

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 667

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO THE NONDOMICILED CDL PROGRAM; AMENDING SECTION 49-115, IDAHO
2 CODE, TO REMOVE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMEND-
3 ING SECTION 49-306, IDAHO CODE, TO REMOVE PROVISIONS REGARDING NON-
4 DOMICILED LICENSES AND COMMERCIAL LEARNER'S PERMITS; REPEALING SECTION
5 49-336, IDAHO CODE, RELATING TO NONRESIDENT COMMERCIAL DRIVER'S LI-
6 CENSES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
7

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

9 SECTION 1. That Section 49-115, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 49-115. DEFINITIONS -- N. (1) "National network" means highways
12 available to vehicles authorized by the provisions of the federal surface
13 transportation assistance act of 1982, as amended, and listed in 23 CFR part
14 658, appendix A.

15 (2) "Neighborhood electric vehicle." (See "Vehicle," section 49-123,
16 Idaho Code)

17 (3) "Noncommercial vehicle." (See "Vehicle," section 49-123, Idaho
18 Code)

19 ~~(4) "Nondomiciled commercial learner's permit" or "nondomiciled com-~~
20 ~~mercial driver's license" means a commercial learner's permit or a commer-~~
21 ~~cial driver's license, respectively, issued by a state or other jurisdiction~~
22 ~~under either of the following conditions:~~

23 ~~(a) To an individual domiciled in a foreign country meeting the re-~~
24 ~~quirements of 49 CFR 383.23(b)(1); or~~

25 ~~(b) To an individual domiciled in another state meeting the require-~~
26 ~~ments of 49 CFR 383.23(b)(2).~~

27 ~~(5) (4) "Nonresident" means every person who is not a resident of this~~
28 state.

29 ~~(6) (5) "Nonresident's operating privilege" means the privilege con-~~
30 ~~ferred upon on a nonresident by the laws of this state pertaining to the oper-~~
31 ~~ation by that person of a motor vehicle, or the use of a vehicle owned by that~~
32 person, in this state.

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

35 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
36 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
37 MIT. (1) Every application for any instruction permit, restricted school
38 attendance driving permit, or driver's license shall be made on a form
39 furnished by the department and shall be verified by the applicant before
40 a person authorized to administer oaths. Officers and employees of the

1 department, agents authorized by the department, and sheriffs and their
2 deputies are authorized to administer the oaths without charge.

3 (2) Every application for a permit, extension, driver's license, or
4 knowledge test shall be accompanied by a nonrefundable fee pursuant to this
5 subsection. Fee portions identified as going to the current expense fund
6 shall be retained by the issuing entity. If the issuing entity is the depart-
7 ment or an agent authorized by the department, other than the county, such
8 fee portion shall be deposited in the state highway account. All other re-
9 maining fee portions shall be remitted to the state treasurer. If the fee is
10 collected by a county, all remaining fee portions shall be paid over to the
11 county treasurer and the county treasurer shall remit such fees to the state
12 treasurer not less than monthly. The state treasurer shall immediately al-
13 locate such fees in accordance with the schedule identified following each
14 fee:

15 (a) Class A, B, C (4-year) license with endorsements --
16 age 21 years and older\$40.00

- 17 (i) \$5.00 to the current expense fund;
- 18 (ii) \$2.00 to the emergency medical services fund established in
- 19 section 57-829, Idaho Code;
- 20 (iii) \$4.00 to the emergency medical services vehicle and equip-
- 21 ment grant fund established in section 57-830, Idaho Code;
- 22 (iv) \$28.00 to the state highway account; and
- 23 (v) \$1.00 to the motorcycle safety program fund;

24 (b) Class A, B, C (8-year) license with endorsements --
25 age 21 to 63 years\$60.00

- 26 (i) \$5.00 to the current expense fund;
- 27 (ii) \$4.00 to the emergency medical services fund established in
- 28 section 57-829, Idaho Code;
- 29 (iii) \$8.00 to the emergency medical services vehicle and equip-
- 30 ment grant fund established in section 57-830, Idaho Code;
- 31 (iv) \$41.00 to the state highway account; and
- 32 (v) \$2.00 to the motorcycle safety program fund;

33 (c) Class A, B, C (3-year) license with endorsements --
34 age 18 to 21 years\$30.00

- 35 (i) \$5.00 to the current expense fund;
- 36 (ii) \$1.50 to the emergency medical services fund established in
- 37 section 57-829, Idaho Code;
- 38 (iii) \$3.00 to the emergency medical services vehicle and equip-
- 39 ment grant fund established in section 57-830, Idaho Code;
- 40 (iv) \$19.50 to the state highway account; and
- 41 (v) \$1.00 to the motorcycle safety program fund;

