

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 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

- 32 **46-1-2**, as last amended by Laws of Utah 2022, Chapter 158
- 33 **53-3-102**, as last amended by Laws of Utah 2023, Chapters 296, 328
- 34 **53-3-105**, as last amended by Laws of Utah 2023, Chapter 328
- 35 **53-3-109**, as last amended by Laws of Utah 2023, Chapter 219
- 36 **53-3-205**, as last amended by Laws of Utah 2023, Chapters 328, 454
- 37 **53-3-207**, as last amended by Laws of Utah 2023, Chapters 16, 328 and 456
- 38 **53-3-214**, as last amended by Laws of Utah 2023, Chapter 414
- 39 **53-3-805**, as last amended by Laws of Utah 2023, Chapters 328, 414 and 456
- 40 **53-5-708**, as last amended by Laws of Utah 2023, Chapter 16
- 41 **53-27-101**, as enacted by Laws of Utah 2023, Chapter 456
- 42 **53-27-102**, as enacted by Laws of Utah 2023, Chapter 456
- 43 **63G-2-801**, as last amended by Laws of Utah 2019, Chapter 254
- 44 **63G-7-201**, as last amended by Laws of Utah 2023, Chapters 34, 105, 259, 329, 452,
- 45 and 456
- 46 **64-13-10.6**, as last amended by Laws of Utah 2023, Chapters 58, 414
- 47 **76-10-526**, as last amended by Laws of Utah 2023, Chapters 330, 397

48

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

50 Section 1. Section **46-1-2** is amended to read:

51 **46-1-2. Definitions.**

52 As used in this chapter:

53 (1) "Acknowledgment" means a notarial act in which a notary certifies that a signer,
54 whose identity is personally known to the notary or proven on the basis of satisfactory
55 evidence, has admitted, in the presence of the notary, to voluntarily signing a document for the
56 document's stated purpose.

57 (2) "Before me" means that an individual appears in the presence of the notary.

58 (3) "Commission" means:

59 (a) to empower to perform notarial acts; or

60 (b) the written document that gives authority to perform notarial acts, including the

61 Certificate of Authority of Notary Public that the lieutenant governor issues to a notary.

62 (4) "Copy certification" means a notarial act in which a notary certifies that a
63 photocopy is an accurate copy of a document that is neither a public record nor publicly
64 recorded.

65 (5) "Electronic recording" means the audio and video recording, described in
66 Subsection 46-1-3.6(3), of a remote notarization.

67 (6) "Electronic seal" means an electronic version of the seal described in Section
68 46-1-16, that conforms with rules made under Subsection 46-1-3.7(1)(d), that a remote notary
69 may attach to a notarial certificate to complete a remote notarization.

70 (7) "Electronic signature" means the same as that term is defined in Section 46-4-102.

71 (8) "In the presence of the notary" means that an individual:

72 (a) is physically present with the notary in close enough proximity to see and hear the
73 notary; or

74 (b) communicates with a remote notary by means of an electronic device or process
75 that:

76 (i) allows the individual and remote notary to communicate with one another
77 simultaneously by sight and sound; and

78 (ii) complies with rules made under Section 46-1-3.7.

79 (9) "Jurat" means a notarial act in which a notary certifies:

80 (a) the identity of a signer who:

81 (i) is personally known to the notary; or

82 (ii) provides the notary satisfactory evidence of the signer's identity;

83 (b) that the signer affirms or swears an oath attesting to the truthfulness of a document;

84 and

85 (c) that the signer voluntarily signs the document in the presence of the notary.

86 (10) "Notarial act" or "notarization" means an act that a notary is authorized to perform
87 under Section 46-1-6.

88 (11) "Notarial certificate" means the affidavit described in Section 46-1-6.5 that is:

89 (a) a part of or attached to a notarized document; and

90 (b) completed by the notary and bears the notary's signature and official seal.

91 (12) (a) "Notary" means an individual commissioned to perform notarial acts under this

92 chapter.

93 (b) "Notary" includes a remote notary.

94 (13) "Oath" or "affirmation" means a notarial act in which a notary certifies that a
95 person made a vow or affirmation in the presence of the notary on penalty of perjury.

96 (14) "Official misconduct" means a notary's performance of any act prohibited or
97 failure to perform any act mandated by this chapter or by any other law in connection with a
98 notarial act.

99 (15) (a) "Official seal" means the seal described in Section 46-1-16 that a notary may
100 attach to a notarial certificate to complete a notarization.

101 (b) "Official seal" includes an electronic seal.

102 (16) "Personally known" means familiarity with an individual resulting from
103 interactions with that individual over a period of time sufficient to eliminate every reasonable
104 doubt that the individual has the identity claimed.

105 (17) "Remote notarization" means a notarial act performed by a remote notary in
106 accordance with this chapter for an individual who is not in the physical presence of the remote
107 notary at the time the remote notary performs the notarial act.

108 (18) "Remote notary" means a notary that holds an active remote notary certification
109 under Section 46-1-3.5.

110 (19) (a) "Satisfactory evidence of identity" means:

111 (i) for both an in-person and remote notarization, identification of an individual based
112 on:

113 (A) subject to Subsection (19)(b), valid personal identification with the individual's
114 photograph, signature, and physical description that the United States government, any state
115 within the United States, or a foreign government issues;

116 (B) subject to Subsection (19)(b), a valid passport that any nation issues; or

117 (C) the oath or affirmation of a credible person who is personally known to the notary
118 and who personally knows the individual; and

119 (ii) for a remote notarization only, a third party's affirmation of an individual's identity
120 in accordance with rules made under Section 46-1-3.7 by means of:

121 (A) dynamic knowledge-based authentication, which may include requiring the
122 individual to answer questions about the individual's personal information obtained from
123 public or proprietary data sources; or

124 (B) analysis of the individual's biometric data, which may include facial recognition,
125 voiceprint analysis, or fingerprint analysis.

126 (b) "Satisfactory evidence of identity," for a remote notarization, requires the
127 identification described in Subsection (19)(a)(i)(A) or passport described in Subsection
128 (19)(a)(i)(B) to be verified through public or proprietary data sources in accordance with rules
129 made under Section 46-1-3.7.

130 (c) "Satisfactory evidence of identity" does not include:

131 (i) a driving privilege card under Subsection [~~53-3-207(12)~~] 53-3-207(14); or

132 (ii) another document that is not considered valid for identification.

133 (20) "Signature witnessing" means a notarial act in which an individual:

134 (a) appears in the presence of the notary and presents a document;

135 (b) provides the notary satisfactory evidence of the individual's identity, or is
136 personally known to the notary; and

137 (c) signs the document in the presence of the notary.

138 Section 2. Section 53-3-102 is amended to read:

139 **53-3-102. Definitions.**

140 As used in this chapter:

141 (1) "Autocycle" means a motor vehicle that:

142 (a) is designed to travel with three or fewer wheels in contact with the ground; and

143 (b) is equipped with:

144 (i) a steering mechanism;

145 (ii) seat belts; and

146 (iii) seating that does not require the operator to straddle or sit astride the motor
147 vehicle.

148 (2) "Cancellation" means the termination by the division of a license issued through
149 error or fraud or for which consent under Section 53-3-211 has been withdrawn.

150 (3) "Class D license" means the class of license issued to drive motor vehicles not
151 defined as commercial motor vehicles or motorcycles under this chapter.

152 (4) "Commercial driver instruction permit" or "CDIP" means a commercial learner
153 permit:

154 (a) issued under Section 53-3-408; or

155 (b) issued by a state or other jurisdiction of domicile in compliance with the standards
156 contained in 49 C.F.R. Part 383.

157 (5) "Commercial driver license" or "CDL" means a license:

158 (a) issued substantially in accordance with the requirements of Title XII, Pub. L.
159 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,
160 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
161 commercial motor vehicle; and

162 (b) that was obtained by providing evidence of lawful presence in the United States
163 with one of the document requirements described in Subsection 53-3-410(1)(i)(i).

164 (6) (a) "Commercial driver license motor vehicle record" or "CDL MVR" means a
165 driving record that:

166 (i) applies to a person who holds or is required to hold a commercial driver instruction
167 permit or a CDL license; and

168 (ii) contains the following:

169 (A) information contained in the driver history, including convictions, pleas held in
170 abeyance, disqualifications, and other licensing actions for violations of any state or local law
171 relating to motor vehicle traffic control, committed in any type of vehicle;

172 (B) driver self-certification status information under Section 53-3-410.1; and

173 (C) information from medical certification record keeping in accordance with 49
174 C.F.R. Sec. 383.73(o).

175 (b) "Commercial driver license motor vehicle record" or "CDL MVR" does not mean a
176 motor vehicle record described in Subsection (30).

177 (7) (a) "Commercial motor vehicle" means a motor vehicle or combination of motor
178 vehicles designed or used to transport passengers or property if the motor vehicle:

179 (i) has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds,
180 or gross combination weight rating or gross combination weight of 26,001 or more pounds or a

181 lesser rating as determined by federal regulation;

182 (ii) is designed to transport 16 or more passengers, including the driver; or

183 (iii) is transporting hazardous materials and is required to be placarded in accordance
184 with 49 C.F.R. Part 172, Subpart F.

185 (b) The following vehicles are not considered a commercial motor vehicle for purposes
186 of Part 4, Uniform Commercial Driver License Act:

187 (i) equipment owned and operated by the United States Department of Defense when
188 driven by any active duty military personnel and members of the reserves and national guard on
189 active duty including personnel on full-time national guard duty, personnel on part-time
190 training, and national guard military technicians and civilians who are required to wear military
191 uniforms and are subject to the code of military justice;

192 (ii) vehicles controlled and driven by a farmer to transport agricultural products, farm
193 machinery, or farm supplies to or from a farm within 150 miles of his farm but not in operation
194 as a motor carrier for hire;

195 (iii) firefighting and emergency vehicles;

196 (iv) recreational vehicles that are not used in commerce and are driven solely as family
197 or personal conveyances for recreational purposes; and

198 (v) vehicles used to provide transportation network services, as defined in Section
199 [13-51-102](#).

200 (8) "Conviction" means any of the following:

201 (a) an unvacated adjudication of guilt or a determination that a person has violated or
202 failed to comply with the law in a court of original jurisdiction or an administrative proceeding;

203 (b) an unvacated forfeiture of bail or collateral deposited to secure a person's
204 appearance in court;

205 (c) a plea of guilty or nolo contendere accepted by the court;

206 (d) the payment of a fine or court costs; or

207 (e) violation of a condition of release without bail, regardless of whether the penalty is
208 rebated, suspended, or probated.

209 (9) "Denial" or "denied" means the withdrawal of a driving privilege by the division to
210 which the provisions of Title 41, Chapter 12a, Part 4, Proof of Owner's or Operator's Security,
211 do not apply.

- 212 (10) "Director" means the division director appointed under Section 53-3-103.
- 213 (11) "Disqualification" means either:
- 214 (a) the suspension, revocation, cancellation, denial, or any other withdrawal by a state
- 215 of a person's privileges to drive a commercial motor vehicle;
- 216 (b) a determination by the Federal Highway Administration, under 49 C.F.R. Part 386,
- 217 that a person is no longer qualified to drive a commercial motor vehicle under 49 C.F.R. Part
- 218 391; or
- 219 (c) the loss of qualification that automatically follows conviction of an offense listed in
- 220 49 C.F.R. Part 383.51.
- 221 (12) "Division" means the Driver License Division of the department created in
- 222 Section 53-3-103.
- 223 (13) "Downgrade" means to obtain a lower license class than what was originally
- 224 issued during an existing license cycle.
- 225 (14) "Drive" means:
- 226 (a) to operate or be in physical control of a motor vehicle upon a highway; and
- 227 (b) in Subsections 53-3-414(1) through (3), Subsection 53-3-414(5), and Sections
- 228 53-3-417 and 53-3-418, the operation or physical control of a motor vehicle at any place within
- 229 the state.
- 230 (15) (a) "Driver" means an individual who drives, or is in actual physical control of a
- 231 motor vehicle in any location open to the general public for purposes of vehicular traffic.
- 232 (b) In Part 4, Uniform Commercial Driver License Act, "driver" includes any person
- 233 who is required to hold a CDL under Part 4, Uniform Commercial Driver License Act, or
- 234 federal law.
- 235 (16) "Driving privilege card" means the evidence of the privilege granted and issued
- 236 under this chapter to drive a motor vehicle to a person whose privilege was obtained without
- 237 providing evidence of lawful presence in the United States.
- 238 (17) "Electronic license certificate" means the evidence, in an electronic format as
- 239 described in Section 53-3-235, of a privilege granted under this chapter to drive a motor
- 240 vehicle.
- 241 (18) "Extension" means a renewal completed in a manner specified by the division.
- 242 (19) "Farm tractor" means every motor vehicle designed and used primarily as a farm

243 implement for drawing plows, mowing machines, and other implements of husbandry.

