

MODIFICATIONS TO DRIVER LICENSE EXAMINATION

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Luz Escamilla

House Sponsor: Robert M. Spendlove

LONG TITLE

General Description:

This bill allows certain applicants for a driver license with limited English proficiency to take the written driver license examination in certain other languages.

Highlighted Provisions:

This bill:

- ▶ requires the Driver License Division to provide the examinations of a person's knowledge of the state traffic laws in the top five languages spoken in the state, other than English;
- ▶ allows an applicant for an original or a renewal of a class D license, other than a driving privilege card or a limited term license certificate, to request to take the examination of the person's knowledge of the state traffic laws in certain languages other than English;
- ▶ requires the Driver License Division to consult with the Division of Multicultural Affairs to determine the five most commonly spoken languages in the state, other than English; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53-3-206**, as last amended by Laws of Utah 2018, Chapter 128



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

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

34 **53-3-206. Examination of applicant's physical and mental fitness to drive a motor**
35 **vehicle.**

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

38 (a) eyesight either:

39 (i) by the division; or

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

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

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

47 (d) knowledge of the state traffic laws;

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

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

52 (2) (a) Notwithstanding the provisions of Subsection (1) or any other provision of law,
53 the division shall allow a refugee or an approved asylee to take an examination of the person's
54 knowledge of the state traffic laws in the person's native language:

55 (i) the first time the person applies for a limited-term license certificate; and

56 (ii) the first time the person applies for a renewal of a limited-term license certificate.

57 (b) Upon the second renewal of a refugee's or approved asylee's limited-term license
58 certificate for a refugee or approved asylee that has taken the knowledge exam in the person's

59 native language under Subsection (2)(a), the division shall re-examine the person's knowledge
60 of the state traffic laws in English.

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

65 (3) (a) For an applicant for an original or a renewal of a class D license, other than a
66 driving privilege card or a limited term license certificate, the division shall provide the
67 examination of a person's knowledge of the state traffic laws in five commonly spoken
68 languages in the state, other than English, as determined under Subsection (3)(c).

69 (b) An applicant for an original or a renewal of a class D license, other than a driving
70 privilege card or a limited term license certificate, may request to take the examination of the
71 person's knowledge of the state traffic laws in a language other than English, if the requested
72 language is one of five commonly spoken languages in the state as determined under
73 Subsection (3)(c).

74 (c) (i) The Division of Multicultural Affairs created in Section 9-21-201 shall
75 recommend five commonly spoken languages in the state, other than English, for examination
76 of a person's knowledge of the state traffic laws.

77 (ii) The division shall offer the examination of a person's knowledge of the state traffic
78 laws in the five commonly spoken languages, other than English, recommended by the
79 Division of Multicultural Affairs created in Section 9-21-201.

80 ~~[(3)]~~ (4) The division shall determine whether any facts exist that would bar granting a
81 license under Section 53-3-204.

82 ~~[(4)]~~ (5) The division shall examine each applicant according to the class of license
83 applied for.

84 ~~[(5)]~~ (6) An applicant for a CDL shall meet all additional requirements of Part 4,
85 Uniform Commercial Driver License Act, of this chapter.

86 Section 2. **Effective date.**

87 This bill takes effect on January 1, 2023.