



Jeff Youtz  
Director

# Legislative Services Office

## Idaho State Legislature

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### MEMORANDUM

**TO:** Senators PEARCE, Bair, Werk and,  
Representatives STEVENSON, Shepherd, Pence

**FROM:** Katharine Gerrity - Principal Legislative Research Analyst

**DATE:** October 25, 2011

**SUBJECT:** Temporary Rule

IDAPA 26.01.36 - Rules Governing the Winter Recreational Parking Permit Program - Temporary Rule - Docket No. 26-0136-1101

We are forwarding this memo to you for your information only. No analysis was done by LSO on this temporary rule. This rule is posted on our web site, so click on the link to see the rule. Please call with any questions - 334-4845. Thank you.

Mike Nugent Manager  
Research & Legislation

Cathy Holland-Smith, Manager  
Budget & Policy Analysis

Don H. Berg, Manager  
Legislative Audits

Glenn Harris, Manager  
Information Technology

## **IDAPA 26 - DEPARTMENT OF PARKS AND RECREATION**

### **26.01.36 - RULES GOVERNING THE WINTER RECREATIONAL PARKING PERMIT PROGRAM**

**DOCKET NO. 26-0136-1101**

#### **NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is January 1, 2012.

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 67-5201 et seq., 67-4223, and 67-7115 et seq., Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

Idaho Department of Parks and Recreation is in the process of expanding their on-line registration services. One change will allow customers to purchase winter recreation annual passes and temporary three (3) day permits via the IDPR web site. This rule change allows the temporary three (3) day permit to be placed on the vehicle dashboard or use the option of hanging the permit.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1) Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Adoption of the aforementioned rule allows for (3) day permits purchased online to be placed upon the driver side dashboard of the vehicle, while allowing (3) day permits purchased through established IDPR vendors to remain unchanged.

**FEE SUMMARY:** Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein:

No fee or charge is being imposed or increased as a result of this rulemaking.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Tamara Humiston, 208.514.2460.

DATED this 18th day of October, 2011.

Nancy Merrill  
Director  
Idaho Department of Parks and Recreation  
5657 Warm Springs Avenue  
Boise, ID 83716  
PO Box 83720  
Boise, ID 83720-0065  
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**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 26-0136-1101**

**050. LOCATION OF PERMIT ON VEHICLE.**

The annual winter recreational parking permit shall be permanently affixed on the front window of the vehicle nearest the driver's seat and the temporary three (3) day permit shall be ~~hung on the vehicle's interior rear view mirror~~ displayed on the vehicle's dashboard with the dated side displayed to the front of the vehicle in such a manner that it is completely visible and shall be kept in legible condition at all times. No person shall transfer or attempt to transfer an annual winter recreational parking permit decal or a temporary three (3) day permit ~~hangtag~~ hanging from the vehicle upon which it was legally registered and placed. ~~(7-1-93)~~(1-1-12)T

**051. -- 099. (RESERVED)**

**100. PERMIT COST, EXPIRATION.**

The fee for an annual winter recreational parking permit shall not exceed thirty dollars (\$30). The fee for a temporary winter recreational parking permit shall not exceed ten dollars (\$10). The annual winter recreational parking permit is valid until the expiration date printed on the decal. The temporary winter recreational parking permit is valid for only the three (3) consecutive days written on the permit ~~hangtag~~. ~~(7-1-99)~~(1-1-12)T