

IN THE SENATE

SENATE BILL NO. 1389, As Amended

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO VEHICLES AND RULES OF THE ROAD; AMENDING SECTION 49-113, IDAHO
2 CODE, TO REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
3 SECTION 49-114, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION
4 49-115, IDAHO CODE, TO REMOVE A DEFINITION; AMENDING SECTION 49-123,
5 IDAHO CODE, TO DEFINE "LOW-SPEED VEHICLE," TO DEFINE "MEDIUM-SPEED
6 ELECTRIC VEHICLE" AND TO DELETE A DEFINITION; AMENDING SECTION 49-402,
7 IDAHO CODE, TO PROVIDE FOR AN ANNUAL REGISTRATION FEE FOR CERTAIN VEHI-
8 CLES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-663, IDAHO
9 CODE, TO PROVIDE FOR THE RESTRICTED USE OF LOW-SPEED VEHICLES; AMEND-
10 ING CHAPTER 6, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
11 49-663A, IDAHO CODE, TO PROVIDE FOR THE RESTRICTED USE OF MEDIUM-SPEED
12 ELECTRIC VEHICLES; AND AMENDING SECTION 67-7122, IDAHO CODE, TO PROVIDE
13 A CORRECT CODE REFERENCE.
14

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

16 SECTION 1. That Section 49-113, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 49-113. DEFINITIONS -- L. (1) "Laned highway" means a highway which is
19 divided into two (2) or more clearly marked lanes for vehicular traffic.

20 (2) "Lane of travel." (See "Traffic lane", section 49-121, Idaho Code)

21 (3) "Legal owner" means any person notated as "lienholder" of a vehi-
22 cle, the notation appearing on the title records of the department and on the
23 respective certificate of title.

24 (4) "License" or "license to operate a motor vehicle" means any
25 driver's license or any other license or permit to operate a motor vehicle
26 issued under, or granted by, the laws of this state, including:

27 (a) Any temporary license or instruction permit;

28 (b) Any nonresident's operating privilege;

29 (c) Any special permit issued by the department.

30 (5) "Licensing authority" as used in chapter 20, ~~of this title 49,~~ with
31 reference to Idaho, means the department.

32 (6) "Lien" or "encumbrance" means every security interest in any vehi-
33 cle other than security interests in vehicles held in inventory for sale.

34 (7) "Lienholder" means a person holding a security interest in a vehi-
35 cle.

36 (8) "Light weight" or "unladen weight" means the scale weight of a vehi-
37 cle equipped for operation, but without any cargo on it.

38 (9) "Limit line" or "stop line" means a solid white line extending
39 across a highway indicating the point behind which vehicles are required
40 to stop, which must conform to the manual and specifications adopted by the
41 board pursuant to section 49-201, Idaho Code.

1 (10) "Local authorities" means every county, highway district, munic-
 2 ipal and other local board or body having authority to enact regulations,
 3 resolution and/or ordinances relating to traffic on the highways, public
 4 rights-of-way and streets under their jurisdiction under the constitution
 5 and laws of this state.

6 (11) "Low-speed vehicle." (See "Vehicle," section 49-123, Idaho Code)

7 SECTION 2. That Section 49-114, Idaho Code, be, and the same is hereby
 8 amended to read as follows:

9 49-114. DEFINITIONS -- M. (1) "Major component part" means a rear
 10 clip, cowl, frame or inner structure forward of the cowl, body, cab, front
 11 end assembly, front clip or such other part which is critical to the safety of
 12 the vehicle.

13 (2) "Manifest" means a form used for identifying the quantity, compo-
 14 sition, origin, routing, waste or material identification code and desti-
 15 nation of hazardous material or hazardous waste during any transportation
 16 within, through, or to any destination in this state.

17 (3) "Manufactured home." (See section 39-4105, Idaho Code)

18 (4) "Manufacturer" means every person engaged in the business of
 19 constructing or assembling vehicles of a type required to be registered at
 20 an established place of business in this state. The term, for purposes of
 21 sections 49-1613 through 49-1615, 49-1617, 49-1622 and 49-1623, Idaho Code,
 22 shall include a distributor and other factory representatives.

