

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 568

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO RECREATION; AMENDING SECTION 67-7008, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING CERTAIN FEES AND TO MAKE TECHNICAL CORRECTIONS;
3 AMENDING SECTION 67-7008A, IDAHO CODE, TO REVISE PROVISIONS REGARD-
4 ING CERTAIN FEES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION
5 67-7014, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN FEES;
6 AMENDING SECTION 67-7103, IDAHO CODE, TO REVISE PROVISIONS REGARD-
7 ING CERTAIN FEES AND TO REMOVE SURPLUS PUNCTUATION; AMENDING SECTION
8 67-7104, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN FEES;
9 AMENDING SECTION 67-7106, IDAHO CODE, TO REVISE PROVISIONS REGARDING
10 CERTAIN FEES; AMENDING SECTION 67-7115, IDAHO CODE, TO REVISE PROVI-
11 SIONS REGARDING CERTAIN FEES AND TO MAKE TECHNICAL CORRECTIONS; AMEND-
12 ING SECTION 67-7116, IDAHO CODE, TO PROVIDE FOR A CERTAIN FEE; AMENDING
13 SECTION 67-7118, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN
14 FEES; AMENDING SECTION 67-7122, IDAHO CODE, TO REVISE PROVISIONS
15 REGARDING CERTAIN FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SEC-
16 TION 67-7124, IDAHO CODE, TO REVISE PROVISIONS REGARDING CERTAIN FEES;
17 AMENDING SECTION 67-7126, IDAHO CODE, TO REVISE PROVISIONS REGARDING
18 CERTAIN FEES; AMENDING SECTION 67-7130, IDAHO CODE, TO REVISE PROVI-
19 SIONS REGARDING MULTIPLE-YEAR CERTIFICATES; AND DECLARING AN EMERGENCY
20 AND PROVIDING AN EFFECTIVE DATE.
21

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

23 SECTION 1. That Section 67-7008, Idaho Code, be, and the same is hereby
24 amended to read as follows:

25 67-7008. CERTIFICATE OF NUMBER -- EXPIRATION -- FEES. (1) Within
26 fifteen (15) days after purchase, or as otherwise ~~herein~~ provided in this
27 section, the owner of each vessel requiring numbering by the state of Idaho
28 shall file an application for a certificate of number with an assessor or au-
29 thorized vendor on forms provided by the department. The application shall
30 be signed by the owner and shall be accompanied by the fee ~~herein~~ designated
31 in this section. Upon receipt of an application in approved form, and the
32 appropriate fee, the assessor or authorized vendor shall enter the same
33 upon the records of its office and issue to the applicant two (2) validation
34 stickers and a certificate of number, the receipt of any fee paid, and the
35 name and address of the owner, and the assessor or authorized vendor shall
36 forward to the department a duplicate copy. The owner shall also receive
37 a vessel number that shall be permanently assigned to the boat. The owner
38 shall paint on or permanently attach to each side of the bow of the vessel
39 the vessel number and validation sticker in a manner as may be prescribed by
40 rules of the department in order that they may be completely visible, and the
41 number shall be maintained in legible condition. The certificate of number
42 shall be pocket-size and shall be on board and available at all times for in-

1 spection on the vessel for which issued whenever that vessel is in operation,
2 except that livery operators may have the rental agreement on board rented
3 vessels in lieu of the certificate of number.

4 (2) The owner of any vessel for which a current certificate of number
5 has been issued pursuant to any federal law or a federally approved numbering
6 system of another state shall, if the vessel is operated on the waters of this
7 state in excess of sixty (60) days, make application for an Idaho certificate
8 of number in the manner prescribed in this section.

9 (3) Each assessor and authorized vendor shall record, on a form pro-
10 vided by the department, the names of all owners of vessels who make applica-
11 tion for certificates of number, together with the amount of the fees paid by
12 the owners. He shall, on or before the tenth of each month, forward to the de-
13 partment a duplicate copy of each record for the preceding month.

