

IN THE SENATE

SENATE BILL NO. 1378

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO PUBLIC WRITINGS; AMENDING SECTION 9-340C, IDAHO CODE, TO REVISE  
2 A PUBLIC RECORDS EXEMPTION, TO PROVIDE A PUBLIC RECORDS EXEMPTION AND  
3 TO PROVIDE EXCEPTIONS; AMENDING TITLE 19, IDAHO CODE, BY THE ADDITION  
4 OF A NEW CHAPTER 58, TITLE 19, IDAHO CODE, TO DEFINE TERMS, TO PROVIDE  
5 THAT THE DISCLOSURE OF THE RESIDENTIAL STREET AND TELEPHONE NUMBER  
6 OF CERTAIN PERSONS IS PROHIBITED, TO PROVIDE EXCEPTIONS, TO PROVIDE  
7 A PROCESS FOR REQUESTING ADDRESS CONFIDENTIALITY AND ELIGIBILITY AND  
8 TO PROVIDE IMMUNITY FROM LIABILITY; AMENDING SECTION 49-306, IDAHO  
9 CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENTS OF A DRIVER'S  
10 LICENSE AND INSTRUCTION PERMIT; AMENDING SECTION 49-315, IDAHO CODE,  
11 TO REVISE REQUIREMENTS RELATING TO THE CONTENT OF A DRIVER'S LICENSE;  
12 AMENDING SECTION 49-401B, IDAHO CODE, TO REVISE REQUIREMENTS RELATING  
13 TO THE CONTENT OF A CERTIFICATE OF REGISTRATION; AMENDING SECTION  
14 49-504, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE CONTENT  
15 OF A CERTIFICATE OF TITLE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING  
16 SECTION 49-2444, IDAHO CODE, TO REVISE REQUIREMENTS RELATING TO THE  
17 CONTENT OF AN IDENTIFICATION CARD; AND PROVIDING AN EFFECTIVE DATE.  
18

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

20 SECTION 1. That Section 9-340C, Idaho Code, be, and the same is hereby  
21 amended to read as follows:

22 9-340C. RECORDS EXEMPT FROM DISCLOSURE -- PERSONNEL RECORDS, PERSONAL  
23 INFORMATION, HEALTH RECORDS, PROFESSIONAL DISCIPLINE. The following  
24 records are exempt from disclosure:

25 (1) Except as provided in this subsection, all personnel records  
26 of a current or former public official other than the public official's  
27 public service or employment history, classification, pay grade and step,  
28 longevity, gross salary and salary history, status, workplace and employing  
29 agency. All other personnel information relating to a public employee  
30 or applicant including, but not limited to, information regarding sex,  
31 race, marital status, birth date, home address and telephone number,  
32 applications, testing and scoring materials, grievances, correspondence  
33 and performance evaluations, shall not be disclosed to the public without  
34 the employee's or applicant's written consent. Names of applicants to  
35 classified or merit system positions shall not be disclosed to the public  
36 without the applicant's written consent. Disclosure of names as part of a  
37 background check is permitted. Names of the five (5) final applicants to all  
38 other positions shall be available to the public. If such group is less than  
39 five (5) finalists, then the entire list of applicants shall be available to  
40 the public. A public official or authorized representative may inspect and  
41 copy his personnel records, except for material used to screen and test for  
42 employment.

1 (2) Retired employees' and retired public officials' home addresses,  
2 home telephone numbers and other financial and nonfinancial membership  
3 records; active and inactive member financial and membership records  
4 and mortgage portfolio loan documents maintained by the public employee  
5 retirement system. Financial statements prepared by retirement system  
6 staff, funding agents and custodians concerning the investment of assets  
7 of the public employee retirement system of Idaho are not considered  
8 confidential under this chapter.

9 (3) Information and records submitted to the Idaho state lottery  
10 for the performance of background investigations of employees, lottery  
11 retailers and major procurement contractors; audit records of lottery  
12 retailers, vendors and major procurement contractors submitted to or  
13 performed by the Idaho state lottery; validation and security tests of the  
14 state lottery for lottery games; business records and information submitted  
15 pursuant to sections 67-7412(8) and (9) and 67-7421(8) and (9), Idaho Code,  
16 and such documents and information obtained and held for the purposes of  
17 lottery security and investigative action as determined by lottery rules  
18 unless the public interest in disclosure substantially outweighs the  
19 private need for protection from public disclosure.

20 (4) Records of a personal nature as follows:

21 (a) Records of personal debt filed with a public agency or independent  
22 public body corporate and politic pursuant to law;

23 (b) Personal bank records compiled by a public depositor for the  
24 purpose of public funds transactions conducted pursuant to law;

25 (c) Records of ownership of financial obligations and instruments  
26 of a public agency or independent public body corporate and politic,  
27 such as bonds, compiled by the public agency or independent public body  
28 corporate and politic pursuant to law;

29 (d) Records, with regard to the ownership of, or security interests in,  
30 registered public obligations;

31 (e) Vital statistics records; and

32 (f) Military records as described in and pursuant to section 65-301,  
33 Idaho Code.

34 (5) Information in an income or other tax return measured by items of  
35 income or sales, which is gathered by a public agency for the purpose of  
36 administering the tax, except such information to the extent disclosed in  
37 a written decision of the tax commission pursuant to a taxpayer protest of  
38 a deficiency determination by the tax commission, under the provisions of  
39 section 63-3045B, Idaho Code.

40 (6) Records of a personal nature related directly or indirectly  
41 to the application for and provision of statutory services rendered to  
42 persons applying for public care for the elderly, indigent, or mentally or  
43 physically handicapped, or participation in an environmental or a public  
44 health study, provided the provisions of this subsection making records  
45 exempt from disclosure shall not apply to the extent that such records or  
46 information contained in those records are necessary for a background check  
47 on an individual that is required by federal law regulating the sale of  
48 firearms, guns or ammunition.

49 (7) Employment security information, except that a person may agree,  
50 through written, informed consent, to waive the exemption so that a third

1 party may obtain information pertaining to the person, unless access to  
2 the information by the person is restricted by subsection (3) (a), (3) (b)  
3 or (3) (d) of section 9-342, Idaho Code. Notwithstanding the provisions of  
4 section 9-342, Idaho Code, a person may not review identifying information  
5 concerning an informant who reported to the department of labor a suspected  
6 violation by the person of the employment security law, chapter 13, title 72,  
7 Idaho Code, under an assurance of confidentiality. As used in this section  
8 and in chapter 13, title 72, Idaho Code, "employment security information"  
9 means any information descriptive of an identifiable person or persons that  
10 is received by, recorded by, prepared by, furnished to or collected by the  
11 department of labor or the industrial commission in the administration of  
12 the employment security law.

