

Dear Senators PATRICK, Guthrie, Ward-Engelking, and
Representatives BARBIERI, Clow, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Bureau of Occupational Licenses - Idaho Driving Businesses Licensure Board:
IDAPA 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board (Fee Rule) - Proposed Rule (Docket No. 24-2501-1701).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 11/02/2017. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/04/2017.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4834, or send a written request to the address on the memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee

FROM: Senior Legislative Research Analyst - Kristin Ford

DATE: October 16, 2017

SUBJECT: Bureau of Occupational Licenses - Idaho Driving Businesses Licensure Board

IDAPA 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board (Fee Rule) - Proposed Rule (Docket No. 24-2501-1701)

The Bureau of Occupational Licenses submits notice of a proposed fee rule at IDAPA 24.25.01 - Rules of the Driving Businesses Licensure Board. The proposed rule reduces the fees charged by the Board for initial application processing, original instructor license and renewal, instructor apprentice permit, and original business license and renewal fees. The Bureau states that this is possible because of a new source of fees granted by the Legislature in 2015 Senate Bill 1120, which diverts \$5 per student to the Occupational Licenses Fund if a student is taking private driver's training instruction instead of through a public school.

The Bureau states that negotiated rulemaking was not conducted because the proposed changes were discussed during open, noticed meetings of the Board. The Bureau further states that the fee rule will have no impact on the general fund and that the impact on the Bureau of Occupational Licenses' dedicated fund will be a reduction of approximately \$14,950 per year. The proposed fee rule is within the statutory authority granted to the Board pursuant to section 54-5403(5), Idaho Code.

cc: Bureau of Occupational Licenses - Idaho Driving Businesses Licensure Board
Tana Cory

IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES

24.25.01 – RULES OF THE IDAHO DRIVING BUSINESSES LICENSURE BOARD

DOCKET NO. 24-2501-1701 (FEE RULE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 54-5403 and 54-5404, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 18, 2017.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In 2015, the Idaho State Legislature passed Senate Bill 1120 which distributes a portion of the money that the Idaho Department of Transportation collects for driver training permits to the Board. As a result, the Board is able to lower fees for licensees.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Rule 175 reduces the initial application processing fee from \$50 to \$25, the original instructor license and renewal fee from \$50 to \$25, the instructor apprentice permit fee from \$50 to \$25, and the original business license and renewal fee from \$500 to \$250.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the proposed changes to these rules were discussed during noticed, open meetings of the Board.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Dicsie Gullick at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 25, 2017.

DATED this 1st day of September, 2017.

Tana Cory, Bureau Chief
Bureau of Occupational Licenses
700 W. State St.
P.O. Box 83720
Boise, ID 83720-0063
Phone: (208) 334-3233
Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-2501-1701
(Only Those Sections With Amendments Are Shown.)

175. FEES (RULE 175).

- 01. Fees.** The following fees are established by the Board: (4-7-11)
- a. Initial application processing fee - ~~fifty~~ twenty-five dollars (~~\$50~~25). (~~4-7-11~~)()
 - b. Original instructor license fee and renewal fee - ~~fifty~~ twenty-five dollars (~~\$50~~25). (~~4-7-11~~)()
 - c. Instructor apprentice permit fee - ~~fifty~~ twenty-five dollars (~~\$50~~25). (~~4-7-11~~)()
 - d. Original business license fee and renewal fee - ~~five~~ two hundred fifty dollars (~~\$500~~250). (~~4-7-11~~)()
 - e. Reinstatement fee is as provided in Section 67-2614, Idaho Code. (3-24-16)
- 02. Refund of Fees.** All fees are non-refundable. (4-7-11)

PROPOSED RULE COST/BENEFIT ANALYSIS

Section 67-5223(3), Idaho Code, requires the preparation of an economic impact statement for all proposed rules imposing or increasing fees or charges. This cost/benefit analysis, which must be filed with the proposed rule, must include the reasonably estimated costs to the agency to implement the rule and the reasonably estimated costs to be borne by citizens, or the private sector, or both.

Department or Agency: Bureau of Occupational Licenses

Agency Contact: Dicsie Gullick **Phone:** 208 334-3233

Date: September 1, 2017

IDAPA, Chapter and Title Number and Chapter Name:

IDAPA 24.25.01 – Rules of the Idaho Driving Businesses Licensure Board

Fee Rule Status: X **Proposed** **Temporary**

Rulemaking Docket Number: 24-2501-1701

STATEMENT OF ECONOMIC IMPACT:

This fee rule will have no impact on the general fund. It is estimated that the impact on the Idaho Bureau of Occupational Licenses' dedicated fund will be a reduction of approximately \$14,950.00 per year.