

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 99

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-307, IDAHO
2 CODE, TO REVISE PROVISIONS REGARDING PARENT-STUDENT ON-ROAD DRIVER'S
3 TRAINING AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY
4 AND PROVIDING AN EFFECTIVE DATE.
5

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

7 SECTION 1. That Section 49-307, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 49-307. CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT -- CLASS D SU-
10 PERVISED INSTRUCTION PERMIT -- APPLICATION FOR A CLASS D DRIVER'S LICENSE
11 -- RESTRICTIONS ON CLASS D DRIVER'S LICENSE. (1) No enrollee of any class D
12 driver's training course shall be allowed to attend classes or participate
13 in driving instruction unless he has obtained a class D driver's training in-
14 struction permit or a class D instruction permit as provided in subsection
15 (4) of this section.

16 (2) Every enrollee of a class D driver's training course shall pay a
17 nonrefundable fee of fifteen dollars (\$15.00), except that a pupil who par-
18 ticipates in parent-student on-road driver's training pursuant to subsec-
19 tion ~~(7)~~ (6) of this section shall pay a nonrefundable fee of ten dollars
20 (\$10.00). Five dollars (\$5.00) of each fee so imposed shall be deposited in
21 the state highway account and five dollars (\$5.00) shall be deposited in the
22 county current expense fund. The additional five dollars (\$5.00) for every
23 class D driver's training course enrollee shall be:

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

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

36 (3) Each enrollee of a class D driver's training course shall provide
37 the type of information required for a driver's license or instruction per-
38 mit. If an enrollee of a class D driver's training course cannot provide a
39 certified copy of his birth certificate at the time of application for a per-
40 mit, the department may issue a class D driver's training instruction permit
41 or a class D instruction permit upon receipt of identification acceptable

1 to the department. The certified copy of an applicant's birth certificate
2 shall be required before a class D driver's license will be issued.

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

12 (5) The class D driver's training instruction permit shall be issued to
13 the instructor of the course or to the qualifying parent or legal guardian
14 pursuant to subsection ~~(7)~~ (6) of this section.

15 ~~(6) Class D supervised instruction permit.~~

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

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

29 ~~(7) (a) Notwithstanding any other provision of law to the contrary,~~
30 ~~pupils eligible for driver's training pursuant to section 33-1703,~~
31 ~~Idaho Code, may receive driver's training instruction from a qualifying~~
32 ~~parent or legal guardian. The driver's training provided for in this~~
33 ~~subsection shall be known as parent-student on-road driver's training.~~
34 ~~A parent or legal guardian qualifies to provide parent-student on-road~~
35 ~~driver's training pursuant to this subsection as long as:~~

36 (6) (a) An eligible student may satisfy the requirements of section
37 33-1702, Idaho Code, regarding driver's training courses through par-
38 ent-student on-road driver's training pursuant to this subsection.
39 Notwithstanding any other provision of law to the contrary, students
40 eligible for driver's training pursuant to section 33-1703, Idaho Code,
41 may receive the in-car observation and behind-the-wheel instruction
42 components of a driver's training course from a qualifying parent or
43 legal guardian instead of a licensed instructor only if the parent or
44 legal guardian and the student live in a rural school district as de-
45 scribed in section 33-319, Idaho Code, or in a school district that does
46 not offer a driver's training course.

47 (b) A student participating in parent-student on-road driver's train-
48 ing pursuant to this subsection shall enroll and successfully complete
49 the thirty (30) hours of classroom instruction for driver's training
50 required under section 33-1702, Idaho Code, through the Idaho digital

1 learning alliance online driver education course or through any other
 2 online driver's training course approved by the state department of
 3 education. The Idaho digital learning alliance and any other approved
 4 online driver's training program shall make online driver's training
 5 courses available to all students eligible for driver's training. The
 6 state department of education shall publish a list of all approved on-
 7 line driver's training programs on the department's website and such
 8 list shall also be made available at each county driver's license of-
 9 fice.

10 (c) A parent or legal guardian who is qualified to provide parent-stu-
 11 dent on-road driver's training pursuant to this subsection may teach
 12 the driving portion of a driver's training course, including the six (6)
 13 hours of in-car observation and the six (6) hours of behind-the-wheel
 14 instruction required under section 33-1702, Idaho Code. Such training
 15 shall be done concurrently with the classroom component of the driver's
 16 training course. The in-car observation and behind-the-wheel instruc-
 17 tion components shall satisfy all content standards and benchmarks of
 18 the Idaho driver education curriculum approved by the state department
 19 of education. More than one (1) qualifying parent or legal guardian may
 20 provide the parent-student on-road driver's training to a student.

21 (d) A parent or legal guardian qualifies to provide parent-student
 22 on-road driver's training pursuant to this subsection if:

23 (i) The parent or legal guardian possesses a valid Idaho driver's
 24 license that permits unaccompanied driving; and

25 (ii) The parent or legal guardian has not had a license suspended,
 26 revoked, or canceled and has not been disqualified from holding an
 27 Idaho driver's license for the previous two (2) years. A parent or
 28 legal guardian shall no longer be qualified if a license becomes
 29 suspended, revoked, or canceled or if a parent or legal guardian
 30 becomes disqualified from holding an Idaho driver's license dur-
 31 ing the student's education; and.

32 (iii) The parent or legal guardian and the student live in a rural
 33 school district as defined by section 33-319, Idaho Code, or in a
 34 school district that does not offer driver education courses.

