

Moved by Brackett

Seconded by Hagedorn

IN THE SENATE
SENATE AMENDMENT TO H.B. NO. 492

AMENDMENT TO SECTION 2

1
2 On page 3 of the printed bill, delete lines 1 through 48; on page 4, delete
3 lines 1 through 50; and on page 5, delete lines 1 through 10, and insert:

4 "SECTION 2. That Section 67-7008, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 67-7008. CERTIFICATE OF REGISTRATION NUMBER -- EXPIRATION --
7 FEES. (1) Within fifteen (15) days after purchase, or as otherwise herein
8 provided, the owner of each vessel requiring numbering by the state of Idaho
9 shall file an application for registration certificate of number with an
10 assessor or authorized vendor on forms provided by the department. The ap-
11 plication shall be signed by the owner and shall be accompanied by the fee
12 herein designated. Upon receipt of an application in approved form, and
13 the appropriate fee, the assessor or authorized vendor shall enter the same
14 upon the records of its office and issue to the applicant two (2) validation
15 stickers and a certificate of registration stating the number issued to the
16 vessel, the receipt of any fee paid and the name and address of the owner,
17 and the assessor or authorized vendor shall forward to the department a
18 duplicate copy. The owner shall also receive a vessel number that shall be
19 permanently assigned to the boat. The owner shall paint on or permanently
20 attach to each side of the bow of the vessel the registration vessel number
21 and validation sticker in a manner as may be prescribed by rules of the de-
22 partment in order that they may be completely visible, and the number shall
23 be maintained in legible condition. The certificate of registration number
24 shall be pocket-size and shall be on board and available at all times for in-
25 spection on the vessel for which issued whenever that vessel is in operation,
26 except that livery operators may have the rental agreement on board rented
27 vessels in lieu of the certificate of registration number.

28 (2) The owner of any vessel for which a current certificate of
29 registration number has been issued pursuant to any federal law or a fed-
30 erally approved numbering system of another state shall, if the vessel is
31 operated on the waters of this state in excess of sixty (60) days, make appli-
32 cation for a an Idaho certificate of Idaho registration number in the manner
33 prescribed in this section.

34 (3) Each assessor and authorized vendor shall record, on a form pro-
35 vided by the department, the names of all owners of vessels who make appli-
36 cation for certificates of registration number, together with the amount of
37 the fees paid by the owners. He shall, on or before the tenth of each month,
38 forward to the department a duplicate copy of each record for the preceding
39 month.

1 (4) All records of the department made or kept pursuant to this section
2 shall be kept current and shall be public records.

3 (5) Every certificate of registration number issued shall continue
4 in full force and effect through December 31 of the year of issue unless
5 sooner terminated or discontinued in accordance with law. Certificates of
6 registration number may be renewed by the owner in the same manner provided
7 for in the initial securing of them.

8 (6) The owner of any vessel shall notify the department within fifteen
9 (15) days if his vessel is destroyed or abandoned, or is sold or transferred
10 either wholly or in part to another person or persons or if the owner's
11 address no longer conforms to the address appearing on the certificate of
12 registration number. In all such cases, the notice shall be accompanied by
13 a surrender of the certificate of registration number. When the surrender
14 of the certificate is by reason of the vessel being destroyed, abandoned or
15 sold, the department shall cancel the certificate and enter that fact in its
16 records. If the surrender is by reason of a change of address on the part
17 of the owner, the new address shall be endorsed on the certificate and the
18 certificate returned to the owner.

19 (7) Whenever the ownership of a vessel changes, the purchaser shall,
20 within fifteen (15) days after acquisition, make application to the depart-
21 ment for transfer to him of the certificate of registration number issued for
22 the vessel, giving his name, address, and the vessel number of the vessel and
23 shall, at the same time, pay to the department a transfer fee of three dol-
24 lars (\$3.00). Upon receipt of the application and fee, the department shall
25 transfer the certificate of registration number issued for the vessel to the
26 new owner or owners. Unless the application is made and the fee paid within
27 fifteen (15) days, the vessel shall be considered to be without a certificate
28 of registration number.

29 (8) No numbers other than the registration validation stickers and ves-
30 sel number issued to a vessel or granted by reciprocity pursuant to law shall
31 be painted, attached, or otherwise displayed on either side of the bow of the
32 vessel.

