

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 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 number included on the individual's driver license or identification card;
- ▶ provides that an individual may consent to the release of records necessary to provide the Driver License Division with the verification and information necessary 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.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53-3-105**, as last amended by Laws of Utah 2023, Chapter 328

33 **53-3-109**, as last amended by Laws of Utah 2023, Chapter 219

34 **53-3-207**, as last amended by Laws of Utah 2023, Chapters 16, 328 and 456

35 **53-3-214**, as last amended by Laws of Utah 2023, Chapter 414

36 **53-3-805**, as last amended by Laws of Utah 2023, Chapters 328, 414 and 456

37 **53-5-708**, as last amended by Laws of Utah 2023, Chapter 16

38 **76-10-526**, as last amended by Laws of Utah 2023, Chapters 330, 397

39

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

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

42 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**
43 **and identification cards.**

44 The following fees apply under this chapter:

45 (1) An original class D license application under Section **53-3-205** is \$52.

46 (2) An original provisional license application for a class D license under Section
47 **53-3-205** is \$39.

48 (3) An original limited term license application under Section **53-3-205** is \$32.

49 (4) An original application for a motorcycle endorsement under Section **53-3-205** is
50 \$18.

51 (5) An original application for a taxicab endorsement under Section **53-3-205** is \$14.

52 (6) A learner permit application under Section **53-3-210.5** is \$19.

53 (7) (a) A renewal of a class D license under Section **53-3-214** is \$52 unless Subsection
54 (12) applies.

55 (b) A renewal of a class D license with a concealed firearm permit number under
56 Section **53-3-207** is \$32.

- 57 (8) A renewal of a provisional license application for a class D license under Section
58 53-3-214 is \$52.
- 59 (9) A renewal of a limited term license application under Section 53-3-214 is \$32.
- 60 (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
- 61 (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
- 62 (12) A renewal of a class D license for an individual 65 and older under Section
63 53-3-214 is \$27.
- 64 (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection
65 (17) applies.
- 66 (14) An extension of a provisional license application for a class D license under
67 Section 53-3-214 is \$42.
- 68 (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
- 69 (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
- 70 (17) An extension of a class D license for an individual 65 and older under Section
71 53-3-214 is \$22.
- 72 (18) An original or renewal application for a commercial class A, B, or C license or an
73 original or renewal of a provisional commercial class A or B license under Part 4, Uniform
74 Commercial Driver License Act, is \$52.
- 75 (19) A commercial class A, B, or C license skills test is \$78.
- 76 (20) Each original CDL endorsement for passengers, hazardous material, double or
77 triple trailers, or tankers is \$9.
- 78 (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial
79 Driver License Act, is \$9.
- 80 (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver
81 License Act, is \$9.
- 82 (23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.
83 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.
- 84 (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.
- 85 (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.
- 86 (26) (a) A license reinstatement application under Section 53-3-205 is \$40.
87 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or

88 combination of alcohol and any drug-related offense is \$45 in addition to the fee under
89 Subsection (26)(a).

90 (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or
91 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or
92 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under
93 Part 4, Uniform Commercial Driver License Act, is \$255.

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

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

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

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

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

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

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

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

107 (B) is indigent; and

108 (C) is at least 18 years old; or

109 (ii) submits written verification that the individual is homeless, as defined in Section
110 26B-3-207, a person who is homeless, as defined in Section 35A-5-302, or a child or youth
111 who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

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

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

115 (C) the Department of Workforce Services; or

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

118 (31) (a) An extension of a regular identification card under Subsection 53-3-807(4) for

119 a person with a disability, as defined in 42 U.S.C. Sec. 12102, is \$17.

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

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

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

127 (iii) the Department of Workforce Services;

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

130 (v) a local educational agency liaison for homeless children and youth designated under
131 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

132 (32) (a) An extension of a regular identification card under Subsection 53-3-807(5) is
133 \$23.

