

IN THE SENATE

SENATE BILL NO. 1243, As Amended in the House, As Amended in the House

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSE PLATES; AMENDING SECTION  
2 49-402, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INITIAL PROGRAM  
3 FEES; AND AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A  
4 NEW SECTION 49-402D, IDAHO CODE, TO PROVIDE THAT ANY APPLICANT SEEKING  
5 TO PARTICIPATE IN THE SPECIAL LICENSE PLATE PROGRAM SHALL BE REQUIRED  
6 TO COMPLETE AN APPLICATION PROCESS, TO PROVIDE REQUIREMENTS, TO PRO-  
7 VIDE FOR RULES, TO PROVIDE ADDITIONAL REQUIREMENTS, TO PROVIDE THAT  
8 THE DEPARTMENT SHALL SUBMIT COMPLETED APPLICATIONS TO THE CHAIRMEN OF  
9 THE SENATE TRANSPORTATION COMMITTEE AND THE HOUSE OF REPRESENTATIVES  
10 TRANSPORTATION AND DEFENSE COMMITTEE, TO PROVIDE FOR A REPORT AND TO  
11 PROVIDE FOR APPEALS.  
12

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

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

16 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each  
17 pickup truck, each neighborhood electric vehicle and each other motor ve-  
18 hicle having a maximum gross weight not in excess of eight thousand (8,000)  
19 pounds and that complies with the federal motor vehicle safety standards as  
20 defined in section 49-107, Idaho Code, shall be:

21 Vehicles one (1) and two (2) years old .....\$48.00  
22 Vehicles three (3) and four (4) years old .....\$36.00  
23 Vehicles five (5) and six (6) years old .....\$36.00  
24 Vehicles seven (7) and eight (8) years old .....\$24.00  
25 Vehicles over eight (8) years old .....\$24.00

26 There shall be twelve (12) registration periods, starting in January  
27 for holders of validation registration stickers numbered 1, and proceed-  
28 ing consecutively through December for holders of validation registration  
29 stickers numbered 12, each of which shall start on the first day of a calendar  
30 month and end on the last day of the twelfth month from the first day of the  
31 beginning month. Registration periods shall expire midnight on the last day  
32 of the registration period in the year designated by the validation regis-  
33 tration sticker. The numeral digit on the validation registration stickers  
34 shall, as does the registration card, fix the registration period under the  
35 staggered plate system of Idaho for the purpose of reregistration and notice  
36 of expiration.

37 A vehicle that has once been registered for any of the above designated  
38 periods shall, upon reregistration, be registered for the period bearing the  
39 same number, and the registration card shall show and be the exclusive proof  
40 of the expiration date of registration and licensing. Vehicles may be ini-  
41 tially registered for less than a twelve (12) month period, or for more than a  
42 twelve (12) month period, and the fee prorated on a monthly basis if the frac-

1 tional registration tends to fulfill the purpose of the monthly series reg-  
2 istration system.

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

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

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

23 (5) For all motor homes the fee shall be as specified in subsection (1)  
24 of this section and shall be in addition to the fees provided for in section  
25 49-445, Idaho Code.

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

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

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

47 (9) In addition to the annual registration fee in this section, there  
48 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-  
49 nual program fee of fifteen dollars (\$15.00) for all special license plate  
50 programs for those license plates issued pursuant to sections 49-404A,

1 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For  
 2 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,  
 3 there shall be an initial program fee of twenty-five dollars (\$25.00) but  
 4 there shall be no annual renewal fee. For special plates issued pursuant  
 5 to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D,  
 6 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A,  
 7 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D,  
 8 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G,  
 9 49-420H, 49-420I, 49-420J and 49-420K, Idaho Code, and any new special plate  
 10 program effective on and after January 1, 2013, pursuant to section 49-402D,  
 11 Idaho Code, there shall be an initial program fee of thirty-five dollars  
 12 (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The  
 13 fees contained in this subsection shall be applicable to all new special  
 14 plate programs. The initial program fee and the annual program fee shall be  
 15 deposited in the state highway account and shall be used to fund the cost of  
 16 administration of special license plate programs, unless otherwise speci-  
 17 fied by law.

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

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

25 49-402D. SPECIAL LICENSE PLATE PREQUALIFICATION PROCESS. (1) Any  
 26 special plate consideration shall:

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

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

32 (c) If the applicant is a nonprofit agency, submit evidence to the de-  
 33 partment that the applicant has 501(c)(3) federal income tax status  
 34 that has been in existence for at least two (2) years.

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

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

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

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

48 (c) The applicant shall transmit to the department a list of two hundred  
 49 fifty (250) applicants whose vehicles are currently registered in the

1 state of Idaho, who intend to purchase the specialty plate when avail-  
2 able, as evidenced by completing forms provided by the department.

3 (3) The department shall submit the completed applications for special  
4 license plate programs that meet the requirements of this section to the  
5 chairmen of the senate transportation committee and the house of representa-  
6 tives transportation and defense committee each year on behalf of the agency  
7 to be included for consideration in the next legislative session.

8 (4) On an annual basis, by December 1 of each calendar year, the spon-  
9 sor of a special license plate program, shall prepare an annual report, which  
10 shall be made available on request, and shall be forwarded to the department.  
11 Such report shall include an accounting of revenues and expenditures asso-  
12 ciated with the funds collected for the special license plate program. The  
13 department shall compile and forward such reports to the chairmen of the sen-  
14 ate transportation committee and the house of representatives transporta-  
15 tion and defense committee by January 15 of each year. Failure of the agency  
16 to provide such report by the due date shall result in the suspension of the  
17 special license plate program sales on January 1 until such report is pro-  
18 vided. The provisions of this section shall apply to all special plate pro-  
19 grams generating revenue outside of the department excluding military li-  
20 cense plate programs.

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