33 (9) If any certificate of registration number becomes lost, mutilated,
34 or becomes illegible, the owner of the vessel for which the same was issued
35 shall obtain a duplicate of the certificate from the department upon appli-
36 cation and the payment of a fee of three dollars (\$3.00). If one or both val-
37 idation stickers are lost, stolen, or destroyed, any sticker remnants and
38 the certificate of registration number should be returned to the department
39 along with a three dollar (\$3.00) fee and an application for a duplicate cer-
40 tificate of registration number and validation stickers.

41 (10) A person engaged in the manufacture or sale of vessels of a type
42 otherwise required to be numbered by law, may obtain pursuant to regulations
43 duly promulgated by the department, certificates of registration number for
44 use in the testing or demonstration only of a vessel upon payment of thirteen
45 dollars (\$13.00) for each certificate. Certificates of registration number
46 so issued may be used by the applicant in the testing or demonstration only of
47 vessels by temporary placement of the numbers assigned by the certificates
48 on the vessel tested or demonstrated, and shall be issued and displayed as
49 otherwise prescribed by this chapter or by regulation of the department.

50 (11) The registration fees shall be:

1 be available at all times for inspection on the snowmobile for which issued,
2 wherever the snowmobile is in operation.

3 (2) The department may issue any certificate of number directly or
4 may authorize any persons to act as vendor for the issuance. In the event
5 a person accepts the authorization, he may be assigned a block of ~~numbers~~
6 validation stickers and certificates of number which upon issue, in confor-
7 mity with this chapter and with any rules of the department, shall be valid as
8 if issued directly by the department.

9 (3) All records of the department made or kept pursuant to this section
10 shall be public records.

11 (4) Each snowmobile must be ~~registered~~ numbered before it leaves the
12 premises at the time of sale from any retail snowmobile dealer.

13 (5) The purchaser of a snowmobile shall, within fifteen (15) days im-
14 mediately after acquisition, make application to the department for trans-
15 fer to him of the certificate of number issued to the snowmobile, giving his
16 name, address and the number of the snowmobile and shall at the same time pay
17 to the department a fee of three dollars (\$3.00). Upon receipt of the appli-
18 cation and fee, the department shall transfer the certificate of number is-
19 sued for the snowmobile to the new owner or owners. Unless the application
20 is made and fee paid within fifteen (15) days, the snowmobile shall be con-
21 sidered to be without a certificate of number and it shall be unlawful for any
22 person to operate that snowmobile until the certificate is issued.

23 (6) No number other than the ~~number~~ validation stickers issued to a
24 snowmobile pursuant to this chapter shall be painted, attached, or otherwise
25 displayed on the snowmobile, except a temporary number may be attached to
26 identify a snowmobile for the purpose of racing or other sporting events.

27 (7) Resident and nonresident owners of snowmobiles used for rental
28 purposes shall purchase ~~certificates of number~~ validation stickers for
29 sixty-one dollars (\$61.00) and the ~~certificates of number~~ validation stick-
30 ers shall be displayed on the machine at all times."

31 AMENDMENT TO SECTION 5

32 On page 7, delete lines 29 through 48, and insert:

33 "SECTION 5. That Section 67-7104, Idaho Code, be, and the same is hereby
34 amended to read as follows:

35 67-7104. NONRESIDENT SNOWMOBILE USER CERTIFICATE REQUIRED. The owner
36 of a nonresident, noncommercial snowmobile shall not be required to comply
37 with the ~~registration~~ certificate of numbering requirements of the state
38 of Idaho, but shall be required to obtain a nonresident snowmobile user
39 certificate. A fee of thirty-one dollars (\$31.00) shall be imposed for the
40 issuance of a nonresident snowmobile user certificate. The ~~certificate of~~
41 ~~number~~ validation stickers shall be displayed in the same manner as provided
42 in section 67-7103, Idaho Code. ~~Such~~ Nonresident snowmobile user certifi-
43 cates shall be valid beginning November 1 through October 31 of the following
44 year. Issuance and administration of nonresident snowmobile user certifi-
45 cates shall be conducted in the same manner as provided in section 67-7103,
46 Idaho Code, for numbering of snowmobiles.

47 (1) For purposes of this section, "nonresident" shall be as defined in
48 section 36-202, Idaho Code.

1 (2) In the absence of a bona fide program in the area or upon the re-
 2 quest of the bona fide county snowmobile advisory committee of the nearest
 3 affected county in Idaho, the requirements for the nonresident snowmobile
 4 user certificate may be waived by the parks and recreation board on specific
 5 trails where the snowmobile trail grooming is solely supported by a state
 6 other than Idaho."

