

HB0141S01 compared with HB0141

~~text~~ shows text that was in HB0141 but was deleted in HB0141S01.

text shows text that was not in HB0141 but was inserted into HB0141S01.

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Representative Gay Lynn Bennion proposes the following substitute bill:

DRIVER LICENSE TEST AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gay Lynn Bennion

Senate Sponsor: _____

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

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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 2022, Chapters 16, 105

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, an approved asylee, or a covered humanitarian parolee]~~ an individual to take an examination of the ~~[person's]~~ individual's knowledge of the state traffic laws in the ~~[person's-{}native]~~ individual's preferred language:

~~{}(i)~~ (i) if the individual is a refugee, an approved asylee, or a covered humanitarian parolee:

~~{}(A)~~ (A) the first time the [person] individual applies for a limited-term license certificate; and

~~{}(B)~~ (B) the first time the [person] individual applies for a renewal of a limited-term license certificate[-]; and

(ii) for any other individual applying for a class D license certificate:

(A) the first time the individual applies for a class D license certificate; and

~~{}(B)~~ the first time the [person] individual applies for a renewal of a [limited-term] class D license certificate.

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

(ii) Upon the second renewal of an individual's class D license certificate of an individual who has taken the knowledge exam in the individual's preferred language under Subsection (2)(a)(i), the division shall re-examine the individual'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, an approved asylee, or a covered humanitarian parolee to take an]~~ the examination of the ~~[person's]~~ individual's knowledge of the state traffic laws in the ~~[person's-{}native]~~ individual's preferred language.

(d) (i) Beginning on July 1, 2023, 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

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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) (a) For 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, the division shall provide the examination of ~~[a person's]~~ an individual's knowledge of the state traffic laws in five commonly spoken languages in the state, other than English, as determined under Subsection (3)(c).

(b) 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, may request to take the examination of the ~~[person's]~~ individual's knowledge of the state traffic laws in a language other than English, if the requested language is one of five commonly spoken languages in the state as determined under Subsection (3)(c).

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

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

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

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

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

(7) The division shall provide a report to the Transportation Interim Committee on or

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before October 1, 2023, 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.