

28 [53-3-210.5](#), as last amended by Laws of Utah 2012, Chapter 176

29

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

31 Section 1. Section [53-3-210.5](#) is amended to read:

32 **[53-3-210.5. Learner permit.](#)**

33 (1) Beginning on August 1, 2006, the division, upon receiving an application for a
34 learner permit, may issue a learner permit effective for one year to an applicant who is at least
35 15 years of age.

36 (2) (a) The learner permit entitles an applicant that is 18 years of age or older to operate
37 a class D motor vehicle only if:

38 (i) a person 21 years of age or older who is a licensed driver is occupying a seat beside
39 the applicant; and

40 (ii) the applicant has the learner permit in the applicant's immediate possession while
41 operating the motor vehicle.

42 (b) The learner permit entitles an applicant that is younger than 18 years of age to
43 operate a class D motor vehicle only if:

44 (i) (A) an approved driving instructor is occupying a seat beside the applicant;

45 (B) the applicant's parent or legal guardian, who must be a licensed driver, is
46 occupying a seat beside the applicant; or

47 (C) a responsible adult who has signed for the applicant under Section [53-3-211](#) and
48 who must be a licensed driver, is occupying a seat beside the applicant; and

49 (ii) the applicant has the learner permit in the applicant's immediate possession while
50 operating the motor vehicle.

51 (3) The division shall issue a learner permit to an applicant who:

52 (a) is at least 15 years of age;

53 (b) has passed the knowledge test required by the division;

54 (c) has passed the physical and mental fitness tests; and

55 (d) has submitted a nonrefundable fee for a learner permit under Section [53-3-105](#).

56 (4) (a) The division shall supply the learner permit form.

57 (b) The form under Subsection (4)(a) shall include:

58 (i) the applicant's full name, date of birth, sex, Utah residence address, height, weight,

59 and eye color;

60 (ii) the date of issuance and expiration of the permit; and

61 (iii) the conditions and restrictions contained in this section for operating a class D
62 motor vehicle.

63 (5) An application and fee for a learner permit entitle the applicant to:

64 (a) not more than three attempts to pass the knowledge test for a class D license within
65 one year; and

66 (b) a learner permit after the knowledge test is passed.

67 (6) (a) If an applicant has been issued a learner permit under this section or an
68 equivalent by another state or branch of the United States Armed Forces, the applicant may be
69 issued an original or provisional class D license from the division upon:

70 (i) completing a driver education course in a:

71 (A) commercial driver training school licensed under Part 5, Commercial Driver
72 Training Schools Act; or

73 (B) driver education program approved by the State Board of Education or the division;

74 (ii) passing a knowledge test approved by the division that complies with the
75 requirement of Subsection (6)(d);

76 [~~(ii)~~] (iii) passing the skills test approved by the division;

77 [~~(iii)~~] (iv) reaching 16 years of age; and

78 [~~(iv)~~] (v) paying the nonrefundable fee for an original or provisional class D license
79 application under Section 53-3-105.

80 (b) In addition to the requirements under Subsection (6)(a), an applicant who is 17
81 years of age or younger is required to hold a learner permit for six months before applying for a
82 provisional class D license.

83 (c) An applicant is exempt from the requirement under Subsection (6)(a)(i) if the
84 applicant:

85 (i) is 19 years of age or older;

86 (ii) holds a learner permit for three months before applying for an original class D
87 license; and

88 (iii) certifies that the applicant, under the authority of a permit issued under this
89 chapter, has completed at least 40 hours of driving a motor vehicle, of which at least 10 hours

90 were completed during night hours after sunset.

91 (d) Fifty percent of the test questions included in the knowledge test required under
92 Subsection (6)(a)(ii) shall cover the topic of major causes of traffic related deaths as identified
93 in statistics published by the Utah Highway Safety Office.

93a **Ĥ→ Section 2. Effective date.**

93b **This bill takes effect January 1, 2015. ←Ĥ**

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Office of Legislative Research and General Counsel