

IN THE SENATE

SENATE BILL NO. 1081

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-303, IDAHO CODE, TO PROVIDE
2 FOR RESTRICTED DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE,
3 TO PROVIDE FOR RESTRICTED DRIVER'S LICENSES, TO PROVIDE FOR A CERTAIN
4 FEE, AND TO PROVIDE THAT A PERSON WITHOUT A SOCIAL SECURITY NUMBER MAY
5 APPLY FOR A RESTRICTED DRIVER'S LICENSE; AMENDING SECTION 49-307, IDAHO
6 CODE, TO PROVIDE FOR RESTRICTED DRIVER'S LICENSES; AMENDING CHAPTER 3,
7 TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO
8 CODE, TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE RESTRICTED
9 DRIVER'S LICENSES TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY RE-
10 QUIREMENTS, TO PROVIDE CRITERIA FOR RESTRICTED DRIVER'S LICENSES, AND
11 TO PROVIDE LIMITATIONS; AMENDING SECTION 49-313, IDAHO CODE, TO PROVIDE
12 FOR RESTRICTED DRIVER'S LICENSES AND TO MAKE A TECHNICAL CORRECTION;
13 AMENDING SECTION 49-317, IDAHO CODE, TO PROVIDE FOR LICENSING RESTRIC-
14 TIONS; AMENDING SECTION 49-318, IDAHO CODE, TO PROVIDE FOR RESTRICTED
15 DRIVER'S LICENSES; AMENDING SECTION 49-319, IDAHO CODE, TO PROVIDE FOR
16 RESTRICTED DRIVER'S LICENSES; AMENDING SECTION 49-321, IDAHO CODE, TO
17 PROVIDE FOR APPLICABILITY OF CERTAIN RECORDS; AND DECLARING AN EMER-
18 GENCY AND PROVIDING AN EFFECTIVE DATE.
19

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

21 SECTION 1. That Section 49-303, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 49-303. WHICH PERSONS SHALL NOT BE LICENSED. The department shall not
24 issue any driver's license, any instruction permit, privileges or right to
25 drive and if issued, may revoke or cancel the driver's license of a person
26 who:

27 (1) As an operator of a vehicle requiring a class D driver's license, is
28 under the age of seventeen (17) years, except that the department may issue
29 a driver's license to any person who has successfully completed an approved
30 driver's training course, who has completed the requirements of a class D su-
31 pervised instruction permit, and who is at least fifteen (15) years of age,
32 with driving privileges restricted to daylight hours only except as provided
33 in section 49-307(9), Idaho Code, and with full privileges at sixteen (16)
34 years of age. The restriction of daylight hours only shall mean that period
35 of time one-half (1/2) hour before sunrise to one-half (1/2) hour after sun-
36 set. If a person who is at least fifteen (15) years but is under seventeen
37 (17) years of age has successfully completed an approved driver's training
38 course and has been issued a driver's license in another state, he may be
39 issued a class D driver's license in this state. Provided however, that a
40 restricted school attendance driving permit may be issued to those persons
41 meeting the criteria set forth in section 49-307A, Idaho Code.

1 (2) As an operator of a vehicle requiring a class D driver's license,
2 is under the age of seventeen (17) years and has not successfully completed
3 an approved driver's training course and has not satisfied the requirements
4 of a class D supervised instruction permit. Provided however, that a re-
5 stricted school attendance driving permit may be issued to those persons
6 meeting the criteria set forth in section 49-307A, Idaho Code.

7 (3) As an operator of a commercial vehicle requiring a class A, B or C
8 driver's license, is under the age of eighteen (18) years.

9 (4) Applicants with less than one (1) year of driving experience, as ev-
10 idenced by a previous driver's license, shall not be issued a class A, B or C
11 driver's license or a class A, B or C instruction permit.

12 (5) As a driver, has had his license, class D instruction permit, re-
13 stricted school attendance driving permit, privileges or right to drive
14 suspended for the duration of the suspension, nor to any person who has had
15 his class D driver's training instruction permit or class D supervised in-
16 struction permit canceled for the duration of the cancellation, nor to any
17 person whose license has been revoked, suspended, canceled or disqualified
18 by this state or any other jurisdiction; provided however, where a driver's
19 license has been revoked, suspended, canceled or disqualified in any other
20 jurisdiction, and the driver has completed the period of revocation, suspen-
21 sion, cancellation or disqualification as specified by the jurisdiction,
22 that person may be granted a class D driver's license in this state if five
23 (5) years have elapsed from the time of eligibility for reinstatement in
24 the other jurisdiction, even though the driver has not fulfilled the re-
25 quirements for reinstatement in the other jurisdiction. Notwithstanding
26 the provisions of this section, a person who has had his noncommercial Idaho
27 driver's license suspended may renew his driver's license as provided in
28 section 49-319, Idaho Code, which renewal shall be subject to the suspen-
29 sion.

30 (6) Has been adjudged by a court of competent jurisdiction to be a ha-
31 bitual drunkard or addicted to the use of narcotic drugs and such order has
32 been received by the department.

33 (7) Has been adjudged by a licensed physician or by a court of competent
34 jurisdiction to be afflicted with or suffering from any mental incompetence
35 that would affect the person's ability to safely operate a motor vehicle and
36 who has not at the time of application been restored to competency by the
37 methods provided by law and such order has been received by the department.

38 (8) Is required by the provisions of this chapter to take an examina-
39 tion, unless that person shall have successfully passed such examination.

40 (9) May be required under any law of this state to furnish proof of fi-
41 nancial responsibility and who has not furnished that proof.

42 (10) The department has good cause to believe that the operation of a mo-
43 tor vehicle on the highways by that person would be harmful to public safety
44 or welfare.

45 (11) Is disqualified for a class A, B or C driver's license, except he
46 may be issued a class D driver's license.

