

## HB0352S01 compared with HB0352

~~deleted text~~ shows text that was in HB0352 but was deleted in HB0352S01.

inserted text shows text that was not in HB0352 but was inserted into HB0352S01.

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Representative Rosemary Lesser proposes the following substitute bill:

### STATE IDENTIFICATION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Rosemary Lesser**

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

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#### LONG TITLE

##### General Description:

This bill amends provisions related to fees and application processes for a state-issued identification credential by a person who is homeless.

##### Highlighted Provisions:

This bill:

- ▶ waives the application fee for an individual to receive or renew a state-issued identification card if the person provides certain information indicating that the individual is homeless;
- ▶ requires the Department of Workforce Services to verify certain homeless service providers for purposes of address verification and receiving certain fee waivers;
- ▶ requires the Driver License Division to make rules regarding homeless service facilities as verified by the Department of Workforce Services for purposes of

## HB0352S01 compared with HB0352

providing proof of residency and obtaining a fee waiver; and

- ▶ makes technical changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

**26-2-12.6**, as last amended by Laws of Utah 2019, Chapter 242

**53-3-104**, as last amended by Laws of Utah 2019, Chapter 459

**53-3-105**, as last amended by Laws of Utah 2019, Chapters 242, 381, and 382

**53-3-205**, as last amended by Laws of Utah 2019, Chapters 381 and 382

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

Section 1. Section **26-2-12.6** is amended to read:

**26-2-12.6. Fee waived for certified copy of birth certificate.**

(1) Notwithstanding Section 26-1-6 and Section 26-2-12.5, the department shall waive a fee that would otherwise be charged for a certified copy of a birth certificate, if the individual whose birth is confirmed by the birth certificate is:

(a) the individual requesting the certified copy of the birth certificate; and

(b) (i) homeless, as defined in Section 26-18-411;

(ii) a person who is homeless, as defined in Section 35A-5-302;

(iii) an individual whose primary nighttime residence is a location that is not designed for or ordinarily used as a sleeping accommodation for an individual; ~~or~~

(iv) a homeless service provider as verified by the Department of Workforce Services;

or

~~[(iv)]~~ (v) a homeless child or youth, as defined in 42 U.S.C. Sec. 11434a.

(2) To satisfy the requirement in Subsection (1)(b), the department shall accept written verification that the individual is homeless or a person, child, or youth who is homeless from:

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

(b) a permanent housing, permanent, supportive, or transitional facility, as defined in

## HB0352S01 compared with HB0352

Section 35A-5-302;

(c) the Department of Workforce Services;

(d) a homeless service provider as verified by the Department of Workforce Services;

or

~~[(d) (e)] a facility that serves an individual described in Subsection (1)(b) and maintains data on an individual described in Subsection (1)(b) through the Homeless Management Information System; or~~

~~[(f) (e) (f)] a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).~~

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

### **53-3-104. Division duties.**

The division shall:

(1) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules:

(a) for examining applicants for a license, as necessary for the safety and welfare of the traveling public;

(b) for acceptable documentation of an applicant's identity, Social Security number, Utah resident status, Utah residence address, proof of legal presence, proof of citizenship in the United States, honorable or general discharge from the United States military, and other proof or documentation required under this chapter;

(c) for acceptable documentation to verify that an individual is homeless as verified by the Department of Workforce Services, for purposes of residency, address verification, and obtaining a fee waiver;

~~[(c)] (d)~~ regarding the restrictions to be imposed on an individual driving a motor vehicle with a temporary learner permit or learner permit;

~~[(d)] (e)~~ for exemptions from licensing requirements as authorized in this chapter;

~~[(e)] (f)~~ establishing procedures for the storage and maintenance of applicant information provided in accordance with Section 53-3-205, 53-3-410, or 53-3-804; and

~~[(f)] (g)~~ to provide educational information to each applicant for a license, which information shall be based on data provided by the Division of Air Quality, including:

(i) ways drivers can improve air quality; and

## HB0352S01 compared with HB0352

- (ii) the harmful effects of vehicle emissions;
- (2) examine each applicant according to the class of license applied for;
- (3) license motor vehicle drivers;
- (4) file every application for a license received by the division and shall maintain indices containing:
  - (a) all applications denied and the reason each was denied;
  - (b) all applications granted; and
  - (c) the name of every licensee whose license has been suspended, disqualified, or revoked by the division and the reasons for the action;
- (5) suspend, revoke, disqualify, cancel, or deny any license issued in accordance with this chapter;
- (6) file all accident reports and abstracts of court records of convictions received by the division under state law;
- (7) maintain a record of each licensee showing the licensee's convictions and the traffic accidents in which the licensee has been involved where a conviction has resulted;
- (8) consider the record of a licensee upon an application for renewal of a license and at other appropriate times;
- (9) search the license files, compile, and furnish a report on the driving record of any individual licensed in the state in accordance with Section 53-3-109;
- (10) develop and implement a record system as required by Section 41-6a-604;
- (11) in accordance with Section 53G-10-507, establish:
  - (a) procedures and standards to certify teachers of driver education classes to administer knowledge and skills tests;
  - (b) minimal standards for the tests; and
  - (c) procedures to enable school districts to administer or process any tests for students to receive a class D operator's license;
- (12) in accordance with Section 53-3-510, establish:
  - (a) procedures and standards to certify licensed instructors of commercial driver training school courses to administer the skills test;
  - (b) minimal standards for the test; and
  - (c) procedures to enable licensed commercial driver training schools to administer or

## HB0352S01 compared with HB0352

process skills tests for students to receive a class D operator's license;

(13) provide administrative support to the Driver License Medical Advisory Board created in Section 53-3-303;

(14) upon request by the lieutenant governor, provide the lieutenant governor with a digital copy of the driver license or identification card signature of an individual who is an applicant for voter registration under Section 20A-2-206; and

(15) in accordance with Section 53-3-407.1, establish:

(a) procedures and standards to license a commercial driver license third party tester or commercial driver license third party examiner to administer the commercial driver license skills tests;

(b) minimum standards for the commercial driver license skills test; and

(c) procedures to enable a licensed commercial driver license third party tester or commercial driver license third party examiner to administer a commercial driver license skills test for an applicant to receive a commercial driver license.

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

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

The following fees apply under this chapter:

(1) An original class D license application under Section 53-3-205 is \$52.

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

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

(4) An original application for a motorcycle endorsement under Section 53-3-205 is \$18.

(5) An original application for a taxicab endorsement under Section 53-3-205 is \$14.

(6) A learner permit application under Section 53-3-210.5 is \$19.

(7) A renewal of a class D license under Section 53-3-214 is \$52 unless Subsection (12) applies.

(8) A renewal of a provisional license application for a class D license under Section 53-3-214 is \$52.

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

## **HB0352S01 compared with HB0352**

- (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
- (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
- (12) A renewal of a class D license for an individual 65 and older under Section 53-3-214 is \$27.
- (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection (17) applies.
- (14) An extension of a provisional license application for a class D license under Section 53-3-214 is \$42.
- (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
- (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
- (17) An extension of a class D license for an individual 65 and older under Section 53-3-214 is \$22.
- (18) An original or renewal application for a commercial class A, B, or C license or an original or renewal of a provisional commercial class A or B license under Part 4, Uniform Commercial Driver License Act, is \$52.
- (19) A commercial class A, B, or C license skills test is \$78.
- (20) Each original CDL endorsement for passengers, hazardous material, double or triple trailers, or tankers is \$9.
- (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial Driver License Act, is \$9.
- (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver License Act, is \$9.
- (23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.
- (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.
- (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.
- (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.
- (26) (a) A license reinstatement application under Section 53-3-205 is \$40.
- (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or combination of alcohol and any drug-related offense is \$45 in addition to the fee under Subsection (26)(a).
- (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or

## HB0352S01 compared with HB0352

combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under Part 4, Uniform Commercial Driver License Act, is \$255.

(b) This administrative fee is in addition to the fees under Subsection (26).