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

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

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

140 (iii) the Department of Workforce Services; or

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

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

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

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

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

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

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

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

153 **53-3-109. Records -- Access -- Fees -- Rulemaking.**

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

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

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

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

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

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

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

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

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

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

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

179 or

180 (ii) use the personal identifying information from that record for advertising or

181 solicitation purposes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

212 driver's:

213 (A) driving status;

214 (B) license class;

215 (C) medical self-certification status; or

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

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

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

219 (ii) the frequency of the disclosures;

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

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

222 (4) (a) Notwithstanding Subsection (1)(a), the division may provide a "yes" or "no"

223 response to an electronically submitted request to verify information from a driver license or

224 identification card issued by the division if:

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

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

229 (iii) the program participant:

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

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

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

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

238 [~~4~~] (5) The division may charge fees:

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

241 (b) for each document prepared under the seal of the division and deliver upon request,
242 a certified copy of any record of the division, and charge a fee set in accordance with Section

243 63J-1-504 for each document authenticated; ~~and~~

244 (c) established in accordance with ~~the procedures and requirements of~~ Section
245 63J-1-504, for disclosing personal identifying information under Subsection (1)(b)~~[-]; and~~

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

248 ~~[(5)] (6)~~ Each certified copy of a driving record furnished in accordance with this
249 section is admissible in any court proceeding in the same manner as the original.

250 ~~[(6)] (7)~~ (a) A driving record furnished under this section may only report on the
251 driving record of a person for a period of 10 years.

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

255 ~~[(7)] (8)~~ (a) The division shall include on each application for or renewal of a license
256 or identification card under this chapter:

257 (i) the following notice: "The Driver License Division may disclose the information
258 provided on this form to an entity described in Utah Code Ann. Subsection

259 53-3-109(1)(b)(v).";

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

261 (iii) a link to the division website for:

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

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

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

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

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

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

272 (A) how the information is used;

273 (B) how the information is secured;

274 (C) how long the information is retained; and
275 (D) who has access to the information;
276 (iv) research and statistical purposes for which the information is used; and
277 (v) other relevant details regarding the information.
278 (c) The website created by the University of Utah described in Subsection [~~(7)(b)~~]
279 (8)(b) shall include the following:
280 (i) a link to the division website for an online form for the individual to opt out of the
281 disclosure of personal identifying information as described in Subsection (1)(b)(v); and
282 (ii) a link to an online form for the individual to affirmatively choose to remove,
283 subject to Subsection [~~(7)(e)(ii)~~] (8)(e)(ii), personal identifying information from the database
284 controlled by the University of Utah that was disclosed pursuant to Subsection (1)(b)(v).
285 (d) In the course of business, the division shall provide information regarding the
286 disclosure of personal identifying information, including providing on the division website:
287 (i) a link to the website created under Subsection [~~(7)(b)~~] (8)(b) to provide individuals
288 with information regarding the disclosure of personal identifying information under Subsection
289 (1)(b)(v); and
290 (ii) a link to the division website for:
291 (A) information provided by the division, after consultation with the University of
292 Utah, containing the explanation and description described in Subsection [~~(7)(b)~~] (8)(b); and
293 (B) an online form for the individual to opt out of the disclosure of personal identifying
294 information as described in Subsection (1)(b)(v).
295 (e) (i) The division may not disclose the personal identifying information under
296 Subsection (1)(b)(v) if an individual opts out of the disclosure as described in Subsection
297 [~~(7)(a)(iii)(B) or (7)(c)(i)~~] (8)(a)(iii)(B) or (8)(c)(i).
298 (ii) (A) Except as provided in Subsection [~~(7)(e)(ii)(B);~~] (8)(e)(ii)(B), if an individual
299 makes a request as described in Subsection [~~(7)(e)(ii);~~] (8)(c)(ii), the University of Utah shall,
300 within 90 days of receiving the request, remove and destroy the individual's personal
301 identifying information received under Subsection (1)(b)(v) from a database controlled by the
302 University of Utah.
303 (B) The University of Utah is not required to remove an individual's personal
304 identifying information as described in Subsection [~~(7)(e)(ii)(A)~~] (8)(e)(ii)(A) from data

305 released to a research study before the date of the request described in Subsection [~~(7)(c)(ii)~~]
306 (8)(c)(ii).

