

IN THE SENATE

SENATE BILL NO. 1254

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-2426, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING CERTAIN GOVERNMENT VEHICLES THAT ARE EXEMPT FROM
3 CERTAIN MARKINGS; AND AMENDING SECTION 49-2427, IDAHO CODE, TO REVISE
4 A PROVISION REGARDING LIGHTING ON STATE POLICE VEHICLES, TO PROVIDE AN
5 EXEMPTION FOR CERTAIN VEHICLES AND TO MAKE TECHNICAL CORRECTIONS.
6

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

8 SECTION 1. That Section 49-2426, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 49-2426. MARKING OF VEHICLES -- CERTAIN VEHICLES EXCEPTED. (1) Every
11 motor vehicle owned by or under control and custody of the state of Idaho, ex-
12 cept as provided in subsections (2), ~~and (3) and (4)~~ of this section, or in
13 section 49-2427, Idaho Code, shall be indelibly and conspicuously lettered
14 on each side, in plain letters not less than one and one-half (1 1/2) inches
15 high, with the words "State of Idaho" or "Idaho" with the name of the proper
16 department, as defined in section 67-2402, Idaho Code, in each case inserted
17 following either of these words. The words shall be kept clear, distinct and
18 visible at all times. The provisions of this section shall not be applica-
19 ble to any motor vehicle in the personal service of the governor, ~~except that~~
20 ~~upon the front doors of any motor vehicle in his personal service there shall~~
21 ~~be placed the Great Seal of the state of Idaho.~~

22 (2) Motor vehicles under the custody and control of the director of the
23 Idaho state police and used for confidential investigative purposes ~~when,~~
24 ~~traffic enforcement or as necessary to enforce the laws of this state or need~~
25 ~~not be marked as provided in subsection (1) of this section; provided that~~
26 ~~not less than ninety percent (90%) of the motor vehicles under the custody~~
27 ~~and control of the director of the Idaho state police are marked as provided~~
28 ~~in subsection (1) of this section.~~

29 (3) ~~M~~motor vehicles under the custody and control of the director of the
30 department of health and welfare and used for official state business need
31 not be marked as provided in subsection (1) of this section. ~~Any other de-~~
32 ~~partment, agency, or entity of the state shall apply in writing to the di-~~
33 ~~rector for permission to use one (1) or more unmarked vehicles for confiden-~~
34 ~~tial investigative purposes. Permission shall be granted only in writing~~
35 ~~and upon a finding of good cause.~~

36 (34) Motor vehicles under the custody and control of the director of the
37 Idaho department of juvenile corrections, when used for official state busi-
38 ness and to enforce laws of the juvenile corrections system, including in-
39 vestigation of juveniles under its purview, need not be marked as provided in
40 subsection (1) of this section.

41 (5) Any other department, agency or entity of the state shall apply in
42 writing to the director of the Idaho state police for permission to use one

1 (1) or more unmarked vehicles for confidential investigative purposes. Per-
2 mission shall be granted only in writing and upon a finding of good cause.

3 SECTION 2. That Section 49-2427, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 49-2427. IDENTIFICATION OF STATE POLICE VEHICLES USED FOR HIGHWAY PA-
6 TROL. Every motor vehicle other than motorcycles, owned by the state of Idaho
7 and used as a state police highway patrol vehicle, shall be marked as pro-
8 vided by section 49-2426, Idaho Code, and shall, in addition, be painted with
9 a black body and shall be identified in one (1) of the following manners:

10 (1) By having a white stripe, at least six (6) inches in width, applied
11 completely around the vehicle;

12 (2) By having a blue light ~~mounted on the top of the vehicle which that~~
13 must be visible from any direction upon activation; or

14 (3) By having two (2) white stripes at least one and one-half (1 1/2)
15 inches in width applied from the center point of the hood across the hood on
16 each side and extending diagonally down to the bottom of the doors on each
17 side of the vehicle. No other state agency, person, or local unit of govern-
18 ment shall have any vehicle with a stripe or stripes from the center point
19 of the hood across the hood on each side and extending diagonally down to the
20 bottom of the doors on each side of the vehicles.

21 (4) Vehicles used for traffic enforcement purposes as provided in sec-
22 tion 49-2426(2), Idaho Code, are exempt from the provisions of this section,
23 except that such vehicles are required to have lighting as provided in sub-
24 section (2) of this section.