

Norman K Thurston proposes the following substitute bill:

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Motorcycle Amendments
2025 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor:

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LONG TITLE

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General Description:

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This bill defines terms and prohibits certain maneuvers related to the operation of a motorcycle.

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Highlighted Provisions:

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This bill:

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- ▶ provides requirements for location and visibility of a license plate on a motorcycle;
- ▶ defines terms related to a motorcycle;
- ▶ prohibits lane splitting;
- ▶ prohibits the performance of a wheelie by a motorcycle operator on a highway;
- ▶ requires the Driver License Division to suspend an individual's motorcycle endorsement or driver license for certain violations;
- ▶ allows law enforcement to impound a motorcycle for certain violations; and
- ▶ makes technical changes.

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Money Appropriated in this Bill:

None

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Other Special Clauses:

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This bill provides a special effective date.

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Utah Code Sections Affected:

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AMENDS:

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41-1a-1101, as last amended by Laws of Utah 2024, Chapter 319

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41-6a-102, as last amended by Laws of Utah 2024, Chapter 236

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53-3-220, as last amended by Laws of Utah 2024, Chapter 319

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ENACTS:

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41-1a-404.1, Utah Code Annotated 1953

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41-6a-606.1, Utah Code Annotated 1953

29 **41-6a-704.1**, Utah Code Annotated 1953

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

32 Section 1. Section **41-1a-404.1** is enacted to read:

33 **41-1a-404.1 . Location and position of plate on a motorcycle -- Visibility of plate**

34 **-- Penalties.**

35 (1) The owner or operator of a motorcycle shall ensure that the license plate is attached to
36 the rear of the vehicle as described in this section.

37 (2) A license plate shall at all times be:

38 (a) securely fastened:

39 (i) in a horizontal position to the vehicle for which it is issued to prevent the plate
40 from swinging;

41 (ii) at a height of not less than 12 inches from the ground, measuring from the bottom
42 of the plate; and

43 (iii) in a place and position to be clearly visible; and

44 (b) maintained:

45 (i) free from foreign materials or a tinted or translucent license plate cover; and

46 (ii) in a condition to be clearly legible.

47 (3) A motorcycle license plate may not be attached below or on the underside of the wheel
48 well or in any other manner that positions the license plate in a manner that is not clearly
49 visible.

50 (4) The provisions of Subsections (2)(a)(iii) and (2)(b) do not apply to a license plate that is
51 obscured exclusively by one or more of the following devices or by the cargo the
52 motorcycle is carrying, if the device is installed according to manufacturer specifications
53 or generally accepted installation practices:

54 (a) a trailer hitch; or

55 (b) a luggage rack or similar cargo carrying device.

56 (5)(a) A person who violates this section is guilty of an infraction.

57 (b) If an individual is convicted of a violation of this section, the Driver License
58 Division shall:

59 (i) suspend the individual's motorcycle endorsement for a period of 90 days; or

60 (ii) if the individual does not have a valid motorcycle endorsement, suspend the
61 individual's driver license for a period of 90 days.

62 (c) If an individual with a motorcycle endorsement is convicted of a second violation of

63 this section, the Driver License Division shall suspend the individual's motorcycle
 64 endorsement for a period of 180 days.

65 (d) If an individual with a motorcycle endorsement is convicted of a third or subsequent
 66 violation of this section the Driver License Division shall revoke the individual's
 67 motorcycle endorsement.

68 (e) The court shall forward the report of a conviction under this section to the Driver
 69 License Division in accordance with Section 53-3-218.

70 (f) A law enforcement officer may impound a vehicle of a person who violates this
 71 section.

72 Section 2. Section **41-1a-1101** is amended to read:

73 **41-1a-1101 . Seizure -- Circumstances where permitted -- Impound lot standards.**

74 (1) As used in this section:

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

77 (ii) "Criminal offense" includes:

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

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

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

85 (c) "Road rage event" means the commission of a criminal offense:

86 (i) by an operator of a vehicle;

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

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

89 (d) "Roadway" means:

90 (i) a highway; or

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

92 (2) The division or any peace officer, without a warrant, may seize and take possession of
 93 any vehicle, vessel, or outboard motor:

94 (a) that the division or the peace officer has probable cause to believe has been stolen;

95 (b) on which any identification number has been defaced, altered, or obliterated;

96 (c) that has been abandoned in accordance with Section 41-6a-1408;

- 97 (d) for which the applicant has written a check for registration or title fees that has not
98 been honored by the applicant's bank and that is not paid within 30 days;
- 99 (e) that is placed on the water with improper registration;
- 100 (f) that is being operated on a highway:
- 101 (i) with registration that has been expired for more than three months;
- 102 (ii) having never been properly registered by the current owner; or
- 103 (iii) with registration that is suspended or revoked;[-or]
- 104 (g)(i) that the division or the peace officer has probable cause to believe has been
105 involved in an accident described in Section 41-6a-401, 41-6a-401.3, or
106 41-6a-401.5; and
- 107 (ii) whose operator did not remain at the scene of the accident until the operator
108 fulfilled the requirements described in Section 41-6a-401 or 41-6a-401.7[-]; or
- 109 (h) if the division or peace officer has probable cause to believe that the operator:
- 110 (i) failed to properly display the license plate on a motorcycle as described in Section
111 41-1a-404.1; or
- 112 (ii) used the motorcycle:
- 113 (A) to perform a wheelie in violation of Section 41-6a-606.1; or
- 114 (B) to engage in lane splitting in violation of Section 41-6a-704.1.
- 115 (3)(a) The division or a peace officer shall seize and take possession of a vehicle,
116 without a warrant, when:
- 117 (i) the division or the peace officer has probable cause to believe that an operator of
118 the vehicle engaged in a road rage event; and
- 119 (ii) the operator of the vehicle has been arrested in conjunction with the road rage
120 event.
- 121 (b) A peace officer may release a vehicle seized and possessed under Subsection (3)(a)
122 to the registered owner of the vehicle if the registered owner is not the individual
123 subject to arrest under Subsection (3)(a) and is immediately available, at the location
124 of the arrest, to take possession of the vehicle.
- 125 (4)(a) Subject to the restriction in Subsection (4)(b), the division or any peace officer,
126 without a warrant:
- 127 (i) shall seize and take possession of any vehicle that is being operated on a highway
128 without owner's or operator's security in effect for the vehicle as required under
129 Section 41-12a-301 and the vehicle was involved in an accident; or
- 130 (ii) may seize and take possession of any vehicle that is being operated on a highway