13 (8) Any personal records, other than names, business addresses and  
14 business phone numbers, such as parentage, race, religion, sex, height,  
15 weight, tax identification and social security numbers, financial worth or  
16 medical condition submitted to any public agency or independent public body  
17 corporate and politic pursuant to a statutory requirement for licensing,  
18 certification, permit or bonding.

19 (9) Unless otherwise provided by agency rule, information obtained  
20 as part of an inquiry into a person's fitness to be granted or retain a  
21 license, certificate, permit, privilege, commission or position, private  
22 association peer review committee records authorized in title 54, Idaho  
23 Code. Any agency which has records exempt from disclosure under the  
24 provisions of this subsection shall annually make available a statistical  
25 summary of the number and types of matters considered and their disposition.

26 (10) The records, findings, determinations and decisions of any  
27 prelitigation screening panel formed under chapters 10 and 23, title 6,  
28 Idaho Code.

29 (11) Complaints received by the board of medicine and investigations  
30 and informal proceedings, including informal proceedings of any committee  
31 of the board of medicine, pursuant to chapter 18, title 54, Idaho Code, and  
32 rules adopted thereunder.

33 (12) Records of the department of health and welfare or a public health  
34 district that identify a person infected with a reportable disease.

35 (13) Records of hospital care, medical records, including  
36 prescriptions, drug orders, records or any other prescription information  
37 that specifically identifies an individual patient, prescription records  
38 maintained by the board of pharmacy under sections 37-2726 and 37-2730A,  
39 Idaho Code, records of psychiatric care or treatment and professional  
40 counseling records relating to an individual's condition, diagnosis, care  
41 or treatment, provided the provisions of this subsection making records  
42 exempt from disclosure shall not apply to the extent that such records or  
43 information contained in those records are necessary for a background check  
44 on an individual that is required by federal law regulating the sale of  
45 firearms, guns or ammunition.

46 (14) Information collected pursuant to the directory of new hires act,  
47 chapter 16, title 72, Idaho Code.

48 (15) Personal information contained in motor vehicle and driver records  
49 that is exempt from disclosure under the provisions of chapter 2, title 49,  
50 Idaho Code.

1 (16) Records of the financial status of prisoners pursuant to  
2 subsection (2) of section 20-607, Idaho Code.

3 (17) Records of the Idaho state police or department of correction  
4 received or maintained pursuant to section 19-5514, Idaho Code, relating to  
5 DNA databases and databanks.

6 (18) Records of the department of health and welfare relating to a  
7 survey, resurvey or complaint investigation of a licensed nursing facility  
8 shall be exempt from disclosure. Such records shall, however, be subject  
9 to disclosure as public records as soon as the facility in question has  
10 received the report, and no later than the fourteenth day following the  
11 date that department of health and welfare representatives officially exit  
12 the facility pursuant to federal regulations. Provided however, that for  
13 purposes of confidentiality, no record shall be released under this section  
14 which specifically identifies any nursing facility resident.

15 (19) Records and information contained in the registry of immunizations  
16 against childhood diseases maintained in the department of health and  
17 welfare, including information disseminated to others from the registry by  
18 the department of health and welfare.

19 (20) Records of the Idaho housing and finance association (IHFA)  
20 relating to the following:

21 (a) Records containing personal financial, family, health or similar  
22 personal information submitted to or otherwise obtained by the IHFA;

23 (b) Records submitted to or otherwise obtained by the IHFA with regard  
24 to obtaining and servicing mortgage loans and all records relating to  
25 the review, approval or rejection by the IHFA of said loans;

26 (c) Mortgage portfolio loan documents;

27 (d) Records of a current or former employee other than the employee's  
28 duration of employment with the association, position held and location  
29 of employment. This exemption from disclosure does not include the  
30 contracts of employment or any remuneration, including reimbursement  
31 of expenses, of the executive director, executive officers or  
32 commissioners of the association. All other personnel information  
33 relating to an association employee or applicant including, but not  
34 limited to, information regarding sex, race, marital status, birth  
35 date, home address and telephone number, applications, testing and  
36 scoring materials, grievances, correspondence, retirement plan  
37 information and performance evaluations, shall not be disclosed to  
38 the public without the employee's or applicant's written consent.  
39 An employee or authorized representative may inspect and copy that  
40 employee's personnel records, except for material used to screen and  
41 test for employment or material not subject to disclosure elsewhere in  
42 the Idaho public records act.

43 (21) Records of the department of health and welfare related to child  
44 support services in cases in which there is reasonable evidence of domestic  
45 violence, as defined in chapter 63, title 39, Idaho Code, that can be used  
46 to locate any individuals in the child support case except in response to a  
47 court order.

48 (22) Records of the Idaho state bar lawyer assistance program pursuant  
49 to chapter 49, title 54, Idaho Code, unless a participant in the program

1 authorizes the release pursuant to subsection (4) of section 54-4901, Idaho  
2 Code.

3 (23) Records and information contained in the trauma registry created  
4 by chapter 20, title 57, Idaho Code, together with any reports, analyses and  
5 compilations created from such information and records.

6 (24) Records contained in the court files, or other records prepared as  
7 part of proceedings for judicial authorization of sterilization procedures  
8 pursuant to chapter 39, title 39, Idaho Code.

9 (25) The physical voter registration card on file in the county clerk's  
10 office; however, a redacted copy of said card shall be made available  
11 consistent with the requirements of this section. Information from the  
12 voter registration card maintained in the statewide voter registration  
13 database, including age, will be made available except for the voter's  
14 driver's license number, date of birth and, upon a showing that the voter  
15 comes within the provisions of subsection (28) of this section or upon  
16 showing of good cause by the voter to the county clerk in consultation  
17 with the county prosecuting attorney, the physical residence address of  
18 the voter. For the purposes of this subsection good cause shall include  
19 the protection of life and property and protection of victims of domestic  
20 violence and similar crimes.

