

**Representative Stephanie Pitcher** proposes the following substitute bill:

**DRIVER LICENSE AND LICENSE PLATE AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephanie Pitcher**

Senate Sponsor: Todd D. Weiler

Cosponsor: Norman K. Thurston

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**LONG TITLE**

**General Description:**

This bill modifies provisions of the Uniform Driver License Act and the Motor Vehicle Act.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ at a vehicle owner's request and subject to written verification, requires the Motor Vehicle Division to include an invisible condition identification symbol in the vehicle owner's vehicle registration database record that indicates that an individual who is a regular driver or passenger of the vehicle is an individual with an invisible condition;
- ▶ allows a vehicle owner to request that the Motor Vehicle Division remove an invisible condition identification symbol from the vehicle owner's vehicle registration database record;
- ▶ at an individual's request and subject to written verification, requires the Driver License Division to include an invisible condition identification symbol on the



25 individual's driver license or identification card to indicate that the individual is an individual  
26 with an invisible condition;

27       ▶ allows an individual to request that the Driver License Division remove an invisible  
28 condition identification symbol from the individual's driver license or identification  
29 card;

30       ▶ allows a law enforcement officer to obtain certain information about an individual's  
31 invisible condition; and

32       ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

34       None

35 **Other Special Clauses:**

36       This bill provides a special effective date.

37 **Utah Code Sections Affected:**

38 AMENDS:

39       [41-1a-213](#), as last amended by Laws of Utah 2017, Chapter 119

40       [46-1-2](#), as last amended by Laws of Utah 2019, Chapter 192

41       [53-3-207](#), as last amended by Laws of Utah 2019, Chapter 232

42       [53-3-805](#), as last amended by Laws of Utah 2018, Chapter 39



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

45       Section 1. Section **41-1a-213** is amended to read:

46       **41-1a-213. Contents of registration cards.**

47       (1) As used in this section:

48       (a) "Health care professional" means the same as that term is defined in Section

49 [53-3-207](#).

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

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

53       ~~(1)~~ (2) The registration card shall be delivered to the owner and shall contain:

54       (a) the date issued;

55       (b) the name of the owner;

56 (c) a description of the vehicle registered including the year, the make, the  
57 identification number, and the license plate assigned to the vehicle;

58 (d) the expiration date; and

59 (e) other information as determined by the commission.

60 ~~[(2)]~~ (3) If a vehicle is leased for a period in excess of 45 days, the registration shall  
61 contain:

62 (a) the owner's name; and

63 (b) the name of the lessee.

64 ~~[(3)]~~ (4) On all vehicles registered under Subsections 41-1a-1206(1)(d) and (1)(e), the  
65 registration card shall also contain the gross laden weight as given in the application for  
66 registration.

67 ~~[(4)]~~ (5) (a) Except as provided in Subsection ~~[(4)]~~ (5)(b), a new registration card  
68 issued by the commission on or after November 1, 2013, may not display the address of the  
69 owner or the lessee on the registration card.

70 (b) A new registration card issued by the commission under one of the following  
71 provisions shall display the address of the owner or the lessee on the registration card:

72 (i) Section 41-1a-301 for a vehicle; or

73 (ii) Section 73-18-7 for a vessel.

74 (6) (a) The division shall include on a vehicle owner's vehicle registration database  
75 record in the division's vehicle registration database an invisible condition identification  
76 symbol if:

77 (i) the vehicle owner or an individual who is a regular driver of or passenger in the  
78 vehicle owner's vehicle has an invisible condition; and

79 (ii) the vehicle owner submits to the commission a request on a form prescribed by the  
80 commission.

81 (b) A vehicle owner shall include in a request described in Subsection (6)(a):

82 (i) if the request is for an individual other than the vehicle owner, a declaration that the  
83 individual is a regular driver of or passenger in the vehicle;

84 (ii) written verification from a health care professional that the vehicle owner or other  
85 individual described in Subsection (6)(a)(i) has an invisible condition; and

86 (iii) a waiver of liability signed by the individual with the invisible condition or the

87 individual's legal representative for the release of any medical information to:

88 (A) the commission;

89 (B) any person who has access to the individual's medical information as recorded on  
90 the vehicle owner's vehicle registration database record or the Utah Criminal Justice  
91 Information System; and

92 (C) any other person who may view or receive notice of the individual's medical  
93 information by seeing the vehicle owner's vehicle registration database record or the  
94 individual's information in the Utah Criminal Justice Information System.