23 (5) "Manufacturer's year designation" means the model year designated
 24 by the vehicle manufacturer, and not the year in which the vehicle is, in
 25 fact, manufactured.

26 (6) "Maximum gross weight" means the scale weight of a vehicle,
 27 equipped for operation, to which shall be added the maximum load to be
 28 carried as declared by the owner in making application for registration.
 29 When a vehicle against which a registration fee is assessed is a combination
 30 of vehicles, the term "maximum gross weight" means the combined maximum
 31 gross weights of all vehicles in the combination.

32 (7) "Medium-speed electric vehicle." (See "Vehicle," section 49-123,
 33 Idaho Code)

34 (8) "Metal tire." (See "Tires," section 49-121, Idaho Code)

35 ~~(9)~~ "Mileage" means actual distance that a vehicle has traveled.

36 ~~(10)~~ "Moped" means a limited-speed motor-driven cycle having:

37 (a) Both motorized and pedal propulsion that is not capable of pro-
 38 pelling the vehicle at a speed in excess of thirty (30) miles per hour
 39 on level ground, whether two (2) or three (3) wheels are in contact
 40 with the ground during operation. If an internal combustion engine is
 41 used, the displacement shall not exceed fifty (50) cubic centimeters
 42 and the moped shall have a power drive system that functions directly or
 43 automatically without clutching or shifting by the operator after the
 44 drive system is engaged; or

45 (b) Two (2) wheels or three (3) wheels with no pedals, which is powered
 46 solely by electrical energy, has an automatic transmission, a motor
 47 which produces less than two (2) gross brake horsepower, is capable of
 48 propelling the device at a maximum speed of not more than thirty (30)
 49 miles per hour on level ground and as originally manufactured, meets

1 federal motor vehicle safety standards for motor-driven cycles. A
 2 moped is not required to be titled and no motorcycle endorsement is
 3 required for its operator.

4 (~~101~~) "Motorbike" means a vehicle as defined in section 67-7101, Idaho
 5 Code. Such vehicle shall be titled and may be approved for motorcycle reg-
 6 istration pursuant to section 49-402, Idaho Code, upon certification by the
 7 owner of the installation and use of conversion components that make the mo-
 8 torbike compliant with federal motor vehicle safety standards.

9 (~~142~~) "Motorcycle" means every motor vehicle having a seat or saddle for
 10 the use of the rider and designed to travel on not more than three (3) wheels
 11 in contact with the ground that meets the federal motor vehicle safety stan-
 12 dards as originally designed, and includes a converted motorbike, but does
 13 not include a motor-driven cycle, a motorbike, a tractor or a moped.

14 (~~123~~) "Motor carrier" means an individual, partnership, corporation or
 15 other legal entity engaged in the transportation by motor vehicle of persons
 16 or property in the furtherance of a business or for hire.

17 (~~134~~) "Motor-driven cycle" means a cycle with a motor that produces
 18 five (5) brake horsepower or less as originally manufactured that meets
 19 federal motor vehicle safety standards as originally designed, and does not
 20 include mopeds. Such vehicle shall be titled and a motorcycle endorsement
 21 is required for its operation.

22 (~~145~~) "Motor home" means a vehicular unit designed to provide temporary
 23 living quarters, built into an integral part or permanently attached to a
 24 self-propelled motor vehicle chassis. The vehicle must contain permanently
 25 installed independent life support systems which meet the National Fire
 26 Protection Association (NFPA) 1192 Standard on Recreational Vehicles, and
 27 provide at least four (4) of the following facilities: cooking, refriger-
 28 ation or icebox, self-contained toilet, heating and/or air conditioning, a
 29 potable water supply system, including a faucet and sink, separate 110-125
 30 volt electrical power supply and/or LP-gas supply.

31 (~~156~~) "Motorized wheelchair" means a motor vehicle with a speed not in
 32 excess of eight (8) miles per hour, designed for and used by a handicapped
 33 person.