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

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

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

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

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

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

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

(B) is indigent; and

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

(ii) submits written verification that the individual is homeless, as defined in Section 26-18-411, a person who is homeless, as defined in Section 35A-5-302, or a child or youth who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

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

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

(C) the Department of Workforce Services; or

(D) a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

(31) (a) An extension of a regular identification card under Subsection 53-3-807(4) for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

(b) The fee described in Subsection (31)(a) is waived if the applicant submits written verification that the individual is homeless, as defined in Section 26-18-411, or a person who is

## HB0352S01 compared with HB0352

homeless, as defined in Section 35A-5-302, or a child or youth who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

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

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

(iii) the Department of Workforce Services; [or]

(iv) a homeless service provider as verified by the Department of Workforce Services as described in Section 26-2-12.6;~~†~~

~~—— (v) a facility that serves an individual described in Subsection 26-2-12.6(1)(b) and maintains data on an individual described in Subsection 26-2-12.6(1)(b) through the Homeless Management Information System;~~† or

[(†v)] ~~(†vi)~~v a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

(32) (a) An extension of a regular identification card under Subsection 53-3-807(5) is \$23.

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

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

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

(iii) the Department of Workforce Services[-]; or

(iv) a homeless service provider as verified by the Department of Workforce Services as described in Section 26-2-12.6~~†; or~~†.

~~{ —— (v) a facility that serves an individual described in Subsection 26-2-12.6(1)(b) and maintains data on an individual described in Subsection 26-2-12.6(1)(b) through the Homeless Management Information System.~~

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



## **HB0352S01 compared with HB0352**

(34) An original mobility vehicle permit application under Section 41-6a-1118 is \$30.

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

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

Section 4. Section **53-3-205** is amended to read:

**53-3-205. Application for license or endorsement -- Fee required -- Tests -- Expiration dates of licenses and endorsements -- Information required -- Previous licenses surrendered -- Driving record transferred from other states -- Reinstatement -- Fee required -- License agreement.**

(1) An application for an original license, provisional license, or endorsement shall be:

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

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

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

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

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

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

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

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

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

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

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

(a) not more than two attempts to pass a knowledge test when accompanied by the fee provided in Subsection 53-3-105(18);

(b) not more than two attempts to pass a skills test when accompanied by a fee in Subsection 53-3-105(19) within six months after the date of application;

(c) both a commercial driver instruction permit and a temporary license permit for the

## HB0352S01 compared with HB0352

license class held before the applicant submits the application if needed after the knowledge test is passed; and

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

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

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

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

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

(b) (i) Beginning July 1, 2015, an out-of-state resident who holds a valid CDIP issued by a state or jurisdiction that is compliant with 49 C.F.R. Part 383 may take a skills test administered by the division if the out-of-state resident pays the fee provided in Subsection 53-3-105(19).

(ii) The division shall:

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

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

(7) (a) (i) Except as provided under Subsections (7)(a)(ii), (f), and (g), an original class D license expires on the birth date of the applicant in the eighth year after the year the license certificate was issued.

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

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

(b) Except as provided under Subsections (7)(f) and (g), a renewal or an extension to a license expires on the birth date of the licensee in the eighth year after the expiration date of the license certificate renewed or extended.

## HB0352S01 compared with HB0352

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

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

(e) (i) A regular license certificate and an endorsement to the regular license certificate held by an individual described in Subsection (7)(e)(ii), that expires during the time period the individual is stationed outside of the state, is valid until 90 days after the individual's orders are terminated, the individual is discharged, or the individual's assignment is changed or terminated, unless:

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

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

(ii) The provisions in Subsection (7)(e)(i) apply to an individual:

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

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

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

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

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

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

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

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

## HB0352S01 compared with HB0352

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

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

(i) provide:

(A) the applicant's full legal name;

(B) the applicant's birth date;

(C) the applicant's gender;

(D) (I) documentary evidence of the applicant's valid social security number;

(II) written proof that the applicant is ineligible to receive a social security number;

(III) the applicant's temporary identification number (ITIN) issued by the Internal

Revenue Service for an individual who:

(Aa) does not qualify for a social security number; and

(Bb) is applying for a driving privilege card; or

(IV) other documentary evidence approved by the division;

(E) the applicant's Utah residence address as documented by a form or forms acceptable under rules made by the division under Section 53-3-104, unless the application is for a temporary CDL issued under Subsection 53-3-407(2)(b); and

(F) fingerprints and a photograph in accordance with Section 53-3-205.5 if the applicant is applying for a driving privilege card;

(ii) provide evidence of the applicant's lawful presence in the United States by providing documentary evidence:

(A) that the applicant is:

(I) a United States citizen;

(II) a United States national; or

(III) a legal permanent resident alien; or

(B) of the applicant's:

(I) unexpired immigrant or nonimmigrant visa status for admission into the United States;

(II) pending or approved application for asylum in the United States;

## HB0352S01 compared with HB0352

- (III) admission into the United States as a refugee;
  - (IV) pending or approved application for temporary protected status in the United States;
  - (V) approved deferred action status;
  - (VI) pending application for adjustment of status to legal permanent resident or conditional resident; or
  - (VII) conditional permanent resident alien status;
  - (iii) provide a description of the applicant;
  - (iv) state whether the applicant has previously been licensed to drive a motor vehicle and, if so, when and by what state or country;
  - (v) state whether the applicant has ever had a license suspended, cancelled, revoked, disqualified, or denied in the last 10 years, or whether the applicant has ever had a license application refused, and if so, the date of and reason for the suspension, cancellation, revocation, disqualification, denial, or refusal;
  - (vi) state whether the applicant intends to make an anatomical gift under Title 26, Chapter 28, Revised Uniform Anatomical Gift Act, in compliance with Subsection (15);
  - (vii) state whether the applicant is required to register as a sex offender in accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry;
  - (viii) state whether the applicant is a veteran of the United States military, provide verification that the applicant was granted an honorable or general discharge from the United States Armed Forces, and state whether the applicant does or does not authorize sharing the information with the Department of Veterans and Military Affairs;
  - (ix) provide all other information the division requires; and
  - (x) sign the application which signature may include an electronic signature as defined in Section 46-4-102.
- (b) ~~[An]~~ Unless the applicant provides acceptable verification of homelessness as described in rules made by the division, an applicant shall have a Utah residence address, unless the application is for a temporary CDL issued under Subsection 53-3-407(2)(b).
- (c) An applicant shall provide evidence of lawful presence in the United States in accordance with Subsection (8)(a)(ii), unless the application is for a driving privilege card.
- (d) The division shall maintain on the division's computerized records an applicant's:

## HB0352S01 compared with HB0352

- (i) (A) social security number;
- (B) temporary identification number (ITIN); or
- (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies; and
- (ii) indication whether the applicant is required to register as a sex offender in

accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

(9) The division shall require proof of an applicant's name, birth date, and birthplace by at least one of the following means:

- (a) current license certificate;
- (b) birth certificate;
- (c) Selective Service registration; or
- (d) other proof, including church records, family Bible notations, school records, or other evidence considered acceptable by the division.

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

- (i) the license application is treated as an original application; and
- (ii) license and endorsement fees is assessed under Section 53-3-105.

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

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

(ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a duplicate license is issued under Subsection (10)(b)(i).

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

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

(ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a duplicate license is issued under Subsection (10)(c)(i).

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

## **HB0352S01 compared with HB0352**

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

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

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

(14) An applicant who applies for an original license or renewal of a license agrees that the individual's license is subject to a suspension or revocation authorized under this title or Title 41, Motor Vehicles.

(15) (a) A licensee shall authenticate the indication of intent under Subsection (8)(a)(vi) in accordance with division rule.

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

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

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

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

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

(17) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division shall, upon request, release to the Sex and Kidnap Offender Registry office in the Department of Corrections, the names and addresses of all applicants who, under Subsection (8)(a)(vii), indicate they are required to register as a sex offender in accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

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

## HB0352S01 compared with HB0352

- (a) loss;
- (b) detriment; or
- (c) injury.

(19) An applicant who knowingly fails to provide the information required under Subsection (8)(a)(vii) is guilty of a class A misdemeanor.

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

(21) (a) An applicant who applies for an original motorcycle endorsement to a regular license certificate is exempt from the requirement to pass the knowledge and skills test to be eligible for the motorcycle endorsement if the applicant:

- (i) is a resident of the state of Utah;
- (ii) (A) is ordered to active duty and stationed outside of Utah in any of the armed forces of the United States; or

(B) is an immediate family member or dependent of an individual described in Subsection (21)(a)(ii)(A) and is residing outside of Utah;

- (iii) has a digitized driver license photo on file with the division;
- (iv) provides proof to the division of the successful completion of a certified Motorcycle Safety Foundation rider training course; and

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

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

(i) establishing the procedures for an individual to obtain a motorcycle endorsement under this Subsection (21); and

(ii) identifying the applicable restrictions for a motorcycle endorsement issued under this Subsection (21).