

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 527

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR UNITED STATES CITIZENSHIP; AMENDING SECTION 49-315, IDAHO CODE, TO PROVIDE FOR UNITED STATES CITIZENSHIP; AMENDING SECTION 49-321, IDAHO CODE, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-2444, IDAHO CODE, TO PROVIDE FOR UNITED STATES CITIZENSHIP STATUS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

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

- (a) Class A, B, C (4-year) license with endorsements --  
age 21 years and older .....\$40.00
- (b) Class A, B, C (3-year) license with endorsements --  
age 18 to 21 years .....\$30.00
- (c) Class A, B, C (1-year) license with endorsements --  
age 20 years .....\$15.00
- (d) Class D (3-year) license -- under age 18 years .....\$30.00
- (e) Class D (3-year) license -- age 18 to 21 years .....\$30.00
- (f) Class D (1-year) license -- age 17 years or age 20 years .....\$20.00
- (g) Four-year Class D license -- age 21 years and older .....\$35.00
- (h) Eight-year Class D license -- age 21 to 63 years .....\$60.00
- (i) Commercial learner's permit .....\$29.00
- (j) Class D instruction permit or supervised instruction permit  
.....\$20.00
- (k) Duplicate driver's license or permit issued under  
section 49-318, Idaho Code .....\$20.00
- (l) Driver's license extension issued under section  
49-319, Idaho Code .....\$10.00
- (m) License classification change (upgrade) .....\$30.00
- (n) Endorsement addition .....\$20.00

- 1 (o) Class A, B, C skills tests not more than .....\$200.00
- 2 (p) Class D skills test not more than .....\$35.00
- 3 (q) Motorcycle endorsement skills test not more than .....\$25.00
- 4 (r) Knowledge test .....\$ 5.00
- 5 (s) Seasonal driver's license .....\$44.00
- 6 (t) Onetime motorcycle "M" endorsement .....\$15.00
- 7 (u) Motorcycle endorsement instruction permit .....\$15.00
- 8 (v) Restricted driving permit or restricted school attendance
- 9 driving permit .....\$60.00

10 (2) A person who applies for a driver's license or a driver's license  
 11 renewal may designate a voluntary contribution of two dollars (\$2.00) for  
 12 the purpose of promoting and supporting organ donation. Such a contribution  
 13 shall be treated as a voluntary contribution to the organ donation contribu-  
 14 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-  
 15 cense fee.

16 (3) Every application shall state the true and full name, date of birth,  
 17 sex, declaration of Idaho residency, Idaho residence address and mailing ad-  
 18 dress, if different, of the applicant, height, weight, hair color, and eye  
 19 color, and the applicant's social security number as verified by the social  
 20 security administration. If an applicant has submitted an application pur-  
 21 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-  
 22 cant may state, in his or her application pursuant to this section, the ap-  
 23 plicant's alternative Idaho mailing address in place of his or her Idaho res-  
 24 idence address and mailing address. Notwithstanding the provisions of sec-  
 25 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or  
 26 C driver's license or nondomiciled commercial learner's permit having res-  
 27 idency in a state that is prohibited from issuing class A, B or C driver's  
 28 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-  
 29 cepted from providing proof of Idaho residency and an Idaho mailing address.

30 (a) The requirement that an applicant provide a social security number  
 31 as verified by the social security administration shall apply only to  
 32 applicants who have been assigned a social security 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 admin-  
 36 istration that the applicant has not been assigned a social secu-  
 37 rity number; and
- 38 (ii) Submit a birth certificate, passport or other documentary  
 39 evidence issued by an entity other than a state or the United  
 40 States; and
- 41 (iii) Submit such proof as the department may require that the ap-  
 42 plicant is lawfully present in the United States.

