

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 414

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE PROVISIONS REGARDING DRIVER'S LICENSE FEES, TO PROVIDE FOR DRIVER'S LICENSE FEE ALLOCATIONS, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO REQUEST CERTAIN INFORMATION TO DETERMINE APPLICANT ELIGIBILITY, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-319, IDAHO CODE, TO REVISE PROVISIONS REGARDING COMMERCIAL DRIVER'S LICENSE RENEWAL AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-322, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DOWNGRADE AND REINSTATE A COMMERCIAL DRIVER'S LICENSE IN CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4904, IDAHO CODE, TO REVISE A PROVISION REGARDING REVENUE CREDITED TO THE MOTORCYCLE SAFETY PROGRAM FUND AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-2447, IDAHO CODE, TO REVISE A PROVISION REGARDING CERTAIN DONATIONS AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

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

- ~~(a) Class A, B, C (4-year) license with endorsements -- age 21 years and older .....\$40.00~~
- ~~(b) Class A, B, C (3-year) license with endorsements -- age 18 to 21 years .....\$30.00~~
- ~~(c) Class A, B, C (1-year) license with endorsements -- age 20 years .....\$15.00~~
- ~~(d) Class D (3-year) license -- under age 18 years .....\$30.00~~
- ~~(e) Class D (3-year) license -- age 18 to 21 years .....\$30.00~~
- ~~(f) Class D (1-year) license -- age 17 years or age 20 years .....\$20.00~~
- ~~(g) Four-year Class D license -- age 21 years and older .....\$35.00~~
- ~~(h) Eight-year Class D license -- age 21 to 63 years .....\$60.00~~
- ~~(i) Commercial learner's permit .....\$29.00~~
- ~~(j) Class D instruction permit or supervised instruction permit~~

|    |  |                     |
|----|--|---------------------|
| 1  | .....  | \$20.00             |
| 2  | <del>(k) Duplicate driver's license or permit issued under</del>         |                     |
| 3  | <del>section 49-318, Idaho Code .....</del>                              | <del>\$20.00</del>  |
| 4  | <del>(l) Driver's license extension issued under section</del>           |                     |
| 5  | <del>49-319, Idaho Code .....</del>                                      | <del>\$10.00</del>  |
| 6  | <del>(m) License classification change (upgrade) .....</del>             | <del>\$30.00</del>  |
| 7  | <del>(n) Endorsement addition .....</del>                                | <del>\$20.00</del>  |
| 8  | <del>(o) Class A, B, C skills tests not more than .....</del>            | <del>\$200.00</del> |
| 9  | <del>(p) Class D skills test not more than .....</del>                   | <del>\$35.00</del>  |
| 10 | <del>(q) Motorcycle endorsement skills test not more than .....</del>    | <del>\$25.00</del>  |
| 11 | <del>(r) Knowledge test .....</del>                                      | <del>\$ 5.00</del>  |
| 12 | <del>(s) Seasonal driver's license .....</del>                           | <del>\$44.00</del>  |
| 13 | <del>(t) Onetime motorcycle "M" endorsement .....</del>                  | <del>\$15.00</del>  |
| 14 | <del>(u) Motorcycle endorsement instruction permit .....</del>           | <del>\$15.00</del>  |
| 15 | <del>(v) Restricted driving permit or restricted school attendance</del> |                     |
| 16 | <del>driving permit .....</del>  | <del>\$60.00</del>  |

17 (2) Every application for a permit, extension, driver's license, or  
18 knowledge test shall be accompanied by a nonrefundable fee pursuant to this  
19 subsection. Fee portions identified as going to the current expense fund  
20 shall be retained by the issuing entity. If the issuing entity is the depart-  
21 ment or an agent authorized by the department, other than the county, such  
22 fee portion shall be deposited in the state highway account. All other re-  
23 maining fee portions shall be remitted to the state treasurer. If the fee is  
24 collected by a county, all remaining fee portions shall be paid over to the  
25 county treasurer and the county treasurer shall remit such fees to the state  
26 treasurer not less than monthly. The state treasurer shall immediately al-  
27 locate such fees in accordance with the schedule identified following each  
28 fee:

|    |  |                |
|----|--|----------------|
| 29 | <u>(a) Class A, B, C (4-year) license with endorsements --</u>     |                |
| 30 | <u>age 21 years and older .....</u>                                | <u>\$40.00</u> |
| 31 | <u>(i) \$5.00 to the current expense fund;</u>                     |                |
| 32 | <u>(ii) \$2.00 to emergency medical services fund II;</u>          |                |
| 33 | <u>(iii) \$4.00 to emergency medical services fund III;</u>        |                |
| 34 | <u>(iv) \$28.00 to the state highway account; and</u>              |                |
| 35 | <u>(v) \$1.00 to the motorcycle safety program fund;</u>           |                |
| 36 | <u>(b) Class A, B, C (8-year) license with endorsements --</u>     |                |
| 37 | <u>age 21 years and older .....</u>                                | <u>\$60.00</u> |
| 38 | <u>(i) \$5.00 to the current expense fund;</u>                     |                |
| 39 | <u>(ii) \$4.00 to emergency medical services fund II;</u>          |                |
| 40 | <u>(iii) \$8.00 to emergency medical services fund III;</u>        |                |
| 41 | <u>(iv) \$41.00 to the state highway account; and</u>              |                |
| 42 | <u>(v) \$2.00 to the motorcycle safety program fund;</u>           |                |
| 43 | <u>(c) Class A, B, C (3-year) license with endorsements -- age</u> |                |
| 44 | <u>18 to 21 years .....</u>  | <u>\$30.00</u> |
| 45 | <u>(i) \$5.00 to the current expense fund;</u>                     |                |
| 46 | <u>(ii) \$1.50 to emergency medical services fund II;</u>          |                |
| 47 | <u>(iii) \$3.00 to emergency medical services fund III;</u>        |                |
| 48 | <u>(iv) \$19.50 to the state highway account; and</u>              |                |
| 49 | <u>(v) \$1.00 to the motorcycle safety program fund;</u>           |                |

- 1 (d) Class A, B, C (1-year) license with endorsements -- age  
2 20 years .....\$15.00  
3 (i) \$5.00 to the current expense fund;  
4 (ii) \$0.50 to emergency medical services fund II;  
5 (iii) \$1.00 to emergency medical services fund III;  
6 (iv) \$8.16 to the state highway account; and  
7 (v) \$0.34 to the motorcycle safety program fund;  
8 (e) Class D (3-year) license -- age 18 to 21 years .....\$30.00  
9 (i) \$10.00 to the current expense fund;  
10 (ii) \$1.50 to emergency medical services fund II;  
11 (iii) \$3.00 to emergency medical services fund III;  
12 (iv) \$4.00 to the driver training fund;  
13 (v) \$10.50 to the highway distribution account; and  
14 (vi) \$1.00 to the motorcycle safety program fund;  
15 (f) Class D (1-year) license -- age 17 to 20 years .....\$20.00  
16 (i) \$10.00 to the current expense fund;  
17 (ii) \$0.50 to emergency medical services fund II;  
18 (iii) \$1.00 to emergency medical services fund III;  
19 (iv) \$1.33 to the driver training fund;  
20 (v) \$6.83 to the highway distribution account; and  
21 (vi) \$0.34 to the motorcycle safety program fund;  
22 (g) Class D (4-year) license -- age 21 years and  
23 older .....\$35.00  
24 (i) \$10.00 to the current expense fund;  
25 (ii) \$2.00 to emergency medical services fund II;  
26 (iii) \$4.00 to emergency medical services fund III;  
27 (iv) \$5.30 to the driver training fund;  
28 (v) \$12.70 to the highway distribution account; and  
29 (vi) \$1.00 to the motorcycle safety program fund;  
30 (h) Class D (8-year) or class A, B, C license with  
31 endorsements -- age 21 to 63 years .....\$60.00  
32 (i) \$15.00 to the current expense fund;  
33 (ii) \$4.00 to emergency medical services fund II;  
34 (iii) \$8.00 to emergency medical services fund III;  
35 (iv) \$10.60 to the driver training fund;  
36 (v) \$20.40 to the highway distribution account; and  
37 (vi) \$2.00 to the motorcycle safety program fund;  
38 (i) Commercial learner's permit .....\$29.00  
39 (i) \$5.00 to the current expense fund;  
40 (ii) \$4.00 to emergency medical services fund III; and  
41 (iii) \$20.00 to the state highway account;  
42 (j) Class D instruction permit and supervised instruction  
43 permit .....\$20.00  
44 (i) \$10.00 to the current expense fund;  
45 (ii) \$2.60 to the driver training fund; and  
46 (iii) \$7.40 to the highway distribution account;  
47 (k) Duplicate driver's license or permit .....\$20.00  
48 (i) \$10.00 to the current expense fund;  
49 (ii) \$2.60 to the driver training fund; and  
50 (iii) \$7.40 to the highway distribution account;