7 AMENDMENT TO SECTION 11

8 On page 9, delete lines 23 through 45; on page 10, delete lines 1 through
 9 50; and on page 11, delete lines 1 through 7, and insert:

10 "SECTION 11. That Section 67-7122, Idaho Code, be, and the same is
 11 hereby amended to read as follows:

12 67-7122. ~~REQUIREMENTS -- REGISTRATION -- PROCEDURE APPLICATION FOR~~
 13 ~~CERTIFICATE OF NUMBER -- ATTACHMENT OF VALIDATION STICKERS -- CERTIFICATE --~~
 14 ~~FEES.~~ (1) On or before January 1 of each year, the owner of any all-terrain
 15 vehicle, motorbike, specialty off-highway vehicle or utility type vehicle
 16 as defined in section 67-7101, Idaho Code, or any motorcycle as defined in
 17 section 49-114, Idaho Code, used off public highways, on highways located
 18 on state lands or federal lands which are not part of the highway system of
 19 the state of Idaho or on highways as prescribed in section 49-426(3) and
 20 (4), Idaho Code, but excluding those vehicles used exclusively on private
 21 land for agricultural use or used exclusively for snow removal purposes as
 22 provided in section 49-426(2), Idaho Code, shall ~~register~~ obtain a number
 23 certificate for that vehicle at any vendor authorized by the department.
 24 Effective January 1, 2010, a fee of twelve dollars (\$12.00) shall be charged
 25 for each ~~registration number certificate~~, which fee includes a one dollar
 26 and fifty cent (\$1.50) fee to be retained by the vendor and the remainder
 27 of which shall be remitted to the department together with a ~~duplicate copy~~
 28 ~~of the application form~~, information noting the number of the ~~registration~~
 29 ~~sticker certificate~~ issued, the identity of the owner that purchased the
 30 number certificate, the owner's designated county use area and the type of
 31 machine to which the owner will affix the certificate of number, e.g., mo-
 32 torbike, all-terrain vehicle, utility type vehicle or specialty off-highway
 33 vehicle. The foregoing shall not prohibit the department from collecting
 34 such further information as it may deem necessary or helpful to its adminis-
 35 trative duties under this chapter.

36 (2) At the time of sale from any dealer, each motorbike, all-terrain
 37 vehicle or utility type vehicle sold to an Idaho resident, but excluding
 38 those vehicles to be used exclusively on private land for agricultural use or
 39 used exclusively for snow removal purposes as provided in section 49-426(2),
 40 Idaho Code, must be ~~registered~~ obtain a number certificate.

41 (a) Application blanks and ~~registration validation~~ stickers shall
 42 be supplied by the department and the ~~registration validation~~ sticker
 43 shall be issued to the person making application for ~~registration~~
 44 number certificate.

45 (b) All ~~registration stickers which~~ number certificates that are is-
 46 ssued shall be in force through December 31 of the issued year. All
 47 registration stickers number certificates shall be renewed by the owner
 48 of the all-terrain vehicle, motorbike, specialty off-highway vehicle

1 or utility type vehicle in the same manner provided for in the initial
 2 securing of the same or with any vendor authorized by the department. A
 3 vendor issuing a renewal ~~registration sticker~~ number certificate shall
 4 retain a one dollar and fifty cent (\$1.50) vendor fee and remit the
 5 remainder of the twelve dollar (\$12.00) renewal ~~registration sticker~~
 6 number certificate fee to the department together with a ~~duplicate~~
 7 ~~copy of the application form, noting the number of the registration~~
 8 ~~sticker issued information noting the number of the certificate issued,~~
 9 ~~the identity of the owner that purchased the number certificate, the~~
 10 ~~owner's designated county use area, and the type of machine to which the~~
 11 ~~owner will affix the validation stickers, e.g., motorbike, all-ter-~~
 12 ~~rain vehicle, utility type vehicle or specialty off-highway vehicle.~~
 13 The foregoing shall not prohibit the department from collecting such
 14 additional information as it may deem necessary or helpful to its admin-
 15 istrative duties under this chapter.

