

# SENATE BILL NO. 1113

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~~*This sentence is marked with strikethrough and italic, indicating text to be removed.*~~

## Bill Status

S1113.....by TRANSPORTATION  
TRANSPORTATION DEPARTMENT - FEES - Amends existing law relating to the  
Idaho Transportation Department to increase fees associated with titling,  
licensing and vehicle identification numbers, driver's licenses, permits  
and testing and to provide for distribution of the increased amounts; to  
increase fees for reinstatement of licenses and to provide for distribution  
of an increase; to increase fees for issuing temporary registration permits  
and salvage titles; to increase fees for certification of self-insurance;  
to increase fees for issuing dealer's, salesman's, vehicle manufacturer's  
and distributor's licenses, identification cards and dealer's business  
location licenses; and to increase the fee for issuing identification cards  
and to provide for distribution of the increased fees.

02/09 Senate intro - 1st rdg - to printing

## Bill Text

]]]] LEGISLATURE OF THE STATE OF IDAHO ]]]]  
Fifty-ninth Legislature First Regular Session - 2007

IN THE SENATE

SENATE BILL NO. 1113

BY TRANSPORTATION COMMITTEE

1 AN ACT  
2 RELATING TO FEES CHARGED BY THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SEC-  
3 TION 49-202, IDAHO CODE, TO INCREASE FEES ASSOCIATED WITH TITLING, LICENS-  
4 ING AND VEHICLE IDENTIFICATION NUMBERS AND TO MAKE A TECHNICAL CORRECTION;  
5 AMENDING SECTION 49-306, IDAHO CODE, TO INCREASE FEES FOR DRIVER'S

6 LICENSES, PERMITS AND TESTING AND TO PROVIDE FOR DISTRIBUTION OF THE  
7 INCREASED AMOUNTS; AMENDING SECTION 49-328, IDAHO CODE, TO INCREASE FEES  
8 FOR REINSTATEMENT OF LICENSES AND TO PROVIDE FOR DISTRIBUTION OF AN  
9 INCREASE; AMENDING SECTION 49-523, IDAHO CODE, TO INCREASE FEES FOR ISSU-  
10 ING TEMPORARY REGISTRATION PERMITS AND TO MAKE A TECHNICAL CORRECTION;  
11 AMENDING SECTION 49-525, IDAHO CODE, TO INCREASE FEES FOR ISSUING SALVAGE  
12 TITLES; AMENDING SECTION 49-1224, IDAHO CODE, TO INCREASE FEES FOR CERTI-  
13 FICATION OF SELF-INSURANCE; AMENDING SECTION 49-1607, IDAHO CODE, TO  
14 INCREASE FEES FOR ISSUING DEALER'S, SALESMAN'S, VEHICLE MANUFACTURER'S AND  
15 DISTRIBUTOR'S LICENSES, IDENTIFICATION CARDS AND DEALER'S BUSINESS LOCA-  
16 TION LICENSES; AMENDING SECTION 49-2444, IDAHO CODE, TO INCREASE THE FEE  
17 FOR ISSUING IDENTIFICATION CARDS AND TO PROVIDE FOR DISTRIBUTION OF THE  
18 INCREASED AMOUNTS; AND PROVIDING AN EFFECTIVE DATE.

19 Be It Enacted by the Legislature of the State of Idaho:

20 SECTION 1. That Section 49-202, Idaho Code, be, and the same is hereby  
21 amended to read as follows:

22 49-202. DUTIES OF DEPARTMENT. (1) All registration and driver's license  
23 records in the office of the department shall be public records and open to  
24 inspection by the public during normal business hours, except for those  
25 records declared by law to be for the confidential use of the department, or  
26 those records containing personal information subject to restrictions or con-  
27 ditions regarding disclosure. If the department has contracted for a service  
28 to be provided by another entity, an additional fee shall be charged by that  
29 contractor whether the service is rendered during normal business hours, other  
30 than normal business hours or on weekends.

31 (2) In addition to other fees required by law to be collected by the  
32 department, the department shall collect the following:

- 33 (a) For certifying a copy of any record pertaining to any vehicle  
34 license, any certificate of title, or any driver's license ..... ~~\$8~~14.00  
35 (b) For issuing every Idaho certificate of title ..... ~~\$8~~14.00  
36 (c) For furnishing a duplicate copy of any Idaho certificate of title  
37 ..... ~~\$8~~14.00  
38 (d) For issuance or transfer of every certificate of title on a new or  
39 used vehicle or other titled vehicle in an expedited manner (rush titles),  
40 in addition to any other fee required by this section ..... ~~\$15~~26.00  
41 (e) For recording a transitional ownership document, in addition to any  
42 other fee required by this section ..... ~~\$15~~26.00  
43 (f) For furnishing a replacement of any receipt of registration .. ~~\$3~~5.00

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- 1 (g) For furnishing copies of registration or ownership of motor vehicles  
2 or driver's license records, per vehicle registration, accident report  
3 records, title or per driver's license record ..... ~~\$4~~7.00  
4 Additional contractor fee, not to exceed ..... \$4.00  
5 (h) For services in searching files of vehicle or other registrations,  
6 vehicle titles, or driver's licenses per hour ..... ~~\$10~~18.00  
7 (i) Placing "stop" cards in vehicle registration or title files, each  
8 ..... ~~\$12~~21.00  
9 (j) For issuance of an assigned or replacement vehicle identification  
10 number (VIN) ..... ~~\$10~~18.00  
11 (k) For a vehicle identification number (VIN) inspection whether con-  
12 ducted by a city or county peace officer or any other peace officer or  
13 designated agent of the state of Idaho, per inspection ..... ~~\$3~~5.00

- 14 (l) For all replacement registration stickers, each ..... \$~~12~~.00
- 15 (m) For issuing letters of temporary vehicle clearance to Idaho based
- 16 motor carriers ..... \$~~10~~**18**.00
- 17 (n) For all sample license plates, each ..... \$~~12~~**21**.00
- 18 (o) For filing release of liability statements ..... \$2.00
- 19 (p) For safety and insurance programs for each vehicle operated by a
- 20 motor carrier ..... \$2.00

21 A lesser amount may be set by rule of the board.

22 (3) The fees required in this section shall not apply when the service is  
23 furnished to any federal, state, county or city peace officer when such ser-  
24 vice is required in the performance of their duties as peace officers.

25 (4) The department may enter into agreements with private companies or  
26 public entities to provide the services for which a fee is collected in sub-  
27 section (2)(g) of this section. Such private contractor shall collect the fee  
28 prescribed and remit the fee to the department. The contractor shall also col-  
29 lect and retain the additional fee charged for his services.

30 (5) (a) The department shall pay three dollars (\$3.00) of the fee col-  
31 lected by a county assessor or other agent of the department as provided  
32 in subsection (2)(a) through (f) of this section, and four dollars (\$4.00)  
33 as provided in subsection (2)(g) of this section, to the county assessor  
34 or sheriff of the county or agent collecting such fee, which shall be  
35 deposited with the county treasurer and credited to the county current  
36 expense fund. The remainder of the fees collected as provided in that sub-  
37 section shall be paid by the department to the state treasurer and placed  
38 in the state highway fund.

39 (b) The fee collected under subsection (2)(k) of this section for a VIN  
40 inspection shall be placed in the city general fund if conducted by a city  
41 peace officer, in the county current expense fund if conducted by a county  
42 peace officer, shall be retained by the special agent authorized to per-  
43 form the inspection, or paid to the state treasurer and placed to the  
44 credit of the Idaho state police if conducted by the Idaho state police or  
45 in the state highway fund if conducted by the department.