131 without owner's or operator's security in effect for the vehicle as required under
132 Section 41-12a-301 after the division or any peace officer makes a reasonable
133 determination whether the vehicle would:

134 (A) present a public safety concern to the operator or any of the occupants in the
135 vehicle; or

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

138 (b) The division or any peace officer may not seize and take possession of a vehicle
139 under Subsection (4)(a):

140 (i) if the operator of the vehicle is not carrying evidence of owner's or operator's
141 security as defined in Section 41-12a-303.2 in the vehicle unless the division or
142 peace officer verifies that owner's or operator's security is not in effect for the
143 vehicle through the Uninsured Motorist Identification Database created in
144 accordance with Section 41-12a-803; or

145 (ii) if the operator of the vehicle is carrying evidence of owner's or operator's security
146 as defined in Section 41-12a-303.2 in the vehicle and the Uninsured Motorist
147 Identification Database created in accordance with Section 41-12a-803 indicates
148 that the owner's or operator's security is not in effect for the vehicle, unless the
149 division or a peace officer makes a reasonable attempt to independently verify that
150 owner's or operator's security is not in effect for the vehicle.

151 (5) If necessary for the transportation of a seized vessel, the vessel's trailer may be seized to
152 transport and store the vessel.

153 (6) Any peace officer seizing or taking possession of a vehicle, vessel, or outboard motor
154 under this section shall comply with the provisions of Section 41-6a-1406.

155 (7)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
156 the commission shall make rules setting standards for public garages, impound lots,
157 and impound yards that may be used by peace officers and the division.

158 (b) The standards shall be equitable, reasonable, and unrestrictive as to the number of
159 public garages, impound lots, or impound yards per geographical area.

160 (c) A crusher, dismantler, or salvage dealer may not operate as a state impound yard
161 unless the crusher, dismantler, or salvage dealer meets all of the requirements for a
162 state impound yard set forth in this section and rules made in accordance with
163 Subsection (7)(a).

164 (d)(i) Rules made by the commission shall include a requirement that a state impound

165 yard have opaque fencing on any side of the state impound yard that has frontage
166 with a highway.

167 (ii) The opaque fencing described in Subsection (7)(d)(i) may be opaque chain link
168 fencing.

169 (8)(a) Except as provided under Subsection (8)(b), a person may not operate or allow to
170 be operated a vehicle stored in a public garage, impound lot, or impound yard
171 regulated under this part without prior written permission of the owner of the vehicle.

172 (b) Incidental and necessary operation of a vehicle to move the vehicle from one parking
173 space to another within the facility and that is necessary for the normal management
174 of the facility is not prohibited under Subsection (8)(a).

175 (9) A person who violates the provisions of Subsection (8) is guilty of a class C
176 misdemeanor.

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

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

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

181 Section 3. Section **41-6a-102** is amended to read:

182 **41-6a-102 . Definitions.**

183 As used in this chapter:

184 (1) "Alley" means a street or highway intended to provide access to the rear or side of lots
185 or buildings in urban districts and not intended for through vehicular traffic.

186 (2) "All-terrain type I vehicle" means the same as that term is defined in Section 41-22-2.

187 (3) "All-terrain type II vehicle" means the same as that term is defined in Section 41-22-2.

188 (4) "All-terrain type III vehicle" means the same as that term is defined in Section 41-22-2.

189 (5) "Authorized emergency vehicle" includes:

190 (a) a fire department vehicle;

191 (b) a police vehicle;

192 (c) an ambulance; and

193 (d) other publicly or privately owned vehicles as designated by the commissioner of the
194 Department of Public Safety.

195 (6) "Autocycle" means the same as that term is defined in Section 53-3-102.

196 (7)(a) "Bicycle" means a wheeled vehicle:

197 (i) propelled by human power by feet or hands acting upon pedals or cranks;

198 (ii) with a seat or saddle designed for the use of the operator;

- 199 (iii) designed to be operated on the ground; and
200 (iv) whose wheels are not less than 14 inches in diameter.
- 201 (b) "Bicycle" includes an electric assisted bicycle.
202 (c) "Bicycle" does not include scooters and similar devices.
- 203 (8)(a) "Bus" means a motor vehicle:
204 (i) designed for carrying more than 15 passengers and used for the transportation of
205 persons; or
206 (ii) designed and used for the transportation of persons for compensation.
207 (b) "Bus" does not include a taxicab.
- 208 (9)(a) "Circular intersection" means an intersection that has an island, generally circular
209 in design, located in the center of the intersection where traffic passes to the right of
210 the island.
211 (b) "Circular intersection" includes:
212 (i) roundabouts;
213 (ii) rotaries; and
214 (iii) traffic circles.
- 215 (10) "Class 1 electric assisted bicycle" means an electric assisted bicycle equipped with a
216 motor or electronics that:
217 (a) provides assistance only when the rider is pedaling; and
218 (b) ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.
- 219 (11) "Class 2 electric assisted bicycle" means an electric assisted bicycle equipped with a
220 motor or electronics that:
221 (a) may be used exclusively to propel the bicycle; and
222 (b) is not capable of providing assistance when the bicycle reaches the speed of 20 miles
223 per hour.
- 224 (12) "Class 3 electric assisted bicycle" means an electric assisted bicycle equipped with a
225 motor or electronics that:
226 (a) provides assistance only when the rider is pedaling;
227 (b) ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour;
228 and
229 (c) is equipped with a speedometer.
- 230 (13) "Commissioner" means the commissioner of the Department of Public Safety.
231 (14) "Controlled-access highway" means a highway, street, or roadway:
232 (a) designed primarily for through traffic; and

