

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 332

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE IDENTIFICATION CARDS; AMENDING SECTION 49-202,  
2 IDAHO CODE, TO PROVIDE FOR AUTHORIZED AGENTS OF THE DEPARTMENT TO COL-  
3 LLECT CERTAIN FEES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION  
4 49-306, IDAHO CODE, TO PROVIDE THAT AGENTS AUTHORIZED BY THE DEPARTMENT  
5 ARE AUTHORIZED TO ADMINISTER CERTAIN OATHS AND TO COLLECT CERTAIN FEES  
6 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-2442, IDAHO  
7 CODE, TO PROVIDE THAT ANY IDAHO RESIDENT MAY APPLY TO AN AGENT AUTHO-  
8 RIZED BY THE DEPARTMENT FOR AN IDENTIFICATION CARD AND TO MAKE A TECH-  
9 NICAL CORRECTION; AMENDING SECTION 49-2443, IDAHO CODE, TO PROVIDE FOR  
10 AUTHORIZED AGENTS OF THE DEPARTMENT TO RECEIVE APPLICATIONS FOR IDENTI-  
11 FICATION CARDS AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTION  
12 49-2444, IDAHO CODE, TO PROVIDE FOR CERTAIN AUTHORIZED ISSUING AGENTS  
13 TO RETAIN CERTAIN FEES COLLECTED AND TO MAKE TECHNICAL CORRECTIONS.  
14

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

16 SECTION 1. That Section 49-202, Idaho Code, be, and the same is hereby  
17 amended to read as follows:

18 49-202. DUTIES OF DEPARTMENT. (1) All registration and driver's li-  
19 cense records in the office of the department shall be public records and  
20 open to inspection by the public during normal business hours, except for  
21 those records declared by law to be for the confidential use of the depart-  
22 ment, or those records containing personal information subject to restric-  
23 tions or conditions regarding disclosure. If the department has contracted  
24 for a service to be provided by another entity, an additional fee shall be  
25 charged by that contractor whether the service is rendered during normal  
26 business hours, other than normal business hours or on weekends.

27 (2) In addition to other fees required by law to be collected by the de-  
28 partment, the department shall collect the following:

- 29 (a) For certifying a copy of any record pertaining to any vehicle li-  
30 cense, any certificate of title, or any driver's license ..... \$14.00
- 31 (b) For issuing every Idaho certificate of title ..... \$14.00
- 32 (c) For furnishing a duplicate copy of any Idaho certificate  
33 of title ..... \$14.00
- 34 (d) For issuance or transfer of every certificate of title on a new or  
35 used vehicle or other titled vehicle in an expedited manner (rush ti-  
36 tles), in addition to any other fee required by this section .... \$26.00
- 37 (e) For recording a transitional ownership document, in addition to any  
38 other fee required by this section ..... \$26.00
- 39 (f) For furnishing a replacement of any receipt  
40 of registration ..... \$5.00

1	(g) For furnishing copies of registration or ownership of motor vehicles or driver's license records, per vehicle registration, accident report records, title or per driver's license record .....	\$7.00
2		
3	Additional contractor fee, not to exceed .....	\$4.00
4		
5	(h) For services in searching files of vehicle or other registrations, vehicle titles, or driver's licenses per hour ..	\$18.00
6		
7	(i) Placing "stop" cards in vehicle registration or title files, each .....	\$21.00
8		
9	(j) For issuance of an assigned or replacement vehicle identification number (VIN) .....	\$18.00
10		
11	(k) For a vehicle identification number (VIN) inspection whether conducted by a city or county peace officer or any other peace officer or designated agent of the state of Idaho, per inspection .....	\$5.00
12		
13	(l) For all replacement registration stickers, each .....	\$2.00
14		
15	(m) For issuing letters of temporary vehicle clearance to Idaho-based motor carriers .....	\$18.00
16		
17	(n) For all sample license plates, each .....	\$21.00
18		
19	(o) For filing release of liability statements .....	\$3.50
20		
21	(p) For safety and insurance programs for each vehicle operated by a motor carrier .....	\$3.00

21 A lesser amount may be set by rule of the board.

22 (3) The fees required in this section shall not apply when the service  
23 is furnished to any federal, state, county or city peace officer when such  
24 service is required in the performance of their duties as peace officers.

25 (4) The department may enter into agreements with private companies or  
26 public entities to provide the services for which a fee is collected in sub-  
27 section (2) (g) of this section. Such private contractor shall collect the  
28 fee prescribed and remit the fee to the department. The contractor shall  
29 also collect and retain the additional fee charged for his services.

30 (5) (a) The department shall pay three dollars (\$3.00) of the fee col-  
31 lected by a county assessor or other authorized agent of the department  
32 as provided in subsection (2) (a) through (f) of this section, and four  
33 dollars (\$4.00) as provided in subsection (2) (g) of this section, to  
34 the county assessor or sheriff of the county or authorized agent of  
35 the department collecting such fee, which shall be deposited with the  
36 county treasurer and credited to the county current expense fund when  
37 collected by the county. When fees are collected by the department or an  
38 authorized agent of the department, such fees shall be deposited with  
39 the issuing entity. The remainder of the fees collected as provided in  
40 that subsection shall be paid by the department to the state treasurer  
41 and placed in the state highway account.