46 (c) The fee collected under subsection (2)(p) of this section for motor  
47 carriers shall be paid by the department to the state treasurer and placed  
48 in the state highway fund. The director and the director of the Idaho  
49 state police shall jointly determine the amount to be transferred from the  
50 state highway fund to the law enforcement fund for motor carrier safety  
51 programs conducted by the Idaho state police pursuant to the provisions of  
52 section 67-2901A, Idaho Code.

53 (6) The department as often as practicable may provide to law enforcement  
54 agencies the record of suspensions and revocations of driver licenses via the  
55 Idaho law enforcement telecommunications system (ILETS).

1 (7) The department shall provide the forms prescribed in chapter 5 of  
2 this title, shall receive and file in its office in Ada county, all instru-  
3 ments required in chapter 5 of this title to be filed with the department,  
4 shall prescribe a uniform method of numbering certificates of title, and main-  
5 tain in the department indices for such certificates of title. All indices  
6 shall be by motor or identification number and alphabetical by name of the  
7 owner.

8 (8) The department shall file each registration received under a distinc-  
9 tive registration number assigned to the vehicle and to the owner thereof.

10 (9) The department shall not renew a driver's license or identification  
11 card when fees required by law have not been paid or where fees for past  
12 periods are due, owing and unpaid including insufficient fund checks, until

13 those fees have been paid.  
14 (10) The department shall not grant the registration of a vehicle when:  
15 (a) The applicant is not entitled to registration under the provisions of  
16 this title; or  
17 (b) The applicant has neglected or refused to furnish the department with  
18 the information required in the appropriate form or reasonable additional  
19 information required by the department; or  
20 (c) The fees required by law have not been paid, or where fees for past  
21 registration periods are due, owing and unpaid including insufficient fund  
22 checks.  
23 (11) The department or its authorized agents have the authority to request  
24 any person to submit to medical, vision, highway, or written examinations, to  
25 protect the safety of the public upon the highways. The department or its  
26 authorized agents may exercise such authority based upon evidence which may  
27 include, but is not limited to, observations made.  
28 (12) The department shall revoke the registration of any vehicle:  
29 (a) Which the department shall determine is unsafe or unfit to be oper-  
30 ated or is not equipped as required by law;  
31 (b) Whenever the person to whom the registration card or registration  
32 plate has been issued shall make or permit to be made any unlawful use of  
33 the same or permit their use by a person not entitled thereto;  
34 (c) For any violation of vehicle registration requirements by the owner  
35 or operator in the current or past registration periods;  
36 (d) Whenever a motor carrier requests revocation, or whenever an inter-  
37 state carrier's federal operating authority has been revoked;  
38 (e) For failure of the owner or operator to file the reports required or  
39 nonpayment of audit assessments or fees assessed against the owner by the  
40 department or the state tax commission pursuant to audit under the provi-  
41 sions of section 49-439, Idaho Code;  
42 (f) Identified by any city or county administering a program established  
43 by ordinance for the inspection and readjustment of motor vehicles (which  
44 program is part of an approved state implementation plan adopted by both  
45 the state and federal governments under 42 U.S.C. section 7410) as having  
46 failed to comply with an ordinance requiring motor vehicle emission  
47 inspection and readjustment; provided that no vehicle shall be identified  
48 to the department under this subsection (f) unless:  
49 (i) The city or county certifies to the department that the owner  
50 of the motor vehicle has been given notice and had the opportunity  
51 for a hearing concerning compliance with the ordinance and has  
52 exhausted all remedies and appeals from any determination made at  
53 such hearing; and  
54 (ii) The city or county reimburses the department for all direct  
55 costs associated with the registration revocation procedure.

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1 (13) The department shall not reregister or permit a vehicle to operate on  
2 a special trip permit until all fees, penalties and interest have been paid.  
3 (14) The department shall institute educational programs, demonstrations,  
4 exhibits and displays.  
5 (15) The department shall cancel a driver's license or identification card  
6 when fees required by law have not been paid or where fees are due, owing and  
7 unpaid including insufficient fund checks, until those fees have been paid.  
8 (16) The department shall examine persons and vehicles by written, oral,  
9 vision and skills tests without compulsion except as provided by law.  
10 (17) The department shall employ expert and special help as needed in the  
11 department.

12 (18) The department shall compile accident statistics and disseminate  
13 information relating to those statistics.

14 (19) The department shall cooperate with the United States in the elimina-  
15 tion of road hazards, whether of a physical, visual or mental character.

16 (20) The department shall place and maintain traffic-control devices, con-  
17 forming to the board's manual and specifications, upon all state highways as  
18 it shall deem necessary to indicate and to carry out the provisions of this  
19 title or to regulate, warn, or guide traffic. No local authority shall place  
20 or maintain any traffic-control device upon any highway under the jurisdiction  
21 of the department except by the latter's permission, except where the duly  
22 elected officials of an incorporated city have established speed limits lower  
23 than those set by the department on the portion of state highways, excluding  
24 controlled-access and interstate highways, that pass through residential,  
25 urban or business districts within the jurisdiction of the incorporated city.  
26 The placement and maintenance of such a traffic-control device by a local  
27 authority shall be made according to the board's manual and specifications for  
28 a uniform system of traffic-control devices.

29 (21) The department may conduct an investigation of any bridge or other  
30 elevated structure constituting a part of a highway, and if it shall find that  
31 the structure cannot with safety to itself withstand vehicles traveling at a  
32 speed otherwise permissible under this title, shall determine and declare the  
33 maximum speed of vehicles which the structure can safely withstand, and shall  
34 cause or permit suitable signs stating the maximum speed to be erected and  
35 maintained before each end of the structure.

36 (22) Whenever the department shall determine on the basis of an engineer-  
37 ing and traffic investigation that slow speeds on any highway or part of a  
38 highway impede the normal and reasonable movement of traffic, the department  
39 may determine and declare a minimum speed limit below which no person shall  
40 drive a vehicle except when necessary for safe operation or in compliance with  
41 law, and that limit shall be effective when posted upon appropriate fixed or  
42 variable signs, except in cases where the duly elected officials of an incor-  
43 porated city have established speed limits lower than those set by the depart-  
44 ment on portions of state highways, excluding controlled-access and interstate  
45 highways, that pass through residential, urban or business districts within  
46 the jurisdiction of the incorporated city.

47 (23) The department shall regulate or prohibit the use of any controlled-  
48 access highway by any class or kind of traffic which is found to be incompati-  
49 ble with the normal and safe movement of traffic.

50 (24) The department shall erect and maintain traffic-control devices on  
51 controlled-access highways on which any prohibitions are applicable.

52 (25) Wherever a highway crosses one (1) or more railroads at grade, the  
53 department or local authorities within their respective jurisdictions shall  
54 place and maintain stop signs, directing vehicular traffic approaching the  
55 crossing to come to a full stop prior to entering the crossing at all railroad

1 crossings where electric or mechanical warning signals do not exist. Place-  
2 ment of these stop signs shall be mandatory except when in the determination  
3 of public highway agencies the existence of stop signs at a given crossing  
4 would constitute a greater hazard than their absence based on a recognized  
5 engineering study.