34 (~~167~~) "Motor number." (See "Identifying number," section 49-110, Idaho
 35 Code)

36 (~~178~~) "Motor vehicle." (See "Vehicle," section 49-123, Idaho Code)

37 (~~189~~) "Motor vehicle liability policy" means an owner's or operator's
 38 policy of liability insurance, certified as provided in section 49-1210,
 39 Idaho Code, as proof of financial responsibility, and issued by an insurance
 40 carrier duly authorized to transact business in this state, to or for the
 41 benefit of the person named therein as insured.

42 (~~1920~~) "Motor vehicle record" means any record that pertains to a mo-
 43 tor vehicle registration, motor vehicle title or identification documents
 44 or other similar credentials issued by the department or other state or local
 45 agency.

46 SECTION 3. That Section 49-115, Idaho Code, be, and the same is hereby
 47 amended to read as follows:

48 49-115. DEFINITIONS -- N. (1) "National network" means highways
 49 available to vehicles authorized by the provisions of the federal surface

1 transportation assistance act of 1982 as amended, and listed in 23 CFR part
2 658, appendix A.

3 (2) ~~"Neighborhood electric vehicle." (See "Vehicle," section 49-123,~~
4 ~~Idaho Code)~~

5 ~~(3)~~ "Noncommercial vehicle." (See "Vehicle," section 49-123, Idaho
6 Code)

7 (43) "Nonresident" means every person who is not a resident of this
8 state.

9 (54) "Nonresident's operating privilege" means the privilege con-
10 ferred upon a nonresident by the laws of this state pertaining to the
11 operation by that person of a motor vehicle, or the use of a vehicle owned by
12 that person, in this state.

13 SECTION 4. That Section 49-123, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 49-123. DEFINITIONS -- V. (1) "Variable load suspension axle" means an
16 axle or axles designed to support a part of the vehicle and load and which can
17 be regulated to vary the amount of load supported by such an axle or axles and
18 which can be deployed or lifted by the operator of the vehicle. See also sec-
19 tion 49-117, Idaho Code.

20 (a) "Fully raised" means that the variable load suspension axle is in
21 an elevated position preventing the tires on such axle from having any
22 contact with the roadway.

23 (b) "Fully deployed" means that the variable load suspension axle is
24 supporting a portion of the weight of the loaded vehicle as controlled
25 by the preset pressure regulator valve.

26 (2) "Vehicle" means:

27 (a) General. Every device in, upon, or by which any person or property
28 is or may be transported or drawn upon a highway, excepting devices used
29 exclusively upon stationary rails or tracks.

30 (b) Authorized emergency vehicle. Vehicles operated by any fire
31 department or law enforcement agency of the state of Idaho or any
32 political subdivision of the state, ambulances, vehicles belonging to
33 personnel of voluntary fire departments while in performance of offi-
34 cial duties only, vehicles belonging to, or operated by EMS personnel
35 certified or otherwise recognized by the EMS bureau of the Idaho depart-
36 ment of health and welfare while in the performance of emergency medical
37 services, sheriff's search and rescue vehicles which are under the
38 immediate supervision of the county sheriff, wreckers which are engaged
39 in motor vehicle recovery operations and are blocking part or all of one
40 (1) or more lanes of traffic, other emergency vehicles designated by the
41 director of the Idaho state police or vehicles authorized by the Idaho
42 transportation board and used in the enforcement of laws specified
43 in section 40-510, Idaho Code, pertaining to vehicles of ten thousand
44 (10,000) pounds or greater.

45 (c) Commercial vehicle or commercial motor vehicle. For the purposes
46 of chapters 3 and 9 of this title, driver's licenses and vehicle equip-
47 ment, a motor vehicle or combination of motor vehicles designed or used
48 to transport passengers or property if the motor vehicle:

- 1 (i) Has a manufacturer's gross combination weight rating (GCWR)
2 in excess of twenty-six thousand (26,000) pounds inclusive of
3 a towed unit with a manufacturer's gross vehicle weight rating
4 (GVWR) of more than ten thousand (10,000) pounds; or
5 (ii) Has a manufacturer's gross vehicle weight rating (GVWR) in
6 excess of twenty-six thousand (26,000) pounds; or
7 (iii) Is designed to transport sixteen (16) or more people, in-
8 cluding the driver; or
9 (iv) Is of any size and is used in the transportation of materials
10 found to be hazardous for the purposes of the hazardous material
11 transportation act and which require the motor vehicle to be plac-
12 arded under the hazardous materials regulations (49 CFR part 172,
13 subpart F).

