

HB0309S01 compared with HB0309

~~{deleted text}~~ shows text that was in HB0309 but was deleted in HB0309S01.

inserted text shows text that was not in HB0309 but was inserted into HB0309S01.

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Representative Thomas W. Peterson proposes the following substitute bill:

DRIVER LICENSE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: ~~{}~~ Thomas W. Peterson

Senate Sponsor: ~~{}~~ _____

LONG TITLE

General Description:

This bill ~~{amends}~~ modifies the information that may be displayed on a driver license or identification card and modifies when the Driver License Division may share information.

Highlighted Provisions:

This bill:

- ▶ allows a concealed firearm permit holder to have the individual's concealed firearm permit ~~{information}~~ number included on the individual's driver license or identification card~~.~~

2:

- ▶ provides that an individual may consent to the release of records necessary to provide the Driver License Division with the verification and information necessary

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to comply with the preceding paragraph:

- ▶ establishes that a driver license that contains an individual's concealed firearm permit number shall expire every five years;
- ▶ permits a person to present a driver license or identification card that includes a concealed firearm permit number in place of a concealed firearm permit;
- ▶ allows the Driver License Division to confirm an individual's information in limited circumstances; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53-3-105, as last amended by Laws of Utah 2023, Chapter 328

53-3-109, as last amended by Laws of Utah 2023, Chapter 219

53-3-207, as last amended by Laws of Utah 2023, Chapters 16, 328 and 456

53-3-214, as last amended by Laws of Utah 2023, Chapter 414

53-3-805, as last amended by Laws of Utah 2023, Chapters 328, 414 and 456

53-5-708, as last amended by Laws of Utah 2023, Chapter 16

76-10-526, as last amended by Laws of Utah 2023, Chapters 330, 397

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

Section 1. Section 53-3-105 is amended to read:

53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling, and identification cards.

The following fees apply under this chapter:

- (1) An original class D license application under Section 53-3-205 is \$52.
- (2) An original provisional license application for a class D license under Section 53-3-205 is \$39.
- (3) An original limited term license application under Section 53-3-205 is \$32.

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- (4) An original application for a motorcycle endorsement under Section 53-3-205 is \$18.
- (5) An original application for a taxicab endorsement under Section 53-3-205 is \$14.
- (6) A learner permit application under Section 53-3-210.5 is \$19.
- (7) (a) A renewal of a class D license under Section 53-3-214 is \$52 unless Subsection (12) applies.
- (b) A renewal of a class D license with a concealed firearm permit number under Section 53-3-207 is \$32.
- (8) A renewal of a provisional license application for a class D license under Section 53-3-214 is \$52.
- (9) A renewal of a limited term license application under Section 53-3-214 is \$32.
- (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
- (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
- (12) A renewal of a class D license for an individual 65 and older under Section 53-3-214 is \$27.
- (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection (17) applies.
- (14) An extension of a provisional license application for a class D license under Section 53-3-214 is \$42.
- (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
- (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
- (17) An extension of a class D license for an individual 65 and older under Section 53-3-214 is \$22.
- (18) An original or renewal application for a commercial class A, B, or C license or an original or renewal of a provisional commercial class A or B license under Part 4, Uniform Commercial Driver License Act, is \$52.
- (19) A commercial class A, B, or C license skills test is \$78.
- (20) Each original CDL endorsement for passengers, hazardous material, double or triple trailers, or tankers is \$9.
- (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial Driver License Act, is \$9.

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(22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver License Act, is \$9.

(23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.

(b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.

(24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.

(25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.

(26) (a) A license reinstatement application under Section 53-3-205 is \$40.

(b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or combination of alcohol and any drug-related offense is \$45 in addition to the fee under Subsection (26)(a).

(27) (a) An administrative fee for license reinstatement after an alcohol, drug, or combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under Part 4, Uniform Commercial Driver License Act, is \$255.

(b) This administrative fee is in addition to the fees under Subsection (26).

(28) (a) An administrative fee for providing the driving record of a driver under Section 53-3-104 or 53-3-420 is \$8.

(b) The division may not charge for a report furnished under Section 53-3-104 to a municipal, county, state, or federal agency.

(29) A rescheduling fee under Section 53-3-205 or 53-3-407 is \$25.

(30) (a) Except as provided under Subsections (30)(b) and (c), an identification card application under Section 53-3-808 is \$23.

(b) An identification card application under Section 53-3-808 for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

(c) A fee may not be charged for an identification card application if the individual applying:

(i) (A) has not been issued a Utah driver license;

(B) is indigent; and

(C) is at least 18 years old; or

(ii) submits written verification that the individual is homeless, as defined in Section 26B-3-207, a person who is homeless, as defined in Section 35A-5-302, or a child or youth

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who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

(A) a homeless shelter, as defined in Section 35A-16-305;

(B) a permanent housing, permanent, supportive, or transitional facility, as defined in Section 35A-5-302;

(C) the Department of Workforce Services; or

(D) a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

(31) (a) An extension of a regular identification card under Subsection 53-3-807(4) for a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

(b) The fee described in Subsection (31)(a) is waived if the applicant submits written verification that the individual is homeless, as defined in Section 26B-3-207, or a person who is homeless, as defined in Section 35A-5-302, or a child or youth who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

(i) a homeless shelter, as defined in Section 35A-16-305;

(ii) a permanent housing, permanent, supportive, or transitional facility, as defined in Section 35A-5-302;

(iii) the Department of Workforce Services;

(iv) a homeless service provider as verified by the Department of Workforce Services as described in Section 26B-8-113; or

(v) a local educational agency liaison for homeless children and youth designated under 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

(32) (a) An extension of a regular identification card under Subsection 53-3-807(5) is \$23.