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

311 [~~(8)~~] (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
312 Act, the division may make rules to designate:

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

325 [~~(9)~~] (10) (a) It is a class B misdemeanor for a person to knowingly or intentionally
326 access, use, disclose, or disseminate a record created or maintained by the division or any
327 information contained in a record created or maintained by the division for a purpose
328 prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

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

332 Section 3. Section 53-3-207 is amended to read:

333 **53-3-207. License certificates or driving privilege cards issued to drivers by class**
334 **of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary**
335 **licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.**

- 336 (1) As used in this section:
- 337 (a) "Authorized guardian" means:
- 338 (i) the parent or legal guardian of a child who:
- 339 (A) is under 18 years old; and
- 340 (B) has an invisible condition; or
- 341 (ii) the legal guardian or conservator of an adult who:
- 342 (A) is 18 years old or older; and
- 343 (B) has an invisible condition.
- 344 (b) "Driving privilege" means the privilege granted under this chapter to drive a motor
- 345 vehicle.
- 346 (c) "First responder" means:
- 347 (i) a law enforcement officer, as defined in Section 53-13-103;
- 348 (ii) an emergency medical technician, as defined in Section 53-2e-101;
- 349 (iii) an advanced emergency medical technician, as defined in Section 53-2e-101;
- 350 (iv) a paramedic, as defined in Section 53-2e-101;
- 351 (v) a firefighter, as defined in Section 53B-8c-102; or
- 352 (vi) a dispatcher, as defined in Section 53-6-102.
- 353 (d) "Governmental entity" means the state or a political subdivision of the state.
- 354 (e) "Health care professional" means:
- 355 (i) a licensed physician, physician assistant, nurse practitioner, or mental health
- 356 therapist; or
- 357 (ii) any other licensed health care professional the division designates by rule made in
- 358 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 359 (f) "Invisible condition" means a physical or mental condition that may interfere with
- 360 an individual's ability to communicate with a first responder, including:
- 361 (i) a communication impediment;
- 362 (ii) hearing loss;
- 363 (iii) blindness or a visual impairment;
- 364 (iv) autism spectrum disorder;
- 365 (v) a drug allergy;
- 366 (vi) Alzheimer's disease or dementia;

367 (vii) post-traumatic stress disorder;

368 (viii) traumatic brain injury;

369 (ix) schizophrenia;

370 (x) epilepsy;

371 (xi) a developmental disability;

372 (xii) Down syndrome;

373 (xiii) diabetes;

374 (xiv) a heart condition; or

375 (xv) any other condition approved by the department.

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

378 (h) "Political subdivision" means any county, city, town, school district, public transit
379 district, community reinvestment agency, special improvement or taxing district, special
380 district, special service district, an entity created by an interlocal agreement adopted under Title
381 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public
382 corporation.

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

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

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

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

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

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

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

396 (iv) any restrictions imposed on the license under Section [53-3-208](#);

397 (v) a photograph of the individual;

