

# DRIVER LICENSE SUSPENSION CHART

Current as of  
Oct. 2018

CODE SECTION OFFENSE	AGE	SUSPENSION	REDUCTION OF SUSPENSION PERIOD	NOTIFICATION TO DLD
<b>32B-4-409(1)(a)</b> Minor Purchasing Alcoholic Product <b>32B-4-409(1)(b)</b> Minor Attempting to Purchase Alcoholic Product <b>32B-4-409(1)(c)</b> Minor Soliciting Another to Purchase Alcoholic Product <b>32B-4-409(1)(d)</b> Minor Possessing an Alcoholic Product <b>32B-4-409(1)(e)</b> Minor Consuming an Alcoholic Product <b>32B-4-409(1)(f)</b> Measurable Blood, Breath, Or Urine Alcohol Concentration in Minor's Body <b>32B-4-409(2)(a)</b> Minor Misrepresenting Age to Purchase Alcoholic Product <b>32B-4-409(3)</b> Minor Possessing or Consuming Alcohol on Limo or Bus <b>32B-4-410</b> Unlawful Admittance to Tavern or Club or Attempt to Gain Admittance by Minor	13+	Court <b>may only</b> suspend if the minor is found to be in actual physical control of a motor vehicle during the commission of one of the offenses: <p style="text-align: center;"><b>See Utah Code §78A-6-606(2).</b></p> <p><b>First Offense:</b> 1 year  <b>See Utah Code §§ 78A-6-606(4)(a); 53-3-219(2)(a)(i).</b></p> <p><b>Second or Subsequent Offense:</b> 2 years  <b>See Utah Code §§ 78A-6-606(4)(a); 53-3-219(2)(b)(i).</b></p>	<p><b>First Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment. <b>See Utah Code § 78A-6-606(4)(b).</b></p> <p><b>Second or Subsequent Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment and if 18 or older, provides a sworn statement to the court certifying that the minor hasn't unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period or if under 18, the minor's parent or guardian provides a sworn statement to the court certifying that the minor hasn't unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period. <b>See Utah Code § 78A-6-606(4)(c).</b></p>	<p>"The Court hearing the case <b>may</b> suspend the minor's driving privileges." <b>See Utah Code § 78A-6-606(4)(a).</b></p> <p><b>Procedure:</b> The court fills out an abstract and checks the appropriate "suspension" box.</p> <p>To <b>reduce</b> a suspension, the court sends another abstract, but orders a reduction of suspension in the "Judge's recommendations" section.</p> <p>For <b>Rule 25(f) pleas* (pleas in abeyance)**</b>, the court fills out the top portion of the abstract and checks the "held in abeyance" box. Upon receipt of the abstract, DLD will return a cover sheet that acknowledges receipt, but will take no further action. If the minor later violates the terms of the plea in abeyance, the court shall re-send an abstract with the appropriate "suspension" box checked.</p>

\*While both the Criminal Code and the Traffic Code use the term "pleas in abeyance," this term is not in the Juvenile Court Act. Pleas of this nature are made in the juvenile court in accordance with Rule 25(f) of the Utah Rules of Juvenile Procedure.

\*\* Although the provided recommendation reflects DLD's legal interpretation, there may be differing legal opinions regarding whether notice should be sent to DLD on Rule 25(f) pleas (pleas in abeyance). It should be noted that such decisions lie within the discretion of the court.