95 (c) As part of the form described in Subsection (6)(b), the commission shall advise the  
96 individual signing the waiver of liability that by submitting the signed waiver, the individual  
97 consents to the release of the individual's medical information to any person described in  
98 Subsections (6)(b)(iii)(A) through (C), even if the person is otherwise ineligible to access the  
99 individual's medical information under state or federal law.

100 (d) The division may not charge a fee to include an invisible condition identification  
101 symbol on a vehicle owner's vehicle registration database record.

102 (e) The inclusion of an invisible condition identification symbol on a vehicle owner's  
103 vehicle registration database record in accordance with this section does not confer any legal  
104 rights or privileges on the individual, including parking privileges for individuals with  
105 disabilities under Section [41-1a-414](#).

106 (7) (a) For each individual who qualifies under this section to include an invisible  
107 condition identification symbol in a vehicle owner's vehicle registration database record, the  
108 division shall include in the division's vehicle registration database a brief description of the  
109 nature of the individual's invisible condition linked to the vehicle owner's vehicle registration  
110 database record.

111 (b) The division shall provide the brief description described in Subsection (7)(a) to the  
112 Utah Criminal Justice Information System.

113 (c) Except as provided in Subsection (7)(b), the division may not release the  
114 information described in Subsection (7)(a).

115 (8) Within 30 days after the day on which the division receives an individual's written  
116 request, the division shall:

117 (a) remove the invisible condition identification symbol and brief description described

118 in Subsection (7) from a vehicle owner's vehicle registration database record in the division's  
119 vehicle registration database; and

120 (b) provide the updated vehicle registration database record to the Utah Criminal  
121 Justice Information System.

122 (9) As provided in Section 63G-2-302, the information described in Subsection (6)(a)  
123 is a private record for purposes of Title 63G, Chapter 2, Government Records Access and  
124 Management Act.

125 Section 2. Section 46-1-2 is amended to read:

126 **46-1-2. Definitions.**

127 As used in this chapter:

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

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

133 (3) "Commission" means:

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

135 (b) the written document that gives authority to perform notarial acts, including the  
136 Certificate of Authority of Notary Public that the lieutenant governor issues to a notary.

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

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

142 (6) "Electronic seal" means an electronic version of the seal described in Section  
143 46-1-16, that conforms with rules made under Subsection 46-1-3.7(1)(d), that a remote notary  
144 may attach to a notarial certificate to complete a remote notarization.

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

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

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

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

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

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

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

155 (a) the identity of a signer who:

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

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

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

159 and

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

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

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

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

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

166 (12) (a) "Notary" means an individual commissioned to perform notarial acts under this  
167 chapter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

206 (i) a driving privilege card under Subsection 53-3-207~~(10)~~(12); or

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

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

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

210 (b) provides the notary satisfactory evidence of the individual's identity, or is

211 personally known to the notary; and

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

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

214 **53-3-207. License certificates or driving privilege cards issued to drivers by class**  
215 **of motor vehicle -- Contents -- Release of anatomical gift information -- Temporary**  
216 **licenses or driving privilege cards -- Minors' licenses, cards, and permits -- Violation.**

217 (1) As used in this section:

218 (a) "Driving privilege" means the privilege granted under this chapter to drive a motor  
219 vehicle.

220 (b) "Governmental entity" means the state or a political subdivision of the state.

221 (c) "Health care professional" means:

222 (i) a licensed physician, physician assistant, nurse practitioner, or mental health  
223 therapist; or

224 (ii) any other licensed health care professional the division designates by rule made in  
225 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

226 ~~[(c)]~~ (d) "Political subdivision" means any county, city, town, school district, public  
227 transit district, community reinvestment agency, special improvement or taxing district, local  
228 district, special service district, an entity created by an interlocal agreement adopted under Title  
229 11, Chapter 13, Interlocal Cooperation Act, or other governmental subdivision or public  
230 corporation.

231 (e) "Invisible condition" means a physical or mental condition that may interfere with  
232 an individual's ability to communicate with a law enforcement officer, including:

233 (i) a communication impediment;

234 (ii) hearing loss;

235 (iii) blindness or a visual impairment;

236 (iv) autism spectrum disorder;

237 (v) a drug allergy;

238 (vi) Alzheimer's disease or dementia;

239 (vii) post-traumatic stress disorder;

240 (viii) traumatic brain injury;

241 (ix) schizophrenia;



- 242 (x) epilepsy;
- 243 (xi) a developmental disability;
- 244 (xii) Down syndrome;
- 245 (xiii) diabetes;
- 246 (xiv) a heart condition; or
- 247 (xv) any other condition approved by the department.
- 248 (f) "Invisible condition identification symbol" means a symbol or alphanumeric code
- 249 that indicates that an individual is an individual with an invisible condition.