6 Nothing in this subsection shall be construed as granting immunity to any  
7 railroad company as to liability, if any, for an accident which might occur at  
8 a crossing where stop signs are erected and in place, but liability, if any,  
9 shall be determined as provided by law. Liability on the part of governmental  
10 authorities on account of absence of any stop sign at a crossing shall be

11 determined as provided by law.

12 (26) The department and local authorities are authorized to determine  
13 those portions of any highway under their respective jurisdictions where over-  
14 taking and passing or driving on the left side of the roadway would be espe-  
15 cially hazardous and may by appropriate signs or markings on the roadway indi-  
16 cate the beginning and end of those zones and when signs or markings are in  
17 place and clearly visible to an ordinarily observant person, every driver of a  
18 vehicle shall obey those directions.

19 (27) The department and local authorities in their respective jurisdic-  
20 tions may in their discretion issue special permits authorizing the operation  
21 upon a highway of traction engines or tractors having movable tracks with  
22 transverse corrugations upon the periphery of the movable tracks or farm trac-  
23 tors or other farm machinery, the operation of which upon a highway would  
24 otherwise be prohibited under this title or title 40, Idaho Code.

25 (28) The department and local highway authorities within their respective  
26 jurisdictions may place official traffic-control devices prohibiting, limiting  
27 or restricting the stopping, standing or parking of vehicles on any highway  
28 where such stopping, standing or parking is dangerous to those using the high-  
29 way or where the stopping, standing or parking of vehicles unduly interferes  
30 with the free movement of traffic thereon.

31 (29) On any informational material printed after July 1, 1995, by or at  
32 the order of the department and distributed to counties, school districts or  
33 individuals for the purpose of assisting a person to successfully pass a dri-  
34 ver's license test, the department shall include material about the state's  
35 open range law and responsibilities, liabilities and obligations of drivers  
36 driving in the open range.

37 SECTION 2. That Section 49-306, Idaho Code, be, and the same is hereby  
38 amended to read as follows:

39 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR  
40 RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any  
41 instruction permit, restricted school attendance driving permit, or for a dri-  
42 ver's license shall be made upon a form furnished by the department and shall  
43 be verified by the applicant before a person authorized to administer oaths.  
44 Officers and employees of the department and sheriffs and their deputies are  
45 authorized to administer the oaths without charge. Every application for a  
46 permit, extension or driver's license shall be accompanied by the following  
47 fee, none of which is refundable:

- 48 (a) Class A, B, C (4-year) license with endorsements - age 21 years and  
49 older ..... ~~\$28.50~~40.00
- 50 (b) Class A, B, C (3-year) license with endorsements - age 18 to 21 years  
51 ..... ~~\$20.50~~30.00
- 52 (c) Class A, B, C (1-year) license with endorsements - age 20 years  
53 ..... ~~\$12.25~~15.00

- 1 (d) Class D (3-year) license - under age 18 years ..... ~~\$20.50~~25.00
- 2 (e) Class D (3-year) license - age 18 to 21 years ..... ~~\$20.50~~25.00
- 3 (f) Class D (1-year) license - age 17 years or age 20 years . ~~\$12.25~~15.00
- 4 (g) Four-year Class D license - age 21 years and older ..... ~~\$24.50~~30.00
- 5 (h) Eight-year Class D license - age 21 to 63 years ..... ~~\$45.00~~55.00
- 6 (i) Class A, B, C instruction permit ..... ~~\$19.50~~29.00
- 7 (j) Class D instruction permit or supervised instruction permit .....  
8 ..... ~~\$11.50~~15.00
- 9 (k) Duplicate driver's license or permit issued under section 49-318,

10	Idaho Code .....	<del>\$11.50</del> <b>15.00</b>
11	(l) Driver's license extension issued under section 49-319, Idaho Code ..	
12	.....	<del>\$ 6.50</del> <b>10.00</b>
13	(m) License classification change (upgrade) .....	<del>\$15.50</del> <b>25.00</b>
14	(n) Endorsement addition .....	<del>\$11.50</del> <b>15.00</b>
15	(o) Class A, B, C skills tests .....	not more than <del>\$55</del> <b>70.00</b>
16	(p) Class D skills test .....	<del>\$15</del> <b>21.00</b>
17	(q) Motorcycle endorsement skills test .....	<del>\$ 5</del> <b>10.00</b>
18	(r) Knowledge test .....	\$ 3.00
19	(s) Seasonal driver's license .....	<del>\$27.50</del> <b>39.00</b>
20	(t) One time motorcycle "M" endorsement .....	<del>\$11.50</del> <b>15.00</b>
21	(u) Motorcycle endorsement instruction permit .....	<del>\$11.50</del> <b>15.00</b>
22	(v) Restricted driving permit or restricted school attendance driving	
23	permit .....	<del>\$35</del> <b>60.00</b>

24 (2) Every application shall state the true and full name, date of birth,  
25 sex, declaration of Idaho residency, Idaho residence address and mailing  
26 address, if different, of the applicant, height, weight, hair color, and eye  
27 color, and the applicant's social security number as verified by the  
28 applicant's social security card or by the social security administration.

29 (a) The requirement that an applicant provide a social security number as  
30 verified by his social security card or by the social security administra-  
31 tion shall apply only to applicants who have been assigned a social secu-  
32 rity number.

33 (b) An applicant who has not been assigned a social security number  
34 shall:

35 (i) Present written verification from the social security adminis-  
36 tration that the applicant has not been assigned a social security  
37 number; and

38 (ii) Submit a birth certificate, passport or other documentary evi-  
39 dence issued by an entity other than a state or the United States;  
40 and

41 (iii) Submit such proof as the department may require that the appli-  
42 cant is lawfully present in the United States.

43 A driver's license or any instruction permit issued on and after January  
44 1, 1993, shall not contain an applicant's social security number. Applications  
45 on file shall be exempt from disclosure except as provided in sections 49-202,  
46 49-203, 49-203A and 49-204, Idaho Code.

47 Every application for a class A, B or C license shall state where the  
48 applicant has been licensed for the preceding ten (10) years and all applica-  
49 tions shall also state whether the applicant has previously been licensed as a  
50 driver, and if so, when and by what state or country, and whether a driver's  
51 license or privileges have ever been suspended, revoked, denied, disqualified,  
52 canceled or whether an application has ever been refused, and if so, the date  
53 of and reason for the suspension, revocation, denial, disqualification, can-  
54 cellation or refusal and the applicant's oath that all information is correct  
55 as signified by the applicant's signature.

1 The applicant may be required to submit proof of identity acceptable to  
2 the examiner or the department and date of birth as set forth in a certified  
3 copy of his birth certificate when obtainable, or another document which pro-  
4 vides satisfactory evidence of a person's date of birth acceptable to the  
5 examiner or the department.

6 (c) Individuals required to register in compliance with section 3 of the  
7 federal military selective service act, 50 U.S.C. App. 451 et seq., as  
8 amended, shall be provided an opportunity to fulfill such registration

9 requirements in conjunction with an application for a driver's license or  
10 instruction permit. Any registration information so supplied shall be  
11 transmitted by the department to the selective service system.

12 (3) Whenever an application is received from a person previously licensed  
13 in another jurisdiction, the department shall request a copy of the driver's  
14 record from the other jurisdiction and shall contact the national driver reg-  
15 ister. When received, the driver's record from the previous jurisdiction shall  
16 become a part of the driver's record in this state with the same force and  
17 effect as though entered on the driver's record in this state in the original  
18 instance.