21 (26) File numbers, passwords and information in the files of the health  
22 care directive registry maintained by the secretary of state under section  
23 39-4515, Idaho Code, are confidential and shall not be disclosed to any  
24 person other than to the person who executed the health care directive or the  
25 revocation thereof and that person's legal representatives, to the person  
26 who registered the health care directive or revocation thereof, and to  
27 physicians, hospitals, medical personnel, nursing homes, and other persons  
28 who have been granted file number and password access to the documents within  
29 that specific file.

30 (27) Records in an address confidentiality program participant's  
31 file as provided for in chapter 57, title 19, Idaho Code, other than the  
32 address designated by the secretary of state, except under the following  
33 circumstances:

34 (a) If requested by a law enforcement agency, to the law enforcement  
35 agency; or

36 (b) If directed by a court order, to a person identified in the order.

37 (28) The Idaho residential street address and telephone number of an  
38 eligible law enforcement officer and such officer's residing household  
39 member(s) as provided for in chapter 58, title 19, Idaho Code, except under  
40 the following circumstances:

41 (a) If directed by a court order, to a person identified in the court  
42 order;

43 (b) If requested by a law enforcement agency, to the law enforcement  
44 agency;

45 (c) If requested by a financial institution or title company for  
46 business purposes, to the requesting financial institution or title  
47 company; or

48 (d) If the law enforcement officer provides written permission for  
49 disclosure of such information.

1 SECTION 2. That Title 19, Idaho Code, be, and the same is hereby amended  
2 by the addition thereto of a NEW CHAPTER, to be known and designated as  
3 Chapter 58, Title 19, Idaho Code, and to read as follows:

4 CHAPTER 58  
5 ADDRESS CONFIDENTIALITY FOR LAW ENFORCEMENT OFFICERS

6 19-5801. DEFINITIONS. As used in this chapter:

7 (1) "Alternative Idaho mailing address" means an Idaho address  
8 designated by a law enforcement officer or by such officer's residing  
9 household member(s) that is sufficient for the purpose of the delivery of  
10 mail to such officer or household member(s).

11 (2) "Application" means a written form prescribed and made available  
12 by the Idaho peace officer standards and training council. Such application  
13 shall contain, at minimum, all of the following:

14 (a) A sworn statement by the law enforcement officer's employing  
15 entity or former employing entity that the applicant is in fact a law  
16 enforcement officer as defined in subsection (6) of this section;

17 (b) A sworn statement by the law enforcement officer that names  
18 such officer's residing household member(s), if any, as defined in  
19 subsection (7) of this section;

20 (c) The alternative Idaho mailing address as defined in subsection  
21 (1) of this section, and the telephone number or numbers where the law  
22 enforcement officer and such officer's residing household member(s)  
23 can be contacted by the public agency; and

24 (d) The Idaho residential street address or addresses that the law  
25 enforcement officer or such officer's residing household member(s)  
26 request not be disclosed.

27 (3) "County detention officer" means an employee in a county jail who is  
28 responsible for the safety, care, protection and monitoring of county jail  
29 inmates.

30 (4) "Custodian" as defined in section 9-337, Idaho Code.

31 (5) "Federal officer" means a special agent or law enforcement officer  
32 who is a resident as defined in section 51-102, Idaho Code, employed by a  
33 federal agency and who is empowered to effect an arrest with or without a  
34 warrant for violations of the United States Code and who is authorized to  
35 carry firearms in the performance of duty.

36 (6) "Law enforcement officer" means any current or former justice,  
37 judge, magistrate, prosecuting attorney, federal officer, peace officer,  
38 parole officer, probation officer, correctional officer and county  
39 detention officer.

40 (7) "Parole officer" means an employee of the Idaho department of  
41 correction who is charged with or whose duties include supervision of  
42 parolees.

43 (8) "Peace officer" means any employee of a police or law enforcement  
44 agency which is a part of or administered by the state or any political  
45 subdivision thereof and whose duties include and primarily consist of the  
46 prevention and detection of crime and the enforcement of penal, traffic or  
47 highway laws of this state or any political subdivision. "Peace officer"  
48 also means an employee of a police or law enforcement agency of a federally  
49 recognized Indian tribe who has satisfactorily completed the peace officer

1 standards and training academy and has been deputized by a sheriff of a  
2 county or a chief of police of a city of the state of Idaho.

3 (9) "Probation officer" means an employee of the Idaho department of  
4 correction or of the Idaho department of juvenile corrections who is charged  
5 with or whose duties include supervision of probationers.

6 (10) "Public agency" as is defined in section 9-337, Idaho Code.

7 (11) "Residing household member(s)" means a law enforcement officer's  
8 spouse and any child or children who currently reside at the same residential  
9 street address as such officer.

10 19-5802. DISCLOSURE OF RESIDENTIAL STREET ADDRESS AND TELEPHONE  
11 NUMBER PROHIBITED -- EXCEPTIONS. Notwithstanding any other provision of  
12 state law, a public agency shall not disclose to any person or entity the  
13 Idaho residential street address and telephone number of a law enforcement  
14 officer and such officer's residing household member(s) upon submission of  
15 an application and fee consistent with the provisions of section 19-5803,  
16 Idaho Code, except under any of the following circumstances:

17 (1) If directed by a court order, to a person identified in the court  
18 order;

19 (2) If requested by a law enforcement agency, to the law enforcement  
20 agency;

21 (3) If requested by a financial institution or title company for  
22 business purposes, to the requesting financial institution or title  
23 company; or

24 (4) If the law enforcement officer provides written permission for  
25 disclosure of such information.

26 19-5803. ADDRESS CONFIDENTIALITY -- ELIGIBILITY. (1) Law enforcement  
27 officers desiring that their Idaho residential street address and telephone  
28 number, and the Idaho residential street address and telephone number of  
29 their residing household member(s) be exempt from disclosure pursuant to  
30 this chapter and section 9-340C(28), Idaho Code, may submit an application  
31 and a fee, if any, to the custodian of the public record that contains such  
32 information. Upon receipt of an application and fee, the public agency shall  
33 comply with the provisions of this chapter. The public agency may establish  
34 a fee schedule not to exceed the actual cost to the agency of complying with  
35 the provisions of this chapter.

