

**Representative Stephanie Pitcher** proposes the following substitute bill:

1                   **DRIVER LICENSE AND LICENSE PLATE AMENDMENTS**

2                   2022 GENERAL SESSION

3                   STATE OF UTAH

4                   **Chief Sponsor: Stephanie Pitcher**

5                   Senate Sponsor: Todd D. Weiler

6                   Cosponsor:                   Norman K. Thurston

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**LONG TITLE**

8                   **General Description:**

9                   This bill modifies provisions of the Uniform Driver License Act and the Motor Vehicle  
10                  Act.

11                  **Highlighted Provisions:**

12                  This bill:

13                  ▶ defines terms;  
14                  ▶ at an individual's request and subject to written verification, requires the Motor  
15                  Vehicle Division to include in the individual's vehicle registration record  
16                  information about the individual's invisible condition;

17                  ▶ allows an individual to request that the Motor Vehicle Division remove information  
18                  about the individual's invisible condition;

19                  ▶ at an individual's request and subject to written verification, requires the Driver  
20                  License Division to include an identifying symbol or sticker on the individual's  
21                  driver license or identification card to indicate that the individual is an individual  
22                  with an invisible condition;

23                  ▶ allows an individual to request that the Driver License Division remove information



25 about the individual's invisible condition;  
26       ▶ upon request, allows a law enforcement officer to obtain certain information about  
27 an individual's invisible condition; and  
28       ▶ makes technical changes.

29 **Money Appropriated in this Bill:**

30       None

31 **Other Special Clauses:**

32       This bill provides a special effective date.

33 **Utah Code Sections Affected:**

34 AMENDS:

35       **41-1a-213**, as last amended by Laws of Utah 2017, Chapter 119

36       **46-1-2**, as last amended by Laws of Utah 2019, Chapter 192

37       **53-3-207**, as last amended by Laws of Utah 2019, Chapter 232

38       **53-3-805**, as last amended by Laws of Utah 2018, Chapter 39

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

41       Section 1. Section **41-1a-213** is amended to read:

42       **41-1a-213. Contents of registration cards.**

43       (1) As used in this section:

44       (a) "Health care professional" means the same as that term is defined in Subsection  
45 53-3-207(1).

46       (b) "Invisible condition" means the same as that term is defined in Subsection  
47 53-3-207(1).

48       (c) "Invisible condition identification symbol" means the same as that term is defined  
49 in Subsection 53-3-207(1).

50       [~~(1)~~] (2) The registration card shall be delivered to the owner and shall contain:

51       (a) the date issued;

52       (b) the name of the owner;

53       (c) a description of the vehicle registered including the year, the make, the  
54 identification number, and the license plate assigned to the vehicle;

55       (d) the expiration date; and

56                   (e) other information as determined by the commission.

57       [~~(2)~~] (3) If a vehicle is leased for a period in excess of 45 days, the registration shall  
58 contain:

59                   (a) the owner's name; and

60                   (b) the name of the lessee.

61       [~~(3)~~] (4) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the  
62 registration card shall also contain the gross laden weight as given in the application for  
63 registration.

64       [~~(4)~~] (5) (a) Except as provided in Subsection [~~(4)~~] (5)(b), a new registration card  
65 issued by the commission on or after November 1, 2013, may not display the address of the  
66 owner or the lessee on the registration card.

67                   (b) A new registration card issued by the commission under one of the following  
68 provisions shall display the address of the owner or the lessee on the registration card:

69                   (i) Section 41-1a-301 for a vehicle; or

70                   (ii) Section 73-18-7 for a vessel.

71       (6) (a) The division shall include in the division's vehicle registration database  
72 information about an individual's invisible condition if an owner of a vehicle, on a form  
73 prescribed by the commission:

74                   (i) requests the division to include the information;

75                   (ii) declares that the individual is a regular driver or passenger of the vehicle;

76                   (iii) provides written verification from a health care professional that the individual has  
77 an invisible condition; and

78                   (iv) submits a signed waiver of liability for the release of any medical information to:

79                   (A) the commission;

80                   (B) any person who has access to the individual's medical information as recorded on  
81 the individual's vehicle registration database record or the Utah Criminal Justice Information  
82 System under this chapter; and

83                   (C) any other person who may view or receive notice of the individual's medical  
84 information by seeing the individual's vehicle registration database record or the individual's  
85 information in the Utah Criminal Justice Information System.