- 233 (b) to or from which owners or occupants of abutting lands and other persons have no
234 legal right of access, except at points as determined by the highway authority having
235 jurisdiction over the highway, street, or roadway.
- 236 (15) "Crosswalk" means:
- 237 (a) that part of a roadway at an intersection included within the connections of the lateral
238 lines of the sidewalks on opposite sides of the highway measured from:
- 239 (i)(A) the curbs; or
240 (B) in the absence of curbs, from the edges of the traversable roadway; and
241 (ii) in the absence of a sidewalk on one side of the roadway, that part of a roadway
242 included within the extension of the lateral lines of the existing sidewalk at right
243 angles to the centerline; or
- 244 (b) any portion of a roadway at an intersection or elsewhere distinctly indicated for
245 pedestrian crossing by lines or other markings on the surface.
- 246 (16) "Department" means the Department of Public Safety.
- 247 (17) "Direct supervision" means oversight at a distance within which:
- 248 (a) visual contact is maintained; and
249 (b) advice and assistance can be given and received.
- 250 (18) "Divided highway" means a highway divided into two or more roadways by:
- 251 (a) an unpaved intervening space;
252 (b) a physical barrier; or
253 (c) a clearly indicated dividing section constructed to impede vehicular traffic.
- 254 (19) "Echelon formation" means the operation of two or more snowplows arranged
255 side-by-side or diagonally across multiple lanes of traffic of a multi-lane highway to
256 clear snow from two or more lanes at once.
- 257 (20)(a) "Electric assisted bicycle" means a bicycle with an electric motor that:
- 258 (i) has a power output of not more than 750 watts;
259 (ii) has fully operable pedals;
260 (iii) has permanently affixed cranks that were installed at the time of the original
261 manufacture;
262 (iv) is fully operable as a bicycle without the use of the electric motor; and
263 (v) is one of the following:
264 (A) a class 1 electric assisted bicycle;
265 (B) a class 2 electric assisted bicycle;
266 (C) a class 3 electric assisted bicycle; or

- 267 (D) a programmable electric assisted bicycle.
- 268 (b) "Electric assisted bicycle" does not include:
- 269 (i) a moped;
- 270 (ii) a motor assisted scooter;
- 271 (iii) a motorcycle;
- 272 (iv) a motor-driven cycle; or
- 273 (v) any other vehicle with less than four wheels that is designed, manufactured,
- 274 intended, or advertised by the seller to have any of the following capabilities or
- 275 features, or that is modifiable or is modified to have any of the following
- 276 capabilities or features:
- 277 (A) has the ability to attain the speed of 20 miles per hour or greater on motor
- 278 power alone;
- 279 (B) is equipped with a continuous rated motor power of 750 watts or greater;
- 280 (C) is equipped with foot pegs for the operator at the time of manufacture, or
- 281 requires installation of a pedal kit to have operable pedals; or
- 282 (D) if equipped with multiple operating modes and a throttle, has one or more
- 283 modes that exceed 20 miles per hour on motor power alone.
- 284 (21)(a) "Electric personal assistive mobility device" means a self-balancing device with:
- 285 (i) two nontandem wheels in contact with the ground;
- 286 (ii) a system capable of steering and stopping the unit under typical operating
- 287 conditions;
- 288 (iii) an electric propulsion system with average power of one horsepower or 750
- 289 watts;
- 290 (iv) a maximum speed capacity on a paved, level surface of 12.5 miles per hour; and
- 291 (v) a deck design for a person to stand while operating the device.
- 292 (b) "Electric personal assistive mobility device" does not include a wheelchair.
- 293 (22) "Explosives" means a chemical compound or mechanical mixture commonly used or
- 294 intended for the purpose of producing an explosion and that contains any oxidizing and
- 295 combustive units or other ingredients in proportions, quantities, or packing so that an
- 296 ignition by fire, friction, concussion, percussion, or detonator of any part of the
- 297 compound or mixture may cause a sudden generation of highly heated gases, and the
- 298 resultant gaseous pressures are capable of producing destructive effects on contiguous
- 299 objects or of causing death or serious bodily injury.
- 300 (23) "Farm tractor" means a motor vehicle designed and used primarily as a farm

- 301 implement, for drawing plows, mowing machines, and other implements of husbandry.
- 302 (24) "Flammable liquid" means a liquid that has a flashpoint of 100 degrees F. or less, as
303 determined by a Tagliabue or equivalent closed-cup test device.
- 304 (25) "Freeway" means a controlled-access highway that is part of the interstate system as
305 defined in Section 72-1-102.
- 306 (26)(a) "Golf cart" means a device that:
- 307 (i) is designed for transportation by players on a golf course;
- 308 (ii) has not less than three wheels in contact with the ground;
- 309 (iii) has an unladen weight of less than 1,800 pounds;
- 310 (iv) is designed to operate at low speeds; and
- 311 (v) is designed to carry not more than six persons including the driver.
- 312 (b) "Golf cart" does not include:
- 313 (i) a low-speed vehicle or an off-highway vehicle;
- 314 (ii) a motorized wheelchair;
- 315 (iii) an electric personal assistive mobility device;
- 316 (iv) an electric assisted bicycle;
- 317 (v) a motor assisted scooter;
- 318 (vi) a personal delivery device, as defined in Section 41-6a-1119; or
- 319 (vii) a mobile carrier, as defined in Section 41-6a-1120.
- 320 (27) "Gore area" means the area delineated by two solid white lines that is between a
321 continuing lane of a through roadway and a lane used to enter or exit the continuing lane
322 including similar areas between merging or splitting highways.
- 323 (28) "Gross weight" means the weight of a vehicle without a load plus the weight of any
324 load on the vehicle.
- 325 (29) "Hi-rail vehicle" means a roadway maintenance vehicle that is:
- 326 (a) manufactured to meet Federal Motor Vehicle Safety Standards; and
- 327 (b) equipped with retractable flanged wheels that allow the vehicle to travel on a
328 highway or railroad tracks.
- 329 (30) "Highway" means the entire width between property lines of every way or place of any
330 nature when any part of it is open to the use of the public as a matter of right for
331 vehicular travel.
- 332 (31) "Highway authority" means the same as that term is defined in Section 72-1-102.
- 333 (32)(a) "Intersection" means the area embraced within the prolongation or connection of
334 the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of