16 (c) The issued ~~registration~~ validation sticker shall be placed upon the
 17 restricted vehicle license plate of the all-terrain vehicle, motorbike
 18 or utility type vehicle, or upon the right fork of a vehicle registered
 19 pursuant to section 49-402(3), Idaho Code, or of a motorbike if used
 20 exclusively off-highway, or upon the rear fender of an all-terrain ve-
 21 hicle, specialty off-highway vehicle or utility type vehicle if used
 22 exclusively off-highway. The placement shall be made in such a manner
 23 that it is completely visible, does not cover the license plate numbers
 24 or letters, if licensed, and shall be kept in a legible condition at all
 25 times.

26 (3) For operation of a motorbike that meets the requirements speci-
 27 fied in section 49-114(10), Idaho Code, on the public highways, the vehicle
 28 shall also be registered pursuant to the provisions of section 49-402(3),
 29 Idaho Code. A motorbike that meets the requirements specified in sec-
 30 tion 49-114(10), Idaho Code, and that is registered pursuant to section
 31 49-402(3), Idaho Code, shall not be required to obtain a restricted license
 32 plate pursuant to section 49-402(4), Idaho Code. A motorbike, all-terrain
 33 vehicle, specialty off-highway vehicle or utility type vehicle operated
 34 exclusively off-highway or on highways located on state lands or federal
 35 lands which are not part of the highway system of the state of Idaho and that
 36 meet the registration requirements specified in this section shall not be
 37 required to obtain a restricted vehicle license plate pursuant to section
 38 49-402(4), Idaho Code.

39 (4) Nonresidents shall be allowed to purchase a restricted vehicle
 40 license plate pursuant to section 49-402(4), Idaho Code, and/or a ~~sticker~~
 41 number certificate for an all-terrain vehicle, motorbike or utility type
 42 vehicle.".

43 AMENDMENT TO SECTION 12

44 On page 11, delete lines 8 through 22, and insert:

45 "SECTION 12. That Section 67-7123, Idaho Code, be, and the same is
 46 hereby amended to read as follows:

47 67-7123. TRANSFER OF ~~REGISTRATION STICKER~~ NUMBER CERTIFICATES AND
 48 RESTRICTED VEHICLE LICENSE PLATE. The purchaser of an all-terrain vehicle,

1 utility type vehicle or motorbike, which has been previously ~~registered~~
 2 issued a number certificate pursuant to section 67-7122, Idaho Code, and
 3 issued a restricted vehicle license plate pursuant to section 49-402, Idaho
 4 Code, shall within fifteen (15) days after acquiring same, make application
 5 to the county assessor or county motor vehicle office as may be designated by
 6 the county assessor for transfer to him of the ~~sticker of registration number~~
 7 certificate and restricted vehicle license plate issued to the vehicle,
 8 giving the same information as on the original application and the number of
 9 the ~~registration sticker number certificate~~ and restricted vehicle license
 10 plate, and shall at the same time pay a transfer fee of one dollar and fifty
 11 cents (\$1.50).".

12 AMENDMENT TO SECTION 13

13 On page 11, delete lines 23 through 37, and insert:

14 "SECTION 13. That Section 67-7124, Idaho Code, be, and the same is
 15 hereby amended to read as follows:

16 67-7124. NONRESIDENT -- EXEMPTION. (1) The provisions of section
 17 67-7122, Idaho Code, regarding ~~registration number certificates~~ shall not
 18 apply to any nonresident owner; provided the all-terrain vehicle, utility
 19 type vehicle, specialty off-highway vehicle or motorbike is currently and
 20 properly registered or numbered in the state of the owner's residence. Own-
 21 ers of an all-terrain vehicle, utility type vehicle, specialty off-highway
 22 vehicle or motorbike from states that do not have a registration or numbering
 23 requirement shall be ~~registered~~ numbered in Idaho under the provisions of
 24 section 67-7122, Idaho Code, prior to operation in this state.

25 (2) Nonresidents with an all-terrain vehicle, utility type vehicle,
 26 specialty off-highway vehicle or motorbike registered or numbered in an-
 27 other state shall have the same use privileges and responsibilities as a
 28 resident of this state with a properly registered or numbered vehicle.".