244 (20) "Highway" means the entire width between property lines of every way or place of
245 any nature when any part of it is open to the use of the public, as a matter of right, for traffic.

246 (21) "Human driver" means the same as that term is defined in Section [41-26-102.1](#).

247 (22) "Identification card" means a card issued under Part 8, Identification Card Act, to
248 a person for identification purposes.

249 (23) "Indigent" means that a person's income falls below the federal poverty guideline
250 issued annually by the United States Department of Health and Human Services in the Federal
251 Register.

252 (24) "License" means the privilege to drive a motor vehicle.

253 (25) (a) "License certificate" means the evidence of the privilege issued under this
254 chapter to drive a motor vehicle.

255 (b) "License certificate" evidence includes:

256 (i) a regular license certificate;

257 (ii) a limited-term license certificate;

258 (iii) a driving privilege card;

259 (iv) a CDL license certificate;

260 (v) a limited-term CDL license certificate;

261 (vi) a temporary regular license certificate;

262 (vii) a temporary limited-term license certificate; and

263 (viii) an electronic license certificate created in Section [53-3-235](#).

264 (26) "Limited-term commercial driver license" or "limited-term CDL" means a license:

265 (a) issued substantially in accordance with the requirements of Title XII, Pub. L. No.
266 99-570, the Commercial Motor Vehicle Safety Act of 1986, and in accordance with Part 4,
267 Uniform Commercial Driver License Act, which authorizes the holder to drive a class of
268 commercial motor vehicle; and

269 (b) that was obtained by providing evidence of lawful presence in the United States
270 with one of the document requirements described in Subsection [53-3-410\(1\)\(i\)\(ii\)](#).

271 (27) "Limited-term identification card" means an identification card issued under this
272 chapter to a person whose card was obtained by providing evidence of lawful presence in the
273 United States with one of the document requirements described in Subsection

274 [53-3-804](#)(2)(i)(ii).

275 (28) "Limited-term license certificate" means the evidence of the privilege granted and
276 issued under this chapter to drive a motor vehicle to a person whose privilege was obtained
277 providing evidence of lawful presence in the United States with one of the document
278 requirements described in Subsection [53-3-205](#)(8)(a)(ii)(B).

279 (29) "Motor vehicle" means the same as that term is defined in Section [41-1a-102](#).

280 (30) "Motor vehicle record" or "MVR" means a driving record under Subsection
281 [~~[53-3-109](#)(6)(a).~~] [53-3-109](#)(7)(a).

282 (31) "Motorboat" means the same as that term is defined in Section [73-18-2](#).

283 (32) "Motorcycle" means every motor vehicle, other than a tractor, having a seat or
284 saddle for the use of the rider and designed to travel with not more than three wheels in contact
285 with the ground.

286 (33) "Office of Recovery Services" means the Office of Recovery Services, created in
287 Section [26B-9-103](#).

288 (34) "Operate" means the same as that term is defined in Section [41-1a-102](#).

289 (35) (a) "Owner" means a person other than a lien holder having an interest in the
290 property or title to a vehicle.

291 (b) "Owner" includes a person entitled to the use and possession of a vehicle subject to
292 a security interest in another person but excludes a lessee under a lease not intended as security.

293 (36) "Penalty accounts receivable" means a fine, restitution, forfeiture, fee, surcharge,
294 or other financial penalty imposed on an individual by a court or other government entity.

295 (37) (a) "Private passenger carrier" means any motor vehicle for hire that is:

296 (i) designed to transport 15 or fewer passengers, including the driver; and

297 (ii) operated to transport an employee of the person that hires the motor vehicle.

298 (b) "Private passenger carrier" does not include:

299 (i) a taxicab;

300 (ii) a motor vehicle driven by a transportation network driver as defined in Section
301 [13-51-102](#);

302 (iii) a motor vehicle driven for transportation network services as defined in Section
303 [13-51-102](#); and

304 (iv) a motor vehicle driven for a transportation network company as defined in Section

305 13-51-102 and registered with the Division of Consumer Protection as described in Section
306 13-51-104.

307 (38) "Regular identification card" means an identification card issued under this
308 chapter to a person whose card was obtained by providing evidence of lawful presence in the
309 United States with one of the document requirements described in Subsection 53-3-804(2)(i)(i).

310 (39) "Regular license certificate" means the evidence of the privilege issued under this
311 chapter to drive a motor vehicle whose privilege was obtained by providing evidence of lawful
312 presence in the United States with one of the document requirements described in Subsection
313 53-3-205(8)(a)(ii)(A).

314 (40) "Renewal" means to validate a license certificate so that it expires at a later date.

315 (41) "Reportable violation" means an offense required to be reported to the division as
316 determined by the division and includes those offenses against which points are assessed under
317 Section 53-3-221.

318 (42) (a) "Resident" means an individual who:

319 (i) has established a domicile in this state, as defined in Section 41-1a-202, or
320 regardless of domicile, remains in this state for an aggregate period of six months or more
321 during any calendar year;

322 (ii) engages in a trade, profession, or occupation in this state, or who accepts
323 employment in other than seasonal work in this state, and who does not commute into the state;

324 (iii) declares himself to be a resident of this state by obtaining a valid Utah driver
325 license certificate or motor vehicle registration; or

326 (iv) declares himself a resident of this state to obtain privileges not ordinarily extended
327 to nonresidents, including going to school, or placing children in school without paying
328 nonresident tuition or fees.

329 (b) "Resident" does not include any of the following:

330 (i) a member of the military, temporarily stationed in this state;

331 (ii) an out-of-state student, as classified by an institution of higher education,
332 regardless of whether the student engages in any type of employment in this state;

333 (iii) a person domiciled in another state or country, who is temporarily assigned in this
334 state, assigned by or representing an employer, religious or private organization, or a
335 governmental entity; or

336 (iv) an immediate family member who resides with or a household member of a person
337 listed in Subsections (42)(b)(i) through (iii).

338 (43) "Revocation" means the termination by action of the division of a licensee's
339 privilege to drive a motor vehicle.

340 (44) (a) "School bus" means a commercial motor vehicle used to transport pre-primary,
341 primary, or secondary school students to and from home and school, or to and from school
342 sponsored events.

343 (b) "School bus" does not include a bus used as a common carrier as defined in Section
344 [59-12-102](#).

345 (45) "Suspension" means the temporary withdrawal by action of the division of a
346 licensee's privilege to drive a motor vehicle.

347 (46) "Taxicab" means any class D motor vehicle transporting any number of
348 passengers for hire and that is subject to state or federal regulation as a taxi.

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

350 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**
351 **and identification cards.**

352 The following fees apply under this chapter:

353 (1) (a) An original class D license application under Section [53-3-205](#) is \$52.

354 (b) An original class D license application with a concealed firearm permit number
355 under Section [53-3-207](#) is \$32.

356 (2) An original provisional license application for a class D license under Section
357 [53-3-205](#) is \$39.

358 (3) An original limited term license application under Section [53-3-205](#) is \$32.

359 (4) An original application for a motorcycle endorsement under Section [53-3-205](#) is
360 \$18.

361 (5) An original application for a taxicab endorsement under Section [53-3-205](#) is \$14.

362 (6) A learner permit application under Section [53-3-210.5](#) is \$19.

363 (7) (a) A renewal of a class D license under Section [53-3-214](#) is \$52 unless Subsection
364 (12) applies.

365 (b) A renewal of a class D license with a concealed firearm permit number under
366 Section [53-3-207](#) is \$32.

- 367 (8) A renewal of a provisional license application for a class D license under Section
368 53-3-214 is \$52.
- 369 (9) A renewal of a limited term license application under Section 53-3-214 is \$32.
- 370 (10) A renewal of a motorcycle endorsement under Section 53-3-214 is \$18.
- 371 (11) A renewal of a taxicab endorsement under Section 53-3-214 is \$14.
- 372 (12) A renewal of a class D license for an individual 65 and older under Section
373 53-3-214 is \$27.
- 374 (13) An extension of a class D license under Section 53-3-214 is \$42 unless Subsection
375 (17) applies.
- 376 (14) An extension of a provisional license application for a class D license under
377 Section 53-3-214 is \$42.
- 378 (15) An extension of a motorcycle endorsement under Section 53-3-214 is \$18.
- 379 (16) An extension of a taxicab endorsement under Section 53-3-214 is \$14.
- 380 (17) An extension of a class D license for an individual 65 and older under Section
381 53-3-214 is \$22.
- 382 (18) An original or renewal application for a commercial class A, B, or C license or an
383 original or renewal of a provisional commercial class A or B license under Part 4, Uniform
384 Commercial Driver License Act, is \$52.
- 385 (19) A commercial class A, B, or C license skills test is \$78.
- 386 (20) Each original CDL endorsement for passengers, hazardous material, double or
387 triple trailers, or tankers is \$9.
- 388 (21) An original CDL endorsement for a school bus under Part 4, Uniform Commercial
389 Driver License Act, is \$9.
- 390 (22) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver
391 License Act, is \$9.
- 392 (23) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$26.
393 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$52.
- 394 (24) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$9.
- 395 (25) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$23.
- 396 (26) (a) A license reinstatement application under Section 53-3-205 is \$40.
397 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or

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

400 (27) (a) An administrative fee for license reinstatement after an alcohol, drug, or
401 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or
402 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under
403 Part 4, Uniform Commercial Driver License Act, is \$255.

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

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

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

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

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

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

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

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

417 (B) is indigent; and

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

419 (ii) submits written verification that the individual is homeless, as defined in Section
420 26B-3-207, a person who is homeless, as defined in Section 35A-5-302, or a child or youth
421 who is homeless, as defined in 42 U.S.C. Sec. 11434a(2), from:

422 (A) a homeless shelter, as defined in Section [~~35A-16-305~~] 35A-16-401;

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

425 (C) the Department of Workforce Services; or

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

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

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

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

434 (i) a homeless shelter, as defined in Section [~~35A-16-305~~] 35A-16-401;

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

437 (iii) the Department of Workforce Services;

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

440 (v) a local educational agency liaison for homeless children and youth designated under
441 42 U.S.C. Sec. 11432(g)(1)(J)(ii).

442 (32) (a) An extension of a regular identification card under Subsection 53-3-807(5) is
443 \$23.

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

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

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

450 (iii) the Department of Workforce Services; or

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

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

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

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

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

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

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

462 Section 4. Section 53-3-109 is amended to read:

463 **53-3-109. Records -- Access -- Fees -- Rulemaking.**

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

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

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

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

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

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

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

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

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

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

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

489 or

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

491 solicitation purposes.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

522 driver's:

523 (A) driving status;

524 (B) license class;

525 (C) medical self-certification status; or

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

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

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

529 (ii) the frequency of the disclosures;

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

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

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

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

534 identification card issued by the division if:

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

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

539 (iii) the program participant:

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

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

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

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

548 [~~4~~] (5) The division may charge fees:

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

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

553 [63J-1-504](#) for each document authenticated; ~~[and]~~

554 (c) established in accordance with ~~[the procedures and requirements of]~~ Section
555 [63J-1-504](#), for disclosing personal identifying information under Subsection (1)(b)~~[-]; and~~

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

558 ~~[(5)]~~ (6) Each certified copy of a driving record furnished in accordance with this
559 section is admissible in any court proceeding in the same manner as the original.