42 (b) The fee collected under subsection (2) (k) of this section for a VIN  
43 inspection shall be placed in the city general fund if conducted by a  
44 city peace officer, in the county current expense fund if conducted by a  
45 county peace officer, shall be retained by the special agent authorized  
46 to perform the inspection, or paid to the state treasurer and placed to  
47 the credit of the Idaho state police if conducted by the Idaho state po-  
48 lice or in the state highway account if conducted by the department.

49 (c) The fee collected under subsection (2) (o) of this section for fil-  
50 ing release of liability statements shall be retained by the county

1        assessor of the county collecting such fee, and shall be deposited with  
2        the county treasurer and credited to the county current expense fund.  
3        Any fees collected by the department for filing release of liability  
4        statements shall be retained by the department.

5        (d) The fee in subsection (2) (m) of this section shall not apply when  
6        the Idaho-based motor carrier or its representative obtains and prints  
7        the document using internet access.

8        (e) The fee collected under subsection (2) (p) of this section for mo-  
9        tor carriers shall be paid by the department to the state treasurer and  
10       placed in the state highway account. The director and the director of  
11       the Idaho state police shall jointly determine the amount to be trans-  
12       ferred from the state highway account to the law enforcement fund for  
13       motor carrier safety programs conducted by the Idaho state police pur-  
14       suant to the provisions of section 67-2901A, Idaho Code.

15       (6) The department as often as practicable may provide to law enforce-  
16       ment agencies the record of suspensions and revocations of driver licenses  
17       via the ~~Idaho law enforcement telecommunications~~ public safety and security  
18       information system (ILETS).

19       (7) The department shall provide the forms prescribed in chapter 5 of  
20       this title, shall receive and file in its office in Ada county all instru-  
21       ments required in chapter 5 of this title to be filed with the department,  
22       shall prescribe a uniform method of numbering certificates of title, and  
23       shall maintain in the department indices for such certificates of title. All  
24       indices shall be by motor or identification number and alphabetical by name  
25       of the owner.

26       (8) The department shall file each registration received under a  
27       distinctive registration number assigned to the vehicle and to the owner  
28       thereof.

29       (9) The department shall not renew a driver's license or identification  
30       card when fees required by law have not been paid or where fees for past pe-  
31       riods are due, owing and unpaid including insufficient fund checks, until  
32       those fees have been paid.

33       (10) The department shall not grant the registration of a vehicle when:

34       (a) The applicant is not entitled to registration under the provisions  
35       of this title; or

36       (b) The applicant has neglected or refused to furnish the department  
37       with the information required in the appropriate form or reasonable ad-  
38       ditional information required by the department; or

39       (c) The fees required by law have not been paid, or where fees for past  
40       registration periods are due, owing and unpaid including insufficient  
41       fund checks.

42       (11) The department or its authorized agents have the authority to re-  
43       quest any person to submit to medical, vision, highway, or written examina-  
44       tions, to protect the safety of the public upon the highways. The depart-  
45       ment or its authorized agents may exercise such authority based upon evi-  
46       dence which may include, but is not limited to, observations made.

47       (12) The department shall revoke the registration of any vehicle:

48       (a) Which the department shall determine is unsafe or unfit to be oper-  
49       ated or is not equipped as required by law;

1 (b) Whenever the person to whom the registration card or registration  
2 plate has been issued shall make or permit to be made any unlawful use of  
3 the same or permit their use by a person not entitled thereto;

4 (c) For any violation of vehicle registration requirements by the owner  
5 or operator in the current or past registration periods;

6 (d) Whenever a motor carrier requests revocation, or whenever an inter-  
7 state carrier's federal operating authority has been revoked;

8 (e) For failure of the owner or operator to file the reports required  
9 or nonpayment of audit assessments or fees assessed against the owner by  
10 the department or the state tax commission pursuant to audit under the  
11 provisions of section 49-439, Idaho Code;

12 (f) Identified by any city or county administering a program es-  
13 tablished by ordinance for the inspection and readjustment of motor  
14 vehicles (which program is part of an approved state implementation  
15 plan adopted by both the state and federal governments under 42 U.S.C.  
16 ~~section~~ 7410) as having failed to comply with an ordinance requiring  
17 motor vehicle emission inspection and readjustment; provided that no  
18 vehicle shall be identified to the department under this subsection ~~(f)~~  
19 unless:

20 (i) The city or county certifies to the department that the owner  
21 of the motor vehicle has been given notice and had the opportunity  
22 for a hearing concerning compliance with the ordinance and has ex-  
23 hausted all remedies and appeals from any determination made at  
24 such hearing; and

25 (ii) The city or county reimburses the department for all direct  
26 costs associated with the registration revocation procedure.

27 (13) The department shall not reregister or permit a vehicle to oper-  
28 ate on a special trip permit until all fees, penalties and interest have been  
29 paid.

30 (14) The department shall institute educational programs, demonstra-  
31 tions, exhibits and displays.

32 (15) The department shall cancel a driver's license or identification  
33 card when fees required by law have not been paid or where fees are due, owing  
34 and unpaid including insufficient fund checks, until those fees have been  
35 paid.

36 (16) The department shall examine persons and vehicles by written,  
37 oral, vision and skills tests without compulsion except as provided by law.

