

Representative Ronda Rudd Menlove proposes the following substitute bill:

STATE LABORATORY DRUG TESTING ACCOUNT

AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to drug and alcohol analysis testing and associated funding provisions.

Highlighted Provisions:

This bill:

- ▶ increases the administrative fee for license reinstatement after an alcohol-related or drug-related offense;
- ▶ increases the amount deposited in the State Laboratory Drug Testing Account from the Department of Public Safety Restricted Account; and
- ▶ requires the Department of Public Safety to report to the Department of Health annually the amount the Department of Public Safety expects to collect from administrative fees for license reinstatement in the next fiscal year.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2014-2015:

- ▶ to the Department of Health - Disease Control and Prevention as an ongoing appropriation:



25 • from the General Fund Restricted - State Laboratory Drug Testing Account,
26 \$228,300.

27 **Other Special Clauses:**

28 This bill takes effect on July 1, 2014.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53-3-105**, as last amended by Laws of Utah 2011, Chapter 428

32 **53-3-106**, as last amended by Laws of Utah 2012, Chapter 356



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

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

36 **53-3-105. Fees for licenses, renewals, extensions, reinstatements, rescheduling,**
37 **and identification cards.**

38 The following fees apply under this chapter:

39 (1) An original class D license application under Section **53-3-205** is \$25.

40 (2) An original provisional license application for a class D license under Section
41 **53-3-205** is \$30.

42 (3) An original application for a motorcycle endorsement under Section **53-3-205** is
43 \$9.50.

44 (4) An original application for a taxicab endorsement under Section **53-3-205** is \$7.

45 (5) A learner permit application under Section **53-3-210.5** is \$15.

46 (6) A renewal of a class D license under Section **53-3-214** is \$25 unless Subsection
47 (10) applies.

48 (7) A renewal of a provisional license application for a class D license under Section
49 **53-3-214** is \$25.

50 (8) A renewal of a motorcycle endorsement under Section **53-3-214** is \$9.50.

51 (9) A renewal of a taxicab endorsement under Section **53-3-214** is \$7.

52 (10) A renewal of a class D license for a person 65 and older under Section **53-3-214** is
53 \$13.

54 (11) An extension of a class D license under Section **53-3-214** is \$20 unless Subsection
55 (15) applies.

- 56 (12) An extension of a provisional license application for a class D license under
57 Section 53-3-214 is \$20.
- 58 (13) An extension of a motorcycle endorsement under Section 53-3-214 is \$9.50.
- 59 (14) An extension of a taxicab endorsement under Section 53-3-214 is \$7.
- 60 (15) An extension of a class D license for a person 65 and older under Section
61 53-3-214 is \$11.
- 62 (16) An original or renewal application for a commercial class A, B, or C license or an
63 original or renewal of a provisional commercial class A or B license under Part 4, Uniform
64 Commercial Driver License Act, is:
- 65 (a) \$40 for the knowledge test; and
66 (b) \$60 for the skills test.
- 67 (17) Each original CDL endorsement for passengers, hazardous material, double or
68 triple trailers, or tankers is \$7.
- 69 (18) An original CDL endorsement for a school bus under Part 4, Uniform Commercial
70 Driver License Act, is \$7.
- 71 (19) A renewal of a CDL endorsement under Part 4, Uniform Commercial Driver
72 License Act, is \$7.
- 73 (20) (a) A retake of a CDL knowledge test provided for in Section 53-3-205 is \$20.
74 (b) A retake of a CDL skills test provided for in Section 53-3-205 is \$40.
- 75 (21) A retake of a CDL endorsement test provided for in Section 53-3-205 is \$7.
- 76 (22) A duplicate class A, B, C, or D license certificate under Section 53-3-215 is \$18.
- 77 (23) (a) A license reinstatement application under Section 53-3-205 is \$30.
78 (b) A license reinstatement application under Section 53-3-205 for an alcohol, drug, or
79 combination of alcohol and any drug-related offense is \$35 in addition to the fee under
80 Subsection (23)(a).
- 81 (24) (a) An administrative fee for license reinstatement after an alcohol, drug, or
82 combination of alcohol and any drug-related offense under Section 41-6a-520, 53-3-223, or
83 53-3-231 or an alcohol, drug, or combination of alcohol and any drug-related offense under
84 Part 4, Uniform Commercial Driver License Act, is [~~\$170~~] \$230.
- 85 (b) This administrative fee is in addition to the fees under Subsection (23).
86 (25) (a) An administrative fee for providing the driving record of a driver under

