

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 38

BY BERCH

AN ACT

1 RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE  
2 A CORRECT CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE,  
3 BY THE ADDITION OF A NEW SECTION 49-420S, IDAHO CODE, TO PROVIDE FOR  
4 TOO GREAT FOR HATE LICENSE PLATES AND TO ESTABLISH A PROGRAM FUND; AND  
5 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
6

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

8 SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each  
11 pickup truck, each neighborhood electric vehicle and each other motor ve-  
12 hicle having a maximum gross weight not in excess of eight thousand (8,000)  
13 pounds and that complies with the federal motor vehicle safety standards as  
14 defined in section 49-107, Idaho Code, shall be:

15	Vehicles one (1) and two (2) years old .....	\$69.00
16	Vehicles three (3) and four (4) years old .....	\$57.00
17	Vehicles five (5) and six (6) years old .....	\$57.00
18	Vehicles seven (7) and eight (8) years old .....	\$45.00
19	Vehicles over eight (8) years old .....	\$45.00

20 There shall be twelve (12) registration periods, starting in January  
21 for holders of validation registration stickers numbered 1, and proceed-  
22 ing consecutively through December for holders of validation registration  
23 stickers numbered 12, each of which shall start on the first day of a calendar  
24 month and end on the last day of the twelfth month from the first day of the  
25 beginning month. Registration periods shall expire midnight on the last day  
26 of the registration period in the year designated by the validation regis-  
27 tration sticker. The numeral digit on the validation registration stickers  
28 shall, as does the registration card, fix the registration period under the  
29 staggered registration system for the purpose of reregistration and notice  
30 of expiration.

31 A vehicle that has once been registered for any of the above-designated  
32 periods shall, upon reregistration, be registered for the period bearing the  
33 same number, and the registration card shall show and be the exclusive proof  
34 of the expiration date of registration and licensing. Vehicles may be ini-  
35 tially registered for less than a twelve (12) month period, or for more than a  
36 twelve (12) month period, and the fee prorated on a monthly basis if the frac-  
37 tional registration tends to fulfill the purpose of the monthly series reg-  
38 istration system.

39 (2) For all school buses operated either by a nonprofit, nonpublic  
40 school or operated pursuant to a service contract with a school district for  
41 transporting children to or from school or in connection with school-ap-  
42 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and

1 shall be subject to staggered registration for the purpose of reregistration  
2 and notice of expiration.

3 (3) For all motorcycles and motor-driven cycles that comply with the  
4 federal motor vehicle safety standards, operated upon the public highways,  
5 the annual fee shall be nineteen dollars (\$19.00) and shall be subject to  
6 staggered registration for the purpose of reregistration and notice of ex-  
7 piration.

8 (4) For operation of an all-terrain vehicle, utility type vehicle or  
9 motorbike, excluding a motorbike with an engine displacement of fifty (50)  
10 cubic centimeters or less, on city, county or highway district roads or  
11 highways open to such use, a restricted vehicle license plate fee pursuant  
12 to section 49-450, Idaho Code, shall be paid. In addition, the certifi-  
13 cate of number fee specified in section 67-7122, Idaho Code, shall be paid  
14 as provided in section 67-7122, Idaho Code. The certificate of number and  
15 restricted vehicle license plate exemption provided in section 49-426(2),  
16 Idaho Code, applies to all-terrain vehicles, utility type vehicles, motor-  
17 bikes and motorcycles used for the purposes described in section 49-426(2),  
18 Idaho Code. Nonresidents shall be allowed to purchase a restricted vehicle  
19 license plate and validation sticker pursuant to section 67-7124, Idaho  
20 Code, for an all-terrain vehicle, utility type vehicle, or motorbike.

21 (5) For all motor homes, the fee shall be as specified in subsection (1)  
22 of this section and shall be in addition to the fees provided for in section  
23 49-445, Idaho Code.

24 (6) Registration fees shall not be subject to refund.

25 (7) A financial institution or repossession service contracted to  
26 a financial institution repossessing vehicles under the terms of a secu-  
27 rity agreement shall move the vehicle from the place of repossession to the  
28 financial institution's place of business on a repossession plate. The  
29 repossession plate shall also be used for demonstrating the vehicle to a  
30 prospective purchaser for a period not to exceed ninety-six (96) hours. The  
31 registration fees for repossession plates shall be as required in subsection  
32 (1) of this section for a vehicle one (1) and two (2) years old. All other  
33 fees required under chapter 4, title 49, Idaho Code, shall be in addition to  
34 the registration fee. The repossession plate shall be subject to staggered  
35 registration for the purpose of reregistration and notice of expiration.

36 (8) A wrecker or towing business engaged in the process of towing motor-  
37 ized vehicles that have been wrecked, abandoned, salvaged or may be disabled  
38 may apply for a wrecker plate to be displayed on those vehicles being towed,  
39 provided the power unit is properly registered under this chapter. The reg-  
40 istration fees for wrecker plates shall be as required in subsection (1) of  
41 this section for a vehicle one (1) and two (2) years old. All other fees re-  
42 quired under chapter 4, title 49, Idaho Code, shall be in addition to the reg-  
43 istration fee and shall be subject to staggered registration for the purpose  
44 of reregistration and notice of expiration.