14 (4) All records of the department made or kept pursuant to this section
15 shall be kept current and shall be public records.

16 (5) Every certificate of number issued shall continue in full force and
17 effect through December 31 of the year of issue unless sooner terminated or
18 discontinued in accordance with law. Certificates of number may be renewed
19 by the owner in the same manner provided for in the initial securing of them.

20 (6) The owner of any vessel shall notify the department within fif-
21 teen (15) days if his vessel is destroyed or abandoned, or if it is sold
22 or transferred either wholly or in part to another person or persons, or
23 if the owner's address no longer conforms to the address appearing on the
24 certificate of number. In all such cases, the notice shall be accompanied
25 by a surrender of the certificate of number. When the surrender of the cer-
26 tificate is by reason of the vessel being destroyed, abandoned or sold, the
27 department shall cancel the certificate and enter that fact in its records.
28 If the surrender is by reason of a change of address on the part of the owner,
29 the new address shall be endorsed on the certificate and the certificate
30 returned to the owner.

31 (7) Whenever the ownership of a vessel changes, the purchaser shall,
32 within fifteen (15) days after acquisition, make application to the depart-
33 ment for transfer to him of the certificate of number issued for the vessel,
34 giving his name, address, and the vessel number and shall, at the same time,
35 pay to the department a transfer fee of three dollars (\$3.00). Upon receipt
36 of the application and fee, the department shall transfer the certificate of
37 number issued for the vessel to the new owner or owners. Unless the applica-
38 tion is made and the fee paid within fifteen (15) days, the vessel shall be
39 considered to be without a certificate of number.

40 (8) No numbers other than the validation stickers and vessel number is-
41 sued to a vessel or granted by reciprocity pursuant to law shall be painted,
42 attached, or otherwise displayed on either side of the bow of the vessel.

43 (9) If any certificate of number becomes lost, mutilated, or becomes
44 illegible, the owner of the vessel for which the same was issued shall obtain
45 a duplicate of the certificate from the department upon application and the
46 payment of a fee of three dollars (\$3.00). If one or both validation stick-
47 ers are lost, stolen, or destroyed, any sticker remnants and the certifi-
48 cate of number should be returned to the department along with a three-dollar
49 (\$3.00) fee and an application for a duplicate certificate of number and val-
50 idation stickers.

1 (10) A person engaged in the manufacture or sale of vessels of a type
 2 otherwise required to be numbered by law, may obtain, pursuant to regula-
 3 tions duly promulgated by the department, certificates of number for use in
 4 the testing or demonstration only of a vessel upon payment of thirteen dol-
 5 lars (\$13.00) for each certificate. Certificates of number so issued may be
 6 used by the applicant in the testing or demonstration only of vessels by tem-
 7 porary placement of the numbers assigned by the certificates on the vessel
 8 tested or demonstrated, and shall be issued and displayed as otherwise pre-
 9 scribed by this chapter or by regulation of the department.

10 (11) The fees shall be:

11 Vessels 0-12 feet in length \$~~20.00~~21.50

12 Vessels over 12 feet in length ~~20.00~~21.50

13 plus \$2.00 per foot for each additional foot

14 in excess of 12 feet.

15 (12) The provisions of subsection (11) of this section, with respect to
 16 the amount of payment of fees shall not apply to vessels owned by any chari-
 17 table or religious organization, scout organization or any similar organi-
 18 zation not used and operated for profit. All vessels currently numbered by
 19 the state of Idaho and having paid the fees imposed by subsection (11) of this
 20 section shall not be assessed and taxed as personal property in the state of
 21 Idaho.

22 (13) The fee for vessels owned by any charitable or religious organiza-
 23 tion, scout organization or similar organization not used and operated for
 24 profit shall be two dollars (\$2.00) per year.