86                   (b) As part of the form described in Subsection (6)(a), the commission shall advise the

87 individual that by submitting the signed waiver, the individual consents to the release of the  
88 individual's medical information to any person described in Subsections (6)(a)(iv)(A) through  
89 (C), even if the person is otherwise ineligible to access the individual's medical information  
90 under state or federal law.

91 (c) The division may not charge a fee to include the information about an individual's  
92 invisible condition on a vehicle registration record.

93 (d) The inclusion of an individual's invisible condition on a vehicle registration record  
94 in accordance with Subsection (6)(a) does not confer any legal rights or privileges on the  
95 individual, including parking privileges for individuals with disabilities under Section  
96 41-1a-414.

97 (7) (a) For each individual who qualifies under this section to include information  
98 about the individual's invisible condition, the division shall include in the division's vehicle  
99 registration database a brief description of the nature of the individual's invisible condition  
100 linked to the vehicle registration record.

101 (b) The division shall include the brief description described in Subsection (7)(a) in the  
102 Utah Criminal Justice Information System.

103 (c) Except as described in Subsection (7)(b), the division may not release the  
104 information described in Subsection (7)(a).

105 (8) Upon an individual's written request, the division shall remove from the division's  
106 vehicle registration database and the Utah Criminal Justice Information System any  
107 information about an individual's invisible condition within 30 days after the day on which the  
108 division receives the request.

109 (9) As provided in Section 63G-2-302, the information described in Subsection (6)(a)  
110 is a private record for purposes of Title 63G, Chapter 2, Government Records Access and  
111 Management Act.

112       Section 2. Section **46-1-2** is amended to read:

113       **46-1-2. Definitions.**

114       As used in this chapter:

115       (1) "Acknowledgment" means a notarial act in which a notary certifies that a signer,  
116       whose identity is personally known to the notary or proven on the basis of satisfactory  
117       evidence, has admitted, in the presence of the notary, to voluntarily signing a document for the

118 document's stated purpose.

119 (2) "Before me" means that an individual appears in the presence of the notary.

120 (3) "Commission" means:

121 (a) to empower to perform notarial acts; or

122 (b) the written document that gives authority to perform notarial acts, including the  
123 Certificate of Authority of Notary Public that the lieutenant governor issues to a notary.

124 (4) "Copy certification" means a notarial act in which a notary certifies that a  
125 photocopy is an accurate copy of a document that is neither a public record nor publicly  
126 recorded.

127 (5) "Electronic recording" means the audio and video recording, described in  
128 Subsection 46-1-3.6(3), of a remote notarization.

129 (6) "Electronic seal" means an electronic version of the seal described in Section  
130 46-1-16, that conforms with rules made under Subsection 46-1-3.7(1)(d), that a remote notary  
131 may attach to a notarial certificate to complete a remote notarization.

132 (7) "Electronic signature" means the same as that term is defined in Section 46-4-102.

133 (8) "In the presence of the notary" means that an individual:

134 (a) is physically present with the notary in close enough proximity to see and hear the  
135 notary; or

136 (b) communicates with a remote notary by means of an electronic device or process  
137 that:

138 (i) allows the individual and remote notary to communicate with one another  
139 simultaneously by sight and sound; and

140 (ii) complies with rules made under Section 46-1-3.7.

141 (9) "Jurat" means a notarial act in which a notary certifies:

142 (a) the identity of a signer who:

143 (i) is personally known to the notary; or

144 (ii) provides the notary satisfactory evidence of the signer's identity;

145 (b) that the signer affirms or swears an oath attesting to the truthfulness of a document;

146 and

147 (c) that the signer voluntarily signs the document in the presence of the notary.

148 (10) "Notarial act" or "notarization" means an act that a notary is authorized to perform

149 under Section 46-1-6.

150 (11) "Notarial certificate" means the affidavit described in Section 46-1-6.5 that is:

151 (a) a part of or attached to a notarized document; and

152 (b) completed by the notary and bears the notary's signature and official seal.