29 AMENDMENT TO SECTION 15

30 On page 12, delete lines 45 through 49; and on page 13, delete lines 1
 31 through 32, and insert:

32 "SECTION 15. That Section 67-7126, Idaho Code, be, and the same is
 33 hereby amended to read as follows:

34 67-7126. ESTABLISHMENT OF ACCOUNT -- DISTRIBUTION OF FEES. There is
 35 established in the state treasurer's office an account to be known and des-
 36 ignated as the "motorbike recreation account." The twelve dollar (\$12.00)
 37 fee collected for off-highway vehicle ~~registration stickers~~ number certifi-
 38 cates shall be allocated as follows:

39 (1) Vendors shall charge and retain one dollar and fifty cents (\$1.50)
 40 for a handling fee;

41 (2) Up to fifteen percent (15%) shall be allotted to the department
 42 for administration and for the production of ~~registration number certifi-~~
 43 cates and validation stickers, which moneys shall be placed in the motorbike
 44 recreation account. The department shall annually publish a report specifi-
 45 cally identifying the uses of account moneys;

1 (3) One dollar (\$1.00) shall be deposited into the off-highway vehicle
2 law enforcement fund. Moneys in said fund shall be paid and used as follows:

3 (a) Sheriffs of counties with a current or an actively developing off-
4 highway vehicle law enforcement program recognized by the department
5 shall receive moneys from the fund based upon a formula as provided in
6 rule promulgated by the board; and

7 (b) Moneys from the fund shall be used only for off-highway related law
8 enforcement activities; and

9 (4) One dollar (\$1.00) shall be allocated to the Idaho department of
10 lands to provide off-highway vehicle opportunities and to repair damage di-
11 rectly related to off-highway vehicle use. The department of lands shall an-
12 nually publish a report specifically identifying the uses of moneys allo-
13 cated pursuant to this subsection; and

14 (5) The remaining funds shall be transmitted to the state treasurer's
15 office for deposit to the credit of the motorbike recreation account, all
16 such moneys to be transmitted to the state treasurer on or before the tenth
17 day of each month.

18 Collection of fees for off-highway vehicle ~~registration number certificates~~
19 shall not impose any additional liability on the state of Idaho or any of its
20 political subdivisions or upon the employees of the state and of its polit-
21 ical subdivisions, and those entities and persons shall retain the limita-
22 tions of liability provided by section 36-1604, Idaho Code, regardless of
23 the use of such fees."

24 AMENDMENT TO THE BILL

25 On page 8, delete lines 1 through 7; and renumber sections accordingly.

26 On page 13, following line 35, insert:

27 "SECTION 16. That Section 67-7003, Idaho Code, be, and the same is
28 hereby amended to read as follows:

29 67-7003. DEFINITIONS. In this chapter:

30 (1) "Actual physical control" means being in the operator's position of
31 the vessel with the motor running or with the vessel moving.

32 (2) "Aids to navigation" means such buoys, batons, markers or other
33 fixed objects in the water which are established and used to mark obstruc-
34 tions or to direct navigation through separate channels.

35 (3) "Authorized vendor" means a retail/commercial enterprise or
36 government office authorized by the department to sell certificates of
37 ~~registration number~~ as provided in section 67-7008, Idaho Code.

38 (4) "Boating law administrator" means the staff person of the Idaho de-
39 partment of parks and recreation appointed by the director and who super-
40 vises the boating program.

41 (5) "Commercial vessel" means any vessel used in the carriage of any
42 person, persons or property for a valuable consideration, whether directly
43 or indirectly flowing to the owner, partner, agent or any other person inter-
44 ested in the vessel.

45 (6) "Department" means the Idaho department of parks and recreation.

46 (7) "Director" means the director of the Idaho department of parks and
47 recreation.

1 (8) "Float house" means a floating structure which is designed and
2 built to be used, or is modified to be used, as a stationary waterborne resi-
3 dential dwelling, has no mode of power of its own, is dependent for utilities
4 upon a continuous utility linkage to a source originating on shore, and has a
5 permanent continuous connection to a sewage system on shore.

6 (9) "Float tube" means any vessel constructed of canvas, nylon or other
7 material encasing an inflatable inner tube which allows the operator to sit
8 inside with his legs dangling below the vessel.

9 (10) "Length of vessel" means the distance measured at the centerline
10 at the highest point above the waterline from the fore-part of the outer
11 hull at the bow to the aft-part of the outer hull at the stern, excepting any
12 bowsprits, railings or extraneous or additional equipment.

13 (11) "Manufacturer" means any person who is engaged in the business of
14 manufacturing or importing new and unused vessels for the purpose of sale or
15 trade.

16 (12) "Operate" means to navigate or otherwise use a vessel on the water
17 of this state.