36 (2) Law enforcement officers may submit an application to a public  
37 agency requesting that the public agency use an alternative Idaho mailing  
38 address rather than the Idaho residential street address of any such officer  
39 and of any such officer's residing household member(s) on all identification  
40 cards, licenses, certificates, permits, tags and other similar documents  
41 that are issued to the officer or to such officer's residing household  
42 member(s) by the public agency. A public agency receiving such application  
43 shall comply with the request.

44 (3) A person shall cease to be eligible for an exemption under this  
45 chapter if such person ceases to be a residing household member(s).

46 (4) Nothing in this chapter shall prevent a public agency from  
47 obtaining the residential street address and telephone number of a law  
48 enforcement officer and of any residing household member(s).

1 19-5804. IMMUNITY FROM LIABILITY. Neither a governmental entity nor  
 2 its employees, while acting within the course and scope of their employment  
 3 and without malice or criminal intent, shall be liable under the Idaho tort  
 4 claims act, chapter 9, title 6, Idaho Code, for any injury resulting from the  
 5 release of confidential information under this chapter.

6 SECTION 3. That Section 49-306, Idaho Code, be, and the same is hereby  
 7 amended to read as follows:

8 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, OR  
 9 RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any  
 10 instruction permit, restricted school attendance driving permit, or for a  
 11 driver's license shall be made upon a form furnished by the department and  
 12 shall be verified by the applicant before a person authorized to administer  
 13 oaths. Officers and employees of the department and sheriffs and their  
 14 deputies are authorized to administer the oaths without charge. Every  
 15 application for a permit, extension or driver's license shall be accompanied  
 16 by the following fee, none of which is refundable:

17	(a) Class A, B, C (4-year) license with endorsements --	
18	age 21 years and older .....	\$40.00
19	(b) Class A, B, C (3-year) license with endorsements --	
20	age 18 to 21 years .....	\$30.00
21	(c) Class A, B, C (1-year) license with endorsements --	
22	age 20 years .....	\$15.00
23	(d) Class D (3-year) license -- under age 18 years .....	\$25.00
24	(e) Class D (3-year) license -- age 18 to 21 years .....	\$25.00
25	(f) Class D (1-year) license -- age 17 years or age 20 years ....	\$15.00
26	(g) Four-year Class D license -- age 21 years and older .....	\$30.00
27	(h) Eight-year Class D license -- age 21 to 63 years .....	\$55.00
28	(i) Class A, B, C instruction permit .....	\$29.00
29	(j) Class D instruction permit or supervised instruction permit	
30	.....	\$15.00
31	(k) Duplicate driver's license or permit issued under	
32	section 49-318, Idaho Code .....	\$15.00
33	(l) Driver's license extension issued under section	
34	49-319, Idaho Code .....	\$10.00
35	(m) License classification change (upgrade) .....	\$25.00
36	(n) Endorsement addition .....	\$15.00
37	(o) Class A, B, C skills tests not more than .....	\$70.00
38	(p) Class D skills test .....	\$24.00
39	(q) Motorcycle endorsement skills test .....	\$10.00
40	(r) Knowledge test .....	\$ 3.00
41	(s) Seasonal driver's license .....	\$39.00
42	(t) One time motorcycle "M" endorsement .....	\$15.00
43	(u) Motorcycle endorsement instruction permit .....	\$15.00
44	(v) Restricted driving permit or restricted school attendance	
45	driving permit .....	\$60.00

46 (2) Every application shall state the true and full name, date of birth,  
 47 sex, declaration of Idaho residency, Idaho residence address and mailing  
 48 address, if different, of the applicant, height, weight, hair color, and eye



1 color, and the applicant's social security number as verified by the social  
2 security administration.

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

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

8 (i) Present written verification from the social security  
9 administration that the applicant has not been assigned a social  
10 security number; and

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

14 (iii) Submit such proof as the department may require that the  
15 applicant is lawfully present in the United States.

16 A driver's license or any instruction permit issued on and after January  
17 1, 1993, shall not contain an applicant's social security number. If  
18 an applicant has submitted an application pursuant to the provisions  
19 of chapter 58, title 19, Idaho Code, then the applicant's driver's  
20 license and any instruction permit shall contain his or her alternative  
21 Idaho mailing address in place of his or her Idaho residence address.  
22 Applications on file shall be exempt from disclosure except as provided  
23 in sections 49-202, 49-203, 49-203A and 49-204, Idaho Code.

24 Every application for a class A, B or C license shall state where  
25 the applicant has been licensed for the preceding ten (10) years and  
26 all applications shall also state whether the applicant has previously  
27 been licensed as a driver, and if so, when and by what state or country,  
28 and whether a driver's license or privileges have ever been suspended,  
29 revoked, denied, disqualified, canceled or whether an application has  
30 ever been refused, and if so, the date of and reason for the suspension,  
31 revocation, denial, disqualification, cancellation or refusal and the  
32 applicant's oath that all information is correct as signified by the  
33 applicant's signature.

34 The applicant may be required to submit proof of identity acceptable  
35 to the examiner or the department and date of birth as set forth in a  
36 certified copy of his birth certificate when obtainable, or another  
37 document which provides satisfactory evidence of a person's date of  
38 birth acceptable to the examiner or the department.

39 (c) Individuals required to register in compliance with section 3  
40 of the federal military selective service act, 50 U.S.C. App. 451 et  
41 seq., as amended, shall be provided an opportunity to fulfill such  
42 registration requirements in conjunction with an application for a  
43 driver's license or instruction permit. Any registration information  
44 so supplied shall be transmitted by the department to the selective  
45 service system.

46 (3) Whenever an application is received from a person previously  
47 licensed in another jurisdiction, the department shall request a copy of the  
48 driver's record from the other jurisdiction and shall contact the national  
49 driver register. When received, the driver's record from the previous  
50 jurisdiction shall become a part of the driver's record in this state with

1 the same force and effect as though entered on the driver's record in this  
2 state in the original instance.

3 (4) Whenever the department receives a request for a driver's record  
4 from another licensing jurisdiction, the record shall be forwarded without  
5 charge.

6 (5) The department shall contact and notify the commercial driver  
7 license information system of the proposed application for a class A, B  
8 or C driver's license to ensure identification of the person and to obtain  
9 clearance to issue the license.

