

Ken Ivory proposes the following substitute bill:

**Unlicensed Driver Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Matt MacPherson**

Senate Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill addresses drivers without a driver license, driving privilege card, or learner permit.

**Highlighted Provisions:**

This bill:

- defines terms;
- modifies the circumstances in which law enforcement is required to impound a vehicle;
- addresses identification of an individual who operates a vehicle without a valid driving credential;
- allows certain fees to be waived in certain circumstances;
- modifies certain fees;
- amends certain penalties associated with driving without a driver license;
- requires a vendor providing software service for a fingerprint device to ensure the software is compatible with law enforcement database software; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

- 41-1a-1101 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 220
- 41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws of Utah 2025, Chapter 378
- 53-3-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 229
- 53-3-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 390

29 **53-3-220 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 220  
 30 **53-25-802 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 252  
 31 **63I-2-241 (Effective 05/06/26)**, as enacted by Laws of Utah 2024, Third Special Session,  
 32 Chapter 5

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

35 Section 1. Section **41-1a-1101** is amended to read:

36 **41-1a-1101 (Effective 05/06/26). Seizure -- Circumstances where permitted --**  
 37 **Impound lot standards.**

38 (1) As used in this section:

39 (a)(i) "Criminal offense" means a class B misdemeanor offense, a class A  
 40 misdemeanor offense, or a felony offense.

41 (ii) "Criminal offense" includes:

42 (A) a class B misdemeanor offense, a class A misdemeanor offense, or a felony  
 43 offense described in Chapter 6a, Traffic Code, Title 53, Chapter 3, Part 2,  
 44 Driver Licensing Act, Title 73, Chapter 18, State Boating Act, or Title 76, Utah  
 45 Criminal Code; and

46 (B) a local ordinance that is a class B misdemeanor and is substantially similar to  
 47 an offense listed in Subsection (1)(a)(ii)(A).

48 (b) "Driving credential" means:

49 (i) a driver license, driving privilege card, or learner permit issued by the state in  
 50 accordance with Title 53, Chapter 3, Uniform Driver License Act; or

51 (ii) a driver license issued by:

52 (A) a state or territory of the United States;

53 (B) the United States Department of State; or

54 (C) a foreign country.

55 [(b)] (c) "Operator" means the same as that term is defined in Section 41-6a-102.

56 [(e)] (d) "Road rage event" means the commission of a criminal offense:

57 (i) by an operator of a vehicle;

58 (ii) in response to an incident that occurs or escalates upon a roadway; and

59 (iii) with the intent to endanger or intimidate an individual in another vehicle.

60 [(d)] (e) "Roadway" means:

61 (i) a highway; or

62 (ii) a private road or driveway as defined in Section 41-6a-102.

- 63 (2) The division or [any] a peace officer, without a warrant, may seize and take possession  
 64 of [any] a vehicle, vessel, or outboard motor:
- 65 (a) that the division or the peace officer has probable cause to believe has been stolen;
  - 66 (b) on which [any] an identification number has been defaced, altered, or obliterated;
  - 67 (c) that has been abandoned in accordance with Section 41-6a-1408;
  - 68 (d) for which the applicant has written a check for registration or title fees that has not  
 69 been honored by the applicant's bank and that is not paid within 30 days;
  - 70 (e) that is placed on the water with improper registration;
  - 71 (f) that is being operated on a highway:
    - 72 (i) with registration that has been expired for more than three months;
    - 73 (ii) having never been properly registered by the current owner; or
    - 74 (iii) with registration that is suspended or revoked;
  - 75 (g)(i) that the division or the peace officer has probable cause to believe has been  
 76 involved in an accident described in Section 41-6a-401, 41-6a-401.3, or  
 77 41-6a-401.5; and
    - 78 (ii) whose operator did not remain at the scene of the accident until the operator  
 79 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7; or
  - 80 (h) if the division or peace officer has probable cause to believe that the operator:
    - 81 (i) failed to properly display the license plate on a motorcycle as described in Section  
 82 41-1a-404.1; or
    - 83 (ii) used the motorcycle:
      - 84 (A) to perform a wheelie in violation of Section 41-6a-606.1; or
      - 85 (B) to engage in lane splitting in violation of Section 41-6a-704.1.
- 86 (3)(a) The division or a peace officer shall seize and take possession of a vehicle,  
 87 without a warrant, when:
- 88 (i) the division or the peace officer has probable cause to believe that an operator of  
 89 the vehicle engaged in a road rage event; and
  - 90 (ii) the operator of the vehicle has been arrested in conjunction with the road rage  
 91 event.
- 92 (b)(i) Except as provided in Subsection (3)(d), the division or a peace officer shall  
 93 seize and take possession of a vehicle, without a warrant, when an operator of a  
 94 vehicle does not have a driving credential in the operator's possession unless the  
 95 peace officer is able to verify that the operator has been issued a driving credential.
- 96 (ii) Before seizing and taking possession of a vehicle as described in Subsection

97                   (3)(b)(i), a peace officer shall query the Driver License Division database to verify  
98                   whether the operator has been issued a driving credential.

99           ~~(b)~~ (c) A peace officer may release a vehicle seized and possessed under Subsection  
100           (3)(a) or (3)(b) to the registered owner of the vehicle if the registered owner is not the  
101           individual subject to arrest under Subsection (3)(a) or (3)(b) and is immediately  
102           available, at the location of the arrest, to take possession of the vehicle.

103           (d) The division or a peace officer is not required to seize and take possession of a  
104           vehicle as described in Subsection (3)(b) if the division or a peace officer makes a  
105           reasonable determination that:

106           (i) the operator has been issued a driving credential that is expired;

107           (ii) seizing the vehicle would create a public safety concern to the operator or an  
108           occupant of the vehicle;

109           (iii) seizing the vehicle would prevent the division or the peace officer from  
110           addressing other public safety considerations;

111           (iv) the operator is under 18 years old;

112           (v) an occupant of the vehicle possesses a driving credential and is willing to operate  
113           the vehicle; or

114           (vi) an individual with a driving credential is reasonably available to pick up the  
115           vehicle with permission of the registered owner.

116           (4)(a) Subject to ~~[the restriction in]~~ Subsection (4)(b), the division or ~~[any]~~ a peace  
117           officer, without a warrant:

118           (i) shall seize and take possession of ~~[any]~~ a vehicle that is being operated on a  
119           highway without owner's or operator's security in effect for the vehicle as required  
120           under Section 41-12a-301 and the vehicle was involved in an accident; or

121           (ii) may seize and take possession of ~~[any]~~ a vehicle that is being operated on a  
122           highway without owner's or operator's security in effect for the vehicle as required  
123           under Section 41-12a-301 after the division or ~~[any]~~ a peace officer makes a  
124           reasonable determination whether the seizure of the vehicle would:

125           (A) present a public safety concern to the operator or ~~[any of the occupants in]~~ an  
126           occupant in the vehicle; or

127           (B) prevent the division or the peace officer from addressing other public safety  
128           considerations.