25 SECTION 2. That Section 67-7008A, Idaho Code, be, and the same is hereby
 26 amended to read as follows:

27 67-7008A. ADDITIONAL FEES -- DEPOSIT INTO INVASIVE SPECIES FUND. (1)
 28 In addition to any other moneys or fees collected pursuant to the provisions
 29 of section 67-7008, Idaho Code, or any other provision of chapter 70, title
 30 67, Idaho Code, all vessels shall pay an additional fee each calendar year as
 31 follows:

32 (a) Motorized vessels and sailboats:

33 (i) Ten dollars (\$10.00) per vessel numbered in the state of Idaho
 34 prior to launch into the public waters of the state;

35 (ii) Thirty-one dollars and fifty cents (~~\$30.00~~31.50) per vessel
 36 documented through the United States coast guard or registered or
 37 numbered outside the state of Idaho prior to launch into the public
 38 waters of the state.

39 (b) Nonmotorized vessels: Seven Eight dollars and fifty cents
 40 (~~\$7.00~~8.50) per vessel prior to launch into the public waters of the
 41 state.

42 (c) Licensed outfitters, as defined in section 36-2102(b), Idaho Code,
 43 with nonmotorized fleets exceeding five (5) vessels shall be afforded a
 44 prorated group rate of thirty-two dollars (\$32.00) for six (6) to ten
 45 (10) vessels; fifty-seven dollars (\$57.00) for eleven (11) to twenty
 46 (20) vessels; and one hundred two dollars (\$102) for twenty-one (21) or
 47 more vessels up to a maximum of one hundred (100) vessels. The fee for
 48 any additional vessels shall be one dollar (\$1.00) per vessel. The li-

1 censed outfitter group rates shall also be available for groups exempt
2 from licensing pursuant to section 36-2103, Idaho Code.

3 (2) Upon payment of the fee as provided in this section, the payor shall
4 be issued a protection against invasive species sticker that shall be dis-
5 played on the vessel in a manner as prescribed by the rules of the department.
6 Stickers shall be considered in full force and effect through December 31 of
7 the year of issue.

8 (3) Fees shall be collected by the department or authorized vendor.

9 (a) Vendors may retain ~~one dollar and fifty cents~~ three dollars
10 (~~\$1.50~~3.00) of fees collected pursuant to this section except those
11 collected pursuant to subsection (1) (a) (i) of this section.

12 (b) The department shall retain up to twenty percent (20%) of the fees
13 for the actual costs of administering the sticker program.

14 (c) All remaining fees collected pursuant to this section shall be de-
15 posited in the invasive species fund established in section 22-1911,
16 Idaho Code.

17 (d) For the purpose of this section, "vessel" is defined in section
18 67-7003(22), Idaho Code. All vessels are subject to the provisions of
19 this section, with the exception of small rafts and other inflatable
20 vessels less than ten (10) feet in length.

21 (4) If the protection against invasive species sticker is lost, stolen
22 or destroyed, any sticker remnants shall be returned to the department along
23 with a three-dollar (\$3.00) fee for a duplicate sticker.

24 (5) A person engaged in the manufacture or sale of vessels may obtain
25 a sticker to be used in the testing or demonstration only of vessels by tem-
26 porary placement of the protection against invasive species sticker on the
27 vessel tested or demonstrated.

28 SECTION 3. That Section 67-7014, Idaho Code, be, and the same is hereby
29 amended to read as follows:

30 67-7014. ADMINISTRATIVE FEES FOR VESSELS. (1) An administrative fee
31 of ~~not more than one dollar and fifty cents~~ three dollars (~~\$1.50~~3.00) may be
32 collected in addition to each vessel license tax collected under the provi-
33 sions of section 67-7008, Idaho Code.

34 (2) When an assessor collects the fees, the administrative fee shall be
35 paid to the county treasurer where the vessel is licensed and be placed in
36 the county current expense fund for the purpose of defraying related admin-
37 istrative costs. The amount of the administrative fee to be collected by an
38 assessor for each vessel shall be set by the respective boards of county com-
39 missioners conditioned on the annual budget request of their county assessor
40 for the administration of vessel registration fees.