38 (17) The department shall employ expert and special help as needed in  
39 the department.

40 (18) The department shall compile accident statistics and disseminate  
41 information relating to those statistics.

42 (19) The department shall cooperate with the United States in the elimi-  
43 nation of road hazards, whether of a physical, visual or mental character.

44 (20) The department shall place and maintain traffic-control devices,  
45 conforming to the board's manual and specifications, upon all state highways  
46 as it shall deem necessary to indicate and to carry out the provisions of this  
47 title or to regulate, warn, or guide traffic. No local authority shall place  
48 or maintain any traffic-control device upon any highway under the jurisdic-  
49 tion of the department except by the latter's permission. The placement and  
50 maintenance of such a traffic-control device by a local authority shall be

1 made according to the board's manual and specifications for a uniform system  
2 of traffic-control devices.

3 (21) The department may conduct an investigation of any bridge or other  
4 elevated structure constituting a part of a highway, and, if it shall find  
5 that the structure cannot with safety to itself withstand vehicles travel-  
6 ing at a speed otherwise permissible under this title, shall determine and  
7 declare the maximum speed of vehicles which the structure can safely with-  
8 stand, and shall cause or permit suitable signs stating the maximum speed to  
9 be erected and maintained before each end of the structure.

10 (22) Whenever the department shall determine on the basis of an engi-  
11 neering and traffic investigation that slow speeds on any highway or part of  
12 a highway impede the normal and reasonable movement of traffic, the depart-  
13 ment may determine and declare a minimum speed limit below which no person  
14 shall drive a vehicle except when necessary for safe operation or in compli-  
15 ance with law, and that limit shall be effective when posted upon appropriate  
16 fixed or variable signs.

17 (23) The department shall regulate or prohibit the use of any con-  
18 trolled-access highway by any class or kind of traffic which is found to be  
19 incompatible with the normal and safe movement of traffic.

20 (24) The department shall erect and maintain traffic-control devices on  
21 controlled-access highways on which any prohibitions are applicable.

22 (25) The department and local authorities are authorized to determine  
23 those portions of any highway under their respective jurisdictions where  
24 overtaking and passing or driving on the left side of the roadway would be  
25 especially hazardous and may by appropriate signs or markings on the roadway  
26 indicate the beginning and end of those zones and when signs or markings are  
27 in place and clearly visible to an ordinarily observant person, every driver  
28 of a vehicle shall obey those directions.

29 (26) The department and local authorities in their respective juris-  
30 dictions may in their discretion issue special permits authorizing the  
31 operation upon a highway of traction engines or tractors having movable  
32 tracks with transverse corrugations upon the periphery of the movable tracks  
33 or farm tractors or other farm machinery, the operation of which upon a high-  
34 way would otherwise be prohibited under this title or title 40, Idaho Code.

35 (27) The department and local highway authorities within their respec-  
36 tive jurisdictions may place official traffic-control devices prohibiting,  
37 limiting or restricting the stopping, standing or parking of vehicles on any  
38 highway where such stopping, standing or parking is dangerous to those using  
39 the highway or where the stopping, standing or parking of vehicles unduly in-  
40 terferes with the free movement of traffic thereon.

41 (28) On any informational material printed after July 1, 1995, by or at  
42 the order of the department and distributed to counties, school districts  
43 or individuals for the purpose of assisting a person to successfully pass  
44 a driver's license test, the department shall include material about the  
45 state's open range law and responsibilities, liabilities and obligations of  
46 drivers driving in the open range.

47 SECTION 2. That Section 49-306, Idaho Code, be, and the same is hereby  
48 amended to read as follows:

1 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,  
 2 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-  
 3 MIT. (1) Every application for any instruction permit, restricted school  
 4 attendance driving permit, or for a driver's license shall be made upon  
 5 a form furnished by the department and shall be verified by the applicant  
 6 before a person authorized to administer oaths. Officers and employees of  
 7 the department, agents authorized by the department, and sheriffs and their  
 8 deputies are authorized to administer the oaths without charge. Every ap-  
 9 plication for a permit, extension or driver's license shall be accompanied  
 10 by the following fee, none of which is refundable:

11 (a) Class A, B, C (4-year) license with endorsements --  
 12 age 21 years and older .....\$40.00  
 13 (b) Class A, B, C (3-year) license with endorsements --  
 14 age 18 to 21 years .....\$30.00  
 15 (c) Class A, B, C (1-year) license with endorsements --  
 16 age 20 years .....\$15.00  
 17 (d) Class D (3-year) license -- under age 18 years .....\$25.00  
 18 (e) Class D (3-year) license -- age 18 to 21 years .....\$25.00  
 19 (f) Class D (1-year) license -- age 17 years or age 20 years .....\$15.00  
 20 (g) Four-year Class D license -- age 21 years and older .....\$30.00  
 21 (h) Eight-year Class D license -- age 21 to 63 years .....\$55.00  
 22 (i) Commercial learner's permit .....\$29.00  
 23 (j) Class D instruction permit or supervised instruction permit  
 24 .....\$15.00  
 25 (k) Duplicate driver's license or permit issued under  
 26 section 49-318, Idaho Code .....\$15.00  
 27 (l) Driver's license extension issued under section  
 28 49-319, Idaho Code .....\$10.00  
 29 (m) License classification change (upgrade) .....\$25.00  
 30 (n) Endorsement addition .....\$15.00  
 31 (o) Class A, B, C skills tests not more than .....\$200.00  
 32 (p) Class D skills test not more than .....\$35.00  
 33 (q) Motorcycle endorsement skills test not more than .....\$25.00  
 34 (r) Knowledge test .....\$ 3.00  
 35 (s) Seasonal driver's license .....\$39.00  
 36 (t) ~~One-time~~ Onetime motorcycle "M" endorsement .....\$15.00  
 37 (u) Motorcycle endorsement instruction permit .....\$15.00  
 38 (v) Restricted driving permit or restricted school attendance  
 39 driving permit .....\$60.00