47 (12) Is under eighteen (18) years of age, is not enrolled in school, and
48 has not received a waiver pursuant to or has not satisfactorily completed
49 school as provided in section 49-303A, Idaho Code.

50 (13) Is not a resident of the state of Idaho.

1 (14) Is not lawfully present in the United States, except the person may
2 be issued a restricted driver's license pursuant to section 49-307B, Idaho
3 Code.

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

6 49-306. APPLICATION FOR DRIVER'S LICENSE, RESTRICTED DRIVER'S LI-
7 CENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL
8 ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction per-
9 mit, restricted school attendance driving permit, or for a driver's license
10 or restricted driver's license shall be made upon a form furnished by the
11 department and shall be verified by the applicant before a person authorized
12 to administer oaths. Officers and employees of the department, agents au-
13 thorized by the department, and sheriffs and their deputies are authorized
14 to administer the oaths without charge. Every application for a permit,
15 extension, ~~or~~ driver's license, or restricted driver's license shall be
16 accompanied by the following fee, none of which is refundable:

- 17 (a) Class A, B, C (4-year) license with endorsements --
- 18 age 21 years and older\$40.00
- 19 (b) Class A, B, C (3-year) license with endorsements --
- 20 age 18 to 21 years\$30.00
- 21 (c) Class A, B, C (1-year) license with endorsements --
- 22 age 20 years\$15.00
- 23 (d) Class D (3-year) license -- under age 18 years\$30.00
- 24 (e) Class D (3-year) license -- age 18 to 21 years\$30.00
- 25 (f) Class D (1-year) license -- age 17 years or age 20 years\$20.00
- 26 (g) Four-year Class D license -- age 21 years and older\$35.00
- 27 (h) Eight-year Class D license -- age 21 to 63 years\$60.00
- 28 (i) Commercial learner's permit\$29.00
- 29 (j) Class D instruction permit or supervised instruction permit
- 30\$20.00
- 31 (k) Duplicate driver's license, restricted driver's license, or permit
- 32 issued under section 49-318, Idaho Code\$20.00
- 33 (l) Driver's license extension issued under section
- 34 49-319, Idaho Code\$10.00
- 35 (m) License classification change (upgrade)\$30.00
- 36 (n) Endorsement addition\$20.00
- 37 (o) Class A, B, C skills tests not more than\$200.00
- 38 (p) Class D or restricted driver's license skills test not more than
- 39\$35.00
- 40 (q) Motorcycle endorsement skills test not more than\$25.00
- 41 (r) Knowledge test\$ 5.00
- 42 (s) Seasonal driver's license\$44.00
- 43 (t) Onetime motorcycle "M" endorsement\$15.00
- 44 (u) Motorcycle endorsement instruction permit\$15.00
- 45 (v) Restricted driving permit or restricted school attendance
- 46 driving permit\$60.00
- 47 (w) Restricted driver's license\$50.00
- 48 (2) A person who applies for a driver's license, a restricted driver's
- 49 license, ~~or~~ a driver's license renewal, or a restricted driver's license

1 renewal may designate a voluntary contribution of two dollars (\$2.00) for
 2 the purpose of promoting and supporting organ donation. Such a contribution
 3 shall be treated as a voluntary contribution to the organ donation contri-
 4 bution fund created in section 49-2447, Idaho Code, and not as a driver's
 5 license fee.

6 (3) Every application shall state the true and full name, date of birth,
 7 sex, declaration of Idaho residency, Idaho residence address and mailing ad-
 8 dress, if different, of the applicant, height, weight, hair color, and eye
 9 color, and the applicant's social security number as verified by the social
 10 security administration. If an applicant has submitted an application pur-
 11 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
 12 cant may state, in his or her application pursuant to this section, the ap-
 13 plicant's alternative Idaho mailing address in place of his or her Idaho res-
 14 idence address and mailing address. Notwithstanding the provisions of sec-
 15 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or
 16 C driver's license or nondomiciled commercial learner's permit having res-
 17 idency in a state that is prohibited from issuing class A, B or C driver's
 18 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-
 19 cepted from providing proof of Idaho residency and an Idaho mailing address.

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

23 (b) The requirement that an applicant provide a social security num-
 24 ber as verified by the social security administration shall not apply to
 25 persons making application for a restricted driver's license pursuant
 26 to section 49-307B, Idaho Code.

27 (c) An applicant, except those applying for a restricted driver's li-
 28 cence, who has not been assigned a social security number shall:

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

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

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

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

42 (ed) Every application for a class A, B or C license shall state where
 43 the applicant has been licensed for the preceding ten (10) years and un-
 44 der which of the following driving categories the applicant will oper-
 45 ate:

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

49 (ii) Excepted interstate. The applicant operates or expects to
 50 operate in interstate commerce, but engages exclusively in trans-

1 portation or operations excepted by the federal motor carrier
2 safety administration from all or parts of the qualification re-
3 quirements of federal motor carrier safety regulation 49, part
4 391, and is therefore not required to provide a medical examiner's
5 certificate;

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

11 (iv) Excepted intrastate. The applicant operates in intrastate
12 commerce, but engages exclusively in exempted transportation or
13 operations as listed in section 67-2901B(2), Idaho Code, and the
14 applicable parts of federal motor carrier safety regulation 49,
15 part 391, and is therefore not required to provide a medical exam-
16 iner's certificate.

17 All applications shall also state whether the applicant has previously
18 been licensed as a driver, and if so, when and by what state or country,
19 and whether a driver's license or privileges have ever been suspended,
20 revoked, denied, disqualified, canceled or whether an application has
21 ever been refused, and if so, the date of and reason for the suspension,
22 revocation, denial, disqualification, cancellation or refusal and the
23 applicant's oath that all information is correct as signified by the ap-
24 plicant's signature.