19 (4) Whenever the department receives a request for a driver's record from  
20 another licensing jurisdiction, the record shall be forwarded without charge.

21 (5) The department shall contact and notify the commercial driver license  
22 information system of the proposed application for a class A, B or C driver's  
23 license to ensure identification of the person and to obtain clearance to  
24 issue the license.

25 (6) When the fees required under this section are collected by a county  
26 officer, they shall be paid over to the county treasurer not less often than  
27 monthly, who shall immediately:

28 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's  
29 license except an eight-year class D license, or any class D instruction  
30 permit application fees, application for a duplicate driver's license or  
31 permit, classification change, seasonal driver's license and additional  
32 endorsement, and ten dollars (\$10.00) from each eight-year class D dri-  
33 ver's license, in the current expense fund; and

34 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle  
35 endorsement and motorcycle endorsement instruction permit fee in the cur-  
36 rent expense fund; and

37 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a  
38 knowledge test in the current expense fund; and

39 (d) Deposit an amount equal to ~~five ten~~ five ten dollars (~~\$510.00~~ \$510.00) from each fee  
40 for a motorcycle endorsement skills test in the current expense fund; pro-  
41 vided however, if a contractor administers the skills test he shall be  
42 entitled to the ~~five ten~~ five ten dollar (~~\$510.00~~ \$510.00) fee; and

43 (e) Remit the remainder to the state treasurer; and

44 (f) Deposit ~~eleven fifteen~~ eleven fifteen dollars ~~and fifty cents~~ (~~\$11.50~~ 15.00) from  
45 each fee for a class D skills test into the county current expense fund,  
46 unless the test is administered by a department-approved contractor, in  
47 which case the contractor shall be entitled to ~~eleven fifteen~~ eleven fifteen dollars ~~and~~  
48 ~~fifty cents~~ (~~\$11.50~~ 15.00) of each fee.

49 (7) When the fees required under this section are collected by a state  
50 officer or agency, they shall be paid over to the state treasurer.

51 (8) The state treasurer shall distribute the moneys received from fees  
52 imposed by the provisions of this section, whether collected by a county offi-  
53 cer or by a state officer or agency as follows:

54 (a) Two dollars (\$2.00) of each fee for a four-year driver's license or  
55 seasonal driver's license, and four dollars (\$4.00) of each fee for an

1 eight-year class D driver's license, and one dollar and fifty cents  
2 (\$1.50) of each fee charged for driver's licenses pursuant to subsections  
3 (1)(b), (d) and (e) of this section, and fifty cents (50¢) of each fee  
4 charged for driver's licenses pursuant to subsections (1)(c) and (f) of  
5 this section, shall be deposited in the emergency medical services fund II  
6 created in section 56-1018A, Idaho Code, and four dollars (\$4.00) of each  
7 fee charged pursuant to subsections (1)(a), (g) and (s) of this section

8 and eight dollars (\$8.00) of each fee charged pursuant to subsection  
9 (1)(h) of this section and three dollars (\$3.00) of each fee for driver's  
10 licenses pursuant to subsections (1)(b), (d) and (e) of this section, and  
11 one dollar (\$1.00) of each fee charged for driver's licenses pursuant to  
12 subsections (1)(c) and (f) of this section shall be deposited in the emer-  
13 gency medical services fund III created in section 56-1018B, Idaho Code;  
14 and  
15 (b) ~~Sixteen~~ Twenty-eight dollars ~~and fifty cents~~ (~~\$16.50~~28.00) of each  
16 fee for a seasonal or class A, B or C driver's license, and ~~ten~~ nineteen  
17 dollars and fifty cents (~~\$10.00~~19.50) of each fee charged for a license  
18 pursuant to subsection (1)(b) of this section, and ~~five~~ eight dollars and  
19 ~~forty-one~~ sixteen cents (~~\$5.41~~8.16) of each fee charged for a license pur-  
20 suant to subsection (1)(c) of this section shall be deposited in the state  
21 highway fund; and  
22 (c) ~~Ten~~ Twenty dollars ~~and fifty cents~~ (~~\$10.50~~20.00) of each fee for a  
23 class A, B or C instruction permit or driver's license classification  
24 change shall be deposited in the state highway fund; and  
25 (d) Four dollars (\$4.00) of each fee for a class A, B or C instruction  
26 permit shall be deposited in the emergency medical services fund III cre-  
27 ated in section 56-1018B, Idaho Code; and  
28 (e) ~~Six~~ Ten dollars ~~and fifty cents~~ (~~\$6.50~~10.00) of each fee for a  
29 duplicate seasonal or class A, B or C driver's license, class A, B or C  
30 driver's license extension, or additional endorsement shall be deposited  
31 in the state highway fund; and  
32 (f) ~~Four~~ Seven dollars and fifty cents (~~\$4.00~~7.50) of each fee for a  
33 motorcycle endorsement and motorcycle endorsement instruction permit shall  
34 be deposited in the state highway fund; and  
35 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
36 class D driver's license, and ten dollars and sixty cents (\$10.60) of each  
37 fee for an eight-year class D driver's license, and four dollars (\$4.00)  
38 of each fee charged for a license pursuant to subsections (1)(d) and (e)  
39 of this section, and one dollar and thirty-three cents (\$1.33) of each fee  
40 charged for a license pursuant to subsection (1)(f) of this section shall  
41 be deposited in the driver training fund; and  
42 (h) ~~Seven~~ Twelve dollars and ~~twenty~~ seventy cents (~~\$7.20~~12.70) of each  
43 fee for a four-year class D driver's license, and ~~ten~~ twenty dollars and  
44 forty cents (~~\$120.40~~) of each fee for an eight-year class D driver's  
45 license, and ~~six~~ ten dollars and fifty cents (~~\$6.00~~10.50) of each fee  
46 charged for a license pursuant to subsections (1)(d) and (e) of this sec-  
47 tion, and ~~four~~ six dollars and ~~eight~~ eighty-three cents (~~\$4.08~~6.83) of  
48 each fee charged for a license pursuant to subsection (1)(f) of this sec-  
49 tion shall be deposited in the highway distribution fund; and  
50 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D  
51 instruction permit, duplicate class D license or permit, and class D  
52 license extension shall be deposited in the driver training fund; and  
53 (j) ~~Three~~ Seven dollars and ~~ninety~~ forty cents (~~\$3.90~~7.40) of each fee  
54 for a class D instruction permit, duplicate class D license or permit, and  
55 class D license extension shall be deposited in the highway distribution

1 fund; and  
2 (k) ~~Five~~ Ten dollars (~~\$5~~10.00) of each fee for a class A, B or C skills  
3 test shall be deposited in the state highway fund; and  
4 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
5 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
6 class D driver's license, and one dollar (\$1.00) of each fee charged for a

7 license pursuant to subsections (1)(b), (d) and (e) of this section, and  
8 thirty-four cents (34¢) of each fee charged for a license pursuant to sub-  
9 sections (1)(c) and (f) of this section shall be deposited in the motor-  
10 cycle safety program fund established in section 33-4904, Idaho Code; and  
11 (m) ~~Three~~ Six dollars ~~and fifty cents~~ (~~\$3.50~~6.00) of each fee for a  
12 class D skills test shall be deposited into the state highway fund.

13 (9) The contractor administering a class A, B or C skills test shall be  
14 entitled to not more than ~~fifty~~ sixty dollars (~~\$50.00~~\$60.00) of the skills test  
15 fee. A contractor administering a class A, B or C skills test may collect an  
16 additional fee for the use of the contractor's vehicle for the skills test.