40 (2) A person who applies for a driver's license or a driver's license  
 41 renewal may designate a voluntary contribution of two dollars (\$2.00) for  
 42 the purpose of promoting and supporting organ donation. Such a contribution  
 43 shall be treated as a voluntary contribution to the organ donation contribu-  
 44 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-  
 45 cense fee.

46 (3) Every application shall state the true and full name, date of birth,  
 47 sex, declaration of Idaho residency, Idaho residence address and mailing ad-  
 48 dress, if different, of the applicant, height, weight, hair color, and eye  
 49 color, and the applicant's social security number as verified by the social  
 50 security administration. If an applicant has submitted an application pur-

1 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-  
2 cant may state, in his or her application pursuant to this section, the ap-  
3 plicant's alternative Idaho mailing address in place of his or her Idaho res-  
4 idence address and mailing address. Notwithstanding the provisions of sec-  
5 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or  
6 C driver's license or nondomiciled commercial learner's permit having res-  
7 idency in a state that is prohibited from issuing class A, B or C driver's  
8 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-  
9 cepted from providing proof of Idaho residency and an Idaho mailing address.

10 (a) The requirement that an applicant provide a social security number  
11 as verified by the social security administration shall apply only to  
12 applicants who have been assigned a social security number.

13 (b) An applicant who has not been assigned a social security number  
14 shall:

15 (i) Present written verification from the social security admin-  
16 istration that the applicant has not been assigned a social secu-  
17 rity number; and

18 (ii) Submit a birth certificate, passport or other documentary  
19 evidence issued by an entity other than a state or the United  
20 States; and

21 (iii) Submit such proof as the department may require that the ap-  
22 plicant is lawfully present in the United States.

23 A driver's license, commercial learner's permit or any instruction  
24 permit issued on and after January 1, 1993, shall not contain an appli-  
25 cant's social security number. Applications on file shall be exempt  
26 from disclosure except as provided in sections 49-202, 49-203, 49-203A  
27 and 49-204, Idaho Code.

28 (c) Every application for a class A, B or C license shall state where the  
29 applicant has been licensed for the preceding ten (10) years and under  
30 which of the following driving categories the applicant will operate:

31 (i) Non-excepted interstate. The applicant operates or expects  
32 to operate in interstate commerce, and is required to provide a  
33 medical examiner's certificate;

34 (ii) Excepted interstate. The applicant operates or expects to  
35 operate in interstate commerce, but engages exclusively in trans-  
36 portation or operations excepted by the federal motor carrier  
37 safety administration from all or parts of the qualification re-  
38 quirements of federal motor carrier safety regulation 49, part  
39 391, and is therefore not required to provide a medical examiner's  
40 certificate;

41 (iii) Non-excepted intrastate. The applicant operates only in  
42 intrastate commerce and is subject to and meets all Idaho driver  
43 qualification requirements and the applicable parts of federal  
44 motor carrier safety regulation 49, part 391, and is required to  
45 provide a medical examiner's certificate; or

46 (iv) Excepted intrastate. The applicant operates in intrastate  
47 commerce, but engages exclusively in exempted transportation or  
48 operations as listed in section 67-2901B(2), Idaho Code, and the  
49 applicable parts of federal motor carrier safety regulation 49,

1 part 391, and is therefore not required to provide a medical exam-  
2 iner's certificate.

3 All applications shall also state whether the applicant has previ-  
4 ously been licensed as a driver, and if so, when and by what state or  
5 country, and whether a driver's license or privileges have ever been  
6 suspended, revoked, denied, disqualified, canceled or whether an ap-  
7 plication has ever been refused, and if so, the date of and reason for  
8 the suspension, revocation, denial, disqualification, cancellation  
9 or refusal and the applicant's oath that all information is correct as  
10 signified by the applicant's signature.

11 (d) The applicant must submit proof of identity acceptable to the exam-  
12 iner or the department and date of birth as set forth in a certified copy  
13 of his birth certificate. When a certified copy of his birth certifi-  
14 cate or a delayed birth certificate is impossible to obtain from a vital  
15 statistics agency, another government-issued document may be submitted  
16 that provides satisfactory evidence of a person's full legal name and  
17 date of birth acceptable to the examiner or the department.