87 Section 53-3-104 or 53-3-420 is \$6.

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

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

91 (27) (a) Except as provided under Subsections (27)(b) and (c), an identification card
92 application under Section 53-3-808 is \$18.

93 (b) An identification card application under Section 53-3-808 for a person with a
94 disability, as defined in 42 U.S.C. Sec. 12102, is \$13.

95 (c) A fee may not be charged for an identification card application if the person
96 applying:

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

98 (ii) is indigent; and

99 (iii) is at least 18 years of age.

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

104 Section 2. Section 53-3-106 is amended to read:

105 **53-3-106. Disposition of revenues under this chapter -- Restricted account created**
106 **-- Uses as provided by appropriation -- Nonlapsing.**

107 (1) There is created within the Transportation Fund a restricted account known as the
108 "Department of Public Safety Restricted Account."

109 (2) The account consists of money generated from the following revenue sources:

110 (a) all money received under this chapter;

111 (b) administrative fees received according to the fee schedule authorized under this
112 chapter and Section 63J-1-504;

113 (c) beginning on January 1, 2013, money received in accordance with Section
114 41-1a-1201; and

115 (d) any appropriations made to the account by the Legislature.

116 (3) (a) The account shall earn interest.

117 (b) All interest earned on account money shall be deposited in the account.

118 (4) The expenses of the department in carrying out this chapter shall be provided for by
119 legislative appropriation from this account.

120 (5) The amount in excess of \$45 of the fees collected under Subsection 53-3-105(24)
121 shall be appropriated by the Legislature from this account to the department to implement the
122 provisions of Section 53-1-117, except that of the amount in excess of \$45, [~~\$40~~] \$100 shall be
123 deposited in the State Laboratory Drug Testing Account created in Section 26-1-34.

124 (6) All money received under Subsection 41-6a-1406(6)(b)(ii) shall be appropriated by
125 the Legislature from this account to the department to implement the provisions of Section
126 53-1-117.

127 (7) Beginning in fiscal year 2009-10, the Legislature shall appropriate \$100,000
128 annually from the account to the state medical examiner appointed under Section 26-4-4 for
129 use in carrying out duties related to highway crash deaths under Subsection 26-4-7(1).

130 (8) The division shall remit the fees collected under Subsection 53-3-105(28) to the
131 Bureau of Criminal Identification to cover the costs for the services the Bureau of Criminal
132 Identification provides under Section 53-3-205.5.

133 (9) (a) Beginning on January 1, 2013, the Legislature shall appropriate all money
134 received in the account under Section 41-1a-1201 to the Utah Highway Patrol Division for
135 field operations.

136 (b) The Legislature may appropriate additional money from the account to the Utah
137 Highway Patrol Division for law enforcement purposes.

138 (10) Appropriations to the department from the account are nonlapsing.

139 (11) The department shall report to the Department of Health, on or before December
140 31, the amount the department expects to collect under Subsection 53-3-105(24) in the next
141 fiscal year.

142 **Section 3. Appropriation.**

143 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
144 the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money
145 are appropriated from resources not otherwise appropriated, or reduced from amounts
146 previously appropriated, out of the funds or accounts indicated. These sums of money are in
147 addition to any any amounts previously appropriated for fiscal year 2015.

148 To Department of Health - Disease Control and Prevention

149	<u>From General Fund Restricted - State Laboratory Drug Testing Account</u>	<u>\$228,300</u>
150	<u>Schedule of Programs:</u>	
151	<u>Forensic Toxicology</u>	<u>\$228,300</u>
152	Section 4. Effective date.	
153	<u>This bill takes effect on July 1, 2014.</u>	