10 (6) When the fees required under this section are collected by a county  
11 officer, they shall be paid over to the county treasurer not less often than  
12 monthly, who shall immediately:

13 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's  
14 license except an eight-year class D license, or any class D instruction  
15 permit application fees, application for a duplicate driver's license  
16 or permit, classification change, seasonal driver's license and  
17 additional endorsement, and ten dollars (\$10.00) from each eight-year  
18 class D driver's license, in the current expense fund; and

19 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle  
20 endorsement and motorcycle endorsement instruction permit fee in the  
21 current expense fund; and

22 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a  
23 knowledge test in the current expense fund; and

24 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee  
25 for a motorcycle endorsement skills test in the current expense fund;  
26 provided however, if a contractor administers the skills test he shall  
27 be entitled to the ten dollar (\$10.00) fee; and

28 (e) Remit the remainder to the state treasurer; and

29 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee  
30 for a class D skills test into the county current expense fund, unless  
31 the test is administered by a department-approved contractor, in which  
32 case the contractor shall be entitled to seventeen dollars and fifty  
33 cents (\$17.50) of each fee.

34 (7) When the fees required under this section are collected by a state  
35 officer or agency, they shall be paid over to the state treasurer.

36 (8) The state treasurer shall distribute the moneys received from fees  
37 imposed by the provisions of this section, whether collected by a county  
38 officer or by a state officer or agency as follows:

39 (a) Two dollars (\$2.00) of each fee for a four-year driver's license  
40 or seasonal driver's license, and four dollars (\$4.00) of each fee  
41 for an eight-year class D driver's license, and one dollar and fifty  
42 cents (\$1.50) of each fee charged for driver's licenses pursuant to  
43 subsections (1)(b), (d) and (e) of this section, and fifty cents (50¢)  
44 of each fee charged for driver's licenses pursuant to subsections  
45 (1)(c) and (f) of this section, shall be deposited in the emergency  
46 medical services fund II created in section 56-1018A, Idaho Code,  
47 and four dollars (\$4.00) of each fee charged pursuant to subsections  
48 (1)(a), (g) and (s) of this section and eight dollars (\$8.00) of each fee  
49 charged pursuant to subsection (1)(h) of this section and three dollars  
50 (\$3.00) of each fee for driver's licenses pursuant to subsections

1 (1) (b), (d) and (e) of this section, and one dollar (\$1.00) of each fee  
2 charged for driver's licenses pursuant to subsections (1) (c) and (f) of  
3 this section shall be deposited in the emergency medical services fund  
4 III created in section 56-1018B, Idaho Code; and  
5 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
6 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
7 of each fee charged for a license pursuant to subsection (1) (b) of this  
8 section, and eight dollars and sixteen cents (\$8.16) of each fee charged  
9 for a license pursuant to subsection (1) (c) of this section shall be  
10 deposited in the state highway account; and  
11 (c) Twenty dollars (\$20.00) of each fee for a class A, B or C instruction  
12 permit or driver's license classification change shall be deposited in  
13 the state highway account; and  
14 (d) Four dollars (\$4.00) of each fee for a class A, B or C instruction  
15 permit shall be deposited in the emergency medical services fund III  
16 created in section 56-1018B, Idaho Code; and  
17 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class  
18 A, B or C driver's license, class A, B or C driver's license extension,  
19 or additional endorsement shall be deposited in the state highway  
20 account; and  
21 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle  
22 endorsement and motorcycle endorsement instruction permit shall be  
23 deposited in the state highway account; and  
24 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
25 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
26 each fee for an eight-year class D driver's license, and four dollars  
27 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)  
28 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
29 of each fee charged for a license pursuant to subsection (1) (f) of this  
30 section shall be deposited in the driver training fund; and  
31 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
32 four-year class D driver's license, and twenty dollars and forty cents  
33 (\$20.40) of each fee for an eight-year class D driver's license, and  
34 ten dollars and fifty cents (\$10.50) of each fee charged for a license  
35 pursuant to subsections (1) (d) and (e) of this section, and six dollars  
36 and eighty-three cents (\$6.83) of each fee charged for a license  
37 pursuant to subsection (1) (f) of this section shall be deposited in the  
38 highway distribution fund; and  
39 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D  
40 instruction permit, duplicate class D license or permit, and class D  
41 license extension shall be deposited in the driver training fund; and  
42 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D  
43 instruction permit, duplicate class D license or permit, and class D  
44 license extension shall be deposited in the highway distribution fund;  
45 and  
46 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test  
47 shall be deposited in the state highway account; and  
48 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
49 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
50 class D driver's license, and one dollar (\$1.00) of each fee charged for

1 a license pursuant to subsections (1) (b), (d) and (e) of this section,  
 2 and thirty-four cents (34¢) of each fee charged for a license pursuant  
 3 to subsections (1) (c) and (f) of this section shall be deposited in the  
 4 motorcycle safety program fund established in section 33-4904, Idaho  
 5 Code; and

6 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills  
 7 test shall be deposited into the state highway account.

8 (9) The contractor administering a class A, B or C skills test shall  
 9 be entitled to not more than sixty dollars (\$60.00) of the skills test fee.  
 10 A contractor administering a class A, B or C skills test may collect an  
 11 additional fee for the use of the contractor's vehicle for the skills test.

12 (10) Sixty dollars (\$60.00) of each restricted driving permit and each  
 13 restricted school attendance driving permit shall be deposited in the state  
 14 highway account.

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

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

20 (b) Will be valid for seasonal periods that begin on the date of  
 21 issuance and that are not to exceed one hundred eighty (180) days in a  
 22 twelve (12) month period;

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

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

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

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

30 (a) Have not violated the single license provisions of applicable  
 31 federal regulations;

32 (b) Have not had any license suspensions, revocations or  
 33 cancellations;

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

37 (d) Have at least one (1) year of driving experience with a class D or  
 38 equivalent license in any type motor vehicle; and

39 (e) Are at least sixteen (16) years old.

40 SECTION 4. That Section 49-315, Idaho Code, be, and the same is hereby  
 41 amended to read as follows:

42 49-315. LICENSES ISSUED TO DRIVERS. (1) The department shall issue  
 43 to every qualifying applicant a distinguishing driver's license as applied  
 44 for, which shall bear a distinguishing number assigned to the licensee, the  
 45 full name, date of birth, Idaho residence address, sex, weight, height, eye  
 46 color, hair color, color photograph, name of this state, date of issuance,  
 47 date of expiration, license class, endorsements, restrictions, and the  
 48 applicant's signature. If an applicant has submitted an application  
 49 pursuant to the provisions of chapter 58, title 19, Idaho Code, then the

1 applicant's driver's license shall contain his or her alternative Idaho  
2 mailing address in place of his or her Idaho residence address. Driver's  
3 licenses for persons under eighteen (18) years of age shall include a  
4 notation "under 18 until (month, day, year)," and driver's licenses for  
5 persons eighteen (18) years of age to twenty-one (21) years of age shall  
6 include a notation "under 21 until (month, day, year)." No driver's license  
7 shall be valid until it has been signed on the signature line of the license  
8 by the licensee.

