 120 days, 180 days, one year, or two

150 years to remove from the highways those persons who have shown they are safety hazards.

151 (ii) The additional suspension or revocation period provided in this Subsection (10)
152 shall begin the date on which the individual would be eligible to reinstate the individual's
153 driving privilege for a violation of Section [41-6a-502](#).

154 (b) If the court suspends or revokes the person's license under this Subsection (10), the
155 court shall prepare and send to the Driver License Division an order to suspend or revoke that
156 person's driving privileges for a specified period of time.

157 (11) (a) The court shall notify the Driver License Division if a person fails to:

158 (i) complete all court ordered:

159 (A) screening;

160 (B) assessment;

161 (C) educational series;

162 (D) substance abuse treatment; and

163 (E) hours of work in a compensatory-service work program; or

164 (ii) pay all fines and fees, including fees for restitution and treatment costs.

165 (b) ~~Upon~~ Subject to Subsection [53-3-218\(3\)](#), upon receiving the notification
166 described in Subsection (11)(a), the division shall suspend the person's driving privilege in
167 accordance ~~[with Subsections [53-3-221\(2\)](#) and [\(3\)](#)]~~ [Subsection \[53-3-221\\(2\\)\]\(#\)](#).

168 (12) (a) A court that reported a conviction of a violation of Section [41-6a-502](#) to the
169 Driver License Division may shorten the suspension period imposed under Subsection (1)
170 before completion of the suspension period if the person is participating in or has successfully
171 completed a 24-7 sobriety program as defined in Section [41-6a-515.5](#).

172 (b) If the court shortens a person's license suspension period in accordance with the
173 requirements of this Subsection (12), the court shall forward to the Driver License Division the
174 order shortening the person's suspension period.

175 (c) The court shall notify the Driver License Division if a person fails to complete all
176 requirements of a 24-7 sobriety program.

177 (d) ~~Upon~~ Subject to Subsection [53-3-218\(3\)](#), upon receiving the notification
178 described in Subsection (12)(c), the division shall suspend the person's driving privilege in
179 accordance with ~~[Subsections [53-3-221\(2\)](#) and [\(3\)](#)]~~ [Subsection \[53-3-221\\(2\\)\]\(#\)](#).

180 Section 2. Section **41-6a-517** is amended to read:

181 **41-6a-517. Definitions -- Driving with any measurable controlled substance in the**
182 **body -- Penalties -- Arrest without warrant.**

183 (1) As used in this section:

184 (a) "Controlled substance" means the same as that term is defined in Section 58-37-2.

185 (b) "Practitioner" means the same as that term is defined in Section 58-37-2.

186 (c) "Prescribe" means the same as that term is defined in Section 58-37-2.

187 (d) "Prescription" means the same as that term is defined in Section 58-37-2.

188 (2) In cases not amounting to a violation of Section 41-6a-502, a person may not
189 operate or be in actual physical control of a motor vehicle within this state if the person has any
190 measurable controlled substance or metabolite of a controlled substance in the person's body.

191 (3) It is an affirmative defense to prosecution under this section that the controlled
192 substance was:

193 (a) involuntarily ingested by the accused;

194 (b) prescribed by a practitioner for use by the accused;

195 (c) cannabis in a medicinal dosage form or a cannabis product in a medicinal dosage
196 form that the accused ingested in accordance with Title 26, Chapter 61a, Utah Medical
197 Cannabis Act; or

198 (d) otherwise legally ingested.

199 (4) (a) A person convicted of a violation of Subsection (2) is guilty of a class B
200 misdemeanor.

201 (b) A person who violates this section is subject to conviction and sentencing under
202 both this section and any applicable offense under Section 58-37-8.

203 (5) A peace officer may, without a warrant, arrest a person for a violation of this
204 section when the officer has probable cause to believe the violation has occurred, although not
205 in the officer's presence, and if the officer has probable cause to believe that the violation was
206 committed by the person.

207 (6) The Driver License Division shall, if the person is 21 years of age or older on the
208 date of arrest:

209 (a) suspend, for a period of 120 days, the driver license of a person convicted under
210 Subsection (2) of an offense committed on or after July 1, 2009; or

211 (b) revoke, for a period of two years, the driver license of a person if:

212 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2); and
213 (ii) the current violation under Subsection (2) is committed on or after July 1, 2009,
214 and within a period of 10 years after the date of the prior violation.

215 (7) The Driver License Division shall, if the person is 19 years of age or older but
216 under 21 years of age on the date of arrest:

217 (a) suspend, until the person is 21 years of age or for a period of one year, whichever is
218 longer, the driver license of a person convicted under Subsection (2) of an offense committed
219 on or after July 1, 2011; or

220 (b) revoke, until the person is 21 years of age or for a period of two years, whichever is
221 longer, the driver license of a person if:

222 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2); and
223 (ii) the current violation under Subsection (2) is committed on or after July 1, 2009,
224 and within a period of 10 years after the date of the prior violation.

225 (8) The Driver License Division shall, if the person is under 19 years of age on the date
226 of arrest:

227 (a) suspend, until the person is 21 years of age, the driver license of a person convicted
228 under Subsection (2) of an offense committed on or after July 1, 2009; or

229 (b) revoke, until the person is 21 years of age, the driver license of a person if:

230 (i) the person has a prior conviction as defined under Subsection 41-6a-501(2); and
231 (ii) the current violation under Subsection (2) is committed on or after July 1, 2009,
232 and within a period of 10 years after the date of the prior violation.