17 (10) ~~Thirty-five~~ Sixty dollars (~~\$35~~60.00) of each restricted driving per-  
18 mit and each restricted school attendance driving permit shall be deposited in  
19 the state highway fund.

20 (11) The department may issue seasonal class B or C driver's licenses to  
21 drivers who are employees of agri-chemical businesses, custom harvesters, farm  
22 retail outlets and suppliers, and livestock feeders that:

23 (a) Will only be valid for driving commercial vehicles that normally  
24 require class B or C commercial driver's licenses;

25 (b) Will be valid for seasonal periods that begin on the date of issuance  
26 and that are not to exceed one hundred eighty (180) days in a twelve (12)  
27 month period;

28 (c) May only be obtained twice in a driver's lifetime;

29 (d) Are valid only within a one hundred fifty (150) mile radius of the  
30 place of business or farm being serviced; and

31 (e) Will be valid only in conjunction with valid Idaho class D driver's  
32 licenses.

33 (12) The department may issue seasonal class B or C driver's licenses to  
34 drivers who:

35 (a) Have not violated the single license provisions of applicable federal  
36 regulations;

37 (b) Have not had any license suspensions, revocations or cancellations;

38 (c) Have not had any convictions in any vehicle for any offense listed in  
39 section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic  
40 offense;

41 (d) Have at least one (1) year of driving experience with a class D or  
42 equivalent license in any type motor vehicle; and

43 (e) Are at least sixteen (16) years old.

44 SECTION 3. That Section 49-328, Idaho Code, be, and the same is hereby  
45 amended to read as follows:

46 49-328. REINSTATEMENT OF REVOKED, DISQUALIFIED OR SUSPENDED DRIVER'S  
47 LICENSE -- FEE -- WHEN REINSTATEMENT PROHIBITED. (1) When the period of revo-  
48 cation, disqualification or suspension of a driver's license has expired, or  
49 the reason for the revocation, disqualification or suspension no longer  
50 exists, the department shall reinstate the driver's license or driving privi-  
51 leges on application of the driver.

52 (2) The application shall be in the form prescribed by the department and  
53 accompanied by a reinstatement fee of ~~fifteen~~ twenty-five dollars (~~\$15~~25.00)

1 which shall be deposited in the state highway account.

2 (3) A driver's license which has been suspended under section 49-1505,  
3 Idaho Code, for failure to pay an infraction penalty shall not be reinstated  
4 until the licensee provides proof that the infraction penalty has been paid to  
5 the court.

6 (4) In addition to any other fees required in this section to be col-  
7 lected, the department shall collect ~~fifty~~ seventy dollars (\$~~50~~70.00) for  
8 reinstating a driver's license after conviction for driving under the influ-  
9 ence, without privileges, and after conviction or other violation of any other  
10 traffic related misdemeanor or infraction, of which fees forty dollars  
11 (\$40.00) shall be paid over to the county treasurer of the county in which the  
12 conviction occurred for support of that county's justice fund, or the current  
13 expense fund if no county justice fund has been established and the ~~ten~~ thirty  
14 dollars (\$~~10~~30.00) shall be deposited in the state highway account.

15 (5) In addition to any other fees required in this section to be col-  
16 lected, the department shall collect ~~one hundred fifteen~~ two hundred  
17 dollars (\$~~115~~200) for reinstating a driver's license after a suspension imposed under  
18 the provisions of section 18-8002 or section 18-8002A, Idaho Code, or after a  
19 suspension arising out of any alcohol or drug related offense, other than a  
20 suspension imposed upon a person under eighteen (18) years of age pursuant to  
21 section 18-1502(d), Idaho Code. Funds collected pursuant to this subsection  
22 shall be deposited in the state highway account. The department shall  
23 reevaluate the amount of the reinstatement fee herein imposed not later than  
24 February, 2000, to determine the sufficiency of the fee to meet the costs  
25 associated with the implementation of section 18-8002A, Idaho Code.

26 (6) When there is more than one (1) reason why a driver's license was  
27 revoked or suspended or why a driver was disqualified, the department shall  
28 not collect multiple fees for reinstatement, but shall only collect one (1)  
29 reinstatement fee, which shall be the greater reinstatement fee, provided how-  
30 ever, the department shall collect a reinstatement fee for each suspension  
31 under chapter 80, title 18, Idaho Code.

32 SECTION 4. That Section 49-523, Idaho Code, be, and the same is hereby  
33 amended to read as follows:

34 49-523. PROCEDURE WHEN DEPARTMENT UNSATISFIED AS TO OWNERSHIP OR SECURITY  
35 INTERESTS -- TEMPORARY REGISTRATION PROCEDURE. (1) If the department is not  
36 satisfied as to the ownership of the vehicle or that there are no undisclosed  
37 security interests in it, the department may register the vehicle, but shall  
38 either:

39 (a) Withhold issuance of a certificate of ownership until the applicant  
40 presents documents reasonably sufficient to satisfy the department as to  
41 the applicant's ownership of the vehicle and that there are no undisclosed  
42 security interests in it; or

43 (b) As a condition of issuing a certificate of ownership, require the  
44 applicant to file with the department all documents held as to the  
45 applicant's ownership of the vehicle, together with a bond in the form  
46 prescribed by the department and executed by the applicant, or a deposit  
47 of cash in a like amount. The bond shall be in an amount equal to one and  
48 one-half (1 1/2) times the value of the vehicle, as determined by the  
49 department, and conditioned to indemnify any prior owner and secured party  
50 and any subsequent purchaser of the vehicle or person acquiring any secu-  
51 rity interest in it, and their respective successors in interest, against  
52 any expense, loss or damage, including reasonable attorney's fees, by  
53 reason of the issuance of the certificate of ownership of the vehicle, or

1 on account of any defect in or disclosed security interest upon the right,  
2 title and interest of the applicant in and to the vehicle. Any such inter-  
3 ested person has a right of action to recover on the bond for any breach  
4 of its conditions, but the aggregate liability of the surety to all per-

5 sons shall not exceed the amount of the bond. The bond, or any cash  
6 deposit, shall be returned at the end of three (3) years, or prior to that  
7 time if the vehicle is no longer registered in this state and the current  
8 valid certificate of ownership is surrendered to the department, unless  
9 the department has been notified of the pendency of an action to recover  
10 on the bond.

11 (c) As to a vehicle ten (10) years old or more since manufacture, an  
12 applicant who is a resident of the state of Idaho may file with the  
13 department, before its authorized representative, a verified statement of  
14 facts setting out in detail the manner in which the applicant came into  
15 possession of the vehicle, the establishment of ownership, and a summary  
16 of the applicant's attempts to contact any prior owners of the vehicle.  
17 Upon receipt by the department of the verified statement and all documen-  
18 tation relating to the applicant's possession of the vehicle, and comple-  
19 tion of an inspection of the vehicle identification number by an autho-  
20 rized representative of the department, the applicant shall execute a doc-  
21 ument in the form provided by the department releasing it of any and all  
22 damages that may be suffered by the applicant, along with warranties that  
23 the applicant will pay any and all damages suffered by any person or  
24 entity as to the issuance of a title for that vehicle by the department.  
25 The department shall then issue a certificate of title to the applicant in  
26 form set out by this section. The certificate of title shall include the  
27 statement, "ISSUED ON STATEMENT OF APPLICANT," in permanent letters upon  
28 its face. The title issued pursuant to this subsection shall be presumed  
29 to indicate legal ownership of the vehicle at the end of the three (3)  
30 year period from the date of issue of that title, provided the vehicle is  
31 still registered in the state of Idaho, and there are no actions or claims  
32 pending against the applicant which places legal ownership in question.  
33 The department and the state of Idaho shall be immune as to any damages  
34 suffered by any person or entity as a result of the issuance of a certifi-  
35 cate of title as provided by this subsection.