14 For the purposes of chapter 4, title 49, Idaho Code, motor vehicle
15 registration, a vehicle or combination of vehicles of a type used or
16 maintained for the transportation of persons for hire, compensation or
17 profit, or the transportation of property for the owner of the vehicle,
18 or for hire, compensation, or profit, and shall include fixed load
19 specially constructed vehicles exceeding the limits imposed by chapter
20 10, title 49, Idaho Code, and including drilling rigs, construction,
21 drilling and wrecker cranes, log jammers, log loaders, and similar
22 vehicles which are normally operated in an overweight or oversize
23 condition or both, but shall not include those vehicles registered pur-
24 suant to sections 49-402 and 49-402A, Idaho Code, or exempted by section
25 49-426, Idaho Code. A motor vehicle used in a ridesharing arrangement
26 that has a seating capacity for not more than fifteen (15) persons,
27 including the driver, shall not be a "commercial vehicle" under the
28 provisions of this title relating to equipment requirements, rules of
29 the road, or registration.

30 (d) Farm vehicle. A vehicle or combination of vehicles owned by a
31 farmer or rancher, which are operated over public highways, and used
32 exclusively to transport unprocessed agricultural, dairy or livestock
33 products raised, owned and grown by the owner of the vehicle to market or
34 place of storage; and shall include the transportation by the farmer or
35 rancher of any equipment, supplies or products purchased by that farmer
36 or rancher for his own use, and used in the farming or ranching operation
37 or used by a farmer partly in transporting agricultural products or
38 livestock from the farm of another farmer that were originally grown or
39 raised on the farm, or when used partly in transporting agricultural
40 supplies, equipment, materials or livestock to the farm of another
41 farmer for use or consumption on the farm but not transported for hire,
42 and shall not include vehicles of husbandry or vehicles registered
43 pursuant to sections 49-402 and 49-402A, Idaho Code.

44 (e) Foreign vehicle. Every vehicle of a type required to be registered
45 under the provisions of this title brought into this state from another
46 state, territory or country other than in the ordinary course of busi-
47 ness by or through a manufacturer or dealer and not registered in this
48 state.

49 (f) Glider kit vehicle. Every large truck manufactured from a kit man-
50 ufactured by a manufacturer of large trucks which consists of a frame,

1 cab complete with wiring, instruments, fenders and hood and front axles
2 and wheels. The "glider kit" is made into a complete assembly by the ad-
3 dition of the engine, transmission, rear axles, wheels and tires.

4 (g) Low-speed vehicle (LSV). A self-propelled, four-wheeled motor
5 vehicle that conforms to the definition and requirements for low-speed
6 vehicles as adopted in the federal motor vehicle safety standards for
7 low-speed vehicles provided for in 49 CFR part 571.500, and that has a
8 maximum speed of twenty-five (25) miles per hour. A low-speed vehicle
9 shall be titled, registered and insured according to law as provided
10 respectively in chapters 4, 5 and 12, title 49, Idaho Code, and shall
11 only be operated by a licensed driver. Operation of a low-speed vehicle
12 on a highway shall be allowed as provided in section 49-663, Idaho Code.

13 (h) Medium-speed electric vehicle (MSEV). Medium-speed electric vehi-
14 cle means a self-propelled, electrically-powered, four-wheeled motor
15 vehicle whose speed attainable in one (1) mile is more than thirty (30)
16 miles per hour but not more than thirty-five (35) miles per hour and oth-
17 erwise meets or exceeds the federal regulations set forth in 49 CFR part
18 571.500. A medium-speed electric vehicle shall be titled, registered
19 and insured according to law as provided respectively in chapters 4, 5
20 and 12, title 49, Idaho Code, and shall only be operated by a licensed
21 driver. Operation of a medium-speed electric vehicle shall be allowed
22 as provided in section 49-663A, Idaho Code.