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

48 (c) Every application for a class A, B or C license shall state where the  
 49 applicant has been licensed for the preceding ten (10) years and under  
 50 which of the following driving categories the applicant will operate:

1 (i) Non-excepted interstate. The applicant operates or expects  
2 to operate in interstate commerce, and is required to provide a  
3 medical examiner's certificate;

4 (ii) Excepted interstate. The applicant operates or expects to  
5 operate in interstate commerce, but engages exclusively in trans-  
6 portation or operations excepted by the federal motor carrier  
7 safety administration from all or parts of the qualification re-  
8 quirements of federal motor carrier safety regulation 49, part  
9 391, and is therefore not required to provide a medical examiner's  
10 certificate;

11 (iii) Non-excepted intrastate. The applicant operates only in  
12 intrastate commerce and is subject to and meets all Idaho driver  
13 qualification requirements and the applicable parts of federal  
14 motor carrier safety regulation 49, part 391, and is required to  
15 provide a medical examiner's certificate; or

16 (iv) Excepted intrastate. The applicant operates in intrastate  
17 commerce, but engages exclusively in exempted transportation or  
18 operations as listed in section 67-2901B(2), Idaho Code, and the  
19 applicable parts of federal motor carrier safety regulation 49,  
20 part 391, and is therefore not required to provide a medical exam-  
21 iner's certificate.

22 All applications shall also state whether the applicant has previously  
23 been licensed as a driver, and if so, when and by what state or country,  
24 and whether a driver's license or privileges have ever been suspended,  
25 revoked, denied, disqualified, canceled or whether an application has  
26 ever been refused, and if so, the date of and reason for the suspension,  
27 revocation, denial, disqualification, cancellation or refusal and the  
28 applicant's oath that all information is correct as signified by the ap-  
29 plicant's signature.

30 (d) The applicant must submit proof of identity and citizenship sta-  
31 tus acceptable to the examiner or the department and date of birth as  
32 set forth in a certified copy of his birth certificate. When a certified  
33 copy of his birth certificate or a delayed birth certificate is impossi-  
34 ble to obtain from a vital statistics agency, another government-issued  
35 document may be submitted that provides satisfactory evidence of a per-  
36 son's full legal name and date of birth acceptable to the examiner or the  
37 department.

38 (e) Every applicant for a class A, B or C driver's license or commer-  
39 cial learner's permit shall provide proof of United States citizenship  
40 or lawful permanent residency in the United States upon application for  
41 issuance, transfer, upgrade or renewal, unless the applicant's driving  
42 record already contains documentation confirming United States citi-  
43 zenship or lawful permanent residency. Every applicant for a nondomi-  
44 ciled class A, B or C driver's license or commercial learner's permit  
45 domiciled in a foreign country must provide an unexpired employment au-  
46 thorization document issued by the department of homeland security or  
47 an unexpired foreign passport accompanied by an approved I-94 form doc-  
48 umenting the applicant's most recent admittance into the United States.

49 (f) Individuals required to register in compliance with section 3 of  
50 the federal military selective service act, 50 U.S.C. App. 451 et seq.,

1 as amended, shall be provided an opportunity to fulfill such registra-  
2 tion requirements in conjunction with an application for a driver's li-  
3 cense, commercial learner's permit or instruction permit. Any regis-  
4 tration information so supplied shall be transmitted by the department  
5 to the selective service system.

6 (4) Whenever an application is received from a person previously li-  
7 censed in another jurisdiction, the department shall request a copy of the  
8 driver's record from the other jurisdiction and shall contact the national  
9 driver register. When received, the driver's record from the previous ju-  
10 risdiction shall become a part of the driver's record in this state with the  
11 same force and effect as though entered on the driver's record in this state  
12 in the original instance.

13 (5) Whenever the department receives a request for a driver's record  
14 from another licensing jurisdiction, the record shall be forwarded without  
15 charge.

16 (6) The department shall contact and notify the commercial driver li-  
17 cense information system of the proposed application for a class A, B or C  
18 driver's license or commercial learner's permit to ensure identification of  
19 the person and to obtain clearance to issue the license.