41 (3) When an authorized vendor collects the fees, the administrative fee
42 shall be set and retained by the authorized vendor where the vessel is num-
43 bered. The administrative fee shall be used to defray related administra-
44 tive costs.

45 SECTION 4. That Section 67-7103, Idaho Code, be, and the same is hereby
46 amended to read as follows:

1 67-7103. SNOWMOBILES -- APPLICATION FOR NUMBER -- ATTACHMENT OF VALI-
 2 DATION STICKERS -- CERTIFICATE -- APPLICATION FOR TRANSFER OF CERTIFICATE --
 3 TRANSFER OF CERTIFICATE FEE -- TEMPORARY NUMBER -- FEES. (1) The operator of
 4 each snowmobile requiring numbering by the state of Idaho shall obtain a cer-
 5 tificate of number for the snowmobile, which certificate of number shall be
 6 issued by season, for seasons running from November 1 through October 31. To
 7 obtain a certificate of number, the operator shall pay a fee of ~~forty-five~~
 8 forty-seven dollars and ~~fifty cents~~ (\$45.5047.00). Upon receipt of the fee,
 9 the department shall issue to the operator a certificate of number together
 10 with a validation sticker to be attached to the snowmobile in a manner as may
 11 be prescribed by rules of the department. The validation sticker shall be
 12 located on the snowmobile and shall be completely visible and shall be main-
 13 tained in legible condition whenever the snowmobile is in operation. ,--

14 (2) The department may issue any certificate of number directly or
 15 may authorize any persons to act as vendor for the issuance. In the event a
 16 person accepts the authorization, he may be assigned a block of validation
 17 stickers and certificates of number that, upon issue, in conformity with
 18 this chapter and with any rules of the department, shall be valid as if issued
 19 directly by the department.

20 (3) All records of the department made or kept pursuant to this section
 21 shall be public records.

22 (4) Each snowmobile must be numbered before it leaves the premises at
 23 the time of sale from any retail snowmobile dealer.

24 (5) No number, other than the validation stickers issued to the opera-
 25 tor and affixed to the snowmobile pursuant to this chapter, shall be painted,
 26 attached, or otherwise displayed on the snowmobile, except a temporary num-
 27 ber may be attached to identify a snowmobile for the purpose of racing or
 28 other sporting events.

29 (6) Notwithstanding the provisions of subsection (1) of this section,
 30 resident and nonresident owners of snowmobiles used for rental purposes
 31 shall purchase rental validation stickers for ~~seventy-five~~ seventy-seven
 32 dollars and ~~fifty cents~~ (\$75.5077.00) and the validation stickers shall be
 33 displayed on the machine at all times.

34 SECTION 5. That Section 67-7104, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 67-7104. SNOWMOBILES -- NONRESIDENT SNOWMOBILE USER CERTIFICATE RE-
 37 QUIRED. The operator of a nonresident, noncommercial snowmobile shall be re-
 38 quired to obtain a nonresident snowmobile user certificate in the same man-
 39 ner and for the same seasons as described in section 67-7103, Idaho Code, be-
 40 fore operating a snowmobile in Idaho. A fee of ~~fifty-nine~~ sixty-one dollars
 41 and ~~fifty cents~~ (\$59.5061.00) shall be imposed for the issuance of a nonres-
 42 ident snowmobile user certificate. The validation stickers shall be dis-
 43 played in the same manner as provided in section 67-7103, Idaho Code. Is-
 44 suance and administration of nonresident snowmobile user certificates shall
 45 be conducted in the same manner as provided in section 67-7103, Idaho Code,
 46 for numbering of snowmobiles.

47 (1) For purposes of this section, "nonresident" shall be as defined in
 48 section 36-202, Idaho Code.

1 (2) In the absence of a bona fide program in the area or upon the re-
 2 quest of the bona fide county snowmobile advisory committee of the nearest
 3 affected county in Idaho, the requirements for the nonresident snowmobile
 4 user certificate may be waived by the park and recreation board on specific
 5 trails where the snowmobile trail grooming is solely supported by a state
 6 other than Idaho.