(b) The fee described in Subsection (32)(a) is waived if the applicant submits written verification that the individual is homeless, as defined in Section 26B-3-207, or a person who is homeless, as defined in Section 35A-5-302, from:

(i) a homeless shelter, as defined in Section 35A-16-305;

(ii) a permanent housing, permanent, supportive, or transitional facility, as defined in Section 35A-5-302;

(iii) the Department of Workforce Services; or

(iv) a homeless service provider as verified by the Department of Workforce Services

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as described in Section 26B-8-113.

(33) In addition to any license application fees collected under this chapter, the division shall impose on individuals submitting fingerprints in accordance with Section 53-3-205.5 the fees that the Bureau of Criminal Identification is authorized to collect for the services the Bureau of Criminal Identification provides under Section 53-3-205.5.

(34) An original mobility vehicle permit application under Section 41-6a-1118 is \$30.

(35) A renewal of a mobility vehicle permit under Section 41-6a-1118 is \$30.

(36) A duplicate mobility vehicle permit under Section 41-6a-1118 is \$12.

(37) An original driving privilege card application under Section 53-3-207 is \$32.

(38) A renewal of a driving privilege card application under Section 53-3-207 is \$23.

Section 2. Section 53-3-109 is amended to read:

53-3-109. Records -- Access -- Fees -- Rulemaking.

(1) (a) Except as provided in this section, all records of the division shall be classified and disclosed in accordance with Title 63G, Chapter 2, Government Records Access and Management Act.

(b) The division may disclose personal identifying information in accordance with 18 U.S.C. Chapter 123:

(i) to a licensed private investigator holding a valid agency license, with a legitimate business need;

(ii) to an insurer, insurance support organization, or a self-insured entity, or its agents, employees, or contractors that issues any motor vehicle insurance under Title 31A, Chapter 22, Part 3, Motor Vehicle Insurance, for use in connection with claims investigation activities, antifraud activities, rating, or underwriting for any person issued a license certificate under this chapter;

(iii) to a depository institution as that term is defined in Section 7-1-103;

(iv) to the State Tax Commission for the purposes of tax fraud detection and prevention and any other use required by law;

(v) subject to Subsection ~~[(7)]~~ [(8)], to the University of Utah for data collection in relation to genetic and epidemiologic research; or

(vi) (A) to a government entity, including any court or law enforcement agency, to fulfill the government entity's functions; or

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(B) to a private person acting on behalf of a government entity to fulfill the government entity's functions, if the division determines disclosure of the information is in the interest of public safety.

(2) (a) A person who receives personal identifying information shall be advised by the division that the person may not:

(i) disclose the personal identifying information from that record to any other person;
or

(ii) use the personal identifying information from that record for advertising or solicitation purposes.

(b) Any use of personal identifying information by an insurer or insurance support organization, or by a self-insured entity or its agents, employees, or contractors not authorized by Subsection (1)(b)(ii) is:

(i) an unfair marketing practice under Section 31A-23a-402; or

(ii) an unfair claim settlement practice under Subsection 31A-26-303(3).

(3) (a) Notwithstanding the provisions of Subsection (1)(b), the division or its designee may disclose portions of a driving record, in accordance with this Subsection (3), to:

(i) an insurer as defined under Section 31A-1-301, or a designee of an insurer, for purposes of assessing driving risk on the insurer's current motor vehicle insurance policyholders;

(ii) an employer or a designee of an employer, for purposes of monitoring the driving record and status of current employees who drive as a responsibility of the employee's employment if the requester demonstrates that the requester has obtained the written consent of the individual to whom the information pertains; and

(iii) an employer or the employer's agents to obtain or verify information relating to a holder of a commercial driver license that is required under 49 U.S.C. Chapter 313.

(b) A disclosure under Subsection (3)(a)(i) shall:

(i) include the licensed driver's name, driver license number, date of birth, and an indication of whether the driver has had a moving traffic violation that is a reportable violation, as defined under Section 53-3-102 during the previous month;

(ii) be limited to the records of drivers who, at the time of the disclosure, are covered under a motor vehicle insurance policy of the insurer; and

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(iii) be made under a contract with the insurer or a designee of an insurer.

(c) A disclosure under Subsection (3)(a)(ii) or (iii) shall:

(i) include the licensed driver's name, driver license number, date of birth, and an indication of whether the driver has had a moving traffic violation that is a reportable violation, as defined under Section 53-3-102, during the previous month;

(ii) be limited to the records of a current employee of an employer;

(iii) be made under a contract with the employer or a designee of an employer; and

(iv) include an indication of whether the driver has had a change reflected in the driver's:

(A) driving status;

(B) license class;

(C) medical self-certification status; or

(D) medical examiner's certificate under 49 C.F.R. Sec. 391.45.

(d) The contract under Subsection (3)(b)(iii) or (c)(iii) shall specify:

(i) the criteria for searching and compiling the driving records being requested;

(ii) the frequency of the disclosures;

(iii) the format of the disclosures, which may be in bulk electronic form; and

(iv) a reasonable charge for the driving record disclosures under this Subsection (3).

(4) (a) Notwithstanding Subsection (1)(a), the division may provide a "yes" or "no" response to an electronically submitted request to verify information from a driver license or identification card issued by the division if:

(i) the request is made by a private entity operating under the Transportation Security Administration Registered Traveler program;

(ii) the private entity implements the Transportation Security Administration enrollment standards; and

(iii) the program participant:

(A) voluntarily provides the participant's division-issued identification to confirm the participant's identity; and

(B) consents to verification of the participant's name, date of birth, and home address.

(b) The data described in Subsection (4)(a)(iii)(B) may only be used to enroll or reenroll the participant in the Transportation Security Administration Registered Traveler

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program.

(c) The division may not furnish a "yes" response under Subsection (4)(a) unless all data fields match.