36 (2) Every dealer desiring the privilege of issuing temporary registration  
37 permits for the operation of vehicles shall make application to the depart-  
38 ment. If the privilege is granted, the dealer will receive a series of per-  
39 mits, consecutively numbered by the department, secured by the dealer at a fee  
40 of ~~five~~ nine dollars (\$~~59~~.00) for each permit. A permit subsequently issued by  
41 a dealer to a purchaser shall be valid for a period not to exceed thirty (30)  
42 days.

43 The dealer shall issue temporary registration permits in numerical  
44 sequence, one (1) only for each vehicle sold to a bona fide purchaser. Each  
45 permit, and the attached stub, shall be completed in duplicate, in ink or by  
46 typewriter at the time of issuance. The expiration date on the original permit  
47 shall be filled in by rubber stamp or broad-tipped marking pen, and the print  
48 shall be at least three-fourths (3/4) inch high and one-eighth (1/8) inch  
49 wide. The original permit shall be displayed in the rear window of the vehicle  
50 for which it is issued, except when issued for a convertible, station wagon,  
51 motorcycle, or other vehicle for which this would not be practical. In these  
52 exceptional cases, the permit should be conspicuously displayed in a place  
53 where the number of the permit and the expiration date may be easily read and  
54 where protected from exposure to weather conditions which would render it  
55 illegible.

1 (3) The dealer shall keep a written record of every temporary registra-  
2 tion permit issued. This record shall include the name and address of the per-  
3 son or firm to whom the permit is issued, a description of the vehicle for

4 which it is issued, including year, make, model, identification number, and  
5 the date of issue. This record shall list all permits in numerical sequence  
6 and shall be open to inspection by any peace officer or designated employee of  
7 the department.

8 (4) The fees collected from dealers by the department under the provi-  
9 sions of this section shall be transmitted by the department to the state  
10 treasurer for deposit in the highway distribution account.

11 (5) Upon application for title and for registration of a vehicle for  
12 which temporary registration has been issued under this section, the county  
13 assessor shall collect and fees shall be deemed due from the date of issuance  
14 of the temporary registration permit rather than from date of application for  
15 title or registration.

16 (6) The department or a county assessor may issue temporary vehicle reg-  
17 istration permits in an emergency situation. The fee for a temporary registra-  
18 tion shall be ~~five~~ nine dollars (\$~~59~~.00), and shall be valid for a period of  
19 thirty (30) days. The temporary fees collected by the department shall be  
20 transmitted to the state treasurer for deposit in the highway distribution  
21 account. Temporary fees collected by an assessor shall be distributed as fol-  
22 lows: three dollars (\$3.00) shall be deposited in the county current expense  
23 fund and ~~two~~ six dollars (\$~~26~~.00) shall be transmitted to the department for  
24 deposit through the state treasurer in the highway distribution account.

25 SECTION 5. That Section 49-525, Idaho Code, be, and the same is hereby  
26 amended to read as follows:

27 49-525. SALVAGE-CERTIFIED VEHICLE -- INSPECTIONS -- BRANDING -- BRANDED  
28 CERTIFICATE OF TITLE. (1) The department shall issue a branded certificate of  
29 title on any motor vehicle for which a salvage certificate, salvage bill of  
30 sale or other documentation showing evidence that the vehicle has been  
31 declared salvage has been issued by this or any other state, provided, if doc-  
32 umentation of salvage certification has been received from another state, the  
33 requirements specified in section 49-524, Idaho Code, shall be applied to that  
34 vehicle.

35 (2) An initial vehicle identification number inspection and major compo-  
36 nent parts inspection shall be conducted by an authorized department employee  
37 and shall include examination of the vehicle and its parts to determine that  
38 the identification numbers of the vehicle or its parts have not been removed,  
39 falsified, altered, defaced or destroyed and that there are no indications  
40 that the vehicle or any of its parts are stolen. Such certification shall not  
41 attest to the roadworthiness or safety condition of the vehicle. The fee for  
42 initial inspection shall be ~~twenty-five~~ forty-four dollars (\$~~2544~~.00) and  
43 shall be deposited in the state highway account. The department may contract  
44 with private or public entities to conduct the inspections.

45 (a) If the inspector determines that one (1) major component part has  
46 damage requiring repair or replacement, the vehicle statement of facts  
47 shall indicate that the vehicle shall not be eligible for a certificate of  
48 title until it has been repaired and has been reinspected as a "repaired  
49 vehicle." The vehicle statement of facts shall indicate that the vehicle  
50 will require a "repaired vehicle" decal before issuance of a branded cer-  
51 tificate of title. The owner may then submit an application with all  
52 required supporting documents to the department for issuance of a certifi-  
53 cate of title.

1 (b) If the inspector determines that two (2) or more major component  
2 parts have damage requiring repair or replacement, or that the vehicle has

3 sustained flood damage, the vehicle shall not be eligible for a certifi-  
4 cate of title until it has been restored or reconstructed and has been  
5 reinspected as a reconstructed vehicle. The vehicle statement of facts  
6 shall indicate that the vehicle will require a "reconstructed vehicle"  
7 decal before issuance of a branded certificate of title.

8 The provisions of this subsection (2) shall not apply to a vehicle which is  
9 more than five (5) years old and which has a known market value of six thou-  
10 sand dollars (\$6,000) or less which has been determined to be a salvage vehi-  
11 cle.

12 (3) Every owner of a salvage vehicle which has been restored or repaired  
13 in this state to its operating condition, in compliance with chapter 9, title  
14 49, Idaho Code, shall, if the inspector issued a vehicle statement of facts as  
15 required in subsection (2) of this section, present the vehicle to the depart-  
16 ment for inspection as a reconstructed vehicle or as a repaired vehicle.

17 (a) If the inspector determines that the receipts for major component  
18 parts are valid, including the vehicle identification numbers of the vehi-  
19 cles from which the major component parts were removed, a "reconstructed  
20 vehicle" decal or a "repaired vehicle" decal shall be affixed to the vehi-  
21 cle and the statement of facts shall indicate that the vehicle has been  
22 branded and that the certificate of title shall be branded accordingly.

23 (b) The fee for issuance of a "reconstructed vehicle" decal or a  
24 "repaired vehicle" decal shall be ~~ten~~ eighteen dollars (\$108.00) and shall  
25 be deposited in the state highway account.

26 (c) The owner may then submit an application for branded certificate of  
27 title to the department which application shall be accompanied by the sal-  
28 vage bill of sale, salvage certificate or other documentation showing evi-  
29 dence that the vehicle has been declared salvage, vehicle statement of  
30 facts, indemnifying affidavit, bills of sale or invoices for major compo-  
31 nent parts and written affirmation which states:

32 1. That the owner personally rebuilt or repaired the vehicle or per-  
33 sonally supervised its rebuilding or repairing and includes a  
34 description of work done to restore the vehicle to the operating con-  
35 dition that existed prior to the event which caused the salvage cer-  
36 tificate to be issued;

37 2. That the identification numbers of the restored vehicle and its  
38 parts have not, to the knowledge of the owner, been removed,  
39 destroyed, falsified, altered or defaced;

40 3. That the salvage certificate document or out-of-state title cer-  
41 tificate attached to the application has not to the knowledge of the  
42 owner been forged, falsified or altered; and

43 4. That all information contained on the application and its attach-  
44 ments is true and correct.

