

IN THE SENATE

SENATE BILL NO. 1072

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE  
2 A CODE REFERENCE; AMENDING SECTION 49-402D, IDAHO CODE, TO ESTABLISH  
3 CERTAIN EXEMPTIONS FROM SPECIAL LICENSE PLATE PROCEDURES; AMEND-  
4 ING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
5 49-420T, IDAHO CODE, TO PROVIDE FOR TOO GREAT FOR HATE LICENSE PLATES  
6 AND TO ESTABLISH A PROGRAM FUND; AND DECLARING AN EMERGENCY AND PROVID-  
7 ING AN EFFECTIVE DATE.  
8

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

10 SECTION 1. That Section 49-402, Idaho Code, be, and the same is hereby  
11 amended to read as follows:

12 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each  
13 pickup truck, each neighborhood electric vehicle and each other motor ve-  
14 hicle having a maximum gross weight not in excess of eight thousand (8,000)  
15 pounds and that complies with the federal motor vehicle safety standards as  
16 defined in section 49-107, Idaho Code, shall be:

17	Vehicles one (1) and two (2) years old .....	\$69.00
18	Vehicles three (3) and four (4) years old .....	\$57.00
19	Vehicles five (5) and six (6) years old .....	\$57.00
20	Vehicles seven (7) and eight (8) years old .....	\$45.00
21	Vehicles over eight (8) years old .....	\$45.00

22 There shall be twelve (12) registration periods, starting in January  
23 for holders of validation registration stickers numbered 1, and proceed-  
24 ing consecutively through December for holders of validation registration  
25 stickers numbered 12, each of which shall start on the first day of a calendar  
26 month and end on the last day of the twelfth month from the first day of the  
27 beginning month. Registration periods shall expire midnight on the last day  
28 of the registration period in the year designated by the validation regis-  
29 tration sticker. The numeral digit on the validation registration stickers  
30 shall, as does the registration card, fix the registration period under the  
31 staggered registration system for the purpose of reregistration and notice  
32 of expiration.

33 A vehicle that has once been registered for any of the above-designated  
34 periods shall, upon reregistration, be registered for the period bearing the  
35 same number, and the registration card shall show and be the exclusive proof  
36 of the expiration date of registration and licensing. Vehicles may be ini-  
37 tially registered for less than a twelve (12) month period, or for more than a  
38 twelve (12) month period, and the fee prorated on a monthly basis if the frac-  
39 tional registration tends to fulfill the purpose of the monthly series reg-  
40 istration system.

41 (2) For all school buses operated either by a nonprofit, nonpublic  
42 school or operated pursuant to a service contract with a school district for

1 transporting children to or from school or in connection with school-ap-  
2 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and  
3 shall be subject to staggered registration for the purpose of reregistration  
4 and notice of expiration.

5 (3) For all motorcycles and motor-driven cycles that comply with the  
6 federal motor vehicle safety standards, operated upon the public highways,  
7 the annual fee shall be nineteen dollars (\$19.00) and shall be subject to  
8 staggered registration for the purpose of reregistration and notice of ex-  
9 piration.

10 (4) For operation of an all-terrain vehicle, utility type vehicle or  
11 motorbike, excluding a motorbike with an engine displacement of fifty (50)  
12 cubic centimeters or less, on city, county or highway district roads or  
13 highways open to such use, a restricted vehicle license plate fee pursuant  
14 to section 49-450, Idaho Code, shall be paid. In addition, the certifi-  
15 cate of number fee specified in section 67-7122, Idaho Code, shall be paid  
16 as provided in section 67-7122, Idaho Code. The certificate of number and  
17 restricted vehicle license plate exemption provided in section 49-426(2),  
18 Idaho Code, applies to all-terrain vehicles, utility type vehicles, motor-  
19 bikes and motorcycles used for the purposes described in section 49-426(2),  
20 Idaho Code. Nonresidents shall be allowed to purchase a restricted vehicle  
21 license plate and validation sticker pursuant to section 67-7124, Idaho  
22 Code, for an all-terrain vehicle, utility type vehicle, or motorbike.

23 (5) For all motor homes, the fee shall be as specified in subsection (1)  
24 of this section and shall be in addition to the fees provided for in section  
25 49-445, Idaho Code.

26 (6) Registration fees shall not be subject to refund.

27 (7) A financial institution or repossession service contracted to  
28 a financial institution repossessing vehicles under the terms of a secu-  
29 rity agreement shall move the vehicle from the place of repossession to the  
30 financial institution's place of business on a repossession plate. The  
31 repossession plate shall also be used for demonstrating the vehicle to a  
32 prospective purchaser for a period not to exceed ninety-six (96) hours. The  
33 registration fees for repossession plates shall be as required in subsection  
34 (1) of this section for a vehicle one (1) and two (2) years old. All other  
35 fees required under chapter 4, title 49, Idaho Code, shall be in addition to  
36 the registration fee. The repossession plate shall be subject to staggered  
37 registration for the purpose of reregistration and notice of expiration.