~~[(4)]~~ (5) The division may charge fees:

(a) in accordance with Section 53-3-105 for searching and compiling its files or furnishing a report on the driving record of a person;

(b) for each document prepared under the seal of the division and deliver upon request, a certified copy of any record of the division, and charge a fee set in accordance with Section 63J-1-504 for each document authenticated; ~~[and]~~

(c) established in accordance with ~~[the procedures and requirements of]~~ Section 63J-1-504, for disclosing personal identifying information under Subsection (1)(b) ~~;~~

~~— (5) ;~~ [.]; and

(d) established in accordance with Section 63J-1-504, for each response under Subsection (4).

~~[(5)]~~ (6) Each certified copy of a driving record furnished in accordance with this section is admissible in any court proceeding in the same manner as the original.

~~[(6)]~~ (7) (a) A driving record furnished under this section may only report on the driving record of a person for a period of 10 years.

(b) Subsection ~~[(6)(a)]~~ (7)(a) does not apply to court or law enforcement reports, reports of commercial driver license violations, or reports for commercial driver license holders.

~~[(7)]~~ (8) (a) The division shall include on each application for or renewal of a license or identification card under this chapter:

(i) the following notice: "The Driver License Division may disclose the information provided on this form to an entity described in Utah Code Ann. Subsection 53-3-109(1)(b)(v).";

(ii) a reference to the website described in Subsection ~~[(7)(b)]~~ (8)(b); and

(iii) a link to the division website for:

(A) information provided by the division, after consultation with the University of Utah, containing the explanation and description described in Subsection ~~[(7)(b)]~~ (8)(b); and

(B) an online form for the individual to opt out of the disclosure of personal identifying

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information ~~as~~ described in Subsection (1)(b)(v).

(b) ~~In~~ consultation with the division, the University of Utah shall create a website that provides an explanation and description of:

(i) what information may be disclosed by the division to the University of Utah under Subsection (1)(b)(v);

(ii) the methods and timing of anonymizing the information;

(iii) for situations where the information is not anonymized:

(A) how the information is used;

(B) how the information is secured;

(C) how long the information is retained; and

(D) who has access to the information;

(iv) research and statistical purposes for which the information is used; and

(v) other relevant details regarding the information.

(c) The website created by the University of Utah described in Subsection ~~(7)(b)~~ (8)(b) shall include the following:

(i) a link to the division website for an online form for the individual to opt out of the disclosure of personal identifying information as described in Subsection (1)(b)(v); and

(ii) a link to an online form for the individual to affirmatively choose to remove, subject to Subsection ~~(7)(e)(ii)~~ (8)(e)(ii), personal identifying information from the database controlled by the University of Utah that was disclosed pursuant to Subsection (1)(b)(v).

(d) In the course of business, the division shall provide information regarding the disclosure of personal identifying information, including providing on the division website:

(i) a link to the website created under Subsection ~~(7)(b)~~ (8)(b) to provide individuals with information regarding the disclosure of personal identifying information under Subsection (1)(b)(v); and

(ii) a link to the division website for:

(A) information provided by the division, after consultation with the University of Utah, containing the explanation and description described in Subsection ~~(7)(b)~~ (8)(b); and

(B) an online form for the individual to opt out of the disclosure of personal identifying information as described in Subsection (1)(b)(v).

(e) (i) The division may not disclose the personal identifying information under

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Subsection (1)(b)(v) if an individual opts out of the disclosure as described in Subsection ~~[(7)(a)(iii)(B) or (7)(c)(i)]~~ [(8)(a)(iii)(B) or (8)(c)(i)].

(ii) (A) Except as provided in Subsection ~~[(7)(c)(ii)(B)]~~; [(8)(e)(ii)(B)], if an individual makes a request as described in Subsection ~~[(7)(c)(ii)]~~; [(8)(c)(ii)], the University of Utah shall, within 90 days of receiving the request, remove and destroy the individual's personal identifying information received under Subsection (1)(b)(v) from a database controlled by the University of Utah.

(B) The University of Utah is not required to remove an individual's personal identifying information as described in Subsection ~~[(7)(c)(ii)(A)]~~ [(8)(e)(ii)(A)] from data released to a research study before the date of the request described in Subsection ~~[(7)(c)(ii)]~~ [(8)(c)(ii)].

(f) The University of Utah shall conduct a biennial internal information security audit of the information systems that store the data received pursuant to Subsection (1)(b)(v), and, beginning in the year 2023, provide a biennial report of the findings of the internal audit to the Transportation Interim Committee.

~~[(8)]~~ [(9)] In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules to designate:

- (a) what information shall be included in a report on the driving record of a person;
- (b) the form of a report or copy of the report which may include electronic format;
- (c) the form of a certified copy, as required under Section 53-3-216, which may include electronic format;
- (d) the form of a signature required under this chapter which may include electronic format;
- (e) the form of written request to the division required under this chapter which may include electronic format;
- (f) the procedures, requirements, and formats for disclosing personal identifying information under Subsection (1)(b); and
- (g) the procedures, requirements, and formats necessary for the implementation of Subsection (3).

~~[(9)]~~ [(10)] (a) It is a class B misdemeanor for a person to knowingly or intentionally access, use, disclose, or disseminate a record created or maintained by the division or any

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information contained in a record created or maintained by the division for a purpose prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

(b) A person who discovers or becomes aware of any unauthorized use of records created or maintained by the division shall inform the commissioner and the division director of the unauthorized use.

Section ~~44~~3. Section **53-3-207** is amended to read:

53-3-207. License certificates or driving privilege cards issued to drivers by class of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.

(1) As used in this section:

(a) "Authorized guardian" means:

(i) the parent or legal guardian of a child who:

(A) is under 18 years old; and

(B) has an invisible condition; or

(ii) the legal guardian or conservator of an adult who:

(A) is 18 years old or older; and

(B) has an invisible condition.

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

(c) "First responder" means:

(i) a law enforcement officer, as defined in Section 53-13-103;

(ii) an emergency medical technician, as defined in Section 53-2e-101;

(iii) an advanced emergency medical technician, as defined in Section 53-2e-101;

(iv) a paramedic, as defined in Section 53-2e-101;

(v) a firefighter, as defined in Section 53B-8c-102; or

(vi) a dispatcher, as defined in Section 53-6-102.