- 1        (l) Driver's license extension .....\$10.00  
2            (i) \$2.60 to the driver training account; and  
3            (ii) \$7.40 to the state highway account;  
4        (m) License classification change (upgrade) .....\$30.00  
5            (i) \$10.00 to the current expense fund; and  
6            (ii) \$20.00 to the state highway account;  
7        (n) Endorsement addition .....\$20.00  
8            (i) \$10.00 to the current expense fund; and  
9            (ii) \$10.00 to the state highway account;  
10       (o) Class A, B, C skills tests ..... not more than \$200.00  
11            (i) \$10.00 to the state highway account; and  
12            (ii) Remainder retained by entity administering the test;  
13       (p) Class D skills test ..... not more than \$35.00  
14            (i) \$6.50 to the state highway account; and  
15            (ii) Remainder retained by entity administering the test;  
16       (q) Motorcycle endorsement skills test (amount charged retained by  
17 entity administering the test) ..... not more than \$25.00;  
18       (r) Knowledge test (fee retained by the entity administering  
19 the test) .....\$5.00;  
20       (s) Seasonal driver's license .....\$44.00  
21            (i) \$10.00 to the current expense fund;  
22            (ii) \$2.00 to emergency medical services fund II;  
23            (iii) \$4.00 to emergency medical services fund III; and  
24            (iv) \$28.00 to the state highway account;  
25       (t) Onetime motorcycle "M" endorsement .....\$15.00  
26            (i) \$2.50 to the current expense fund; and  
27            (ii) \$12.50 to the state highway account;  
28       (u) Motorcycle endorsement instruction permit .....\$15.00  
29            (i) \$2.50 to the current expense fund; and  
30            (ii) \$12.50 to the state highway account;  
31       (v) Restricted driving permit or restricted school attendance  
32 driving permit (fee to the state highway account) .....\$60.00.  
33       (3) The fee for any electronic driver's license renewal allowed pur-  
34 suant to section 49-319(10), Idaho Code, shall be five dollars (\$5.00) less  
35 than the applicable application fee prescribed in subsection (2) of this  
36 section. This fee reduction shall be accounted for by subtracting five dol-  
37 lars (\$5.00) from the portion of fees retained by the department.  
38       ~~(2)~~ (4) A person who applies for a driver's license or a driver's li-  
39 cence renewal may designate a voluntary contribution of two dollars (\$2.00)  
40 for the purpose of promoting and supporting organ donation. Such a contribu-  
41 tion shall be treated as a voluntary contribution to the organ donation con-  
42 tribution fund created in section 49-2447, Idaho Code, and not as a driver's  
43 license fee. Each voluntary contribution shall be deposited into the organ  
44 donation contribution fund created in section 49-2447, Idaho Code.  
45       ~~(3)~~ (5) Every application shall state the applicant's true and full  
46 name, date of birth, sex, declaration of Idaho residency, Idaho residence  
47 address and mailing address, if different, of the applicant, height, weight,  
48 hair color, and eye color, and the applicant's social security number as ver-  
49 ified by the social security administration. If an applicant has submitted  
50 an application pursuant to the provisions of chapter 58, title 19, Idaho