- 398 (vi) a photograph or other facsimile of the individual's signature;
- 399 (vii) an indication whether the individual intends to make an anatomical gift under
400 Title 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, unless the driving
401 privilege is extended under Subsection 53-3-214(3); and
- 402 (viii) except as provided in Subsection (3)(b), if the individual states that the individual
403 is a veteran of the United States military on the application for a driver license in accordance
404 with Section 53-3-205 and provides verification that the individual was granted an honorable
405 or general discharge from the United States Armed Forces, an indication that the individual is a
406 United States military veteran for a regular license certificate or limited-term license certificate
407 issued on or after July 1, 2011.
- 408 (b) A regular license certificate or limited-term license certificate issued to an
409 individual younger than 21 years old on a portrait-style format as required in Subsection
410 ~~[(7)(b)]~~ (9)(b) is not required to include an indication that the individual is a United States
411 military veteran under Subsection (3)(a)(viii).
- 412 (c) A new license certificate issued by the division may not bear the individual's social
413 security number.
- 414 (d) (i) The regular license certificate, limited-term license certificate, or driving
415 privilege card shall be of an impervious material, resistant to wear, damage, and alteration.
- 416 (ii) The size, form, and color of the regular license certificate, limited-term license
417 certificate, or driving privilege card shall be as prescribed by the commissioner.
- 418 (iii) The commissioner may also prescribe the issuance of a special type of limited
419 regular license certificate, limited-term license certificate, or driving privilege card under
420 Subsection 53-3-220(4).
- 421 (4) (a) The division shall include an individual's concealed firearm permit number on
422 the individual's regular license certificate, limited-term license certificate, or commercial driver
423 license if the individual:
- 424 (i) requests that the division include the information;
- 425 (ii) holds a valid concealed firearm permit under Title 53, Chapter 5, Part 7, Concealed
426 Firearm Act; and
- 427 (iii) consents, in writing, to the Bureau of Criminal Identification providing the
428 division with:

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

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

431 (b) Within fourteen days after the day on which the individual makes the request

432 described in Subsection (4)(a)(i), the division shall verify with the Bureau of Criminal

433 Identification that the individual holds a valid permit described in Subsection (4)(a)(ii).

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

437 ~~[(4)]~~ (6) (a) The division shall include or affix an invisible condition identification
438 symbol on an individual's regular license certificate, limited-term license certificate, or driving
439 privilege card if the individual or the individual's authorized guardian, on a form prescribed by
440 the department:

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

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

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

445 (A) the department;

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

449 (C) any other person who may view or receive notice of the individual's medical
450 information by seeing the individual's regular license certificate, limited-term license
451 certificate, or driving privilege card or the individual's information in the Utah Criminal Justice
452 Information System;

453 (D) a local law enforcement agency that receives a copy of the form described in this
454 Subsection ~~[(4)(a)]~~ (6)(a) and enters the contents of the form into the local law enforcement
455 agency's record management system or computer-aided dispatch system; and

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

459 (b) As part of the form described in Subsection ~~[(4)(a)]~~ (6)(a), the department shall

460 advise the individual or the individual's authorized guardian that by submitting the signed
461 waiver, the individual or the individual's authorized guardian consents to the release of the
462 individual's medical information to any person described in Subsections [~~(4)(a)(iii)(A) through~~
463 ~~(E)~~] (6)(a)(iii)(A) through (E), even if the person is otherwise ineligible to access the
464 individual's medical information under state or federal law.

465 (c) The division may not:

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

469 (ii) after including the invisible condition identification symbol on the individual's
470 previously issued regular license certificate, limited-term license certificate, or driving
471 privilege card, require the individual to provide subsequent written verification described in
472 Subsection [~~(4)(a)(ii)~~] (6)(a)(ii) to include the invisible condition identification symbol on the
473 individual's renewed or extended regular license certificate, limited-term license certificate, or
474 driving privilege card.

475 (d) The division shall confirm with the Division of Professional Licensing that the
476 health care professional described in Subsection [~~(4)(a)(ii)~~] (6)(a)(ii) holds a current state
477 license.

478 (e) The inclusion of an invisible condition identification symbol on an individual's
479 license certificate, limited-term license certificate, or driving privilege card in accordance with
480 Subsection [~~(4)(a)~~] (6)(a) does not confer any legal rights or privileges on the individual,
481 including parking privileges for individuals with disabilities under Section [41-1a-414](#).

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

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

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

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

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

495 ~~[(5)]~~ (7) As provided in Section [63G-2-302](#), the information described in Subsection
496 ~~[(4)(a)]~~ (6)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records
497 Access and Management Act.