560 ~~[(6)]~~ (7) (a) A driving record furnished under this section may only report on the
561 driving record of a person for a period of 10 years.

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

565 ~~[(7)]~~ (8) (a) The division shall include on each application for or renewal of a license
566 or identification card under this chapter:

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

569 [53-3-109\(1\)\(b\)\(v\)](#).";

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

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

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

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

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

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

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

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

582 (A) how the information is used;

583 (B) how the information is secured;

584 (C) how long the information is retained; and

585 (D) who has access to the information;

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

587 (v) other relevant details regarding the information.

588 (c) The website created by the University of Utah described in Subsection [~~(7)(b)~~]

589 (8)(b) shall include the following:

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

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

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

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

600 (ii) a link to the division website for:

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

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

605 (e) (i) The division may not disclose the personal identifying information under
606 Subsection (1)(b)(v) if an individual opts out of the disclosure as described in Subsection
607 [~~(7)(a)(iii)(B) or (7)(c)(i)~~] (8)(a)(iii)(B) or (8)(c)(i).

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

613 (B) The University of Utah is not required to remove an individual's personal
614 identifying information as described in Subsection [~~(7)(e)(ii)(A)~~] (8)(e)(ii)(A) from data

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

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

621 [~~(8)~~] (9) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
622 Act, the division may make rules to designate:

623 (a) what information shall be included in a report on the driving record of a person;
624 (b) the form of a report or copy of the report which may include electronic format;
625 (c) the form of a certified copy, as required under Section 53-3-216, which may include
626 electronic format;

627 (d) the form of a signature required under this chapter which may include electronic
628 format;

629 (e) the form of written request to the division required under this chapter which may
630 include electronic format;

631 (f) the procedures, requirements, and formats for disclosing personal identifying
632 information under Subsection (1)(b); and

633 (g) the procedures, requirements, and formats necessary for the implementation of
634 Subsection (3).

635 [~~(9)~~] (10) (a) It is a class B misdemeanor for a person to knowingly or intentionally
636 access, use, disclose, or disseminate a record created or maintained by the division or any
637 information contained in a record created or maintained by the division for a purpose
638 prohibited or not permitted by statute, rule, regulation, or policy of a governmental entity.

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

642 Section 5. Section 53-3-205 is amended to read:

643 **53-3-205. Application for license or endorsement -- Fee required -- Tests --**
644 **Expiration dates of licenses and endorsements -- Information required -- Previous**
645 **licenses surrendered -- Driving record transferred from other states -- Reinstatement --**

646 **Fee required -- License agreement.**

647 (1) An application for an original license, provisional license, or endorsement shall be:

648 (a) made upon a form furnished by the division; and

649 (b) accompanied by a nonrefundable fee set under Section 53-3-105.

650 (2) An application and fee for an original provisional class D license or an original
651 class D license entitle the applicant to:652 (a) not more than three attempts to pass both the knowledge and the skills tests for a
653 class D license within six months after the date of the application;654 (b) a learner permit if needed pending completion of the application and testing
655 process; and656 (c) an original class D license and license certificate after all tests are passed and
657 requirements are completed.658 (3) An application and fee for a motorcycle or taxicab endorsement entitle the
659 applicant to:660 (a) not more than three attempts to pass both the knowledge and skills tests within six
661 months after the date of the application;

662 (b) a motorcycle learner permit after the motorcycle knowledge test is passed; and

663 (c) a motorcycle or taxicab endorsement when all tests are passed.

664 (4) An application for a commercial class A, B, or C license entitles the applicant to:

665 (a) not more than two attempts to pass a knowledge test when accompanied by the fee
666 provided in Subsection 53-3-105(18);667 (b) not more than two attempts to pass a skills test when accompanied by a fee in
668 Subsection 53-3-105(19) within six months after the date of application;669 (c) both a commercial driver instruction permit and a temporary license permit for the
670 license class held before the applicant submits the application if needed after the knowledge
671 test is passed; and672 (d) an original commercial class A, B, or C license and license certificate when all
673 applicable tests are passed.

674 (5) An application and fee for a CDL endorsement entitle the applicant to:

675 (a) not more than two attempts to pass a knowledge test and not more than two
676 attempts to pass a skills test within six months after the date of the application; and

677 (b) a CDL endorsement when all tests are passed.

678 (6) (a) If a CDL applicant does not pass a knowledge test, skills test, or an endorsement
679 test within the number of attempts provided in Subsection (4) or (5), each test may be taken
680 two additional times within the six months for the fee provided in Section 53-3-105.

681 (b) (i) An out-of-state resident who holds a valid CDIP issued by a state or jurisdiction
682 that is compliant with 49 C.F.R. Part 383 may take a skills test administered by the division if
683 the out-of-state resident pays the fee provided in Subsection 53-3-105(19).

684 (ii) The division shall:

685 (A) electronically transmit skills test results for an out-of-state resident to the licensing
686 agency in the state or jurisdiction in which the out-of-state resident has obtained a valid CDIP;
687 and

688 (B) provide the out-of-state resident with documentary evidence upon successful
689 completion of the skills test.

690 (7) (a) (i) Except as provided under Subsections (7)(a)(ii), [~~(f)~~, and ~~(g)~~] and (f) through
691 (h), an original class D license expires on the birth date of the applicant in the eighth year after
692 the year the license certificate was issued.

693 (ii) An original provisional class D license expires on the birth date of the applicant in
694 the fifth year following the year the license certificate was issued.

695 (iii) Except as provided in [~~Subsection~~] Subsections (7)(f) and (7)(g), a limited term
696 class D license expires on the birth date of the applicant in the fifth year the license certificate
697 was issued.

698 (b) Except as provided under Subsections (7)(f) [~~and~~] [~~(g)~~] through (h), a renewal or an
699 extension to a license expires on the birth date of the licensee in the eighth year after the
700 expiration date of the license certificate renewed or extended.

701 (c) Except as provided under Subsections (7)(f) and (g), a duplicate license expires on
702 the same date as the last license certificate issued.

703 (d) An endorsement to a license expires on the same date as the license certificate
704 regardless of the date the endorsement was granted.

705 (e) (i) A regular license certificate and an endorsement to the regular license certificate
706 held by an individual described in Subsection (7)(e)(ii), that expires during the time period the
707 individual is stationed outside of the state, is valid until 90 days after the individual's orders are

708 terminated, the individual is discharged, or the individual's assignment is changed or
709 terminated, unless:

710 (A) the license is suspended, disqualified, denied, or has been cancelled or revoked by
711 the division; or

712 (B) the licensee updates the information or photograph on the license certificate.

713 (ii) The provisions in Subsection (7)(e)(i) apply to an individual:

714 (A) ordered to active duty and stationed outside of Utah in any of the armed forces of
715 the United States;

716 (B) who is an immediate family member or dependent of an individual described in
717 Subsection (7)(e)(ii)(A) and is residing outside of Utah;

718 (C) who is a civilian employee of the United States State Department or United States
719 Department of Defense and is stationed outside of the United States; or

720 (D) who is an immediate family member or dependent of an individual described in
721 Subsection (7)(e)(ii)(C) and is residing outside of the United States.

722 (f) (i) Except as provided in Subsection (7)(f)(ii), a limited-term license certificate or a
723 renewal to a limited-term license certificate expires:

724 (A) on the expiration date of the period of time of the individual's authorized stay in
725 the United States or on the date provided under this Subsection (7), whichever is sooner; or

726 (B) on the date of issuance in the first year following the year that the limited-term
727 license certificate was issued if there is no definite end to the individual's period of authorized
728 stay.

729 (ii) A limited-term license certificate or a renewal to a limited-term license certificate
730 issued to an approved asylee or a refugee expires on the birth date of the applicant in the fifth
731 year following the year that the limited-term license certificate was issued.

732 (g) A driving privilege card issued or renewed under Section [53-3-207](#) expires on the
733 birth date of the applicant in the first year following the year that the driving privilege card was
734 issued or renewed.

735 (h) (i) A regular license certificate or commercial driver license that includes an
736 individual's concealed firearm permit number expires on the birth date of the applicant no more
737 than five years after the license certificate is issued.

738 (ii) A limited-term license certificate that includes an individual's concealed firearm

739 permit number expires on the earlier of:

740 (A) the limited-term license certificate expiration date; or

741 (B) the birth date of the applicant no more than five years after the license certificate is
742 issued.

743 (8) (a) In addition to the information required by Title 63G, Chapter 4, Administrative
744 Procedures Act, for requests for agency action, an applicant shall:

745 (i) provide:

746 (A) the applicant's full legal name;

747 (B) the applicant's birth date;

748 (C) the applicant's sex;

749 (D) (I) documentary evidence of the applicant's valid social security number;

750 (II) written proof that the applicant is ineligible to receive a social security number;

751 (III) the applicant's temporary identification number (ITIN) issued by the Internal
752 Revenue Service for an individual who:

753 (Aa) does not qualify for a social security number; and

754 (Bb) is applying for a driving privilege card; or

755 (IV) other documentary evidence approved by the division;

756 (E) the applicant's Utah residence address as documented by a form or forms

757 acceptable under rules made by the division under Section 53-3-104, unless the application is
758 for a temporary CDL issued under Subsection 53-3-407(2)(b); and

759 (F) fingerprints, or a fingerprint confirmation form described in Subsection

760 53-3-205.5(1)(a)(ii), and a photograph in accordance with Section 53-3-205.5 if the applicant is
761 applying for a driving privilege card;

762 (ii) provide evidence of the applicant's lawful presence in the United States by
763 providing documentary evidence:

764 (A) that the applicant is:

765 (I) a United States citizen;

766 (II) a United States national; or

767 (III) a legal permanent resident alien; or

768 (B) of the applicant's:

769 (I) unexpired immigrant or nonimmigrant visa status for admission into the United

770 States;

771 (II) pending or approved application for asylum in the United States;

772 (III) admission into the United States as a refugee;

773 (IV) pending or approved application for temporary protected status in the United

774 States;

775 (V) approved deferred action status;

776 (VI) pending application for adjustment of status to legal permanent resident or

777 conditional resident; or

778 (VII) conditional permanent resident alien status;

779 (iii) provide a description of the applicant;

780 (iv) state whether the applicant has previously been licensed to drive a motor vehicle

781 and, if so, when and by what state or country;

782 (v) state whether the applicant has ever had a license suspended, cancelled, revoked,

783 disqualified, or denied in the last 10 years, or whether the applicant has ever had a license

784 application refused, and if so, the date of and reason for the suspension, cancellation,

785 revocation, disqualification, denial, or refusal;

786 (vi) state whether the applicant intends to make an anatomical gift under Title 26B,

787 Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, in compliance with Subsection (15);

788 (vii) state whether the applicant is required to register as a sex offender in accordance

789 with Title 77, Chapter 41, Sex and Kidnap Offender Registry;

790 (viii) state whether the applicant is a veteran of the United States military, provide

791 verification that the applicant was granted an honorable or general discharge from the United

792 States Armed Forces, and state whether the applicant does or does not authorize sharing the

793 information with the Department of Veterans and Military Affairs;

794 (ix) provide all other information the division requires; and

795 (x) sign the application which signature may include an electronic signature as defined

796 in Section [46-4-102](#).

797 (b) Unless the applicant provides acceptable verification of homelessness as described

798 in rules made by the division, an applicant shall have a Utah residence address, unless the

799 application is for a temporary CDL issued under Subsection [53-3-407\(2\)\(b\)](#).

800 (c) An applicant shall provide evidence of lawful presence in the United States in

801 accordance with Subsection (8)(a)(ii), unless the application is for a driving privilege card.