35 ~~(b) Parent-student on-road driver's training shall include ninety-two~~
 36 ~~(92) total hours, over a period of no less than six (6) months, of~~
 37 ~~on-road driver's training provided to the student, including:~~

38 ~~(i) No less than fifty (50) hours of street or highway driving;~~
 39 ~~and~~

40 ~~(ii) No less than ten (10) hours of driving after sunset or before~~
 41 ~~sunrise.~~

42 ~~(c) A qualifying parent or legal guardian who provides parent-student~~
 43 ~~on-road driver's training pursuant to this subsection shall maintain~~
 44 ~~and submit a log to the county driver's license office at the completion~~
 45 ~~of the student's training. The log shall include the dates the lessons~~
 46 ~~were conducted and details regarding what was included in the lesson.~~

47 ~~(d) A student may receive parent-student on-road driver's training~~
 48 ~~from more than one (1) qualifying parent or legal guardian.~~

49 ~~(e) The parent or legal guardian must teach the student the accepted~~
 50 ~~Idaho driver's education curriculum. The student must enroll and~~

1 ~~successfully complete the Idaho digital learning alliance driver ed-~~
2 ~~ucation online class, which is aligned to the state department of~~
3 ~~education's driver education online content requirements. IDLA shall~~
4 ~~make the online class available to any public or nonpublic student in~~
5 ~~the state of Idaho who wishes to enroll in such class to fulfill the re-~~
6 ~~quirements of this subsection.~~

7 (e) A qualifying parent or legal guardian who provides parent-student
8 on-road driver's training pursuant to this subsection shall fill out a
9 driving log containing the date, time, location, and skills practiced
10 for each driving session. Upon completion, the parent or legal guardian
11 shall submit the driving log to the county driver's license office and
12 comply with the requirements of subsection (7) of this section.

13 (f) A student must meet the requirements of subsection (8) of this sec-
14 tion relating to the class D supervised instruction permit before ap-
15 plying for a class D driver's license.

16 (7) (a) Upon successful completion of the class D driver's training
17 course, the driver's training instructor shall submit the student log
18 to the county driver's license office and give the class D driver's
19 training instruction permit to the parent or legal guardian of the per-
20 mittee unless the permit has been issued pursuant to subsection (6) of
21 this section. The parent or legal guardian shall assume responsibil-
22 ity for ensuring that the permittee complies with the requirements of
23 operating a vehicle with a class D supervised instruction permit. The
24 class D driver's training instruction permit shall then serve as a class
25 D supervised instruction permit.

26 (b) In the event the permittee reaches seventeen (17) years of age while
27 operating a class D vehicle with a class D supervised instruction per-
28 mit, the supervised instruction permit shall become a class D instruc-
29 tion permit.

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

35 (a) The permittee shall not operate a vehicle unless he is accompanied
36 by a driver who holds a valid driver's license, is twenty-one (21) years
37 of age or older, and is actually occupying a seat beside the permittee
38 driver. The supervising driver and the permittee shall be the only oc-
39 cupants of the front passenger section of the vehicle.

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

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

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

48 (e) The permittee is subject to the provisions of sections 18-1502 and
49 18-8004, Idaho Code, relating to violation of age restrictions on con-

1 sumption of beer, wine, and alcohol and driving under the influence of
2 alcohol, drugs or any other intoxicating substances, respectively.

3 (f) The permittee shall not have been convicted of any moving traffic
4 violation, have had driving privileges suspended by the department or
5 the court for any offense, or have been found to be in violation of any
6 of the restrictions on the class D supervised instruction permit for a
7 period of at least six (6) months from the date the driver's training in-
8 structor gave the permit to the parent or legal guardian, or from the
9 date a canceled class D supervised instruction permit was reissued, or
10 until the permittee reaches seventeen (17) years of age.

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

25 (9) Upon completion of the requirements in subsection (8) of this sec-
26 tion, the permittee shall take the knowledge test and skills test adminis-
27 tered by a person certified by the Idaho transportation department to admin-
28 ister knowledge and skills tests.

29 (10) (a) Upon passage of the knowledge and skills tests, the permittee
30 may apply for a class D driver's license with driving privileges re-
31 stricted to daylight hours only for persons under sixteen (16) years of
32 age and with full privileges at sixteen (16) years of age or older.

33 (b) For purposes of this subsection, "daylight hours only" means the
34 period of time between 5:00 a.m. and 10:00 p.m. local time.

35 (c) The restriction on daylight hours only driving privileges for per-
36 sons under sixteen (16) years of age shall not apply if:

37 (i) The person under sixteen (16) years of age has a valid class D
38 driver's license;

39 (ii) The person under sixteen (16) years of age is accompanied by
40 a driver who holds a valid driver's license and is twenty-one (21)
41 years of age or older and is actually occupying a seat beside the
42 licensee who is under sixteen (16) years of age; and

43 (iii) The two (2) licensed drivers are the only occupants of the
44 front passenger section of the vehicle.

45 (11) Upon passage of the knowledge and skills tests, the permittee may
46 apply for a class D driver's license. Any such licensee who is under ~~the age~~
47 ~~of~~ seventeen (17) years of age shall be required, during the first six (6)
48 months from the date of issue of the class D driver's license, to limit the
49 number of passengers in the vehicle who are under ~~the age of~~ seventeen (17)
50 years of age to not more than one (1) such passenger. Provided however, the

1 limit of one (1) passenger under ~~the age of~~ seventeen (17) years of age shall
2 not apply to passengers who are related to the driver by blood, adoption or
3 marriage.

4 SECTION 2. An emergency existing therefor, which emergency is hereby
5 declared to exist, this act shall be in full force and effect on and after
6 July 1, 2025.