9 (2) Every driver's license shall bear a color photograph of the  
10 licensee, which shall be taken by the examiner at the time the application  
11 is made. The photograph shall be taken without headgear or other clothing  
12 or device that disguises or otherwise conceals the face or head of the  
13 applicant. A waiver may be granted by the department allowing the applicant  
14 to wear headgear or other head covering for medical, religious or safety  
15 purposes so long as the face is not disguised or otherwise concealed. At  
16 the request of the applicant, a driver's license may contain a statement or  
17 indication of the medical condition of the licensee.

18 (3) The department shall notify the commercial driver license  
19 information system that a class A, B or C driver's license has been issued as  
20 required by 49 CFR parts 383 and 384.

21 (4) A licensee applying for a hazardous material endorsement on a  
22 driver's license shall have a security background records check and shall  
23 receive clearance from the federal transportation security administration  
24 before the endorsement can be issued, renewed or transferred as required  
25 by 49 CFR part 383, subject to procedures established by the federal  
26 transportation security administration.

27 (5) A licensee who desires to donate any or all organs or tissue in the  
28 event of death, and who has completed a document of gift pursuant to the  
29 provisions for donation of anatomical gifts as set forth in chapter 34, title  
30 39, Idaho Code, may, at the option of the donor, indicate this desire on the  
31 driver's license by the imprinting of the word "donor" on the license. The  
32 provisions of this subsection shall apply to licensees sixteen (16) years  
33 of age or older but less than eighteen (18) years of age if the requirements  
34 provided in chapter 34, title 39, Idaho Code, have been complied with and the  
35 donor indicates this desire be placed on the license.

36 (6) A licensee who is a person with a permanent disability may  
37 request that the notation "permanently disabled" be imprinted on the  
38 driver's license, provided the licensee presents written certification  
39 from a licensed physician verifying that the licensee's stated impairment  
40 qualifies as a permanent disability according to the provisions of section  
41 49-117, Idaho Code.

42 SECTION 5. That Section 49-401B, Idaho Code, be, and the same is hereby  
43 amended to read as follows:

44 49-401B. APPLICATION FOR REGISTRATION -- RECEIPT FOR FEE -- RECORD OF  
45 APPLICANTS. (1) Application for the registration of a vehicle required to  
46 be registered under the provisions of section 49-401A, Idaho Code, shall  
47 be made to the assessor or the department as specified in that section, by  
48 the owner upon the appropriate form. Every application shall contain the  
49 owner's Idaho driver's license number, Idaho identification card number,

1 or social security number. In the case of a business, the employer tax  
2 identification number is required. Every application shall also contain  
3 the owner's true and full legal name. In the event that the owner does  
4 not possess a social security number, Idaho driver's license number,  
5 or Idaho identification card number, the owner shall present written  
6 documentation sufficient to the department to determine that no social  
7 security number has been issued. Such application must be signed by the  
8 owner and contain his residence address and a brief description of the  
9 vehicle to be registered, including the name of the maker, the type of fuel  
10 used, and the identification number. Upon registration of a new vehicle, the  
11 application shall also show the date of sale by the manufacturer or dealer to  
12 the person first operating such vehicle. The application shall contain any  
13 other information as may be required by the department. The assessor shall  
14 issue to the applicant a receipt for any fee paid. Social security numbers  
15 collected shall not appear on certificates of registration, ~~and~~. If an  
16 applicant has submitted an application pursuant to the provisions of chapter  
17 58, title 19, Idaho Code, then the applicant's certificate of registration  
18 shall contain his or her alternative Idaho mailing address in place of his or  
19 her Idaho residence address. ~~All~~ applications on file shall be exempt from  
20 disclosure, except as provided in sections 49-202, 49-203 and 49-203A, Idaho  
21 Code.

22 (2) The assessor shall record on a form prescribed and furnished by the  
23 department, the names of all owners of vehicles residing in the county who  
24 make application for registration, together with the amounts of the fees  
25 paid by such owners.

26 (3) When application for registration is made by any motor carrier, the  
27 assessor or the department shall require each such applicant to execute a  
28 certification of safety compliance.

29 (4) Vehicles registered under the proportional registration  
30 provisions of section 49-435, Idaho Code, shall be registered by the  
31 department.

32 (5) Every owner of a vehicle registered by a county assessor shall give  
33 his physical domicile residence address or the business' physical principal  
34 address to the assessor so that the proper county can be entered upon the  
35 registration. Failure to do so shall be unlawful. The department shall then  
36 attribute the registration, and all fees to be apportioned to the highway  
37 distribution account, to the county of residence regardless of the county  
38 in which the registration occurred. Fees imposed under the provisions of  
39 sections 40-827 and 40-1416, Idaho Code, shall be separately identified and  
40 accounted for, and paid to the highway district for which collected. For  
41 the purposes of vehicle registration, a person is an actual and permanent  
42 resident of the county in which he has his principal residence or domicile. A  
43 principal residence or domicile shall not be a person's workplace, vacation,  
44 or part-time residence.

45 (6) A violation of the provisions of this section shall be an  
46 infraction.