20 (7) When the fees required under this section are collected by a county  
21 officer, they shall, except as provided in subsection (8) of this section,  
22 be paid over to the county treasurer not less often than monthly, who shall  
23 immediately:

24 (a) Deposit an amount equal to five dollars (\$5.00) from each commer-  
25 cial license, ten dollars (\$10.00) from each driver's license except  
26 an eight-year class D license, or any class D instruction permit appli-  
27 cation fees, application for a duplicate driver's license or permit,  
28 classification change, seasonal driver's license and additional en-  
29 dorsement, and fifteen dollars (\$15.00) from each eight-year class D  
30 driver's license, in the current expense fund;

31 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle  
32 endorsement and motorcycle endorsement instruction permit fee in the  
33 current expense fund;

34 (c) Deposit an amount equal to five dollars (\$5.00) from each fee for a  
35 knowledge test in the current expense fund;

36 (d) Deposit an amount up to twenty-five dollars (\$25.00) from each fee  
37 for a motorcycle endorsement skills test in the current expense fund;  
38 provided however, if a contractor administers the skills test he shall  
39 be entitled to the entire fee;

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

41 (f) Deposit up to twenty-eight dollars and fifty cents (\$28.50) from  
42 each fee for a class D skills test into the county current expense fund,  
43 unless the test is administered by a department-approved contractor, in  
44 which case the contractor shall be entitled to up to twenty-eight dol-  
45 lars and fifty cents (\$28.50) of each fee.

46 (8) When the fees required under this section are collected by the de-  
47 partment or an agent authorized by the department, they shall be paid over  
48 to the state treasurer. When the department or an agent authorized by the  
49 department collects the fees required under this section, the portion of

1 fees to be retained by the county shall be retained by the issuing authorized  
2 agent.

3 (9) The state treasurer shall distribute the moneys received from fees  
4 imposed by the provisions of this section, whether collected by a county of-  
5 ficer or by a state officer or agency as follows:

6 (a) Two dollars (\$2.00) of each fee for a four-year driver's license  
7 or seasonal driver's license, and four dollars (\$4.00) of each fee for  
8 an eight-year class D driver's license, and one dollar and fifty cents  
9 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-  
10 tion (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each  
11 fee charged for driver's licenses pursuant to subsection (1) (c) and  
12 (f) of this section shall be deposited in the emergency medical ser-  
13 vices fund II created in section 56-1018A, Idaho Code, and four dollars  
14 (\$4.00) of each fee charged pursuant to subsection (1) (a), (g) and (s)  
15 of this section and eight dollars (\$8.00) of each fee charged pursuant  
16 to subsection (1) (h) of this section and three dollars (\$3.00) of each  
17 fee for driver's licenses pursuant to subsection (1) (b), (d) and (e) of  
18 this section, and one dollar (\$1.00) of each fee charged for driver's  
19 licenses pursuant to subsection (1) (c) and (f) of this section shall be  
20 deposited in the emergency medical services fund III created in section  
21 56-1018B, Idaho Code;

22 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
23 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
24 of each fee charged for a license pursuant to subsection (1) (b) of this  
25 section, and eight dollars and sixteen cents (\$8.16) of each fee charged  
26 for a license pursuant to subsection (1) (c) of this section shall be de-  
27 posited in the state highway account;

28 (c) Twenty dollars (\$20.00) of each fee for a commercial learner's per-  
29 mit or driver's license classification change shall be deposited in the  
30 state highway account;

31 (d) Four dollars (\$4.00) of each fee for a commercial learner's permit  
32 shall be deposited in the emergency medical services fund III created in  
33 section 56-1018B, Idaho Code;

34 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class  
35 A, B or C driver's license, class A, B or C driver's license extension,  
36 or additional endorsement shall be deposited in the state highway ac-  
37 count;

38 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle  
39 endorsement and motorcycle endorsement instruction permit shall be de-  
40 posited in the state highway account;