45 (4) Upon presentation of the documents required by the department, the  
46 department shall issue a branded certificate of title which shall contain the  
47 word "reconstructed vehicle" or "repaired vehicle."

48 (5) If an otherwise correct application is made for a certificate of  
49 title on any salvage-certified vehicle which was not inspected as required by  
50 the provisions of subsection (2) of this section, the department shall brand  
51 the vehicle with a "reconstructed vehicle" decal and shall issue a branded  
52 certificate of title.

53 (6) If an otherwise correct application is made for a certificate of  
54 title on any salvage-certified vehicle which is not required to be inspected  
55 pursuant to the provisions of subsection (2) of this section, the department

1 shall issue a branded certificate of title as a "reconstructed vehicle" if the

2 application for a certificate of title is supported by a written affirmation  
3 of the owner which states:

4 (a) That the owner personally rebuilt or repaired the vehicle or person-  
5 ally supervised its rebuilding or repairing and includes a description of  
6 work done to restore the vehicle to the operating condition that existed  
7 prior to the event which caused the salvage certificate to be issued;

8 (b) That the identification numbers of the restored vehicle and its parts  
9 have not, to the knowledge of the owner, been removed, destroyed, falsi-  
10 fied, altered or defaced;

11 (c) That the salvage certificate document or out-of-state title certifi-  
12 cate attached to the application has not to the knowledge of the owner  
13 been forged, falsified or altered; and

14 (d) That all information contained on the application and its attachments  
15 is true and correct.

16 (7) Each branded certificate of title received from another jurisdiction  
17 shall have its brand carried forward to all subsequent certificates of title  
18 issued in this state.

19 (8) The department may promulgate rules as necessary to implement the  
20 provisions of sections 49-524 and 49-525, Idaho Code.

21 SECTION 6. That Section 49-1224, Idaho Code, be, and the same is hereby  
22 amended to read as follows:

23 49-1224. SELF-INSURERS. (1) Any person in whose name more than twenty-  
24 five (25) motor vehicles are registered and titled in Idaho, or engaged in the  
25 operation of a railroad, street railway system or public utility subject to  
26 the regulation of the public utilities commission irrespective of the number  
27 of vehicles registered, may qualify as a self-insurer by obtaining a certifi-  
28 cate of self-insurance issued by the department.

29 (2) The department may, in its discretion, issue a certificate of self-  
30 insurance and certificate of liability insurance in a form as the department  
31 prescribes when the department is satisfied that the person is possessed and  
32 will continue to be possessed of ability to pay judgments obtained against  
33 that person upon application, and providing a statement by a certified public  
34 accountant attesting the applicant's net worth is five hundred thousand dol-  
35 lars (\$500,000), a list of vehicles and an application fee of ~~forty~~ **seventy**  
36 dollars (\$470.00) which shall be deposited in the state highway account.

37 (3) The self-insurer will be required to submit an annual financial  
38 statement showing net worth of five hundred thousand dollars (\$500,000), a  
39 list of vehicles and a ~~forty~~ **seventy** dollar (\$470.00) issue fee to be depos-  
40 ited in the state highway account.

41 (4) Upon not less than five (5) days' notice and a hearing pursuant to  
42 the notice, the department may upon reasonable grounds cancel a certificate of  
43 self-insurance. Failure to pay any judgment within thirty (30) days after a  
44 judgment shall have become final shall constitute a reasonable ground for the  
45 cancellation of a certificate of self-insurance.

46 SECTION 7. That Section 49-1607, Idaho Code, be, and the same is hereby  
47 amended to read as follows:

48 49-1607. FEES -- FUNDS -- EXPENSES -- EXPIRATION OF LICENSES. (1) The  
49 department shall collect with each application for licensure, the following  
50 fees:

51 (a) Dealer's, wholesale dealer's and vehicle manufacturer's license, ini-

1 tial application, ~~one hundred twenty five~~ two hundred dollars (~~\$125~~200),  
2 ten dollars (\$10.00) of which shall be deposited in the county current  
3 expense fund. Renewal application, one hundred seventy-five dollars  
4 (~~\$100~~75).

5 (b) Vehicle salesman's license, ~~twenty five~~ thirty-six dollars  
6 (~~\$25~~36.00), ten dollars (\$10.00) of which shall be deposited in the county  
7 current expense fund.

8 (c) Distributor-factory branch-distributor branch license, one hundred  
9 seventy-five dollars (~~\$100~~75).

10 (d) Representative's license, ~~twenty five~~ forty-four dollars (~~\$25~~44.00).

11 (e) To reissue a license, salesman and dealer identification cards or  
12 other licensing documents at a dealer's request, not resulting from an  
13 error by the department, a fee of ~~ten~~ eighteen dollars (~~\$10~~18.00) per docu-  
14 ment.

15 (f) Supplemental lot license or relocated principal place of business,  
16 and temporary supplemental lot, ~~twenty five~~ forty-four dollars (~~\$25~~44.00)  
17 for license issued to a single dealer. A fee of ~~fifty~~ eighty-eight dollars  
18 (~~\$50~~88.00) for a license issued to a group of dealers for a temporary sup-  
19 plemental lot.

20 (2) All fees shall be paid over to the state treasurer for credit to the  
21 state highway account out of which shall be paid the expenses of the depart-  
22 ment and the expenses incurred in enforcing the provisions of this chapter.

23 (3) Dealer licenses, if not suspended or revoked, may be renewed from  
24 year to year upon the payment of the fees specified in this section to accom-  
25 pany applications, and renewals shall be made in accordance with the provi-  
26 sions of section 49-1634, Idaho Code.

27 (a) There shall be twelve (12) licensing periods, starting with January  
28 and ending in December. A dealer's license shall be in effect from the  
29 month of initial licensing through the last day of the next year's calen-  
30 dar month that precedes the month of the initial licensing.

31 (b) Any renewal license application received or postmarked after thirty  
32 (30) days from the end of the previous year's license period shall be  
33 processed as an initial application and initial fees shall be paid.

34 (4) Salesman licenses, if not suspended or revoked, shall be valid for  
35 three (3) years from the date of issue provided that:

36 (a) Employment remains with the sponsoring dealership; and

37 (b) The sponsoring dealership has a valid license issued by the depart-  
38 ment.