25 (de) The applicant, except those applying for a restricted driver's
26 license pursuant to section 49-307B, Idaho Code, must submit proof of
27 identity and citizenship status acceptable to the examiner or the de-
28 partment and date of birth as set forth in a certified copy of his birth
29 certificate. When a certified copy of his birth certificate or a de-
30 layed birth certificate is impossible to obtain from a vital statistics
31 agency, another government-issued document may be submitted that pro-
32 vides satisfactory evidence of a person's full legal name and, unless
33 applying for a restricted driver's license, date of birth acceptable to
34 the examiner or the department.

35 (ef) Every applicant for a class A, B or C driver's license or commer-
36 cial learner's permit shall provide proof of United States citizenship
37 or lawful permanent residency in the United States upon application for
38 issuance, transfer, upgrade or renewal, unless the applicant's driving
39 record already contains documentation confirming United States citi-
40 zenship or lawful permanent residency. Every applicant for a nondomi-
41 ciled class A, B or C driver's license or commercial learner's permit
42 domiciled in a foreign country must provide an unexpired employment au-
43 thorization document issued by the department of homeland security or
44 an unexpired foreign passport accompanied by an approved I-94 form doc-
45 umenting the applicant's most recent admittance into the United States.

46 (fg) Individuals required to register in compliance with section 3 of
47 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
48 as amended, shall be provided an opportunity to fulfill such registra-
49 tion requirements in conjunction with an application for a driver's li-
50 cense, commercial learner's permit or instruction permit. Any regis-

1 tration information so supplied shall be transmitted by the department
2 to the selective service system.

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

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

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

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

21 (a) Deposit an amount equal to five dollars (\$5.00) from each commer-
22 cial license, ten dollars (\$10.00) from each driver's license except
23 an eight-year class D license, or any class D instruction permit appli-
24 cation fees, application for a duplicate driver's license or permit,
25 classification change, seasonal driver's license and additional en-
26 dorsement, ~~and~~ fifteen dollars (\$15.00) from each eight-year class
27 D driver's license, and twenty-five dollars (\$25.00) from each re-
28 stricted driver's license or duplicate restricted driver's license, in
29 the current expense fund;

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

33 (c) Deposit an amount equal to five dollars (\$5.00) from each fee for a
34 knowledge test in the current expense fund;

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

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

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

45 (8) When the fees required under this section are collected by the de-
46 partment or an agent authorized by the department, they shall be paid over
47 to the state treasurer. When the department or an agent authorized by the
48 department collects the fees required under this section, the portion of
49 fees to be retained by the county shall be retained by the issuing authorized
50 agent.

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

4 (a) Two dollars (\$2.00) of each fee for a four-year driver's license, ~~or~~
5 seasonal driver's license, or a restricted driver's license, and four
6 dollars (\$4.00) of each fee for an eight-year class D driver's license,
7 and one dollar and fifty cents (\$1.50) of each fee charged for driver's
8 licenses pursuant to subsection (1) (b), (d) and (e) of this section, and
9 fifty cents (50¢) of each fee charged for driver's licenses pursuant
10 to subsection (1) (c) and (f) of this section shall be deposited in the
11 emergency medical services fund II created in section 56-1018A, Idaho
12 Code, and four dollars (\$4.00) of each fee charged pursuant to subsec-
13 tion (1) (a), (g) and (s) of this section or for a restricted driver's
14 license and eight dollars (\$8.00) of each fee charged pursuant to sub-
15 section (1) (h) of this section and three dollars (\$3.00) of each fee
16 for driver's licenses pursuant to subsection (1) (b), (d) and (e) of
17 this section, and one dollar (\$1.00) of each fee charged for driver's
18 licenses pursuant to subsection (1) (c) and (f) of this section shall be
19 deposited in the emergency medical services fund III created in section
20 56-1018B, Idaho Code;

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

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

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

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

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

40 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
41 class D driver's license or restricted driver's license, and ten dol-
42 lars and sixty cents (\$10.60) of each fee for an eight-year class D
43 driver's license, and four dollars (\$4.00) of each fee charged for a
44 license pursuant to subsection (1) (d) and (e) of this section, and one
45 dollar and thirty-three cents (\$1.33) of each fee charged for a license
46 pursuant to subsection (1) (f) of this section shall be deposited in the
47 driver training account;

48 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
49 four-year class D driver's license or restricted driver's license, and
50 twenty dollars and forty cents (\$20.40) of each fee for an eight-year

1 class D driver's license, and ten dollars and fifty cents (\$10.50) of
2 each fee charged for a license pursuant to subsection (1) (d) and (e) of
3 this section, and six dollars and eighty-three cents (\$6.83) of each
4 fee charged for a license pursuant to subsection (1) (f) of this section
5 shall be deposited in the highway distribution account;

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

9 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D in-
10 struction permit, duplicate class D license or permit, and class D li-
11 cense extension shall be deposited in the highway distribution account;

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

14 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year
15 D driver's license or restricted driver's license, and two dollars
16 (\$2.00) of each fee for an eight-year class D driver's license, and one
17 dollar (\$1.00) of each fee charged for a license pursuant to subsection
18 (1) (b), (d) and (e) of this section, and thirty-four cents (34¢) of each
19 fee charged for a license pursuant to subsection (1) (c) and (f) of this
20 section shall be deposited in the motorcycle safety program fund estab-
21 lished in section 33-4904, Idaho Code;

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

24 (n) Each voluntary contribution of two dollars (\$2.00) as described in
25 subsection (2) of this section, less actual administrative costs asso-
26 ciated with collecting and transferring such contributions, shall be
27 deposited into the organ donation contribution fund created in section
28 49-2447, Idaho Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 SECTION 3. That Section 49-307, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 49-307. CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT -- CLASS D SU-
16 PERVISED INSTRUCTION PERMIT -- APPLICATION FOR A CLASS D DRIVER'S LICENSE
17 -- RESTRICTIONS ON CLASS D DRIVER'S LICENSE. (1) No enrollee of any class D
18 driver's training course shall be allowed to attend classes or participate
19 in driving instruction unless he has obtained a class D driver's training in-
20 struction permit, or a class D instruction permit as provided in subsection
21 (4) of this section.