1 Code, then the applicant may state, in his or her application pursuant to  
 2 this section, the applicant's alternative Idaho mailing address in place of  
 3 his or her Idaho residence address and mailing address. Notwithstanding the  
 4 provisions of section 49-303(13), Idaho Code, an applicant for a nondomi-  
 5 ciled class A, B or C driver's license or nondomiciled commercial learner's  
 6 permit having residency in a state that is prohibited from issuing class A, B  
 7 or C driver's licenses or commercial learner's permits, as provided in 49 CFR  
 8 384, is excepted from providing proof of Idaho residency and an Idaho mailing  
 9 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 previously  
4 been licensed as a driver, and, if so, when and by what state or country,  
5 and whether a driver's license or privileges have ever been suspended,  
6 revoked, denied, disqualified, canceled or ~~whether an application has~~  
7 ~~ever been refused~~, and, if so, the date of and reason for the suspension,  
8 revocation, denial, disqualification, cancellation or refusal and the  
9 applicant's oath that all information is correct as signified by the ap-  
10 plicant's signature.

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

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

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

37 ~~(4)~~ (6) Whenever an application is received from a person previously  
38 licensed in another jurisdiction, the department shall request a copy of the  
39 driver's record from the other jurisdiction and shall contact the national  
40 driver register. When received, the driver's record from the previous ju-  
41 risdiction shall become a part of the driver's record in this state with the  
42 same force and effect as though entered on the driver's record in this state  
43 in the original instance.

44 ~~(5)~~ (7) Whenever the department receives a request for a driver's  
45 record from another licensing jurisdiction, the record shall be forwarded  
46 without charge.

47 ~~(6)~~ (8) The department shall ~~contact~~ and notify the commercial driver  
48 license information system of the proposed application for a class A, B or C  
49 driver's license or commercial learner's permit to ensure identification of  
50 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 commer-~~  
6 ~~cial license, ten dollars (\$10.00) from each driver's license except~~  
7 ~~an eight-year class D license, or any class D instruction permit appli-~~  
8 ~~cation fees, application for a duplicate driver's license or permit,~~  
9 ~~classification change, seasonal driver's license and additional en-~~  
10 ~~endorsement, and fifteen dollars (\$15.00) from each eight-year class D~~  
11 ~~driver's license, in the current expense fund;~~

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

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

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

21 ~~(e) Remit the remainder to the state treasurer; and~~

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

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

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

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

1 deposited in the emergency medical services fund III created in section  
2 56-1018B, Idaho Code;

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

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

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

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

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

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

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

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

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

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

45 ~~(l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
46 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
47 class D driver's license, and one dollar (\$1.00) of each fee charged for  
48 a license pursuant to subsection (1) (b), (d) and (e) of this section,  
49 and thirty-four cents (34¢) of each fee charged for a license pursuant  
50 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 (9) The department shall request information from the drug and alco-  
11 hol clearinghouse to determine whether an applicant for any class A, B, or C  
12 driver's license or commercial learner's permit is eligible for the creden-  
13 tial.

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

19 ~~(11) Sixty dollars (\$60.00) of each restricted driving permit and each~~  
20 ~~restricted school attendance driving permit shall be deposited in the state~~  
21 ~~highway account.~~

22 ~~(12)~~ (11) The department may issue seasonal class B or C driver's li-  
23 censes to drivers who are employees of agri-chemical businesses, custom har-  
24 vesters, farm retail outlets and suppliers, and livestock feeders that:

25 (a) Will ~~only~~ be valid only for driving commercial vehicles that nor-  
26 mally require class B or C commercial driver's licenses;

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

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

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

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

35 ~~(13)~~ (12) The department may issue seasonal class B or C driver's li-  
36 censes to drivers who:

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

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

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

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

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

47 SECTION 2. That Section 49-319, Idaho Code, be, and the same is hereby  
48 amended to read as follows:

1           49-319.   EXPIRATION AND RENEWAL OF DRIVER'S LICENSE. (1) Every noncom-  
2   mercial Idaho driver's license issued to a driver shall expire and be renew-  
3   able as follows:

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

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

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

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

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

28          (2) Except for the provisions ~~found in~~ of subsection (3) of this sec-  
29   tion, at the option of the applicant, every commercial driver's license  
30   issued to a person twenty-one (21) years of age ~~or older~~ through sixty-two  
31   (62) years of age shall expire on the licensee's birthday in the fourth or  
32   eighth year following issuance of the license, ~~and any.~~ Any class A, B or C  
33   license issued to a person eighteen (18), nineteen (19) or twenty (20) years  
34   of age shall expire five (5) days after the licensee's twenty-first birth-  
35   day. ~~There shall be no option for an eight (8) year class A, B or C license.~~

