

Utah Legal Services

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Driving Privileges

The courts tell us that driving is not a right but a privilege, subject to control by government. Utah's Department of Public Safety, Driver License Division, which issues driver licenses, can revoke or suspend a license, or issue a restricted one.

What if I become impaired?

Older drivers may have learned to drive when there were fewer cars and trucks on the road; perhaps even before freeways. Now, there is more traffic that moves faster. As we grow older, we are more sensitive to glare, we have a hard time adapting to the dark, and peripheral vision becomes worse. Utah law states the you have to stop driving if you have developed an impairment which may affect driving safety. You should report this condition to your doctor, and to the Driver License Division.

What if I know someone who has an impairment?

If you become aware of someone that has an impairment which may present a threat to the individual or others on the highways, you can make a report to the Division. If you make the report to annoy, intimidate or harass that person, you may be charged with a Class C Misdemeanor. A report of an accident or a traffic ticket is good cause for the Division to believe that a licensed driver may be "incompetent or otherwise not qualified to be licensed," (see Utah Code § 53-3-221(11)), and it can require the driver to take a new driver's test. The Division will notify you if it has reason to believe you need to be tested. "Refusal or neglect of the licensee to submit to an examination is grounds for suspension or revocation of his license" (see Utah Code § 53-3-221(11)).

What is the driving test like?

The test itself has 3 parts: an eye test, a written test, and an actual driving test. The person giving the test will not ask you to do something unlawful. Division policy permits only the driver and the tester to be in the car. Two common reasons for failing a test are improper backing and improper lane changing.

If you can, take the driving test on real streets, not on a test course. The courses can be deceptive because there are no other cars, buildings or people. It's unrealistic and can be unnerving. Perhaps most important is to try to relax, be polite and don't try to anticipate. If the tester asks you to do something you think is unsafe, don't do it and explain why.

Is there a driving safety course available?

AARP offers a driver safety course, often in conjunction with local senior citizen centers. This course is offered both as a classroom style and online. You can find out more information about the course on their website (www.aarp.org). Insurers discount prices for senior citizens who take driver improvement courses.

What happens if I fail the driving test?

If you are unable to meet lowest testing standards due to a physical, mental or emotional condition that impairs your ability to safely operate a motor vehicle, the Driver License Division can revoke a drivers license or issue a restricted license. Some examples of a restricted license might include

- permitting you to drive only during daylight hours;
- not allowing you to drive on the freeway; or
- only permitting you to drive within a short distance from your home.

The division may also refuse to issue a drivers license, and instead issue a learner's permit that requires a licensed driver to be in the car. Finally, they might also recommend a refresher course. Driving test decisions by the Division can be appealed.

Printed: July 22, 2019

<http://www.utahlegalservices.org/node/56/driving-privileges>

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