38 (8) A wrecker or towing business engaged in the process of towing motor-  
39 ized vehicles that have been wrecked, abandoned, salvaged or may be disabled  
40 may apply for a wrecker plate to be displayed on those vehicles being towed,  
41 provided the power unit is properly registered under this chapter. The reg-  
42 istration fees for wrecker plates shall be as required in subsection (1) of  
43 this section for a vehicle one (1) and two (2) years old. All other fees re-  
44 quired under chapter 4, title 49, Idaho Code, shall be in addition to the reg-  
45 istration fee and shall be subject to staggered registration for the purpose  
46 of reregistration and notice of expiration.

47 (9) In addition to the annual registration fee in this section, there  
48 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-  
49 nual program fee of fifteen dollars (\$15.00) for all special license plate  
50 programs for those license plates issued pursuant to sections 49-404A,

1 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For  
 2 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,  
 3 there shall be an initial program fee of twenty-five dollars (\$25.00) but  
 4 there shall be no annual renewal fee. For special plates issued pursuant  
 5 to sections 49-415D, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-418A,  
 6 49-418B, 49-418C, 49-419, 49-419A, 49-419C, 49-419E, 49-420, 49-420A,  
 7 49-420B, 49-420C, 49-420D, 49-420E, 49-420J, 49-420K, 49-420L, 49-420M,  
 8 49-420N, 49-420O, 49-420P, 49-420Q, 49-420R, ~~and 49-420S, and 49-420T,~~  
 9 Idaho Code, and any new special plate program effective on and after January  
 10 1, 2013, pursuant to section 49-402D, Idaho Code, there shall be an initial  
 11 program fee of thirty-five dollars (\$35.00) and an annual program fee of  
 12 twenty-five dollars (\$25.00). The fees contained in this subsection shall  
 13 be applicable to all new special plate programs and shall be subject to stag-  
 14 gered registration for the purpose of reregistration and notice of expira-  
 15 tion. The initial program fee and the annual program fee shall be deposited  
 16 in the state highway account and shall be used to fund the cost of administra-  
 17 tion of special license plate programs, unless otherwise specified by law.

18 (10) Any vehicle that does not meet federal motor vehicle safety stan-  
 19 dards shall not be registered and shall not be permitted to operate on public  
 20 highways of the state, as defined in section 40-117, Idaho Code, unless oth-  
 21 erwise specifically authorized.

22 (11) In addition to annual registration fees as provided in this sec-  
 23 tion, registrants may pay a fee to purchase an Idaho state parks passport  
 24 authorizing resident motor vehicle entry into all Idaho state parks. Reg-  
 25 istrants may pay the fee for a one (1) year or two (2) year period of time.  
 26 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars  
 27 (\$20.00) for two (2) years. All fees collected pursuant to this subsection  
 28 shall be deposited into the park and recreation fund and shall be subject to  
 29 appropriation. Fees collected pursuant to this subsection shall not be con-  
 30 sidered a motor vehicle registration fee as provided in section 17, article  
 31 VII, of the constitution of the state of Idaho.

32 SECTION 2. That Section 49-402D, Idaho Code, be, and the same is hereby  
 33 amended to read as follows:

34 49-402D. SPECIAL LICENSE PLATE PREQUALIFICATION PROCESS.

35 (1) (a) For any new special license plate program approved by the legis-  
 36 lature, the program sponsor shall, before issuance of any such special  
 37 license plate, meet the prequalification process outlined in this sec-  
 38 tion. The program sponsor for any special plate program shall:

- 39 (i) Submit a financial plan for the use of the proceeds from the  
 40 special license plate sales and certify that all such proceeds  
 41 shall be deposited in the highway distribution account, except  
 42 with respect to any new special plate that may be established for  
 43 the benefit of the state of Idaho or any department, division,  
 44 bureau, or agency thereof, including an Idaho college or univer-  
 45 sity pursuant to section 49-418A, Idaho Code, a ~~military license~~  
 46 plate, or a license plate for the benefit of the Idaho state board  
 47 of education or specific education programs, grant funds, or ini-  
 48 tiatives administered by the Idaho state board of education, and  
 49 military license plates; and

1 (ii) Designate an individual who shall be deemed responsible by  
2 the agency for certifying compliance with the requirements of this  
3 section and working with the department.

4 (b) The department is authorized and shall adopt and promulgate rules  
5 to carry out the provisions of this section.

6 (2) If the request for a special license plate is approved by the de-  
7 partment, the following requirements, in addition to those set out in sub-  
8 section (1) of this section, shall be met by September 1 prior to the next  
9 legislative session and prior to the issuance of any special license plates  
10 approved by the legislature.

11 (a) The applicant shall deposit estimated programming and administra-  
12 tive costs with the department to be utilized for programming costs of  
13 the specialty plate. Administrative costs in the amount of one thousand  
14 dollars (\$1,000) shall be nonrefundable.

15 (b) In addition to the requirements provided for in section 49-402C,  
16 Idaho Code, the applicant requesting a special license plate program  
17 shall provide to the department an acceptable plate design.

