

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 486

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO SPECIAL MOTOR VEHICLE LICENSE PLATES; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-419E, IDAHO CODE, TO ESTABLISH AN IDAHO MOUNTAIN BIKING SPECIAL LICENSE PLATE PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

Vehicles one (1) and two (2) years old .....	\$48.00
Vehicles three (3) and four (4) years old .....	\$36.00
Vehicles five (5) and six (6) years old .....	\$36.00
Vehicles seven (7) and eight (8) years old .....	\$24.00
Vehicles over eight (8) years old .....	\$24.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered plate system of Idaho for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

(2) For all school buses operated either by a nonprofit, nonpublic school or operated pursuant to a service contract with a school district for transporting children to or from school or in connection with school approved activities, the annual fee shall be twenty-four dollars (\$24.00).

1 (3) For all motorcycles and motor-driven cycles which comply with the  
2 federal motor vehicle safety standards, operated upon the public highways  
3 the annual fee shall be nine dollars (\$9.00).

4 (4) For operation of an all-terrain vehicle, utility type vehicle or  
5 motorbike, excluding a motorbike with an engine displacement of fifty (50)  
6 cubic centimeters or less, on city, county or highway district roads or  
7 highways open to such use, a restricted vehicle license plate fee pursuant  
8 to section 49-450, Idaho Code, shall be paid. In addition, the registration  
9 fee specified in section 67-7122, Idaho Code, shall be paid as provided  
10 in section 67-7122, Idaho Code. The registration and restricted vehicle  
11 license plate exemption provided in section 49-426(2), Idaho Code, applies  
12 to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles  
13 used for the purposes described in subsection (2) of section 49-426, Idaho  
14 Code. Nonresidents shall be allowed to purchase a restricted vehicle  
15 license plate and sticker for an all-terrain vehicle, utility type vehicle  
16 or motorbike.

17 (5) For all motor homes the fee shall be as specified in subsection (1)  
18 of this section and shall be in addition to the fees provided for in section  
19 49-445, Idaho Code.

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

21 (7) A financial institution or repossession service contracted to a  
22 financial institution repossessing vehicles under the terms of a security  
23 agreement shall move the vehicle from the place of repossession to the  
24 financial institution's place of business on a repossession plate. The  
25 repossession plate shall also be used for demonstrating the vehicle to a  
26 prospective purchaser for a period not to exceed ninety-six (96) hours. The  
27 registration fees for repossession plates shall be as required in subsection  
28 (1) of this section for a vehicle one (1) and two (2) years old. All other  
29 fees required under chapter 4, title 49, Idaho Code, shall be in addition to  
30 the registration fee. The repossession plate shall be issued on an annual  
31 basis by the department.

32 (8) A wrecker or towing business engaged in the process of towing  
33 motorized vehicles, which have been wrecked, abandoned, salvaged or may be  
34 disabled, may apply for a wrecker plate to be displayed on those vehicles  
35 being towed, provided the power unit is properly registered under this  
36 chapter. The registration fees for wrecker plates shall be as required in  
37 subsection (1) of this section for a vehicle one (1) and two (2) years old.  
38 All other fees required under chapter 4, title 49, Idaho Code, shall be in  
39 addition to the registration fee. The wrecker plate shall be issued on an  
40 annual basis by the department.

41 (9) In addition to the annual registration fee in this section, there  
42 shall be an initial program fee of twenty-five dollars (\$25.00) and an  
43 annual program fee of fifteen dollars (\$15.00) for all special license plate  
44 programs for those license plates issued pursuant to sections 49-404A,  
45 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For  
46 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,  
47 there shall be an initial program fee of twenty-five dollars (\$25.00) but  
48 there shall be no annual renewal fee. For special plates issued pursuant  
49 to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D,  
50 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A,

1 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D,  
2 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G,  
3 ~~and 49-420H and 49-420I~~, Idaho Code, there shall be an initial program fee  
4 of thirty-five dollars (\$35.00) and an annual program fee of twenty-five  
5 dollars (\$25.00). The fees contained in this subsection shall be applicable  
6 to all new special plate programs. The initial program fee and the annual  
7 program fee shall be deposited in the state highway account and shall be used  
8 to fund the cost of administration of special license plate programs, unless  
9 otherwise specified by law.