153 (12) (a) "Notary" means an individual commissioned to perform notarial acts under this  
154 chapter.

155 (b) "Notary" includes a remote notary.

156 (13) "Oath" or "affirmation" means a notarial act in which a notary certifies that a  
157 person made a vow or affirmation in the presence of the notary on penalty of perjury.

158 (14) "Official misconduct" means a notary's performance of any act prohibited or  
159 failure to perform any act mandated by this chapter or by any other law in connection with a  
160 notarial act.

161 (15) (a) "Official seal" means the seal described in Section 46-1-16 that a notary may  
162 attach to a notarial certificate to complete a notarization.

163 (b) "Official seal" includes an electronic seal.

164 (16) "Personally known" means familiarity with an individual resulting from  
165 interactions with that individual over a period of time sufficient to eliminate every reasonable  
166 doubt that the individual has the identity claimed.

167 (17) "Remote notarization" means a notarial act performed by a remote notary in  
168 accordance with this chapter for an individual who is not in the physical presence of the remote  
169 notary at the time the remote notary performs the notarial act.

170 (18) "Remote notary" means a notary that holds an active remote notary certification  
171 under Section 46-1-3.5.

172 (19) (a) "Satisfactory evidence of identity" means:

173 (i) for both an in-person and remote notarization, identification of an individual based  
174 on:

175 (A) subject to Subsection (19)(b), valid personal identification with the individual's  
176 photograph, signature, and physical description that the United States government, any state  
177 within the United States, or a foreign government issues;

178 (B) subject to Subsection (19)(b), a valid passport that any nation issues; or

179 (C) the oath or affirmation of a credible person who is personally known to the notary

180 and who personally knows the individual; and

181 (ii) for a remote notarization only, a third party's affirmation of an individual's identity  
182 in accordance with rules made under Section [46-1-3.7](#) by means of:

183 (A) dynamic knowledge-based authentication, which may include requiring the  
184 individual to answer questions about the individual's personal information obtained from  
185 public or proprietary data sources; or

186 (B) analysis of the individual's biometric data, which may include facial recognition,  
187 voiceprint analysis, or fingerprint analysis.

188 (b) "Satisfactory evidence of identity," for a remote notarization, requires the  
189 identification described in Subsection (19)(a)(i)(A) or passport described in Subsection  
190 (19)(a)(i)(B) to be verified through public or proprietary data sources in accordance with rules  
191 made under Section [46-1-3.7](#).

192 (c) "Satisfactory evidence of identity" does not include:

193 (i) a driving privilege card under Subsection [53-3-207](#)[~~(10)~~](12); or

194 (ii) another document that is not considered valid for identification.

195 (20) "Signature witnessing" means a notarial act in which an individual:

196 (a) appears in the presence of the notary and presents a document;

197 (b) provides the notary satisfactory evidence of the individual's identity, or is  
198 personally known to the notary; and

199 (c) signs the document in the presence of the notary.

200 Section 3. Section [53-3-207](#) is amended to read:

**201 [53-3-207. License certificates or driving privilege cards issued to drivers by class](#)**

**202 [of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary](#)**

**203 [licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.](#)**

204 (1) As used in this section:

205 (a) "Driving privilege" means the privilege granted under this chapter to drive a motor  
206 vehicle.

207 (b) "Governmental entity" means the state or a political subdivision of the state.

208 (c) "Health care professional" means:

209 (i) a licensed physician, physician assistant, nurse practitioner, or mental health  
210 therapist; or

211        (ii) any other licensed health care professional the division designates by rule made in  
212 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

213        [fe)] (d) "Political subdivision" means any county, city, town, school district, public  
214 transit district, community reinvestment agency, special improvement or taxing district, local  
215 district, special service district, an entity created by an interlocal agreement adopted under Title  
216 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public  
217 corporation.