22 (2) Every enrollee of a class D driver's training course shall pay a
23 nonrefundable fee of fifteen dollars (\$15.00). Five dollars (\$5.00) of each
24 fee so imposed shall be deposited in the state highway account, five dollars
25 (\$5.00) shall be deposited in the county current expense fund, and five dol-
26 lars (\$5.00) shall be:

27 (a) Deposited in the driver training account if the person is taking
28 driver's training from a public school; or

29 (b) Paid to the division of occupational and professional licenses
30 and deposited in the state treasury to the credit of the occupational
31 licenses fund if the person is taking driver's training from a private
32 driver's training program. The amount to be remitted to the division
33 of occupational and professional licenses shall be annually calculated
34 and paid. To calculate such amount, the total number of public driver's
35 training students as submitted to the state department of education
36 shall be subtracted from the total number of permits sold as reported by
37 the Idaho transportation department, and the resulting number shall be
38 multiplied by five dollars (\$5.00).

39 (3) Each enrollee of a class D driver's training course shall provide
40 the type of information required for a driver's license, restricted driver's
41 license, or instruction permit. If an enrollee of a class D driver's train-
42 ing course cannot provide a certified copy of his birth certificate or
43 acceptable identification allowed for a restricted driver's license at the
44 time of application for a permit, the department may issue a class D driver's
45 training instruction permit or a class D instruction permit upon receipt
46 of identification acceptable to the department. The certified copy of an
47 applicant's birth certificate shall be required before a class D driver's
48 license will be issued. Acceptable identification documentation shall be
49 required before a restricted driver's license will be issued.

1 (4) The class D driver's training instruction permit shall expire five
2 (5) days after the permittee's eighteenth birthday for permittees fourteen
3 and one-half (14 1/2) years of age through seventeen and one-half (17 1/2)
4 years of age. The class D driver's training instruction permit shall ex-
5 pire one hundred eighty (180) days from the date of issue for persons sev-
6 enteen and one-half (17 1/2) years of age or older. Persons aged seventeen
7 (17) years or older may attend classes or participate in driver's training
8 instruction while operating with a class D instruction permit or a class D
9 driver's training instruction permit.

10 (5) The class D driver's training instruction permit shall be issued to
11 the instructor of the course.

12 (6) Class D supervised instruction permit.

13 (a) Upon successful completion of the class D driver's training course,
14 the driver's training instructor shall submit the student log to the
15 county driver's license office and give the class D driver's training
16 instruction permit to the parent or legal guardian of the permittee, and
17 the parent or legal guardian shall assume responsibility for ensuring
18 that the permittee complies with the requirements of operating a vehi-
19 cle with a class D supervised instruction permit. The class D driver's
20 training instruction permit shall then serve as a class D supervised
21 instruction permit.

22 (b) In the event the permittee reaches the age of seventeen (17) years
23 while operating a class D vehicle with a class D supervised instruction
24 permit, the supervised instruction permit shall become a class D in-
25 struction permit.

26 (7) No permittee may apply for a class D driver's license sooner than
27 fifteen (15) years of age and no sooner than six (6) months after completing a
28 class D driver's training course, during which time the permittee shall sat-
29 isfy all requirements for operation of a class D vehicle with a class D super-
30 vised instruction permit as follows:

31 (a) The permittee shall not operate a vehicle unless he is accompanied
32 by a driver who holds a valid driver's license, is twenty-one (21) years
33 of age or older, and who is actually occupying a seat beside the permit-
34 tee driver. The supervising driver and the permittee shall be the only
35 occupants of the front passenger section of the vehicle.

36 (b) Over a period of time not less than six (6) months, the permittee
37 shall accumulate at least fifty (50) hours of supervised driving time,
38 ten (10) hours of which shall be during hours of darkness.

39 (c) The permit shall be in the permittee's immediate possession at all
40 times while operating a vehicle.

41 (d) In addition to the permittee driver and the supervising driver, all
42 other occupants of the vehicle shall wear a seat belt or be restrained by
43 child passenger restraints as required by law.

44 (e) The permittee is subject to the provisions of sections 18-1502 and
45 18-8004, Idaho Code, relating to violation of age restrictions on con-
46 sumption of beer, wine, and alcohol and driving under the influence of
47 alcohol, drugs or any other intoxicating substances, respectively.

48 (f) The permittee shall not have been convicted of any moving traffic
49 violation, or have had driving privileges suspended by the department
50 or the court for any offense, or found to be in violation of any of the

1 restrictions on the class D supervised instruction permit, for a period
2 of at least six (6) months from the date the driver's training instruc-
3 tor gave the permit to the parent or legal guardian, or from the date a
4 canceled class D supervised instruction permit was reissued, or until
5 the permittee reaches seventeen (17) years of age.

6 (g) If the permittee is under seventeen (17) years of age and is con-
7 victed of a violation of any traffic law, or section 18-1502, 18-8004
8 or 23-949, Idaho Code, or is found to be in violation of any of the re-
9 strictions on the class D supervised instruction permit, the department
10 shall cancel the class D supervised instruction permit, and the cancel-
11 lation shall not be used to establish rates of motor vehicle insurance
12 charged by a casualty insurer. If the permittee is under seventeen (17)
13 years of age, the permittee may reapply for and be issued a new class D
14 supervised instruction permit upon payment of the appropriate fee, and
15 shall again be required to operate with the class D supervised instruc-
16 tion permit for at least six (6) months from the date of reissue with-
17 out a conviction or suspension, accumulate the required hours of driv-
18 ing time and adhere to the requirements as specified in paragraphs (a)
19 through (f) of this subsection.

