

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 444

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO VINTAGE SNOWMOBILES; AMENDING SECTION 67-7101, IDAHO CODE, TO
2 DEFINE A TERM; AND AMENDING SECTION 67-7103, IDAHO CODE, TO PROVIDE THAT
3 OWNERS OF VINTAGE SNOWMOBILES SHALL NOT BE REQUIRED TO OBTAIN CERTIFI-
4 CATES OF NUMBER OR TO DISPLAY VALIDATION STICKERS.
5

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

7 SECTION 1. That Section 67-7101, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 67-7101. DEFINITIONS. In this chapter:

10 (1) "All-terrain vehicle" or "ATV" means any recreational motor vehi-
11 cle designed for or capable of traveling off developed roadways and highways
12 with three (3) or more tires and fifty (50) inches or less in width, having a
13 wheelbase of sixty-one (61) inches or less, has handlebar steering and a seat
14 designed to be straddled by the operator.

15 (2) "Board" means the park and recreation board created under authority
16 of section 67-4221, Idaho Code.

17 (3) "Bona fide snowmobile program" means services or facilities as ap-
18 proved by the department that will benefit snowmobilers such as snowmobile
19 trail grooming, plowing and maintaining snowmobile parking areas and facil-
20 ities, and trail signing.

21 (4) "Dealer" means any person who engages in the retail sales of or
22 rental of snowmobiles, motorbikes, utility type vehicles or all-terrain
23 vehicles.

24 (5) "Department" means the Idaho department of parks and recreation.

25 (6) "Designated parking area" means an area located, constructed,
26 maintained, and signed with the approval of the land manager or owner.

27 (7) "Director" means the director of the department of parks and recre-
28 ation.

29 (8) "Highway." (See section 40-109, Idaho Code, but excepting public
30 roadway as defined in this section)

31 (9) "Motorbike" means any self-propelled two (2) wheeled motorcycle or
32 motor-driven cycle, excluding tractor, designed for or capable of traveling
33 off developed roadways and highways and also referred to as trailbikes, en-
34 duro bikes, trials bikes, motocross bikes or dual purpose motorcycles.

35 (10) "Off-highway vehicle" means an all-terrain vehicle, motorbike,
36 specialty off-highway vehicle or utility type vehicle as defined in this
37 section.

38 (11) "Operator" means any person who is in physical control of a motor-
39 bike, all-terrain vehicle, utility type vehicle, specialty off-highway ve-
40 hicle or snowmobile.

41 (12) "Owner" means every person holding record title to a motorbike,
42 all-terrain vehicle, utility type vehicle, specialty off-highway vehicle

1 or snowmobile and entitled to the use or possession thereof, other than a
2 lienholder or other person having a security interest only.

3 (13) "Person" means an individual, partnership, association, corpora-
4 tion, or any other body or group of persons, whether incorporated or not, and
5 regardless of the degree of formal organization.

6 (14) "Public roadway" means all portions of any highway which are con-
7 trolled by an authority other than the Idaho transportation department.

8 (15) "Snowmobile" means any self-propelled vehicle under two thousand
9 (2,000) pounds unladen gross weight, designed primarily for travel on snow
10 or ice or over natural terrain, which may be steered by tracks, skis, or run-
11 ners.

12 (16) "Specialty off-highway vehicle" means any vehicle manufactured,
13 designed or constructed exclusively for off-highway operation that does not
14 fit the definition of an all-terrain vehicle, utility type vehicle or motor-
15 bike as defined in this section. The vehicle classification provided for in
16 this subsection shall become effective on January 1, 2010.