10 (910) Any vehicle that does not meet federal motor vehicle safety  
11 standards shall not be registered and shall not be permitted to operate  
12 on public highways of the state, as defined in section 40-117, Idaho Code,  
13 unless otherwise specifically authorized.

14 SECTION 2. That Chapter 4, Title 49, Idaho Code, be, and the same is  
15 hereby amended by the addition thereto of a NEW SECTION, to be known and  
16 designated as Section 49-419E, Idaho Code, and to read as follows:

17 49-419E. IDAHO MOUNTAIN BIKING PLATES. (1) On and after January  
18 1, 2011, any person who is the owner of a vehicle registered under the  
19 provisions of section 49-402, Idaho Code, or registered under any other  
20 section of law for which the purchase of special plates is allowed, may apply  
21 for and upon department approval, receive special Idaho mountain biking  
22 license plates in lieu of regular license plates. The provisions of this  
23 section shall not apply to any vehicle with a registered maximum gross weight  
24 over twenty-six thousand (26,000) pounds. Availability of Idaho mountain  
25 biking license plates for other vehicles shall be subject to the rules,  
26 policies and procedures of the department.

27 (2) In addition to the regular registration fee required in chapter 4,  
28 title 49, Idaho Code, the applicant shall be charged a fee of thirty-five  
29 dollars (\$35.00) for the initial issuance of the plates and twenty-five  
30 dollars (\$25.00) upon each succeeding annual registration. Thirteen  
31 dollars (\$13.00) of the initial fee and thirteen dollars (\$13.00) of the  
32 renewal fee shall be deposited in the state highway account and shall be used  
33 to fund the cost of administration of this special license plate program.  
34 Twenty-two dollars (\$22.00) of each initial fee and twelve dollars (\$12.00)  
35 of each renewal fee shall be deposited by the state treasurer in a dedicated  
36 fund in the department of parks and recreation or any successor state  
37 agency or department thereto which fund shall be used by any such agency or  
38 department exclusively for the preservation, maintenance and expansion of  
39 recreational trails within the state of Idaho and on which mountain biking  
40 is permitted.

41 (3) Whenever title or interest in a vehicle registered under the  
42 provisions of this section is transferred or assigned, the owner may  
43 transfer the special plates to another vehicle upon payment of the required  
44 transfer fees. The owner may only display the plates on another vehicle upon  
45 receipt of a new registration from the department.

46 (4) The Idaho mountain biking license plate shall be of a color and  
47 design in accordance with the provisions of section 49-402C, Idaho Code.  
48 The design and any slogan on the plate shall be acceptable to the department  
49 of parks and recreation or any successor agency or department thereto,

1 and shall be approved by the Idaho transportation department utilizing a  
2 numbering system as determined by the department. Initial costs of the plate  
3 program, including costs of plate design, shall be paid by the Idaho mountain  
4 bike trail preservation association.

5 (5) Sample Idaho mountain biking license plates may be purchased for  
6 a fee of thirty dollars (\$30.00), thirteen dollars (\$13.00) of which shall  
7 be deposited in the state highway account and seventeen dollars (\$17.00)  
8 of which shall be deposited in a dedicated fund within the department of  
9 parks and recreation or any successor state agency or department thereto and  
10 which fund shall be used by any such agency or department exclusively for the  
11 preservation, maintenance and expansion of recreational trails within the  
12 state of Idaho and on which mountain biking is permitted.

13 SECTION 3. This act shall be in full force and effect on and after  
14 January 1, 2011.