129           (b) The division or ~~[any]~~ a peace officer may not seize and take possession of a vehicle  
130           under Subsection (4)(a):

- 131 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's  
132 security as defined in Section 41-12a-303.2 in the vehicle, unless the division or  
133 peace officer verifies that owner's or operator's security is not in effect for the  
134 vehicle through the Uninsured Motorist Identification Database created in  
135 accordance with Section 41-12a-803; or
- 136 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security  
137 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist  
138 Identification Database created in accordance with Section 41-12a-803 indicates  
139 that the owner's or operator's security is not in effect for the vehicle, unless the  
140 division or a peace officer makes a reasonable attempt to independently verify that  
141 owner's or operator's security is not in effect for the vehicle.
- 142 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to  
143 transport and store the vessel.
- 144 (6) ~~Any~~ A peace officer seizing or taking possession of a vehicle, vessel, or outboard  
145 motor under this section shall comply with the provisions of Section 41-6a-1406.
- 146 (7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
147 the commission shall make rules setting standards for public garages, impound lots,  
148 and impound yards that may be used by peace officers and the division.
- 149 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of  
150 public garages, impound lots, or impound yards per geographical area.
- 151 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard  
152 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a  
153 state impound yard ~~[set forth]~~ described in this section and rules made in accordance  
154 with Subsection (7)(a).
- 155 (d)(i) Rules made by the commission shall include a requirement that a state impound  
156 yard have opaque fencing on ~~any~~ each side of the state impound yard that has  
157 frontage with a highway.
- 158 (ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link  
159 fencing.
- 160 (8)(a) Except as provided under Subsection (8)(b), a person may not operate or allow to  
161 be operated a vehicle stored in a public garage, impound lot, or impound yard  
162 regulated under this part without prior written permission of the owner of the vehicle.
- 163 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking  
164 space to another within the facility and that is necessary for the normal management

165 of the facility is not prohibited under Subsection (8)(a).

166 (9) A person who violates ~~[the provisions of]~~ Subsection (8) is guilty of a class C  
167 misdemeanor.

168 (10) The division or the peace officer who seizes a vehicle shall record the mileage shown  
169 on the vehicle's odometer at the time of seizure, if:

170 (a) the vehicle is equipped with an odometer; and

171 (b) the odometer reading is accessible to the division or the peace officer.

172 Section 2. Section **41-6a-1406** is amended to read:

173 **41-6a-1406 (Effective 05/06/26) (Partially Repealed 07/01/29). Removal and**  
174 **impoundment of vehicles -- Reporting and notification requirements -- Administrative**  
175 **impound fee -- Refunds -- Possessory lien -- Rulemaking.**

176 (1) If a vehicle, vessel, or outboard motor is impounded as provided under Section  
177 41-1a-1101, 41-6a-210, 41-6a-527, 41-6a-1405, 41-6a-1408, or 73-18-20.1 by an order  
178 of a peace officer or by an order of a person acting on behalf of a law enforcement  
179 agency or highway authority, the impoundment of the vehicle, vessel, or outboard motor  
180 shall be at the expense of the owner.

181 (2) The vehicle, vessel, or outboard motor ~~[under]~~ described in Subsection (1) shall be  
182 impounded to a state impound yard.

183 (3) The peace officer may move a vehicle, vessel, or outboard motor or cause ~~[it]~~ the  
184 vehicle, vessel, or outboard motor to be removed by a tow truck motor carrier that meets  
185 standards established:

186 (a) under Title 72, Chapter 9, Motor Carrier Safety Act; and

187 (b) by the department under Subsection (11).

188 (4)(a) A report described in this Subsection (4) is required for a vehicle, vessel, or  
189 outboard motor that is impounded as described in Subsection (1).

190 (b) Before noon on the next business day after the date of the removal of the vehicle,  
191 vessel, or outboard motor, a report of the impoundment shall be sent to the Motor  
192 Vehicle Division, in an electronic format approved by the Motor Vehicle Division,  
193 by:

194 (i) the peace officer or agency by whom the peace officer is employed; and

195 (ii) the tow truck operator or the tow truck motor carrier by whom the tow truck  
196 operator is employed.

197 (c) The report shall be in a form specified by the Motor Vehicle Division and shall  
198 include:

- 199 (i) the operator's name, if known;  
 200 (ii) a description of the vehicle, vessel, or outboard motor;  
 201 (iii) the vehicle identification number or vessel or outboard motor identification  
 202 number;  
 203 (iv) the case number designated by the peace officer, law enforcement agency  
 204 number, or government entity;  
 205 (v) the license number, temporary permit number, or other identification number  
 206 issued by a state agency;  
 207 (vi) the date, time, and place of impoundment;  
 208 (vii) the reason for removal or impoundment;  
 209 (viii) the name of the tow truck motor carrier who removed the vehicle, vessel, or  
 210 outboard motor; and  
 211 (ix) the place where the vehicle, vessel, or outboard motor is stored.
- 212 (d)(i) If the form described in Subsection (4)(c) does not include the reason for the  
 213 removal or impoundment described in Subsection (4)(c)(vii), the peace officer and  
 214 tow truck operator described in Subsection (4)(b) shall note "other" as the reason  
 215 for the removal or impoundment.
- 216 (ii) The commission shall update the form described in Subsection (4)(c) to include  
 217 operating a vehicle without a driving credential as a reason for impoundment as  
 218 described in Subsection 41-1a-1101(3) no later than December 31, 2026.
- 219 ~~(d)~~ (e)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
 220 Act, the State Tax Commission shall make rules to establish proper format and  
 221 information required on the form described in this Subsection (4).  
 222 (ii) The State Tax Commission shall ensure that the form described in this Subsection  
 223 (4) is provided in an electronic format.
- 224 ~~(e)~~ (f) Until the tow truck operator or tow truck motor carrier reports the removal as  
 225 required under this Subsection (4), a tow truck motor carrier or impound yard may  
 226 not:  
 227 (i) collect ~~[any fee]~~ the fees associated with the removal; and  
 228 (ii) begin charging storage fees.
- 229 (5)(a) A report described in this Subsection (5) is required for ~~[any]~~ a vehicle, vessel, or  
 230 outboard motor that is removed, except for:  
 231 (i) a vehicle, vessel, or outboard motor that is impounded for a reason described in  
 232 Subsection (1); or