42 (d) Class A, B, C (1-year) license with endorsements -- age
43 20 years\$15.00

- 44 (i) \$5.00 to the current expense fund;
- 45 (ii) \$0.50 to the emergency medical services fund established in
- 46 section 57-829, Idaho Code;
- 47 (iii) \$1.00 to the emergency medical services vehicle and equip-
- 48 ment grant fund established in section 57-830, Idaho Code;
- 49 (iv) \$8.16 to the state highway account; and
- 50 (v) \$0.34 to the motorcycle safety program fund;

- 1 (e) Class D (3-year) license -- age 15 to 18 years or age 18 to 21 years .
2 \$30.00
3 (i) \$10.00 to the current expense fund;
4 (ii) \$1.50 to the emergency medical services fund established in
5 section 57-829, Idaho Code;
6 (iii) \$3.00 to the emergency medical services vehicle and equip-
7 ment grant fund established in section 57-830, Idaho Code;
8 (iv) \$4.00 to the driver training fund;
9 (v) \$10.50 to the highway distribution account; and
10 (vi) \$1.00 to the motorcycle safety program fund;
11 (f) Class D (1-year) license -- age 17 or 20 years\$20.00
12 (i) \$10.00 to the current expense fund;
13 (ii) \$0.50 to the emergency medical services fund established in
14 section 57-829, Idaho Code;
15 (iii) \$1.00 to the emergency medical services vehicle and equip-
16 ment grant fund established in section 57-830, Idaho Code;
17 (iv) \$1.33 to the driver training fund;
18 (v) \$6.83 to the highway distribution account; and
19 (vi) \$0.34 to the motorcycle safety program fund;
20 (g) Class D (4-year) license -- age 21 years and
21 older\$35.00
22 (i) \$10.00 to the current expense fund;
23 (ii) \$2.00 to the emergency medical services fund established in
24 section 57-829, Idaho Code;
25 (iii) \$4.00 to the emergency medical services vehicle and equip-
26 ment grant fund established in section 57-830, Idaho Code;
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 the emergency medical services fund established in
34 section 57-829, Idaho Code;
35 (iii) \$8.00 to the emergency medical services vehicle and equip-
36 ment grant fund established in section 57-830, Idaho Code;
37 (iv) \$10.60 to the driver training fund;
38 (v) \$20.40 to the highway distribution account; and
39 (vi) \$2.00 to the motorcycle safety program fund;
40 (i) Commercial learner's permit\$29.00
41 (i) \$5.00 to the current expense fund;
42 (ii) \$4.00 to the emergency medical services vehicle and equip-
43 ment grant fund established in section 57-830, Idaho Code; and
44 (iii) \$20.00 to the state highway account;
45 (j) Class D instruction permit\$20.00
46 (i) \$10.00 to the current expense fund;
47 (ii) \$2.60 to the driver training fund; and
48 (iii) \$7.40 to the highway distribution account;
49 (k) Duplicate driver's license or permit\$20.00
50 (i) \$10.00 to the current expense fund;

- 1 (ii) \$2.60 to the driver training fund; and
2 (iii) \$7.40 to the highway distribution account;
- 3 (1) Driver's license extension\$10.00
4 (i) \$2.60 to the driver training account; and
5 (ii) \$7.40 to the state highway account;
- 6 (m) License classification change (upgrade)\$30.00
7 (i) \$10.00 to the current expense fund; and
8 (ii) \$20.00 to the state highway account;
- 9 (n) Endorsement addition\$20.00
10 (i) \$10.00 to the current expense fund; and
11 (ii) \$10.00 to the state highway account;
- 12 (o) Class A, B, C skills tests not more than \$200.00
13 (i) \$10.00 to the state highway account; and
14 (ii) Remainder retained by entity administering the test;
- 15 (p) Class D skills test not more than \$35.00
16 (i) \$6.50 to the state highway account; and
17 (ii) Remainder retained by entity administering the test;
- 18 (q) Motorcycle endorsement skills test (amount charged retained by
19 entity administering the test) not more than \$25.00;
- 20 (r) Knowledge test (fee retained by the entity administering
21 the test)\$5.00;
- 22 (s) Seasonal driver's license\$44.00
23 (i) \$10.00 to the current expense fund;
24 (ii) \$2.00 to the emergency medical services fund established in
25 section 57-829, Idaho Code;
26 (iii) \$4.00 to the emergency medical services vehicle and equip-
27 ment grant fund established in section 57-830, Idaho Code; and
28 (iv) \$28.00 to the state highway account;
- 29 (t) Onetime motorcycle "M" endorsement\$15.00
30 (i) \$2.50 to the current expense fund; and
31 (ii) \$12.50 to the state highway account;
- 32 (u) Motorcycle endorsement instruction permit\$15.00
33 (i) \$2.50 to the current expense fund; and
34 (ii) \$12.50 to the state highway account;
- 35 (v) Restricted driving permit or restricted school attendance
36 driving permit (fee to the state highway account)\$60.00.
- 37 (3) The fee for any electronic driver's license renewal allowed pur-
38 suant to section 49-319(10), Idaho Code, shall be five dollars (\$5.00) less
39 than the applicable application fee prescribed in subsection (2) of this
40 section. This fee reduction shall be accounted for by subtracting five dol-
41 lars (\$5.00) from the portion of fees retained by the department.
- 42 (4) A person who applies for a driver's license or a driver's license
43 renewal may designate a voluntary contribution of two dollars (\$2.00) for
44 the purpose of promoting and supporting organ donation. Such a contribution
45 shall be treated as a voluntary contribution to the organ donation contribu-
46 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-
47 cense fee. Each voluntary contribution shall be deposited into the organ do-
48 nation contribution fund created in section 49-2447, Idaho Code.
- 49 (5) Every application shall state the applicant's true and full name,
50 date of birth, sex, declaration of Idaho residency, Idaho residence address