218        (e) "Invisible condition" means a physical or mental condition that may interfere with  
219 an individual's ability to communicate with a law enforcement officer, including:

- 220        (i) a communication impediment;
- 221        (ii) hearing loss;
- 222        (iii) blindness or a visual impairment;
- 223        (iv) autism spectrum disorder;
- 224        (v) a drug allergy;
- 225        (vi) Alzheimer's disease or dementia;
- 226        (vii) post-traumatic stress disorder;
- 227        (viii) traumatic brain injury;
- 228        (ix) schizophrenia;
- 229        (x) epilepsy;
- 230        (xi) a developmental disability;
- 231        (xii) Down syndrome;
- 232        (xiii) diabetes;
- 233        (xiv) a heart condition; or
- 234        (xv) any other condition approved by the department.

235        (f) "Invisible condition identification symbol" means a symbol or alphanumeric code  
236 that indicates that the individual is an individual with an invisible condition.

237        [fd)] (g) "State" means this state, and includes any office, department, agency,  
238 authority, commission, board, institution, hospital, college, university, children's justice center,  
239 or other instrumentality of the state.

240        (2) (a) The division shall issue to every individual privileged to drive a motor vehicle, a  
241 regular license certificate, a limited-term license certificate, or a driving privilege card

242 indicating the type or class of motor vehicle the individual may drive.

243 (b) An individual may not drive a class of motor vehicle unless granted the privilege in  
244 that class.

245 (3) (a) Every regular license certificate, limited-term license certificate, or driving  
246 privilege card shall bear:

247 (i) the distinguishing number assigned to the individual by the division;

248 (ii) the name, birth date, and Utah residence address of the individual;

249 (iii) a brief description of the individual for the purpose of identification;

250 (iv) any restrictions imposed on the license under Section 53-3-208;

251 (v) a photograph of the individual;

252 (vi) a photograph or other facsimile of the [person's] individual's signature;

253 (vii) an indication whether the individual intends to make an anatomical gift under

254 Title 26, Chapter 28, Revised Uniform Anatomical Gift Act, unless the driving privilege is  
255 extended under Subsection 53-3-214(3); and

256 (viii) except as provided in Subsection (3)(b), if the individual states that the individual  
257 is a veteran of the United States military on the application for a driver license in accordance  
258 with Section 53-3-205 and provides verification that the individual was granted an honorable  
259 or general discharge from the United States Armed Forces, an indication that the individual is a  
260 United States military veteran for a regular license certificate or limited-term license certificate  
261 issued on or after July 1, 2011.

262 (b) A regular license certificate or limited-term license certificate issued to an  
263 individual younger than 21 years old on a portrait-style format as required in Subsection [(5)]  
264 (7)(b) is not required to include an indication that the individual is a United States military  
265 veteran under Subsection (3)(a)(viii).

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

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

270 (ii) [Except as provided under Subsection (4)(b), the] The size, form, and color of the  
271 regular license certificate, limited-term license certificate, or driving privilege card shall be as  
272 prescribed by the commissioner.

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

276                   (4) (a) The division shall include or affix an invisible condition identification symbol  
277 on an individual's regular license certificate, limited-term license certificate, or driving  
278 privilege card if the individual, on a form prescribed by the department:

279                   (i) requests the division to include the invisible condition identification symbol;

280                   (ii) provides written verification from a health care professional that the individual is  
281 an individual with an invisible condition; and

282                   (iii) signs a waiver of liability for the release of any medical information to:

283                   (A) the department;

284                   (B) any person who has access to the individual's medical information as recorded on  
285 the individual's driving record or the Utah Criminal Justice Information System under this  
286 chapter; and

287                   (C) any other person who may view or receive notice of the individual's medical  
288 information by seeing the individual's regular license certificate, limited-term license  
289 certificate, or driving privilege card or the individual's information in the Utah Criminal Justice  
290 Information System.

291                   (b) As part of the form described in Subsection (4)(a), the department shall advise the  
292 individual that by submitting the signed waiver, the individual consents to the release of the  
293 individual's medical information to any person described in Subsections (4)(a)(iii)(A) through  
294 (C), even if the person is otherwise ineligible to access the individual's medical information  
295 under state or federal law.

296                   (c) The division may not:

297                   (i) charge a fee to include the invisible condition identification symbol on the  
298 individual's regular license certificate, limited-term license certificate, or driving privilege card;  
299 or

300                   (ii) after including the invisible condition identification symbol on the individual's  
301 previously issued regular license certificate, limited-term license certificate, or driving  
302 privilege card, require the individual to provide subsequent written verification described in  
303 Subsection (4)(a)(ii) to include the invisible condition identification symbol on the individual's

304       renewed or extended regular license certificate, limited-term license certificate, or driving  
305       privilege card.