802 (d) The division shall maintain on the division's computerized records an applicant's:

803 (i) (A) social security number;

804 (B) temporary identification number (ITIN); or

805 (C) other number assigned by the division if Subsection (8)(a)(i)(D)(IV) applies; and

806 (ii) indication whether the applicant is required to register as a sex offender in

807 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

808 (9) The division shall require proof of an applicant's name, birth date, and birthplace by

809 at least one of the following means:

810 (a) current license certificate;

811 (b) birth certificate;

812 (c) Selective Service registration; or

813 (d) other proof, including church records, family Bible notations, school records, or

814 other evidence considered acceptable by the division.

815 (10) (a) Except as provided in Subsection (10)(c), if an applicant receives a license in a
816 higher class than what the applicant originally was issued:

817 (i) the license application is treated as an original application; and

818 (ii) license and endorsement fees is assessed under Section 53-3-105.

819 (b) An applicant that receives a downgraded license in a lower license class during an
820 existing license cycle that has not expired:

821 (i) may be issued a duplicate license with a lower license classification for the
822 remainder of the existing license cycle; and

823 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a
824 duplicate license is issued under Subsection (10)(b)(i).

825 (c) An applicant who has received a downgraded license in a lower license class under
826 Subsection (10)(b):

827 (i) may, when eligible, receive a duplicate license in the highest class previously issued
828 during a license cycle that has not expired for the remainder of the existing license cycle; and

829 (ii) shall be assessed a duplicate license fee under Subsection 53-3-105(25) if a
830 duplicate license is issued under Subsection (10)(c)(i).

831 (11) (a) When an application is received from an applicant previously licensed in

832 another state to drive a motor vehicle, the division shall request a copy of the driver's record
833 from the other state.

834 (b) When received, the driver's record becomes part of the driver's record in this state
835 with the same effect as though entered originally on the driver's record in this state.

836 (12) An application for reinstatement of a license after the suspension, cancellation,
837 disqualification, denial, or revocation of a previous license is accompanied by the additional
838 fee or fees specified in Section 53-3-105.

839 (13) An individual who has an appointment with the division for testing and fails to
840 keep the appointment or to cancel at least 48 hours in advance of the appointment shall pay the
841 fee under Section 53-3-105.

842 (14) An applicant who applies for an original license or renewal of a license agrees that
843 the individual's license is subject to a suspension or revocation authorized under this title or
844 Title 41, Motor Vehicles.

845 (15) (a) A licensee shall authenticate the indication of intent under Subsection
846 (8)(a)(vi) in accordance with division rule.

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

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

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

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

854 (16) Notwithstanding Title 63G, Chapter 2, Government Records Access and
855 Management Act, the division may release to the Department of Veterans and Military Affairs
856 the names and addresses of all applicants who indicate their status as a veteran under
857 Subsection (8)(a)(viii).

858 (17) Notwithstanding Title 63G, Chapter 2, Government Records Access and
859 Management Act, the division shall, upon request, release to the Sex and Kidnap Offender
860 Registry office in the Department of Corrections, the names and addresses of all applicants
861 who, under Subsection (8)(a)(vii), indicate they are required to register as a sex offender in
862 accordance with Title 77, Chapter 41, Sex and Kidnap Offender Registry.

863 (18) The division and its employees are not liable, as a result of false or inaccurate
864 information provided under Subsection (8)(a)(vi) or (viii), for direct or indirect:

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

868 (19) An applicant who knowingly fails to provide the information required under
869 Subsection (8)(a)(vii) is guilty of a class A misdemeanor.

870 (20) A person may not hold both an unexpired Utah license certificate and an
871 unexpired identification card.

872 (21) (a) An applicant who applies for an original motorcycle endorsement to a regular
873 license certificate is exempt from the requirement to pass the knowledge and skills test to be
874 eligible for the motorcycle endorsement if the applicant:

- 875 (i) is a resident of the state of Utah;
- 876 (ii) (A) is ordered to active duty and stationed outside of Utah in any of the armed
877 forces of the United States; or

878 (B) is an immediate family member or dependent of an individual described in
879 Subsection (21)(a)(ii)(A) and is residing outside of Utah;

880 (iii) has a digitized driver license photo on file with the division;

881 (iv) provides proof to the division of the successful completion of a certified
882 Motorcycle Safety Foundation rider training course; and

883 (v) provides the necessary information and documentary evidence required under
884 Subsection (8).

885 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
886 division shall make rules:

887 (i) establishing the procedures for an individual to obtain a motorcycle endorsement
888 under this Subsection (21); and

889 (ii) identifying the applicable restrictions for a motorcycle endorsement issued under
890 this Subsection (21).

891 Section 6. Section **53-3-207** is amended to read:

892 **53-3-207. License certificates or driving privilege cards issued to drivers by class**
893 **of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary**

894 **licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.**

895 (1) As used in this section:

896 (a) "Authorized guardian" means:

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

898 (A) is under 18 years old; and

899 (B) has an invisible condition; or

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

901 (A) is 18 years old or older; and

902 (B) has an invisible condition.

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

905 (c) "First responder" means:

906 (i) a law enforcement officer, as defined in Section [53-13-103](#);907 (ii) an emergency medical technician, as defined in Section [53-2e-101](#);908 (iii) an advanced emergency medical technician, as defined in Section [53-2e-101](#);909 (iv) a paramedic, as defined in Section [53-2e-101](#);910 (v) a firefighter, as defined in Section [53B-8c-102](#); or911 (vi) a dispatcher, as defined in Section [53-6-102](#).

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

913 (e) "Health care professional" means:

914 (i) a licensed physician, physician assistant, nurse practitioner, or mental health
915 therapist; or916 (ii) any other licensed health care professional the division designates by rule made in
917 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.918 (f) "Invisible condition" means a physical or mental condition that may interfere with
919 an individual's ability to communicate with a first responder, including:

920 (i) a communication impediment;

921 (ii) hearing loss;

922 (iii) blindness or a visual impairment;

923 (iv) autism spectrum disorder;

924 (v) a drug allergy;

925 (vi) Alzheimer's disease or dementia;

926 (vii) post-traumatic stress disorder;

927 (viii) traumatic brain injury;

928 (ix) schizophrenia;

929 (x) epilepsy;

930 (xi) a developmental disability;

931 (xii) Down syndrome;

932 (xiii) diabetes;

933 (xiv) a heart condition; or

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

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

937 (h) "Political subdivision" means any county, city, town, school district, public transit
938 district, community reinvestment agency, special improvement or taxing district, special
939 district, special service district, an entity created by an interlocal agreement adopted under Title
940 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public
941 corporation.

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

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

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

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

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

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

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

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

- 956 (v) a photograph of the individual;
- 957 (vi) a photograph or other facsimile of the individual's signature;
- 958 (vii) an indication whether the individual intends to make an anatomical gift under
959 Title 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act, unless the driving
960 privilege is extended under Subsection 53-3-214(3); and
- 961 (viii) except as provided in Subsection (3)(b), if the individual states that the individual
962 is a veteran of the United States military on the application for a driver license in accordance
963 with Section 53-3-205 and provides verification that the individual was granted an honorable
964 or general discharge from the United States Armed Forces, an indication that the individual is a
965 United States military veteran for a regular license certificate or limited-term license certificate
966 issued on or after July 1, 2011.
- 967 (b) A regular license certificate or limited-term license certificate issued to an
968 individual younger than 21 years old on a portrait-style format as required in Subsection
969 ~~[(7)(b)]~~ (9)(b) is not required to include an indication that the individual is a United States
970 military veteran under Subsection (3)(a)(viii).
- 971 (c) A new license certificate issued by the division may not bear the individual's social
972 security number.
- 973 (d) (i) The regular license certificate, limited-term license certificate, or driving
974 privilege card shall be of an impervious material, resistant to wear, damage, and alteration.
- 975 (ii) The size, form, and color of the regular license certificate, limited-term license
976 certificate, or driving privilege card shall be as prescribed by the commissioner.
- 977 (iii) The commissioner may also prescribe the issuance of a special type of limited
978 regular license certificate, limited-term license certificate, or driving privilege card under
979 Subsection 53-3-220(4).
- 980 (4) (a) The division shall include an individual's concealed firearm permit number on
981 the individual's regular license certificate, limited-term license certificate, or commercial driver
982 license if the individual:
- 983 (i) requests that the division include the information;
- 984 (ii) holds a valid concealed firearm permit under Title 53, Chapter 5, Part 7, Concealed
985 Firearm Act; and
- 986 (iii) consents, in writing, to the Bureau of Criminal Identification providing the

987 division with:

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

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

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

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

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

993 (5) (a) A regular license certificate or commercial driver license that includes an

994 individual's concealed firearm permit number expires on the birth date of the applicant no more

995 than five years after the license certificate is issued.

996 (b) A limited-term license certificate that includes an individual's concealed firearm

997 permit number expires on the earlier of:

998 (i) the limited-term license certificate expiration date; or

999 (ii) the birth date of the applicant no more than five years after the license certificate is

1000 issued.

1001 ~~[(4)]~~ (6) (a) The division shall include or affix an invisible condition identification

1002 symbol on an individual's regular license certificate, limited-term license certificate, or driving

1003 privilege card if the individual or the individual's authorized guardian, on a form prescribed by

1004 the department:

1005 (i) requests the division to include the invisible condition identification symbol;

1006 (ii) provides written verification from a health care professional that the individual is

1007 an individual with an invisible condition; and

1008 (iii) signs a waiver of liability for the release of any medical information to:

1009 (A) the department;

1010 (B) any person who has access to the individual's medical information as recorded on

1011 the individual's driving record or the Utah Criminal Justice Information System under this

1012 chapter;

1013 (C) any other person who may view or receive notice of the individual's medical

1014 information by seeing the individual's regular license certificate, limited-term license

1015 certificate, or driving privilege card or the individual's information in the Utah Criminal Justice

1016 Information System;

1017 (D) a local law enforcement agency that receives a copy of the form described in this

1018 Subsection ~~[(4)(a)]~~ (6)(a) and enters the contents of the form into the local law enforcement
1019 agency's record management system or computer-aided dispatch system; and

1020 (E) a dispatcher who accesses the information regarding the individual's invisible
1021 condition through the use of a local law enforcement agency's record management system or
1022 computer-aided dispatch system.

1023 (b) As part of the form described in Subsection ~~[(4)(a)]~~ (6)(a), the department shall
1024 advise the individual or the individual's authorized guardian that by submitting the signed
1025 waiver, the individual or the individual's authorized guardian consents to the release of the
1026 individual's medical information to any person described in Subsections ~~[(4)(a)(iii)(A) through~~
1027 ~~(E)]~~ (6)(a)(iii)(A) through (E), even if the person is otherwise ineligible to access the
1028 individual's medical information under state or federal law.

1029 (c) The division may not:

1030 (i) charge a fee to include the invisible condition identification symbol on the
1031 individual's regular license certificate, limited-term license certificate, or driving privilege card;
1032 or

1033 (ii) after including the invisible condition identification symbol on the individual's
1034 previously issued regular license certificate, limited-term license certificate, or driving
1035 privilege card, require the individual to provide subsequent written verification described in
1036 Subsection ~~[(4)(a)(ii)]~~ (6)(a)(ii) to include the invisible condition identification symbol on the
1037 individual's renewed or extended regular license certificate, limited-term license certificate, or
1038 driving privilege card.

1039 (d) The division shall confirm with the Division of Professional Licensing that the
1040 health care professional described in Subsection ~~[(4)(a)(ii)]~~ (6)(a)(ii) holds a current state
1041 license.

1042 (e) The inclusion of an invisible condition identification symbol on an individual's
1043 license certificate, limited-term license certificate, or driving privilege card in accordance with
1044 Subsection ~~[(4)(a)]~~ (6)(a) does not confer any legal rights or privileges on the individual,
1045 including parking privileges for individuals with disabilities under Section [41-1a-414](#).

1046 (f) For each individual issued a regular license certificate, limited-term license
1047 certificate, or driving privilege card under this section that includes an invisible condition
1048 identification symbol, the division shall include in the division's database a brief description of

1049 the nature of the individual's invisible condition in the individual's record and provide the brief
1050 description to the Utah Criminal Justice Information System.