18 (e) Every applicant for a class A, B or C driver's license or commer-  
19 cial learner's permit shall provide proof of United States citizenship  
20 or lawful permanent residency in the United States upon application for  
21 issuance, transfer, upgrade or renewal, unless the applicant's driving  
22 record already contains documentation confirming United States citi-  
23 zenship or lawful permanent residency. Every applicant for a nondomi-  
24 ciled class A, B or C driver's license or commercial learner's permit  
25 domiciled in a foreign country must provide an unexpired employment au-  
26 thorization document issued by the department of homeland security or  
27 an unexpired foreign passport accompanied by an approved I-94 form doc-  
28 umenting the applicant's most recent admittance into the United States.

29 (f) Individuals required to register in compliance with section 3 of  
30 the federal military selective service act, 50 U.S.C. App. 451 et seq.,  
31 as amended, shall be provided an opportunity to fulfill such registra-  
32 tion requirements in conjunction with an application for a driver's li-  
33 cense, commercial learner's permit or instruction permit. Any regis-  
34 tration information so supplied shall be transmitted by the department  
35 to the selective service system.

36 (4) Whenever an application is received from a person previously li-  
37 censed in another jurisdiction, the department shall request a copy of the  
38 driver's record from the other jurisdiction and shall contact the national  
39 driver register. When received, the driver's record from the previous ju-  
40 risdiction shall become a part of the driver's record in this state with the  
41 same force and effect as though entered on the driver's record in this state  
42 in the original instance.

43 (5) Whenever the department receives a request for a driver's record  
44 from another licensing jurisdiction, the record shall be forwarded without  
45 charge.

46 (6) The department shall contact and notify the commercial driver li-  
47 cense information system of the proposed application for a class A, B or C  
48 driver's license or commercial learner's permit to ensure identification of  
49 the person and to obtain clearance to issue the license.



1 (7) When the fees required under this section are collected by a county  
 2 officer, they shall, except as provided in subsection (8) of this section,  
 3 be paid over to the county treasurer not less often than monthly, who shall  
 4 immediately:

5 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's  
 6 license except an eight-year class D license, or any class D instruction  
 7 permit application fees, application for a duplicate driver's license  
 8 or permit, classification change, seasonal driver's license and addi-  
 9 tional endorsement, and ten dollars (\$10.00) from each eight-year class  
 10 D driver's license, in the current expense fund;

11 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle  
 12 endorsement and motorcycle endorsement instruction permit fee in the  
 13 current expense fund;

14 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a  
 15 knowledge test in the current expense fund;

16 (d) Deposit an amount up to twenty-five dollars (\$25.00) from each fee  
 17 for a motorcycle endorsement skills test in the current expense fund;  
 18 provided however, if a contractor administers the skills test he shall  
 19 be entitled to the entire fee;

20 (e) Remit the remainder to the state treasurer; and

21 (f) Deposit up to twenty-eight dollars and fifty cents (\$28.50) from  
 22 each fee for a class D skills test into the county current expense fund,  
 23 unless the test is administered by a department-approved contractor, in  
 24 which case the contractor shall be entitled to up to twenty-eight dol-  
 25 lars and fifty cents (\$28.50) of each fee.

26 (8) When the fees required under this section are collected by a ~~state~~  
 27 ~~officer or agency~~ the department or an agent authorized by the department,  
 28 they shall be paid over to the state treasurer. When the department or an  
 29 agent authorized by the department collects the fees required under this  
 30 section, the portion of fees to be retained by the county shall be retained by  
 31 the issuing authorized agent.

32 (9) The state treasurer shall distribute the moneys received from fees  
 33 imposed by the provisions of this section, whether collected by a county of-  
 34 ficer or by a state officer or agency as follows:

35 (a) Two dollars (\$2.00) of each fee for a four-year driver's license  
 36 or seasonal driver's license, and four dollars (\$4.00) of each fee for  
 37 an eight-year class D driver's license, and one dollar and fifty cents  
 38 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-  
 39 tion (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each  
 40 fee charged for driver's licenses pursuant to subsection (1) (c) and  
 41 (f) of this section, shall be deposited in the emergency medical ser-  
 42 vices fund II created in section 56-1018A, Idaho Code, and four dollars  
 43 (\$4.00) of each fee charged pursuant to subsection (1) (a), (g) and (s)  
 44 of this section and eight dollars (\$8.00) of each fee charged pursuant  
 45 to subsection (1) (h) of this section and three dollars (\$3.00) of each  
 46 fee for driver's licenses pursuant to subsection (1) (b), (d) and (e) of  
 47 this section, and one dollar (\$1.00) of each fee charged for driver's  
 48 licenses pursuant to subsection (1) (c) and (f) of this section shall be  
 49 deposited in the emergency medical services fund III created in section  
 50 56-1018B, Idaho Code;

1 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
2 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
3 of each fee charged for a license pursuant to subsection (1) (b) of this  
4 section, and eight dollars and sixteen cents (\$8.16) of each fee charged  
5 for a license pursuant to subsection (1) (c) of this section shall be de-  
6 posited in the state highway account;

7 (c) Twenty dollars (\$20.00) of each fee for a commercial learner's per-  
8 mit or driver's license classification change shall be deposited in the  
9 state highway account;

10 (d) Four dollars (\$4.00) of each fee for a commercial learner's permit  
11 shall be deposited in the emergency medical services fund III created in  
12 section 56-1018B, Idaho Code;

13 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class  
14 A, B or C driver's license, class A, B or C driver's license extension,  
15 or additional endorsement shall be deposited in the state highway ac-  
16 count;

