

Dear Senators BRACKETT, Nonini, Buckner-Webb, and
Representatives PALMER, Shepherd, King:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Idaho Transportation Department:

IDAPA 39.02.61 - Rules Governing License Plates for Governmental Agencies and Taxing Districts
- Temporary and Proposed (Docket No. 39-0261-1801).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 07/26/2018. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 08/23/2018.

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

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



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Transportation Committee and the House Transportation & Defense Committee

FROM: Legislative Research Analyst - Matt Drake

DATE: July 09, 2018

SUBJECT: Idaho Transportation Department

IDAPA 39.02.61 - Rules Governing License Plates for Governmental Agencies and Taxing Districts - Temporary and Proposed (Docket No. 39-0261-1801)

Summary and Stated Reasons for the Rule

The Idaho Transportation Department submits notice of temporary and proposed rulemaking relating to the Rules Governing License Plates For Governmental Agencies and Taxing Districts. The rule implements Senate Bill 1282 of 2018, effective July 1, 2018, which codifies a list of designators for all "Exempt Agency" license plates. That list of designators was previously located in the rule and is being deleted with this revision. SB 1282 also changed the exempt license plate designator for Sheriff's Office license plate numbers from "SD" to "SO". The temporary/proposed rule will ensure conformity between Section 49-443B, Idaho Code, and the rules.

Negotiated Rulemaking / Fiscal Impact

Negotiated rulemaking was not conducted because the rule responds to previously enacted legislation and is simple in nature. There is no anticipated fiscal impact on the state general fund.

Statutory Authority

The proposed rule changes appear to be within the statutory authority of the Department pursuant to Sections 40-312 and 49-201, Idaho Code. The Governor has found that temporary adoption of the rule is appropriate to implement SB 1282 of 2018.

cc: Idaho Transportation Department
Ramon Hobdey-Sanchez

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

**39.02.61 – RULES GOVERNING LICENSE PLATES
FOR GOVERNMENTAL AGENCIES AND TAXING DISTRICTS**

DOCKET NO. 39-0261-1801

NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is June 21, 2018.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 40-312 and 49-201, Idaho Code, and Section 49-443B, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 18, 2018.

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

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

With the passage of **Senate Bill 1282 (2018)**, the sections of this rule being deleted have now been codified. This legislation did change the exempt license plate designator for Sheriff's Office license plate numbers from "SD" to "SO". The law change lists the designators for all "Exempt Agency" plates making paragraph 100 of this rule unnecessary and duplicative.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

This rule change is needed in order to align IDAPA rule with Section 49-443B, Idaho Code, due to the passage of Senate Bill 1282 (2018); which went into effect July 1, 2018.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: There are no fees being imposed or increased with this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: There is no impact to the state general fund.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule change is simple in nature. Legislation passed by the 2nd Regular Session of the 64th Idaho Legislature directly necessitated this rule change.

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

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this temporary and proposed rule, please contact Chris Fisher, DMV Policy Program Specialist, at (208) 334-8167.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 25, 2018.

DATED this 12th Day of June, 2018.

Ramon S. Hobdey-Sanchez
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**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 39-0261-1801
(Only Those Sections With Amendments Are Shown.)**

100. STANDARD EXEMPT PLATE DESIGNATORS.

The ~~following shall be the~~ standard exempt license plate designators: used to identify the agency, entity or office will be assigned pursuant to Section 49-443B (2), Idaho Code.

"A"	Trailer (all weights); small plate
"C"	Miscellaneous City, County, and School-District vehicles, including school buses
"D"	Highway Districts
"F"	Fire Districts
"G"	Fish & Game
"H"	Health & Welfare
"SP"	Idaho State Police
"J"	Dept of Commerce and Labor (Job Service)
"L"	Law Enforcement
"M"	Motorcycle-small plate
"P"	City Police
"R"	Dept of Parks & Recreation
"SD"	Sheriff's Dept
"T"	Transportation Dept
"X"	Miscellaneous State Agencies
"Y"	Irrigation Districts
"Z"	Dept of Lands

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