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

(e) "Health care professional" means:

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

(ii) any other licensed health care professional the division designates by rule made in

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accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(f) "Invisible condition" means a physical or mental condition that may interfere with an individual's ability to communicate with a first responder, including:

- (i) a communication impediment;
- (ii) hearing loss;
- (iii) blindness or a visual impairment;
- (iv) autism spectrum disorder;
- (v) a drug allergy;
- (vi) Alzheimer's disease or dementia;
- (vii) post-traumatic stress disorder;
- (viii) traumatic brain injury;
- (ix) schizophrenia;
- (x) epilepsy;
- (xi) a developmental disability;
- (xii) Down syndrome;
- (xiii) diabetes;
- (xiv) a heart condition; or
- (xv) any other condition approved by the department.

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

(h) "Political subdivision" means any county, city, town, school district, public transit district, community reinvestment agency, special improvement or taxing district, special district, special service district, an entity created by an interlocal agreement adopted under Title 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public corporation.

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

(2) (a) The division shall issue to every individual privileged to drive a motor vehicle, a regular license certificate, a limited-term license certificate, or a driving privilege card indicating the type or class of motor vehicle the individual may drive.

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

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

- (i) the distinguishing number assigned to the individual by the division;
- (ii) the name, birth date, and Utah residence address of the individual;
- (iii) a brief description of the individual for the purpose of identification;
- (iv) any restrictions imposed on the license under Section 53-3-208;
- (v) a photograph of the individual;
- (vi) a photograph or other facsimile of the individual's signature;
- (vii) an indication whether the individual intends to make an anatomical gift under

Title 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, unless the driving privilege is extended under Subsection 53-3-214(3); and

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

(b) A regular license certificate or limited-term license certificate issued to an individual younger than 21 years old on a portrait-style format as required in Subsection ~~[(7)(b)]~~ [(8)(9)(b)] is not required to include an indication that the individual is a United States military veteran under Subsection (3)(a)(viii).

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

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

(ii) The size, form, and color of the regular license certificate, limited-term license certificate, or driving privilege card shall be as prescribed by the commissioner.

(iii) The commissioner may also prescribe the issuance of a special type of limited regular license certificate, limited-term license certificate, or driving privilege card under

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Subsection 53-3-220(4).

(4) (a) The division shall include an individual's concealed firearm permit number on the individual's regular license certificate, limited-term license certificate, or commercial driver license if ~~+~~

~~— (i) } the individual:~~

(i) requests that the division include the information; ~~+~~ and ~~+~~

(ii) ~~{the individual }~~ holds a valid concealed firearm permit under Title 53, Chapter 5, Part 7, Concealed Firearm Act ~~+~~; and

(iii) consents, in writing, to the Bureau of Criminal Identification providing the division with:

(A) the verification described in Subsection (4)(b); and

(B) the individual's concealed firearm permit number.

(b) Within fourteen days after the day on which the individual makes the request described in Subsection (4)(a)(i), the division shall verify with the Bureau of Criminal Identification that the individual holds a valid permit described in Subsection (4)(a)(ii).

(5) A regular license certificate, limited-term license certificate, or commercial driver license that includes an individual's concealed firearm permit number shall expire no later than five years after the day on which the certificate or license is issued.

~~[(4)] ~~(5) 6~~~~ (a) The division shall include or affix an invisible condition identification symbol on an individual's regular license certificate, limited-term license certificate, or driving privilege card if the individual or the individual's authorized guardian, on a form prescribed by the department:

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

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

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

(A) the department;

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

(C) any other person who may view or receive notice of the individual's medical

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information by seeing the individual's regular license certificate, limited-term license certificate, or driving privilege card or the individual's information in the Utah Criminal Justice Information System;

(D) a local law enforcement agency that receives a copy of the form described in this Subsection [~~(4)(a)~~] (5)(a) and enters the contents of the form into the local law enforcement agency's record management system or computer-aided dispatch system; and

(E) a dispatcher who accesses the information regarding the individual's invisible condition through the use of a local law enforcement agency's record management system or computer-aided dispatch system.

(b) As part of the form described in Subsection [~~(4)(a)~~] (5)(a), the department shall advise the individual or the individual's authorized guardian that by submitting the signed waiver, the individual or the individual's authorized guardian consents to the release of the individual's medical information to any person described in Subsections [~~(4)(a)(iii)(A) through (E)~~] (5)(a)(iii)(A) through (E), even if the person is otherwise ineligible to access the individual's medical information under state or federal law.

(c) The division may not:

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

(ii) after including the invisible condition identification symbol on the individual's previously issued regular license certificate, limited-term license certificate, or driving privilege card, require the individual to provide subsequent written verification described in Subsection [~~(4)(a)(ii)~~] (5)(a)(ii) to include the invisible condition identification symbol on the individual's renewed or extended regular license certificate, limited-term license certificate, or driving privilege card.

(d) The division shall confirm with the Division of Professional Licensing that the health care professional described in Subsection [~~(4)(a)(ii)~~] (5)(a)(ii) holds a current state license.

(e) The inclusion of an invisible condition identification symbol on an individual's license certificate, limited-term license certificate, or driving privilege card in accordance with Subsection [~~(4)(a)~~] (5)(a) does not confer any legal rights or privileges on the individual,

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including parking privileges for individuals with disabilities under Section 41-1a-414.

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

(g) Except as provided in this section, the division may not release the information described in Subsection ~~[(4)(f)]~~ [(5)(6)(f)].

(h) Within 30 days after the day on which the division receives an individual's or the individual's authorized guardian's written request, the division shall:

(i) remove from the individual's record in the division's database the invisible condition identification symbol and the brief description described in Subsection ~~[(4)(f)]~~ [(5)(6)(f)]; and

(ii) provide the individual's updated record to the Utah Criminal Justice Information System.