17 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle  
18 endorsement and motorcycle endorsement instruction permit shall be de-  
19 posited in the state highway account;

20 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
21 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
22 each fee for an eight-year class D driver's license, and four dollars  
23 (\$4.00) of each fee charged for a license pursuant to subsection (1) (d)  
24 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
25 of each fee charged for a license pursuant to subsection (1) (f) of this  
26 section shall be deposited in the driver training ~~fund~~ account;

27 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
28 four-year class D driver's license, and twenty dollars and forty cents  
29 (\$20.40) of each fee for an eight-year class D driver's license, and ten  
30 dollars and fifty cents (\$10.50) of each fee charged for a license pur-  
31 suant to subsection (1) (d) and (e) of this section, and six dollars and  
32 eighty-three cents (\$6.83) of each fee charged for a license pursuant  
33 to subsection (1) (f) of this section shall be deposited in the highway  
34 distribution ~~fund~~ account;

35 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-  
36 struction permit, duplicate class D license or permit, and class D li-  
37 cense extension shall be deposited in the driver training ~~fund~~ account;

38 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D  
39 instruction permit, duplicate class D license or permit, and class D  
40 license extension shall be deposited in the highway distribution ~~fund~~  
41 account;

42 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test  
43 shall be deposited in the state highway account;

44 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
45 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
46 class D driver's license, and one dollar (\$1.00) of each fee charged for  
47 a license pursuant to subsection (1) (b), (d) and (e) of this section,  
48 and thirty-four cents (34¢) of each fee charged for a license pursuant  
49 to subsection (1) (c) and (f) of this section shall be deposited in the

1 motorcycle safety program fund established in section 33-4904, Idaho  
2 Code;

3 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills  
4 test shall be deposited into the state highway account; and

5 (n) Each voluntary contribution of two dollars (\$2.00) as described in  
6 subsection (2) of this section, less actual administrative costs asso-  
7 ciated with collecting and transferring such contributions, shall be  
8 deposited into the organ donation contribution fund created in section  
9 49-2447, Idaho Code.

10 (10) The contractor administering a class A, B or C skills test shall  
11 be entitled to not more than one hundred ninety dollars (\$190) of the skills  
12 test fee. A contractor administering a class A, B or C skills test may col-  
13 lect an additional fee for the use of the contractor's vehicle for the skills  
14 test.

15 (11) Sixty dollars (\$60.00) of each restricted driving permit and each  
16 restricted school attendance driving permit shall be deposited in the state  
17 highway account.

18 (12) The department may issue seasonal class B or C driver's licenses to  
19 drivers who are employees of agri-chemical businesses, custom harvesters,  
20 farm retail outlets and suppliers, and livestock feeders that:

21 (a) Will only be valid for driving commercial vehicles that normally  
22 require class B or C commercial driver's licenses;

23 (b) Will be valid for seasonal periods that begin on the date of is-  
24 suance and that are not to exceed one hundred eighty (180) days in a  
25 twelve (12) month period;

26 (c) May only be obtained twice in a driver's lifetime;

27 (d) Are valid only within a one hundred fifty (150) mile radius of the  
28 place of business or farm being serviced; and

29 (e) Will be valid only in conjunction with valid Idaho class D driver's  
30 licenses.

31 (13) The department may issue seasonal class B or C driver's licenses to  
32 drivers who:

33 (a) Have not violated the single license provisions of applicable fed-  
34 eral regulations;

35 (b) Have not had any license suspensions, revocations or cancella-  
36 tions;

37 (c) Have not had any convictions in any vehicle for any offense listed  
38 in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic  
39 offense;

40 (d) Have at least one (1) year of driving experience with a class D or  
41 equivalent license in any type motor vehicle; and

42 (e) Are at least sixteen (16) years old.

43 SECTION 3. That Section 49-2442, Idaho Code, be, and the same is hereby  
44 amended to read as follows:

45 49-2442. IDENTIFICATION CARDS AUTHORIZED. Any Idaho resident may ap-  
46 ply to an authorized agent of the department for an identification card. It  
47 is prima facie evidence of age when the authorized holder of an identifica-  
48 tion card exhibits a card which that contains information indicating that  
49 the person has attained a certain age.

1 SECTION 4. That Section 49-2443, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 49-2443. APPLICATION. Application for an identification card must be  
4 made in person before an ~~examiner~~ authorized by agent of the department to  
5 ~~issue driver's licenses.~~ The ~~examiner~~ authorized agent shall obtain the  
6 following from the applicant:

7 (1) The true and full name and Idaho residence address and mailing ad-  
8 dress, if different, of the applicant;

9 (2) The identity and date of birth of the applicant as set forth in a  
10 certified copy of his birth certificate and, subject to subsection (6) of  
11 this section, other satisfactory evidence of identity acceptable to the  
12 ~~examiner~~ authorized agent or the department;

13 (3) The height and weight of the applicant;

14 (4) The color of eyes and hair of the applicant;

15 (5) ~~A~~The applicant's signature; and

16 (6) The applicant's social security number as verified by the social  
17 security administration.

18 (a) The requirement that an applicant provide a social security number  
19 as verified by the social security administration shall apply only to  
20 applicants who have been assigned a social security number.