18 (c) The applicant shall transmit to the department a list of two hundred  
19 fifty (250) applicants, whose vehicles are currently registered in the  
20 state of Idaho, who intend to purchase the specialty plate when avail-  
21 able, as evidenced by completing forms provided by the department.

22 (3) The department shall submit the completed applications for special  
23 license plate programs that meet the requirements of this section to the  
24 chairmen of the senate transportation committee and the house of representa-  
25 tives transportation and defense committee each year on behalf of the agency  
26 to be included for consideration in the next legislative session.

27 (4) On an annual basis, by December 1 of each calendar year, the sponsor  
28 of a special license plate program shall prepare an annual report, which  
29 shall be made available on request and shall be forwarded to the department.  
30 Such report shall include an accounting of revenues and expenditures associ-  
31 ated with the funds collected for the special license plate program. The de-  
32 partment shall compile and forward such reports to the chairmen of the senate  
33 transportation committee and the house of representatives transportation  
34 and defense committee by January 15 of each year. Failure of the agency to  
35 provide such report by the due date shall result in the discontinuation of  
36 the special license plate program sales on January 1. The provisions of this  
37 section shall exclude special plates established for the highway distri-  
38 bution account, the state of Idaho or any department, division, bureau, or  
39 agency thereof, an Idaho college or university pursuant to section 49-418A,  
40 Idaho Code, and military license plate programs.

41 (5) Any decision by the department that the special license plate pro-  
42 gram application does not meet the provisions of this section may be appealed  
43 to the director of the department. Such notice of appeal shall be made in  
44 writing within twenty (20) days of the notice of denial. For all denied ap-  
45 plications, the department shall, at the next legislative session, report  
46 to the senate and house of representatives transportation committees on such  
47 denied applications and the reason for the denials.

48 SECTION 3. That Chapter 4, Title 49, Idaho Code, be, and the same is  
49 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
50 ignated as Section 49-420T, Idaho Code, and to read as follows:

1           49-420T. TOO GREAT FOR HATE LICENSE PLATES. (1) On and after January 1,  
2 2026, any person who is the owner of a vehicle registered under the provi-  
3 sions of section 49-402, Idaho Code, or registered under any other section of  
4 law for which the purchase of special plates is allowed, may apply for and,  
5 upon department approval, receive too great for hate license plates in lieu  
6 of regular license plates. The provisions of this section shall not apply to  
7 any vehicle with a registered maximum gross weight over twenty-six thousand  
8 (26,000) pounds. Availability of too great for hate license plates for other  
9 vehicles shall be subject to the rules, policies, and procedures of the de-  
10 partment.

11           (2) In addition to the regular registration fee required in this chap-  
12 ter, the applicant shall be charged a fee of thirty-five dollars (\$35.00)  
13 for the initial issuance of plates, and twenty-five dollars (\$25.00) upon  
14 each succeeding annual registration. Thirteen dollars (\$13.00) of the ini-  
15 tial fee and thirteen dollars (\$13.00) of the renewal fee shall be deposited  
16 in the state highway account and shall be used to fund the cost of adminis-  
17 tration of this special license plate program. Twenty-two dollars (\$22.00)  
18 of each initial fee and twelve dollars (\$12.00) of each renewal fee shall be  
19 transferred by the state treasurer and credited to the human rights commis-  
20 sion program fund established in subsection (3) of this section for the ben-  
21 efit of the Idaho commission on human rights established pursuant to chap-  
22 ter 59, title 67, Idaho Code. Funds so deposited shall be subsequently di-  
23 rected by the Idaho commission on human rights as set forth in this section.  
24 Such efforts may include signs or other advertising, educational program-  
25 ing, or other appropriate means designed to help secure for all individuals  
26 in Idaho freedom from discrimination and to build public understanding of  
27 Idaho's anti-discrimination and anti-retaliation laws.

28           (3) There is hereby established in the state treasury the human rights  
29 commission program fund to which will be credited the revenues derived from  
30 fees under this section, any legislative appropriations, moneys already  
31 provided, and interest earned on idle moneys in the fund.

32           (4) Whenever the title or interest in a vehicle registered under the  
33 provisions of this section is transferred or assigned, the owner may trans-  
34 fer the special plates to another vehicle upon payment of the required trans-  
35 fer fees. The owner may display the plates on another vehicle only upon re-  
36 ceipt of the new registration from the department.

37           (5) The too great for hate license plate shall be of a color and design  
38 in accordance with the provisions of section 49-402C, Idaho Code. The de-  
39 sign and any slogan on the plate shall be acceptable to the Idaho commission  
40 on human rights and shall be approved by the Idaho transportation department  
41 utilizing a numbering system as determined by the department. Initial costs  
42 of the plate program, including costs of plate design, shall be pursuant to  
43 funds appropriated by the legislature for such purpose.

44           (6) Sample too great for hate license plates may be purchased for a fee  
45 of thirty dollars (\$30.00), thirteen dollars (\$13.00) of which shall be de-  
46 posited in the state highway account and seventeen dollars (\$17.00) of which  
47 shall be transferred to the to the human rights commission program fund for  
48 the benefit of the Idaho commission on human rights to be used for the pur-  
49 poses stated in subsection (2) of this section.

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