306           (d) The inclusion of an invisible condition identification symbol on an individual's  
307       license certificate, limited-term license certificate, or driving privilege card in accordance with  
308       Subsection (4)(a) does not confer any legal rights or privileges on the individual, including  
309       parking privileges for individuals with disabilities under Section 41-1a-414.

310           (e) For each individual issued a regular license certificate, limited-term license  
311       certificate, or driving privilege card under this section that includes an invisible condition  
312       identification symbol, the division shall include in the division's database and the Utah  
313       Criminal Justice Information System a brief description of the nature of the invisible condition  
314       in the individual's record.

315           (f) (i) Upon the law enforcement officer's request, the division shall release the brief  
316       description described in Subsection (4)(e) to a law enforcement officer who is responding to an  
317       individual's medical emergency or investigating an individual for a potential traffic or criminal  
318       offense while the individual is in the law enforcement officer's presence.

319           (ii) Nothing in this section requires a law enforcement officer to make a request  
320       described in Subsection (4)(f)(i).

321           (g) Except as provided in Subsection (4)(f)(i), the division may not release the  
322       information described in Subsection (4)(e).

323           (h) Upon an individual's written request, the division shall remove information about  
324       the individual's invisible condition within 30 days after the day on which the division receives  
325       the request.

326           (5) As provided in Section 63G-2-302, the information described in Subsection (4)(a)  
327       is a private record for purposes of Title 63G, Chapter 2, Government Records Access and  
328       Management Act.

329           [¶] (6) (a) (i) The division, upon determining after an examination that an applicant is  
330       mentally and physically qualified to be granted a driving privilege, may issue to an applicant a  
331       receipt for the fee if the applicant is eligible for a regular license certificate or limited-term  
332       license certificate.

333           (ii) (A) The division shall issue a temporary regular license certificate or temporary  
334       limited-term license certificate allowing the individual to drive a motor vehicle while the

335 division is completing [its] the division's investigation to determine whether the individual is  
336 entitled to be granted a driving privilege.

337 (B) A temporary regular license certificate or a temporary limited-term license  
338 certificate issued under this Subsection [(4)] (6) shall be recognized and have the same rights  
339 and privileges as a regular license certificate or a limited-term license certificate.

340 (b) The temporary regular license certificate or temporary limited-term license  
341 certificate shall be in the individual's immediate possession while driving a motor vehicle, and  
342 [~~it~~] the temporary regular license certificate or temporary limited-term license certificate is  
343 invalid when the individual's regular license certificate or limited-term license certificate has  
344 been issued or when, for good cause, the privilege has been refused.

345 (c) The division shall indicate on the temporary regular license certificate or temporary  
346 limited-term license certificate a date after which [~~it~~] the temporary regular license certificate  
347 or temporary limited-term license certificate is not valid as a temporary license.

348 (d) (i) Except as provided in Subsection [(4)] (6)(d)(ii), the division may not issue a  
349 temporary driving privilege card or other temporary permit to an applicant for a driving  
350 privilege card.

351 (ii) The division may issue a learner permit issued in accordance with Section  
352 [53-3-210.5](#) to an applicant for a driving privilege card.

353 [(5)] (7) (a) The division shall distinguish learner permits, temporary permits, regular  
354 license certificates, limited-term license certificates, and driving privilege cards issued to any  
355 individual younger than 21 years [~~of age~~] old by use of plainly printed information or the use of  
356 a color or other means not used for other regular license certificates, limited-term license  
357 certificates, or driving privilege cards.

358 (b) The division shall distinguish a regular license certificate, limited-term license  
359 certificate, or driving privilege card issued to an individual younger than 21 years [~~of age~~] old  
360 by use of a portrait-style format not used for other regular license certificates, limited-term  
361 license certificates, or driving privilege cards and by plainly printing the date the regular  
362 license certificate, limited-term license certificate, or driving privilege card holder is 21 years  
363 [~~of age~~] old.