233 (9) The Driver License Division shall subtract from any suspension or revocation
234 period the number of days for which a license was previously suspended under Section
235 53-3-223 or 53-3-231, if the previous suspension was based on the same occurrence upon
236 which the record of conviction is based.

237 (10) The Driver License Division shall:

238 (a) deny, suspend, or revoke a person's license for the denial and suspension periods in
239 effect prior to July 1, 2009, for a conviction of a violation under Subsection (2) that was
240 committed prior to July 1, 2009; or

241 (b) deny, suspend, or revoke the operator's license of a person for the denial,
242 suspension, or revocation periods in effect from July 1, 2009, through June 30, 2011, if:

243 (i) the person was 20 years of age or older but under 21 years of age at the time of
244 arrest; and

245 (ii) the conviction under Subsection (2) is for an offense that was committed on or after
246 July 1, 2009, and prior to July 1, 2011.

247 (11) A court that reported a conviction of a violation of this section for a violation that
248 occurred on or after July 1, 2009, to the Driver License Division may shorten the suspension
249 period imposed under Subsection (7)(a) or (8)(a) prior to completion of the suspension period
250 if the person:

251 (a) completes at least six months of the license suspension;

252 (b) completes a screening;

253 (c) completes an assessment, if it is found appropriate by a screening under Subsection
254 (11)(b);

255 (d) completes substance abuse treatment if it is found appropriate by the assessment
256 under Subsection (11)(c);

257 (e) completes an educational series if substance abuse treatment is not required by the
258 assessment under Subsection (11)(c) or the court does not order substance abuse treatment;

259 (f) has not been convicted of a violation of any motor vehicle law in which the person
260 was involved as the operator of the vehicle during the suspension period imposed under
261 Subsection (7)(a) or (8)(a);

262 (g) has complied with all the terms of the person's probation or all orders of the court if
263 not ordered to probation; and

264 (h) (i) is 18 years of age or older and provides a sworn statement to the court that the
265 person has not consumed a controlled substance not prescribed by a practitioner for use by the
266 person or unlawfully consumed alcohol during the suspension period imposed under
267 Subsection (7)(a) or (8)(a); or

268 (ii) is under 18 years of age and has the person's parent or legal guardian provide an
269 affidavit or other sworn statement to the court certifying that to the parent or legal guardian's
270 knowledge the person has not consumed a controlled substance not prescribed by a practitioner
271 for use by the person or unlawfully consumed alcohol during the suspension period imposed
272 under Subsection (7)(a) or (8)(a).

273 (12) If the court shortens a person's license suspension period in accordance with the

274 requirements of Subsection (11), the court shall forward the order shortening the person's
275 license suspension period prior to the completion of the suspension period imposed under
276 Subsection (7)(a) or (8)(a) to the Driver License Division.

277 (13) (a) The court shall notify the Driver License Division if a person fails to:

278 (i) complete all court ordered screening and assessment, educational series, and
279 substance abuse treatment; or

280 (ii) pay all fines and fees, including fees for restitution and treatment costs.

281 (b) ~~Upon~~ Subject to Subsection [53-3-218\(3\)](#), upon receiving the notification, the
282 division shall suspend the person's driving privilege in accordance with ~~[Subsections~~
283 ~~53-3-221(2) and (3)]~~ Subsection [53-3-221\(2\)](#).

284 (14) The court:

285 (a) shall order supervised probation in accordance with Section [41-6a-507](#) for a person
286 convicted under Subsection (2); and

287 (b) may order a person convicted under Subsection (2) to participate in a 24-7 sobriety
288 program as defined in Section [41-6a-515.5](#) if the person is 21 years of age or older.

289 (15) (a) A court that reported a conviction of a violation of this section to the Driver
290 License Division may shorten the suspension period imposed under Subsection (6) before
291 completion of the suspension period if the person is participating in or has successfully
292 completed a 24-7 sobriety program as defined in Section [41-6a-515.5](#).

293 (b) If the court shortens a person's license suspension period in accordance with the
294 requirements of this Subsection (15), the court shall forward to the Driver License Division the
295 order shortening the person's suspension period.

296 (c) The court shall notify the Driver License Division if a person fails to complete all
297 requirements of a 24-7 sobriety program.

298 (d) ~~Upon~~ Subject to Subsection [53-3-218\(3\)](#), upon receiving the notification
299 described in Subsection (15)(c), the division shall suspend the person's driving privilege in
300 accordance with ~~[Subsections 53-3-221(2) and (3)]~~ Subsection [53-3-221\(2\)](#).

301 Section 3. Section **41-6a-1715** is amended to read:

302 **41-6a-1715. Careless driving defined and prohibited.**

303 (1) A person operating a motor vehicle is guilty of careless driving if the person:

304 (a) commits two or more moving traffic violations under this chapter in a series of acts

305 within a single continuous period of driving covering three miles or less in total distance; or

306 (b) commits a moving traffic violation under this chapter other than a moving traffic

307 violation under Part 6, Speed Restrictions, while being distracted by one or more activities

308 taking place within the vehicle that are not related to the operation of a motor vehicle,

309 including:

310 (i) searching for an item in the vehicle; or

311 (ii) attending to personal hygiene or grooming.