23 (i) Motor vehicle. Every vehicle which is self-propelled, and for the
24 purpose of titling and registration meets federal motor vehicle safety
25 standards as defined in section 49-107, Idaho Code. Motor vehicle does
26 not include vehicles moved solely by human power, electric personal as-
27 sistive mobility devices and motorized wheelchairs or other such vehi-
28 cles that are specifically exempt from titling or registration require-
29 ments under title 49, Idaho Code.

30 (h) Multipurpose passenger vehicle (MPV). For the purposes of section
31 49-966, Idaho Code, a motor vehicle designed to carry ten (10) or fewer
32 persons which is constructed either on a truck chassis or with special
33 features for occasional off-road operation.

34 ~~(i) Neighborhood electric vehicle (NEV). A self-propelled, electri-~~
35 ~~cally powered, four-wheeled motor vehicle which is emission free and~~
36 ~~conforms to the definition and requirements for low-speed vehicles as~~
37 ~~adopted in the federal motor vehicle safety standards for low-speed ve-~~
38 ~~hicles under federal regulations at 49 CFR part 571. An NEV shall be ti-~~
39 ~~tled, registered and insured according to law as provided respectively~~
40 ~~in chapters 4, 5 and 12, title 49, Idaho Code, and shall only be operated~~
41 ~~by a licensed driver. Operation of an NEV on a highway shall be allowed~~
42 ~~as provided in section 49-663, Idaho Code.~~

43 (j) Noncommercial vehicle. For the purposes of chapter 4, title 49,
44 Idaho Code, motor vehicle registration, a noncommercial vehicle shall
45 not include those vehicles required to be registered under sections
46 49-402 and 49-402A, Idaho Code, and means all other vehicles or combi-
47 nations of vehicles which are not commercial vehicles or farm vehicles,
48 but shall include motor homes. A noncommercial vehicle shall include
49 those vehicles having a combined gross weight not in excess of sixty
50 thousand (60,000) pounds and not held out for hire, used for purposes

1 related to private use and not used in the furtherance of a business or
2 occupation for compensation or profit or for transporting goods for
3 other than the owner.

4 (~~*l~~) Passenger car. For the purposes of section 49-966, Idaho Code, a
5 motor vehicle, except a multipurpose passenger vehicle, motorcycle or
6 trailer, designed to carry ten (10) or fewer persons.

7 (~~l~~m) Rebuilt salvage vehicle. Every vehicle that has been rebuilt or
8 repaired using like make and model parts and visually appears as a vehi-
9 cle that was originally constructed under a distinctive manufacturer.
10 This includes a salvage vehicle which is damaged to the extent that a
11 "rebuilt salvage" brand is required to be added to the title.

12 (~~m~~n) Reconstructed vehicles. Vehicles which have been reconstructed
13 by the use of a kit designed to be used to construct an exact replica
14 of a vehicle which was previously constructed under a distinctive name,
15 make, model or type by a generally recognized manufacturer of vehicles.
16 A glider kit vehicle is not a reconstructed vehicle.

17 (~~n~~o) Replica vehicle. A vehicle made to replicate any passenger car
18 or truck previously manufactured, using metal, fiberglass or other com-
19 posite materials. Replica vehicles must look like the original vehi-
20 cle being replicated but may use a more modern drive train. At a mini-
21 mum, replica vehicles shall meet the same federal motor vehicle safety
22 and emission standards in effect for the year and type of vehicle being
23 replicated.

24 (~~o~~p) Salvage vehicle. Any vehicle for which a salvage certificate,
25 salvage bill of sale or other documentation showing evidence that the
26 vehicle has been declared salvage or which has been damaged to the
27 extent that the owner, or an insurer, or other person acting on behalf
28 of the owner, determines that the cost of parts and labor minus the
29 salvage value makes it uneconomical to repair or rebuild. When an
30 insurance company has paid money or has made other monetary settlement
31 as compensation for a total loss of any vehicle, such vehicle shall be
32 considered to be a salvage vehicle.