18 (13) "Operator" means any person who controls the direction or propul-
19 sion of any vessel on the water of this state.

20 (14) "Owner" means any person having a property interest in or entitled
21 to the use or possession of a vessel, including a person entitled to use or
22 possession subject to the interest in another person reserved or created by
23 agreement and securing payment of performance of an obligation, but not in-
24 cluding a lessee under lease not intended as security.

25 (15) "Passenger" means every person carried aboard a vessel other than:

26 (a) The owner or his representative;

27 (b) The operator;

28 (c) A bona fide member of the crew engaged in the business of the vessel
29 who has contributed no consideration for carriage and who is paid for
30 his services; or

31 (d) Any guest on board a vessel which is used exclusively for pleasure
32 purposes who has not contributed any consideration directly or indi-
33 rectly for his carriage.

34 (16) "Person" means any individual, firm, partnership, corporation,
35 company, association, joint stock association, or body politic, except the
36 United States and the state of Idaho, and includes any agent, trustee, execu-
37 tor, reserve assignee or similar representative of any of the above.

38 (17) "Personal watercraft" means a small vessel which uses an outboard
39 motor or an inboard motor powering a water jet pump as its primary source of
40 power and is designed to be operated by a person sitting, standing or kneel-
41 ing on, rather than in the conventional manner of sitting or standing inside
42 the vessel.

43 (18) "Private label merchandiser" means any person engaged in the busi-
44 ness of selling or distributing, under his own trade name, vessels manufac-
45 tured by another.

46 (19) "Regatta," "Race," "Marine Event," "Tournament," or "Exhibition"
47 means an organized water event of limited duration which is conducted ac-
48 cording to a prearranged schedule.

49 (20) "Regulatory markers" means any fixed or anchored aid to navigation
50 which is established and used, but is not limited to, the bathing beach mark-

1 ers, speed zone markers, information markers, swimming or diving markers,
2 floating mooring buoys, fishing buoys or markers for ski courses or jumps.

3 (21) "Rules of the road" means the statutory and regulatory rules gov-
4 erning the navigation of vessels as published by the United States Coast
5 Guard in Navigational Rules International -- Inland.

6 (22) "Vessel" means every description of watercraft, including a sea-
7 plane on the water, used or capable of being used as a means of transportation
8 on water, but does not include float houses, diver's aids operated and de-
9 signed primarily to propel a diver below the surface of the water, and nonmo-
10 torized devices not designed or modified to be used as a means of transporta-
11 tion on the water, such as inflatable air mattresses, single inner tubes, and
12 beach and water toys.

13 (23) "Water of this state" means any waters in the state of Idaho over
14 which the state has jurisdiction.

15 SECTION 17. That Section 67-7008A, Idaho Code, be, and the same is
16 hereby amended to read as follows:

17 67-7008A. ADDITIONAL FEES -- DEPOSIT INTO INVASIVE SPECIES FUND. (1)
18 In addition to any other moneys or fees collected pursuant to the provisions
19 of section 67-7008, Idaho Code, or any other provision of chapter 70, title
20 67, Idaho Code, all vessels shall pay an additional fee each calendar year as
21 follows:

22 (a) Motorized vessels and sailboats:

23 (i) Ten dollars (\$10.00) per vessel ~~registered~~ numbered in the
24 state of Idaho prior to launch into the public waters of the state;

25 (ii) Twenty-two dollars (\$22.00) per vessel documented through
26 the United States coast guard or registered or numbered outside
27 the state of Idaho prior to launch into the public waters of the
28 state.

29 (b) Nonmotorized vessels: Seven dollars (\$7.00) per vessel prior to
30 launch into the public waters of the state.

31 (c) Licensed outfitters, as defined in section 36-2102 (b), Idaho Code,
32 with nonmotorized fleets exceeding five (5) vessels shall be afforded a
33 prorated group rate of thirty-two dollars (\$32.00) for six (6) to ten
34 (10) vessels; fifty-seven dollars (\$57.00) for eleven (11) to twenty
35 (20) vessels; and one hundred two dollars (\$102) for twenty-one (21) or
36 more vessels up to a maximum of one hundred (100) vessels. The fee for
37 any additional vessels shall be one dollar (\$1.00) per vessel. The li-
38 censed outfitter group rates shall also be available for groups exempt
39 from licensing pursuant to section 36-2103, Idaho Code.