312 (2) A violation of this section is a class C misdemeanor.

313 (3) In addition to the penalty provided under this section or any other section, a judge

314 may order the revocation of the convicted person's driver license if the violation causes or

315 results in the death of another person in accordance with Subsection ~~53-3-218~~(6)(7).

316 Section 4. Section **53-3-102** is amended to read:

317 **53-3-102. Definitions.**

318 As used in this chapter:

319 (1) "Autocycle" means a motor vehicle that:

320 (a) is designed to travel with three or fewer wheels in contact with the ground;

321 (b) is equipped with a steering wheel; and

322 (c) is equipped with seating that does not require the operator to straddle or sit astride

323 the vehicle.

324 (2) "Cancellation" means the termination by the division of a license issued through

325 error or fraud or for which consent under Section ~~53-3-211~~ has been withdrawn.

326 (3) "Class D license" means the class of license issued to drive motor vehicles not

327 defined as commercial motor vehicles or motorcycles under this chapter.

328 (4) "Commercial driver instruction permit" or "CDIP" means a commercial learner

329 permit:

330 (a) issued under Section ~~53-3-408~~; or

331 (b) issued by a state or other jurisdiction of domicile in compliance with the standards

332 contained in 49 C.F.R. Part 383.

333 (5) "Commercial driver license" or "CDL" means a license:

334 (a) issued substantially in accordance with the requirements of Title XII, Pub. L.

335 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,

336 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
337 commercial motor vehicle; and

338 (b) that was obtained by providing evidence of lawful presence in the United States
339 with one of the document requirements described in Subsection 53-3-410(1)(i)(i).

340 (6) (a) "Commercial driver license motor vehicle record" or "CDL MVR" means a
341 driving record that:

342 (i) applies to a person who holds or is required to hold a commercial driver instruction
343 permit or a CDL license; and

344 (ii) contains the following:

345 (A) information contained in the driver history, including convictions, pleas held in
346 abeyance, disqualifications, and other licensing actions for violations of any state or local law
347 relating to motor vehicle traffic control, committed in any type of vehicle;

348 (B) driver self-certification status information under Section 53-3-410.1; and

349 (C) information from medical certification record keeping in accordance with 49
350 C.F.R. Sec. 383.73(o).

351 (b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a
352 motor vehicle record described in Subsection (30).

353 (7) (a) "Commercial motor vehicle" means a motor vehicle or combination of motor
354 vehicles designed or used to transport passengers or property if the motor vehicle:

355 (i) has a gross vehicle weight rating of 26,001 or more pounds or a lesser rating as
356 determined by federal regulation;

357 (ii) is designed to transport 16 or more passengers, including the driver; or

358 (iii) is transporting hazardous materials and is required to be placarded in accordance
359 with 49 C.F.R. Part 172, Subpart F.

360 (b) The following vehicles are not considered a commercial motor vehicle for purposes
361 of Part 4, Uniform Commercial Driver License Act:

362 (i) equipment owned and operated by the United States Department of Defense when
363 driven by any active duty military personnel and members of the reserves and national guard on
364 active duty including personnel on full-time national guard duty, personnel on part-time
365 training, and national guard military technicians and civilians who are required to wear military
366 uniforms and are subject to the code of military justice;

367 (ii) vehicles controlled and driven by a farmer to transport agricultural products, farm
368 machinery, or farm supplies to or from a farm within 150 miles of his farm but not in operation
369 as a motor carrier for hire;

370 (iii) firefighting and emergency vehicles;

371 (iv) recreational vehicles that are not used in commerce and are driven solely as family
372 or personal conveyances for recreational purposes; and

373 (v) vehicles used to provide transportation network services, as defined in Section
374 [13-51-102](#).

375 (8) "Conviction" means any of the following:

376 (a) an unvacated adjudication of guilt or a determination that a person has violated or
377 failed to comply with the law in a court of original jurisdiction or an administrative proceeding;

378 (b) an unvacated forfeiture of bail or collateral deposited to secure a person's
379 appearance in court;

380 (c) a plea of guilty or nolo contendere accepted by the court;

381 (d) the payment of a fine or court costs; or

382 (e) violation of a condition of release without bail, regardless of whether the penalty is
383 rebated, suspended, or probated.

384 (9) "Denial" or "denied" means the withdrawal of a driving privilege by the division to
385 which the provisions of Title 41, Chapter 12a, Part 4, Proof of Owner's or Operator's Security,
386 do not apply.

387 (10) "Director" means the division director appointed under Section [53-3-103](#).

388 (11) "Disqualification" means either:

389 (a) the suspension, revocation, cancellation, denial, or any other withdrawal by a state
390 of a person's privileges to drive a commercial motor vehicle;

391 (b) a determination by the Federal Highway Administration, under 49 C.F.R. Part 386,
392 that a person is no longer qualified to drive a commercial motor vehicle under 49 C.F.R. Part
393 391; or

394 (c) the loss of qualification that automatically follows conviction of an offense listed in
395 49 C.F.R. Part 383.51.

396 (12) "Division" means the Driver License Division of the department created in
397 Section [53-3-103](#).

398 (13) "Downgrade" means to obtain a lower license class than what was originally
399 issued during an existing license cycle.