33 (~~p~~q) Specially constructed vehicle. Every vehicle of a type required
34 to be registered not originally constructed under a distinctive name,
35 make, model or type by a generally recognized manufacturer of vehicles
36 and not materially altered from its original construction and cannot be
37 visually identified as a vehicle produced by a particular manufacturer.
38 This includes:

39 (i) A vehicle that has been structurally modified so that it does
40 not have the same appearance as a similar vehicle from the same
41 manufacturer; or

42 (ii) A vehicle that has been constructed entirely from homemade
43 parts and materials not obtained from other vehicles; or

44 (iii) A vehicle that has been constructed by using major compo-
45 nent parts from one (1) or more manufactured vehicles and cannot
46 be identified as a specific make or model; or

47 (iv) A vehicle constructed by the use of a custom kit that cannot
48 be visually identified as a specific make or model. All specially
49 constructed vehicles of a type required to be registered shall be
50 certified by the owner to meet all applicable federal motor ve-

1 hicle safety standards in effect at the time construction is com-
2 pleted, and all requirements of chapter 9, title 49, Idaho Code.

3 (~~er~~) Specialty off-highway vehicle. A specialty off-highway vehicle
4 as defined in section 67-7101, Idaho Code.

5 (~~es~~) Total loss vehicle. Every vehicle that is deemed to be uneconomi-
6 cal to repair. A total loss shall occur when an insurance company or any
7 other person pays or makes other monetary settlement to the owner when
8 it is deemed to be uneconomical to repair the damaged vehicle. The com-
9 pensation for total loss as defined herein shall not include payments
10 by an insurer or other person for medical care, bodily injury, vehicle
11 rental or for anything other than the amount paid for the actual damage
12 to the vehicle.

13 (3) "Vehicle identification number." (See "Identifying number," sec-
14 tion 49-110, Idaho Code)

15 (4) "Vehicle salesman" means any person who, for a salary, commission
16 or compensation of any kind, is employed either directly or indirectly, or
17 regularly or occasionally by any dealer to sell, purchase or exchange, or to
18 negotiate for the sale, purchase or exchange of vehicles. (See also "full-
19 time salesman," section 49-107, Idaho Code, and "part-time salesman," sec-
20 tion 49-117, Idaho Code)

21 (5) "Vessel." (See section 67-7003, Idaho Code)

22 (6) "Veteran." (See section 65-502, Idaho Code)

23 (7) "Violation" means a conviction of a misdemeanor charge involving a
24 moving traffic violation, or an admission or judicial determination of the
25 commission of an infraction involving a moving traffic infraction, except
26 bicycle infractions.

27 SECTION 5. That Section 49-402, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each
30 pickup truck, each ~~neighborhood electric vehicle~~ low-speed vehicle, each
31 medium-speed electric vehicle and each other motor vehicle having a maximum
32 gross weight not in excess of eight thousand (8,000) pounds and that complies
33 with the federal motor vehicle safety standards as defined in section
34 49-107, Idaho Code, shall be:

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

40 There shall be twelve (12) registration periods, starting in January
41 for holders of validation registration stickers numbered 1, and proceeding
42 consecutively through December for holders of validation registration
43 stickers numbered 12, each of which shall start on the first day of a calendar
44 month and end on the last day of the twelfth month from the first day of the
45 beginning month. Registration periods shall expire midnight on the last
46 day of the registration period in the year designated by the validation
47 registration sticker. The numeral digit on the validation registration
48 stickers shall, as does the registration card, fix the registration period

1 under the staggered plate system of Idaho for the purpose of reregistration
2 and notice of expiration.

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

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

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

18 (4) For operation of an all-terrain vehicle, utility type vehicle or
19 motorbike, excluding a motorbike with an engine displacement of fifty (50)
20 cubic centimeters or less, on city, county or highway district roads or
21 highways open to such use, a restricted vehicle license plate fee pursuant
22 to section 49-450, Idaho Code, shall be paid. In addition, the registration
23 fee specified in section 67-7122, Idaho Code, shall be paid as provided
24 in section 67-7122, Idaho Code. The registration and restricted vehicle
25 license plate exemption provided in section 49-426(2), Idaho Code, applies
26 to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles
27 used for the purposes described in subsection (2) of section 49-426, Idaho
28 Code. Nonresidents shall be allowed to purchase a restricted vehicle
29 license plate and sticker for an all-terrain vehicle, utility type vehicle
30 or motorbike.