498 ~~[(6)]~~ (8) (a) (i) The division, upon determining after an examination that an applicant is
499 mentally and physically qualified to be granted a driving privilege, may issue to an applicant a
500 receipt for the fee if the applicant is eligible for a regular license certificate or limited-term
501 license certificate.

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

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

509 (b) The temporary regular license certificate or temporary limited-term license
510 certificate shall be in the individual's immediate possession while driving a motor vehicle, and
511 the temporary regular license certificate or temporary limited-term license certificate is invalid
512 when the individual's regular license certificate or limited-term license certificate has been
513 issued or when, for good cause, the privilege has been refused.

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

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

520 (ii) The division may issue a learner permit issued in accordance with Section
521 [53-3-210.5](#) to an applicant for a driving privilege card.

522 ~~[(7)]~~ (9) (a) The division shall distinguish learner permits, temporary permits, regular
523 license certificates, limited-term license certificates, and driving privilege cards issued to any
524 individual younger than 21 years old by use of plainly printed information or the use of a color
525 or other means not used for other regular license certificates, limited-term license certificates,
526 or driving privilege cards.

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

532 ~~[(8)]~~ (10) The division shall distinguish a limited-term license certificate by clearly
533 indicating on the document:

534 (a) that the limited-term license certificate is temporary; and

535 (b) the limited-term license certificate's expiration date.

536 ~~[(9)]~~ (11) (a) The division shall only issue a driving privilege card to an individual
537 whose privilege was obtained without providing evidence of lawful presence in the United
538 States as required under Subsection 53-3-205(8).

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

540 (i) use of a format, color, font, or other means; and

541 (ii) clearly displaying on the front of the driving privilege card a phrase substantially
542 similar to "FOR DRIVING PRIVILEGES ONLY -- NOT VALID FOR IDENTIFICATION".

543 ~~[(10)]~~ (12) The provisions of Subsection ~~[(7)(b)]~~ (9)(b) do not apply to a learner
544 permit, temporary permit, temporary regular license certificate, temporary limited-term license
545 certificate, or any other temporary permit.

546 ~~[(11)]~~ (13) The division shall issue temporary license certificates of the same nature,
547 except as to duration, as the license certificates that they temporarily replace, as are necessary
548 to implement applicable provisions of this section and Section 53-3-223.

549 ~~[(12)]~~ (14) (a) A governmental entity may not accept a driving privilege card as proof
550 of personal identification.

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

553 ~~[(13)]~~ (15) An individual who violates Subsection (2)(b) is guilty of an infraction.

554 ~~[(14)]~~ (16) Unless otherwise provided, the provisions, requirements, classes,

555 endorsements, fees, restrictions, and sanctions under this code apply to a:

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

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

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

561 **53-3-214. Renewal -- Fees required -- Extension without examination.**

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

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

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

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

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

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

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

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

583 (c) The division may waive any or all portions of the test designed to demonstrate the

584 applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

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

589 (A) no suspensions;

590 (B) no revocations;

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

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

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

597 (A) no suspensions;

598 (B) no revocations;

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

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

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

605 (A) no suspensions;

606 (B) no revocations;

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

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

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

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

615 person has:

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

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

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

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

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

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

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

632 (iv) ~~[who is holding]~~ holds a driving privilege card issued in accordance with Section
633 [53-3-207](#)~~[-]; or~~

634 (v) holds a regular license certificate, limited-term license certificate, or commercial
635 driver license that includes an individual's concealed firearm permit number under Section
636 [53-3-207](#).

637 ~~(f)~~ (g) The division shall allow extensions:

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

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

641 (iii) for only one extension.

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

644 (4) In accordance with this section, the division shall coordinate with the Department
645 of Corrections in providing an inmate with access to a driver license certificate as described in

646 Section 64-13-10.6.

647 Section 5. Section 53-3-805 is amended to read:

648 **53-3-805. Identification card -- Contents -- Specifications.**

649 (1) As used in this section:

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

651 (b) "Health care professional" means the same as that term is defined in Section

652 53-3-207.