400 (14) "Drive" means:

401 (a) to operate or be in physical control of a motor vehicle upon a highway; and

402 (b) in Subsections 53-3-414(1) through (3), Subsection 53-3-414(5), and Sections
403 53-3-417 and 53-3-418, the operation or physical control of a motor vehicle at any place within
404 the state.

405 (15) (a) "Driver" means an individual who drives, or is in actual physical control of a
406 motor vehicle in any location open to the general public for purposes of vehicular traffic.

407 (b) In Part 4, Uniform Commercial Driver License Act, "driver" includes any person
408 who is required to hold a CDL under Part 4, Uniform Commercial Driver License Act, or
409 federal law.

410 (16) "Driving privilege card" means the evidence of the privilege granted and issued
411 under this chapter to drive a motor vehicle to a person whose privilege was obtained without
412 providing evidence of lawful presence in the United States.

413 (17) "Electronic license certificate" means the evidence, in an electronic format as
414 described in Section 53-3-235, of a privilege granted under this chapter to drive a motor
415 vehicle.

416 (18) "Extension" means a renewal completed in a manner specified by the division.

417 (19) "Farm tractor" means every motor vehicle designed and used primarily as a farm
418 implement for drawing plows, mowing machines, and other implements of husbandry.

419 (20) "Highway" means the entire width between property lines of every way or place of
420 any nature when any part of it is open to the use of the public, as a matter of right, for traffic.

421 (21) "Human driver" means the same as that term is defined in Section 41-26-102.1.

422 (22) "Identification card" means a card issued under Part 8, Identification Card Act, to
423 a person for identification purposes.

424 (23) "Indigent" means that a person's income falls below the federal poverty guideline
425 issued annually by the U.S. Department of Health and Human Services in the Federal Register.

426 (24) "Judicial account receivable" means a fine, restitution, forfeiture, fee, surcharge,
427 or other financial penalty imposed on an individual by a court or another government entity.

428 [~~24~~] (25) "License" means the privilege to drive a motor vehicle.

429 ~~[(25)]~~ (26) (a) "License certificate" means the evidence of the privilege issued under
430 this chapter to drive a motor vehicle.

431 (b) "License certificate" evidence includes:

432 (i) a regular license certificate;

433 (ii) a limited-term license certificate;

434 (iii) a driving privilege card;

435 (iv) a CDL license certificate;

436 (v) a limited-term CDL license certificate;

437 (vi) a temporary regular license certificate;

438 (vii) a temporary limited-term license certificate; and

439 (viii) an electronic license certificate created in Section [53-3-235](#).

440 ~~[(26)]~~ (27) "Limited-term commercial driver license" or "limited-term CDL" means a
441 license:

442 (a) issued substantially in accordance with the requirements of Title XII, Pub. L. No.
443 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,
444 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
445 commercial motor vehicle; and

446 (b) that was obtained by providing evidence of lawful presence in the United States
447 with one of the document requirements described in Subsection [53-3-410\(1\)\(i\)\(ii\)](#).

448 ~~[(27)]~~ (28) "Limited-term identification card" means an identification card issued under
449 this chapter to a person whose card was obtained by providing evidence of lawful presence in
450 the United States with one of the document requirements described in Subsection
451 [53-3-804\(2\)\(i\)\(ii\)](#).

452 ~~[(28)]~~ (29) "Limited-term license certificate" means the evidence of the privilege
453 granted and issued under this chapter to drive a motor vehicle to a person whose privilege was
454 obtained providing evidence of lawful presence in the United States with one of the document
455 requirements described in Subsection [53-3-205\(8\)\(a\)\(ii\)\(B\)](#).

456 ~~[(29)]~~ (30) "Motor vehicle" means the same as that term is defined in Section
457 [41-1a-102](#).

458 ~~[(30)]~~ (31) "Motor vehicle record" or "MVR" means a driving record under Subsection
459 [53-3-109\(6\)\(a\)](#).

460 ~~[(31)]~~ (32) "Motorboat" means the same as that term is defined in Section 73-18-2.

461 ~~[(32)]~~ (33) "Motorcycle" means every motor vehicle, other than a tractor, having a seat
462 or saddle for the use of the rider and designed to travel with not more than three wheels in
463 contact with the ground.

464 ~~[(33)]~~ (34) "Office of Recovery Services" means the Office of Recovery Services,
465 created in Section 62A-11-102.

466 ~~[(34)]~~ (35) "Operate" means the same as that term is defined in Section 41-1a-102.

467 ~~[(35)]~~ (36) (a) "Owner" means a person other than a lien holder having an interest in
468 the property or title to a vehicle.

469 (b) "Owner" includes a person entitled to the use and possession of a vehicle subject to
470 a security interest in another person but excludes a lessee under a lease not intended as security.

471 ~~[(36)]~~ (37) (a) "Private passenger carrier" means any motor vehicle for hire that is:

472 (i) designed to transport 15 or fewer passengers, including the driver; and

473 (ii) operated to transport an employee of the person that hires the motor vehicle.

474 (b) "Private passenger carrier" does not include:

475 (i) a taxicab;

476 (ii) a motor vehicle driven by a transportation network driver as defined in Section
477 13-51-102;

478 (iii) a motor vehicle driven for transportation network services as defined in Section
479 13-51-102; and

480 (iv) a motor vehicle driven for a transportation network company as defined in Section
481 13-51-102 and registered with the Division of Consumer Protection as described in Section
482 13-51-104.