250 ~~(f)~~ (g) "State" means this state, and includes any office, department, agency,  
 251 authority, commission, board, institution, hospital, college, university, children's justice center,  
 252 or other instrumentality of the state.

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

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

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

- 260 (i) the distinguishing number assigned to the individual by the division;
- 261 (ii) the name, birth date, and Utah residence address of the individual;
- 262 (iii) a brief description of the individual for the purpose of identification;
- 263 (iv) any restrictions imposed on the license under Section 53-3-208;
- 264 (v) a photograph of the individual;
- 265 (vi) a photograph or other facsimile of the ~~[person's]~~ individual's signature;
- 266 (vii) an indication whether the individual intends to make an anatomical gift under  
 267 Title 26, Chapter 28, Revised Uniform Anatomical Gift Act, unless the driving privilege is  
 268 extended under Subsection 53-3-214(3); and

269 (viii) except as provided in Subsection (3)(b), if the individual states that the individual  
 270 is a veteran of the United States military on the application for a driver license in accordance  
 271 with Section 53-3-205 and provides verification that the individual was granted an honorable  
 272 or general discharge from the United States Armed Forces, an indication that the individual is a

273 United States military veteran for a regular license certificate or limited-term license certificate  
274 issued on or after July 1, 2011.

275 (b) A regular license certificate or limited-term license certificate issued to an  
276 individual younger than 21 years old on a portrait-style format as required in Subsection [~~(5)~~]  
277 (7)(b) is not required to include an indication that the individual is a United States military  
278 veteran under Subsection (3)(a)(viii).

279 (c) A new license certificate issued by the division may not bear the individual's social  
280 security number.

281 (d) (i) The regular license certificate, limited-term license certificate, or driving  
282 privilege card shall be of an impervious material, resistant to wear, damage, and alteration.

283 (ii) [~~Except as provided under Subsection (4)(b), the~~] The size, form, and color of the  
284 regular license certificate, limited-term license certificate, or driving privilege card shall be as  
285 prescribed by the commissioner.

286 (iii) The commissioner may also prescribe the issuance of a special type of limited  
287 regular license certificate, limited-term license certificate, or driving privilege card under  
288 Subsection 53-3-220(4).

289 (4) (a) The division shall include or affix an invisible condition identification symbol  
290 on an individual's regular license certificate, limited-term license certificate, or driving  
291 privilege card if the individual, on a form prescribed by the department:

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

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

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

296 (A) the department;

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

300 (C) any other person who may view or receive notice of the individual's medical  
301 information by seeing the individual's regular license certificate, limited-term license  
302 certificate, or driving privilege card or the individual's information in the Utah Criminal Justice  
303 Information System.

304 (b) As part of the form described in Subsection (4)(a), the department shall advise the  
305 individual that by submitting the signed waiver, the individual consents to the release of the  
306 individual's medical information to any person described in Subsections (4)(a)(iii)(A) through  
307 (C), even if the person is otherwise ineligible to access the individual's medical information  
308 under state or federal law.

309 (c) The division may not:

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

313 (ii) after including the invisible condition identification symbol on the individual's  
314 previously issued regular license certificate, limited-term license certificate, or driving  
315 privilege card, require the individual to provide subsequent written verification described in  
316 Subsection (4)(a)(ii) to include the invisible condition identification symbol on the individual's  
317 renewed or extended regular license certificate, limited-term license certificate, or driving  
318 privilege card.

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

323 (e) For each individual issued a regular license certificate, limited-term license  
324 certificate, or driving privilege card under this section that includes an invisible condition  
325 identification symbol, the division shall include in the division's database a brief description of  
326 the nature of the individual's invisible condition in the individual's record and provide the brief  
327 description to the Utah Criminal Justice Information System.

328 (f) Except as provided in this section, the division may not release the information  
329 described in Subsection (4)(e).

330 (g) Within 30 days after the day on which the division receives an individual's written  
331 request, the division shall:

332 (i) remove from the individual's record in the division's database the invisible condition  
333 identification symbol and the brief description described in Subsection (4)(e); and

334 (ii) provide the individual's updated record to the Utah Criminal Justice Information

335 System.

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

339 [~~4~~] (6) (a) (i) The division, upon determining after an examination that an applicant is  
340 mentally and physically qualified to be granted a driving privilege, may issue to an applicant a  
341 receipt for the fee if the applicant is eligible for a regular license certificate or limited-term  
342 license certificate.