~~[(5)]~~ [(6)(7)] As provided in Section 63G-2-302, the information described in Subsection ~~[(4)(a)]~~ [(5)(6)(a)] is a private record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.

~~[(6)]~~ [(7)(8)] (a) (i) The division, upon determining after an examination that an applicant is mentally and physically qualified to be granted a driving privilege, may issue to an applicant a receipt for the fee if the applicant is eligible for a regular license certificate or limited-term license certificate.

(ii) (A) The division shall issue a temporary regular license certificate or temporary limited-term license certificate allowing the individual to drive a motor vehicle while the division is completing the division's investigation to determine whether the individual is entitled to be granted a driving privilege.

(B) A temporary regular license certificate or a temporary limited-term license certificate issued under this Subsection ~~[(6)]~~ [(7)(8)] shall be recognized and have the same rights and privileges as a regular license certificate or a limited-term license certificate.

(b) The temporary regular license certificate or temporary limited-term license certificate shall be in the individual's immediate possession while driving a motor vehicle, and the temporary regular license certificate or temporary limited-term license certificate is invalid

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when the individual's regular license certificate or limited-term license certificate has been issued or when, for good cause, the privilege has been refused.

(c) The division shall indicate on the temporary regular license certificate or temporary limited-term license certificate a date after which the temporary regular license certificate or temporary limited-term license certificate is not valid as a temporary license.

(d) (i) Except as provided in Subsection [~~(6)(d)(ii)~~] (~~(7)(8)~~)(d)(ii), the division may not issue a temporary driving privilege card or other temporary permit to an applicant for a driving privilege card.

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

~~(7)~~ (~~(8)(9)~~) (a) The division shall distinguish learner permits, temporary permits, regular license certificates, limited-term license certificates, and driving privilege cards issued to any individual younger than 21 years old by use of plainly printed information or the use of a color or other means not used for other regular license certificates, limited-term license certificates, or driving privilege cards.

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

~~(8)~~ (~~(9)(10)~~) The division shall distinguish a limited-term license certificate by clearly indicating on the document:

- (a) that the limited-term license certificate is temporary; and
- (b) the limited-term license certificate's expiration date.

~~(9)~~ (~~(10)(11)~~) (a) The division shall only issue a driving privilege card to an individual whose privilege was obtained without providing evidence of lawful presence in the United States as required under Subsection 53-3-205(8).

(b) The division shall distinguish a driving privilege card from a license certificate by:

- (i) use of a format, color, font, or other means; and
- (ii) clearly displaying on the front of the driving privilege card a phrase substantially similar to "FOR DRIVING PRIVILEGES ONLY -- NOT VALID FOR IDENTIFICATION".

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~~[(10)]~~ ~~(~~11~~~~12~~)~~ The provisions of Subsection ~~[(7)(b)]~~ ~~(~~8~~~~9~~)~~(b) do not apply to a learner permit, temporary permit, temporary regular license certificate, temporary limited-term license certificate, or any other temporary permit.

~~[(11)]~~ ~~(~~12~~~~13~~)~~ The division shall issue temporary license certificates of the same nature, except as to duration, as the license certificates that they temporarily replace, as are necessary to implement applicable provisions of this section and Section 53-3-223.

~~[(12)]~~ ~~(~~13~~~~14~~)~~ (a) A governmental entity may not accept a driving privilege card as proof of personal identification.

(b) A driving privilege card may not be used as a document providing proof of an individual's age for any government required purpose.

~~[(13)]~~ ~~(~~14~~~~15~~)~~ An individual who violates Subsection (2)(b) is guilty of an infraction.

~~[(14)]~~ ~~(~~15~~~~16~~)~~ Unless otherwise provided, the provisions, requirements, classes, endorsements, fees, restrictions, and sanctions under this code apply to a:

(a) driving privilege in the same way as a license or limited-term license issued under this chapter; and

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

Section 4. Section 53-3-214 is amended to read:

53-3-214. Renewal -- Fees required -- Extension without examination.

(1) (a) The holder of a valid license may renew the holder's license and any endorsement to the license by applying:

(i) at any time within six months before the license expires; or

(ii) more than six months prior to the expiration date if the applicant furnishes proof that the applicant will be absent from the state during the six-month period prior to the expiration of the license.

(b) The application for a renewal of, extension of, or any endorsement to a license shall be accompanied by a fee under Section 53-3-105.

(2) (a) Except as provided under Subsections (2)(b) and (3), upon application for renewal of a regular license certificate, provisional license, and any endorsement to a regular license certificate, the division shall reexamine each applicant as if for an original license and endorsement to the license, if applicable.

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(b) Except as provided under Subsection (2)(c), upon application for renewal of a limited-term license certificate, limited-term provisional license certificate, and any endorsement to a limited-term license certificate, the division shall:

(i) reexamine each applicant as if for an original limited-term license certificate and endorsement to the limited-term license certificate, if applicable; and

(ii) verify through valid documentary evidence that the status by which the individual originally qualified for the limited-term license certificate has been extended by the United States Citizenship and Immigration Services or other authorized agency of the United States Department of Homeland Security.

(c) The division may waive any or all portions of the test designed to demonstrate the applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

(3) (a) (i) Except as provided under Subsections ~~[(3)(b) and (c)]~~ (3)(b) through (d), the division may renew or extend a regular license certificate or any endorsement to the regular license certificate for eight years without examination for licensees whose driving records for the eight years immediately preceding the determination of eligibility for extension show:

(A) no suspensions;

(B) no revocations;

(C) no conviction for reckless driving under Section 41-6a-528; and

(D) no more than six reportable violations in the preceding eight years.

