

HB0130S01 compared with HB0130

~~deleted text~~ shows text that was in HB0130 but was deleted in HB0130S01.

inserted text shows text that was not in HB0130 but was inserted into HB0130S01.

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Representative Gay Lynn Bennion proposes the following substitute bill:

DRIVER LICENSE TEST AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gay Lynn {}Bennion

Senate Sponsor: Karen Mayne

LONG TITLE

General Description:

This bill requires the Driver License Division to begin administering certain examinations in languages other than English.

Highlighted Provisions:

This bill:

- ▶ allows the Driver License Division to begin administering certain examinations in languages other than English;
- ▶ allows an individual to take certain driver license examinations in their ~~native~~preferred language, based on availability, for their initial application and first renewal application for a driver license;
- ▶ allows a translator for certain driver license examinations in certain circumstances;
- ▶ requires a report from the Driver License Division to the Transportation Interim

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Committee; and

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-3-206, as last amended by Laws of Utah 2018, Chapter 128

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

Section 1. Section **53-3-206** is amended to read:

53-3-206. Examination of applicant's physical and mental fitness to drive a motor vehicle.

(1) The division shall examine every applicant for a license, including a test of the applicant's:

(a) eyesight either:

(i) by the division; or

(ii) by allowing the applicant to furnish to the division a statement from a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or an optometrist licensed under Title 58, Chapter 16a, Utah Optometry Practice Act;

(b) ability to read and understand highway signs regulating, warning, and directing traffic;

(c) ability to read and understand simple English used in highway traffic and directional signs;

(d) knowledge of the state traffic laws;

(e) other physical and mental abilities the division finds necessary to determine the applicant's fitness to drive a motor vehicle safely on the highways; and

(f) ability to exercise ordinary and responsible control driving a motor vehicle, as determined by actual demonstration or other indicator.

(2) (a) [~~Notwithstanding~~] Subject to Subsection (2)(d), and notwithstanding the

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provisions of Subsection (1) or any other provision of law, the division shall allow [~~a refugee or an approved asylee~~] an individual to take an examination of the person's knowledge of the state traffic laws in the person's [~~native~~] preferred language, or with a translator as described in Subsection (2)(d)(ii):

(i) the first time the person applies for [~~a limited-term license certificate~~] a class D license certificate, except for a driving privilege card issued or renewed under Section 53-3-207; and

(ii) the first time the person applies for a renewal of [~~a limited-term license certificate~~] a class D license certificate, except for a driving privilege card issued or renewed under Section 53-3-207.

(b) Upon the second renewal of [~~a refugee's or approved asylee's limited-term~~] an individual's class D [~~limited-term~~] license certificate for [~~a refugee or approved asylee~~] an individual that has taken the knowledge exam in the person's [~~native~~] preferred language under Subsection (2)(a), the division shall re-examine the person's knowledge of the state traffic laws in English.

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division shall make rules establishing the procedures and requirements for [~~a refugee or an approved asylee~~] an individual to take an examination of the person's knowledge of the state traffic laws in the person's [~~native~~] preferred language or with the assistance of a translator.

(d) (i) Beginning on July 1, 2022, for a class D license certificate, except for a driving privilege card issued under Section 53-3-207, the division shall administer the written knowledge examination in as many languages as reasonably possible given budgetary and other constraints.

(ii) If the division is unable to administer the written knowledge examination in a particular language, an individual may take an examination with the assistance of a translator approved by the division.

(iii) If an individual takes the examination with the assistance of a translator, the individual is responsible for the costs of the translator.

(e) In order to provide the services described in Subsection (2)(d)(i), the division may contract with a private vendor to provide the translation services or technology.

(3) The division shall determine whether any facts exist that would bar granting a

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license under Section 53-3-204.

(4) The division shall examine each applicant according to the class of license applied for.

(5) An applicant for a CDL shall meet all additional requirements of Part 4, Uniform Commercial Driver License Act, of this chapter.

(6) The division shall provide a report to the Transportation Interim Committee on or before October 1, 2022, regarding the written knowledge examination in languages other than English, including:

- (a) costs associated with the program;
- (b) the number of languages provided;
- (c) the likelihood of adding additional languages in the future; and
- (d) other information the division finds relevant.