343 (ii) (A) The division shall issue a temporary regular license certificate or temporary  
344 limited-term license certificate allowing the individual to drive a motor vehicle while the  
345 division is completing [~~its~~] the division's investigation to determine whether the individual is  
346 entitled to be granted a driving privilege.

347 (B) A temporary regular license certificate or a temporary limited-term license  
348 certificate issued under this Subsection [~~4~~] (6) shall be recognized and have the same rights  
349 and privileges as a regular license certificate or a limited-term license certificate.

350 (b) The temporary regular license certificate or temporary limited-term license  
351 certificate shall be in the individual's immediate possession while driving a motor vehicle, and  
352 [~~it~~] the temporary regular license certificate or temporary limited-term license certificate is  
353 invalid when the individual's regular license certificate or limited-term license certificate has  
354 been issued or when, for good cause, the privilege has been refused.

355 (c) The division shall indicate on the temporary regular license certificate or temporary  
356 limited-term license certificate a date after which [~~it~~] the temporary regular license certificate  
357 or temporary limited-term license certificate is not valid as a temporary license.

358 (d) (i) Except as provided in Subsection [~~4~~] (6)(d)(ii), the division may not issue a  
359 temporary driving privilege card or other temporary permit to an applicant for a driving  
360 privilege card.

361 (ii) The division may issue a learner permit issued in accordance with Section  
362 [53-3-210.5](#) to an applicant for a driving privilege card.

363 [~~5~~] (7) (a) The division shall distinguish learner permits, temporary permits, regular  
364 license certificates, limited-term license certificates, and driving privilege cards issued to any  
365 individual younger than 21 years [~~of age~~] old by use of plainly printed information or the use of

366 a color or other means not used for other regular license certificates, limited-term license  
367 certificates, or driving privilege cards.

368 (b) The division shall distinguish a regular license certificate, limited-term license  
369 certificate, or driving privilege card issued to an individual younger than 21 years [~~of age~~] old  
370 by use of a portrait-style format not used for other regular license certificates, limited-term  
371 license certificates, or driving privilege cards and by plainly printing the date the regular  
372 license certificate, limited-term license certificate, or driving privilege card holder is 21 years  
373 [~~of age~~] old.

374 [~~(6)~~] (8) The division shall distinguish a limited-term license certificate by clearly  
375 indicating on the document:

376 (a) that [~~it~~] the limited-term license certificate is temporary; and

377 (b) [~~its~~] the limited-term license certificate's expiration date.

378 [~~(7)~~] (9) (a) The division shall only issue a driving privilege card to an individual  
379 whose privilege was obtained without providing evidence of lawful presence in the United  
380 States as required under Subsection [53-3-205\(8\)](#).

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

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

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

385 [~~(8)~~] (10) The provisions of Subsection [~~(5)~~] (7)(b) do not apply to a learner permit,  
386 temporary permit, temporary regular license certificate, temporary limited-term license  
387 certificate, or any other temporary permit.

388 [~~(9)~~] (11) The division shall issue temporary license certificates of the same nature,  
389 except as to duration, as the license certificates that they temporarily replace, as are necessary  
390 to implement applicable provisions of this section and Section [53-3-223](#).

391 [~~(10)~~] (12) (a) A governmental entity may not accept a driving privilege card as proof  
392 of personal identification.

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

395 [~~(11) A person~~] (13) An individual who violates Subsection (2)(b) is guilty of an  
396 infraction.

397           ~~[(12)]~~ (14) Unless otherwise provided, the provisions, requirements, classes,  
398 endorsements, fees, restrictions, and sanctions under this code apply to a:

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

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

403           Section 4. Section **53-3-805** is amended to read:

404           **53-3-805. Identification card -- Contents -- Specifications.**

405           (1) As used in this section:

406           (a) "Health care professional" means the same as that term is defined in Section  
407 53-3-207.

408           (b) "Invisible condition" means a the same as that term is defined in Section 53-3-207.

409           (c) "Invisible condition identification symbol" means the same as that term is defined  
410 in Section 53-3-207.

411           ~~[(+)]~~ (2) (a) The division shall issue an identification card that bears:

412           (i) the distinguishing number assigned to the [person] individual by the division;

413           (ii) the name, birth date, and Utah residence address of the [person] individual;

414           (iii) a brief description of the [person] individual for the purpose of identification;

415           (iv) a photograph of the [person] individual;

416           (v) a photograph or other facsimile of the [person's] individual's signature;

417           (vi) an indication whether the [person] individual intends to make an anatomical gift  
418 under Title 26, Chapter 28, Revised Uniform Anatomical Gift Act; and

419           (vii) if the [person] individual states that the [person] individual is a veteran of the  
420 United States military on the application for an identification card in accordance with Section  
421 53-3-804 and provides verification that the [person] individual received an honorable or  
422 general discharge from the United States Armed Forces, an indication that the [person]  
423 individual is a United States military veteran for a regular identification card or a limited-term  
424 identification card issued on or after July 1, 2011.