364 [(6)] (8) The division shall distinguish a limited-term license certificate by clearly  
365 indicating on the document:

366                   (a) that [it] the limited-term license certificate is temporary; and  
367                   (b) [its] the limited-term license certificate's expiration date.

368                 [~~(7)~~] (9) (a) The division shall only issue a driving privilege card to an individual  
369 whose privilege was obtained without providing evidence of lawful presence in the United  
370 States as required under Subsection 53-3-205(8).

371                 (b) The division shall distinguish a driving privilege card from a license certificate by:  
372                   (i) use of a format, color, font, or other means; and  
373                   (ii) clearly displaying on the front of the driving privilege card a phrase substantially  
374 similar to "FOR DRIVING PRIVILEGES ONLY -- NOT VALID FOR IDENTIFICATION".

375                 [~~(8)~~] (10) The provisions of Subsection [~~(5)~~] (7)(b) do not apply to a learner permit,  
376 temporary permit, temporary regular license certificate, temporary limited-term license  
377 certificate, or any other temporary permit.

378                 [~~(9)~~] (11) The division shall issue temporary license certificates of the same nature,  
379 except as to duration, as the license certificates that they temporarily replace, as are necessary  
380 to implement applicable provisions of this section and Section 53-3-223.

381                 [~~(10)~~] (12) (a) A governmental entity may not accept a driving privilege card as proof  
382 of personal identification.  
383                 (b) A driving privilege card may not be used as a document providing proof of an  
384 individual's age for any government required purpose.

385                 [~~(11)~~ A person] (13) An individual who violates Subsection (2)(b) is guilty of an  
386 infraction.

387                 [~~(12)~~] (14) Unless otherwise provided, the provisions, requirements, classes,  
388 endorsements, fees, restrictions, and sanctions under this code apply to a:

389                 (a) driving privilege in the same way as a license or limited-term license issued under  
390 this chapter; and  
391                 (b) limited-term license certificate or driving privilege card in the same way as a  
392 regular license certificate issued under this chapter.

393                 Section 4. Section **53-3-805** is amended to read:

394                 **53-3-805. Identification card -- Contents -- Specifications.**

395                 (1) As used in this section:  
396                 (a) "Health care professional" means the same as that term is defined in Subsection

397 53-3-207(1).

398       (b) "Invisible condition" means a the same as that term is defined in Subsection

399 53-3-207(1).

400       (c) "Invisible condition identification symbol" means the same as that term is defined  
401 in Subsection 53-3-207(1).

402       [~~(1)~~] (2) (a) The division shall issue an identification card that bears:

403           (i) the distinguishing number assigned to the [person] individual by the division;

404           (ii) the name, birth date, and Utah residence address of the [person] individual;

405           (iii) a brief description of the [person] individual for the purpose of identification;

406           (iv) a photograph of the [person] individual;

407           (v) a photograph or other facsimile of the [person's] individual's signature;

408           (vi) an indication whether the [person] individual intends to make an anatomical gift

409 under Title 26, Chapter 28, Revised Uniform Anatomical Gift Act; and

410           (vii) if the [person] individual states that the [person] individual is a veteran of the  
411 United States military on the application for an identification card in accordance with Section

412 53-3-804 and provides verification that the [person] individual received an honorable or

413 general discharge from the United States Armed Forces, an indication that the [person]

414 individual is a United States military veteran for a regular identification card or a limited-term

415 identification card issued on or after July 1, 2011.

416       (b) An identification card issued by the division may not bear the [person's]  
417 individual's Social Security number or place of birth.

418       [~~(2)~~] (3) (a) The card shall be of an impervious material, resistant to wear, damage, and  
419 alteration.

420       (b) Except as provided under Section 53-3-806, the size, form, and color of the card is  
421 prescribed by the commissioner.

422       [~~(3)~~] (4) At the applicant's request, the card may include a statement that the applicant  
423 has a special medical problem or allergies to certain drugs, for the purpose of medical  
424 treatment.