- 233 (ii) a vehicle, vessel, or outboard motor for which a removal is performed in  
234 accordance with Section 72-9-603.
- 235 (b) For a removal described in Subsection (5)(a), the relevant law enforcement officer  
236 shall provide documentation to the tow truck operator or tow truck motor carrier that  
237 includes:
- 238 (i) the name and badge number of the peace officer;  
239 (ii) the name and originating agency identifier of the law enforcement agency; and  
240 (iii) the case number designated by the law enforcement officer or law enforcement  
241 agency.
- 242 (c) For a removal described in Subsection (5)(a), before noon on the next business day  
243 following the date of the removal of the vehicle, vessel, or outboard motor, the tow  
244 truck operator or tow truck motor carrier shall send to the Motor Vehicle Division in  
245 an electronic format approved by the Motor Vehicle Division:
- 246 (i) the report described in Subsection (4); or  
247 (ii) the report described in Subsection (5)(d).
- 248 (d) For a removal described in Subsection (5)(a), if the tow truck operator or tow truck  
249 motor carrier does not provide the report described in Subsection (4), the tow truck  
250 operator or tow truck motor carrier shall provide a report to the Motor Vehicle  
251 Division that includes:
- 252 (i) the name and badge number of the relevant peace officer;  
253 (ii) the name and originating agency identifier of the law enforcement agency;  
254 (iii) the law enforcement agency case number;  
255 (iv) subject to Subsection (5)(e), the vehicle identification number and the license  
256 number, temporary permit number, or other identification number issued by a  
257 state agency;  
258 (v) the date and time of the removal of the vehicle, vessel, or outboard motor; and  
259 (vi) the reason for the removal of the vehicle, vessel, or outboard motor.
- 260 (e) If ~~[either]~~ the vehicle identification number~~[or the]~~ license number, temporary  
261 permit number, or other identification number issued by a state agency is not  
262 available, the report shall include:
- 263 (i) as much information as is available from both the vehicle identification number  
264 and the license plate number of the vehicle, vessel, or outboard motor; and  
265 (ii) a description of the vehicle, vessel, or outboard motor, including the color, make,  
266 model, and model year of the vehicle, vessel, or outboard motor.

- 267 (f) Until the tow truck operator or tow truck motor carrier reports the removal as  
268 required under this Subsection (5), a tow truck motor carrier may not:
- 269 (i) collect [~~any fee~~] the fees associated with the removal; or
  - 270 (ii) begin charging storage fees.
- 271 (g) A vehicle, vessel, or outboard motor removed under this Subsection (5) shall be  
272 removed to:
- 273 (i) a state impound yard; or
  - 274 (ii) a location that has been requested by the registered owner at the time of removal,  
275 if payment is made to the tow truck motor carrier or tow truck operator at the time  
276 of removal.
- 277 (h) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
278 State Tax Commission may make rules to establish proper format and information  
279 required on the form described in Subsection (5)(d), including submission in an  
280 electronic format.
- 281 (6)(a) Except as provided in Subsection (6)(d) and upon receipt of a report described in  
282 Subsection (4) or (5), the Motor Vehicle Division shall give notice, in the manner  
283 described in Section 41-1a-114, to the following parties with an interest in the  
284 vehicle, vessel, or outboard motor, as applicable:
- 285 (i) the registered owner;
  - 286 (ii) [~~any lien holder~~] all lien holders; or
  - 287 (iii) a dealer, as defined in Section 41-1a-102, if the vehicle, vessel, or outboard  
288 motor is currently operating under a temporary permit issued by the dealer, as  
289 described in Section 41-3-302.
- 290 (b) The notice shall:
- 291 (i) state the date, time, and place of removal, the name, if applicable, of the person  
292 operating the vehicle, vessel, or outboard motor at the time of removal, the reason  
293 for removal, and the place where the vehicle, vessel, or outboard motor is stored;
  - 294 (ii) state that the registered owner is responsible for payment of towing, impound,  
295 and storage fees charged against the vehicle, vessel, or outboard motor;
  - 296 (iii) state the conditions that must be satisfied before the vehicle, vessel, or outboard  
297 motor is released; and
  - 298 (iv) inform the parties described in Subsection (6)(a) of the division's intent to sell the  
299 vehicle, vessel, or outboard motor, if, within 30 days after the day [~~of the removal~~  
300 ~~or impoundment~~] on which the vehicle, vessel, or outboard motor was removed or

301            impounded under this section, one of the parties fails to make a claim for release  
302            of the vehicle, vessel, or outboard motor.

303            (c) Except as provided in Subsection (6)(d) and if the vehicle, vessel, or outboard motor  
304            is not registered in this state, the Motor Vehicle Division shall make a reasonable  
305            effort to notify the parties described in Subsection (6)(a) of the removal and the place  
306            where the vehicle, vessel, or outboard motor is stored.

307            (d) The Motor Vehicle Division is not required to give notice under this Subsection (6)  
308            if a report was received by a tow truck operator or tow truck motor carrier reporting a  
309            tow truck service in accordance with Subsection 72-9-603(1)(a)(i).

310            (e)(i) The Motor Vehicle Division shall disclose the information in the report  
311            described in Subsection (4) and Subsection 72-9-603(1)(a)(i) to a designated agent  
312            as defined in Section 41-12a-802 regarding a tow that was initiated:

313                    (A) by law enforcement; or

314                    (B) without the vehicle owner's consent.

315            (ii) The Motor Vehicle Division may rely on the information provided by the tow  
316            truck operator or tow truck motor carrier to determine if a tow meets the criteria  
317            described in Subsections (6)(e)(i)(A) and (B).

318            (iii) The designated agent may disclose information received regarding a tow  
319            described in Subsections (6)(e)(i)(A) and (B) to the vehicle owner and to the  
320            vehicle owner's verified insurance company.

321            (iv) The designated agent may not disclose information to a vehicle owner's  
322            insurance company if the tow does not meet the criteria described in Subsections  
323            (6)(e)(i)(A) and (B).

