

**DRIVER LICENSE TEST AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gay Lynn Bennion**

Senate Sponsor: Curtis S. Bramble

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**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 the individual's preferred language, subject to availability, for the individual's 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 Committee; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:



28 **53-3-206**, as last amended by Laws of Utah 2022, Chapters 16, 105



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

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

32 **53-3-206. Examination of applicant's physical and mental fitness to drive a motor**  
33 **vehicle.**

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

36 (a) eyesight either:

37 (i) by the division; or

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

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

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

45 (d) knowledge of the state traffic laws;

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

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

50 (2) (a) ~~[Notwithstanding]~~ Subject to Subsection (2)(d), and notwithstanding the  
51 provisions of Subsection (1) or any other provision of law, the division shall allow a refugee,  
52 an approved asylee, or a covered humanitarian parolee to take an examination of the person's  
53 knowledge of the state traffic laws in the person's [native] preferred language:

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

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

56 (b) Upon the second renewal of a refugee's, an approved asylee's, or a covered  
57 humanitarian parolee's limited-term license certificate for a refugee, an approved asylee, or a  
58 covered humanitarian parolee that has taken the knowledge exam in the person's [native]

59 preferred language under Subsection (2)(a), the division shall re-examine the person's  
60 knowledge 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, an  
63 approved asylee, or a covered humanitarian parolee to take an examination of the person's  
64 knowledge of the state traffic laws in the person's [native] preferred language.

65 (d) (i) Beginning on July 1, 2023, for a class D license certificate, except for a driving  
66 privilege card issued under Section 53-3-207, the division shall administer the written  
67 knowledge examination in as many languages as reasonably possible given budgetary and other  
68 constraints.

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

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

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

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

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

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

88 (ii) The division shall offer the examination of a person's knowledge of the state traffic  
89 laws in the five commonly spoken languages, other than English, recommended by the

90 Division of Multicultural Affairs created in Section [9-21-201](#).

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

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

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

97 (7) The division shall provide a report to the Transportation Interim Committee on or  
98 before October 1, 2023, regarding the written knowledge examination in languages other than  
99 English, including:

100 (a) costs associated with the program;

101 (b) the number of languages provided;

102 (c) the likelihood of adding additional languages in the future; and

103 (d) other information the division finds relevant.