1051 (g) Except as provided in this section, the division may not release the information
1052 described in Subsection ~~[(4)(f)]~~ (6)(f).

1053 (h) Within 30 days after the day on which the division receives an individual's or the
1054 individual's authorized guardian's written request, the division shall:

1055 (i) remove from the individual's record in the division's database the invisible condition
1056 identification symbol and the brief description described in Subsection ~~[(4)(f)]~~ (6)(f); and

1057 (ii) provide the individual's updated record to the Utah Criminal Justice Information
1058 System.

1059 ~~[(5)]~~ (7) As provided in Section [63G-2-302](#), the information described in Subsection
1060 ~~[(4)(a)]~~ (6)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records
1061 Access and Management Act.

1062 ~~[(6)]~~ (8) (a) (i) The division, upon determining after an examination that an applicant is
1063 mentally and physically qualified to be granted a driving privilege, may issue to an applicant a
1064 receipt for the fee if the applicant is eligible for a regular license certificate or limited-term
1065 license certificate.

1066 (ii) (A) The division shall issue a temporary regular license certificate or temporary
1067 limited-term license certificate allowing the individual to drive a motor vehicle while the
1068 division is completing the division's investigation to determine whether the individual is
1069 entitled to be granted a driving privilege.

1070 (B) A temporary regular license certificate or a temporary limited-term license
1071 certificate issued under this Subsection ~~[(6)]~~ (8) shall be recognized and have the same rights
1072 and privileges as a regular license certificate or a limited-term license certificate.

1073 (b) The temporary regular license certificate or temporary limited-term license
1074 certificate shall be in the individual's immediate possession while driving a motor vehicle, and
1075 the temporary regular license certificate or temporary limited-term license certificate is invalid
1076 when the individual's regular license certificate or limited-term license certificate has been
1077 issued or when, for good cause, the privilege has been refused.

1078 (c) The division shall indicate on the temporary regular license certificate or temporary
1079 limited-term license certificate a date after which the temporary regular license certificate or

1080 temporary limited-term license certificate is not valid as a temporary license.

1081 (d) (i) Except as provided in Subsection [~~(6)(d)(ii)~~] (8)(d)(ii), the division may not
1082 issue a temporary driving privilege card or other temporary permit to an applicant for a driving
1083 privilege card.

1084 (ii) The division may issue a learner permit issued in accordance with Section
1085 53-3-210.5 to an applicant for a driving privilege card.

1086 [~~(7)~~] (9) (a) The division shall distinguish learner permits, temporary permits, regular
1087 license certificates, limited-term license certificates, and driving privilege cards issued to any
1088 individual younger than 21 years old by use of plainly printed information or the use of a color
1089 or other means not used for other regular license certificates, limited-term license certificates,
1090 or driving privilege cards.

1091 (b) The division shall distinguish a regular license certificate, limited-term license
1092 certificate, or driving privilege card issued to an individual younger than 21 years old by use of
1093 a portrait-style format not used for other regular license certificates, limited-term license
1094 certificates, or driving privilege cards and by plainly printing the date the regular license
1095 certificate, limited-term license certificate, or driving privilege card holder is 21 years old.

1096 [~~(8)~~] (10) The division shall distinguish a limited-term license certificate by clearly
1097 indicating on the document:

1098 (a) that the limited-term license certificate is temporary; and

1099 (b) the limited-term license certificate's expiration date.

1100 [~~(9)~~] (11) (a) The division shall only issue a driving privilege card to an individual
1101 whose privilege was obtained without providing evidence of lawful presence in the United
1102 States as required under Subsection 53-3-205(8).

1103 (b) The division shall distinguish a driving privilege card from a license certificate by:

1104 (i) use of a format, color, font, or other means; and

1105 (ii) clearly displaying on the front of the driving privilege card a phrase substantially
1106 similar to "FOR DRIVING PRIVILEGES ONLY -- NOT VALID FOR IDENTIFICATION".

1107 [~~(10)~~] (12) The provisions of Subsection [~~(7)(b)~~] (9)(b) do not apply to a learner
1108 permit, temporary permit, temporary regular license certificate, temporary limited-term license
1109 certificate, or any other temporary permit.

1110 [~~(11)~~] (13) The division shall issue temporary license certificates of the same nature,

1111 except as to duration, as the license certificates that they temporarily replace, as are necessary
1112 to implement applicable provisions of this section and Section 53-3-223.

1113 ~~[(12)]~~ (14) (a) A governmental entity may not accept a driving privilege card as proof
1114 of personal identification.

1115 (b) A driving privilege card may not be used as a document providing proof of an
1116 individual's age for any government required purpose.

1117 ~~[(13)]~~ (15) An individual who violates Subsection (2)(b) is guilty of an infraction.

1118 ~~[(14)]~~ (16) Unless otherwise provided, the provisions, requirements, classes,
1119 endorsements, fees, restrictions, and sanctions under this code apply to a:

1120 (a) driving privilege in the same way as a license or limited-term license issued under
1121 this chapter; and

1122 (b) limited-term license certificate or driving privilege card in the same way as a
1123 regular license certificate issued under this chapter.

1124 Section 7. Section 53-3-214 is amended to read:

1125 **53-3-214. Renewal -- Fees required -- Extension without examination.**

1126 (1) (a) The holder of a valid license may renew the holder's license and any
1127 endorsement to the license by applying:

1128 (i) at any time within six months before the license expires; or

1129 (ii) more than six months prior to the expiration date if the applicant furnishes proof
1130 that the applicant will be absent from the state during the six-month period prior to the
1131 expiration of the license.

1132 (b) The application for a renewal of, extension of, or any endorsement to a license shall
1133 be accompanied by a fee under Section 53-3-105.

1134 (2) (a) Except as provided under Subsections (2)(b) and (3), upon application for
1135 renewal of a regular license certificate, provisional license, and any endorsement to a regular
1136 license certificate, the division shall reexamine each applicant as if for an original license and
1137 endorsement to the license, if applicable.

1138 (b) Except as provided under Subsection (2)(c), upon application for renewal of a
1139 limited-term license certificate, limited-term provisional license certificate, and any
1140 endorsement to a limited-term license certificate, the division shall:

1141 (i) reexamine each applicant as if for an original limited-term license certificate and

1142 endorsement to the limited-term license certificate, if applicable; and

1143 (ii) verify through valid documentary evidence that the status by which the individual
1144 originally qualified for the limited-term license certificate has been extended by the United
1145 States Citizenship and Immigration Services or other authorized agency of the United States
1146 Department of Homeland Security.

1147 (c) The division may waive any or all portions of the test designed to demonstrate the
1148 applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

1149 (3) (a) (i) Except as provided under Subsections [~~(3)(b) and (c)~~] (3)(b) through (d), the
1150 division may renew or extend a regular license certificate or any endorsement to the regular
1151 license certificate for eight years without examination for licensees whose driving records for
1152 the eight years immediately preceding the determination of eligibility for extension show:

1153 (A) no suspensions;

1154 (B) no revocations;

1155 (C) no conviction for reckless driving under Section [41-6a-528](#); and

1156 (D) no more than six reportable violations in the preceding eight years.

1157 (ii) Except as provided under Subsections (3)(b) and (c), the division may renew or
1158 extend a provisional license and any endorsement to a provisional license for eight years
1159 without examination for licensees whose driving records for the five years immediately
1160 preceding the determination of eligibility for extension show:

1161 (A) no suspensions;

1162 (B) no revocations;

1163 (C) no conviction for reckless driving under Section [41-6a-528](#); and

1164 (D) no more than four reportable violations in the preceding five years.

1165 (iii) Except as provided under Subsections (3)(b) and (c), the division may renew or
1166 extend a limited term license and any endorsement to a limited term license for five years
1167 without examination for licensees whose driving records for the five years immediately
1168 preceding the determination of eligibility for extension show:

1169 (A) no suspensions;

1170 (B) no revocations;

1171 (C) no conviction for reckless driving under Section [41-6a-528](#); and

1172 (D) no more than four reportable violations in the preceding five years.

1173 (b) Except as provided in Subsection ~~[(3)(g)]~~ (3)(h), after the expiration of a regular
 1174 license certificate, a new regular license certificate and any endorsement to a regular license
 1175 certificate may not be issued until the person has again passed the tests under Section [53-3-206](#)
 1176 and paid the required fee.

1177 (c) After the expiration of a limited-term license certificate, a new limited-term license
 1178 certificate and any endorsement to a limited-term license certificate may not be issued until the
 1179 person has:

1180 (i) again passed the tests under Section [53-3-206](#) and paid the required fee; and

1181 (ii) presented documentary evidence that the status by which the individual originally
 1182 qualified for the limited-term license certificate has been extended by the United States
 1183 Citizenship and Immigration Services or other authorized agency of the United States
 1184 Department of Homeland Security.

1185 (d) A person 65 years of age or older shall take and pass the eye examination specified
 1186 in Section [53-3-206](#).

1187 (e) An extension may not be granted to ~~[any person]~~ an individual who:

1188 (i) ~~[who]~~ is identified by the division as having a medical impairment that may
 1189 represent a hazard to public safety;

1190 (ii) ~~[holding]~~ holds a CDL or limited-term CDL issued under Part 4, Uniform
 1191 Commercial Driver License Act;

1192 (iii) ~~[who is holding]~~ holds a limited-term license certificate; ~~[or]~~

1193 (iv) ~~[who is holding]~~ holds a driving privilege card issued in accordance with Section
 1194 [53-3-207](#)~~[-];~~ or

1195 (v) holds a regular license certificate, limited-term license certificate, or commercial
 1196 driver license that includes an individual's concealed firearm permit number under Section
 1197 [53-3-207](#).

1198 (f) The division shall allow extensions:

1199 (i) by mail, electronic means, or other means as determined by the division at the
 1200 appropriate extension fee rate under Section [53-3-105](#);

1201 (ii) only if the applicant qualifies under this section; and

1202 (iii) for only one extension.

1203 (g) The division may waive any or all portions of the test designed to demonstrate the

1204 applicant's ability to exercise ordinary and reasonable control driving a motor vehicle.

1205 (4) In accordance with this section, the division shall coordinate with the Department
1206 of Corrections in providing an inmate with access to a driver license certificate as described in
1207 Section [64-13-10.6](#).

1208 Section 8. Section **53-3-805** is amended to read:

1209 **53-3-805. Identification card -- Contents -- Specifications.**

1210 (1) As used in this section:

1211 (a) "Authorized guardian" means the same as that term is defined in Section [53-3-207](#).

1212 (b) "Health care professional" means the same as that term is defined in Section
1213 [53-3-207](#).

1214 (c) "Invisible condition" means the same as that term is defined in Section [53-3-207](#).

1215 (d) "Invisible condition identification symbol" means the same as that term is defined
1216 in Section [53-3-207](#).

1217 (2) (a) The division shall issue an identification card that bears:

1218 (i) the distinguishing number assigned to the individual by the division;

1219 (ii) the name, birth date, and Utah residence address of the individual;

1220 (iii) a brief description of the individual for the purpose of identification;

1221 (iv) a photograph of the individual;

1222 (v) a photograph or other facsimile of the individual's signature;

1223 (vi) an indication whether the individual intends to make an anatomical gift under Title
1224 26B, Chapter 8, Part 3, Revised Uniform Anatomical Gift Act; and

1225 (vii) if the individual states that the individual is a veteran of the United States military
1226 on the application for an identification card in accordance with Section [53-3-804](#) and provides
1227 verification that the individual received an honorable or general discharge from the United
1228 States Armed Forces, an indication that the individual is a United States military veteran for a
1229 regular identification card or a limited-term identification card issued on or after July 1, 2011.

1230 (b) An identification card issued by the division may not bear the individual's social
1231 security number or place of birth.

1232 (3) (a) The card shall be of an impervious material, resistant to wear, damage, and
1233 alteration.