483 ~~[(37)]~~ (38) "Regular identification card" means an identification card issued under this
484 chapter to a person whose card was obtained by providing evidence of lawful presence in the
485 United States with one of the document requirements described in Subsection 53-3-804(2)(i)(i).

486 ~~[(38)]~~ (39) "Regular license certificate" means the evidence of the privilege issued
487 under this chapter to drive a motor vehicle whose privilege was obtained by providing evidence
488 of lawful presence in the United States with one of the document requirements described in
489 Subsection 53-3-205(8)(a)(ii)(A).

490 ~~[(39)]~~ (40) "Renewal" means to validate a license certificate so that it expires at a later

491 date.

492 [~~(40)~~] (41) "Reportable violation" means an offense required to be reported to the
493 division as determined by the division and includes those offenses against which points are
494 assessed under Section 53-3-221.

495 [~~(41)~~] (42) (a) "Resident" means an individual who:

496 (i) has established a domicile in this state, as defined in Section 41-1a-202, or
497 regardless of domicile, remains in this state for an aggregate period of six months or more
498 during any calendar year;

499 (ii) engages in a trade, profession, or occupation in this state, or who accepts
500 employment in other than seasonal work in this state, and who does not commute into the state;

501 (iii) declares himself to be a resident of this state by obtaining a valid Utah driver
502 license certificate or motor vehicle registration; or

503 (iv) declares himself a resident of this state to obtain privileges not ordinarily extended
504 to nonresidents, including going to school, or placing children in school without paying
505 nonresident tuition or fees.

506 (b) "Resident" does not include any of the following:

507 (i) a member of the military, temporarily stationed in this state;

508 (ii) an out-of-state student, as classified by an institution of higher education,
509 regardless of whether the student engages in any type of employment in this state;

510 (iii) a person domiciled in another state or country, who is temporarily assigned in this
511 state, assigned by or representing an employer, religious or private organization, or a
512 governmental entity; or

513 (iv) an immediate family member who resides with or a household member of a person
514 listed in Subsections [~~(41)~~] (42)(b)(i) through (iii).

515 [~~(42)~~] (43) "Revocation" means the termination by action of the division of a licensee's
516 privilege to drive a motor vehicle.

517 [~~(43)~~] (44) (a) "School bus" means a commercial motor vehicle used to transport
518 pre-primary, primary, or secondary school students to and from home and school, or to and
519 from school sponsored events.

520 (b) "School bus" does not include a bus used as a common carrier as defined in Section
521 59-12-102.

522 ~~[(44)]~~ (45) "Suspension" means the temporary withdrawal by action of the division of a
523 licensee's privilege to drive a motor vehicle.

524 ~~[(45)]~~ (46) "Taxicab" means any class D motor vehicle transporting any number of
525 passengers for hire and that is subject to state or federal regulation as a taxi.

526 Section 5. Section **53-3-218** is amended to read:

527 **53-3-218. Court to report convictions and may recommend suspension of license**
528 **-- Severity of speeding violation defined.**

529 (1) As used in this section, "conviction" means conviction by the court of first
530 impression or final administrative determination in an administrative traffic proceeding.

531 (2) (a) Except as provided in Subsection (2)(c), a court having jurisdiction over
532 offenses committed under this chapter or any other law of this state, or under any municipal
533 ordinance regulating driving motor vehicles on highways or driving motorboats on the water,
534 shall forward to the division within five days, an abstract of the court record of the conviction
535 or plea held in abeyance of any person in the court for a reportable traffic or motorboating
536 violation of any laws or ordinances, and may recommend the suspension of the license of the
537 person convicted.

538 (b) When the division receives a court record of a conviction or plea in abeyance for a
539 motorboat violation, the division may only take action against a person's driver license if the
540 motorboat violation is for a violation of Title 41, Chapter 6a, Part 5, Driving Under the
541 Influence and Reckless Driving.

542 (c) A court may not forward to the division an abstract of a court record of a conviction
543 for a violation described in Subsection [53-3-220\(1\)\(c\)\(i\)](#) or (ii), unless the court found that the
544 person convicted of the violation was an operator of a motor vehicle at the time of the
545 violation.

546 (3) (a) A court may not order the division to suspend a person's driver's license based
547 solely on the person's failure to pay a criminal judgment accounts receivable.

548 (b) (i) For a person charged with an offense related to the operation of a motor vehicle
549 that is an infraction or a class C misdemeanor who fails to make a court appearance, the court
550 may rule that the person has waived the court hearing and the court may try the person in
551 absentia in accordance with Utah Rules of Criminal Procedure, Rule 17 (a), after which the
552 court shall send notice of the court's finding to the division and to the person at the last address

553 provided to the court or the division.

554 (ii) A court may not impose a sentence including jail time if the person was tried in
555 absentia as described in Subsection (3)(b)(i).

556 (c) (i) The court may notify the division, and the division may, prior to sentencing,
557 suspend the driver license of a person who fails to appear if the person is charged with:

558 (A) a class B misdemeanor or higher related to the operation of a motor vehicle;

559 (B) an offense described in Title 41, Chapter 12a, Part 3, Owner's or Operator's
560 Security Requirement; or

561 (C) an offense described in Subsection 53-3-220(1)(a) or (b).

