

IN THE SENATE

SENATE BILL NO. 1071, As Amended

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO THE ORGAN DONATION CONTRIBUTION FUND; AMENDING SECTION 49-306,
2 IDAHO CODE, TO PROVIDE FOR A CERTAIN VOLUNTARY DONATION RELATING TO VI-
3 SION SCREENING AND EYE HEALTH AND TO MAKE A TECHNICAL CORRECTION; AMEND-
4 ING SECTION 49-2447, IDAHO CODE, TO PROVIDE FOR MONEYS TO BE COLLECTED
5 FOR AND DISTRIBUTED TO ENVISION SIGHT; AND DECLARING AN EMERGENCY AND
6 PROVIDING AN EFFECTIVE DATE.
7

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

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

11 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
12 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
13 MIT. (1) Every application for any instruction permit, restricted school
14 attendance driving permit, or driver's license shall be made on a form
15 furnished by the department and shall be verified by the applicant before
16 a person authorized to administer oaths. Officers and employees of the
17 department, agents authorized by the department, and sheriffs and their
18 deputies are authorized to administer the oaths without charge.

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

- 31 (a) Class A, B, C (4-year) license with endorsements --
32 age 21 years and older\$40.00
 - 33 (i) \$5.00 to the current expense fund;
 - 34 (ii) \$2.00 to emergency medical services fund II;
 - 35 (iii) \$4.00 to emergency medical services fund III;
 - 36 (iv) \$28.00 to the state highway account; and
 - 37 (v) \$1.00 to the motorcycle safety program fund;
- 38 (b) Class A, B, C (8-year) license with endorsements --
39 age 21 years and older\$60.00
 - 40 (i) \$5.00 to the current expense fund;
 - 41 (ii) \$4.00 to emergency medical services fund II;
 - 42 (iii) \$8.00 to emergency medical services fund III;

- 1 (iv) \$41.00 to the state highway account; and
2 (v) \$2.00 to the motorcycle safety program fund;
3 (c) Class A, B, C (3-year) license with endorsements --
4 age 18 to 21 years\$30.00
5 (i) \$5.00 to the current expense fund;
6 (ii) \$1.50 to emergency medical services fund II;
7 (iii) \$3.00 to emergency medical services fund III;
8 (iv) \$19.50 to the state highway account; and
9 (v) \$1.00 to the motorcycle safety program fund;
10 (d) Class A, B, C (1-year) license with endorsements -- age
11 20 years\$15.00
12 (i) \$5.00 to the current expense fund;
13 (ii) \$0.50 to emergency medical services fund II;
14 (iii) \$1.00 to emergency medical services fund III;
15 (iv) \$8.16 to the state highway account; and
16 (v) \$0.34 to the motorcycle safety program fund;
17 (e) Class D (3-year) license -- age 18 to 21 years\$30.00
18 (i) \$10.00 to the current expense fund;
19 (ii) \$1.50 to emergency medical services fund II;
20 (iii) \$3.00 to emergency medical services fund III;
21 (iv) \$4.00 to the driver training fund;
22 (v) \$10.50 to the highway distribution account; and
23 (vi) \$1.00 to the motorcycle safety program fund;
24 (f) Class D (1-year) license -- age 17 to 20 years\$20.00
25 (i) \$10.00 to the current expense fund;
26 (ii) \$0.50 to emergency medical services fund II;
27 (iii) \$1.00 to emergency medical services fund III;
28 (iv) \$1.33 to the driver training fund;
29 (v) \$6.83 to the highway distribution account; and
30 (vi) \$0.34 to the motorcycle safety program fund;
31 (g) Class D (4-year) license -- age 21 years and
32 older\$35.00
33 (i) \$10.00 to the current expense fund;
34 (ii) \$2.00 to emergency medical services fund II;
35 (iii) \$4.00 to emergency medical services fund III;
36 (iv) \$5.30 to the driver training fund;
37 (v) \$12.70 to the highway distribution account; and
38 (vi) \$1.00 to the motorcycle safety program fund;
39 (h) Class D (8-year) or class A, B, C license with
40 endorsements -- age 21 to 63 years\$60.00
41 (i) \$15.00 to the current expense fund;
42 (ii) \$4.00 to emergency medical services fund II;
43 (iii) \$8.00 to emergency medical services fund III;
44 (iv) \$10.60 to the driver training fund;
45 (v) \$20.40 to the highway distribution account; and
46 (vi) \$2.00 to the motorcycle safety program fund;
47 (i) Commercial learner's permit\$29.00
48 (i) \$5.00 to the current expense fund;
49 (ii) \$4.00 to emergency medical services fund III; and
50 (iii) \$20.00 to the state highway account;