36          (3) Every driver's license issued to a person who is not a citizen or  
37   permanent legal resident of the United States shall have an expiration date  
38   that is the same date as the end of lawful stay in the United States, as  
39   indicated on documents issued and verified by the department of homeland  
40   security; however, the expiration date shall not extend beyond the expira-  
41   tion date for the same category of license issued to citizens. Persons whose  
42   department of homeland security documents do not state an expiration date  
43   shall be issued a driver's license with an expiration date of one (1) year  
44   from the date of issuance. Fees shall be in accordance with the expiration  
45   periods and classes listed in section 49-306(1), Idaho Code.

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

1 (5) No knowledge test shall be required for renewal of a driver's li-  
2 cense, except for renewal of a hazardous material endorsement. Appropriate  
3 knowledge and skills tests shall be required for an upgrade in a driver's li-  
4 cense class or an endorsement addition. In the case of a name change, the ap-  
5 plicant shall provide legal documentation to verify the change in accordance  
6 with department rules.

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

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

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

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

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

45 (9) An Idaho driver's license issued to any person prior to serving on  
46 active duty in the armed forces of the United States, or a member of the im-  
47 mediate family accompanying such a person, if valid and in full force and  
48 effect upon entering active duty, shall remain in full force and effect and  
49 shall, upon application, be extended for a period of four (4) years as long as  
50 active duty continues or shall be renewed upon application in person without

1 the requirement to take a knowledge or skills test if the Idaho driver's li-  
 2 cense expired while on active duty, if the driver's license is not suspended,  
 3 denied, disqualified, canceled or revoked, as provided by law, during the  
 4 active duty, and the driver's license shall remain in full force and effect  
 5 sixty (60) days following the date the holder is released from active duty.

6 (10) The department may use a mail or electronic renewal process for  
 7 class D and commercial driver's licenses based on criteria established by  
 8 rule.

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

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

16 (a) The person has a permanent disability; ~~and~~

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

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

24 SECTION 3. That Section 49-322, Idaho Code, be, and the same is hereby  
 25 amended to read as follows:

26 49-322. AUTHORITY OF DEPARTMENT TO CANCEL AND DOWNGRADE DRIVER'S LI-  
 27 CENSE OR INSTRUCTION PERMIT. (1) The department shall cancel any driver's  
 28 license, restricted school attendance driving permit, or instruction permit  
 29 upon determining that the licensee or permittee was not entitled to the is-  
 30 suance of the driver's license or instruction permit, ~~or~~ that the licensee or  
 31 permittee failed to give the required or correct information in his applica-  
 32 tion, or that the licensee or permittee committed fraud in making the appli-  
 33 cation.

34 (2) Upon a cancellation, the licensee or permittee shall surrender the  
 35 canceled driver's license or canceled instruction permit to the department.

36 (3) The department shall cancel a person's commercial driver's license  
 37 upon determining that the class A, B or C licensee has falsified information.  
 38 Upon cancellation of a class A, B or C driver's license, the licensee shall be  
 39 disqualified from operating a commercial motor vehicle for a period of sixty  
 40 (60) days.

41 (4) The department shall decertify the medical status and initiate a  
 42 downgrade of any driver who is required by the federal motor carrier safety  
 43 administration to maintain a medical examiner's certificate and/or medical  
 44 exemption letter or skill performance evaluation certificate upon determin-  
 45 ing the person's medical certification has expired or has been revoked or  
 46 canceled. The department shall change the person's driving status in the  
 47 driver record to "not-certified," within ten (10) days and shall mail a no-  
 48 tification letter regarding the pending decertification and downgrade ac-  
 49 tion to the driver's last known address. The downgrade action shall occur no

1 more than sixty (60) days from the date the "not-certified" status is posted  
 2 to the record. Drivers can remove the "not-certified" medical status from  
 3 their driving record by presenting a current and valid medical examiner's  
 4 certificate and/or medical exemption letter or skill performance evaluation  
 5 certificate to the department or by submitting an application to the depart-  
 6 ment requesting their medical status be changed to ~~"Excepted."~~ "excepted."