7 SECTION 6. That Section 67-7106, Idaho Code, be, and the same is hereby
 8 amended to read as follows:

9 67-7106. SNOWMOBILES -- DISTRIBUTION OF MONEYS COLLECTED -- COUNTY
 10 SNOWMOBILE FUND -- STATE SNOWMOBILE FUND -- DEPARTMENT OF LANDS ALLOCATION
 11 -- STATE SNOWMOBILE SEARCH AND RESCUE FUND -- STATE SNOWMOBILE AVALANCHE
 12 FUND. (1) Each vendor shall, not later than the fifteenth day of each month,
 13 remit all moneys collected under the provisions of sections 67-7103 and
 14 67-7104, Idaho Code, to the state treasurer for credit to the state snow-
 15 mobile fund, established in the dedicated fund, to be administered by the
 16 director, except that the amounts designated in this subsection from each
 17 snowmobile certificate of number fee, each rental certificate of number
 18 fee, and each nonresident snowmobile user certificate issued by the vendor
 19 shall be credited by the state treasurer to each of the following funds or
 20 entities:

21 (a) Two dollars (\$2.00) to the state snowmobile search and rescue fund
 22 created in section 67-2913A, Idaho Code;

23 (b) One dollar (\$1.00) to the state snowmobile avalanche fund created
 24 in section 67-7107A, Idaho Code; and

25 (c) One dollar (\$1.00) to the Idaho department of lands to provide
 26 snowmobile opportunities and to repair damage directly related to snow-
 27 mobile use, provided that the Idaho department of lands shall annually
 28 publish a report specifically identifying the uses of moneys allocated
 29 pursuant to this subsection.

30 (2) Each county with a bona fide snowmobile program shall be entitled to
 31 receive from the department eighty-five percent (85%) of the moneys gener-
 32 ated for that county during that certificate of number period. Counties with
 33 a bona fide snowmobile program may use up to fifteen percent (15%) of their
 34 county snowmobile moneys upon recommendation by their county snowmobile ad-
 35 visory committee for snowmobile law enforcement purposes.

36 (3) Up to fifteen percent (15%) of the revenue generated from snowmo-
 37 bile certificates of number each year may be used by the department to defray
 38 administrative costs. Any moneys unused at the end of the fiscal year shall
 39 be returned to the state treasurer for deposit in the state snowmobile fund.

40 (4) Vendors shall be entitled to retain a handling fee of ~~one dollar and~~
 41 ~~fifty cents~~ three dollars (\$3.00) per certificate of number or nonres-
 42 ident user certificate. Handling fees collected by the department shall be
 43 deposited to the state snowmobile fund.

44 (5) For those certificates of number not designated to a bona fide
 45 county snowmobile program, the moneys generated shall be deposited to the
 46 state snowmobile fund, and such fund shall be available to the department for
 47 snowmobile-related expenses.

1 SECTION 7. That Section 67-7115, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 67-7115. WINTER RECREATIONAL PARKING PERMIT -- FEE -- FINES -- PERMITS
4 FOR SNOWMOBILE OWNERS -- EXEMPTIONS. (1) Except as hereinafter provided, no
5 person shall, from November 15 of any year to April 30 of the next year, park
6 a vehicle in a winter recreational parking location unless the vehicle dis-
7 plays an annual or temporary parking permit. The annual permit shall be per-
8 manently affixed and the temporary permit shall be temporarily affixed on
9 the front window of the vehicle nearest the driver's seat in such a manner
10 that they are completely visible and shall be kept in a legible condition at
11 all times.

12 (2) The fee for the annual permit and the temporary permit shall be set
13 by the board, but shall not exceed thirty-two dollars (\$302.00) for the an-
14 nual permit or ~~ten~~ twelve dollars (\$102.00) for the temporary permit.