- 1 (j) Class D instruction permit and supervised instruction
2 permit\$20.00
3 (i) \$10.00 to the current expense fund;
4 (ii) \$2.60 to the driver training fund; and
5 (iii) \$7.40 to the highway distribution account;
- 6 (k) Duplicate driver's license or permit\$20.00
7 (i) \$10.00 to the current expense fund;
8 (ii) \$2.60 to the driver training fund; and
9 (iii) \$7.40 to the highway distribution account;
- 10 (l) Driver's license extension\$10.00
11 (i) \$2.60 to the driver training account; and
12 (ii) \$7.40 to the state highway account;
- 13 (m) License classification change (upgrade)\$30.00
14 (i) \$10.00 to the current expense fund; and
15 (ii) \$20.00 to the state highway account;
- 16 (n) Endorsement addition\$20.00
17 (i) \$10.00 to the current expense fund; and
18 (ii) \$10.00 to the state highway account;
- 19 (o) Class A, B, C skills tests not more than \$200.00
20 (i) \$10.00 to the state highway account; and
21 (ii) Remainder retained by entity administering the test;
- 22 (p) Class D skills test not more than \$35.00
23 (i) \$6.50 to the state highway account; and
24 (ii) Remainder retained by entity administering the test;
- 25 (q) Motorcycle endorsement skills test (amount charged retained by
26 entity administering the test) not more than \$25.00;
- 27 (r) Knowledge test (fee retained by the entity administering
28 the test)\$5.00;
- 29 (s) Seasonal driver's license\$44.00
30 (i) \$10.00 to the current expense fund;
31 (ii) \$2.00 to emergency medical services fund II;
32 (iii) \$4.00 to emergency medical services fund III; and
33 (iv) \$28.00 to the state highway account;
- 34 (t) Onetime motorcycle "M" endorsement\$15.00
35 (i) \$2.50 to the current expense fund; and
36 (ii) \$12.50 to the state highway account;
- 37 (u) Motorcycle endorsement instruction permit\$15.00
38 (i) \$2.50 to the current expense fund; and
39 (ii) \$12.50 to the state highway account;
- 40 (v) Restricted driving permit or restricted school attendance
41 driving permit (fee to the state highway account)\$60.00.
- 42 (3) The fee for any electronic driver's license renewal allowed pur-
43 suant to section 49-319(10), Idaho Code, shall be five dollars (\$5.00) less
44 than the applicable application fee prescribed in subsection (2) of this
45 section. This fee reduction shall be accounted for by subtracting five dol-
46 lars (\$5.00) from the portion of fees retained by the department.
- 47 (4) A person who applies for a driver's license or a driver's license
48 renewal may designate a voluntary contribution of two dollars (\$2.00) ~~for~~
49 the pursuant to paragraph (a) or (b) of this subsection or both. Such volun-
50 tary contribution may be made for:

1 (a) The purpose of promoting and supporting organ donation. Such a
 2 contribution shall be treated as a voluntary contribution to the organ
 3 donation contribution fund created in section 49-2447, Idaho Code, and
 4 not as a driver's license fee. Each voluntary contribution shall be
 5 deposited into the organ donation contribution fund created in section
 6 49-2447, Idaho Code; and

7 (b) The purposes of promoting and supporting vision screening, vision
 8 treatment, and eye health in Idaho. Such contribution shall be treated
 9 as a voluntary contribution to envision sight, an Idaho nonprofit cor-
 10 poration, and not as a driver's license fee. Such contributions shall
 11 be transferred to envision sight, at least monthly, less actual ad-
 12 ministrative costs associated with collecting and transferring such
 13 contributions. Envision sight shall only use funds received pursuant
 14 to this paragraph for the purposes expressly provided for in this para-
 15 graph and shall submit an annual report to the legislature by January
 16 15 accounting for funds received in the prior year pursuant to this
 17 paragraph and describing how such funds were spent. The report shall be
 18 submitted to the legislative services office electronically.

19 (5) Every application shall state the applicant's true and full name,
 20 date of birth, sex, declaration of Idaho residency, Idaho residence address
 21 and mailing address if different, height, weight, hair color, eye color, and
 22 social security number as verified by the social security administration.
 23 If an applicant has submitted an application pursuant to the provisions of
 24 chapter 58, title 19, Idaho Code, then the applicant may state, in his or
 25 her application pursuant to this section, the applicant's alternative Idaho
 26 mailing address in place of his or her Idaho residence address and mail-
 27 ing address. Notwithstanding the provisions of section 49-303(13), Idaho
 28 Code, an applicant for a nondomiciled class A, B or C driver's license or
 29 nondomiciled commercial learner's permit having residency in a state that
 30 is prohibited from issuing class A, B or C driver's licenses or commercial
 31 learner's permits, as provided in 49 CFR 384, is excepted from providing
 32 proof of Idaho residency and an Idaho mailing address.

