

Dear Senators ANDREASON, McKague, Stennett, and
Representatives BLACK, Henderson, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of
the Idaho Driving Businesses Licensure Board:

IDAPA 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board (Docket No.
24-2501-1101).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 08/18/2011. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/16/2011.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX
number indicated on the memorandum enclosed.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Commerce & Human Resources Committee and the House Business Committee
FROM: Legislative Research Analyst - Ryan Bush
DATE: August 01, 2011
SUBJECT: Idaho Driving Businesses Licensure Board

IDAPA 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board (Docket No. 24-2501-1101)

The Idaho Driving Businesses Licensure Board submits notice of proposed rulemaking at IDAPA 24.25.01 - Rules of the Idaho Driving Businesses Licensure Board. The Board states that it is raising the initial application processing fee from fifty dollars (\$50.00) to seventy-five dollars (\$75.00), raising the original instructor license fee and renewal fee from fifty dollars (\$50.00) to one hundred dollars (\$100) and raising the original business license fee and renewal fee from five hundred dollars (\$500) to six hundred dollars (\$600).

The Board states that negotiated rulemaking was not conducted because the proposed revisions were discussed in a noticed open meeting.

The proposed rule appears to be within the authority granted to the Idaho Driving Businesses Licensure Board in Section 54-5404, Idaho Code.

cc: Idaho Driving Businesses Licensure Board
Tana Cory & Cherie Simpson

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES

24.25.01 - RULES OF THE IDAHO DRIVING BUSINESSES LICENSURE BOARD

DOCKET NO. 24-2501-1101

NOTICE OF RULEMAKING - PROPOSED FEE RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 54-5403, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than August 17, 2011.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The Board of Driving Businesses was established in 2009. The Board's expenses have been exceeding the revenue brought in by fees. This change will help balance the Board's annual budget and maintain the services necessary to preserve the health and safety of the public.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Rule 175.01 is being amended to increase the application fee from \$50 to \$75, the original instructor license and the annual renewal fee from \$50 to \$100, and the original business license fee and the annual renewal fee from \$500 to \$600. The anticipated impact is a total positive increase of \$9,750 to the dedicated fund based on 225 current licensees.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

There is no negative impact on general or dedicated funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule changes were discussed in a noticed open meeting.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Cherie Simpson at (208) 334-3233.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 24, 2011.

DATED this 7th day of July, 2011.

Tana Cory
Bureau Chief
Bureau of Occupational Licenses
700 W State St.
Boise, ID 83720-0063
Phone: (208) 334-3233
Fax: (208) 334-3945

THE FOLLOWING IS THE PROPOSED TEXT OF FEE DOCKET NO. 24-2501-1101

175. FEES (RULE 175).

- 01. Fees.** The following fees are established by the Board: (4-7-11)
- a.** Initial application processing fee - ~~fifty~~ **seventy-five** dollars (~~\$50~~**75**). (~~4-7-11~~)()
 - b.** Original instructor license fee and renewal fee - ~~fifty~~ **one hundred** dollars (~~\$50~~**100**). (~~4-7-11~~)()
 - c.** Instructor apprentice permit fee - fifty dollars (\$50). (4-7-11)
 - d.** Original business license fee and renewal fee - ~~five~~ **six** hundred dollars (~~\$5~~**6**00). (~~4-7-11~~)()
 - e.** Reinstatement fee - twenty-five dollars (\$25). (4-7-11)
- 02. Refund of Fees.** All fees are non-refundable. (4-7-11)

COST/BENEFIT ANALYSIS FORM
Idaho Bureau of Occupational Licenses

Docket Number: 24-2501-1101

Agency Contact: Tana Cory
Phone: (208) 334-3233

Date Analysis Completed: 7/22/11

IDAPA Chapter Number and Title: IDAPA 24.25.01, "Rules of the Idaho Driving Businesses Licensure Board"

Fee Rule Status: Proposed

Instructions:

Section 67-5223(3), Idaho Code, adopted by the 2010 Legislature, requires that all proposed rules in which a fee or charge is imposed or increased must include a cost/benefit analysis of the rule change at the time the rule text is submitted for publication. This analysis needs to include an estimated cost to the agency to implement the rule and an estimated cost to be borne by citizens, or the private sector, or both. This statute change is effective July 1, 2010, and must be completed for fee rules published in the Idaho Administrative Bulletin after that date.

Cost/Benefit Analysis For This Rule Change:

Increase in Fees

Section 54-5404, Idaho Code allows for the setting of fees collected for applications, licenses, and renewal. Rule 175.01 is being amended to increase the application fee from \$50 to \$75, the original instructor license and annual renewal fee from \$50 to \$100, and the original business license and renewal fee from \$500 to \$600. The anticipated impact is a total positive increase of \$9,750 to the dedicated fund based on 225 current licensees. This change will help balance the Board's annual budget and maintain the services necessary to preserve the health and safety of the public. This Board was created by the legislature in 2009. The board based its fees on an estimated number of licensees and expenses. As of the end of FY 2011, the Board had a negative balance of (\$23,368.81).