324            (7)(a) The vehicle, vessel, or outboard motor impounded or removed to a state impound  
325            yard as described in this section shall be released after a party described in  
326            Subsection (6)(a) or (7)(f):

327                    (i) makes a claim for release of the vehicle, vessel, or outboard motor at [any] an  
328                    office of the State Tax Commission;

329                    (ii) presents identification sufficient to prove ownership of the impounded or  
330                    removed vehicle, vessel, or outboard motor;

331                    (iii) completes the registration, if needed, and pays the appropriate fees;

332                    (iv) if the impoundment was made under Section 41-6a-527 or Subsection  
333                    41-1a-1101(3), pays:

334                    (A) an administrative impound fee of [~~\$425~~] \$600; and

- 335 (B) in addition to the administrative fee described in Subsection (7)(a)(iv)(A), an  
336 administrative testing fee of [~~\$30~~] \$60; and
- 337 (v) pays all towing and storage fees to the place where the vehicle, vessel, or  
338 outboard motor is stored.
- 339 (b)(i) Twenty-nine dollars of the administrative impound fee assessed under  
340 Subsection (7)(a)(iv)(A) shall be dedicated credits to the Motor Vehicle Division.
- 341 (ii) [~~One hundred and~~] One hundred forty-seven dollars of the administrative  
342 impound fee assessed under Subsection (7)(a)(iv)(A) shall be deposited into the  
343 Department of Public Safety Restricted Account created in Section 53-3-106.
- 344 (iii) Twenty dollars of the administrative impound fee assessed under Subsection  
345 (7)(a)(iv)(A) shall be deposited into the Brain and Spinal Cord Injury Fund  
346 created in Section 26B-1-318.
- 347 (iv) After the distributions described in Subsections (7)(b)(i) through (iii), the  
348 remainder of the administrative impound fee assessed under Subsection  
349 (7)(a)(iv)(A) shall be deposited into the General Fund.
- 350 (v) The administrative testing fee described in Subsection (7)(a)(iv)(B) shall be  
351 deposited into the State Laboratory Drug Testing Account created in Section  
352 26B-1-304.
- 353 (c) The administrative impound fee and the administrative testing fee assessed under  
354 Subsection (7)(a)(iv) shall be waived or refunded by the State Tax Commission if the  
355 registered owner, lien holder, or owner's agent presents written evidence to the State  
356 Tax Commission that:
- 357 (i) the Driver License Division determined that the arrested person's driver license  
358 should not be suspended or revoked under Section 53-3-223 or 41-6a-521 as  
359 shown by a letter or other report from the Driver License Division presented  
360 within 180 days after the day on which the Driver License Division mailed the  
361 final notification; or
- 362 (ii) the vehicle was stolen at the time of the impoundment as shown by a copy of the  
363 stolen vehicle report presented within 180 days after the day [~~of the impoundment~~]  
364 on which the vehicle was impounded.
- 365 (d)(i) A tow truck operator, a tow truck motor carrier, and an impound yard shall  
366 accept payment by cash and debit or credit card for a removal or impoundment  
367 under Subsection (1) or [~~any~~]service rendered, performed, or supplied in  
368 connection with a removal or impoundment under Subsection (1).

- 369           (ii) An impound yard may not release a vehicle unless an individual with a driving  
 370           credential, as defined in Section 41-1a-1101, is present and able to operate the  
 371           vehicle.
- 372       (e) The owner of an impounded vehicle may not be charged a fee for the storage of the  
 373       impounded vehicle, vessel, or outboard motor if:
- 374           (i) the vehicle, vessel, or outboard motor is being held as evidence; and
- 375           (ii) the vehicle, vessel, or outboard motor is not being released to a party described in  
 376           Subsection (6)(a), even if the party satisfies the requirements to release the  
 377           vehicle, vessel, or outboard motor under this Subsection (7).
- 378       (f) In addition to the parties described in Subsection (6)(a), the vehicle, vessel, or  
 379       outboard motor impounded or removed to a state impound yard as described in this  
 380       section shall be released to an individual that is not described in Subsection (6)(a) if  
 381       the individual:
- 382           (i)(A) satisfies the requirements of Subsections (7)(a)(i) and (7)(a)(iii) through (v);  
 383           (B) presents the individual's driver license or other government-issued  
 384           identification; and
- 385           (C) demonstrates that the individual has authority granted by a person described in  
 386           Subsection (6)(a) to obtain and operate the vehicle; or
- 387           (ii) is a tow truck operator or tow truck motor carrier that:
- 388           (A) demonstrates that the tow truck operator or tow truck motor carrier has  
 389           authority granted by a person described in Subsection (6)(a) to obtain and  
 390           operate the vehicle, vessel, or outboard motor;
- 391           (B) provides a towing certificate issued by the Department of Transportation [  
 392           ~~pursuant to~~] in accordance with Section 72-9-602;
- 393           (C) pays all towing and storage fees; and
- 394           (D) obtains or presents an impound release for the vehicle, vessel, or outboard  
 395           motor [~~pursuant to~~] in accordance with Subsection (7)(a).
- 396       (8)(a) For an impounded or a removed vehicle, vessel, or outboard motor not claimed by  
 397       a party described in Subsection (6)(a) or (7)(f) within the time [~~prescribed by~~]  
 398       described in Section 41-1a-1103, the Motor Vehicle Division shall issue a certificate  
 399       of sale for the impounded or removed vehicle, vessel, or outboard motor as described  
 400       in Section 41-1a-1103.
- 401       (b) The date of impoundment or removal is considered the date of seizure for computing  
 402       the time period [~~provided under~~] described in Section 41-1a-1103.

- 403 (9) A party described in Subsection (6)(a) that pays all fees and charges incurred in the  
404 impoundment or removal of the owner's vehicle, vessel, or outboard motor has a cause  
405 of action for all the fees and charges, together with damages, court costs, and attorney  
406 fees, against the operator of the vehicle, vessel, or outboard motor whose actions caused  
407 the removal or impoundment.
- 408 (10)(a) As used in this Subsection (10), "life essential item" means the same as that term  
409 is defined in Subsection 72-9-603(13).
- 410 (b) Towing, impound fees, and storage fees are a possessory lien on the vehicle, vessel,  
411 or outboard motor.
- 412 (c) Towing fees are a possessory lien on the vehicle, vessel, or outboard motor and [~~any~~]  
413 nonlife essential items contained in the vehicle, vessel, or outboard motor.
- 414 (d) Except for a vehicle, vessel, or outboard motor being held as evidence, a tow truck  
415 operator, a tow truck motor carrier, or an impound yard shall allow a person  
416 described in Subsection (6)(a) or an individual described in Subsection (7)(f)(i) to  
417 take possession of [~~any~~]-life essential [~~item~~] items within the vehicle, vessel, or  
418 outboard motor during normal business hours regardless of whether the towing,  
419 impound fees, or storage fees have been paid.
- 420 (e) Except for a vehicle, vessel, or outboard motor being held as evidence, upon  
421 payment of the towing fee, a tow truck operator, a tow truck motor carrier, or an  
422 impound yard shall allow a person described in Subsection (6)(a) or an individual  
423 described in Subsection (7)(f)(i) to enter the vehicle, vessel, or outboard motor during  
424 normal business hours and remove personal property not attached to the vehicle,  
425 vessel, or outboard motor.
- 426 (11) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
427 department shall make rules setting the performance standards for towing companies to  
428 be used by the department.
- 429 (12)(a) The Motor Vehicle Division may specify that a report required under Subsection  
430 (4) be submitted in electronic form utilizing a database for submission, storage, and  
431 retrieval of the information.
- 432 (b)(i) Unless otherwise provided by statute, the Motor Vehicle Division or the  
433 administrator of the database may adopt a schedule of fees assessed for utilizing  
434 the database.
- 435 (ii) The fees under this Subsection (12)(b) shall:
- 436 (A) be reasonable and fair; and

437 (B) reflect the cost of administering the database.