21 (b) An applicant who has not been assigned a social security number  
22 shall:

23 (i) Present written verification from the social security admin-  
24 istration that the applicant has not been assigned a social secu-  
25 rity number; and

26 (ii) Submit a birth certificate, passport or other documentary  
27 evidence issued by an entity other than a state or the United  
28 States; and

29 (iii) Submit such proof as the department may require that the ap-  
30 plicant is lawfully present in the United States.

31 SECTION 5. That Section 49-2444, Idaho Code, be, and the same is hereby  
32 amended to read as follows:

33 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
34 The department shall issue a distinguishing identification card that shall  
35 set forth the information contained in the application, in a form as pre-  
36 scribed by the department. All identification cards issued on or after Jan-  
37 uary 1, 1993, shall not contain the applicant's social security number. An  
38 applicant's social security number shall be exempt from disclosure except  
39 for inquiries from agencies or institutions authorized to obtain such infor-  
40 mation by federal law or regulation, from peace officers or from jury com-  
41 missioners. Each card shall have printed on it the applicant's full name,  
42 date of birth, Idaho residence address, sex, weight, height, eye color, and  
43 hair color, and shall be issued a distinguishing number assigned to the ap-  
44 plicant. If an applicant has submitted an application pursuant to the provi-  
45 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-  
46 tion card shall contain his or her alternative Idaho mailing address in place  
47 of his or her Idaho residence address. Each card shall also have printed on  
48 it the name of this state, the date of issuance, and the date of expiration.

1 An identification card shall not be valid until it has been signed on the sig-  
2 nature line by the applicant. Each card shall bear upon it a color photograph  
3 of the applicant which shall be taken by the examiner at the time of appli-  
4 cation. The photograph shall be taken without headgear or other clothing or  
5 device that disguises or otherwise conceals the face or head of the appli-  
6 cant. A waiver may be granted by the department allowing the applicant to  
7 wear headgear or other head covering for medical, religious or safety pur-  
8 poses as long as the face is not disguised or otherwise concealed. At the re-  
9 quest of the applicant, an identification card may contain a statement or in-  
10 dication of the medical condition of the applicant.

11 No person shall receive an identification card unless and until he sur-  
12 renders to the department all identification cards in his possession issued  
13 to him by Idaho or any other jurisdiction, or any driver's license issued by  
14 any other jurisdiction within the United States, or until he executes an af-  
15 fidavit that he does not possess an identification card or any driver's li-  
16 cense.

17 Identification cards issued to persons under eighteen (18) years of age  
18 shall include a notation "under 18 until (month, day, year)," and identifi-  
19 cation cards issued to persons eighteen (18) years of age to twenty-one (21)  
20 years of age shall include a notation "under 21 until (month, day, year)."  
21 The nonrefundable fee for a four (4) year identification card issued to per-  
22 sons twenty-one (21) years of age or older shall be ten dollars (\$10.00),  
23 of which five dollars (\$5.00) shall be retained by the county and credited  
24 to the current expense fund, and five dollars (\$5.00) shall be deposited in  
25 the state treasury to the credit of the highway distribution account. The  
26 nonrefundable fee for identification cards issued to persons under twenty-  
27 one (21) years of age shall be ten dollars (\$10.00), of which five dollars  
28 (\$5.00) shall be retained by the authorized issuing agent or, if issued by  
29 the county and, shall be credited to the current expense fund, and five dol-  
30 lars (\$5.00) shall be deposited in the state treasury to the credit of the  
31 highway distribution account. The nonrefundable fee for an eight (8) year  
32 identification card shall be twenty dollars (\$20.00), of which ten dollars  
33 (\$10.00) shall be retained by the authorized issuing agent or, if issued by  
34 the county and, shall be credited to the current expense fund, and ten dol-  
35 lars (\$10.00) shall be deposited in the state treasury to the credit of the  
36 highway distribution account. At the option of the applicant, the identi-  
37 fication card issued to a person twenty-one (21) years of age or older shall  
38 expire either on the cardholder's birthday in the fourth year or the eighth  
39 year following issuance of the card, except as otherwise provided in subsec-  
40 tion (3) of this section. Every identification card issued to a person un-  
41 der eighteen (18) years of age shall expire five (5) days after the person's  
42 eighteenth birthday, except as otherwise provided in subsection (3) of this  
43 section. Every identification card issued to a person eighteen (18) years of  
44 age but under twenty-one (21) years of age shall expire five (5) days after  
45 the person's twenty-first birthday, except as otherwise provided in subsec-  
46 tion (3) of this section.

47 Individuals required to register in compliance with section 3 of the  
48 federal military selective service act, 50 U.S.C. App. 451 et seq., as  
49 amended, shall be provided an opportunity to fulfill such registration re-  
50 quirements in conjunction with an application for an identification card.

1 Any registration information so supplied shall be transmitted by the depart-  
2 ment to the selective service system.

3 (2) Every identification card, except those issued to persons under  
4 twenty-one (21) years of age, shall be renewable on or before its expiration,  
5 but not more than twenty-five (25) months before, and upon application and  
6 payment of the required fee.