20 (8) Upon completion of the requirements in subsection (7) of this sec-
21 tion, the permittee shall take the knowledge test and skills test adminis-
22 tered by a person certified by the Idaho transportation department to admin-
23 ister knowledge and skills tests.

24 (9) Upon passage of the knowledge and skills tests, the permittee may
25 apply for a class D driver's license with driving privileges restricted to
26 daylight hours for persons under sixteen (16) years of age, and with full
27 privileges at sixteen (16) years of age or older. Provided however, the re-
28 striction on daylight hours only driving privileges for persons under six-
29 teen (16) years of age shall not apply if:

30 (a) The person under sixteen (16) years of age has a valid class D
31 driver's license; and

32 (b) Is accompanied by a driver who holds a valid driver's license and is
33 twenty-one (21) years of age or older and is actually occupying a seat
34 beside the licensee who is under sixteen (16) years of age; and

35 (c) The two (2) licensed drivers are the only occupants of the front
36 passenger section of the vehicle.

37 The restriction of daylight hours only shall mean that period of time one-
38 half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

39 (10) Upon passage of the knowledge and skills tests, the permittee may
40 apply for a class D driver's license. Any such licensee who is under the age
41 of seventeen (17) years shall be required, during the first six (6) months
42 from the date of issue of the class D driver's license, to limit the number
43 of passengers in the vehicle who are under the age of seventeen (17) years to
44 not more than one (1) such passenger. Provided however, the limit of one (1)
45 passenger under the age of seventeen (17) years shall not apply to passengers
46 who are related to the driver by blood, adoption or marriage.

47 SECTION 4. That Chapter 3, Title 49, Idaho Code, be, and the same is
48 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
49 ignated as Section 49-307B, Idaho Code, and to read as follows:

1 49-307B. RESTRICTED DRIVER'S LICENSE. (1) As used in this chapter:

2 (a) "Governmental entity" means the state of Idaho and its political
3 subdivisions, including but not limited to any county, city, town, mu-
4 nicipality, school district, office, department, agency, authority,
5 commission, board, institution, hospital, college, university, or
6 other instrumentality of the state.

7 (b) "Restricted driver's license" means the evidence of the authoriza-
8 tion granted and issued under the provisions of this chapter to operate
9 a motor vehicle in the same way as a class D driver's license.

10 (2) Notwithstanding any other provision of law, an individual may apply
11 for and obtain a restricted driver's license in accordance with this section
12 if the individual:

13 (a) Is domiciled in Idaho;

14 (b) Meets the age requirements for issuance of a class D driver's li-
15 cense as set forth in section 49-303(1), Idaho Code; and

16 (c) Satisfies the other requirements of this section as a condition to
17 issuance of driving privileges.

18 (3) An applicant for a restricted driver's license under this section
19 shall submit valid identification documentation in a form acceptable to the
20 department. In addition to other documents the department may determine
21 are acceptable as identification documentation, a valid birth certificate,
22 passport, consular identification card, or other documentary evidence
23 of identity issued by a governmental entity, a state or territory of the
24 United States, a federally recognized Indian tribe, or a foreign state
25 shall constitute valid identification documentation. An applicant need not
26 demonstrate lawful presence in the United States.

27 (4) The department shall issue a restricted driver's license to such
28 person if the person otherwise meets the requirements established in this
29 section and the applicable requirements in sections 49-306 and 49-313, Idaho
30 Code.

31 (5) A person seeking issuance of a restricted driver's license may,
32 and if under the age of seventeen (17) must, participate in class D driver's
33 training instruction under the provisions of section 49-307, Idaho Code.

34 (6) A restricted driver's license issued under this section shall be
35 valid for two (2) years from the date of issuance.

36 (7) Except as provided in this section, the provisions, requirements,
37 classes, endorsements, fees, restrictions, and sanctions provided in this
38 chapter apply to a restricted driver's license in the same way as a class D
39 driver's license issued under this chapter.

40 (8) The fee for a restricted driver's license issued pursuant to this
41 section shall be fifty dollars (\$50.00) per two-year term, payable to the
42 department or an issuing entity authorized by the department. A restricted
43 driver's license shall only be obtained from and issued by the department
44 or authorized issuing entity. An applicant who meets the requirements set
45 forth in subsection (2) of this section and whose driving privileges are not
46 cancelled, revoked, or suspended may renew a restricted driver's license not
47 sooner than three (3) months prior to its expiration.

48 (9) A governmental entity may not accept a restricted driver's license
49 as proof of lawful presence in the United States. No restricted driver's li-
50 cense shall be valid for voting purposes, for the purchase of firearms, or

1 for the exercise of any rights or privileges reserved exclusively to citi-
2 zens of the United States. A restricted driver's license shall not include
3 the "USA" notation described in section 49-315(1), Idaho Code.

4 (10) No person shall accept a restricted driver's license issued un-
5 der this section for proof of the holder's lawful presence in the United
6 States. A restricted driver's license issued under this section shall be
7 distinguishable in appearance from all other driving and identification
8 credentials issued by the department and shall contain a notice on its face
9 in capitalized letters, indicating "FOR DRIVING PURPOSES ONLY - NOT FOR VOT-
10 ING OR OTHER OFFICIAL USES."

11 (11) Application for or lawful possession of a restricted driver's li-
12 cense under this section shall not provide a basis, in whole or in part, for
13 the arrest or investigation of an individual on the basis of immigration sta-
14 tus.

15 (12) The department may promulgate reasonable rules consistent with
16 this chapter for the purpose of carrying out the provisions of this section.