31 (5) For all motor homes the fee shall be as specified in subsection (1)
32 of this section and shall be in addition to the fees provided for in section
33 49-445, Idaho Code.

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

35 (7) A financial institution or repossession service contracted to a
36 financial institution repossessing vehicles under the terms of a security
37 agreement shall move the vehicle from the place of repossession to the
38 financial institution's place of business on a repossession plate. The
39 repossession plate shall also be used for demonstrating the vehicle to a
40 prospective purchaser for a period not to exceed ninety-six (96) hours. The
41 registration fees for repossession plates shall be as required in subsection
42 (1) of this section for a vehicle one (1) and two (2) years old. All other
43 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
44 the registration fee. The repossession plate shall be issued on an annual
45 basis by the department.

46 (8) A wrecker or towing business engaged in the process of towing motor-
47 ized vehicles, which have been wrecked, abandoned, salvaged or may be dis-
48 abled, may apply for a wrecker plate to be displayed on those vehicles being
49 towed, provided the power unit is properly registered under this chapter.
50 The registration fees for wrecker plates shall be as required in subsection

1 (1) of this section for a vehicle one (1) and two (2) years old. All other
 2 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
 3 the registration fee. The wrecker plate shall be issued on an annual basis by
 4 the department.

5 (9) In addition to the annual registration fee in this section, there
 6 shall be an initial program fee of twenty-five dollars (\$25.00) and an
 7 annual program fee of fifteen dollars (\$15.00) for all special license plate
 8 programs for those license plates issued pursuant to sections 49-404A,
 9 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For
 10 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,
 11 there shall be an initial program fee of twenty-five dollars (\$25.00) but
 12 there shall be no annual renewal fee. For special plates issued pursuant
 13 to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D,
 14 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A,
 15 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D,
 16 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G, ~~and~~ 49-420H
 17 and 49-420I, Idaho Code, there shall be an initial program fee of thirty-five
 18 dollars (\$35.00) and an annual program fee of twenty-five dollars (\$25.00).
 19 The fees contained in this subsection shall be applicable to all new special
 20 plate programs. The initial program fee and the annual program fee shall
 21 be deposited in the state highway account and shall be used to fund the
 22 cost of administration of special license plate programs, unless otherwise
 23 specified by law.

24 ~~(9)10~~ Any vehicle that does not meet federal motor vehicle safety stan-
 25 dards shall not be registered and shall not be permitted to operate on public
 26 highways of the state, as defined in section 40-117, Idaho Code, unless oth-
 27 erwise specifically authorized.

28 SECTION 6. That Section 49-663, Idaho Code, be, and the same is hereby
 29 amended to read as follows:

30 49-663. RESTRICTED USE OF ~~NEIGHBORHOOD ELECTRIC~~ LOW-SPEED VEHICLES ON
 31 HIGHWAYS. (1) It is unlawful to operate a ~~neighborhood electric~~ low-speed
 32 vehicle on any highway with a posted speed limit of over thirty-five (35)
 33 miles per hour. Provided however, that a person may not operate a low-speed
 34 vehicle on a highway with a posted speed limit greater than twenty-five (25)
 35 miles per hour without displaying on the rear of the low-speed vehicle, a
 36 slow-moving vehicle identification emblem that complies with the society of
 37 automotive engineers standard SAE J943.

38 (2) It is unlawful for a person operating a ~~neighborhood electric~~ low-
 39 speed vehicle to cross any highway with a posted speed limit greater than
 40 forty-five (45) miles per hour.

41 (3) Nothing in this section shall be construed to prohibit local units
 42 of government from passing ordinances or resolutions which are more strin-
 43 gent than the provisions of this section.

44 SECTION 7. That Chapter 6, Title 49, Idaho Code, be, and the same is
 45 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 46 ignated as Section 49-663A, Idaho Code, and to read as follows:

1 49-663A. RESTRICTED USE OF MEDIUM-SPEED ELECTRIC VEHICLES ON HIGH-
2 WAYS. (1) It is unlawful to operate a medium-speed electric vehicle on any
3 highway with a posted speed limit of over thirty-five (35) miles per hour.