7 (5) The department shall remove and, when applicable, subsequently re-  
 8 instate a driver's commercial driving privileges upon receiving notifica-  
 9 tion of a driver's status change in the drug and alcohol clearinghouse.

10 ~~(5) (6)~~ When a driver's license has been canceled for reasons of im-  
 11 pairment, incompetence or inability of the licensed driver to operate a mo-  
 12 tor vehicle safely as provided in section 49-303 or 49-326, Idaho Code, and  
 13 the licensee has voluntarily surrendered his driver's license, or when a li-  
 14 censed driver requests cancellation of his license for any of the same rea-  
 15 sons stated in this subsection and he voluntarily surrenders his license,  
 16 the licensee may be eligible for a no-fee identification card as provided in  
 17 section 49-2444, Idaho Code.

18 SECTION 4. That Section 33-4904, Idaho Code, be, and the same is hereby  
 19 amended to read as follows:

20 33-4904. MOTORCYCLE SAFETY PROGRAM FUND. (1) The motorcycle safety  
 21 program fund is established in the state treasury and appropriated on a  
 22 continual basis to the division of career technical education, which shall  
 23 administer the moneys. Moneys in the fund shall only be used for administra-  
 24 tion and implementation of the program, including reimbursement of entities  
 25 ~~which that~~ offer approved motorcycle rider training courses.

26 (2) At the end of each fiscal year, moneys remaining in the motorcycle  
 27 safety program fund shall be retained in said fund and shall not revert to  
 28 any other general fund. The interest and income earned on moneys in the fund,  
 29 after deducting any applicable charges, shall be credited to and remain in  
 30 the motorcycle safety program fund.

31 (3) Revenue credited to the fund shall include ~~one dollar (\$1.00) of~~  
 32 ~~each fee for a class A, B, C or D driver's license as the amounts provided in~~  
 33 ~~section 49-306, Idaho Code, for a class A, B, C, or D driver's license.~~

34 (4) Revenue credited to the fund shall include amounts collected for  
 35 each motorcycle safety program fee imposed pursuant to section 49-453, Idaho  
 36 Code.

37 SECTION 5. That Section 49-2447, Idaho Code, be, and the same is hereby  
 38 amended to read as follows:

39 49-2447. ORGAN DONATION CONTRIBUTION FUND. (1) There is hereby cre-  
 40 ated in the state treasury the organ donation contribution fund, the moneys  
 41 of which shall be continuously appropriated.

42 (2) The Idaho transportation department through the division of motor  
 43 vehicles shall:

44 (a) Administer the moneys deposited in the organ donation contribution  
 45 fund;

46 (b) Distribute moneys in accordance with subsection (5) of this sec-  
 47 tion;

1 (c) Make an annual report to the house of representatives and senate  
2 health and welfare committees on revenue collected for the fund and con-  
3 tributions made to the fund; and

4 (d) Promulgate rules for the distribution of moneys from the fund that  
5 are consistent with the purposes of this section.

6 (3) The organ donation contribution fund shall consist of:

7 (a) Private contributions;

8 (b) Donations or grants from public or private entities;

9 (c) Voluntary donations collected under ~~sections 49-306(2) and~~  
10 ~~49-402(7), Idaho Code~~ the provisions of this title; and

11 (d) Any other moneys approved for the fund by law.

12 (4) Idle moneys in the fund shall be invested by the treasurer ~~per~~  
13 pursuant to section 67-1210, Idaho Code, and moneys earned from such invest-  
14 ment shall be credited to the fund.

15 (5) The moneys in the organ donation contribution fund shall be dis-  
16 tributed to intermountain donor services located in Salt Lake City, Utah,  
17 and shall be used to assist in maintaining and operating a statewide organ  
18 donation registry and provide organ donor awareness education in Idaho.

19 SECTION 6. An emergency existing therefor, which emergency is hereby  
20 declared to exist, this act shall be in full force and effect on and after  
21 July 1, 2024.