39 Renewals shall be issued in accordance with the provisions of section 49-1635,  
40 Idaho Code.

41 SECTION 8. That Section 49-2444, Idaho Code, be, and the same is hereby  
42 amended to read as follows:

43 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1) The  
44 department shall issue a distinguishing identification card which shall set  
45 forth the information contained in the application, in a form as prescribed by  
46 the department. All identification cards issued on or after January 1, 1993,  
47 shall not contain the applicant's social security number. An applicant's  
48 social security number shall be exempt from disclosure except for inquiries  
49 from agencies or institutions authorized to obtain such information by fed-  
50 eral law or regulation, from peace officers or from jury commissioners. Each  
51 card shall have printed on it the applicant's full name, date of birth, Idaho  
52 residence address, sex, weight, height, eye color, hair color, and shall be  
53 issued a distinguishing number assigned to the applicant. Each card shall also

1 have printed on it the name of this state, the date of issuance, and the date  
2 of expiration. An identification card shall not be valid until it has been  
3 signed on the signature line by the applicant. Each card shall bear upon it a  
4 color photograph of the applicant which shall be taken by the examiner at the  
5 time of application. The photograph shall be taken without headgear or other  
6 clothing or device that disguises or otherwise conceals the face or head of  
7 the applicant. A waiver may be granted by the department allowing the appli-  
8 cant to wear headgear or other head covering for medical, religious or safety  
9 purposes so long as the face is not disguised or otherwise concealed. At the  
10 request of the applicant, an identification card may contain a statement or  
11 indication of the medical condition of the applicant.

12 No person shall receive an identification card unless and until he surren-  
13 ders to the department all identification cards in his possession issued to  
14 him by Idaho or any other jurisdiction, or any driver's license issued by any  
15 other jurisdiction within the United States, or until he executes an affidavit  
16 that he does not possess an identification card or any driver's license.

17 Identification cards issued to persons under eighteen (18) years of age  
18 shall include a notation "under 18 until (month, day, year)," and identifica-  
19 tion cards issued to persons eighteen (18) years of age to twenty-one (21)  
20 years of age shall include a notation "under 21 until (month, day, year)." The  
21 nonrefundable fee for a four-year identification card issued to persons  
22 twenty-one (21) years of age or older shall be ~~seven~~ ten dollars ~~and fifty~~  
23 ~~cents~~ (~~\$7.50~~10.00) of which five dollars (\$5.00) shall be retained by the  
24 county and credited to the current expense fund, and ~~two~~ five dollars ~~and~~  
25 ~~fifty cents~~ (~~\$2.50~~5.00) shall be deposited in the state treasury to the  
26 credit of the highway distribution account. The nonrefundable fee for identi-  
27 fication cards issued to persons under twenty-one (21) years of age shall be  
28 ~~six~~ ten dollars ~~and fifty cents~~ (~~\$6.50~~10.00), of which five dollars (\$5.00)  
29 shall be retained by the county and credited to the current expense fund, and  
30 ~~one~~ five dollars ~~and fifty cents~~ (~~\$1.50~~5.00) shall be deposited in the state  
31 treasury to the credit of the highway distribution account. The nonrefundable  
32 fee for an eight-year identification card shall be ~~fifteen~~ twenty dollars  
33 (~~\$15~~20.00) of which ten dollars (\$10.00) shall be retained by the county and  
34 credited to the current expense fund, and ~~five~~ ten dollars (~~\$5~~10.00) shall be  
35 deposited in the state treasury to the credit of the highway distribution  
36 account. At the option of the applicant, the identification card issued to a  
37 person twenty-one (21) years of age or older shall expire either on the  
38 cardholder's birthday in the fourth year or the eighth year following issuance  
39 of the card. Every identification card issued to a person under eighteen (18)  
40 years of age shall expire five (5) days after the person's eighteenth birth-  
41 day. Every identification card issued to a person eighteen (18) years of age  
42 but under twenty-one (21) years of age shall expire five (5) days after the  
43 person's twenty-first birthday.

44 Individuals required to register in compliance with section 3 of the fed-  
45 eral military selective service act, 50 U.S.C. App. 451 et seq., as amended,  
46 shall be provided an opportunity to fulfill such registration requirements in  
47 conjunction with an application for an identification card. Any registration  
48 information so supplied shall be transmitted by the department to the selec-  
49 tive service system.

50 (2) Every identification card, except those issued to persons under  
51 twenty-one (21) years of age, shall be renewable on or before its expiration,  
52 but not more than twelve (12) months before, and upon application and payment  
53 of the required fee.

54 (3) When an identification card has been expired for less than twelve  
55 (12) months, the renewal of the identification card shall start from the orig-

1 inal date of expiration regardless of the year in which the application for  
 2 renewal is made. If the identification card is expired for more than twelve  
 3 (12) months, the application shall expire, at the option of the applicant, on  
 4 the applicant's birthday in the fourth year or the eighth year following reissuance of the identification card.

6 (4) A person possessing an identification card who desires to donate any  
 7 or all organs or tissue in the event of death, and who has completed a document of gift pursuant to the provisions for donation of anatomical gifts as set forth in chapter 34, title 39, Idaho Code, may, at the option of the donor, indicate this desire on the identification card by the imprinting of the word "donor" on the identification card. The provisions of this subsection shall apply to persons possessing an identification card who are sixteen (16) years of age or older but less than eighteen (18) years of age if the requirements provided in chapter 34, title 39, Idaho Code, have been complied with.

15 (5) A person possessing an identification card or an applicant for an identification card who is a person with a permanent disability may request that the notation "permanently disabled" be imprinted on the identification card, provided the person presents written certification from a licensed physician verifying that the person's stated impairment qualifies as a permanent disability according to the provisions of section 49-117, Idaho Code.

21 (6) In the case of a name change, the applicant shall provide legal documentation to verify the change in accordance with department rules.

23 (7) Whenever any person, after applying for or receiving an identification card, shall move from the address shown on the application or on the identification card issued, that person shall, within thirty (30) days, notify the transportation department in writing of the old and new addresses.

27 (8) The department shall cancel any identification card upon determining that the person was not entitled to the issuance of the identification card, or that the person failed to give the required and correct information in his application or committed fraud in making the application. Upon cancellation, the person shall surrender the canceled identification card to the department.

32 (9) If any person shall fail to return to the department the identification card as required, the department may direct any peace officer to secure its possession and return the identification card to the department.

35 (10) The department may issue a no-fee identification card to an individual whose driver's license has been canceled and voluntarily surrendered as provided in section 49-322(4), Idaho Code. The identification card may be renewed at no cost to the applicant as long as the driver's license remains canceled.

40 (11) It is an infraction for any person to fail to notify the department of a change of address as required by the provisions of subsection (7) of this section.

43 SECTION 9. This act shall be in full force and effect on and after January 1, 2008.  
 44

## Statement of Purpose / Fiscal Impact

STATEMENT OF PURPOSE

RS 16740

This bill would raise the fees for Division of Motor Vehicles services by seventy-five (75) percent. Fees for services include, but are not limited to, issuing driver's licenses; title transfers; furnishing copies of registration or ownership of motor vehicles or driver's license records; replacing registration stickers; and issuance on unassigned or replacement vehicle identification number. Funds from these fees will be deposited into the State Highway Account and will be used by the Idaho Transportation Department of fund operations of the department and restore a state-funded construction program that has been depleted due to hyper-inflation and diminished buying power. This bill allows for the continuation of exempting fees when the service is furnished to any federal, state, county or city peace officer when such service is required in the performance of their duties as peace officers.

#### FISCAL NOTE

The Idaho Transportation Department estimates that this change will increase revenue from fee increases for vehicle titles, driver's licenses and related DMV services by \$13.1 million annually to the State Highway Account.

The one-time costs associated with implementing this legislation is estimated to be \$72,000 which includes 600 hours of system programming by contract programmers (\$45,000) and forms development/printing (\$27,000).

#### EFFECTIVE DATE

The effective date of the fee increases will be January 1, 2008. This date will allow the department to complete the necessary system programming to implement these fee increases.

#### CONTACT

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