15 (3) The owner of any vehicle, as defined in chapter 1, title 49, Idaho
16 Code, ~~that~~ who violates the provisions of subsection (1) of this section
17 has committed an infraction punishable as provided under section 18-113A,
18 Idaho Code, and shall be punished with a fine of not less than twenty dollars
19 (\$20.00) or more than fifty dollars (\$50.00). The fact that a motor vehicle
20 ~~which is~~ illegally parked under the provisions of this chapter is registered
21 or leased in the name of a person shall be considered prima facie evidence
22 that the person was in control of the vehicle at the time of parking.

23 (4) Snowmobile operators, when snowmobiling, shall be allowed to park
24 their transportation vehicles in a designated winter recreational parking
25 area without displaying a parking permit.

26 (5) No parking permit shall be required under the provisions of this
27 section for a vehicle owned and operated by the United States, any state or a
28 political subdivision of a state, or a vehicle registered in another state,
29 if that vehicle displays a similar cross-country skiing permit, but only to
30 the extent that an exception or privilege is granted under the laws of that
31 state for permit holders from this state.

32 SECTION 8. That Section 67-7116, Idaho Code, be, and the same is hereby
33 amended to read as follows:

34 67-7116. WINTER RECREATIONAL PARKING PERMIT -- PRINTING, DISTRIBU-
35 TION AND SALE. (1) The department shall print the parking permits and shall
36 supervise the sale of the permits throughout the state.

37 (2) The department shall distribute and sell the permits directly or
38 may authorize vendors under agreement according to rules and regulations of
39 the department. The department may require that the authorized vendors be
40 bonded in accordance with rules and regulations of the department. Autho-
41 rized vendors ~~will receive a stipulated commission~~ shall be entitled to re-
42 tain an administrative fee of three dollars (\$3.00) for each permit sold.

43 SECTION 9. That Section 67-7118, Idaho Code, be, and the same is hereby
44 amended to read as follows:

1 67-7118. WINTER RECREATIONAL PARKING PERMIT -- DISTRIBUTION OF
2 FEES. The moneys collected by or for the board on the sale of each winter
3 recreational parking permit shall be allocated as follows:

4 (1) The authorized vendor shall be entitled to receive a commission of
5 ~~one three~~ three dollars (\$~~13~~3.00) on each permit sold, which sum may be retained as
6 compensation for the sale of the permit.

7 (2) Fifteen percent (15%) shall be allotted to the department for
8 the production of the parking permits and necessary administration ex-
9 penses incurred by the department in carrying out the provisions of section
10 67-7115(3), Idaho Code, which moneys shall be placed in the park and recre-
11 ation fund.

12 (3) The balance shall be transmitted to the state treasurer for deposit
13 to the credit of the cross-country skiing recreation account to be appropri-
14 ated first for the reimbursement for costs incurred in the removal of snow
15 from winter recreational parking locations. Any remaining moneys may be ap-
16 propriated to provide grants to public or nonprofit entities for the acqui-
17 sition, lease, development, and maintenance of sanitation facilities, trail
18 marking, and other facilities designed to promote the health and safety of
19 persons engaged in cross-country skiing.