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

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

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

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

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

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

660 (iv) a photograph of the individual;

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

662 (vi) an indication whether the individual intends to make an anatomical gift under Title
663 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act; and

664 (vii) if the individual states that the individual is a veteran of the United States military
665 on the application for an identification card in accordance with Section 53-3-804 and provides
666 verification that the individual received an honorable or general discharge from the United
667 States Armed Forces, an indication that the individual is a United States military veteran for a
668 regular identification card or a limited-term identification card issued on or after July 1, 2011.

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

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

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

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

- 677 (i) requests that the division include the information;
678 (ii) holds a valid concealed firearm permit under Title 53, Chapter 5, Part 7, Concealed
679 Firearm Act; and
680 (iii) consents, in writing, to the Bureau of Criminal Identification providing the
681 division with:
682 (A) the verification described in Subsection (4)(b); and
683 (B) the individual's concealed firearm permit number.
684 (b) Within fourteen days after the day on which the individual makes the request
685 described in Subsection (4)(a)(i), the division shall verify with the Bureau of Criminal
686 Identification that the individual holds a valid permit described in Subsection (4)(a)(ii).
687 ~~[(4)]~~ (5) At the applicant's request, the card may include a statement that the applicant
688 has a special medical problem or allergies to certain drugs, for the purpose of medical
689 treatment.
690 ~~[(5)]~~ (6) (a) The division shall include or affix an invisible condition identification
691 symbol on an individual's identification card if the individual or the individual's authorized
692 guardian, on a form prescribed by the department:
693 (i) requests the division to include the invisible condition identification symbol;
694 (ii) provides written verification from a health care professional that the individual is
695 an individual with an invisible condition; and
696 (iii) submits a signed waiver of liability for the release of any medical information to:
697 (A) the department;
698 (B) any person who has access to the individual's medical information as recorded on
699 the individual's driving record or the Utah Criminal Justice Information System under this
700 chapter;
701 (C) any other person who may view or receive notice of the individual's medical
702 information by seeing the individual's identification card or the individual's information in the
703 Utah Criminal Justice Information System;
704 (D) a local law enforcement agency that receives a copy of the form described in this
705 Subsection ~~[(5)(a)]~~ (6)(a) and enters the contents of the form into the local law enforcement
706 agency's record management system or computer-aided dispatch system; and
707 (E) a dispatcher who accesses the information regarding the individual's invisible

708 condition through the use of a local law enforcement agency's record management system or
709 computer-aided dispatch system.

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

716 (c) The division may not:

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

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

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

726 (e) The inclusion of an invisible condition identification symbol on an individual's
727 identification card in accordance with Subsection [~~(5)(a)~~] (6)(a) does not confer any legal rights
728 or privileges on the individual, including parking privileges for individuals with disabilities
729 under Section [41-1a-414](#).

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

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

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

738 (i) remove from the individual's record in the division's database the invisible condition

739 identification symbol and the brief description described in Subsection ~~[(5)(f)]~~ (6)(f); and

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

742 ~~[(6)]~~ (7) As provided in Section [63G-2-302](#), the information described in Subsection
743 ~~[(5)(a)]~~ (6)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records
744 Access and Management Act.

745 ~~[(7)]~~ (8) (a) The indication of intent under Subsection [53-3-804\(2\)\(j\)](#) shall be
746 authenticated by the applicant in accordance with division rule.

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

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

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

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

754 ~~[(8)]~~ (9) Notwithstanding Title 63G, Chapter 2, Government Records Access and
755 Management Act, the division may release to the Department of Veterans and Military Affairs
756 the names and addresses of all individuals who indicate their status as a veteran under
757 Subsection [53-3-804\(2\)\(l\)](#).

758 ~~[(9)]~~ (10) The division and the division's employees are not liable, as a result of false or
759 inaccurate information provided under Subsection [53-3-804\(2\)\(j\)](#) or (l), for direct or indirect:

760 (a) loss;

761 (b) detriment; or

762 (c) injury.