17 SECTION 5. That Section 49-313, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 49-313. EXAMINATION OF APPLICANTS. (1) The sheriff, his deputy or
20 authorized agents of the department shall examine every applicant for
21 an instruction permit, commercial learner's permit, restricted school
22 attendance driving permit, seasonal driver's license, driver's license, re-
23 stricted driver's license, or a motorcycle endorsement, except as otherwise
24 provided by law. The examination shall include a vision screening and a test
25 of the applicant's ability to read and understand highway signs regulat-
26 ing, warning, and directing traffic. A skills test shall be required for an
27 applicant who has not been previously licensed for the class of license re-
28 quested, or who holds a license issued by another country unless a reciprocal
29 agreement is in force. However, a skills test may be required for any and all
30 other applicants at the discretion of the examiner or department for a class
31 A, B, C or D driver's license, restricted driver's license, or a motorcycle
32 endorsement. In addition, the applicant's knowledge of traffic laws of this
33 state and when a motorcycle endorsement is applied for, the applicant's
34 knowledge of safe motorcycle operating practices and traffic laws specifi-
35 cally relating to motorcycle operation shall be tested by a written examina-
36 tion, except as provided in section 49-319, Idaho Code. At the discretion of
37 the examiner, the prescribed written examination may be conducted orally.

38 (2) The knowledge and skills examinations for applicants for driver's
39 licenses in class A, B or C shall be conducted in compliance with 49 CFR part
40 383.

41 (3) The skills test for a class A, B, C or D driver's license, a re-
42 stricted driver's license, or for any endorsement shall be given by the de-
43 partment or its authorized agents. The skills examiner for a motorcycle en-
44 dorsement shall be certified by the division of career technical education.

45 (4) The department shall not issue the following endorsements except as
46 provided:

47 (a) A tank, double/triple trailer, or hazardous material endorsement
48 unless the applicant, in addition to all other applicable qualifica-
49 tions, has passed an appropriate knowledge test.

1 (b) A passenger endorsement unless the applicant, in addition to all
2 other applicable qualifications, has passed an appropriate knowledge
3 and skills test.

4 (c) A school bus endorsement unless the applicant, in addition to all
5 other applicable qualifications, has passed appropriate knowledge and
6 skills tests. Until September 30, 2005, the department may waive the
7 school bus endorsement skills test requirement if the applicant meets
8 the conditions set forth in accordance with 49 CFR ~~part~~ section 383.123.

9 (5) Any person failing to pass a knowledge or skills test for a class
10 A, B, C or D driver's license, a restricted driver's license, or a knowledge
11 test for a seasonal driver's license, or any endorsement may not retake the
12 test within three (3) calendar days of the failure.

13 (6) Any person retaking a knowledge or skills test for a driver's li-
14 cense or a restricted driver's license shall pay the appropriate testing fee
15 as specified in section 49-306, Idaho Code.

16 (7) The motorcycle skills test for a motorcycle endorsement shall be
17 waived by the department:

18 (a) On and after September 1, 1998, if the applicant presents satisfac-
19 tory evidence of successful completion of a recognized motorcycle rider
20 training course approved by the division of career technical education;

21 (b) On and after September 1, 1998, if the applicant presents evi-
22 dence of a motorcycle endorsement on his current license by a state or
23 province which requires a motorcycle skills test equivalent to that
24 required by Idaho law as determined by the division of career technical
25 education;

26 (c) Until September 1, 1998.

27 (8) At the discretion of the department, an alternate skills test for
28 the motorcycle endorsement may be administered when the endorsement is for
29 operation of a three-wheeled motorcycle only.

30 (9) The department or its authorized agents may refuse to give an appli-
31 cant a skills test if there are reasonable grounds to believe that the safety
32 of the applicant, public, or the examiner would be jeopardized by doing so.
33 Reasonable grounds would include, but not be limited to, the applicant's in-
34 ability to pass the vision screening, written tests, or a statement by a li-
35 censed physician stating the applicant is not physically able to drive a mo-
36 tor vehicle.

37 (10) The department or its authorized agents may deny issuance or re-
38 newal of a driver's license, a restricted driver's license, or endorsement
39 to any applicant who does not meet the licensing requirements for the class
40 of driver's license or endorsement being renewed or issued.

41 (11) Skills examinations for seasonal driver's licenses shall be
42 waived.

43 SECTION 6. That Section 49-317, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 49-317. ~~RESTRICTED DRIVER'S LICENSES~~ LICENSING RESTRICTIONS. (1) The
46 department, upon issuing a driver's license, shall have authority whenever
47 good cause appears to impose restrictions suitable to the licensee's driving
48 ability with respect to:

1 (a) The type of or special mechanical control devices required or not
2 permitted on a motor vehicle which the licensee may operate;

3 (b) Medical variances as determined by the federal motor carrier safety
4 administration; or

5 (c) Other restrictions applicable to the licensee as the department may
6 determine to be appropriate to assure the safe operation of a motor ve-
7 hicle by the licensee.

8 (2) The department may either issue a special restricted driver's li-
9 cense or may set forth restrictions upon the usual driver's license form.

10 (3) The department shall, upon receiving satisfactory evidence of any
11 violation of the restrictions of a driver's license, suspend the driver's
12 license or privileges for a period of thirty (30) days but the licensee shall
13 be entitled to a hearing as provided in section 49-326, Idaho Code.

