

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 164

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-426, IDAHO CODE, TO REMOVE PROVISIONS REGARDING CERTAIN LOCAL JURISDICTION OVER HIGHWAYS AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. That Section 49-426, Idaho Code, be, and the same is hereby amended to read as follows:

49-426. EXEMPTIONS FROM OPERATING FEES. The provisions of this chapter with respect to operating fees shall not apply to:

(1) Motor vehicles owned or leased by the United States, the state, a city, a county, any department thereof, any political subdivision or municipal corporation of the state, any taxing district of the state, any state registered nonprofit subscription fire protection unit, or any organization, whether incorporated or unincorporated, organized for the operation, maintenance, or management of an irrigation project or irrigation works or system or for the purpose of furnishing water to its members or shareholders, but in other respects shall be applicable.

(2) Farm tractors, implements of husbandry, those manufactured homes ~~which~~ that qualify for an exemption under the provisions of section 49-422, Idaho Code, road rollers, wheel-mounted tar buckets, portable concrete and/or mortar mixers, wheel-mounted compressors, tow dollies, portable toilet trailers, street sweepers, other construction equipment, forestry equipment, lawn and grounds equipment and similar devices as determined by the department which are temporarily operated or moved upon the highways need not be registered under the provisions of this chapter, nor shall implements of husbandry be considered towed units under registration of vehicle combinations as defined in section 49-108(2), Idaho Code. In addition, self-propelled wheelchairs, three-wheeled bicycles, wheelchair conveyances, golf carts, lawn mowers, and scooters operated by persons who by reason of physical disability are otherwise unable to move about as pedestrians shall be exempt from registration requirements under the provisions of this chapter. Motorcycles, motorbikes, utility type vehicles and all-terrain vehicles need not be licensed under the provisions of this chapter or numbered pursuant to the provisions of section 67-7122, Idaho Code, if they are being used exclusively in connection with agricultural, horticultural, dairy and livestock growing and feeding operations or used exclusively for snow removal purposes. Travel upon the public highways shall be limited to travel between farm or ranch locations. Motorcycles, motorbikes, utility type vehicles and all-terrain vehicles used for this purpose shall meet the emblem requirements of section 49-619, Idaho Code.

~~(3) Any political subdivision of the state of Idaho may, but only after sufficient public notice is given and a public hearing held, adopt local~~

1 ~~ordinances or resolutions designating highways or sections of highways un-~~
2 ~~der its jurisdiction which are closed to all-terrain vehicles, utility type~~
3 ~~vehicles, specialty off-highway vehicles and motorbikes licensed pursuant~~
4 ~~to this chapter and numbered pursuant to section 67-7122, Idaho Code. The~~
5 operation of licensed and numbered all-terrain vehicles, utility type vehi-
6 cles and motorbikes and those vehicles exempt from licensing and numbering
7 pursuant to subsection (2) of this section ~~shall~~ is not be permitted on con-
8 trolled-access state highways, except as provided in subsection (4) of this
9 section. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14,
10 title 49, Idaho Code, shall apply to the operation of any all-terrain vehi-
11 cle, utility type vehicle or motorbike upon highways. Costs related to the
12 posting of signs on highways or sections of highways that are closed to such
13 vehicles, ~~indicating the ordinance,~~ are eligible for reimbursement through
14 the motorbike recreation account created in section 67-7126, Idaho Code.

15 (4) The Idaho transportation board may designate sections of state
16 highways upon which all-terrain vehicles, utility type vehicles, specialty
17 off-highway vehicles and motorbikes may travel. All-terrain vehicles,
18 utility type vehicles, specialty off-highway vehicles and motorbikes shall
19 be permitted to cross a non-full-access-controlled highway at a public
20 road intersection. All-terrain vehicles, utility type vehicles, specialty
21 off-highway vehicles and motorbikes shall be permitted to travel upon that
22 portion of any non-full-access-controlled state highway with a speed limit
23 of forty-five (45) miles per hour or less lying within and extending one
24 (1) mile beyond the boundaries of a municipality unless restricted by the
25 Idaho transportation board or closed as provided in subsection (3) of this
26 section. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14,
27 title 49, Idaho Code, shall apply to the operation of all-terrain vehicles,
28 utility type vehicles, specialty off-highway vehicles and motorbikes when
29 upon state highways.

30 (5) All-terrain vehicles, utility type vehicles, specialty off-high-
31 way vehicles and motorbikes may be used on highways located on state lands or
32 federal lands ~~which~~ that are not part of the highway system of the state of
33 Idaho, provided the numbering requirements of section 67-7122, Idaho Code,
34 are met.