- 335 two or more highways that join one another.
- 336 (b) Where a highway includes two roadways 30 feet or more apart:
- 337 (i) every crossing of each roadway of the divided highway by an intersecting
- 338 highway is a separate intersection; and
- 339 (ii) if the intersecting highway also includes two roadways 30 feet or more apart, then
- 340 every crossing of two roadways of the highways is a separate intersection.
- 341 (c) "Intersection" does not include the junction of an alley with a street or highway.
- 342 (33) "Island" means an area between traffic lanes or at an intersection for control of vehicle
- 343 movements or for pedestrian refuge designated by:
- 344 (a) pavement markings, which may include an area designated by two solid yellow lines
- 345 surrounding the perimeter of the area;
- 346 (b) channelizing devices;
- 347 (c) curbs;
- 348 (d) pavement edges; or
- 349 (e) other devices.
- 350 (34)(a) "Lane filtering" means, when operating a motorcycle other than an autocycle, the
- 351 act of overtaking and passing another vehicle that is stopped in the same direction of
- 352 travel in the same lane.
- 353 (b) "Lane filtering" does not include lane splitting.
- 354 (35)(a) "Lane splitting" means, when operating a motorcycle other than an autocycle, the
- 355 act of riding a motorcycle between clearly marked lanes for traffic traveling in the
- 356 same direction of travel while traffic is in motion.
- 357 (b) "Lane splitting" does not include lane filtering.
- 358 [(35)] (36) "Law enforcement agency" means the same as that term is as defined in Section
- 359 53-1-102.
- 360 [(36)] (37) "Limited access highway" means a highway:
- 361 (a) that is designated specifically for through traffic; and
- 362 (b) over, from, or to which neither owners nor occupants of abutting lands nor other
- 363 persons have any right or easement, or have only a limited right or easement of
- 364 access, light, air, or view.
- 365 [(37)] (38) "Local highway authority" means the legislative, executive, or governing body of
- 366 a county, municipal, or other local board or body having authority to enact laws relating
- 367 to traffic under the constitution and laws of the state.
- 368 [(38)] (39)(a) "Low-speed vehicle" means a four wheeled motor vehicle that:

369 (i) is designed to be operated at speeds of not more than 25 miles per hour; and
370 (ii) has a capacity of not more than six passengers, including a conventional driver or
371 fallback-ready user if on board the vehicle, as those terms are defined in Section
372 41-26-102.1.

373 (b) "Low-speed vehicle" does not include a golfcart or an off-highway vehicle.

374 [(39)] (40) "Metal tire" means a tire, the surface of which in contact with the highway is
375 wholly or partly of metal or other hard nonresilient material.

376 [(40)] (41)(a) "Mini-motorcycle" means a motorcycle or motor-driven cycle that has a
377 seat or saddle that is less than 24 inches from the ground as measured on a level
378 surface with properly inflated tires.

379 (b) "Mini-motorcycle" does not include a moped or a motor assisted scooter.

380 (c) "Mini-motorcycle" does not include a motorcycle that is:

381 (i) designed for off-highway use; and

382 (ii) registered as an off-highway vehicle under Section 41-22-3.

383 [(41)] (42) "Mobile home" means:

384 (a) a trailer or semitrailer that is:

385 (i) designed, constructed, and equipped as a dwelling place, living abode, or sleeping
386 place either permanently or temporarily; and

387 (ii) equipped for use as a conveyance on streets and highways; or

388 (b) a trailer or a semitrailer whose chassis and exterior shell is designed and constructed
389 for use as a mobile home, as defined in Subsection [(41)(a)] (42)(a), but that is instead
390 used permanently or temporarily for:

391 (i) the advertising, sale, display, or promotion of merchandise or services; or

392 (ii) any other commercial purpose except the transportation of property for hire or the
393 transportation of property for distribution by a private carrier.

394 [(42)] (43) "Mobility disability" means the inability of a person to use one or more of the
395 person's extremities or difficulty with motor skills, that may include limitations with
396 walking, grasping, or lifting an object, caused by a neuro-muscular, orthopedic, or other
397 condition.

398 [(43)] (44)(a) "Moped" means a motor-driven cycle having:

399 (i) pedals to permit propulsion by human power; and

400 (ii) a motor that:

401 (A) produces not more than two brake horsepower; and

402 (B) is not capable of propelling the cycle at a speed in excess of 30 miles per hour

403 on level ground.

404 (b) If an internal combustion engine is used, the displacement may not exceed 50 cubic
405 centimeters and the moped shall have a power drive system that functions directly or
406 automatically without clutching or shifting by the operator after the drive system is
407 engaged.

408 (c) "Moped" does not include:

409 (i) an electric assisted bicycle; or

410 (ii) a motor assisted scooter.

411 [~~44~~] 45(a) "Motor assisted scooter" means a self-propelled device with:

412 (i) at least two wheels in contact with the ground;

413 (ii) a braking system capable of stopping the unit under typical operating conditions;

414 (iii) an electric motor not exceeding 2,000 watts;

415 (iv) either:

416 (A) handlebars and a deck design for a person to stand while operating the device;

417 or

418 (B) handlebars and a seat designed for a person to sit, straddle, or stand while

419 operating the device;

420 (v) a design for the ability to be propelled by human power alone; and

421 (vi) a maximum speed of 20 miles per hour on a paved level surface.

422 (b) "Motor assisted scooter" does not include:

423 (i) an electric assisted bicycle; or

424 (ii) a motor-driven cycle.

425 [~~45~~] 46(a) "Motor vehicle" means a vehicle that is self-propelled and a vehicle that is

426 propelled by electric power obtained from overhead trolley wires, but not operated

427 upon rails.

428 (b) "Motor vehicle" does not include:

429 (i) vehicles moved solely by human power;

430 (ii) motorized wheelchairs;

431 (iii) an electric personal assistive mobility device;

432 (iv) an electric assisted bicycle;

433 (v) a motor assisted scooter;

434 (vi) a personal delivery device, as defined in Section 41-6a-1119; or

435 (vii) a mobile carrier, as defined in Section 41-6a-1120.

436 [~~46~~] 47 "Motorcycle" means:

- 437 (a) a motor vehicle, other than a tractor, having a seat or saddle for the use of the rider
438 and designed to travel with not more than three wheels in contact with the ground; or
439 (b) an autocycle.
- 440 ~~[(47)]~~ (48)(a) "Motor-driven cycle" means a motorcycle, moped, and a motorized bicycle
441 having:
- 442 (i) an engine with less than 150 cubic centimeters displacement; or
 - 443 (ii) a motor that produces not more than five horsepower.
- 444 (b) "Motor-driven cycle" does not include:
- 445 (i) an electric personal assistive mobility device;
 - 446 (ii) a motor assisted scooter; or
 - 447 (iii) an electric assisted bicycle.
- 448 ~~[(48)]~~ (49) "Off-highway implement of husbandry" means the same as that term is defined
449 under Section 41-22-2.
- 450 ~~[(49)]~~ (50) "Off-highway vehicle" means the same as that term is defined under Section
451 41-22-2.
- 452 ~~[(50)]~~ (51) "Operate" means the same as that term is defined in Section 41-1a-102.
- 453 ~~[(51)]~~ (52) "Operator" means:
- 454 (a) a human driver, as defined in Section 41-26-102.1, that operates a vehicle; or
 - 455 (b) an automated driving system, as defined in Section 41-26-102.1, that operates a
456 vehicle.
- 457 ~~[(52)]~~ (53) "Other on-track equipment" means a railroad car, hi-rail vehicle, rolling stock, or
458 other device operated, alone or coupled with another device, on stationary rails.
- 459 ~~[(53)]~~ (54)(a) "Park" or "parking" means the standing of a vehicle, whether the vehicle is
460 occupied or not.
- 461 (b) "Park" or "parking" does not include:
- 462 (i) the standing of a vehicle temporarily for the purpose of and while actually
463 engaged in loading or unloading property or passengers; or
 - 464 (ii) a motor vehicle with an engaged automated driving system that has achieved a
465 minimal risk condition, as those terms are defined in Section 41-26-102.1.
- 466 ~~[(54)]~~ (55) "Peace officer" means a peace officer authorized under Title 53, Chapter 13,
467 Peace Officer Classifications, to direct or regulate traffic or to make arrests for
468 violations of traffic laws.
- 469 ~~[(55)]~~ (56) "Pedestrian" means a person traveling:
- 470 (a) on foot; or

- 471 (b) in a wheelchair.
- 472 [~~(56)~~] (57) "Pedestrian traffic-control signal" means a traffic-control signal used to regulate
473 pedestrians.
- 474 [~~(57)~~] (58) "Person" means a natural person, firm, copartnership, association, corporation,
475 business trust, estate, trust, partnership, limited liability company, association, joint
476 venture, governmental agency, public corporation, or any other legal or commercial
477 entity.
- 478 [~~(58)~~] (59) "Pole trailer" means a vehicle without motive power:
- 479 (a) designed to be drawn by another vehicle and attached to the towing vehicle by means
480 of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle;
481 and
- 482 (b) that is ordinarily used for transporting long or irregular shaped loads including poles,
483 pipes, or structural members generally capable of sustaining themselves as beams
484 between the supporting connections.
- 485 [~~(59)~~] (60) "Private road or driveway" means every way or place in private ownership and
486 used for vehicular travel by the owner and those having express or implied permission
487 from the owner, but not by other persons.
- 488 [~~(60)~~] (61) "Programmable electric assisted bicycle" means an electric assisted bicycle with
489 capability to switch or be programmed to function as a class 1 electric assisted bicycle,
490 class 2 electric assisted bicycle, or class 3 electric assisted bicycle, provided that the
491 electric assisted bicycle fully conforms with the respective requirements of each class of
492 electric assisted bicycle when operated in that mode.
- 493 [~~(61)~~] (62) "Railroad" means a carrier of persons or property upon cars operated on
494 stationary rails.
- 495 [~~(62)~~] (63) "Railroad sign or signal" means a sign, signal, or device erected by authority of a
496 public body or official or by a railroad and intended to give notice of the presence of
497 railroad tracks or the approach of a railroad train.
- 498 [~~(63)~~] (64) "Railroad train" means a locomotive propelled by any form of energy, coupled
499 with or operated without cars, and operated upon rails.
- 500 [~~(64)~~] (65) "Restored-modified vehicle" means the same as the term defined in Section
501 41-1a-102.
- 502 [~~(65)~~] (66) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a
503 lawful manner in preference to another vehicle or pedestrian approaching under
504 circumstances of direction, speed, and proximity that give rise to danger of collision

505 unless one grants precedence to the other.

506 [(66)] (67)(a) "Roadway" means that portion of highway improved, designed, or
507 ordinarily used for vehicular travel.

508 (b) "Roadway" does not include the sidewalk, berm, or shoulder, even though any of
509 them are used by persons riding bicycles or other human-powered vehicles.

510 (c) "Roadway" refers to any roadway separately but not to all roadways collectively, if a
511 highway includes two or more separate roadways.

512 [(67)] (68) "Safety zone" means the area or space officially set apart within a roadway for
513 the exclusive use of pedestrians and that is protected, marked, or indicated by adequate
514 signs as to be plainly visible at all times while set apart as a safety zone.

515 [(68)] (69)(a) "School bus" means a motor vehicle that:

516 (i) complies with the color and identification requirements of the most recent edition
517 of "Minimum Standards for School Buses"; and

518 (ii) is used to transport school children to or from school or school activities.

519 (b) "School bus" does not include a vehicle operated by a common carrier in
520 transportation of school children to or from school or school activities.

521 [(69)] (70)(a) "Semitrailer" means a vehicle with or without motive power:

522 (i) designed for carrying persons or property and for being drawn by a motor vehicle;
523 and

524 (ii) constructed so that some part of its weight and that of its load rests on or is
525 carried by another vehicle.

526 (b) "Semitrailer" does not include a pole trailer.

527 [(70)] (71) "Shoulder area" means:

528 (a) that area of the hard-surfaced highway separated from the roadway by a pavement
529 edge line as established in the current approved "Manual on Uniform Traffic Control
530 Devices"; or

531 (b) that portion of the road contiguous to the roadway for accommodation of stopped
532 vehicles, for emergency use, and for lateral support.

533 [(71)] (72) "Sidewalk" means that portion of a street between the curb lines, or the lateral
534 lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

535 [(72)] (73)(a) "Soft-surface trail" means a marked trail surfaced with sand, rock, or dirt
536 that is designated for the use of a bicycle.

537 (b) "Soft-surface trail" does not mean a trail:

538 (i) where the use of a motor vehicle or an electric assisted bicycle is prohibited by a

539 federal law, regulation, or rule; or

540 (ii) located in whole or in part on land granted to the state or a political subdivision

541 subject to a conservation easement that prohibits the use of a motorized vehicle.

542 ~~[(73)]~~ (74) "Solid rubber tire" means a tire of rubber or other resilient material that does not

543 depend on compressed air for the support of the load.

544 ~~[(74)]~~ (75) "Stand" or "standing" means the temporary halting of a vehicle, whether

545 occupied or not, for the purpose of and while actually engaged in receiving or

546 discharging passengers.

547 ~~[(75)]~~ (76) "Stop" when required means complete cessation from movement.