14 SECTION 7. That Section 49-318, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 49-318. DUPLICATE DRIVER LICENSES AND SUBSTITUTE PERMITS. (1) The
17 holder of any instruction permit, class A, B, C or D, restricted, restricted
18 school attendance driving permit, or seasonal driver's license which is lost
19 or destroyed, or a licensee whose name is legally changed, may apply for a du-
20 plicate driver's license or substitute permit. A duplicate driver's license
21 or substitute permit will be issued upon:

22 (a) Payment of the fee as provided in section 49-306, Idaho Code;

23 (b) Furnishing satisfactory proof that the permit, class A, B, C or D,
24 restricted, restricted school attendance driving permit, or seasonal
25 driver's license has been lost or destroyed, or that the licensee's name
26 has been legally changed; and

27 (c) Furnishing proof of the applicant's identity acceptable to the
28 examiner or the department and date of birth as set forth in a certi-
29 fied copy of his birth certificate when obtainable, or another document
30 which provides evidence of a person's date of birth acceptable to the
31 examiner or department. In the case of a name change, the applicant
32 shall provide legal documentation acceptable to the department to ver-
33 ify the change.

34 (2) A duplicate driver's license or substitute permit shall not be is-
35 sued, as provided in subsection (1) of this section, if the license or permit
36 is suspended, revoked, canceled or disqualified in this state or any other
37 jurisdiction or if the applicant has applied for, or has been issued, a li-
38 cense or permit in another jurisdiction.

39 (3) The holder of any instruction permit, class A, B, C or D,
40 restricted, restricted school attendance driving permit, or seasonal
41 driver's license who requests a duplicate driver's license or substitute
42 permit as provided in subsection (1) of this section, may request that the
43 notation "permanently disabled" be imprinted on the permit or license and
44 the department shall imprint "permanently disabled" on the permit or license
45 if:

46 (a) The person has a permanent disability; and

47 (b) The person presents written certification from a licensed physi-
48 cian verifying that the person's stated impairment qualifies as a per-
49 manent disability as provided in section 49-117, Idaho Code; and

1 (c) The department determines that the person meets the requirements
2 for issuance of a permit or license as specified in section 49-313,
3 Idaho Code.

4 SECTION 8. That Section 49-319, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 49-319. EXPIRATION AND RENEWAL OF DRIVER'S LICENSE. (1) Every non-
7 commercial Idaho driver's license issued to a driver, except restricted
8 driver's licenses pursuant to section 49-307B, Idaho Code, shall expire and
9 be renewable as follows:

10 (a) For drivers twenty-one (21) years of age or older, the driver's li-
11 cense shall expire on the licensee's birthday in the fourth year follow-
12 ing the issuance of the driver's license.

13 (b) At the option of the applicant, for drivers twenty-one (21) years of
14 age through sixty-two (62) years of age, the driver's license shall ex-
15 pire on the licensee's birthday in either the fourth year or the eighth
16 year following the issuance of the driver's license.

17 (c) Except for the provisions found in subsections (1)(e) and (3) of
18 this section, every driver's license issued to a driver under eighteen
19 (18) years of age shall expire five (5) days after the licensee's eigh-
20 teenth birthday.

21 (d) Except for the provisions found in subsections (1)(e) and (3) of
22 this section, every driver's license issued to a driver eighteen (18)
23 years of age but under twenty-one (21) years of age shall expire five (5)
24 days after the licensee's twenty-first birthday.

25 (e) Every driver's license that is not, as provided by law, suspended,
26 revoked or disqualified in this state or any other jurisdiction shall
27 be renewable on or before its expiration, but not more than twenty-five
28 (25) months before, upon application, payment of the required fee and
29 satisfactory completion of the required vision screening. Notwith-
30 standing the provisions of this section, a person who has had his
31 noncommercial Idaho driver's license suspended may renew his driver's
32 license as provided in this section, which renewal shall be subject to
33 the suspension.

34 (2) Except for the provisions found in subsection (3) of this section,
35 every commercial driver's license issued to a person twenty-one (21) years
36 of age or older shall expire on the licensee's birthday in the fourth year
37 following issuance of the license, and any class A, B or C license issued to a
38 person eighteen (18), nineteen (19) or twenty (20) years of age shall expire
39 five (5) days after the licensee's twenty-first birthday. There shall be no
40 option for an eight (8) year class A, B or C license.

41 (3) Every driver's license, except restricted driver's licenses pur-
42 suant to section 49-307B, Idaho Code, issued to a person who is not a citi-
43 zen or permanent legal resident of the United States shall have an expira-
44 tion date that is the same date as the end of lawful stay in the United States
45 as indicated on documents issued and verified by the department of homeland
46 security, provided however, that the expiration date shall not extend be-
47 yond the expiration date for the same category of license issued to citizens.
48 Persons whose department of homeland security documents do not state an ex-
49 piration date shall be issued a driver's license with an expiration date of

1 one (1) year from the date of issuance. Fees shall be in accordance with the
2 expiration periods and classes listed in section 49-306(1), Idaho Code.

3 (4) An applicant who is issued a driver's license in another jurisdic-
4 tion after an Idaho driver's license has been issued is not eligible for re-
5 newal or a duplicate of the Idaho driver's license. The applicant may apply
6 for a new Idaho driver's license as provided in section 49-306, Idaho Code.

7 (5) No knowledge test shall be required for renewal of a driver's li-
8 cense, except for renewal of a hazardous material endorsement. Appropriate
9 knowledge and skill tests shall be required for an upgrade in a driver's li-
10 cense class or an endorsement addition. In the case of a name change, the ap-
11 plicant shall provide legal documentation to verify the change in accordance
12 with department rules.

13 (6) Applicants for a hazardous material endorsement shall provide ei-
14 ther proof of United States citizenship or proof of lawful, permanent United
15 States residence and a valid federal bureau of citizenship and immigration
16 services alien registration number. A security background records check and
17 federal transportation security administration clearance shall be required
18 for issuance, renewal or transfer of a hazardous material endorsement in ac-
19 cordance with 49 CFR part 383, subject to procedures established by the fed-
20 eral transportation security administration.