45 (9) In addition to the annual registration fee in this section, there  
46 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-  
47 nual program fee of fifteen dollars (\$15.00) for all special license plate  
48 programs for those license plates issued pursuant to sections 49-404A,  
49 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For  
50 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,

1 there shall be an initial program fee of twenty-five dollars (\$25.00) but  
 2 there shall be no annual renewal fee. For special plates issued pursuant  
 3 to sections 49-415D, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-418A,  
 4 49-418B, 49-418C, 49-419, 49-419A, 49-419C, 49-419E, 49-420, 49-420A,  
 5 49-420B, 49-420C, 49-420D, 49-420E, 49-420J, 49-420K, 49-420L, 49-420M,  
 6 49-420N, 49-420O, 49-420P, 49-420Q, and 49-420R, and 49-420S, Idaho Code,  
 7 and any new special plate program effective on and after January 1, 2013,  
 8 pursuant to section 49-402D, Idaho Code, there shall be an initial program  
 9 fee of thirty-five dollars (\$35.00) and an annual program fee of twenty-five  
 10 dollars (\$25.00). The fees contained in this subsection shall be applicable  
 11 to all new special plate programs and shall be subject to staggered registra-  
 12 tion for the purpose of reregistration and notice of expiration. The initial  
 13 program fee and the annual program fee shall be deposited in the state high-  
 14 way account and shall be used to fund the cost of administration of special  
 15 license plate programs, unless otherwise specified by law.

16 (10) Any vehicle that does not meet federal motor vehicle safety stan-  
 17 dards shall not be registered and shall not be permitted to operate on public  
 18 highways of the state, as defined in section 40-117, Idaho Code, unless oth-  
 19 erwise specifically authorized.

20 (11) In addition to annual registration fees as provided in this sec-  
 21 tion, registrants may pay a fee to purchase an Idaho state parks passport  
 22 authorizing resident motor vehicle entry into all Idaho state parks. Reg-  
 23 istrants may pay the fee for a one (1) year or two (2) year period of time.  
 24 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars  
 25 (\$20.00) for two (2) years. All fees collected pursuant to this subsection  
 26 shall be deposited into the park and recreation fund and shall be subject to  
 27 appropriation. Fees collected pursuant to this subsection shall not be con-  
 28 sidered a motor vehicle registration fee as provided in section 17, article  
 29 VII, of the constitution of the state of Idaho.

30 SECTION 2. That Chapter 4, Title 49, Idaho Code, be, and the same is  
 31 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 32 ignated as Section 49-420S, Idaho Code, and to read as follows:

33 49-420S. TOO GREAT FOR HATE LICENSE PLATES. (1) On and after January 1,  
 34 2024, any person who is the owner of a vehicle registered under the provi-  
 35 sions of section 49-402, Idaho Code, or registered under any other section of  
 36 law for which the purchase of special plates is allowed, may apply for and,  
 37 upon department approval, receive too great for hate license plates in lieu  
 38 of regular license plates. The provisions of this section shall not apply to  
 39 any vehicle with a registered maximum gross weight over twenty-six thousand  
 40 (26,000) pounds. Availability of too great for hate license plates for other  
 41 vehicles shall be subject to the rules, policies, and procedures of the de-  
 42 partment.

43 (2) In addition to the regular registration fee required in chapter 4,  
 44 title 49, Idaho Code, the applicant shall be charged a fee of thirty-five  
 45 dollars (\$35.00) for the initial issuance of plates, and twenty-five dol-  
 46 lars (\$25.00) upon each succeeding annual registration. Thirteen dollars  
 47 (\$13.00) of the initial fee and thirteen dollars (\$13.00) of the renewal fee  
 48 shall be deposited in the state highway account and shall be used to fund the  
 49 cost of administration of this special license plate program. Twenty-two

1 dollars (\$22.00) of each initial fee and twelve dollars (\$12.00) of each re-  
2 newal fee shall be transferred by the state treasurer and credited to the  
3 human rights commission program fund established in subsection (3) of this  
4 section for the benefit of the Idaho commission on human rights established  
5 pursuant to chapter 59, title 67, Idaho Code. Funds so deposited shall be  
6 subsequently directed by the Idaho commission on human rights as set forth  
7 in this section. Such efforts may include signs or other advertising, edu-  
8 cational programing, or other appropriate means designed to help secure for  
9 all individuals in Idaho freedom from discrimination and to build public un-  
10 derstanding of Idaho's anti-discrimination and anti-retaliation laws.

11 (3) There is hereby established in the state treasury the human rights  
12 commission program fund to which shall be credited the revenues derived from  
13 fees pursuant to this section, any legislative appropriations, moneys al-  
14 ready provided, and interest earned on idle moneys in the fund.

15 (4) Whenever title or interest in a vehicle registered under the pro-  
16 visions of this section is transferred or assigned, the owner may transfer  
17 the special plates to another vehicle upon payment of the required transfer  
18 fees. The owner may display the plates on another vehicle only upon receipt  
19 of the new registration from the department.

20 (5) The too great for hate license plate shall be of a color and design  
21 in accordance with the provisions of section 49-402C, Idaho Code. The de-  
22 sign and any slogan on the plate shall be acceptable to the Idaho commission  
23 on human rights and shall be approved by the Idaho transportation department  
24 utilizing a numbering system as determined by the department. Initial costs  
25 of the plate program, including costs of plate design, shall be paid for pur-  
26 suant to funds appropriated by the legislature for such purpose.

27 (6) Sample too great for hate license plates may be purchased for a fee  
28 of thirty dollars (\$30.00), thirteen dollars (\$13.00) of which shall be de-  
29 posited in the state highway account and seventeen dollars (\$17.00) of which  
30 shall be transferred to the human rights commission program fund for the  
31 benefit of the Idaho commission on human rights to be used for the purposes  
32 stated in subsection (2) of this section.

33 SECTION 3. An emergency existing therefor, which emergency is hereby  
34 declared to exist, this act shall be in full force and effect on and after  
35 July 1, 2023.