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

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

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

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

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

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

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

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

7 (ii) Excepted interstate. The applicant operates or expects to
8 operate in interstate commerce, but engages exclusively in trans-
9 portation or operations excepted by the federal motor carrier
10 safety administration from all or parts of the qualification re-
11 quirements of federal motor carrier safety regulation 49, part
12 391, and is therefore not required to provide a medical examiner's
13 certificate;

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

19 (iv) Excepted intrastate. The applicant operates in intrastate
20 commerce, but engages exclusively in exempted transportation or
21 operations as listed in section 67-2901B(2), Idaho Code, and the
22 applicable parts of federal motor carrier safety regulation 49,
23 part 391, and is therefore not required to provide a medical exam-
24 iner's certificate.

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

32 (d) The applicant must submit proof of identity and citizenship sta-
33 tus acceptable to the examiner or the department and date of birth as
34 set forth in a certified copy of his birth certificate. When a certified
35 copy of his birth certificate or a delayed birth certificate is impossi-
36 ble to obtain from a vital statistics agency, another government-issued
37 document may be submitted that provides satisfactory evidence of a per-
38 son's full legal name and date of birth acceptable to the examiner or the
39 department.

40 (e) Every applicant for a class A, B or C driver's license or commer-
41 cial learner's permit shall provide proof of United States citizenship
42 or lawful permanent residency in the United States upon application for
43 issuance, transfer, upgrade or renewal, unless the applicant's driving
44 record already contains documentation confirming United States citi-
45 zenship or lawful permanent residency. Every applicant for a nondomi-
46 ciled class A, B or C driver's license or commercial learner's permit
47 domiciled in a foreign country must provide an unexpired employment au-
48 thorization document issued by the department of homeland security or
49 an unexpired foreign passport accompanied by an approved I-94 form doc-
50 umenting the applicant's most recent admittance into the United States.

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

8 (6) Whenever an application is received from a person previously li-
9 censed in another jurisdiction, the department shall request a copy of the
10 driver's record from the other jurisdiction and shall contact the national
11 driver register. When received, the driver's record from the previous ju-
12 risdiction shall become a part of the driver's record in this state with the
13 same force and effect as though entered on the driver's record in this state
14 in the original instance.

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

18 (8) The department shall contact and notify the commercial driver li-
19 cense information system of the proposed application for a class A, B or C
20 driver's license or commercial learner's permit to ensure identification of
21 the person and to obtain clearance to issue the license.

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (d) Have at least one (1) year of driving experience with a class D or
2 equivalent license in any type of motor vehicle; and
3 (e) Are at least sixteen (16) years ~~old~~ of age.

4 SECTION 2. That Section 49-2447, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 49-2447. ORGAN DONATION CONTRIBUTION FUND. (1) There is hereby cre-
7 ated in the state treasury the organ donation contribution fund, the moneys
8 of which shall be continuously appropriated.

9 (2) The Idaho transportation department through the division of motor
10 vehicles shall:

11 (a) Administer the moneys deposited in the organ donation contribution
12 fund;

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

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

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

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

21 (a) Private contributions;

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

23 (c) Voluntary donations collected under the provisions of this title;
24 and

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

26 (4) Idle moneys in the fund shall be invested by the treasurer pursuant
27 to section 67-1210, Idaho Code, and moneys earned from such investment shall
28 be credited to the fund. Interest shall be distributed at least quarterly
29 to intermountain donor services and envision sight based on contribution ra-
30 tios collected for each organization.

31 (5) The moneys in the organ donation contribution fund collected for
32 intermountain donor services shall be distributed to intermountain donor
33 services located in Salt Lake City, Utah, and shall be used to assist in main-
34 taining and operating a statewide organ donation registry and provide organ
35 donor awareness education in Idaho.

36 (6) The moneys in the organ donation contribution fund collected for
37 envision sight shall be distributed to envision sight located in Boise,
38 Idaho, and shall be used to assist in supporting vision screening, vision
39 treatment, and eye health in Idaho.

40 SECTION 3. An emergency existing therefor, which emergency is hereby
41 declared to exist, this act shall be in full force and effect on and after
42 July 1, 2025.