7 (3) Every identification card issued to a person who is not a citizen or  
8 permanent legal resident of the United States shall have an expiration date  
9 that is the same date as the end of lawful stay in the United States as indi-  
10 cated on documents issued and verified by the department of homeland secu-  
11 rity, provided however, that the expiration date shall not extend beyond the  
12 expiration date for the same category of identification card issued to citi-  
13 zens. Persons whose department of homeland security documents do not state  
14 an expiration date shall be issued an identification card with an expiration  
15 date of one (1) year from the date of issuance.

16 (4) When an identification card has been expired for less than twenty-  
17 five (25) months, the renewal of the identification card shall start from  
18 the original date of expiration regardless of the year in which the applica-  
19 tion for renewal is made. If the identification card is expired for more than  
20 twenty-five (25) months, the application shall expire, at the option of the  
21 applicant, on the applicant's birthday in the fourth year or the eighth year  
22 following reissuance of the identification card, except as otherwise pro-  
23 vided in subsection (3) of this section.

24 (5) (a) If an Idaho identification card has expired or will expire  
25 and the identification cardholder is temporarily out of state, except  
26 on active military duty, the identification cardholder may request  
27 in writing on a form prescribed by the department an extension of the  
28 identification card. The request shall be accompanied by the fee  
29 fixed in section 49-306, Idaho Code, and the extension shall be no more  
30 than a twelve (12) month period. If the department determines that an  
31 extension of the identification card is necessary, it may issue an iden-  
32 tification card showing the date to which the expired identification  
33 card is extended. Identification card extensions are limited to two (2)  
34 consecutive extensions per identification cardholder.

35 (b) Upon returning to the state of Idaho, the identification cardholder  
36 shall, within ten (10) days, apply for a renewal of the expired iden-  
37 tification card and surrender the extended identification card and the  
38 expired identification card.

39 (6) An Idaho identification card issued to any person prior to serving  
40 on active duty in the armed forces of the United States, or a member of the  
41 immediate family accompanying such a person, if valid and in full force and  
42 effect upon entering active duty, shall remain in full force and effect and  
43 shall, upon application, be extended for a period of four (4) years as long  
44 as active duty continues, and the identification card shall remain in full  
45 force and effect sixty (60) days following the date the cardholder is re-  
46 leased from active duty.

47 (7) A person possessing an identification card who desires to donate  
48 any or all organs or tissue in the event of death, and who has completed a  
49 document of gift pursuant to the provisions for donation of anatomical gifts  
50 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the

1 donor, indicate this desire on the identification card by the imprinting of  
2 the word "donor" on the identification card. The provisions of this subsec-  
3 tion shall apply to persons possessing an identification card who are fif-  
4 teen (15) years of age or older but less than eighteen (18) years of age if  
5 the requirements provided in chapter 34, title 39, Idaho Code, have been com-  
6 plied with.

7 (8) A person possessing an identification card or an applicant for an  
8 identification card who is a person with a permanent disability may request  
9 that the notation "permanently disabled" be imprinted on the identification  
10 card, provided the person presents written certification from a licensed  
11 physician verifying that the person's stated impairment qualifies as a per-  
12 manent disability according to the provisions of section 49-117, Idaho Code.

13 (9) A person who is a veteran may request that his or her status as such  
14 be designated on an identification card at no additional cost. Any such re-  
15 quest shall be accompanied by proof of being a current or former member of  
16 the United States armed forces. Upon request and submission of satisfactory  
17 proof, the department shall indicate such person's status as a veteran on any  
18 identification card issued pursuant to the provisions of this section. Such  
19 designation shall be made upon original issuance or renewal of an identifi-  
20 cation card. Designation shall also be made on any duplicate identification  
21 card issued, provided that the fee for such duplicate card is paid in accor-  
22 dance with this section.

23 Satisfactory proof of being a current or former member of the United  
24 States armed forces must be furnished by an applicant to the department be-  
25 fore a designation of veteran status will be indicated on any identification  
26 card. Acceptable proof shall be a copy of form DD214 or an equivalent docu-  
27 ment or statement from the department of veterans affairs that identifies a  
28 character of service upon separation as "honorable" or "general under hon-  
29 orable conditions."

30 (10) In the case of a name change, the applicant shall provide legal doc-  
31 umentation to verify the change in accordance with department rules.

32 (11) Whenever any person, after applying for or receiving an identifi-  
33 cation card, shall move from the address shown on the application or on the  
34 identification card issued, that person shall, within thirty (30) days, no-  
35 tify the transportation department in writing of the old and new addresses.

36 (12) The department shall cancel any identification card upon determin-  
37 ing that the person was not entitled to the issuance of the identification  
38 card, or that the person failed to give the required and correct information  
39 in his application or committed fraud in making the application. Upon can-  
40 cellation, the person shall surrender the canceled identification card to  
41 the department.

42 (13) If any person shall fail to return to the department the identifi-  
43 cation card as required, the department may direct any peace officer to se-  
44 cure its possession and return the identification card to the department.

45 (14) The department may issue a no-fee identification card to an indi-  
46 vidual whose driver's license has been canceled and voluntarily surrendered  
47 as provided in section 49-322(5), Idaho Code. The identification card may be  
48 renewed at no cost to the applicant as long as the driver's license remains  
49 canceled.

1           (15) It is an infraction for any person to fail to notify the department  
2 of a change of address as required by the provisions of subsection (11) of  
3 this section.