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<b>32B-4-411(2)(b)(i)</b> Minor's Unlawful Use of Proof of Age	13+	Court <b>may only</b> suspend if the minor is found to be in actual physical control of a motor vehicle during the commission of the offenses: <p style="text-align: center;"><b>See Utah Code §78A-6-606(2).</b></p> <p><b>First Offense:</b> 1 year  <b>See Utah Code §§ 78A-6-606(4)(d)(ii)(A); 53-3-220.</b></p> <p><b>Second or Subsequent Offense:</b> 2 years  <b>See Utah Code §§ 78A-6-606(4)(d)(ii)(B); 53-3-220.</b></p>	<p><b>First Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment.  <b>See Utah Code § 78A-6-606(4)(e).</b></p> <p><b>Second or Subsequent Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment and if 18 or older, provides a sworn statement to the court certifying that the minor hasn't unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period or if under 18, the minor's parent or guardian provides a sworn statement to the court certifying that the minor hasn't unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period.  <b>See Utah Code § 78A-6-606(4)(f).</b></p>	<p>"The court <b>may</b> forward a <b>record of adjudication</b> to the DLD."  <p style="text-align: center;"><b>See Utah Code § 78A-6-606(4)(d)(i).</b></p> <p><b>Procedure:</b>The court fills out the top portion of the abstract, but does not check any "suspension" box because DLD will administratively suspend the license upon receipt.</p> <p>To <b>reduce</b> a suspension, the court sends another abstract, but orders a reduction of suspension in the "Judge's recommendations" section.</p> <p>For <b>Rule 25(f) pleas* (pleas in abeyance)**</b>, the court fills out the top <u>portion</u> of the abstract and checks the "held in abeyance" box. Upon receipt of the abstract, DLD will return a cover sheet that acknowledges receipt, but will take no further action. If the</p> </p>

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				minor later violates the terms of the plea in abeyance, the court shall re-send an abstract with the appropriate "suspension" box checked.
<b>Title 41 Chapter 6A- Traffic Code</b>	0-18	Court <b>may recommend</b> the suspension of the license of any person adjudicated for a reportable traffic or motorboating violation of any law or ordinance. <b>See Utah Code § 53-3-218(2)(a).</b>	N/A	Court <b>shall</b> submit an <b>abstract</b> of court records for all adjudications of traffic violations to the DLD. <b>See Utah Code § 53-3-218(2)(a).</b>  <b>Procedure:</b> The court fills out the top portion of the abstract and sends it to the DLD. If the court decides to <b>recommend</b> suspension, the court would mark the appropriate "suspension" box and would note the reasons for the recommendation in the "Judge's recommendation" section.
<b>41-6a-502</b> Driving Under the Influence of Alcohol/Drugs see: 41-6a-509(8) <b>41-6a-517(11)</b> Driving with any Measurable Controlled Substance in the Body	0-18	<b>DLD</b> administratively suspends. <b>See Utah Code §§ 41-6a-509; 41-6a-517.</b>	Court <b>may</b> shorten suspension period if the person: <ul style="list-style-type: none"> <li>• Completes at least six months of the suspension;</li> <li>• Completes screening and assessment (if recommended by</li> </ul>	The Court <b>shall</b> notify the DLD of each adjudication entered under these sections. <b>See Utah Code §§ 41-6a-502.5(5); 41-6a-517.</b>

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			screening); <ul style="list-style-type: none"> <li>• Completes treatment (if recommended by assessment);</li> <li>• Completes educational series approved by the Division of Substance Abuse and Mental Health (if treatment is not ordered);</li> <li>• Has not been convicted of a violation of any motor-vehicle law during suspension period;</li> <li>• Has complied with terms of probation; <b>AND</b></li> <li>• The person or person’s parents provide a sworn statement to the court certifying that the person hasn’t unlawfully consumed alcohol for at least a one-year period during the imposed suspension period.</li> </ul> <p style="text-align: center;"><b>See Utah Code §§ 41-6a-509(8); 41-6a-517(11).</b></p>	<p><b>Procedure:</b> The court fills out the top portion of the abstract, but does not check any “suspension” box because DLD will administratively suspend the license upon receipt.</p> <p>To <b>reduce</b> a suspension, the court sends another abstract, but orders a reduction of suspension in the “Judge’s recommendations” section.</p>
<b>41-6a-1716</b> Using a Handheld Wireless Communication Device While Driving	0-18	Court <b>may</b> suspend license for a period of 3 months.  <p style="text-align: center;"><b>See Utah Code § 53-3-218(5).</b></p>	N/A	<p><b>Procedure:</b> If the court decides to suspend a person’s license for a violation of this section, the court fills out an abstract and checks the appropriate “suspension” box.</p>