41 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
42 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
43 each fee for an eight-year class D driver's license, and four dollars  
44 (\$4.00) of each fee charged for a license pursuant to subsection (1) (d)  
45 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
46 of each fee charged for a license pursuant to subsection (1) (f) of this  
47 section shall be deposited in the driver training account;

48 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
49 four-year class D driver's license, and twenty dollars and forty cents  
50 (\$20.40) of each fee for an eight-year class D driver's license, and ten

1 dollars and fifty cents (\$10.50) of each fee charged for a license pur-  
2 suant to subsection (1) (d) and (e) of this section, and six dollars and  
3 eighty-three cents (\$6.83) of each fee charged for a license pursuant  
4 to subsection (1) (f) of this section shall be deposited in the highway  
5 distribution account;

6 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-  
7 struction permit, duplicate class D license or permit, and class D li-  
8 cense extension shall be deposited in the driver training account;

9 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D in-  
10 struction permit, duplicate class D license or permit, and class D li-  
11 cense extension shall be deposited in the highway distribution account;

12 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test  
13 shall be deposited in the state highway account;

14 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
15 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
16 class D driver's license, and one dollar (\$1.00) of each fee charged for  
17 a license pursuant to subsection (1) (b), (d) and (e) of this section,  
18 and thirty-four cents (34¢) of each fee charged for a license pursuant  
19 to subsection (1) (c) and (f) of this section shall be deposited in the  
20 motorcycle safety program fund established in section 33-4904, Idaho  
21 Code;

22 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills  
23 test shall be deposited into the state highway account; and

24 (n) Each voluntary contribution of two dollars (\$2.00) as described in  
25 subsection (2) of this section, less actual administrative costs asso-  
26 ciated with collecting and transferring such contributions, shall be  
27 deposited into the organ donation contribution fund created in section  
28 49-2447, Idaho Code.

29 (10) The contractor administering a class A, B or C skills test shall  
30 be entitled to not more than one hundred ninety dollars (\$190) of the skills  
31 test fee. A contractor administering a class A, B or C skills test may col-  
32 lect an additional fee for the use of the contractor's vehicle for the skills  
33 test.

34 (11) Sixty dollars (\$60.00) of each restricted driving permit and each  
35 restricted school attendance driving permit shall be deposited in the state  
36 highway account.

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

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

42 (b) Will be valid for seasonal periods that begin on the date of is-  
43 suance and that are not to exceed one hundred eighty (180) days in a  
44 twelve (12) month period;

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

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

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

1 (13) The department may issue seasonal class B or C driver's licenses to  
2 drivers who:

3 (a) Have not violated the single license provisions of applicable fed-  
4 eral regulations;

5 (b) Have not had any license suspensions, revocations or cancella-  
6 tions;

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

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

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

13 SECTION 2. That Section 49-315, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15 49-315. LICENSES ISSUED TO DRIVERS. (1) The department shall issue  
16 to every qualifying applicant a distinguishing driver's license as applied  
17 for, which shall bear a distinguishing number assigned to the licensee, the  
18 full name, date of birth, Idaho residence address, sex, weight, height, eye  
19 color, hair color, color photograph, name of this state, date of issuance,  
20 date of expiration, license class, endorsements, restrictions, and the ap-  
21 plicant's signature. If an applicant has submitted an application pursuant  
22 to the provisions of chapter 58, title 19, Idaho Code, then the applicant's  
23 driver's license shall contain his or her alternative Idaho mailing address  
24 in place of his or her Idaho residence address. Driver's licenses for per-  
25 sons under eighteen (18) years of age shall include a notation "under 18  
26 until (month, day, year)," and driver's licenses for persons eighteen (18)  
27 years of age to twenty-one (21) years of age shall include a notation "under  
28 21 until (month, day, year)." No driver's license shall be valid until it has  
29 been signed on the signature line of the license by the licensee. Driver's  
30 licenses for persons who are United States citizens may include the notation  
31 "USA."