47 SECTION 6. That Section 49-504, Idaho Code, be, and the same is hereby  
48 amended to read as follows:

1           49-504. APPLICATIONS TO DEPARTMENT FOR CERTIFICATES -- PROCEDURE --  
2 IDENTIFICATION NUMBERS. (1) Application for a certificate of title shall be  
3 made upon a form furnished by the department and shall contain the owner's  
4 Idaho driver's license number, Idaho identification card number or social  
5 security number. In the case of a business, the employer tax identification  
6 number is required. Every application shall also contain the owner's true  
7 and full legal name. In the event that the owner does not possess a social  
8 security number, Idaho driver's license number, or Idaho identification  
9 card number, the owner shall present written documentation sufficient to  
10 the department to determine that no social security number has been issued.  
11 The form must contain the owner's physical domicile address or in the case  
12 of a business, the business' physical address and any mailing address if  
13 different from the physical address. Such application must be signed by  
14 the owner and contain a full description of the vehicle including the make,  
15 identification numbers, and the odometer reading at the time of sale or  
16 transfer, and whether the vehicle is new or used, together with a statement  
17 of the applicant's title and of any liens or encumbrances upon the vehicle,  
18 and the name and address of the person to whom the certificate of title shall  
19 be delivered, and any other information as the department may require. The  
20 application shall be filed with the department, and if a certificate of  
21 title has previously been issued for that vehicle in this state, shall be  
22 accompanied by the certificate of title duly assigned, unless otherwise  
23 provided for in this chapter. The department may promulgate rules to  
24 provide for exceptions to the odometer requirement. Social security numbers  
25 collected shall not appear on certificates of title. and If an applicant has  
26 submitted an application pursuant to the provisions of chapter 58, title 19,  
27 Idaho Code, then the applicant's certificate of title shall contain his or  
28 her alternative Idaho mailing address in place of his or her Idaho residence  
29 address. All applications on file shall be exempt from disclosure, except  
30 as provided in sections 49-202, 49-203 and 49-203A, Idaho Code.

31           (2) If a certificate of title has not previously been issued for the  
32 vehicle in this state, the application, unless otherwise provided for  
33 in this chapter, shall be accompanied by a proper bill of sale or a duly  
34 certified copy thereof, or by a certificate of title, bill of sale or other  
35 evidence of ownership required by the law of any other state from which the  
36 vehicle was brought into this state, and a vehicle identification number  
37 inspection completed by any city, county or state peace officer or other  
38 special agent authorized by the department.

39           (3) In the case of a new vehicle being titled for the first time, no  
40 certificate of title or registration shall be issued unless the application  
41 is indorsed by a franchised new vehicle dealer licensed to sell a new  
42 vehicle. Each application shall be accompanied by a manufacturer's  
43 certificate of origin or manufacturer's statement of origin executed by the  
44 manufacturer and delivered to his agent or his franchised vehicle dealer.  
45 The certificate or statement of origin shall be in a form prescribed by the  
46 board and shall contain the year of manufacture or the model year of the  
47 vehicle, the manufacturer's vehicle identification number, the name of the  
48 manufacturer, the number of cylinders, a general description of the body,  
49 if any, and the type or model. Upon sale of a new vehicle, the manufacturer,  
50 his agent or franchised dealer shall execute and deliver to the purchaser

1 an assignment of the certificate or statement, together with any lien or  
2 encumbrance to which the vehicle is subject.

3 (4) The department shall retain the evidence of title presented by the  
4 applicant and on which the certificate of title is issued. The department  
5 shall maintain an identification numbers index of registered vehicles, and  
6 upon receiving an application for a certificate of title, shall first check  
7 the identification number shown in the application against the index. The  
8 department, when satisfied that the applicant is the owner of the vehicle and  
9 that the application is in proper form, shall issue in the name of the owner  
10 of the vehicle a certificate of title bearing a title number, the date issued  
11 and a description of the vehicle as determined by the department, together  
12 with a statement of the owner's title and of all liens or encumbrances upon  
13 the vehicle, and whether possession is held by the owner under a lease,  
14 contract or conditional sale, or other like agreement.

15 (5) In all cases of transfer of vehicles the application for  
16 certificates of title shall be filed within thirty (30) calendar days  
17 after the delivery of the vehicles. Licensed dealers need not apply for  
18 certificate of title for vehicles in stock or when they are acquired for  
19 stock purposes.

20 (6) In the case of the sale of a vehicle by a dealer to a general  
21 purchaser or user, the certificate of title shall be obtained in the name  
22 of the purchaser by the dealer upon application signed by the purchaser.  
23 If a lien is to be recorded, the title documentation as required in this  
24 section shall be submitted to the department by the dealer or the lienholder  
25 upon application signed by the purchaser. A copy of this application  
26 shall be given to the purchaser to be used as a seventy-two (72) hour  
27 temporary permit. In all other cases the certificates shall be obtained  
28 by the purchaser and the seller's bill of sale shall serve as a seventy-two  
29 (72) hour permit. The seventy-two (72) hour time period for temporary  
30 permits shall be calculated excluding weekend days and legal holidays  
31 observed by the state of Idaho. This temporary permit allows operation  
32 of any noncommercial vehicle or unladen commercial vehicle or vehicle  
33 combination without license plates for the period of time specified in  
34 the permit. A laden commercial vehicle or vehicle combination may also  
35 operate without license plates for the period of time specified in the  
36 temporary permit provided that the owner or operator has also obtained a  
37 permit issued under the provisions of section 49-432, Idaho Code.

38 (7) If the vehicle has no identification number, then the department  
39 shall designate an identification number for that vehicle at the time of  
40 issuance of the certificate of title. The identification number shall be  
41 permanently affixed to or indented upon the frame of the vehicle and legibly  
42 maintained by the owner at all times while a certificate of title to the  
43 vehicle shall be issued and outstanding.

44 SECTION 7. That Section 49-2444, Idaho Code, be, and the same is hereby  
45 amended to read as follows:

46 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
47 The department shall issue a distinguishing identification card which  
48 shall set forth the information contained in the application, in a form as  
49 prescribed by the department. All identification cards issued on or after



1 January 1, 1993, shall not contain the applicant's social security number.  
2 An applicant's social security number shall be exempt from disclosure  
3 except for inquiries from agencies or institutions authorized to obtain  
4 such information by federal law or regulation, from peace officers or from  
5 jury commissioners. Each card shall have printed on it the applicant's  
6 full name, date of birth, Idaho residence address, sex, weight, height, eye  
7 color, hair color, and shall be issued a distinguishing number assigned to  
8 the applicant. If an applicant has submitted an application pursuant to  
9 the provisions of chapter 58, title 19, Idaho Code, then the applicant's  
10 identification card shall contain his or her alternative Idaho mailing  
11 address in place of his or her Idaho residence address. Each card shall also  
12 have printed on it the name of this state, the date of issuance, and the date  
13 of expiration. An identification card shall not be valid until it has been  
14 signed on the signature line by the applicant. Each card shall bear upon it  
15 a color photograph of the applicant which shall be taken by the examiner at  
16 the time of application. The photograph shall be taken without headgear or  
17 other clothing or device that disguises or otherwise conceals the face or  
18 head of the applicant. A waiver may be granted by the department allowing the  
19 applicant to wear headgear or other head covering for medical, religious or  
20 safety purposes so long as the face is not disguised or otherwise concealed.  
21 At the request of the applicant, an identification card may contain a  
22 statement or indication of the medical condition of the applicant.