21 (7) When a driver's license has been expired for fewer than twenty-five
22 (25) months, the renewal of the driver's license shall start from the orig-
23 inal date of expiration regardless of the year in which the application for
24 renewal is made. If the driver's license is expired for twenty-five (25)
25 months or more, the applicant shall be required to take the appropriate
26 knowledge test(s) and skills test(s) for the class of license or endorsement
27 being applied for and undergo vision screening. The license shall expire
28 on the licensee's birthday in the fourth year following issuance of the
29 driver's license for drivers twenty-one (21) years of age or older, except
30 as otherwise provided in subsections (1) (e) and (3) of this section. At the
31 option of the applicant, for drivers twenty-one (21) years of age through
32 sixty-two (62) years of age, the renewed license shall expire on the li-
33 censee's birthday in either the fourth year or the eighth year following
34 issuance, except as otherwise provided in subsections (1) (e) and (3) of this
35 section.

36 (8) (a) If a driver's license has expired or will expire and the licensee
37 is temporarily out of state, except on active military duty, and the
38 driver's license has not, as provided by law, been suspended, revoked,
39 canceled, denied, refused or disqualified, the licensee may request
40 in writing on a form prescribed by the department an extension of the
41 driver's license. The request shall be accompanied by the fee fixed in
42 section 49-306, Idaho Code, and the extension shall be no more than a
43 twelve (12) month period. If the department determines that an exten-
44 sion of the driver's license is necessary, it may issue a license show-
45 ing the date to which the expired driver's license is extended. License
46 extensions are limited to two (2) consecutive extensions per licensee.

47 (b) Upon returning to the state of Idaho, the licensee shall, within ten
48 (10) days, apply for a renewal of the expired driver's license and sur-
49 render the extended license and the expired driver's license.

50 (c) A hazardous material endorsement cannot be extended.

1 (9) An Idaho driver's license issued to any person prior to serving on
2 active duty in the armed forces of the United States, or a member of the im-
3 mediate family accompanying such a person, if valid and in full force and
4 effect upon entering active duty, shall remain in full force and effect and
5 shall, upon application, be extended for a period of four (4) years as long as
6 active duty continues or shall be renewed upon application in person without
7 the requirement to take a knowledge or skills test if the Idaho driver's li-
8 cense expired while on active duty, if the driver's license is not suspended,
9 denied, disqualified, canceled or revoked, as provided by law, during the
10 active duty, and the driver's license shall remain in full force and effect
11 sixty (60) days following the date the holder is released from active duty.

12 (10) The department may use a mail renewal process for four (4) year
13 class D licenses based on criteria established by rule.

14 (11) A seasonal driver's license is only valid for a one hundred eighty
15 (180) day period from the date of issuance. Only one (1) seasonal driver's
16 license may be obtained in any twelve (12) month period and may only be ob-
17 tained twice in a driver's lifetime.

18 (12) A person who applies for renewal of a license may request that the
19 notation "permanently disabled" be imprinted on the license, and the depart-
20 ment shall imprint "permanently disabled" on the license if:

21 (a) The person has a permanent disability; and

22 (b) The person presents written certification from a licensed physi-
23 cian, licensed physician assistant, or licensed advanced practice
24 professional nurse verifying that the person's stated impairment qual-
25 ifies as a permanent disability as provided in section 49-117, Idaho
26 Code; and

27 (c) The department determines that the person meets the requirements
28 for issuance of a license as specified in section 49-313, Idaho Code.

29 SECTION 9. That Section 49-321, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 49-321. RECORDS TO BE KEPT BY THE DEPARTMENT. (1) The department shall
32 file every application for a driver's license received by it and shall main-
33 tain suitable indices containing:

34 (a) All applications denied and on each note the reason for denial;

35 (b) All applications granted;

36 (c) The name of every licensee whose driver's license has been sus-
37 pended, revoked, canceled, denied or disqualified by the department and
38 after each name note the reasons for the action;

39 (d) The driver's license number for the applicant;

40 (e) The social security number of the applicant, if applicable; and

41 (f) Record of the proof relied upon by the department in determining the
42 applicant's status as a United States citizen or non-United States cit-
43 izen, if applicable.

44 (2) The department shall file the original or copy of the medical exam-
45 iner's certificates, medical exemption letters and skill performance evalu-
46 ation certificates of all commercial driver's license or instruction permit
47 holders required to provide documentation of their physical qualification.
48 The department shall maintain the document(s) for a period of three (3) years
49 beyond the date the certificate or document was issued.

1 (3) The department shall also file all accident reports and abstracts
2 of court records of convictions received by it under the law from any juris-
3 diction and is authorized to forward records of convictions, suspensions or
4 disqualifications to any jurisdiction. Records may be in either paper or
5 electronic form. The department shall maintain convenient records or make
6 suitable notations in order that an individual record of each licensee show-
7 ing the convictions and the traffic accidents in which the licensee has been
8 involved shall be readily ascertainable and available for consideration of
9 the department upon any application for renewal of a driver's license and at
10 other suitable times.

11 (4) The department of health and welfare, on or about the 25th day of
12 each month, shall, upon the request of the department, furnish the depart-
13 ment a listing showing the name, age, county of residence, and residence
14 address of each Idaho resident who has died during the preceding month. The
15 listing shall be used only for purposes of updating the driver's license
16 files of the department and shall be subject to disclosure according to chap-
17 ter 1, title 74, Idaho Code.

18 (5) The department, upon request by the office of the secretary of
19 state, shall provide the office of the secretary of state with a digital copy
20 of the driver's license or identification card signature of a person who is
21 an applicant for voter registration pursuant to section 34-409, Idaho Code.

22 SECTION 10. An emergency existing therefor, which emergency is hereby
23 declared to exist, this act shall be in full force and effect on and after
24 July 1, 2023.