1234 (b) Except as provided under Section [53-3-806](#), the size, form, and color of the card is

1235 prescribed by the commissioner.

1236 (4) (a) The division shall include an individual's concealed firearm permit number on
1237 the individual's identification card if the individual:

1238 (i) requests that the division include the information;

1239 (ii) holds a valid concealed firearm permit under Title 53, Chapter 5, Part 7, Concealed
1240 Firearm Act; and

1241 (iii) consents, in writing, to the Bureau of Criminal Identification providing the
1242 division with:

1243 (A) the verification described in Subsection (4)(b); and

1244 (B) the individual's concealed firearm permit number.

1245 (b) Within fourteen days after the day on which the individual makes the request
1246 described in Subsection (4)(a)(i), the division shall verify with the Bureau of Criminal
1247 Identification that the individual holds a valid permit described in Subsection (4)(a)(ii).

1248 ~~[(4)]~~ (5) At the applicant's request, the card may include a statement that the applicant
1249 has a special medical problem or allergies to certain drugs, for the purpose of medical
1250 treatment.

1251 ~~[(5)]~~ (6) (a) The division shall include or affix an invisible condition identification
1252 symbol on an individual's identification card if the individual or the individual's authorized
1253 guardian, on a form prescribed by the department:

1254 (i) requests the division to include the invisible condition identification symbol;

1255 (ii) provides written verification from a health care professional that the individual is
1256 an individual with an invisible condition; and

1257 (iii) submits a signed waiver of liability for the release of any medical information to:

1258 (A) the department;

1259 (B) any person who has access to the individual's medical information as recorded on
1260 the individual's driving record or the Utah Criminal Justice Information System under this
1261 chapter;

1262 (C) any other person who may view or receive notice of the individual's medical
1263 information by seeing the individual's identification card or the individual's information in the
1264 Utah Criminal Justice Information System;

1265 (D) a local law enforcement agency that receives a copy of the form described in this

1266 Subsection ~~[(5)(a)]~~ (6)(a) and enters the contents of the form into the local law enforcement
1267 agency's record management system or computer-aided dispatch system; and

1268 (E) a dispatcher who accesses the information regarding the individual's invisible
1269 condition through the use of a local law enforcement agency's record management system or
1270 computer-aided dispatch system.

1271 (b) As part of the form described in Subsection ~~[(5)(a)]~~ (6)(a), the department shall
1272 advise the individual or the individual's authorized guardian that by submitting the request and
1273 signed waiver, the individual or the individual's authorized guardian consents to the release of
1274 the individual's medical information to any person described in Subsection ~~[(5)(a)(iii)]~~
1275 (6)(a)(iii), even if the person is otherwise ineligible to access the individual's medical
1276 information under state or federal law.

1277 (c) The division may not:

1278 (i) charge a fee to include the invisible condition identification symbol on the
1279 individual's identification card; or

1280 (ii) after including the invisible condition identification symbol on the individual's
1281 previously issued identification card, require the individual to provide subsequent written
1282 verification described in Subsection ~~[(5)(a)(ii)]~~ (6)(a)(ii) to include the invisible condition
1283 identification symbol on the individual's extended identification card.

1284 (d) The division shall confirm with the Division of Professional Licensing that the
1285 health care professional described in Subsection ~~[(5)(a)(ii)]~~ (6)(a)(ii) holds a current state
1286 license.

1287 (e) The inclusion of an invisible condition identification symbol on an individual's
1288 identification card in accordance with Subsection ~~[(5)(a)]~~ (6)(a) does not confer any legal rights
1289 or privileges on the individual, including parking privileges for individuals with disabilities
1290 under Section [41-1a-414](#).

1291 (f) For each individual issued an identification card under this section that includes an
1292 invisible condition identification symbol, the division shall include in the division's database a
1293 brief description of the nature of the individual's invisible condition in the individual's record
1294 and provide the brief description to the Utah Criminal Justice Information System.

1295 (g) Except as provided in this section, the division may not release the information
1296 described in Subsection ~~[(5)(f)]~~ (6)(f).

1297 (h) Within 30 days after the day on which the division receives an individual's or the
1298 individual's authorized guardian's written request, the division shall:

1299 (i) remove from the individual's record in the division's database the invisible condition
1300 identification symbol and the brief description described in Subsection ~~[(5)(f)]~~ (6)(f); and

1301 (ii) provide the individual's updated record to the Utah Criminal Justice Information
1302 System.

1303 ~~[(6)]~~ (7) As provided in Section [63G-2-302](#), the information described in Subsection
1304 ~~[(5)(a)]~~ (6)(a) is a private record for purposes of Title 63G, Chapter 2, Government Records
1305 Access and Management Act.

1306 ~~[(7)]~~ (8) (a) The indication of intent under Subsection [53-3-804\(2\)\(j\)](#) shall be
1307 authenticated by the applicant in accordance with division rule.

1308 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and
1309 Management Act, the division may, upon request, release to an organ procurement
1310 organization, as defined in Section [26B-8-301](#), the names and addresses of all individuals who
1311 under Subsection [53-3-804\(2\)\(j\)](#) indicate that they intend to make an anatomical gift.

1312 (ii) An organ procurement organization may use released information only to:

1313 (A) obtain additional information for an anatomical gift registry; and

1314 (B) inform applicants of anatomical gift options, procedures, and benefits.

1315 ~~[(8)]~~ (9) Notwithstanding Title 63G, Chapter 2, Government Records Access and
1316 Management Act, the division may release to the Department of Veterans and Military Affairs
1317 the names and addresses of all individuals who indicate their status as a veteran under
1318 Subsection [53-3-804\(2\)\(l\)](#).

1319 ~~[(9)]~~ (10) The division and the division's employees are not liable, as a result of false or
1320 inaccurate information provided under Subsection [53-3-804\(2\)\(j\)](#) or (l), for direct or indirect:

1321 (a) loss;

1322 (b) detriment; or

1323 (c) injury.

1324 ~~[(10)]~~ (11) (a) The division may issue a temporary regular identification card to an
1325 individual while the individual obtains the required documentation to establish verification of
1326 the information described in Subsections [53-3-804\(2\)\(a\)](#), (b), (c), (d), and (i)(i).

1327 (b) A temporary regular identification card issued under this Subsection ~~[(10)]~~ (11)

1328 shall be recognized and grant the individual the same privileges as a regular identification card.

1329 (c) A temporary regular identification card issued under this Subsection [~~(10)~~] (11) is
1330 invalid:

1331 (i) when the individual's regular identification card has been issued;

1332 (ii) when, for good cause, an applicant's application for a regular identification card has
1333 been refused; or

1334 (iii) upon expiration of the temporary regular identification card.

1335 (d) The division shall coordinate with the Department of Corrections in providing an
1336 inmate with a temporary regular identification card as described in Section 64-13-10.6.

1337 Section 9. Section 53-5-708 is amended to read:

1338 **53-5-708. Permit -- Names private.**

1339 (1) (a) The bureau shall maintain a record [~~in its office of any~~] of a permit issued under
1340 this part.

1341 (b) Notwithstanding the requirements of Subsection 63G-2-301(2)(b), the names,
1342 addresses, telephone numbers, dates of birth, and Social Security numbers of persons receiving
1343 permits are protected records under Subsection 63G-2-305(11).

1344 (c) The bureau may share necessary records to confirm that the individual holds a valid
1345 concealed firearm permit and provide an individual's concealed firearm permit number if the
1346 bureau receives from the Driver License Division a request and consent described in
1347 Subsection 53-3-207(4) or 53-3-805(4).

1348 [~~(c)~~] (d) Notwithstanding Section 63G-2-206, a person may not share any of the
1349 information listed in Subsection (1)(b) with any office, department, division, or other agency of
1350 the federal government unless:

1351 (i) the disclosure is necessary to conduct a criminal background check on the
1352 individual who is the subject of the information;

1353 (ii) the disclosure of information is made pursuant to a court order directly associated
1354 with an active investigation or prosecution of the individual who is the subject of the
1355 information;

1356 (iii) the disclosure is made to a criminal justice agency in a criminal investigation or
1357 prosecution;

1358 (iv) the disclosure is made by a law enforcement agency within the state to another law

1359 enforcement agency in the state or in another state in connection with an investigation,
1360 including a preliminary investigation, or a prosecution of the individual who is the subject of
1361 the information;

1362 (v) the disclosure is made by a law enforcement agency within the state to an employee
1363 of a federal law enforcement agency in the course of a combined law enforcement effort
1364 involving the law enforcement agency within the state and the federal law enforcement agency;
1365 or

1366 (vi) the disclosure is made in response to a routine request that a federal law
1367 enforcement officer makes to obtain information on an individual whom the federal law
1368 enforcement officer detains, including for a traffic stop, or questions because of the individual's
1369 suspected violation of state law.

1370 ~~[(+)]~~ (e) A person is guilty of a class A misdemeanor if the person knowingly:

1371 (i) discloses information listed in Subsection (1)(b) in violation of the provisions under
1372 Title 63G, Chapter 2, Government Records Access and Management Act, applicable to
1373 protected records; or

1374 (ii) shares information in violation of Subsection ~~[(+)(e)]~~ (1)(d).

1375 ~~[(e)]~~ (f) (i) As used in this Subsection ~~[(+)(e)]~~ (1)(f), "governmental agency" means:

1376 (A) the state or any department, division, agency, or other instrumentality of the state;

1377 or

1378 (B) a political subdivision of the state, including a county, city, town, school district,
1379 special district, and special service district.

1380 (ii) A governmental agency may not compel or attempt to compel an individual who
1381 has been issued a concealed firearm permit to divulge whether the individual:

1382 (A) has been issued a concealed firearm permit; or

1383 (B) is carrying a concealed firearm.

1384 (iii) Subsection ~~[(+)(e)(ii)]~~ (1)(f)(ii) does not apply to a law enforcement officer.

1385 (2) The bureau shall immediately file a copy of each permit it issues under this part.

1386 Section 10. Section **53-27-101** is amended to read:

1387 **53-27-101. Definitions.**

1388 As used in this chapter:

1389 (1) "Authorized guardian" means the same as that term is defined in Section [53-3-207](#).

- 1390 (2) "Dispatcher" means the same as that term is defined in Section 53-6-102.
1391 (3) "First responder" means the same as that term is defined in Section 53-3-207.
1392 (4) "Health care professional" means the same as that term is defined in Section
1393 53-3-207.
1394 (5) "Invisible condition" means the same as that term is defined in Section 53-3-207.
1395 (6) "Invisible condition alert program" means the voluntary disclosure of an invisible
1396 condition in accordance with Section 53-27-102 or Subsection 41-1a-213(6), [~~53-3-207(4), or~~
1397 ~~53-3-805(5);~~] 53-3-207(6), or 53-3-805(6).

1398 Section 11. Section 53-27-102 is amended to read:

1399 **53-27-102. Invisible condition alert program -- Access to information -- Outreach**
1400 **-- Administrative rulemaking.**

1401 (1) If an individual or an individual's authorized guardian elects to disclose the
1402 individual's invisible condition to the individual's local law enforcement agency in accordance
1403 with the invisible condition alert program, the department shall provide the individual or the
1404 individual's authorized guardian with:

1405 (a) a form that contains the information described in Subsection [~~53-3-207(4) or~~
1406 ~~53-3-805(5);~~] 53-3-207(6) or 53-3-805(6); and

1407 (b) instructions on how the individual or the individual's authorized guardian may
1408 submit the form described in Subsection (1)(a) to the individual's local law enforcement
1409 agency.

1410 (2) Upon receipt of a completed form described in Subsection (1)(a), a local law
1411 enforcement agency shall enter information into the law enforcement agency's record
1412 management system or computer-aided dispatch system regarding the individual's election to
1413 disclose the individual's invisible condition, including the individual's:

1414 (a) name;

1415 (b) residence; and

1416 (c) invisible condition as reported by the individual and verified by the individual's
1417 health care professional.