1 and mailing address if different, height, weight, hair color, eye color, and
 2 social security number as verified by the social security administration.
 3 If an applicant has submitted an application pursuant to the provisions of
 4 chapter 58, title 19, Idaho Code, then the applicant may state, in his or
 5 her application pursuant to this section, the applicant's alternative Idaho
 6 mailing address in place of his or her Idaho residence address and mail-
 7 ing address. ~~Notwithstanding the provisions of section 49-303(13), Idaho~~
 8 ~~Code, an applicant for a nondomiciled class A, B or C driver's license or~~
 9 ~~nondomiciled commercial learner's permit having residency in a state that~~
 10 ~~is prohibited from issuing class A, B or C driver's licenses or commercial~~
 11 ~~learner's permits, as provided in 49 CFR 384, is excepted from providing~~
 12 ~~proof of Idaho residency and an Idaho mailing address.~~

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

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

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

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

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

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

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

34 (i) Non-excepted interstate. The applicant operates or expects
 35 to operate in interstate commerce and is required to provide a med-
 36 ical examiner's certificate;

37 (ii) Excepted interstate. The applicant operates or expects to
 38 operate in interstate commerce, but engages exclusively in trans-
 39 portation or operations excepted by the federal motor carrier
 40 safety administration from all or parts of the qualification re-
 41 quirements of federal motor carrier safety regulation 49, part
 42 391, and is therefore not required to provide a medical examiner's
 43 certificate;

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

49 (iv) Excepted intrastate. The applicant operates in intrastate
 50 commerce, but engages exclusively in exempted transportation or

1 operations as listed in section 67-2901B(2), Idaho Code, and the
2 applicable parts of federal motor carrier safety regulation 49,
3 part 391, and is therefore not required to provide a medical exam-
4 iner's certificate.

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

12 (d) The applicant must submit proof of identity and citizenship sta-
13 tus acceptable to the examiner or the department and date of birth as
14 set forth in a certified copy of his birth certificate or a valid, unex-
15 pired passport. If the applicant does not possess a certified copy of
16 his birth certificate or a delayed birth certificate and does not pos-
17 sess a valid, unexpired passport, another government-issued document
18 may be submitted that provides satisfactory evidence of a person's full
19 legal name and date of birth acceptable to the examiner or the depart-
20 ment.

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

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

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

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

49 (8) The department shall contact and notify the commercial driver li-
50 cense information system of the proposed application for a class A, B or C

1 driver's license or commercial learner's permit to ensure identification of
2 the person and to obtain clearance to issue the license.

3 (9) The department shall request information from the drug and alco-
4 hol clearinghouse to determine whether an applicant for any class A, B, or C
5 driver's license or commercial learner's permit is eligible for the creden-
6 tial.

7 (10) A contractor administering a class A, B, or C skills test may col-
8 lect an additional fee for the use of the contractor's vehicle for the skills
9 test.

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

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

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

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

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

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

23 (12) The department may issue seasonal class B or C driver's licenses to
24 drivers who:

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

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

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

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

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

35 SECTION 3. That Section [49-336](#), Idaho Code, be, and the same is hereby
36 repealed.

37 SECTION 4. An emergency existing therefor, which emergency is hereby
38 declared to exist, this act shall be in full force and effect on and after
39 July 1, 2026.