32 (2) Every driver's license shall bear a color photograph of the li-  
33 censee, which shall be taken by the examiner at the time the application is  
34 made. The photograph shall be taken without headgear or other clothing or  
35 device that disguises or otherwise conceals the face or head of the appli-  
36 cant. A waiver may be granted by the department allowing the applicant to  
37 wear headgear or other head covering for medical, religious or safety pur-  
38 poses as long as the face is not disguised or otherwise concealed. At the  
39 request of the applicant, a driver's license may contain a statement or indi-  
40 cation of the medical condition of the licensee.

41 (3) The department shall notify the commercial driver license infor-  
42 mation system that a class A, B or C driver's license has been issued as re-  
43 quired by 49 CFR parts 383 and 384.

44 (4) A licensee applying for a hazardous material endorsement on a  
45 driver's license shall have a security background records check and shall  
46 receive clearance from the federal transportation security administration  
47 before the endorsement can be issued, renewed or transferred as required  
48 by 49 CFR part 383, subject to procedures established by the federal trans-  
49 portation security administration.

1 (5) A licensee who desires to donate any or all organs or tissue in the  
 2 event of death, and who has completed a document of gift pursuant to the pro-  
 3 visions for donation of anatomical gifts as set forth in chapter 34, title  
 4 39, Idaho Code, may, at the option of the donor, indicate this desire on the  
 5 driver's license by the imprinting of the word "donor" on the license. The  
 6 provisions of this subsection shall apply to licensees fifteen (15) years of  
 7 age or older but less than eighteen (18) years of age if the requirements pro-  
 8 vided in chapter 34, title 39, Idaho Code, have been complied with and the  
 9 donor indicates this desire be placed on the license.

10 (6) A licensee who is a person with a permanent disability may request  
 11 that the notation "permanently disabled" be imprinted on the driver's li-  
 12 cense, provided the licensee presents written certification from a licensed  
 13 physician verifying that the licensee's stated impairment qualifies as a  
 14 permanent disability according to the provisions of section 49-117, Idaho  
 15 Code.

16 (7) A licensee who is a veteran may request that his or her status as  
 17 such be designated on the driver's license at no additional cost. Any such  
 18 request shall be accompanied by proof of being a current or former member of  
 19 the United States armed forces. Upon request and submission of satisfactory  
 20 proof, the department shall indicate such person's status as a veteran on any  
 21 class of driver's license issued pursuant to this section. Such designation  
 22 shall be made upon original issuance or renewal of a driver's license. Des-  
 23 ignation shall also be made on any duplicate driver's license issued, pro-  
 24 vided that the fee for such duplicate driver's license is paid in accordance  
 25 with section 49-306, Idaho Code.

26 Satisfactory proof of being a current or former member of the United  
 27 States armed forces must be furnished by an applicant to the department  
 28 before a designation of veteran status will be indicated on any class of  
 29 driver's license. Acceptable proof shall be a copy of form DD214 or an equiv-  
 30 alent document or statement from the department of veterans affairs that  
 31 identifies a character of service upon separation as "honorable" or "general  
 32 under honorable conditions."

33 SECTION 3. That Section 49-321, Idaho Code, be, and the same is hereby  
 34 amended to read as follows:

35 49-321. RECORDS TO BE KEPT BY THE DEPARTMENT. (1) The department shall  
 36 file every application for a driver's license received by it and shall main-  
 37 tain suitable indices containing:

38 (a) All applications denied and on each note the reason for denial;

39 (b) All applications granted;

40 (c) The name of every licensee whose driver's license has been sus-  
 41 pended, revoked, canceled, denied or disqualified by the department and  
 42 after each name note the reasons for the action;

43 (d) The driver's license number for the applicant; ~~and~~

44 (e) The social security number of the applicant; ~~and~~

45 (f) Record of the proof relied upon by the department in determining the  
 46 applicant's status as a United States citizen or non-United States cit-  
 47 izen.