562 (ii) For a person charged with an offense related to the operation of a motor vehicle
563 that is a class C misdemeanor or an infraction, and the person fails to appear, the division may
564 not suspend the person's driver license prior to sentencing.

565 ~~[(3)]~~ (4) The abstract shall be made in the form prescribed by the division and shall
566 include:

567 (a) the name, date of birth, and address of the party charged;

568 (b) the license certificate number of the party charged, if any;

569 (c) the registration number of the motor vehicle or motorboat involved;

570 (d) whether the motor vehicle was a commercial motor vehicle;

571 (e) whether the motor vehicle carried hazardous materials;

572 (f) whether the motor vehicle carried 16 or more occupants;

573 (g) whether the driver presented a commercial driver license;

574 (h) the nature of the offense;

575 (i) whether the offense involved an accident;

576 (j) the driver's blood alcohol content, if applicable;

577 (k) if the offense involved a speeding violation:

578 (i) the posted speed limit;

579 (ii) the actual speed; and

580 (iii) whether the speeding violation occurred on a highway that is part of the interstate
581 system as defined in Section 72-1-102;

582 (l) the date of the hearing;

583 (m) the plea;

584 (n) the judgment or whether bail was forfeited; and

585 (o) the severity of the violation, which shall be graded by the court as "minimum,"
586 "intermediate," or "maximum" as established in accordance with Subsection 53-3-221(4).

587 [~~(4)~~] (5) When a convicted person secures a judgment of acquittal or reversal in any
588 appellate court after conviction in the court of first impression, the division shall reinstate the
589 convicted person's license immediately upon receipt of a certified copy of the judgment of
590 acquittal or reversal.

591 [~~(5)~~] (6) Upon a conviction for a violation of the prohibition on using a handheld
592 wireless communication device for text messaging or electronic mail communication while
593 operating a moving motor vehicle under Section 41-6a-1716, a judge may order a suspension
594 of the convicted person's license for a period of three months.

595 [~~(6)~~] (7) Upon a conviction for a violation of careless driving under Section
596 41-6a-1715 that causes or results in the death of another person, a judge may order a revocation
597 of the convicted person's license for a period of one year.

598 Section 6. Section 53-3-221 is amended to read:

599 **53-3-221. Offenses that may result in denial, suspension, disqualification, or**
600 **revocation of license -- Additional grounds for suspension -- Point system for traffic**
601 **violations -- Notice and hearing -- Reporting of traffic violation procedures.**

602 (1) By following the procedures in Title 63G, Chapter 4, Administrative Procedures
603 Act, the division may deny, suspend, disqualify, or revoke the license or permit of any person
604 without receiving a record of the person's conviction of crime when the division has been
605 notified or has reason to believe the person:

606 (a) has committed any offenses for which mandatory suspension or revocation of a
607 license is required upon conviction under Section 53-3-220;

608 (b) has, by reckless or unlawful driving of a motor vehicle, caused or contributed to an
609 accident resulting in death or injury to any other person, or serious property damage;

610 (c) is incompetent to drive a motor vehicle or mobility vehicle or has a mental or
611 physical disability rendering it unsafe for the person to drive a motor vehicle or mobility
612 vehicle upon the highways;

613 (d) has committed a serious violation of the motor vehicle laws of this state;

614 (e) has knowingly committed a violation of Section 53-3-229; or

615 (f) has been convicted of serious offenses against traffic laws governing the movement
616 of motor vehicles with a frequency that indicates a disrespect for traffic laws and a disregard
617 for the safety of other persons on the highways.

618 (2) (a) ~~[The]~~ Except as provided in Subsection 53-3-218(3), the division may suspend
619 the license of a person under Subsection (1) when the person has failed to comply with the
620 terms stated on a traffic citation issued in this state, except this Subsection (2) does not apply to
621 highway weight limit violations or violations of law governing the transportation of hazardous
622 materials.

623 ~~[(b) This Subsection (2) applies to parking and standing violations only if a court has~~
624 ~~issued a warrant for the arrest of a person for failure to post bail, appear, or otherwise satisfy~~
625 ~~the terms of the citation.]~~

626 ~~[(c)]~~ (b) (i) This Subsection (2) may not be exercised unless notice of the pending
627 suspension of the driving privilege has been sent at least 10 days previously to the person at the
628 address provided to the division.

629 (ii) After clearance by the division, a report authorized by Section 53-3-104 may not
630 contain any evidence of a suspension that occurred as a result of failure to comply with the
631 terms stated on a traffic citation.

632 ~~[(3) (a) The division may suspend the license of a person under Subsection (1) when~~
633 ~~the division has been notified by a court that the person has an outstanding unpaid fine, an~~
634 ~~outstanding incomplete restitution requirement, or an outstanding warrant levied by order of a~~
635 ~~court.]~~

636 ~~[(b) The suspension remains in effect until the division is notified by the court that the~~
637 ~~order has been satisfied.]~~

638 ~~[(c) After clearance by the division, a report authorized by Section 53-3-104 may not~~
639 ~~contain any evidence of the suspension.]~~

640 ~~[(d) The provisions of Subsection (3)(c) do not apply to:]~~

641 ~~[(i) a CDIP or CDL license holder; or]~~

642 ~~[(ii) a violation that occurred in a commercial motor vehicle.]~~

643 (3) Except as provided in Subsection 53-3-218(3), the division may not revoke, deny,
644 suspend, or disqualify an individual's driver license based solely on:

645 (a) the individual's failure to appear;

646 (b) the individual's failure to pay an outstanding criminal justice account receivable; or

647 (c) the issuance of a bench warrant as a result of an event described in Subsection

648 (3)(a) or (b).