20 SECTION 10. That Section 67-7122, Idaho Code, be, and the same is hereby
21 amended to read as follows:

22 67-7122. OFF-HIGHWAY VEHICLES -- APPLICATION FOR CERTIFICATE OF NUM-
23 BER -- ATTACHMENT OF VALIDATION STICKERS -- CERTIFICATE -- FEES. (1) Before
24 operating any OHV in the state of Idaho, the operator of any OHV or any mo-
25 torcycle as defined in section 49-114, Idaho Code, used off public highways,
26 on highways located on state lands or federal lands that are not part of the
27 highway system of the state of Idaho, or on highways as prescribed in sec-
28 tion 49-426(3) and (4), Idaho Code, but excluding those vehicles used ex-
29 clusively on private land for agricultural use or used exclusively for snow
30 removal purposes as provided in section 49-426(2), Idaho Code, shall obtain
31 a certificate of number for the OHV at any vendor authorized by the depart-
32 ment, which certificate of number shall be issued by season, for seasons run-
33 ning from January 1 through December 31. A fee of ~~twelve fifteen~~
34 (\$~~125~~125.00) shall be charged for each certificate of number, of which ~~one dol-~~
35 ~~lar and fifty cents~~ three dollars (\$~~1.50~~3.00) shall be retained by the ven-
36 dor and the remainder of which shall be remitted to the department together
37 with information noting the identity of the operator that purchased the cer-
38 tificate of number, the operator's designated county use area, and the type
39 of machine to which the operator will affix the certificate of number, in-
40 cluding a motorbike, ATV of fifty (50) inches in width or less, ATV over fifty
41 (50) inches in width, UTV of fifty (50) inches in width, UTV over fifty (50)
42 inches in width, or specialty off-highway vehicle. The foregoing shall not
43 prohibit the department from collecting such further information as it may
44 deem necessary or helpful to its administrative duties under this chapter.

45 (2) At the time of sale from any dealer, each motorbike, all-terrain
46 vehicle or utility type vehicle sold to an Idaho resident, but excluding
47 those vehicles to be used exclusively on private land for agricultural use or
48 used exclusively for snow removal purposes as provided in section 49-426(2),
49 Idaho Code, must obtain a certificate of number.

1 (3) Application forms and validation stickers shall be supplied by the
2 department and the validation sticker shall be issued to the person making
3 application for a certificate of number.

4 (4) The issued validation sticker shall be placed upon the restricted
5 vehicle license plate of the OHV, or upon the right fork of a vehicle regis-
6 tered pursuant to section 49-402(3), Idaho Code, or of a motorbike if used
7 exclusively off-highway, or upon the rear fender of the OHV if used exclu-
8 sively off-highway. The placement shall be made in such a manner that it is
9 completely visible, does not cover the license plate numbers or letters, if
10 licensed, and shall be kept in a legible condition at all times.

11 (5) For operation of a motorbike that meets the requirements speci-
12 fied in section 49-114(10), Idaho Code, on the public highways, the vehicle
13 shall also be registered pursuant to the provisions of section 49-402(3),
14 Idaho Code. A motorbike that meets the requirements specified in sec-
15 tion 49-114(10), Idaho Code, and that is registered pursuant to section
16 49-402(3), Idaho Code, shall not be required to obtain a restricted license
17 plate pursuant to section 49-402(4), Idaho Code. A motorbike, all-terrain
18 vehicle, specialty off-highway vehicle or utility type vehicle operated ex-
19 clusively off-highway or on highways located on state lands or federal lands
20 that are not part of the highway system of the state of Idaho and that meet the
21 registration requirements specified in this section shall not be required
22 to obtain a restricted vehicle license plate pursuant to section 49-402(4),
23 Idaho Code.

24 (6) Nonresidents shall be allowed to purchase a restricted vehicle li-
25 cense plate pursuant to section 49-402(4), Idaho Code, and/or a certificate
26 of number for an OHV.

27 (7) Certificates of number and restricted license plates as required by
28 section 49-456, Idaho Code, may be purchased separately.

29 SECTION 11. That Section 67-7124, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 67-7124. OFF-HIGHWAY VEHICLES -- NONRESIDENT -- OFF-HIGHWAY VEHICLE
32 USER CERTIFICATE REQUIRED. (1) Before operating within Idaho, any nonres-
33 ident operator of a noncommercial off-highway vehicle shall be required to
34 obtain a nonresident off-highway vehicle (OHV) user certificate. A fee of
35 ~~twelve~~ twenty dollars (\$~~12~~20.00) shall be imposed for the issuance of a non-
36 resident OHV user certificate. The validation sticker shall be displayed
37 in the same manner as provided in section 67-7122, Idaho Code. Nonresident
38 OHV user certificates shall be valid January 1 through December 31. Issuance
39 and administration of nonresident OHV user certificates shall be conducted
40 in the same manner as provided in section 67-7122, Idaho Code, for numbering
41 off-highway vehicles.