425       (5) (a) The division shall include or affix an invisible condition identification symbol  
426 on an individual's identification card if the individual, on a form prescribed by the department:

427           (i) requests the division to include the invisible condition identification symbol;

428       (ii) provides written verification from a health care professional that the individual is  
429       an individual with an invisible condition; and  
430       (iii) submits a signed waiver of liability for the release of any medical information to:  
431           (A) the department;  
432           (B) any person who has access to the individual's medical information as recorded on  
433       the individual's driving record or the Utah Criminal Justice Information System under this  
434       chapter; and  
435           (C) any other person who may view or receive notice of the individual's medical  
436       information by seeing the individual's regular license certificate, limited-term license  
437       certificate, or driving privilege card or the individual's information in the Utah Criminal Justice  
438       Information System.

439       (b) As part of the form described in Subsection (5)(a), the department shall advise the  
440       individual that by submitting the request and signed waiver, the individual consents to the  
441       release of the individual's medical information to any person described in Subsections  
442       (5)(a)(iii)(A) through (C), even if the person is otherwise ineligible to access the individual's  
443       medical information under state or federal law.

444       (c) The division may not:  
445           (i) charge a fee to include the invisible condition identification symbol on the  
446       individual's identification card; or  
447           (ii) after including the invisible condition identification symbol on the individual's  
448       previously issued identification card, require the individual to provide subsequent written  
449       verification described in Subsection (5)(a)(ii) to include the invisible condition identification  
450       symbol on the individual's extended identification card.

451       (d) The inclusion of an invisible condition identification symbol on an individual's  
452       identification card in accordance with Subsection (5)(a) does not confer any legal rights or  
453       privileges on the individual, including parking privileges for individuals with disabilities under  
454       Section 41-1a-414.

455       (e) For each individual issued an identification card under this section that includes an  
456       invisible condition identification symbol, the division shall include in the division's database  
457       and the Utah Criminal Justice Information System a brief description of the nature of the  
458       invisible condition in the individual's record.

459       (f) (i) Upon the law enforcement officer's request, the division shall release the brief  
460 description described in Subsection (5)(e) to a law enforcement officer who is responding to an  
461 individual's medical emergency or investigating an individual for a potential traffic or criminal  
462 offense while the individual is in the law enforcement officer's presence.

463       (ii) Nothing in this section requires a law enforcement officer to make a request  
464 described in Subsection (5)(f)(i).

465       (g) Except as provided in Subsection (5)(f)(i), the division may not release the  
466 information described in Subsection (5)(e).

467       (h) Upon an individual's written request, the division shall remove from the division's  
468 vehicle registration database and the Utah Criminal Justice System any information about the  
469 individual's invisible condition within 30 days after the day on which the division receives the  
470 request.

471       (6) As provided in Section 63G-2-302, the information described in Subsection (5)(a)  
472 is a private record for purposes of Title 63G, Chapter 2, Government Records Access and  
473 Management Act.

474       [(4)] (7) (a) The indication of intent under Subsection 53-3-804(2)(j) shall be  
475 authenticated by the applicant in accordance with division rule.

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

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

484       [(5)] (8) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
485 Management Act, the division may release to the Department of Veterans and Military Affairs  
486 the names and addresses of all [persons] individuals who indicate their status as a veteran  
487 under Subsection 53-3-804(2)(l).

488       [(6)] (9) The division and [its] the division's employees are not liable, as a result of  
489 false or inaccurate information provided under Subsection 53-3-804(2)(j) or (l), for direct or

490 indirect:

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

494 [7] (10) (a) The division may issue a temporary regular identification card to [~~a~~  
495 ~~person~~] an individual while the [~~person~~] individual obtains the required documentation to  
496 establish verification of the information described in Subsections 53-3-804(2)(a), (b), (c), (d),  
497 and (i)(i).

498 (b) A temporary regular identification card issued under this Subsection [7] (10) shall  
499 be recognized and grant the [~~person~~] individual the same privileges as a regular identification  
500 card.

501 (c) A temporary regular identification card issued under this Subsection [7] (10) is  
502 invalid:

- 503 (i) when the [~~person's~~] individual's regular identification card has been issued;  
504 (ii) when, for good cause, an applicant's application for a regular identification card has  
505 been refused; or  
506 (iii) upon expiration of the temporary regular identification card.

507 **Section 5. Effective date.**

508 This bill takes effect on October 15, 2022.