548 ~~[(76)]~~ (77) "Stop" or "stopping" when prohibited means any halting even momentarily of a

549 vehicle, whether occupied or not, except when:

550 (a) necessary to avoid conflict with other traffic; or

551 (b) in compliance with the directions of a peace officer or traffic-control device.

552 ~~[(77)]~~ (78) "Street-legal all-terrain vehicle" or "street-legal ATV" means an all-terrain type I

553 vehicle, all-terrain type II vehicle, or all-terrain type III vehicle, that is modified to meet

554 the requirements of Section 41-6a-1509 to operate on highways in the state in

555 accordance with Section 41-6a-1509.

556 ~~[(78)]~~ (79) "Street-legal novel vehicle" means a vehicle registered as a novel vehicle under

557 Section 41-27-201 that is modified to meet the requirements of Section 41-6a-1509 to

558 operate on highways in the state in accordance with ~~[with]~~ Section 41-6a-1509.

559 ~~[(79)]~~ (80) "Tow truck operator" means the same as that term is defined in Section 72-9-102.

560 ~~[(80)]~~ (81) "Tow truck motor carrier" means the same as that term is defined in Section

561 72-9-102.

562 ~~[(81)]~~ (82) "Traffic" means pedestrians, ridden or herded animals, vehicles, and other

563 conveyances either singly or together while using any highway for the purpose of travel.

564 ~~[(82)]~~ (83) "Traffic signal preemption device" means an instrument or mechanism designed,

565 intended, or used to interfere with the operation or cycle of a traffic-control signal.

566 ~~[(83)]~~ (84) "Traffic-control device" means a sign, signal, marking, or device not inconsistent

567 with this chapter placed or erected by a highway authority for the purpose of regulating,

568 warning, or guiding traffic.

569 ~~[(84)]~~ (85) "Traffic-control signal" means a device, whether manually, electrically, or

570 mechanically operated, by which traffic is alternately directed to stop and permitted to

571 proceed.

572 ~~[(85)]~~ (86)(a) "Trailer" means a vehicle with or without motive power designed for

573 carrying persons or property and for being drawn by a motor vehicle and constructed
574 so that no part of its weight rests upon the towing vehicle.

575 (b) "Trailer" does not include a pole trailer.

576 [(86)] (87) "Truck" means a motor vehicle designed, used, or maintained primarily for the
577 transportation of property.

578 [(87)] (88) "Truck tractor" means a motor vehicle:

579 (a) designed and used primarily for drawing other vehicles; and

580 (b) constructed to carry a part of the weight of the vehicle and load drawn by the truck
581 tractor.

582 [(88)] (89) "Two-way left turn lane" means a lane:

583 (a) provided for vehicle operators making left turns in either direction;

584 (b) that is not used for passing, overtaking, or through travel; and

585 (c) that has been indicated by a lane traffic-control device that may include lane
586 markings.

587 [(89)] (90) "Urban district" means the territory contiguous to and including any street, in
588 which structures devoted to business, industry, or dwelling houses are situated at
589 intervals of less than 100 feet, for a distance of a quarter of a mile or more.

590 [(90)] (91) "Vehicle" means a device in, on, or by which a person or property is or may be
591 transported or drawn on a highway, except a mobile carrier, as defined in Section
592 41-6a-1120, or a device used exclusively on stationary rails or tracks.

593 (92) "Wheelie" means a maneuver performed while operating a motorcycle whereby the
594 front wheel of the motorcycle is raised off of the ground.

595 Section 4. Section **41-6a-606.1** is enacted to read:

596 **41-6a-606.1 . Prohibition on performing wheelie -- Penalty.**

597 (1) An individual operating a motorcycle on a highway may not perform a wheelie.

598 (2)(a) A person who violates Subsection (1) is guilty of an infraction.

599 (b) If an individual is convicted of a violation of Subsection (1), the Driver License
600 Division shall:

601 (i) suspend the individual's motorcycle endorsement for a period of 90 days; or

602 (ii) if the individual does not have a valid motorcycle endorsement, suspend the
603 individual's driver license for a period of 90 days.

604 (c) If an individual with a motorcycle endorsement is convicted of a second violation of
605 Subsection (1), the Driver License Division shall suspend the individual's motorcycle
606 endorsement for a period of 180 days.

607 (d) If an individual with a motorcycle endorsement is convicted of a third or subsequent
 608 violation of Subsection (1), the Driver License Division shall revoke the individual's
 609 motorcycle endorsement.

610 (3) The court shall forward the report of a conviction for a violation of Subsection (1) to the
 611 Driver License Division in accordance with Section 53-3-218.

612 (4) A law enforcement officer may impound a vehicle of a person who violates Subsection
 613 (1).

614 Section 5. Section **41-6a-704.1** is enacted to read:

615 **41-6a-704.1 . Prohibition on lane splitting -- Penalty.**

616 (1) An individual may not engage in lane splitting.

617 (2) A violation of Subsection (1) is an infraction.

618 (3) If an individual is convicted of a violation of Subsection (1), the Driver License
 619 Division shall:

620 (a) suspend the individual's motorcycle endorsement for a period of 90 days; or

621 (b) if the individual does not have a valid motorcycle endorsement, suspend the
 622 individual's driver license for a period of 90 days.

623 (4) If an individual with a motorcycle endorsement is convicted of a second violation of
 624 Subsection (1), the Driver License Division shall suspend the individual's motorcycle
 625 endorsement for a period of 180 days.

626 (5) If an individual with a motorcycle endorsement is convicted of a third or subsequent
 627 violation of Subsection (1), the Driver License Division shall revoke the individual's
 628 motorcycle endorsement.

629 (6) The court shall forward the report of a conviction for a violation of Subsection (1) to the
 630 Driver License Division in accordance with Section 53-3-218.

631 (7) A law enforcement officer may impound a vehicle of a person who violates Subsection
 632 (1).