425           (b) An identification card issued by the division may not bear the [person's]  
426 individual's Social Security number or place of birth.

427           ~~[(2)]~~ (3) (a) The card shall be of an impervious material, resistant to wear, damage, and

428 alteration.

429 (b) Except as provided under Section [53-3-806](#), the size, form, and color of the card is  
430 prescribed by the commissioner.

431 ~~[(3)]~~ (4) At the applicant's request, the card may include a statement that the applicant  
432 has a special medical problem or allergies to certain drugs, for the purpose of medical  
433 treatment.

434 (5) (a) The division shall include or affix an invisible condition identification symbol  
435 on an individual's identification card if the individual, on a form prescribed by the department:

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

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

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

440 (A) the department;

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

444 (C) any other person who may view or receive notice of the individual's medical  
445 information by seeing the individual's regular license certificate, limited-term license  
446 certificate, or driving privilege card or the individual's information in the Utah Criminal Justice  
447 Information System.

448 (b) As part of the form described in Subsection (5)(a), the department shall advise the  
449 individual that by submitting the request and signed waiver, the individual consents to the  
450 release of the individual's medical information to any person described in Subsections  
451 (5)(a)(iii)(A) through (C), even if the person is otherwise ineligible to access the individual's  
452 medical information under state or federal law.

453 (c) The division may not:

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

456 (ii) after including the invisible condition identification symbol on the individual's  
457 previously issued identification card, require the individual to provide subsequent written  
458 verification described in Subsection (5)(a)(ii) to include the invisible condition identification

459 symbol on the individual's extended identification card.

460 (d) The inclusion of an invisible condition identification symbol on an individual's  
461 identification card in accordance with Subsection (5)(a) does not confer any legal rights or  
462 privileges on the individual, including parking privileges for individuals with disabilities under  
463 Section [41-1a-414](#).

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

468 (f) Except as provided in this section, the division may not release the information  
469 described in Subsection (5)(e).

470 (g) Within 30 days after the day on which the division receives an individual's written  
471 request, the division shall:

472 (i) remove from the individual's record in the division's database the invisible condition  
473 identification symbol and the brief description described in Subsection (5)(e); and

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

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

479 ~~[(4)]~~ (7) (a) The indication of intent under Subsection [53-3-804\(2\)\(j\)](#) shall be  
480 authenticated by the applicant in accordance with division rule.

481 (b) (i) Notwithstanding Title 63G, Chapter 2, Government Records Access and  
482 Management Act, the division may, upon request, release to an organ procurement  
483 organization, as defined in Section [26-28-102](#), the names and addresses of all ~~[persons]~~  
484 individuals who under Subsection [53-3-804\(2\)\(j\)](#) indicate that they intend to make an  
485 anatomical gift.

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

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

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

489 ~~[(5)]~~ (8) Notwithstanding Title 63G, Chapter 2, Government Records Access and



490 Management Act, the division may release to the Department of Veterans and Military Affairs  
491 the names and addresses of all [~~persons~~] individuals who indicate their status as a veteran  
492 under Subsection 53-3-804(2)(l).

493 [~~(6)~~] (9) The division and [~~its~~] the division's employees are not liable, as a result of  
494 false or inaccurate information provided under Subsection 53-3-804(2)(j) or (l), for direct or  
495 indirect:

- 496 (a) loss;
- 497 (b) detriment; or
- 498 (c) injury.

499 [~~(7)~~] (10) (a) The division may issue a temporary regular identification card to [~~a~~  
500 ~~person~~] an individual while the [~~person~~] individual obtains the required documentation to  
501 establish verification of the information described in Subsections 53-3-804(2)(a), (b), (c), (d),  
502 and (i)(i).

503 (b) A temporary regular identification card issued under this Subsection [~~(7)~~] (10) shall  
504 be recognized and grant the [~~person~~] individual the same privileges as a regular identification  
505 card.

506 (c) A temporary regular identification card issued under this Subsection [~~(7)~~] (10) is  
507 invalid:

- 508 (i) when the [~~person's~~] individual's regular identification card has been issued;
- 509 (ii) when, for good cause, an applicant's application for a regular identification card has  
510 been refused; or
- 511 (iii) upon expiration of the temporary regular identification card.

512 Section 5. **Effective date.**

513 This bill takes effect on October 15, 2022.