48 (2) The department shall file the original or copy of the medical exam-  
 49 iner's certificates, medical exemption letters and skill performance evalu-



1 ation certificates of all commercial driver's license or instruction permit  
2 holders required to provide documentation of their physical qualification.  
3 The department shall maintain the document(s) for a period of three (3) years  
4 beyond the date the certificate or document was issued.

5 (3) The department shall also file all accident reports and abstracts  
6 of court records of convictions received by it under the law from any juris-  
7 diction and is authorized to forward records of convictions, suspensions or  
8 disqualifications to any jurisdiction. Records may be in either paper or  
9 electronic form. The department shall maintain convenient records or make  
10 suitable notations in order that an individual record of each licensee show-  
11 ing the convictions and the traffic accidents in which the licensee has been  
12 involved shall be readily ascertainable and available for consideration of  
13 the department upon any application for renewal of a driver's license and at  
14 other suitable times.

15 (4) The department of health and welfare, on or about the 25th day of  
16 each month, shall, upon the request of the department, furnish the depart-  
17 ment a listing showing the name, age, county of residence, and residence  
18 address of each Idaho resident who has died during the preceding month. The  
19 listing shall be used only for purposes of updating the driver's license  
20 files of the department and shall be subject to disclosure according to chap-  
21 ter 1, title 74, Idaho Code.

22 (5) The department, upon request by the office of the secretary of  
23 state, shall provide the office of the secretary of state with a digital copy  
24 of the driver's license or identification card signature of a person who is  
25 an applicant for voter registration pursuant to section 34-409, Idaho Code.

26 SECTION 4. That Section 49-2444, Idaho Code, be, and the same is hereby  
27 amended to read as follows:

28 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
29 The department shall issue a distinguishing identification card that shall  
30 set forth the information contained in the application, in a form as pre-  
31 scribed by the department. All identification cards issued on or after Jan-  
32 uary 1, 1993, shall not contain the applicant's social security number. An  
33 applicant's social security number shall be exempt from disclosure except  
34 for inquiries from agencies or institutions authorized to obtain such infor-  
35 mation by federal law or regulation, from peace officers, or from jury com-  
36 missioners. Each card shall have printed on it the applicant's full name,  
37 date of birth, Idaho residence address, sex, weight, height, eye color, and  
38 hair color and shall be issued a distinguishing number assigned to the ap-  
39 plicant. If an applicant has submitted an application pursuant to the provi-  
40 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-  
41 tion card shall contain his or her alternative Idaho mailing address in place  
42 of his or her Idaho residence address. Each card shall also have printed on  
43 it the name of this state, the date of issuance, and the date of expiration.  
44 An identification card shall not be valid until it has been signed on the sig-  
45 nature line by the applicant. Each card shall bear upon it a color photograph  
46 of the applicant, which shall be taken by the examiner at the time of appli-  
47 cation. The photograph shall be taken without headgear or other clothing or  
48 device that disguises or otherwise conceals the face or head of the appli-  
49 cant. A waiver may be granted by the department allowing the applicant to

1 wear headgear or other head covering for medical, religious or safety pur-  
2 poses as long as the face is not disguised or otherwise concealed. At the re-  
3 quest of the applicant, an identification card may contain a statement or in-  
4 dication of the medical condition of the applicant.

5 (2) No person shall receive an identification card unless and until he  
6 surrenders to the department all identification cards in his possession is-  
7 sued to him by Idaho or any other jurisdiction, or any driver's license is-  
8 sued by any other jurisdiction within the United States, or until he executes  
9 an affidavit that he does not possess an identification card or any driver's  
10 license.