633 Section 6. Section **53-3-220** is amended to read:

634 **53-3-220 . Offenses requiring mandatory revocation, denial, suspension, or**
 635 **disqualification of license -- Offense requiring an extension of period -- Hearing --**
 636 **Limited driving privileges.**

637 (1)(a) The division shall immediately revoke or, when this chapter, Title 41, Chapter 1a,
 638 Motor Vehicle Act, Title 41, Chapter 6a, Traffic Code, or Section 76-5-303,
 639 specifically provides for denial, suspension, or disqualification, the division shall
 640 deny, suspend, or disqualify the license or endorsement of a person upon receiving a

- 641 record of the person's conviction for:
- 642 (i) manslaughter or negligent homicide resulting from driving a motor vehicle,
643 automobile homicide under Section 76-5-207, or automobile homicide involving
644 using a handheld wireless communication device while driving under Section
645 76-5-207.5;
 - 646 (ii) driving or being in actual physical control of a motor vehicle while under the
647 influence of alcohol, any drug, or combination of them to a degree that renders the
648 person incapable of safely driving a motor vehicle as prohibited in Section
649 41-6a-502 or as prohibited in an ordinance that complies with the requirements of
650 Subsection 41-6a-510(1);
 - 651 (iii) driving or being in actual physical control of a motor vehicle while having a
652 blood or breath alcohol content as prohibited in Section 41-6a-502 or as prohibited
653 in an ordinance that complies with the requirements of Subsection 41-6a-510(1);
 - 654 (iv) perjury or the making of a false affidavit to the division under this chapter, Title
655 41, Motor Vehicles, or any other law of this state requiring the registration of
656 motor vehicles or regulating driving on highways;
 - 657 (v) any felony under the motor vehicle laws of this state;
 - 658 (vi) any other felony in which a motor vehicle is used to facilitate the offense;
 - 659 (vii) failure to stop and render aid as required under the laws of this state if a motor
660 vehicle accident results in the death or personal injury of another;
 - 661 (viii) two charges of reckless driving, impaired driving, or any combination of
662 reckless driving and impaired driving committed within a period of 12 months;
663 but if upon a first conviction of reckless driving or impaired driving the judge or
664 justice recommends suspension of the convicted person's license, the division may
665 after a hearing suspend the license for a period of three months;
 - 666 (ix) failure to bring a motor vehicle to a stop at the command of a law enforcement
667 officer as required in Section 41-6a-210;
 - 668 (x) any offense specified in Part 4, Uniform Commercial Driver License Act, that
669 requires disqualification;
 - 670 (xi) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
671 allowing the discharge of a firearm from a vehicle;
 - 672 (xii) using, allowing the use of, or causing to be used any explosive, chemical, or
673 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b);
 - 674 (xiii) operating or being in actual physical control of a motor vehicle while having

- 675 any measurable controlled substance or metabolite of a controlled substance in the
676 person's body in violation of Section 41-6a-517;
- 677 (xiv) operating or being in actual physical control of a motor vehicle while having
678 any measurable or detectable amount of alcohol in the person's body in violation
679 of Section 41-6a-530;
- 680 (xv) engaging in a motor vehicle speed contest or exhibition of speed on a highway in
681 violation of Section 41-6a-606;
- 682 (xvi) operating or being in actual physical control of a motor vehicle in this state
683 without an ignition interlock system in violation of Section 41-6a-518.2;
- 684 (xvii) refusal of a chemical test under Subsection 41-6a-520.1(1); [~~or~~]
685 (xviii) failure to properly display a license plate on a motorcycle under Section
686 41-1a-404.1;
- 687 (xix) performing a wheelie on a highway under Section 41-6a-606.1;
688 (xx) engaging in lane splitting under Section 41-6a-704.1; or
689 [~~(xviii)~~] (xxi) two or more offenses that:
- 690 (A) are committed within a period of one year;
691 (B) are enhanced under Section 76-3-203.17; and
692 (C) arose from separate incidents.
- 693 (b) The division shall immediately revoke the license of a person upon receiving a
694 record of an adjudication under Section 80-6-701 for:
- 695 (i) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or
696 allowing the discharge of a firearm from a vehicle; or
697 (ii) using, allowing the use of, or causing to be used any explosive, chemical, or
698 incendiary device from a vehicle in violation of Subsection 76-10-306(4)(b).
- 699 (c)(i) Except when action is taken under Section 53-3-219 for the same offense, upon
700 receiving a record of conviction, the division shall immediately suspend for six
701 months the license of the convicted person if the person was convicted of
702 violating any one of the following offenses while the person was an operator of a
703 motor vehicle, and the court finds that a driver license suspension is likely to
704 reduce recidivism and is in the interest of public safety:
- 705 (A) Title 58, Chapter 37, Utah Controlled Substances Act;
706 (B) Title 58, Chapter 37a, Utah Drug Paraphernalia Act;
707 (C) Title 58, Chapter 37b, Imitation Controlled Substances Act;
708 (D) Title 58, Chapter 37c, Utah Controlled Substance Precursor Act;

- 709 (E) Title 58, Chapter 37d, Clandestine Drug Lab Act; or
710 (F) any criminal offense that prohibits possession, distribution, manufacture,
711 cultivation, sale, or transfer of any substance that is prohibited under the acts
712 described in Subsections (1)(c)(i)(A) through (E), or the attempt or conspiracy
713 to possess, distribute, manufacture, cultivate, sell, or transfer any substance that
714 is prohibited under the acts described in Subsections (1)(c)(i)(A) through (E).
- 715 (ii) Notwithstanding the provisions in Subsection (1)(c)(i), the division shall reinstate
716 a person's driving privilege before completion of the suspension period imposed
717 under Subsection (1)(c)(i) if the reporting court notifies the Driver License
718 Division, in a manner specified by the division, that the defendant is participating
719 in or has successfully completed a drug court program as defined in Section
720 78A-5-201.
- 721 (iii) If a person's driving privilege is reinstated under Subsection (1)(c)(ii), the person
722 is required to pay the license reinstatement fees under Subsection 53-3-105(26).
- 723 (iv) The court shall notify the division, in a manner specified by the division, if a
724 person fails to complete all requirements of the drug court program.
- 725 (v) Upon receiving the notification described in Subsection (1)(c)(iv), the division
726 shall suspend the person's driving privilege for a period of six months from the
727 date of the notice, and no days shall be subtracted from the six-month suspension
728 period for which a driving privilege was previously suspended under Subsection
729 (1)(c)(i).
- 730 (d)(i) The division shall immediately suspend a person's driver license for conviction
731 of the offense of theft of motor vehicle fuel under Section 76-6-404.7 if the
732 division receives:
- 733 (A) an order from the sentencing court requiring that the person's driver license be
734 suspended; and
735 (B) a record of the conviction.
- 736 (ii) An order of suspension under this section is at the discretion of the sentencing
737 court, and may not be for more than 90 days for each offense.
- 738 (e)(i) The division shall immediately suspend for one year the license of a person
739 upon receiving a record of:
- 740 (A) conviction for the first time for a violation under Section 32B-4-411; or
741 (B) an adjudication under Section 80-6-701 for a violation under Section
742 32B-4-411.