4 (2) It is unlawful for a person operating a medium-speed electric ve-
5 hicle to cross any highway with a posted speed limit greater than forty-five
6 (45) miles per hour.

7 SECTION 8. That Section 67-7122, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 67-7122. REQUIREMENTS -- REGISTRATION -- PROCEDURE. (1) On or before
10 January 1 of each year, the owner of any all-terrain vehicle, motorbike,
11 specialty off-highway vehicle or utility type vehicle as defined in section
12 67-7101, Idaho Code, or any motorcycle as defined in section 49-114, Idaho
13 Code, used off public highways, on highways located on state lands or federal
14 lands which are not part of the highway system of the state of Idaho or on
15 highways as prescribed in section 49-426(3) and (4), Idaho Code, but exclud-
16 ing those vehicles used exclusively on private land for agricultural use or
17 used exclusively for snow removal purposes as provided in section 49-426(2),
18 Idaho Code, shall register that vehicle at any vendor authorized by the
19 department. Effective January 1, 2010, a fee of twelve dollars (\$12.00)
20 shall be charged for each registration, which fee includes a one dollar and
21 fifty cent (\$1.50) fee to be retained by the vendor and the remainder of which
22 shall be remitted to the department together with a duplicate copy of the
23 application form, noting the number of the registration sticker issued.

24 (2) At the time of sale from any dealer, each motorbike, all-terrain
25 vehicle or utility type vehicle sold to an Idaho resident, but excluding
26 those vehicles to be used exclusively on private land for agricultural use or
27 used exclusively for snow removal purposes as provided in section 49-426(2),
28 Idaho Code, must be registered.

29 (a) Application blanks and registration stickers shall be supplied by
30 the department and the registration sticker shall be issued to the per-
31 son making application for registration.

32 (b) All registration stickers which are issued shall be in force
33 through December 31 of the issued year. All registration stickers
34 shall be renewed by the owner of the all-terrain vehicle, motorbike,
35 specialty off-highway vehicle or utility type vehicle in the same man-
36 ner provided for in the initial securing of the same or with any vendor
37 authorized by the department. A vendor issuing a renewal registration
38 sticker shall retain a one dollar and fifty cent (\$1.50) vendor fee and
39 remit the remainder of the twelve dollar (\$12.00) renewal registration
40 sticker fee to the department together with a duplicate copy of the
41 application form, noting the number of the registration sticker issued.

42 (c) The issued registration sticker shall be placed upon the restricted
43 vehicle license plate of the all-terrain vehicle, motorbike or utility
44 type vehicle, or upon the right fork of a vehicle registered pursuant
45 to section 49-402(3), Idaho Code, or of a motorbike if used exclusively
46 off-highway, or upon the rear fender of an all-terrain vehicle, spe-
47 cialty off-highway vehicle or utility type vehicle if used exclusively
48 off-highway. The placement shall be made in such a manner that it is

1 completely visible, does not cover the license plate numbers or let-
2 ters, if licensed, and shall be kept in a legible condition at all times.

3 (3) For operation of a motorbike that meets the requirements specified
4 in section 49-114(~~10~~), Idaho Code, on the public highways, the vehicle
5 shall also be registered pursuant to the provisions of section 49-402(3),
6 Idaho Code. A motorbike that meets the requirements specified in sec-
7 tion 49-114(~~10~~), Idaho Code, and that is registered pursuant to section
8 49-402(3), Idaho Code, shall not be required to obtain a restricted license
9 plate pursuant to section 49-402(4), Idaho Code. A motorbike, all-terrain
10 vehicle, specialty off-highway vehicle or utility type vehicle operated
11 exclusively off-highway or on highways located on state lands or federal
12 lands which are not part of the highway system of the state of Idaho and that
13 meet the registration requirements specified in this section shall not be
14 required to obtain a restricted vehicle license plate pursuant to section
15 49-402(4), Idaho Code.

16 (4) Nonresidents shall be allowed to purchase a restricted vehicle li-
17 cense plate pursuant to section 49-402(4), Idaho Code, and/or a sticker for
18 an all-terrain vehicle, motorbike or utility type vehicle.