438 Section 3. Section **53-3-202** is amended to read:

439 **53-3-202 (Effective 05/06/26). Drivers must be licensed -- Violation.**

440 (1) A human driver may not drive a motor vehicle or an autocycle on a highway in this state  
441 unless the human driver is:

442 (a) granted the privilege to operate a motor vehicle by being licensed as a driver by the  
443 division under this chapter;

444 (b) driving an official United States Government class D motor vehicle with a valid  
445 United States Government driver permit or license for that type of vehicle;

446 (c)(i) driving a road roller, road machinery, or [~~any~~]farm tractor or implement of  
447 husbandry temporarily drawn, moved, or propelled on the highways; and

448 (ii) driving the vehicle described in Subsection (1)(c)(i) in conjunction with a  
449 construction or agricultural activity;

450 (d) a nonresident who is at least 16 years old and younger than 18 years old who has in  
451 the nonresident's immediate possession a valid license certificate issued to the  
452 nonresident in the nonresident's home state or country and is driving in the class or  
453 classes identified on the home state license certificate, except those persons referred  
454 to in Part 6, Drivers' License Compact, of this chapter;

455 (e) a nonresident who is at least 18 years old and who has in the nonresident's immediate  
456 possession a valid license certificate issued to the nonresident in the nonresident's  
457 home state or country if driving in the class or classes identified on the home state  
458 license certificate, except those persons referred to in Part 6, Drivers' License  
459 Compact, of this chapter;

460 (f) driving under a learner permit in accordance with Section 53-3-210.5;

461 (g) driving with a temporary license certificate issued in accordance with Section  
462 53-3-207; or

463 (h) exempt under Title 41, Chapter 22, Off-highway Vehicles.

464 (2) A human driver may not drive a motor vehicle or perform lateral or longitudinal vehicle  
465 motion control for a vehicle being towed by another motor vehicle upon a highway  
466 unless the human driver:

467 (a) is licensed under this chapter to drive a motor vehicle of the type or class of motor  
468 vehicle being towed; or

469 (b) is exempted under either Subsection (1)(b) or (1)(c).

470 (3)(a) A human driver may not drive a motor vehicle as a taxicab on a highway of this

- 471 state unless the person has a valid class D driver license issued by the division.
- 472 (b) A human driver may not drive a motor vehicle as a private passenger carrier on a  
473 highway of this state unless the human driver has:
- 474 (i) a taxicab endorsement issued by the division on the human driver's license  
475 certificate; or
- 476 (ii) a commercial driver license with:
- 477 (A) a taxicab endorsement;
- 478 (B) a passenger endorsement; or
- 479 (C) a school bus endorsement.
- 480 (c) Nothing in Subsection (3)(b) is intended to exempt a human driver driving a motor  
481 vehicle as a private passenger carrier from regulation under other statutory and  
482 regulatory schemes, including:
- 483 (i) 49 C.F.R. Parts 350-399, Federal Motor Carrier Safety Regulations;
- 484 (ii) Title 34, Chapter 36, Transportation of Workers, and rules adopted by the Labor  
485 Commission in accordance with Title 63G, Chapter 3, Utah Administrative  
486 Rulemaking Act; and
- 487 (iii) Title 72, Chapter 9, Motor Carrier Safety Act, and rules adopted by the Motor  
488 Carrier Division in accordance with Title 63G, Chapter 3, Utah Administrative  
489 Rulemaking Act.
- 490 (4)(a) Except as provided in Subsections (4)(b), (c), (d), and (e), a human driver may not  
491 operate:
- 492 (i) a motorcycle unless the human driver has a valid class D driver license and a  
493 motorcycle endorsement issued under this chapter;
- 494 (ii) a street legal all-terrain vehicle unless the human driver has a valid class D driver  
495 license; or
- 496 (iii) a motor-driven cycle unless the human driver has a valid class D driver license  
497 and a motorcycle endorsement issued under this chapter.
- 498 (b) A human driver operating a moped, as defined in Section 41-6a-102, is not required  
499 to have a motorcycle endorsement issued under this chapter.
- 500 (c) An individual operating an electric assisted bicycle, as defined in Section 41-6a-102,  
501 is not required to have a valid class D driver license or a motorcycle endorsement  
502 issued under this chapter.
- 503 (d) An individual is not required to have a valid class D driver license if the person is:
- 504 (i) operating a motor assisted scooter, as defined in Section 41-6a-102, in accordance

- 505 with Section 41-6a-1115; or
- 506 (ii) operating an electric personal assistive mobility device, as defined in Section
- 507 41-6a-102, in accordance with Section 41-6a-1116.
- 508 (e) A human driver operating an autocycle is not required to have a motorcycle
- 509 endorsement issued under this chapter.
- 510 (5) An automated driving system as defined in Section 41-26-102.1 is not required to have
- 511 a driver license.
- 512 (6)(a) As used in this Subsection (6), a "quick fingerprint" is a fingerprint, taken on a
- 513 biometric device, that is:
- 514 (i) taken for the purpose of identifying an individual;
- 515 (ii) queried against the Automated Fingerprint Identification System, Bureau of
- 516 Criminal Identification fingerprint database, National Crime Information Center
- 517 database, or a similar fingerprint database system;
- 518 (iii) not added to or stored in the Automated Fingerprint Identification System,
- 519 Bureau of Criminal Identification fingerprint database, National Crime
- 520 Information Center database, or a similar fingerprint database system; and
- 521 (iv) accomplished in approximately 15 minutes or less.
- 522 (b) An individual without a driver license, driving privilege card, or learner permit that
- 523 is lawfully subjected to a stop by a peace officer as described in Section 77-7-15 shall
- 524 present another form of government-issued identification.
- 525 (c) Subject to Subsection (7), a peace officer shall take a quick fingerprint of an
- 526 individual described in Subsection (6)(b) if:
- 527 (i) the peace officer is unable to verify that the individual has been issued a driving
- 528 credential;
- 529 (ii) the individual does not provide a form of identification; or
- 530 (iii) the peace officer has reasonable suspicion to believe that the form of
- 531 identification presented is fraudulent.
- 532 (d) Nothing in this Subsection (6) prohibits a peace officer from conducting a full
- 533 fingerprint panel subject to a noncustodial booking.
- 534 (7) A peace officer is not required to comply with Subsection (6)(c) if the peace officer
- 535 makes a reasonable determination that:
- 536 (a) doing so would create a safety concern for the driver or peace officer;
- 537 (b) doing so would prevent the peace officer from addressing other public safety
- 538 considerations;