11 (3) Identification cards issued to persons under eighteen (18) years of  
12 age shall include a notation "under 18 until (month, day, year)," and iden-  
13 tification cards issued to persons eighteen (18) years of age to twenty-one  
14 (21) years of age shall include a notation "under 21 until (month, day,  
15 year)." The nonrefundable fee for a four (4) year identification card issued  
16 to persons twenty-one (21) years of age or older shall be fifteen dollars  
17 (\$15.00), of which ten dollars (\$10.00) shall be retained by the county  
18 and credited to the current expense fund, and five dollars (\$5.00) shall be  
19 deposited in the state treasury to the credit of the highway distribution  
20 account. The nonrefundable fee for identification cards issued to persons  
21 under twenty-one (21) years of age shall be ten dollars (\$10.00), of which  
22 five dollars (\$5.00) shall be retained by the authorized issuing agent or,  
23 if issued by the county, shall be credited to the current expense fund, and  
24 five dollars (\$5.00) shall be deposited in the state treasury to the credit  
25 of the highway distribution account. The nonrefundable fee for an eight (8)  
26 year identification card shall be twenty-five dollars (\$25.00), of which  
27 fifteen dollars (\$15.00) shall be retained by the authorized issuing agent  
28 or, if issued by the county, shall be credited to the current expense fund,  
29 and ten dollars (\$10.00) shall be deposited in the state treasury to the  
30 credit of the highway distribution account. At the option of the applicant,  
31 the identification card issued to a person twenty-one (21) years of age or  
32 older shall expire either on the card holder's birthday in the fourth year or  
33 the eighth year following issuance of the card, except as otherwise provided  
34 in subsection (37) of this section. Every identification card issued to a  
35 person under eighteen (18) years of age shall expire five (5) days after the  
36 person's eighteenth birthday, except as otherwise provided in subsection  
37 (37) of this section. Every identification card issued to a person eighteen  
38 (18) years of age but under twenty-one (21) years of age shall expire five (5)  
39 days after the person's twenty-first birthday, except as otherwise provided  
40 in subsection (37) of this section.

41 (4) Individuals required to register in compliance with section 3 of  
42 the federal military selective service act, 50 U.S.C. App. 451 et seq., as  
43 amended, shall be provided an opportunity to fulfill such registration re-  
44 quirements in conjunction with an application for an identification card.  
45 Any registration information so supplied shall be transmitted by the depart-  
46 ment to the selective service system.

47 (25) Every identification card, except those issued to persons under  
48 twenty-one (21) years of age, shall be renewable on or before its expiration,  
49 but not more than twenty-five (25) months before, and upon application and  
50 payment of the required fee.

1           (36) The applicant for an identification card must submit proof of  
2 identity and citizenship status acceptable to the examiner or the department  
3 and date of birth as set forth in a certified copy of his birth certificate.  
4 When a certified copy of his birth certificate or a delayed birth certificate  
5 is impossible to obtain from a vital statistics agency, another govern-  
6 ment-issued document may be submitted that provides satisfactory evidence  
7 of a person's full legal name and date of birth acceptable to the examiner or  
8 the department.

9           (7) Every identification card issued to a person who is a citizen of  
10 the United States may include the notation "USA." Every identification card  
11 issued to a person who is not a citizen or permanent legal resident of the  
12 United States shall have an expiration date that is the same date as the end  
13 of lawful stay in the United States as indicated on documents issued and ver-  
14 ified by the department of homeland security, provided however, that the ex-  
15 piration date shall not extend beyond the expiration date for the same cate-  
16 gory of identification card issued to citizens. Persons whose department of  
17 homeland security documents do not state an expiration date shall be issued  
18 an identification card with an expiration date of one (1) year from the date  
19 of issuance.

20           (48) When an identification card has been expired for less than twenty-  
21 five (25) months, the renewal of the identification card shall start from  
22 the original date of expiration, regardless of the year in which the applica-  
23 tion for renewal is made. If the identification card is expired for more than  
24 twenty-five (25) months, the application shall expire, at the option of the  
25 applicant, on the applicant's birthday in the fourth year or the eighth year  
26 following reissuance of the identification card, except as otherwise pro-  
27 vided in subsection (37) of this section.