1418 (3) A local law enforcement agency shall ensure that the information described in
1419 Subsection (2) is readily available to a dispatcher when the dispatcher receives a report
1420 concerning the name or the address of an individual with an invisible condition who has been

1421 entered into the local law enforcement agency's record management system or computer-aided
1422 dispatch system.

1423 (4) (a) Within 30 days after the day on which a local law enforcement agency receives
1424 an individual's or an individual's authorized guardian's written request, the local law
1425 enforcement agency shall remove the information regarding the individual's invisible condition
1426 from the local law enforcement agency's record management system or computer-aided
1427 dispatch system.

1428 (b) If a local law enforcement agency becomes aware that the individual described in
1429 Subsection (2) has permanently moved from the individual's residence described in Subsection
1430 (2), the local law enforcement agency may remove the information regarding the individual's
1431 invisible condition from the local law enforcement agency's record management system or
1432 computer-aided dispatch system.

1433 (5) The department shall prepare outreach materials concerning the invisible condition
1434 alert program in coordination with the Department of Health and Human Services as described
1435 in Section [26B-7-120](#).

1436 (6) The department may, in accordance with Title 63G, Chapter 3, Utah Administrative
1437 Rulemaking Act, make rules to establish procedures for implementing this section.

1438 Section 12. Section **63G-2-801** is amended to read:

1439 **63G-2-801. Criminal penalties.**

1440 (1) (a) A public employee or other person who has lawful access to any private,
1441 controlled, or protected record under this chapter, and who intentionally discloses, provides a
1442 copy of, or improperly uses a private, controlled, or protected record knowing that the
1443 disclosure or use is prohibited under this chapter, is, except as provided in Subsections
1444 [53-5-708\(1\)\(c\)](#) and [53-5-708\(1\)\(d\)](#), guilty of a class B misdemeanor.

1445 (b) It is a defense to prosecution under Subsection (1)(a) that the actor used or released
1446 private, controlled, or protected information in the reasonable belief that the use or disclosure
1447 of the information was necessary to expose a violation of law involving government
1448 corruption, abuse of office, or misappropriation of public funds or property.

1449 (c) It is a defense to prosecution under Subsection (1)(a) that the record could have
1450 lawfully been released to the recipient if it had been properly classified.

1451 (d) It is a defense to prosecution under Subsection (1)(a) that the public employee or

1452 other person disclosed, provided, or used the record based on a good faith belief that the
1453 disclosure, provision, or use was in accordance with the law.

1454 (2) (a) A person who by false pretenses, bribery, or theft, gains access to or obtains a
1455 copy of any private, controlled, or protected record to which the person is not legally entitled is
1456 guilty of a class B misdemeanor.

1457 (b) No person shall be guilty under Subsection (2)(a) who receives the record,
1458 information, or copy after the fact and without prior knowledge of or participation in the false
1459 pretenses, bribery, or theft.

1460 (3) (a) A public employee who intentionally refuses to release a record, the disclosure
1461 of which the employee knows is required by law, is guilty of a class B misdemeanor.

1462 (b) It is a defense to prosecution under Subsection (3)(a) that the public employee's
1463 failure to release the record was based on a good faith belief that the public employee was
1464 acting in accordance with the requirements of law.

1465 (c) A public employee who intentionally refuses to release a record, the disclosure of
1466 which the employee knows is required by a final unappealed order from a government entity,
1467 the State Records Committee, or a court is guilty of a class B misdemeanor.

1468 Section 13. Section **63G-7-201** is amended to read:

1469 **63G-7-201. Immunity of governmental entities and employees from suit.**

1470 (1) Except as otherwise provided in this chapter, each governmental entity and each
1471 employee of a governmental entity are immune from suit for any injury that results from the
1472 exercise of a governmental function.

1473 (2) Notwithstanding the waiver of immunity provisions of Section **63G-7-301**, a
1474 governmental entity, its officers, and its employees are immune from suit:

1475 (a) as provided in Section **78B-4-517**; and

1476 (b) for any injury or damage resulting from the implementation of or the failure to
1477 implement measures to:

1478 (i) control the causes of epidemic and communicable diseases and other conditions
1479 significantly affecting the public health or necessary to protect the public health as set out in
1480 Title 26A, Chapter 1, Local Health Departments;

1481 (ii) investigate and control suspected bioterrorism and disease as set out in Sections
1482 **26B-7-316** through **26B-7-324**;

1483 (iii) respond to a national, state, or local emergency, a public health emergency as
1484 defined in Section [26B-7-301](#), or a declaration by the President of the United States or other
1485 federal official requesting public health related activities, including the use, provision,
1486 operation, and management of:

- 1487 (A) an emergency shelter;
- 1488 (B) housing;
- 1489 (C) a staging place; or
- 1490 (D) a medical facility; and

1491 (iv) adopt methods or measures, in accordance with Section [26B-1-202](#), for health care
1492 providers, public health entities, and health care insurers to coordinate among themselves to
1493 verify the identity of the individuals they serve.

1494 (3) (a) A governmental entity, its officers, and its employees are immune from suit, and
1495 immunity is not waived, for any injury if the injury arises out of or in connection with, or
1496 results from:

1497 (i) a latent dangerous or latent defective condition of:

- 1498 (A) any highway, road, street, alley, crosswalk, sidewalk, culvert, tunnel, bridge, or
1499 viaduct; or
- 1500 (B) another structure located on any of the items listed in Subsection (3)(a)(i); or

1501 (ii) a latent dangerous or latent defective condition of any public building, structure,
1502 dam, reservoir, or other public improvement.

1503 (b) (i) As used in this Subsection (3)(b):

1504 (A) "Contaminated land" means the same as that term is defined in Section [11-58-102](#).

1505 (B) "Contamination" means the condition of land that results from the placement,
1506 disposal, or release of hazardous matter on, in, or under the land, including any seeping or
1507 escaping of the hazardous matter from the land.

1508 (C) "Damage" means any property damage, personal injury, or other injury or any loss
1509 of any kind, however denominated.

1510 (D) "Environmentally compliant" means, as applicable, obtaining a certificate of
1511 completion from the Department of Environmental Quality under Section [19-8-111](#) following
1512 participation in a voluntary cleanup under Title 19, Chapter 8, Voluntary Cleanup Program,
1513 obtaining an administrative letter from the Department of Environmental Quality for a discrete

1514 phase of a voluntary cleanup that is conducted under a remedial action plan as defined in
1515 Section 11-58-605, or complying with the terms of an environmental covenant, as defined in
1516 Section 57-25-102, signed by an agency, as defined in Section 57-25-102, and duly recorded in
1517 the office of the recorder of the county in which the contaminated land is located.

1518 (E) "Government owner" means a governmental entity, including an independent
1519 entity, as defined in Section 63E-1-102, that acquires an ownership interest in land that was
1520 contaminated land before the governmental entity or independent entity acquired an ownership
1521 interest in the land.

1522 (F) "Hazardous matter" means hazardous materials, as defined in Section 19-6-302,
1523 hazardous substances, as defined in Section 19-6-302, or landfill material, as defined in Section
1524 11-58-102.

1525 (G) "Remediation" means the same as that term is defined in Section 11-58-102.

1526 (ii) (A) A government owner and the government owner's officers and employees are
1527 immune from suit, and immunity is not waived, for any claim for damage that arises out of or
1528 in connection with, or results from, contamination of contaminated land.

1529 (B) A government owner's ownership of contaminated land may not be the basis of a
1530 claim against the government owner for damage that arises out of or in connection with, or
1531 results from, contamination of contaminated land.

1532 (iii) Subsection (3)(b)(ii) does not limit or affect:

1533 (A) the liability of a person that placed, disposed of, or released hazardous matter on,
1534 in, or under the land; or

1535 (B) a worker compensation claim of an employee of an entity that conducts work on or
1536 related to contaminated land.

1537 (iv) Immunity under Subsection (3)(b)(ii)(A) is not affected by a government owner's
1538 remediation of contaminated land if the government owner is environmentally compliant.

1539 (4) A governmental entity, its officers, and its employees are immune from suit, and
1540 immunity is not waived, for any injury proximately caused by a negligent act or omission of an
1541 employee committed within the scope of employment, if the injury arises out of or in
1542 connection with, or results from:

1543 (a) the exercise or performance, or the failure to exercise or perform, a discretionary
1544 function, whether or not the discretion is abused;

1545 (b) except as provided in Subsections 63G-7-301(2)(j), (3), and (4), assault, battery,
1546 false imprisonment, false arrest, malicious prosecution, intentional trespass, abuse of process,
1547 libel, slander, deceit, interference with contract rights, infliction of mental anguish, or violation
1548 of civil rights;

1549 (c) the issuance, denial, suspension, or revocation of, or the failure or refusal to issue,
1550 deny, suspend, or revoke, any permit, license, certificate, approval, order, or similar
1551 authorization;

1552 (d) a failure to make an inspection or making an inadequate or negligent inspection;

1553 (e) the institution or prosecution of any judicial or administrative proceeding, even if
1554 malicious or without probable cause;

1555 (f) a misrepresentation by an employee whether or not the misrepresentation is
1556 negligent or intentional;

1557 (g) a riot, unlawful assembly, public demonstration, mob violence, or civil disturbance;

1558 (h) the collection or assessment of taxes;

1559 (i) an activity of the Utah National Guard;

1560 (j) the incarceration of a person in a state prison, county or city jail, or other place of
1561 legal confinement;

1562 (k) a natural condition on publicly owned or controlled land;

1563 (l) a condition existing in connection with an abandoned mine or mining operation;

1564 (m) an activity authorized by the School and Institutional Trust Lands Administration
1565 or the Division of Forestry, Fire, and State Lands;

1566 (n) the operation or existence of a trail that is along a water facility, as defined in
1567 Section 73-1-8, stream, or river, regardless of ownership or operation of the water facility,
1568 stream, or river, if:

1569 (i) the trail is designated under a general plan adopted by a municipality under Section
1570 10-9a-401 or by a county under Section 17-27a-401;

1571 (ii) the trail right-of-way or the right-of-way where the trail is located is open to public
1572 use as evidenced by a written agreement between:

1573 (A) the owner or operator of the trail right-of-way or of the right-of-way where the trail
1574 is located; and

1575 (B) the municipality or county where the trail is located; and

- 1576 (iii) the written agreement:
- 1577 (A) contains a plan for operation and maintenance of the trail; and
- 1578 (B) provides that an owner or operator of the trail right-of-way or of the right-of-way
- 1579 where the trail is located has, at a minimum, the same level of immunity from suit as the
- 1580 governmental entity in connection with or resulting from the use of the trail;
- 1581 (o) research or implementation of cloud management or seeding for the clearing of fog;
- 1582 (p) the management of flood waters, earthquakes, or natural disasters;
- 1583 (q) the construction, repair, or operation of flood or storm systems;
- 1584 (r) the operation of an emergency vehicle, while being driven in accordance with the
- 1585 requirements of Section [41-6a-212](#);
- 1586 (s) the activity of:
- 1587 (i) providing emergency medical assistance;
- 1588 (ii) fighting fire;
- 1589 (iii) regulating, mitigating, or handling hazardous materials or hazardous wastes;
- 1590 (iv) an emergency evacuation;
- 1591 (v) transporting or removing an injured person to a place where emergency medical
- 1592 assistance can be rendered or where the person can be transported by a licensed ambulance
- 1593 service; or
- 1594 (vi) intervening during a dam emergency;
- 1595 (t) the exercise or performance, or the failure to exercise or perform, any function
- 1596 pursuant to Title 73, Chapter 10, Board of Water Resources - Division of Water Resources;
- 1597 (u) an unauthorized access to government records, data, or electronic information
- 1598 systems by any person or entity;
- 1599 (v) an activity of wildlife, as defined in Section [23A-1-101](#), that arises during the use
- 1600 of a public or private road;
- 1601 (w) a communication between employees of one or more law enforcement agencies
- 1602 related to the employment, disciplinary history, character, professional competence, or physical
- 1603 or mental health of a peace officer, or a former, current, or prospective employee of a law
- 1604 enforcement agency, including any communication made in accordance with Section
- 1605 [53-14-103](#); or
- 1606 (x) providing or failing to provide information under Section [53-27-102](#) or Subsection

1607 [41-1a-213](#)(6), (7), or (8), [~~[53-3-207](#)(4), or [53-3-805](#)(5)~~]; [53-3-207](#)(6), or [53-3-805](#)(6).