- 539 (c) the peace officer does not have adequate equipment to take a fingerprint;  
 540 (d) the driver is under 18 years old; or  
 541 (e) the peace officer would be unable to complete a fingerprint check due to lack of  
 542 cellular service.
- 543 (8) A law enforcement agency shall ensure access to fingerprinting equipment to comply  
 544 with Subsection (6) no later than January 1, 2028.
- 545 [(6)] (9)(a) [A person] Except as described in Subsection (9)(b) and (9)(c), an individual  
 546 who violates this section is guilty of an infraction.
- 547 (b)(i) Except as provided in Subsection [(6)(d)] (9)(b)(iii), a person who violates  
 548 Subsection (4)(a)(i) or (4)(a)(iii) is subject to a minimum fine of \$350.
- 549 [(e)] (ii) The fine described in Subsection [(6)(b)] (9)(b)(i) is in addition to any other  
 550 fine for a violation of Title 41, Chapter 6a, Traffic Code, or a local ordinance  
 551 related to the operation of the motorcycle.
- 552 [(d)] (iii)(i) (A) A court shall waive the fine imposed under Subsection [(6)(b)]  
 553 (9)(b)(i) if the person provides to the court within 30 days [of the date of the  
 554 entry of a plea or sentencing, whichever is later] from the day on which the  
 555 person enters a plea, or within 30 days from the day on which the court  
 556 imposes a sentence, whichever is later, proof that the person has been issued a  
 557 motorcycle endorsement as provided in this chapter.
- 558 [(i)] (B) A court may extend the 30-day time period described in Subsection [  
 559 (6)(d)(i)] (9)(b)(iii)(A) for a reasonable time period for the person to obtain a  
 560 motorcycle endorsement for good cause shown.
- 561 (c)(i) An individual is guilty of a class B misdemeanor if, at the time of the offense,  
 562 the individual has previously been convicted of a violation of this section.
- 563 (ii) In addition to the penalties described in Subsections (9)(a), (b), and (c)(i), an  
 564 individual who violates this section is also subject to seizure of the vehicle as  
 565 described in Section 41-1a-1101.

566 Section 4. Section **53-3-203** is amended to read:

567 **53-3-203 (Effective 05/06/26). Authorizing or permitting driving in violation of**  
 568 **chapter -- Renting of motor vehicles -- License requirements -- Employees must be**  
 569 **licensed -- Violations.**

570 (1) A person may not authorize or knowingly permit a motor vehicle owned by the person  
 571 or under the person's control to be driven by a person in violation of this chapter.

572 (2)(a) A person may not rent a motor vehicle to another person unless the person who

- 573 will be the driver is licensed in this state, or in the case of a nonresident, licensed  
574 under the laws of the state or country of [~~his~~]residence.
- 575 (b) A person may not rent a motor vehicle to another person until the person:  
576 (i) has inspected the license certificate of the person who will be the driver; and  
577 (ii) verified the signature on the license certificate by comparison with the signature  
578 of the person who will be the driver written in [~~his~~] the person's presence.
- 579 (c)(i) A person may verify the information described in Subsection (2)(b) for a  
580 subsequent vehicle rental through the use of an electronic system maintained by  
581 the person for the purposes of expediting the vehicle rental process.  
582 (ii) The electronic system described in Subsection (2)(c)(i) may contain information  
583 voluntarily provided by the person who will be the driver including:  
584 (A) information included on the driver license certificate; and  
585 (B) biometric information.
- 586 (d) A person renting a motor vehicle to another shall keep a record of the:  
587 (i) registration number of the rented motor vehicle;  
588 (ii) name and address of the person to whom the motor vehicle is rented;  
589 (iii) number of the license certificate of the renter; and  
590 (iv) date and place the license certificate was issued.
- 591 (e) The record is open to inspection by [~~any~~] a peace officer or officer or employee of the  
592 division.
- 593 (3) A person may not employ a person to drive a motor vehicle who is not licensed as  
594 required under this chapter.
- 595 (4) A person who violates this section is guilty of an infraction[~~]~~ and subject to a minimum  
596 fine of \$500.
- 597 Section 5. Section **53-3-220** is amended to read:  
598 **53-3-220 (Effective 05/06/26). Offenses requiring mandatory revocation, denial,**  
599 **suspension, or disqualification of license -- Offense requiring an extension of period --**  
600 **Hearing -- Limited driving privileges.**
- 601 (1)(a) The division shall immediately revoke or, when this chapter, Title 41, Chapter 1a,  
602 Motor Vehicle Act, Title 41, Chapter 6a, Traffic Code, or Section 76-5-303,  
603 specifically provides for denial, suspension, or disqualification, the division shall  
604 deny, suspend, or disqualify the license or endorsement of a person upon receiving a  
605 record of the person's conviction for:  
606 (i) manslaughter or negligent homicide resulting from driving a motor vehicle,

- 607 automobile homicide under Section 76-5-207, or automobile homicide involving  
608 using a handheld wireless communication device while driving under Section  
609 76-5-207.5;
- 610 (ii) driving or being in actual physical control of a motor vehicle while under the  
611 influence of alcohol, any drug, or combination of them to a degree that renders the  
612 person incapable of safely driving a motor vehicle as prohibited in Section  
613 41-6a-502 or as prohibited in an ordinance that complies with the requirements of  
614 Subsection 41-6a-510(1);
- 615 (iii) driving or being in actual physical control of a motor vehicle while having a  
616 blood or breath alcohol content as prohibited in Section 41-6a-502 or as prohibited  
617 in an ordinance that complies with the requirements of Subsection 41-6a-510(1);
- 618 (iv) perjury or the making of a false affidavit to the division under this chapter, Title  
619 41, Motor Vehicles, or any other law of this state requiring the registration of  
620 motor vehicles or regulating driving on highways;
- 621 (v) any felony under the motor vehicle laws of this state;
- 622 (vi) any other felony in which a motor vehicle is used to facilitate the offense;
- 623 (vii) failure to stop and render aid as required under the laws of this state if a motor  
624 vehicle accident results in the death or personal injury of another;
- 625 (viii) two charges of reckless driving, impaired driving, or any combination of  
626 reckless driving and impaired driving committed within a period of 12 months;  
627 but if upon a first conviction of reckless driving or impaired driving the judge or  
628 justice recommends suspension of the convicted person's license, the division may  
629 after a hearing suspend the license for a period of three months;
- 630 (ix) failure to bring a motor vehicle to a stop at the command of a law enforcement  
631 officer as required in Section 41-6a-210;
- 632 (x) any offense specified in Part 4, Uniform Commercial Driver License Act, that  
633 requires disqualification;
- 634 (xi) a violation of Section 76-11-209 involving the discharging or allowing the  
635 discharging of a firearm from a vehicle or a violation of Section 76-11-210;
- 636 (xii) using, allowing the use of, or causing to be used any explosive, chemical, or  
637 incendiary device from a vehicle in violation of Subsection 76-15-210(2)(b)(ii);
- 638 (xiii) operating or being in actual physical control of a motor vehicle while having  
639 any measurable controlled substance or metabolite of a controlled substance in the  
640 person's body in violation of Section 41-6a-517;