763 ~~[(10)]~~ (11) (a) The division may issue a temporary regular identification card to an
764 individual while the individual obtains the required documentation to establish verification of
765 the information described in Subsections [53-3-804\(2\)\(a\)](#), (b), (c), (d), and (i)(i).

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

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

- 770 (i) when the individual's regular identification card has been issued;
- 771 (ii) when, for good cause, an applicant's application for a regular identification card has
772 been refused; or
- 773 (iii) upon expiration of the temporary regular identification card.

774 (d) The division shall coordinate with the Department of Corrections in providing an
775 inmate with a temporary regular identification card as described in Section [64-13-10.6](#).

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

777 **53-5-708. Permit -- Names private.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

816 or

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

819 (ii) A governmental agency may not compel or attempt to compel an individual who
820 has been issued a concealed firearm permit to divulge whether the individual:

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

822 (B) is carrying a concealed firearm.

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

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

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

826 **76-10-526. Criminal background check prior to purchase of a firearm -- Fee --**

827 **Exemption for concealed firearm permit holders and law enforcement officers.**

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

830 (2) (a) To establish personal identification and residence in this state for purposes of
831 this part, a dealer shall require an individual receiving a firearm to present one photo

832 identification on a form issued by a governmental agency of the state.

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

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

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

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

842 (b) The form shall contain the following information:

843 (i) the dealer identification number;

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

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

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

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

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

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

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

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

862 (b) inform the dealer that:

863 (i) the records indicate the individual is prohibited; or
864 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;
865 (c) provide the dealer with a unique transaction number for that inquiry; and
866 (d) provide a response to the requesting dealer during the call for a criminal
867 background check, or by return call, or other electronic means, without delay, except in case of
868 electronic failure or other circumstances beyond the control of the bureau, the bureau shall
869 advise the dealer of the reason for the delay and give the dealer an estimate of the length of the
870 delay.

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

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

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

880 (i) within 24 hours after determining that the purchaser is prohibited from purchasing,
881 possessing, or transferring a firearm, notify the law enforcement agency in the jurisdiction
882 where the dealer is located; and

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

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

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

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

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

- 894 (A) the number of cases the law enforcement agency investigates; and
895 (B) the number of cases the law enforcement agency investigates that result in a
896 criminal charge.
- 897 (d) The bureau shall:
- 898 (i) compile the information from the reports described in Subsection (9)(c);
899 (ii) omit or redact any identifying information in the compilation; and
900 (iii) submit the compilation to the Law Enforcement and Criminal Justice Interim
901 Committee before November 1 of each year.
- 902 (10) If an individual is denied the right to purchase a firearm under this section, the
903 individual may review the individual's criminal history information and may challenge or
904 amend the information as provided in Section 53-10-108.
- 905 (11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah
906 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all
907 records provided by the bureau under this part are in conformance with the requirements of the
908 Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).
- 909 (12) (a) A dealer shall collect a criminal history background check fee for the sale of a
910 firearm under this section.
- 911 (b) The fee described under Subsection (12)(a) remains in effect until changed by the
912 bureau through the process described in Section 63J-1-504.
- 913 (c) (i) The dealer shall forward at one time all fees collected for criminal history
914 background checks performed during the month to the bureau by the last day of the month
915 following the sale of a firearm.
- 916 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover
917 the cost of administering and conducting the criminal history background check program.
- 918 (13) An individual with a concealed firearm permit issued under Title 53, Chapter 5,
919 Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee
920 required in this section for the purchase of a firearm if, before purchasing the firearm:
- 921 (a) the individual presents to the dealer:
- 922 (i) the individual's concealed firearm permit [~~to the dealer prior to purchase of the~~
923 ~~firearm~~]; or
- 924 (ii) the individual's driver license, term-limited license, commercial driver license, or

925 identification card that displays the individual's concealed firearm permit number; and

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

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

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

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

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

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

943 Section 8. **Effective date.**

944 This bill takes effect on May 1, 2024.