- 743 (ii) The division shall immediately suspend for a period of two years the license of a
744 person upon receiving a record of:
- 745 (A)(I) conviction for a second or subsequent violation under Section 32B-4-411;
746 and
747 (II) the violation described in Subsection (1)(e)(ii)(A)(I) is within 10 years of a
748 prior conviction for a violation under Section 32B-4-411; or
- 749 (B)(I) a second or subsequent adjudication under Section 80-6-701 for a
750 violation under Section 32B-4-411; and
751 (II) the adjudication described in Subsection (1)(e)(ii)(B)(I) is within 10 years
752 of a prior adjudication under Section 80-6-701 for a violation under Section
753 32B-4-411.
- 754 (iii) Upon receipt of a record under Subsection (1)(e)(i) or (ii), the division shall:
- 755 (A) for a conviction or adjudication described in Subsection (1)(e)(i):
756 (I) impose a suspension for one year beginning on the date of conviction; or
757 (II) if the person is under the age of eligibility for a driver license, impose a
758 suspension that begins on the date of conviction and continues for one year
759 beginning on the date of eligibility for a driver license; or
- 760 (B) for a conviction or adjudication described in Subsection (1)(e)(ii):
761 (I) impose a suspension for a period of two years; or
762 (II) if the person is under the age of eligibility for a driver license, impose a
763 suspension that begins on the date of conviction and continues for two years
764 beginning on the date of eligibility for a driver license.
- 765 (iv) Upon receipt of the first order suspending a person's driving privileges under
766 Section 32B-4-411, the division shall reduce the suspension period under
767 Subsection (1)(e)(i) if ordered by the court in accordance with Subsection
768 32B-4-411(3)(a).
- 769 (v) Upon receipt of the second or subsequent order suspending a person's driving
770 privileges under Section 32B-4-411, the division shall reduce the suspension
771 period under Subsection (1)(e)(ii) if ordered by the court in accordance with
772 Subsection 32B-4-411(3)(b).
- 773 (f) The division shall immediately suspend a person's driver license for the conviction of
774 an offense that is enhanced under Section 76-3-203.17 if the division receives:
- 775 (i) an order from the sentencing court requiring the person's driver license to be
776 suspended; and

- 777 (ii) a record of the conviction.
- 778 (2) The division shall extend the period of the first denial, suspension, revocation, or
779 disqualification for an additional like period, to a maximum of one year for each
780 subsequent occurrence, upon receiving:
- 781 (a) a record of the conviction of any person on a charge of driving a motor vehicle while
782 the person's license is denied, suspended, revoked, or disqualified;
- 783 (b) a record of a conviction of the person for any violation of the motor vehicle law in
784 which the person was involved as a driver;
- 785 (c) a report of an arrest of the person for any violation of the motor vehicle law in which
786 the person was involved as a driver; or
- 787 (d) a report of an accident in which the person was involved as a driver.
- 788 (3) When the division receives a report under Subsection (2)(c) or (d) that a person is
789 driving while the person's license is denied, suspended, disqualified, or revoked, the
790 person is entitled to a hearing regarding the extension of the time of denial, suspension,
791 disqualification, or revocation originally imposed under Section 53-3-221.
- 792 (4)(a) The division may extend to a person the limited privilege of driving a motor
793 vehicle to and from the person's place of employment or within other specified limits
794 on recommendation of the judge in any case where a person is convicted of any of
795 the offenses referred to in Subsections (1) and (2) except:
- 796 (i) those offenses referred to in Subsections (1)(a)(i), (ii), (iii), (xi), (xii), (xiii), (1)(b),
797 and (1)(c)(i); and
- 798 (ii) those offenses referred to in Subsection (2) when the original denial, suspension,
799 revocation, or disqualification was imposed because of a violation of Section
800 41-6a-502, 41-6a-517, a local ordinance that complies with the requirements of
801 Subsection 41-6a-510(1), Section 41-6a-520, 41-6a-520.1, 76-5-102.1, or 76-5-207,
802 or a criminal prohibition that the person was charged with violating as a result of a
803 plea bargain after having been originally charged with violating one or more of
804 these sections or ordinances, unless:
- 805 (A) the person has had the period of the first denial, suspension, revocation, or
806 disqualification extended for a period of at least three years;
- 807 (B) the division receives written verification from the person's primary care
808 physician or physician assistant that:
- 809 (I) to the physician's or physician assistant's knowledge the person has not used
810 any narcotic drug or other controlled substance except as prescribed by a

- 811 licensed medical practitioner within the last three years; and
- 812 (II) the physician or physician assistant is not aware of any physical,
- 813 emotional, or mental impairment that would affect the person's ability to
- 814 operate a motor vehicle safely; and
- 815 (C) for a period of one year prior to the date of the request for a limited driving
- 816 privilege:
- 817 (I) the person has not been convicted of a violation of any motor vehicle law in
- 818 which the person was involved as the operator of the vehicle;
- 819 (II) the division has not received a report of an arrest for a violation of any
- 820 motor vehicle law in which the person was involved as the operator of the
- 821 vehicle; and
- 822 (III) the division has not received a report of an accident in which the person
- 823 was involved as an operator of a vehicle.
- 824 (b)(i) Except as provided in Subsection (4)(b)(ii), the discretionary privilege
- 825 authorized in this Subsection (4):
- 826 (A) is limited to when undue hardship would result from a failure to grant the
- 827 privilege; and
- 828 (B) may be granted only once to any person during any single period of denial,
- 829 suspension, revocation, or disqualification, or extension of that denial,
- 830 suspension, revocation, or disqualification.
- 831 (ii) The discretionary privilege authorized in Subsection (4)(a)(ii):
- 832 (A) is limited to when the limited privilege is necessary for the person to commute
- 833 to school or work; and
- 834 (B) may be granted only once to any person during any single period of denial,
- 835 suspension, revocation, or disqualification, or extension of that denial,
- 836 suspension, revocation, or disqualification.
- 837 (c) A limited CDL may not be granted to a person disqualified under Part 4, Uniform
- 838 Commercial Driver License Act, or whose license has been revoked, suspended,
- 839 cancelled, or denied under this chapter.

840 **Section 7. Effective Date.**

841 This bill takes effect on January 1, 2026.