- 641 (xiv) operating or being in actual physical control of a motor vehicle while having  
642 any measurable or detectable amount of alcohol in the person's body in violation  
643 of Section 41-6a-530;
- 644 (xv) engaging in a motor vehicle speed contest or exhibition of speed on a highway in  
645 violation of Section 41-6a-606;
- 646 (xvi) operating or being in actual physical control of a motor vehicle in this state  
647 without an ignition interlock system in violation of Section 41-6a-518.2;
- 648 (xvii) refusal of a chemical test under Subsection 41-6a-520.1(1);
- 649 (xviii) failure to properly display a license plate on a motorcycle under Section  
650 41-1a-404.1;
- 651 (xix) performing a wheelie on a highway under Section 41-6a-606.1;
- 652 (xx) engaging in lane splitting under Section 41-6a-704.1; or
- 653 (xxi) two or more offenses that:
- 654 (A) are committed within a period of one year;
- 655 (B) are enhanced under Section 76-3-203.17; and
- 656 (C) arose from separate incidents.
- 657 (b) The division shall immediately revoke the license of a person upon receiving a  
658 record of an adjudication under Section 80-6-701 for:
- 659 (i) a violation of Section 76-11-209 involving the discharging or allowing the  
660 discharging of a firearm from a vehicle or a violation of Section 76-11-210  
661 involving discharging or allowing the discharge of a firearm from a vehicle; or
- 662 (ii) using, allowing the use of, or causing to be used any explosive, chemical, or  
663 incendiary device from a vehicle in violation of Subsection 76-15-210(2)(b)(ii).
- 664 (c)(i) Except when action is taken under Section 53-3-219 for the same offense, upon  
665 receiving a record of conviction, the division shall immediately suspend for six  
666 months the license of the convicted person if the person was convicted of  
667 violating any one of the following offenses while the person was an operator of a  
668 motor vehicle, and the court finds that a driver license suspension is likely to  
669 reduce recidivism and is in the interest of public safety:
- 670 (A) Title 58, Chapter 37, Utah Controlled Substances Act;
- 671 (B) Title 58, Chapter 37a, Utah Drug Paraphernalia Act;
- 672 (C) Title 58, Chapter 37b, Imitation Controlled Substances Act;
- 673 (D) Title 58, Chapter 37c, Utah Controlled Substance Precursor Act;
- 674 (E) Title 58, Chapter 37d, Clandestine Drug Lab Act; or

- 675 (F) any criminal offense that prohibits possession, distribution, manufacture,  
676 cultivation, sale, or transfer of any substance that is prohibited under the acts  
677 described in Subsections (1)(c)(i)(A) through (E), or the attempt or conspiracy  
678 to possess, distribute, manufacture, cultivate, sell, or transfer any substance that  
679 is prohibited under the acts described in Subsections (1)(c)(i)(A) through (E).
- 680 (ii) Notwithstanding the provisions in Subsection (1)(c)(i), the division shall reinstate  
681 a person's driving privilege before completion of the suspension period imposed  
682 under Subsection (1)(c)(i) if the reporting court notifies the Driver License  
683 Division, in a manner specified by the division, that the defendant is participating  
684 in or has successfully completed a drug court program as defined in Section  
685 78A-5-201.
- 686 (iii) If a person's driving privilege is reinstated under Subsection (1)(c)(ii), the person  
687 is required to pay the license reinstatement fees under Subsection 53-3-105(26).
- 688 (iv) The court shall notify the division, in a manner specified by the division, if a  
689 person fails to complete all requirements of the drug court program.
- 690 (v) Upon receiving the notification described in Subsection (1)(c)(iv), the division  
691 shall suspend the person's driving privilege for a period of six months from the  
692 date of the notice, and no days shall be subtracted from the six-month suspension  
693 period for which a driving privilege was previously suspended under Subsection  
694 (1)(c)(i).
- 695 (d)(i) The division shall immediately suspend a person's driver license for conviction  
696 of the offense of theft of motor vehicle fuel under Section 76-6-404.7 if the  
697 division receives:
- 698 (A) an order from the sentencing court requiring that the person's driver license be  
699 suspended; and  
700 (B) a record of the conviction.
- 701 (ii) An order of suspension under this section is at the discretion of the sentencing  
702 court, and may not be for more than 90 days for each offense.
- 703 (e)(i) The division shall immediately suspend for one year the license of a person  
704 upon receiving a record of:
- 705 (A) conviction for the first time for a violation under Section 32B-4-411; or  
706 (B) an adjudication under Section 80-6-701 for a violation under Section  
707 32B-4-411.
- 708 (ii) The division shall immediately suspend for a period of two years the license of a

- 709 person upon receiving a record of:
- 710 (A)(I) conviction for a second or subsequent violation under Section 32B-4-411;
- 711 and
- 712 (II) the violation described in Subsection (1)(e)(ii)(A)(I) is within 10 years of a
- 713 prior conviction for a violation under Section 32B-4-411; or
- 714 (B)(I) a second or subsequent adjudication under Section 80-6-701 for a
- 715 violation under Section 32B-4-411; and
- 716 (II) the adjudication described in Subsection (1)(e)(ii)(B)(I) is within 10 years
- 717 of a prior adjudication under Section 80-6-701 for a violation under Section
- 718 32B-4-411.
- 719 (iii) Upon receipt of a record under Subsection (1)(e)(i) or (ii), the division shall:
- 720 (A) for a conviction or adjudication described in Subsection (1)(e)(i):
- 721 (I) impose a suspension for one year beginning on the date of conviction; or
- 722 (II) if the person is under the age of eligibility for a driver license, impose a
- 723 suspension that begins on the date of conviction and continues for one year
- 724 beginning on the date of eligibility for a driver license; or
- 725 (B) for a conviction or adjudication described in Subsection (1)(e)(ii):
- 726 (I) impose a suspension for a period of two years; or
- 727 (II) if the person is under the age of eligibility for a driver license, impose a
- 728 suspension that begins on the date of conviction and continues for two years
- 729 beginning on the date of eligibility for a driver license.
- 730 (iv) Upon receipt of the first order suspending a person's driving privileges under
- 731 Section 32B-4-411, the division shall reduce the suspension period under
- 732 Subsection (1)(e)(i) if ordered by the court in accordance with Subsection
- 733 32B-4-411(3)(a).
- 734 (v) Upon receipt of the second or subsequent order suspending a person's driving
- 735 privileges under Section 32B-4-411, the division shall reduce the suspension
- 736 period under Subsection (1)(e)(ii) if ordered by the court in accordance with
- 737 Subsection 32B-4-411(3)(b).
- 738 (f) The division shall immediately suspend a person's driver license for the conviction of
- 739 an offense that is enhanced under Section 76-3-203.17 if the division receives:
- 740 (i) an order from the sentencing court requiring the person's driver license to be
- 741 suspended; and
- 742 (ii) a record of the conviction.

