

Moved by Ellsworth

Seconded by Hagedorn

IN THE HOUSE OF REPRESENTATIVES
HOUSE AMENDMENT TO S.B. NO. 1243

AMENDMENT TO THE BILL

1
2 On page 1 of the printed bill, delete lines 18 through 42; and delete
3 pages 2, 3, 4, 5, 6 and 7, and insert:

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

6 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each
7 pickup truck, each neighborhood electric vehicle and each other motor ve-
8 hicle having a maximum gross weight not in excess of eight thousand (8,000)
9 pounds and that complies with the federal motor vehicle safety standards as
10 defined in section 49-107, Idaho Code, shall be:

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

16 There shall be twelve (12) registration periods, starting in January
17 for holders of validation registration stickers numbered 1, and proceed-
18 ing consecutively through December for holders of validation registration
19 stickers numbered 12, each of which shall start on the first day of a calendar
20 month and end on the last day of the twelfth month from the first day of the
21 beginning month. Registration periods shall expire midnight on the last day
22 of the registration period in the year designated by the validation regis-
23 tration sticker. The numeral digit on the validation registration stickers
24 shall, as does the registration card, fix the registration period under the
25 staggered plate system of Idaho for the purpose of reregistration and notice
26 of expiration.

27 A vehicle that has once been registered for any of the above designated
28 periods shall, upon reregistration, be registered for the period bearing the
29 same number, and the registration card shall show and be the exclusive proof
30 of the expiration date of registration and licensing. Vehicles may be ini-
31 tially registered for less than a twelve (12) month period, or for more than a
32 twelve (12) month period, and the fee prorated on a monthly basis if the frac-
33 tional registration tends to fulfill the purpose of the monthly series reg-
34 istration system.

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

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

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

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

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

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

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

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

1 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D,
 2 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G,
 3 49-420H, 49-420I, 49-420J and 49-420K, Idaho Code, and any new special plate
 4 program effective on and after January 1, 2013, pursuant to section 49-402D,
 5 Idaho Code, there shall be an initial program fee of thirty-five dollars
 6 (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The
 7 fees contained in this subsection shall be applicable to all new special
 8 plate programs. The initial program fee and the annual program fee shall be
 9 deposited in the state highway account and shall be used to fund the cost of
 10 administration of special license plate programs, unless otherwise speci-
 11 fied by law.

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

16 SECTION 2. That Chapter 4, Title 49, Idaho Code, be, and the same is
 17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 18 ignated as Section 49-402D, Idaho Code, and to read as follows:

19 49-402D. SPECIAL LICENSE PLATE PREQUALIFICATION PROCESS. (1) Any
 20 special plate consideration shall:

21 (a) Submit a financial plan for the use of the proceeds from the special
 22 license plate sales; and

23 (b) Designate an individual who shall be deemed responsible by the
 24 agency for certifying compliance with the requirements of this section
 25 and working with the department; and

26 (c) Submit evidence to the department that the applicant has 501(c)(3)
 27 federal income tax status that has been in existence for at least two (2)
 28 years.

29 (d) The department is authorized and shall adopt and promulgate rules
 30 to carry out the provisions of this section.

31 (2) If the request for a special license plate is approved by the de-
 32 partment, the following requirements, in addition to those set out in sub-
 33 section (1) of this section, shall be met by September 1 prior to the next
 34 legislative session.

35 (a) The applicant shall deposit estimated programming and administra-
 36 tive costs with the department to be utilized for programming costs of
 37 the specialty plate. Administrative costs in the amount of one thousand
 38 dollars (\$1,000) shall be nonrefundable.

39 (b) In addition to the requirements provided for in section 49-402C,
 40 Idaho Code, the applicant requesting a special license plate program
 41 shall provide to the department an acceptable plate design.

42 (c) The applicant shall transmit to the department a list of two hundred
 43 fifty (250) applicants whose vehicles are currently registered in the
 44 state of Idaho, who intend to purchase the specialty plate when avail-
 45 able, as evidenced by completing forms provided by the department.

46 (3) The department shall submit the completed applications for special
 47 license plate programs that meet the requirements of this section to the
 48 chairmen of the senate transportation committee and the house of representa-

1 tives transportation and defense committee each year on behalf of the agency
2 to be included for consideration in the next legislative session.

3 (4) On an annual basis, by December 1 of each calendar year, the appli-
4 cant that is a requestor of a special license plate program, shall prepare an
5 annual report, which shall be made available on request, and shall be for-
6 warded to the department. Such report shall include an accounting of rev-
7 enues and expenditures associated with the funds collected for the special
8 license plate program. The department shall compile and forward such re-
9 ports to the chairmen of the senate transportation committee and the house of
10 representatives transportation and defense committee by January 15 of each
11 year. Failure of the agency to provide such report by the due date shall re-
12 sult in the suspension of the special license plate program sales on January
13 1 until such report is provided.

14 (5) Any decision by the department that the special license plate pro-
15 gram application does not meet the provisions of this section may be appealed
16 to the director of the department. Such notice of appeal shall be made in
17 writing within twenty (20) days of the notice of denial."

18 CORRECTION TO TITLE

19 On page 1, delete lines 2 through 16, and insert:

20 "RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSE PLATES; AMENDING SEC-
21 TION 49-402, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INITIAL
22 PROGRAM FEES; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDI-
23 TION OF A NEW SECTION 49-402D, IDAHO CODE, TO PROVIDE THAT ANY APPLICANT
24 SEEKING TO PARTICIPATE IN THE SPECIAL LICENSE PLATE PROGRAM SHALL BE
25 REQUIRED TO COMPLETE AN APPLICATION PROCESS, TO PROVIDE REQUIREMENTS,
26 TO PROVIDE FOR RULES, TO PROVIDE ADDITIONAL REQUIREMENTS, TO PROVIDE
27 THAT THE DEPARTMENT SHALL SUBMIT COMPLETED APPLICATIONS TO THE CHAIRMEN
28 OF THE SENATE TRANSPORTATION COMMITTEE AND THE HOUSE OF REPRESENTATIVES
29 TRANSPORTATION AND DEFENSE COMMITTEE, TO PROVIDE FOR A REPORT AND TO
30 PROVIDE FOR APPEALS."