(ii) Except as provided under Subsections (3)(b) and (c), the division may renew or extend a provisional license and any endorsement to a provisional license for eight years without examination for licensees whose driving records for the five years immediately preceding the determination of eligibility for extension show:

(A) no suspensions;

(B) no revocations;

(C) no conviction for reckless driving under Section 41-6a-528; and

(D) no more than four reportable violations in the preceding five years.

(iii) Except as provided under Subsections (3)(b) and (c), the division may renew or extend a limited term license and any endorsement to a limited term license for five years without examination for licensees whose driving records for the five years immediately preceding the determination of eligibility for extension show:

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- (A) no suspensions;
- (B) no revocations;
- (C) no conviction for reckless driving under Section 41-6a-528; and
- (D) no more than four reportable violations in the preceding five years.

(b) Except as provided in Subsection ~~[(3)(g)]~~ (3)(h), after the expiration of a regular license certificate, a new regular license certificate and any endorsement to a regular license certificate may not be issued until the person has again passed the tests under Section 53-3-206 and paid the required fee.

(c) After the expiration of a limited-term license certificate, a new limited-term license certificate and any endorsement to a limited-term license certificate may not be issued until the person has:

- (i) again passed the tests under Section 53-3-206 and paid the required fee; and
- (ii) presented documentary evidence that the status by which the individual originally qualified for the limited-term license certificate has been extended by the United States Citizenship and Immigration Services or other authorized agency of the United States Department of Homeland Security.

(d) A regular license certificate, limited-term license certificate, or commercial driver license that includes an individual's concealed firearm permit number shall expire no later than five years after the day on which the certificate or license is issued.

~~[(d)]~~ (e) A person 65 years of age or older shall take and pass the eye examination specified in Section 53-3-206.

~~[(e)]~~ (f) An extension may not be granted to ~~[any person]~~ an individual who:

(i) ~~[who]~~ is identified by the division as having a medical impairment that may represent a hazard to public safety;

(ii) ~~[holding]~~ holds a CDL or limited-term CDL issued under Part 4, Uniform Commercial Driver License Act;

(iii) ~~[who is holding]~~ holds a limited-term license certificate; ~~[or]~~

(iv) ~~[who is holding]~~ holds a driving privilege card issued in accordance with Section 53-3-207~~f~~.

~~[(f)]~~ [-]; or

(v) holds a regular license certificate, limited-term license certificate, or commercial

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driver license that includes an individual's concealed firearm permit number under Section 53-3-207.

~~[(f)]~~ (g) The division shall allow extensions:

(i) by mail, electronic means, or other means as determined by the division at the appropriate extension fee rate under Section 53-3-105;

(ii) only if the applicant qualifies under this section; and

(iii) for only one extension.

~~[(g)]~~ (h) The division may waive any or all portions of the test designed to demonstrate the applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

(4) In accordance with this section, the division shall coordinate with the Department of Corrections in providing an inmate with access to a driver license certificate as described in Section 64-13-10.6.

Section ~~(2)~~5. Section **53-3-805** is amended to read:

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

(1) As used in this section:

(a) "Authorized guardian" means the same as that term is defined in Section 53-3-207.

(b) "Health care professional" means the same as that term is defined in Section 53-3-207.

(c) "Invisible condition" means the same as that term is defined in Section 53-3-207.

(d) "Invisible condition identification symbol" means the same as that term is defined in Section 53-3-207.

(2) (a) The division shall issue an identification card that bears:

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

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

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

(iv) a photograph of the individual;

(v) a photograph or other facsimile of the individual's signature;

(vi) an indication whether the individual intends to make an anatomical gift under Title 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act; and

(vii) if the individual states that the individual is a veteran of the United States military on the application for an identification card in accordance with Section 53-3-804 and provides

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verification that the individual received an honorable or general discharge from the United States Armed Forces, an indication that the individual is a United States military veteran for a regular identification card or a limited-term identification card issued on or after July 1, 2011.

(b) An identification card issued by the division may not bear the individual's social security number or place of birth.

(3) (a) The card shall be of an impervious material, resistant to wear, damage, and alteration.

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

(4) (a) The division shall include an individual's concealed firearm permit number on the individual's identification card if:

(i) the individual:

(i) requests that the division include the information; and

(ii) the individual holds a valid concealed firearm permit under Title 53, Chapter 5, Part 7, Concealed Firearm Act; and

(iii) consents, in writing, to the Bureau of Criminal Identification providing the division with:

(A) the verification described in Subsection (4)(b); and

(B) the individual's concealed firearm permit number.

(b) Within fourteen days after the day on which the individual makes the request described in Subsection (4)(a)(i), the division shall verify with the Bureau of Criminal Identification that the individual holds a valid permit described in Subsection (4)(a)(ii).

~~(4)~~ (5) At the applicant's request, the card may include a statement that the applicant has a special medical problem or allergies to certain drugs, for the purpose of medical treatment.

~~(5)~~ (6) (a) The division shall include or affix an invisible condition identification symbol on an individual's identification card if the individual or the individual's authorized guardian, on a form prescribed by the department:

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

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

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

(A) the department;

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

(C) any other person who may view or receive notice of the individual's medical information by seeing the individual's identification card or the individual's information in the Utah Criminal Justice Information System;

(D) a local law enforcement agency that receives a copy of the form described in this Subsection [~~(5)(a)~~] (6)(a) and enters the contents of the form into the local law enforcement agency's record management system or computer-aided dispatch system; and

(E) a dispatcher who accesses the information regarding the individual's invisible condition through the use of a local law enforcement agency's record management system or computer-aided dispatch system.

(b) As part of the form described in Subsection [~~(5)(a)~~] (6)(a), the department shall advise the individual or the individual's authorized guardian that by submitting the request and signed waiver, the individual or the individual's authorized guardian consents to the release of the individual's medical information to any person described in Subsection [~~(5)(a)(iii)~~] (6)(a)(iii), even if the person is otherwise ineligible to access the individual's medical information under state or federal law.