42 (2) For purposes of this section, "nonresident" shall be as defined in
43 section 36-202, Idaho Code.

44 (3) Nonresidents shall be allowed to purchase a restricted vehicle li-
45 cense plate pursuant to section 49-402(4), Idaho Code.

46 SECTION 12. That Section 67-7126, Idaho Code, be, and the same is hereby
47 amended to read as follows:

1 67-7126. OFF-HIGHWAY VEHICLES -- ESTABLISHMENT OF ACCOUNT -- DISTRI-
2 BUTION OF FEES. There is hereby established in the state treasurer's office
3 an account to be known and designated as the "OHV recreation account." The
4 fee ~~of twelve dollars (\$12.00)~~ collected for off-highway vehicle certifi-
5 cates of number and nonresident user certificates under the provisions of
6 sections 67-7122 and 67-7124, Idaho Code, shall be allocated as follows:

7 (1) Vendors shall charge and retain ~~one dollar and fifty cents (\$1.50)~~
8 three dollars (\$3.00) for a handling fee;

9 (2) Up to fifteen percent (15%) of the revenue generated from OHV cer-
10 tificates may be used by the department to defray administrative costs and
11 the production of certificates of number, nonresident user certificates,
12 and validation stickers. Any moneys unused at the end of the fiscal year
13 shall be returned to the Idaho state treasurer for deposit in the OHV recre-
14 ation account;

15 (3) One dollar (\$1.00) shall be deposited into the off-highway vehicle
16 law enforcement fund. Moneys in said fund shall be paid and used as follows:

17 (a) Sheriffs of counties with a current or an actively developing off-
18 highway vehicle law enforcement program recognized by the department
19 shall receive moneys from the fund based upon a formula as provided in
20 rule promulgated by the board; and

21 (b) Moneys from the fund shall be used only for off-highway-related law
22 enforcement activities; ~~and~~

23 (4) One dollar (\$1.00) shall be allocated to the Idaho department of
24 lands to provide off-highway vehicle opportunities and to repair damage di-
25 rectly related to off-highway vehicle use. The department of lands shall an-
26 nually publish a report specifically identifying the uses of moneys allo-
27 cated pursuant to this subsection; and

28 (5) The remaining funds shall be transmitted to the state treasurer's
29 office for deposit to the credit of the OHV recreation account, all such mon-
30 eys to be transmitted to the state treasurer on or before the tenth day of
31 each month.

32 The department shall annually publish a report specifically identi-
33 fying the use of revenues generated from OHV certificates of number and
34 nonresident user certificates. Collection of fees for off-highway vehicle
35 certificates of number and nonresident user certificates shall not impose
36 any additional liability on the state of Idaho or any of its political subdivi-
37 sions or upon the employees of the state and of its political subdivisions,
38 and those entities and persons shall retain the limitations of liability
39 provided by section 36-1604, Idaho Code, regardless of the use of such fees.

40 SECTION 13. That Section 67-7130, Idaho Code, be, and the same is hereby
41 amended to read as follows:

42 67-7130. MULTIPLE-YEAR CERTIFICATES. ~~On or before November 1, 2021,~~
43 ~~the~~ department shall make available to Idaho residents the option to pur-
44 chase certificates of number for OHVs and snowmobiles that are valid for mul-
45 tiple, consecutive seasons. The fee shall be multiplied by the number of
46 seasons that the certificate of number is valid, except that portion of the
47 fee for vendors shall be the same regardless of the duration of the certifi-
48 cate purchased by the operator; for example, a vendor fee for a two (2) season

1 OHV certificate of number ~~would~~ must be ~~one dollar and fifty cents (\$1.50)~~
2 three dollars (\$3.00).

3 SECTION 14. An emergency existing therefor, which emergency is hereby
4 declared to exist, this act shall be in full force and effect on and after
5 July 1, 2022.