- 743 (2)(a) The division shall extend the period of the first denial, suspension, revocation, or  
 744 disqualification for an additional like period, to a maximum of one year for each  
 745 subsequent occurrence, upon receiving:
- 746       [(a) a record of the conviction of any person on a charge of driving a motor vehicle  
 747       while the person's license is denied, suspended, revoked, or disqualified;]
- 748       [(b)] (i) except as provided in Subsection (2)(b), a record of a conviction of the person  
 749       for any violation of the motor vehicle law that is not an infraction in which the  
 750       person was involved as a driver;
- 751       [(e)] (ii) a report of an arrest of the person for any violation of the motor vehicle law  
 752       that is not an infraction in which the person was involved as a driver; or
- 753       [(d)] (iii) a report of an accident in which the person was involved as a driver.
- 754       (b) For an individual applying for a driving privilege card as described in Section  
 755       53-3-207, the division may not extend a suspension, revocation, or denial of an  
 756       individual as described in Subsection (2)(a) based solely on the report or conviction  
 757       of the individual driving without a license.
- 758 (3) When the division receives a report under Subsection [~~(2)(e) or (d)~~] (2)(a)(ii) or (iii) that  
 759 a person is driving while the person's license is denied, suspended, disqualified, or  
 760 revoked, the person is entitled to a hearing regarding the extension of the time of denial,  
 761 suspension, disqualification, or revocation originally imposed under Section 53-3-221.
- 762 (4)(a) The division may extend to a person the limited privilege of driving a motor  
 763 vehicle to and from the person's place of employment or within other specified limits  
 764 on recommendation of the judge in any case where a person is convicted of any of  
 765 the offenses referred to in Subsections (1) and (2) except:
- 766       (i) those offenses referred to in Subsections (1)(a)(i), (ii), (iii), (xi), (xii), (xiii), (1)(b),  
 767       and (1)(c)(i); and
- 768       (ii) those offenses referred to in Subsection (2) when the original denial, suspension,  
 769       revocation, or disqualification was imposed because of a violation of Section  
 770       41-6a-502, 41-6a-517, a local ordinance that complies with the requirements of  
 771       Subsection 41-6a-510(1), Section 41-6a-520, 41-6a-520.1, 76-5-102.1, or 76-5-207,  
 772       or a criminal prohibition that the person was charged with violating as a result of a  
 773       plea bargain after having been originally charged with violating one or more of  
 774       these sections or ordinances, unless:
- 775       (A) the person has had the period of the first denial, suspension, revocation, or  
 776       disqualification extended for a period of at least three years;

- 777 (B) the division receives written verification from the person's primary care  
778 physician or physician assistant that:
- 779 (I) to the physician's or physician assistant's knowledge the person has not used  
780 any narcotic drug or other controlled substance except as prescribed by a  
781 licensed medical practitioner within the last three years; and
- 782 (II) the physician or physician assistant is not aware of any physical,  
783 emotional, or mental impairment that would affect the person's ability to  
784 operate a motor vehicle safely; and
- 785 (C) for a period of one year prior to the date of the request for a limited driving  
786 privilege:
- 787 (I) the person has not been convicted of a violation of any motor vehicle law in  
788 which the person was involved as the operator of the vehicle;
- 789 (II) the division has not received a report of an arrest for a violation of any  
790 motor vehicle law in which the person was involved as the operator of the  
791 vehicle; and
- 792 (III) the division has not received a report of an accident in which the person  
793 was involved as an operator of a vehicle.
- 794 (b)(i) Except as provided in Subsection (4)(b)(ii), the discretionary privilege  
795 authorized in this Subsection (4):
- 796 (A) is limited to when undue hardship would result from a failure to grant the  
797 privilege; and
- 798 (B) may be granted only once to any person during any single period of denial,  
799 suspension, revocation, or disqualification, or extension of that denial,  
800 suspension, revocation, or disqualification.
- 801 (ii) The discretionary privilege authorized in Subsection (4)(a)(ii):
- 802 (A) is limited to when the limited privilege is necessary for the person to commute  
803 to school or work; and
- 804 (B) may be granted only once to any person during any single period of denial,  
805 suspension, revocation, or disqualification, or extension of that denial,  
806 suspension, revocation, or disqualification.
- 807 (c) A limited CDL may not be granted to a person disqualified under Part 4, Uniform  
808 Commercial Driver License Act, or whose license has been revoked, suspended,  
809 cancelled, or denied under this chapter.
- 810 Section 6. Section **53-25-802** is amended to read:

811 **53-25-802 (Effective 05/06/26). Portable biometric capture method requirement.**

812 (1) Beginning January 1, [2027] 2028, a law enforcement agency shall ensure that every law  
813 enforcement officer who is on duty outside of the law enforcement agency's facility is  
814 supplied with a portable biometric capture device.

815 (2)(a) A software vendor that allows a law enforcement agency to file a citation  
816 electronically as described in Section 77-7-20 shall ensure that the software vendor's  
817 software is capable of submitting biometric data captured by a portable biometric  
818 device electronically to the court's electronic filing interface.

819 (b) A software vendor shall ensure that the connection described in Subsection (2)(a) is  
820 operational within one year of the criminal justice agency's system that uses the  
821 software service becoming active.

822 (3) A software service is subject to Subsection (2) if the software service:

823 (a) is for use by a criminal justice agency within the state's criminal justice system; and

824 (b) collects and stores data required by statute to be reported to the department.

825 Section 7. Section **63I-2-241** is amended to read:

826 **63I-2-241 (Effective 05/06/26). Repeal dates: Title 41.**

827 [Reserved.] Subsection 41-6a-1406(4)(d), regarding impound report requirements, is  
828 repealed January 1, 2027.

829 Section 8. **Effective Date.**

830 This bill takes effect on May 6, 2026.