(c) The division may not:

(i) charge a fee to include the invisible condition identification symbol on the individual's identification card; or

(ii) after including the invisible condition identification symbol on the individual's previously issued identification card, require the individual to provide subsequent written verification described in Subsection [~~(5)(a)(ii)~~] (6)(a)(ii) to include the invisible condition identification symbol on the individual's extended identification card.

(d) The division shall confirm with the Division of Professional Licensing that the health care professional described in Subsection [~~(5)(a)(ii)~~] (6)(a)(ii) holds a current state license.

(e) The inclusion of an invisible condition identification symbol on an individual's

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identification card in accordance with Subsection [~~(5)(a)~~] (6)(a) does not confer any legal rights or privileges on the individual, including parking privileges for individuals with disabilities under Section 41-1a-414.

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

(g) Except as provided in this section, the division may not release the information described in Subsection [~~(5)(f)~~] (6)(f).

(h) Within 30 days after the day on which the division receives an individual's or the individual's authorized guardian's written request, the division shall:

(i) remove from the individual's record in the division's database the invisible condition identification symbol and the brief description described in Subsection [~~(5)(f)~~] (6)(f); and

(ii) provide the individual's updated record to the Utah Criminal Justice Information System.

~~[(6)]~~ (7) As provided in Section 63G-2-302, the information described in Subsection [~~(5)(a)~~] (6)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.

~~[(7)]~~ (8) (a) The indication of intent under Subsection 53-3-804(2)(j) shall be authenticated by the applicant in accordance with division rule.

(b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may, upon request, release to an organ procurement organization, as defined in Section 26B-8-301, the names and addresses of all individuals who under Subsection 53-3-804(2)(j) indicate that they intend to make an anatomical gift.

(ii) An organ procurement organization may use released information only to:

(A) obtain additional information for an anatomical gift registry; and

(B) inform applicants of anatomical gift options, procedures, and benefits.

~~[(8)]~~ (9) Notwithstanding Title 63G, Chapter 2, Government Records Access and Management Act, the division may release to the Department of Veterans and Military Affairs the names and addresses of all individuals who indicate their status as a veteran under Subsection 53-3-804(2)(l).

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~~[(9)]~~ (10) The division and the division's employees are not liable, as a result of false or inaccurate information provided under Subsection 53-3-804(2)(j) or (l), for direct or indirect:

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

~~[(10)]~~ (11) (a) The division may issue a temporary regular identification card to an individual while the individual obtains the required documentation to establish verification of the information described in Subsections 53-3-804(2)(a), (b), (c), (d), and (i)(i).

(b) A temporary regular identification card issued under this Subsection ~~[(10)]~~ (11) shall be recognized and grant the individual the same privileges as a regular identification card.

(c) A temporary regular identification card issued under this Subsection ~~[(10)]~~ (11) is invalid:

- (i) when the individual's regular identification card has been issued;
 - (ii) when, for good cause, an applicant's application for a regular identification card has been refused; or
 - (iii) upon expiration of the temporary regular identification card.
- (d) The division shall coordinate with the Department of Corrections in providing an inmate with a temporary regular identification card as described in Section 64-13-10.6.

Section 6. Section 53-5-708 is amended to read:

53-5-708. Permit -- Names private.

(1) (a) The bureau shall maintain a record [in its office of any] of a permit issued under this part.

(b) Notwithstanding the requirements of Subsection 63G-2-301(2)(b), the names, addresses, telephone numbers, dates of birth, and Social Security numbers of persons receiving permits are protected records under Subsection 63G-2-305(11).

(c) The bureau may share necessary records to confirm that the individual holds a valid concealed firearm permit and provide an individual's concealed firearm permit number if the bureau receives from the Driver License Division a request and consent described in Subsection 53-3-207(4) or 53-3-805(4).

~~[(c)]~~ (d) Notwithstanding Section 63G-2-206, a person may not share any of the information listed in Subsection (1)(b) with any office, department, division, or other agency of

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the federal government unless:

(i) the disclosure is necessary to conduct a criminal background check on the individual who is the subject of the information;

(ii) the disclosure of information is made pursuant to a court order directly associated with an active investigation or prosecution of the individual who is the subject of the information;

(iii) the disclosure is made to a criminal justice agency in a criminal investigation or prosecution;

(iv) the disclosure is made by a law enforcement agency within the state to another law enforcement agency in the state or in another state in connection with an investigation, including a preliminary investigation, or a prosecution of the individual who is the subject of the information;

(v) the disclosure is made by a law enforcement agency within the state to an employee of a federal law enforcement agency in the course of a combined law enforcement effort involving the law enforcement agency within the state and the federal law enforcement agency;
or

(vi) the disclosure is made in response to a routine request that a federal law enforcement officer makes to obtain information on an individual whom the federal law enforcement officer detains, including for a traffic stop, or questions because of the individual's suspected violation of state law.

[(d)] (e) A person is guilty of a class A misdemeanor if the person knowingly:

(i) discloses information listed in Subsection (1)(b) in violation of the provisions under Title 63G, Chapter 2, Government Records Access and Management Act, applicable to protected records; or

(ii) shares information in violation of Subsection [(1)(e)] (1)(d).

[(e)] (f) (i) As used in this Subsection [(1)(e)] (1)(f), "governmental agency" means:

(A) the state or any department, division, agency, or other instrumentality of the state;

or

(B) a political subdivision of the state, including a county, city, town, school district, special district, and special service district.

(ii) A governmental agency may not compel or attempt to compel an individual who

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has been issued a concealed firearm permit to divulge whether the individual:

(A) has been issued a concealed firearm permit; or

(B) is carrying a concealed firearm.

(iii) Subsection [(1)(c)(ii)] (1)(f)(ii) does not apply to a law enforcement officer.

(2) The bureau shall immediately file a copy of each permit it issues under this part.

Section 7. Section 76-10-526 is amended to read:

76-10-526. Criminal background check prior to purchase of a firearm -- Fee --

Exemption for concealed firearm permit holders and law enforcement officers.