17 (17) "Utility type vehicle" or "UTV" means any recreational motor vehi-
18 cle other than an ATV, motorbike or snowmobile as defined in this section,
19 designed for and capable of travel over designated roads, traveling on four
20 (4) or more tires, maximum width less than seventy-four (74) inches, maximum
21 weight less than two thousand (2,000) pounds, and having a wheelbase of one
22 hundred ten (110) inches or less. A utility type vehicle must have a minimum
23 width of fifty (50) inches, a minimum weight of at least nine hundred (900)
24 pounds or a wheelbase of over sixty-one (61) inches. Utility type vehicle
25 does not include golf carts, vehicles specially designed to carry a disabled
26 person, implements of husbandry as defined in section 49-110(2), Idaho Code,
27 or vehicles otherwise registered under title 49, Idaho Code. A "utility type
28 vehicle" or "UTV" also means a recreational off-highway vehicle or ROV.

29 (18) "Vendor" means any entity authorized by the department to sell
30 recreational certificates of number.

31 (19) "Vintage snowmobile" means a snowmobile that is at least twenty-
32 five (25) years old.

33 (20) "Winter recreational parking locations" means designated parking
34 areas established and maintained with funds acquired from the cross-country
35 skiing account.

36 SECTION 2. That Section 67-7103, Idaho Code, be, and the same is hereby
37 amended to read as follows:

38 67-7103. APPLICATION FOR NUMBER -- ATTACHMENT OF VALIDATION STICKERS
39 -- CERTIFICATE -- APPLICATION FOR TRANSFER OF CERTIFICATE -- TRANSFER OF
40 CERTIFICATE FEE -- TEMPORARY NUMBER -- FEES. (1) On or before November 1 of
41 each year the owner of each snowmobile requiring numbering by the state of
42 Idaho shall file an application for number with the department on forms ap-
43 proved by it. The application shall be signed by the owner and shall, except
44 as provided in subsection (7) of this section, be accompanied by a fee of
45 thirty-one dollars (\$31.00). Upon receipt of the application the depart-
46 ment shall issue to the applicant a certificate of number stating the number
47 assigned to the snowmobile and the name and address of the owner. The owner
48 shall attach to the snowmobile the validation sticker in a manner as may be
49 prescribed by rules of the department. The validation sticker shall be lo-

1 cated on the right and left side of the cowling of the snowmobile and shall be
2 completely visible and shall be maintained in legible condition. The cer-
3 tificate of number shall be pocket size and shall be available at all times
4 for inspection on the snowmobile for which issued, wherever the snowmobile
5 is in operation.

6 (2) The department may issue any certificate of number directly or
7 may authorize any persons to act as vendor for the issuance. In the event a
8 person accepts the authorization, he may be assigned a block of validation
9 stickers and certificates of number which upon issue, in conformity with
10 this chapter and with any rules of the department, shall be valid as if issued
11 directly by the department.

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

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

16 (5) The purchaser of a snowmobile shall, within fifteen (15) days im-
17 mediately after acquisition, make application to the department for trans-
18 fer to him of the certificate of number issued to the snowmobile, giving his
19 name, address and the number of the snowmobile and shall at the same time pay
20 to the department a fee of three dollars (\$3.00). Upon receipt of the appli-
21 cation and fee, the department shall transfer the certificate of number is-
22 sued for the snowmobile to the new owner or owners. Unless the application
23 is made and fee paid within fifteen (15) days, the snowmobile shall be con-
24 sidered to be without a certificate of number and it shall be unlawful for any
25 person to operate that snowmobile until the certificate is issued.

26 (6) No number other than the validation stickers issued to a snowmobile
27 pursuant to this chapter shall be painted, attached, or otherwise displayed
28 on the snowmobile, except a temporary number may be attached to identify a
29 snowmobile for the purpose of racing or other sporting events.

30 (7) Resident and nonresident owners of snowmobiles used for rental pur-
31 poses shall purchase validation stickers for sixty-one dollars (\$61.00) and
32 the validation stickers shall be displayed on the machine at all times.

33 (8) Resident and nonresident owners of vintage snowmobiles shall not be
34 required to obtain a certificate of number or to display a validation sticker
35 pursuant to this chapter.