23 No person shall receive an identification card unless and until he  
24 surrenders to the department all identification cards in his possession  
25 issued to him by Idaho or any other jurisdiction, or any driver's license  
26 issued by any other jurisdiction within the United States, or until he  
27 executes an affidavit that he does not possess an identification card or any  
28 driver's license.

29 Identification cards issued to persons under eighteen (18) years of  
30 age shall include a notation "under 18 until (month, day, year)," and  
31 identification cards issued to persons eighteen (18) years of age to  
32 twenty-one (21) years of age shall include a notation "under 21 until (month,  
33 day, year)." The nonrefundable fee for a four-year identification card  
34 issued to persons twenty-one (21) years of age or older shall be ten dollars  
35 (\$10.00) of which five dollars (\$5.00) shall be retained by the county and  
36 credited to the current expense fund, and five dollars (\$5.00) shall be  
37 deposited in the state treasury to the credit of the highway distribution  
38 account. The nonrefundable fee for identification cards issued to persons  
39 under twenty-one (21) years of age shall be ten dollars (\$10.00), of which  
40 five dollars (\$5.00) shall be retained by the county and credited to the  
41 current expense fund, and five dollars (\$5.00) shall be deposited in the  
42 state treasury to the credit of the highway distribution account. The  
43 nonrefundable fee for an eight-year identification card shall be twenty  
44 dollars (\$20.00) of which ten dollars (\$10.00) shall be retained by the  
45 county and credited to the current expense fund, and ten dollars (\$10.00)  
46 shall be deposited in the state treasury to the credit of the highway  
47 distribution account. At the option of the applicant, the identification  
48 card issued to a person twenty-one (21) years of age or older shall expire  
49 either on the cardholder's birthday in the fourth year or the eighth year  
50 following issuance of the card, except as otherwise provided in subsection

1 (3) of this section. Every identification card issued to a person under  
2 eighteen (18) years of age shall expire five (5) days after the person's  
3 eighteenth birthday, except as otherwise provided in subsection (3) of this  
4 section. Every identification card issued to a person eighteen (18) years  
5 of age but under twenty-one (21) years of age shall expire five (5) days  
6 after the person's twenty-first birthday, except as otherwise provided in  
7 subsection (3) of this section.

8 Individuals required to register in compliance with section 3 of the  
9 federal military selective service act, 50 U.S.C. App. 451 et seq., as  
10 amended, shall be provided an opportunity to fulfill such registration  
11 requirements in conjunction with an application for an identification  
12 card. Any registration information so supplied shall be transmitted by the  
13 department to the selective service system.

14 (2) Every identification card, except those issued to persons under  
15 twenty-one (21) years of age, shall be renewable on or before its expiration,  
16 but not more than twelve (12) months before, and upon application and payment  
17 of the required fee.

18 (3) Every identification card issued to a person who is not a citizen  
19 or permanent legal resident of the United States shall have an expiration  
20 date that is the same date as the end of lawful stay in the United States as  
21 indicated on documents issued and verified by the department of homeland  
22 security, provided however, that the expiration date shall not extend beyond  
23 the expiration date for the same category of identification card issued to  
24 citizens. Persons whose department of homeland security documents do not  
25 state an expiration date shall be issued an identification card with an  
26 expiration date of one (1) year from the date of issuance.

27 (4) When an identification card has been expired for less than twelve  
28 (12) months, the renewal of the identification card shall start from the  
29 original date of expiration regardless of the year in which the application  
30 for renewal is made. If the identification card is expired for more than  
31 twelve (12) months, the application shall expire, at the option of the  
32 applicant, on the applicant's birthday in the fourth year or the eighth  
33 year following reissuance of the identification card, except as otherwise  
34 provided in subsection (3) of this section.

35 (5) A person possessing an identification card who desires to donate  
36 any or all organs or tissue in the event of death, and who has completed a  
37 document of gift pursuant to the provisions for donation of anatomical gifts  
38 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the  
39 donor, indicate this desire on the identification card by the imprinting  
40 of the word "donor" on the identification card. The provisions of this  
41 subsection shall apply to persons possessing an identification card who are  
42 sixteen (16) years of age or older but less than eighteen (18) years of age  
43 if the requirements provided in chapter 34, title 39, Idaho Code, have been  
44 complied with.

45 (6) A person possessing an identification card or an applicant for an  
46 identification card who is a person with a permanent disability may request  
47 that the notation "permanently disabled" be imprinted on the identification  
48 card, provided the person presents written certification from a licensed  
49 physician verifying that the person's stated impairment qualifies as a

1 permanent disability according to the provisions of section 49-117, Idaho  
2 Code.

3 (7) In the case of a name change, the applicant shall provide legal  
4 documentation to verify the change in accordance with department rules.

5 (8) Whenever any person, after applying for or receiving an  
6 identification card, shall move from the address shown on the application or  
7 on the identification card issued, that person shall, within thirty (30)  
8 days, notify the transportation department in writing of the old and new  
9 addresses.

10 (9) The department shall cancel any identification card upon  
11 determining that the person was not entitled to the issuance of the  
12 identification card, or that the person failed to give the required and  
13 correct information in his application or committed fraud in making the  
14 application. Upon cancellation, the person shall surrender the canceled  
15 identification card to the department.

16 (10) If any person shall fail to return to the department the  
17 identification card as required, the department may direct any peace  
18 officer to secure its possession and return the identification card to the  
19 department.

20 (11) The department may issue a no-fee identification card to an  
21 individual whose driver's license has been canceled and voluntarily  
22 surrendered as provided in section 49-322(4), Idaho Code. The  
23 identification card may be renewed at no cost to the applicant as long as the  
24 driver's license remains canceled.

25 (12) It is an infraction for any person to fail to notify the department  
26 of a change of address as required by the provisions of subsection (8) of this  
27 section.

28 SECTION 8. This act shall be in full force and effect on and after  
29 January 1, 2011.