28           (59) (a) If an Idaho identification card has expired or will expire  
29 and the identification card holder is temporarily out of state, except  
30 on active military duty, the identification card holder may request  
31 in writing on a form prescribed by the department an extension of the  
32 identification card. The request shall be accompanied by the fee  
33 fixed in section 49-306, Idaho Code, and the extension shall be no more  
34 than a twelve (12) month period. If the department determines that an  
35 extension of the identification card is necessary, it may issue an iden-  
36 tification card showing the date to which the expired identification  
37 card is extended. Identification card extensions are limited to two (2)  
38 consecutive extensions per identification card holder.

39           (b) Upon returning to the state of Idaho, the identification card  
40 holder shall, within ten (10) days, apply for a renewal of the expired  
41 identification card and surrender the extended identification card and  
42 the expired identification card.

43           (610) An Idaho identification card issued to any person prior to serv-  
44 ing on active duty in the armed forces of the United States, or a member of the  
45 immediate family accompanying such a person, if valid and in full force and  
46 effect upon entering active duty, shall remain in full force and effect and  
47 shall, upon application, be extended for a period of four (4) years as long  
48 as active duty continues, and the identification card shall remain in full  
49 force and effect sixty (60) days following the date the card holder is re-  
50 leased from active duty.

1           (711) A person possessing an identification card who desires to donate  
2 any or all organs or tissue in the event of death, and who has completed a  
3 document of gift pursuant to the provisions for donation of anatomical gifts  
4 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the  
5 donor, indicate this desire on the identification card by the imprinting of  
6 the word "donor" on the identification card. The provisions of this subsec-  
7 tion shall apply to persons possessing an identification card who are fif-  
8 teen (15) years of age or older but less than eighteen (18) years of age if  
9 the requirements provided in chapter 34, title 39, Idaho Code, have been com-  
10 plied with.

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

17           (913) A person who is a veteran may request that his or her status as such  
18 be designated on an identification card at no additional cost. Any such re-  
19 quest shall be accompanied by proof of being a current or former member of  
20 the United States armed forces. Upon request and submission of satisfactory  
21 proof, the department shall indicate such person's status as a veteran on any  
22 identification card issued pursuant to the provisions of this section. Such  
23 designation shall be made upon original issuance or renewal of an identifi-  
24 cation card. Designation shall also be made on any duplicate identification  
25 card issued, provided that the fee for such duplicate card is paid in accor-  
26 dance with this section.

27           (14) Satisfactory proof of being a current or former member of the  
28 United States armed forces must be furnished by an applicant to the de-  
29 partment before a designation of veteran status will be indicated on any  
30 identification card. Acceptable proof shall be a copy of form DD214 or an  
31 equivalent document or statement from the department of veterans affairs  
32 that identifies a character of service upon separation as "honorable" or  
33 "general under honorable conditions."

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

36           (116) Whenever any person, after applying for or receiving an identifi-  
37 cation card, shall move from the address shown on the application or on the  
38 identification card issued, that person shall, within thirty (30) days, no-  
39 tify the transportation department in writing of the old and new addresses.

40           (127) The department shall cancel any identification card upon deter-  
41 mining that the person was not entitled to the issuance of the identification  
42 card or that the person failed to give the required and correct information  
43 in his application or committed fraud in making the application. Upon can-  
44 cellation, the person shall surrender the canceled identification card to  
45 the department.

46           (138) If any person shall fail to return to the department the identifi-  
47 cation card as required, the department may direct any peace officer to se-  
48 cure its possession and return the identification card to the department.

49           (149) The department may issue a no-fee identification card to an indi-  
50 vidual whose driver's license has been canceled and voluntarily surrendered

1 as provided in section 49-322(5), Idaho Code. The identification card may be  
2 renewed at no cost to the applicant as long as the driver's license remains  
3 canceled.

4 (~~1520~~) It is an infraction for any person to fail to notify the depart-  
5 ment of a change of address as required by the provisions of subsection (~~116~~)  
6 of this section.

7 SECTION 5. An emergency existing therefor, which emergency is hereby  
8 declared to exist, this act shall be in full force and effect on and after  
9 January 1, 2023.