1608 Section 14. Section **64-13-10.6** is amended to read:

1609 **64-13-10.6. Transition and reentry of an inmate at termination of incarceration.**

1610 (1) The department shall evaluate the case action plan and update the case action plan
1611 as necessary to prepare for the offender's transition from incarceration to release, including:

1612 (a) establishing the supervision level and program needs, based on the offender's
1613 criminal risk factors;

1614 (b) identifying barriers to the offender's ability to obtain housing, food, clothing, and
1615 transportation;

1616 (c) identifying community-based treatment resources that are reasonably accessible to
1617 the offender;

1618 (d) establishing the initial supervision procedures and strategy for the offender's parole
1619 officer; and

1620 (e) ensuring that the offender has access to the web portal described in Section
1621 [35A-2-204](#) a minimum of 30 days before the offender's anticipated release date.

1622 (2) The department shall notify the Board of Pardons and Parole not fewer than 30 days
1623 prior to an offender's release of:

1624 (a) the offender's case action plan; and

1625 (b) any specific conditions of parole necessary to better facilitate transition to the
1626 community.

1627 (3) (a) At least six months before the projected date of an inmate's release from
1628 incarceration, if practicable, the department shall follow the procedures described in Section
1629 [64-13-10.4](#).

1630 (b) If the department is notified of the inmate's release and the remaining term of
1631 incarceration is for less than six months, the department shall follow the procedures described
1632 in Section [64-13-10.4](#) as soon as practicable after the department receives notification of the
1633 inmate's release date.

1634 (4) If the inmate's term of incarceration is for longer than six months, the department
1635 shall follow procedures described in Section [64-13-10.4](#):

1636 (a) approximately six months before the date of the inmate's anticipated release, if the
1637 inmate's term of incarceration is for longer than six months; or

1638 (b) as soon as possible, upon notification of the inmate's release, if the release is in
1639 shorter than six months.

1640 (5) (a) If an inmate accepts assistance in obtaining a current state-issued identification
1641 card or driver license, as described in Subsection [64-13-10.4\(4\)](#), the department shall
1642 coordinate with the Driver License Division to:

1643 (i) (A) obtain a duplicate of the inmate's state-issued driver license, as described in
1644 Section [53-3-215](#); or

1645 (B) renew the inmate's state-issued driver license, if the inmate meets the criteria listed
1646 in Section [53-3-214](#); or

1647 (ii) (A) extend the inmate's state-issued regular identification card, as described in
1648 Section [53-3-807](#); or

1649 (B) issue the inmate a temporary regular identification card as described in Subsection
1650 [~~53-3-805(10)~~] [53-3-805\(11\)](#), unless the inmate will live outside this state immediately upon
1651 release.

1652 (b) (i) Subject to Subsection (5)(b)(ii), the department shall ensure that within the last
1653 seven days of the inmate's incarceration, the inmate meets with the Driver License Division to
1654 be issued a duplicate driver license, a renewed driver license, an extended regular identification
1655 card, or a temporary regular identification card, as described in Subsection (5)(a).

1656 (ii) If an inmate is released from a facility other than a state correctional facility, the
1657 department shall coordinate with that correctional facility and the Driver License Division in
1658 assisting the inmate in meeting with the Driver License Division.

1659 (c) Before the inmate meets with the Driver License Division, as described in
1660 Subsection (5)(b)(i), the department shall ensure that the inmate is provided all required
1661 documentation and information the department possesses for the inmate to obtain a document
1662 listed in Subsection (5)(a), including:

1663 (i) all personal identification documentation; and

1664 (ii) a voucher for payment toward any one of the documents listed in Subsection (5)(a),
1665 up to the cost of a temporary regular identification card described in Subsection [~~53-3-805(10)~~]
1666 [53-3-805\(11\)](#).

1667 (6) Subsections (4) and (5) do not apply to an inmate that is not:

1668 (a) a citizen of the United States; or

1669 (b) a lawful resident of the United States and has legal authorization to work in the
1670 United States.

1671 Section 15. Section **76-10-526** is amended to read:

1672 **76-10-526. Criminal background check prior to purchase of a firearm -- Fee --**
1673 **Exemption for concealed firearm permit holders and law enforcement officers.**

1674 (1) For purposes of this section, "valid permit to carry a concealed firearm" does not
1675 include a temporary permit issued under Section [53-5-705](#).

1676 (2) (a) To establish personal identification and residence in this state for purposes of
1677 this part, a dealer shall require an individual receiving a firearm to present one photo
1678 identification on a form issued by a governmental agency of the state.

1679 (b) A dealer may not accept a driving privilege card issued under Section [53-3-207](#) as
1680 proof of identification for the purpose of establishing personal identification and residence in
1681 this state as required under this Subsection (2).

1682 (3) (a) A criminal history background check is required for the sale of a firearm by a
1683 licensed firearm dealer in the state.

1684 (b) Subsection (3)(a) does not apply to the sale of a firearm to a Federal Firearms
1685 Licensee.

1686 (4) (a) An individual purchasing a firearm from a dealer shall consent in writing to a
1687 criminal background check, on a form provided by the bureau.

1688 (b) The form shall contain the following information:

1689 (i) the dealer identification number;

1690 (ii) the name and address of the individual receiving the firearm;

1691 (iii) the date of birth, height, weight, eye color, and hair color of the individual
1692 receiving the firearm; and

1693 (iv) the social security number or any other identification number of the individual
1694 receiving the firearm.

1695 (5) (a) The dealer shall send the information required by Subsection (4) to the bureau
1696 immediately upon its receipt by the dealer.

1697 (b) A dealer may not sell or transfer a firearm to an individual until the dealer has
1698 provided the bureau with the information in Subsection (4) and has received approval from the
1699 bureau under Subsection (7).

1700 (6) The dealer shall make a request for criminal history background information by
1701 telephone or other electronic means to the bureau and shall receive approval or denial of the
1702 inquiry by telephone or other electronic means.

1703 (7) When the dealer calls for or requests a criminal history background check, the
1704 bureau shall:

1705 (a) review the criminal history files, including juvenile court records, and the
1706 temporary restricted file created under Section 53-5c-301, to determine if the individual is
1707 prohibited from purchasing, possessing, or transferring a firearm by state or federal law;

1708 (b) inform the dealer that:

1709 (i) the records indicate the individual is prohibited; or

1710 (ii) the individual is approved for purchasing, possessing, or transferring a firearm;

1711 (c) provide the dealer with a unique transaction number for that inquiry; and

1712 (d) provide a response to the requesting dealer during the call for a criminal
1713 background check, or by return call, or other electronic means, without delay, except in case of
1714 electronic failure or other circumstances beyond the control of the bureau, the bureau shall
1715 advise the dealer of the reason for the delay and give the dealer an estimate of the length of the
1716 delay.

1717 (8) (a) The bureau may not maintain any records of the criminal history background
1718 check longer than 20 days from the date of the dealer's request, if the bureau determines that
1719 the individual receiving the firearm is not prohibited from purchasing, possessing, or
1720 transferring the firearm under state or federal law.

1721 (b) However, the bureau shall maintain a log of requests containing the dealer's federal
1722 firearms number, the transaction number, and the transaction date for a period of 12 months.

1723 (9) (a) If the criminal history background check discloses information indicating that
1724 the individual attempting to purchase the firearm is prohibited from purchasing, possessing, or
1725 transferring a firearm, the bureau shall:

1726 (i) within 24 hours after determining that the purchaser is prohibited from purchasing,
1727 possessing, or transferring a firearm, notify the law enforcement agency in the jurisdiction
1728 where the dealer is located; and

1729 (ii) inform the law enforcement agency in the jurisdiction where the individual resides.

1730 (b) Subsection (9)(a) does not apply to an individual prohibited from purchasing a

1731 firearm solely due to placement on the temporary restricted list under Section [53-5c-301](#).

1732 (c) A law enforcement agency that receives information from the bureau under
1733 Subsection (9)(a) shall provide a report before August 1 of each year to the bureau that
1734 includes:

1735 (i) based on the information the bureau provides to the law enforcement agency under
1736 Subsection (9)(a), the number of cases that involve an individual who is prohibited from
1737 purchasing, possessing, or transferring a firearm as a result of a conviction for an offense
1738 involving domestic violence; and

1739 (ii) of the cases described in Subsection (9)(c)(i):

1740 (A) the number of cases the law enforcement agency investigates; and

1741 (B) the number of cases the law enforcement agency investigates that result in a
1742 criminal charge.

1743 (d) The bureau shall:

1744 (i) compile the information from the reports described in Subsection (9)(c);

1745 (ii) omit or redact any identifying information in the compilation; and

1746 (iii) submit the compilation to the Law Enforcement and Criminal Justice Interim
1747 Committee before November 1 of each year.

1748 (10) If an individual is denied the right to purchase a firearm under this section, the
1749 individual may review the individual's criminal history information and may challenge or
1750 amend the information as provided in Section [53-10-108](#).

1751 (11) The bureau shall make rules in accordance with Title 63G, Chapter 3, Utah
1752 Administrative Rulemaking Act, to ensure the identity, confidentiality, and security of all
1753 records provided by the bureau under this part are in conformance with the requirements of the
1754 Brady Handgun Violence Prevention Act, Pub. L. No. 103-159, 107 Stat. 1536 (1993).

1755 (12) (a) A dealer shall collect a criminal history background check fee for the sale of a
1756 firearm under this section.

1757 (b) The fee described under Subsection (12)(a) remains in effect until changed by the
1758 bureau through the process described in Section [63J-1-504](#).

1759 (c) (i) The dealer shall forward at one time all fees collected for criminal history
1760 background checks performed during the month to the bureau by the last day of the month
1761 following the sale of a firearm.

1762 (ii) The bureau shall deposit the fees in the General Fund as dedicated credits to cover
1763 the cost of administering and conducting the criminal history background check program.

1764 (13) An individual with a concealed firearm permit issued under Title 53, Chapter 5,
1765 Part 7, Concealed Firearm Act, is exempt from the background check and corresponding fee
1766 required in this section for the purchase of a firearm if, before purchasing the firearm:

1767 (a) the individual presents to the dealer:

1768 (i) the individual's concealed firearm permit [~~to the dealer prior to purchase of the~~
1769 ~~firearm~~]; or

1770 (ii) the individual's driver license, term-limited license, commercial driver license, or
1771 identification card that displays the individual's concealed firearm permit number; and

1772 (b) the dealer verifies with the bureau that the individual's concealed firearm permit is
1773 valid.

1774 (14) (a) A law enforcement officer, as defined in Section [53-13-103](#), is exempt from
1775 the background check fee required in this section for the purchase of a personal firearm to be
1776 carried while off-duty if the law enforcement officer verifies current employment by providing
1777 a letter of good standing from the officer's commanding officer and current law enforcement
1778 photo identification.

1779 (b) Subsection (14)(a) may only be used by a law enforcement officer to purchase a
1780 personal firearm once in a 24-month period.

1781 (15) A dealer engaged in the business of selling, leasing, or otherwise transferring a
1782 firearm shall:

1783 (a) make the firearm safety brochure described in Subsection [~~26B-5-211(3)~~]
1784 [26B-5-102\(3\)](#) available to a customer free of charge; and

1785 (b) at the time of purchase, distribute a cable-style gun lock provided to the dealer
1786 under Subsection [~~26B-5-211(3)~~] [26B-5-102\(3\)](#) to a customer purchasing a shotgun, short
1787 barreled shotgun, short barreled rifle, rifle, or another firearm that federal law does not require
1788 be accompanied by a gun lock at the time of purchase.

1789 Section 16. **Effective date.**

1790 This bill takes effect on January 1, 2025.