649 (4) (a) The division shall make rules establishing a point system as provided for in this
650 Subsection (4).

651 (b) (i) The division shall assign a number of points to each type of moving traffic
652 violation as a measure of its seriousness.

653 (ii) The points shall be based upon actual relationships between types of traffic
654 violations and motor vehicle traffic accidents.

655 (iii) Except as provided in Subsection (4)(b)(iv), the division may not assess points
656 against a person's driving record for a conviction of a traffic violation:

657 (A) that occurred in another state; and

658 (B) that was committed on or after July 1, 2011.

659 (iv) The provisions of Subsection (4)(b)(iii) do not apply to:

660 (A) a reckless or impaired driving violation or a speeding violation for exceeding the
661 posted speed limit by 21 or more miles per hour; or

662 (B) an offense committed in another state which, if committed within Utah, would
663 result in the mandatory suspension or revocation of a license upon conviction under Section
664 [53-3-220](#).

665 (c) Every person convicted of a traffic violation shall have assessed against the person's
666 driving record the number of points that the division has assigned to the type of violation of
667 which the person has been convicted, except that the number of points assessed shall be
668 decreased by 10% if on the abstract of the court record of the conviction the court has graded
669 the severity of violation as minimum, and shall be increased by 10% if on the abstract the court
670 has graded the severity of violation as maximum.

671 (d) (i) A separate procedure for assessing points for speeding offenses shall be
672 established by the division based upon the severity of the offense.

673 (ii) The severity of a speeding violation shall be graded as:

674 (A) "minimum" for exceeding the posted speed limit by up to 10 miles per hour;

675 (B) "intermediate" for exceeding the posted speed limit by from 11 to 20 miles per
676 hour; and

677 (C) "maximum" for exceeding the posted speed limit by 21 or more miles per hour.

678 (iii) Consideration shall be made for assessment of no points on minimum speeding
679 violations, except for speeding violations in school zones.

680 (e) (i) Points assessed against a person's driving record shall be deleted for violations
681 occurring before a time limit set by the division.

682 (ii) The time limit may not exceed three years.

683 (iii) The division may also delete points to reward violation-free driving for periods of
684 time set by the division.

685 (f) (i) By publication in two newspapers having general circulation throughout the
686 state, the division shall give notice of the number of points it has assigned to each type of
687 traffic violation, the time limit set by the division for the deletion of points, and the point level
688 at which the division will generally take action to deny or suspend under this section.

689 (ii) The division may not change any of the information provided above regarding
690 points without first giving new notice in the same manner.

691 (5) (a) (i) If the division finds that the license of a person should be denied, suspended,
692 disqualified, or revoked under this section, the division shall immediately notify the licensee in
693 a manner specified by the division and afford the person an opportunity for a hearing in the
694 county where the licensee resides.

695 (ii) The hearing shall be documented, and the division or its authorized agent may
696 administer oaths, may issue subpoenas for the attendance of witnesses and the production of
697 relevant books and papers, and may require a reexamination of the licensee.

698 (iii) One or more members of the division may conduct the hearing, and any decision
699 made after a hearing before any number of the members of the division is as valid as if made
700 after a hearing before the full membership of the division.

701 (iv) After the hearing the division shall either rescind or affirm its decision to deny,
702 suspend, disqualify, or revoke the license.

703 (b) The denial, suspension, disqualification, or revocation of the license remains in
704 effect pending qualifications determined by the division regarding a person:

705 (i) whose license has been denied or suspended following reexamination;

706 (ii) who is incompetent to drive a motor vehicle;

707 (iii) who is afflicted with mental or physical infirmities that might make him dangerous

708 on the highways; or

709 (iv) who may not have the necessary knowledge or skill to drive a motor vehicle safely.

710 (6) (a) Subject to Subsection (6)(d), the division shall suspend a person's license when
711 the division receives notice from the Office of Recovery Services that the Office of Recovery
712 Services has ordered the suspension of the person's license.

713 (b) A suspension under Subsection (6)(a) shall remain in effect until the division
714 receives notice from the Office of Recovery Services that the Office of Recovery Services has
715 rescinded the order of suspension.

716 (c) After an order of suspension is rescinded under Subsection (6)(b), a report
717 authorized by Section 53-3-104 may not contain any evidence of the suspension.

718 (d) (i) If the division suspends a person's license under this Subsection (6), the division
719 shall, upon application, issue a temporary limited driver license to the person if that person
720 needs a driver license for employment, education, or child visitation.

721 (ii) The temporary limited driver license described in this section:

722 (A) shall provide that the person may operate a motor vehicle only for the purpose of
723 driving to or from the person's place of employment, education, or child visitation;

724 (B) shall prohibit the person from driving a motor vehicle for any purpose other than a
725 purpose described in Subsection (6)(d)(ii)(A); and

726 (C) shall expire 90 days after the day on which the temporary limited driver license is
727 issued.