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<b>41-6a-1715</b> Careless Driving	0-18	Court <b>may</b> suspend license for a period of 1 year if the offense causes or results in the death of another. See Utah Code § 53-3-218(6).		<b>Procedure:</b> If the court decides to suspend a person’s license for a violation of this section, the court fills out an abstract and checks the appropriate “suspension” box.
<b>58-37-8</b> Prohibited Acts Under the Utah Controlled Substances Act <b>Title 58, Chapter 37a</b> Utah Drug Paraphernalia Act <b>Title 58, Chapter 37b</b> Imitation Controlled Substances Act	13+	Court <b>may only</b> suspend license if the person committed the offense while operating a motor vehicle: See Utah Code §§ 53-3-220(1)(c); 78A-6-606(2)  <b>First Offense:</b> 1 year See Utah Code §§ 78A-6-606(3); 53-3-219(2)(a)(i).  <b>Second or Subsequent Offense:</b> 2 years See Utah Code §§ 78A-6-606(3); 53-3-219(2)(b)(i).	<b>First Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment. See Utah Code § 78A-6-606(4)(b).  <b>Second or Subsequent Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment and if 18 or older, provides a sworn statement to the court certifying that the minor hasn’t unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period or if under 18, the minor’s parent or guardian provides a sworn statement to the	“The Court <b>may</b> prepare and send to the DLD <b>an order</b> to suspend driving privileges.” See Utah Code § 78A-6-606(3).  <b>Procedure:</b> The court fills out an abstract and checks the appropriate “suspension” box.  To <b>reduce</b> a suspension, the court sends another abstract, but orders a reduction of suspension in the “Judge’s recommendations” section.  For <b>Rule 25(f) pleas* (pleas in abeyance)**</b> , the court fills out the top portion of the abstract and checks the

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			<p>court certifying that the minor hasn't unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period.</p> <p><b>See</b> Utah Code § 78A-6-606(4)(c).</p>	<p>"held in abeyance" box. Upon receipt of the abstract, DLD will administratively suspend the minor's license for a period of 6 months pursuant to Utah Code 53-3-220(1)(c), even if the court does not mark any "suspension" box.</p> <p style="text-align: center;"><b>See</b> Utah Code § 53-3-220(1)(c).</p>
<p><b>76-6-404.7</b> Theft of Motor Vehicle Fuel</p>	0-18	<p>Court <b>may</b> order the suspension, but for no longer than 90 days</p> <p style="text-align: center;"><b>See</b> Utah Code § 76-6-404.7(3).</p>	N/A	<p><b>Procedure:</b> If the court decides to suspend a person's license for a violation of this section, the court fills out an abstract and checks the appropriate "suspension" box.</p>
<p><b>76-9-701(1)</b> Intoxication</p>	13+	<p>Court <b>may</b> suspend:</p> <p><b>First Offense:</b> 1 year <b>See</b> Utah Code §§ 78A-6-606(4)(a); 53-3-219(2)(a)(i).</p> <p><b>Second or Subsequent Offense:</b> 2 years <b>See</b> Utah Code §§ 78A-6-</p>	<p><b>First Offense:</b> Court <b>may</b> reduce the suspension period if the minor completes an educational series or demonstrates substantial progress in substance use disorder treatment.</p> <p style="text-align: center;"><b>See</b> Utah Code § 78A-6-606(4)(b).</p> <p><b>Second or Subsequent Offense:</b> Court <b>may</b> reduce the suspension period if the minor or minor's parent or guardian provides a</p>	<p>"The Court hearing the case may suspend the minor's driving privileges."</p> <p style="text-align: center;"><b>See</b> Utah Code § 78A-6-606(4)(a).</p> <p><b>Procedure:</b> The court fills out an abstract and checks the appropriate "suspension" box.</p> <p>To <b>reduce</b> a suspension, the</p>

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		606(4)(a); 53-3-219(2)(b)(i).	sworn statement to the court certifying that the minor hasn't unlawfully consumed alcohol or drugs for at least a one-year period during the imposed suspension period. <b>See</b> Utah Code § 78A-6-606(4)(c).	<p>court sends another abstract, but orders a reduction of suspension in the "Judge's recommendations" section.</p> <p><b>For Rule 25(f) pleas* (pleas in abeyance),**</b> the court fills out the top portion of the abstract and checks the "held in abeyance" box. Upon receipt of the abstract, DLD will return a cover sheet that acknowledges receipt, but will take no further action. If the minor later violates the terms of the plea in abeyance, the court shall re-send an abstract with the appropriate "suspension" box checked.</p>

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