(1) For purposes of this section, "valid permit to carry a concealed firearm" does not include a temporary permit issued under Section 53-5-705.

(2) (a) To establish personal identification and residence in this state for purposes of this part, a dealer shall require an individual receiving a firearm to present one photo identification on a form issued by a governmental agency of the state.

(b) A dealer may not accept a driving privilege card issued under Section 53-3-207 as proof of identification for the purpose of establishing personal identification and residence in this state as required under this Subsection (2).

(3) (a) A criminal history background check is required for the sale of a firearm by a licensed firearm dealer in the state.

(b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms Licensee.

(4) (a) An individual purchasing a firearm from a dealer shall consent in writing to a criminal background check, on a form provided by the bureau.

(b) The form shall contain the following information:

(i) the dealer identification number;

(ii) the name and address of the individual receiving the firearm;

(iii) the date of birth, height, weight, eye color, and hair color of the individual receiving the firearm; and

(iv) the social security number or any other identification number of the individual receiving the firearm.

(5) (a) The dealer shall send the information required by Subsection (4) to the bureau immediately upon its receipt by the dealer.

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(b) A dealer may not sell or transfer a firearm to an individual until the dealer has provided the bureau with the information in Subsection (4) and has received approval from the bureau under Subsection (7).

(6) The dealer shall make a request for criminal history background information by telephone or other electronic means to the bureau and shall receive approval or denial of the inquiry by telephone or other electronic means.

(7) When the dealer calls for or requests a criminal history background check, the bureau shall:

(a) review the criminal history files, including juvenile court records, and the temporary restricted file created under Section 53-5c-301, to determine if the individual is prohibited from purchasing, possessing, or transferring a firearm by state or federal law;

(b) inform the dealer that:

(i) the records indicate the individual is prohibited; or

(ii) the individual is approved for purchasing, possessing, or transferring a firearm;

(c) provide the dealer with a unique transaction number for that inquiry; and

(d) provide a response to the requesting dealer during the call for a criminal background check, or by return call, or other electronic means, without delay, except in case of electronic failure or other circumstances beyond the control of the bureau, the bureau shall advise the dealer of the reason for the delay and give the dealer an estimate of the length of the delay.

(8) (a) The bureau may not maintain any records of the criminal history background check longer than 20 days from the date of the dealer's request, if the bureau determines that the individual receiving the firearm is not prohibited from purchasing, possessing, or transferring the firearm under state or federal law.

(b) However, the bureau shall maintain a log of requests containing the dealer's federal firearms number, the transaction number, and the transaction date for a period of 12 months.

(9) (a) If the criminal history background check discloses information indicating that the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or transferring a firearm, the bureau shall:

(i) within 24 hours after determining that the purchaser is prohibited from purchasing, possessing, or transferring a firearm, notify the law enforcement agency in the jurisdiction

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where the dealer is located; and

(i) inform the law enforcement agency in the jurisdiction where the individual resides.

(b) Subsection (9)(a) does not apply to an individual prohibited from purchasing a firearm solely due to placement on the temporary restricted list under Section 53-5c-301.

(c) A law enforcement agency that receives information from the bureau under Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that includes:

(i) based on the information the bureau provides to the law enforcement agency under Subsection (9)(a), the number of cases that involve an individual who is prohibited from purchasing, possessing, or transferring a firearm as a result of a conviction for an offense involving domestic violence; and

(ii) of the cases described in Subsection (9)(c)(i):

(A) the number of cases the law enforcement agency investigates; and

(B) the number of cases the law enforcement agency investigates that result in a criminal charge.

(d) The bureau shall:

(i) compile the information from the reports described in Subsection (9)(c);

(ii) omit or redact any identifying information in the compilation; and

(iii) submit the compilation to the Law Enforcement and Criminal Justice Interim Committee before November 1 of each year.

(10) If an individual is denied the right to purchase a firearm under this section, the individual may review the individual's criminal history information and may challenge or amend the information as provided in Section 53-10-108.

(11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all records provided by the bureau under this part are in conformance with the requirements of the Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

(12) (a) A dealer shall collect a criminal history background check fee for the sale of a firearm under this section.

(b) The fee described under Subsection (12)(a) remains in effect until changed by the bureau through the process described in Section 63J-1-504.

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(c) (i) The dealer shall forward at one time all fees collected for criminal history background checks performed during the month to the bureau by the last day of the month following the sale of a firearm.

(ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover the cost of administering and conducting the criminal history background check program.

(13) An individual with a concealed firearm permit issued under Title 53, Chapter 5, Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee required in this section for the purchase of a firearm if, before purchasing the firearm:

(a) the individual presents to the dealer:

(i) the individual's concealed firearm permit [to the dealer prior to purchase of the firearm]; or

(ii) the individual's driver license, term-limited license, commercial driver license, or identification card that displays the individual's concealed firearm permit number; and

(b) the dealer verifies with the bureau that the individual's concealed firearm permit is valid.

(14) (a) A law enforcement officer, as defined in Section 53-13-103, is exempt from the background check fee required in this section for the purchase of a personal firearm to be carried while off-duty if the law enforcement officer verifies current employment by providing a letter of good standing from the officer's commanding officer and current law enforcement photo identification.

(b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a personal firearm once in a 24-month period.

(15) A dealer engaged in the business of selling, leasing, or otherwise transferring a firearm shall:

(a) make the firearm safety brochure described in Subsection 26B-5-211(3) available to a customer free of charge; and

(b) at the time of purchase, distribute a cable-style gun lock provided to the dealer under Subsection 26B-5-211(3) to a customer purchasing a shotgun, short barreled shotgun, short barreled rifle, rifle, or another firearm that federal law does not require be accompanied by a gun lock at the time of purchase.

Section ~~3~~8. **Effective date.**

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This bill takes effect on May 1, 2024.