728 (iii) (A) During the period beginning on the day on which a temporary limited driver
729 license is issued under this Subsection (6), and ending on the day that the temporary limited
730 driver license expires, the suspension described in this Subsection (6) only applies if the person
731 who is suspended operates a motor vehicle for a purpose other than employment, education, or
732 child visitation.

733 (B) Upon expiration of a temporary limited driver license described in this Subsection
734 (6)(d):

735 (I) a suspension described in Subsection (6)(a) shall be in full effect until the division
736 receives notice, under Subsection (6)(b), that the order of suspension is rescinded; and

737 (II) a person suspended under Subsection (6)(a) may not drive a motor vehicle for any
738 reason.

739 (iv) The division is not required to issue a limited driver license to a person under this
740 Subsection (6)(d) if there are other legal grounds for the suspension of the person's driver
741 license.

742 (v) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah
743 Administrative Rulemaking Act, to implement the provisions of this part.

744 (7) (a) The division may suspend or revoke the license of any resident of this state
745 upon receiving notice of the conviction of that person in another state of an offense committed
746 there that, if committed in this state, would be grounds for the suspension or revocation of a
747 license.

748 (b) The division may, upon receiving a record of the conviction in this state of a
749 nonresident driver of a motor vehicle or motorboat of any offense under the motor vehicle laws
750 of this state, forward a certified copy of the record to the motor vehicle administrator in the
751 state where the person convicted is a resident.

752 (8) (a) The division may suspend or revoke the license of any nonresident to drive a
753 motor vehicle in this state for any cause for which the license of a resident driver may be
754 suspended or revoked.

755 (b) Any nonresident who drives a motor vehicle upon a highway when the person's
756 license has been suspended or revoked by the division is guilty of a class C misdemeanor.

757 (9) (a) The division may not deny or suspend the license of any person for a period of
758 more than one year except:

759 (i) for failure to comply with the terms of a traffic citation under Subsection (2);

760 (ii) upon receipt of a second or subsequent order suspending juvenile driving privileges
761 under Section [53-3-219](#);

762 (iii) when extending a denial or suspension upon receiving certain records or reports
763 under Subsection [53-3-220\(2\)](#);

764 (iv) for failure to give and maintain owner's or operator's security under Section
765 [41-12a-411](#);

766 (v) when the division suspends the license under Subsection (6); or

767 (vi) when the division denies the license under Subsection (14).

768 (b) The division may suspend the license of a person under Subsection (2) until the
769 person shows satisfactory evidence of compliance with the terms of the traffic citation.

770 (10) (a) By following the procedures in Title 63G, Chapter 4, Administrative
771 Procedures Act, the division may suspend the license of any person without receiving a record
772 of the person's conviction for a crime when the division has reason to believe that the person's
773 license was granted by the division through error or fraud or that the necessary consent for the
774 license has been withdrawn or is terminated.

775 (b) The procedure upon suspension is the same as under Subsection (5), except that
776 after the hearing the division shall either rescind its order of suspension or cancel the license.

777 (11) (a) The division, having good cause to believe that a licensed driver is
778 incompetent or otherwise not qualified to be licensed, may upon notice in a manner specified
779 by the division of at least five days to the licensee require him to submit to an examination.

780 (b) Upon the conclusion of the examination the division may suspend or revoke the
781 person's license, permit him to retain the license, or grant a license subject to a restriction
782 imposed in accordance with Section 53-3-208.

783 (c) Refusal or neglect of the licensee to submit to an examination is grounds for
784 suspension or revocation of the licensee's license.

785 (12) (a) Except as provided in Subsection (12)(b), a report authorized by Section
786 53-3-104 may not contain any evidence of a conviction for speeding on an interstate system in
787 this state if the conviction was for a speed of 10 miles per hour or less, above the posted speed
788 limit and did not result in an accident, unless authorized in a manner specified by the division
789 by the individual whose report is being requested.

790 (b) The provisions of Subsection (12)(a) do not apply for:

791 (i) a CDIP or CDL license holder; or

792 (ii) a violation that occurred in a commercial motor vehicle.

793 (13) (a) By following the procedures in Title 63G, Chapter 4, Administrative
794 Procedures Act, the division may suspend the license of a person if it has reason to believe that
795 the person is the owner of a motor vehicle for which security is required under Title 41,
796 Chapter 12a, Financial Responsibility of Motor Vehicle Owners and Operators Act, and has
797 driven the motor vehicle or permitted it to be driven within this state without the security being
798 in effect.

799 (b) The division may suspend a driving privilege card holder's driving privilege card if
800 the division receives notification from the Motor Vehicle Division that:

- 801 (i) the driving privilege card holder is the registered owner of a vehicle; and
802 (ii) the driving privilege card holder's vehicle registration has been revoked under
803 Subsection 41-1a-110(2)(a)(ii)(A).
- 804 (c) Section 41-12a-411 regarding the requirement of proof of owner's or operator's
805 security applies to persons whose driving privileges are suspended under this Subsection (13).
- 806 (14) The division may deny an individual's license if the person fails to comply with
807 the requirement to downgrade the person's CDL to a class D license under Section 53-3-410.1.
- 808 (15) The division may deny a person's class A, B, C, or D license if the person fails to
809 comply with the requirement to have a K restriction removed from the person's license.
- 810 (16) Any suspension or revocation of a person's license under this section also
811 disqualifies any license issued to that person under Part 4, Uniform Commercial Driver License
812 Act.