40 (2) Upon payment of the fee as provided in this section, the payor shall
41 be issued a protection against invasive species sticker that shall be dis-
42 played on the vessel in a manner as prescribed by the rules of the department.
43 Stickers shall be considered in full force and effect through December 31 of
44 the year of issue.

45 (3) Fees shall be collected by the department or authorized vendor.

46 (a) Vendors may retain one dollar and fifty cents (\$1.50) of fees col-
47 lected pursuant to this section except those collected pursuant to sub-
48 section (1) (a) (i) of this section.

1 (b) The department shall retain up to twenty percent (20%) of the fees
2 for the actual costs of administering the sticker program.

3 (c) All remaining fees collected pursuant to this section shall be de-
4 posited in the invasive species fund established in section 22-1911,
5 Idaho Code.

6 (d) For the purpose of this section, "vessel" is defined in section
7 67-7003(22), Idaho Code. All vessels are subject to the provisions of
8 this section, with the exception of small rafts and other inflatable
9 vessels less than ten (10) feet in length.

10 (4) If the protection against invasive species sticker is lost, stolen
11 or destroyed, any sticker remnants shall be returned to the department along
12 with a three dollar (\$3.00) fee for a duplicate sticker.

13 (5) A person engaged in the manufacture or sale of vessels may obtain
14 a sticker to be used in the testing or demonstration only of vessels by tem-
15 porary placement of the protection against invasive species sticker on the
16 vessel tested or demonstrated.

17 SECTION 18. That Section 67-7010, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 67-7010. UNNUMBERED VESSELS. (1) It shall be unlawful for an owner of
20 a vessel to have such vessel on the waters of the state of Idaho, or for any
21 person to operate or permit the operation of any vessel on the waters of the
22 state of Idaho unless it shall have a current certificate of ~~registration~~
23 number and display a ~~registration~~ vessel number and current validation
24 stickers as provided by law.

25 SECTION 19. That Section 67-7013, Idaho Code, be, and the same is hereby
26 amended to read as follows:

27 67-7013. REMITTANCE OF FEES. (1) There is established in the state
28 treasury an account known as the "State Vessel Account," to which shall be
29 credited:

30 (a) Moneys or fees collected by assessors and authorized vendors, under
31 the provisions of this section and section 67-7008, Idaho Code; and

32 (b) All other moneys as may be provided by law.

33 (2) All fees collected by an assessor or authorized vendor under the
34 provisions of section 67-7008, Idaho Code, shall be forwarded to the state
35 treasurer not later than the fifteenth day of the month following the cal-
36 endar month in which the fees were collected, and the state treasurer shall
37 then pay the moneys collected into the state vessel account and the park and
38 recreation account, as provided in subsection (3) of this section, unless
39 otherwise provided by law.

40 (3) Moneys collected shall be deposited eighty-five percent (85%) to
41 the state vessel account, and fifteen percent (15%) to the park and recre-
42 ation account established in section 67-4225, Idaho Code. The department
43 shall remit the moneys apportioned to county units of government from the
44 state vessel account not later than January 25, April 25, July 25 and Octo-
45 ber 25 of each year.

1 (4) All moneys deposited to the park and recreation account are to be
2 appropriated for the purpose of defraying the expenses, debts and costs in-
3 curred in carrying out the powers and duties of the department as provided in
4 this chapter, and for defraying administrative expenses of the department,
5 including salaries and wages of employees of the department, expenses for
6 traveling, supplies, equipment and other necessary expenses of the depart-
7 ment as they relate to administration of this chapter. All claims against
8 moneys apportioned to the park and recreation account shall be expended
9 by the department and certified to the state controller, who shall, upon
10 approval of the board of examiners, draw his warrant against the park and
11 recreation account for all bills and claims allowed by the board. Should
12 the related administrative costs of the department amount to less than the
13 moneys apportioned to the park and recreation account for such purposes,
14 the difference shall be remitted to the state vessel account and then appor-
15 tioned to all counties with a boating improvement program so that the amount
16 apportioned to each eligible county will be in the same ratio as the county's
17 amount of funds received from the state vessel account during the prior fis-
18 cal year by a county bears to the total amounts received during that prior
19 fiscal year by all eligible counties.

20 (5) All moneys deposited to the state vessel account and appropriated
21 to the department, shall be apportioned among the counties of the state based
22 on the designations which the owners make on their application for a certifi-
23 cate of registration number.

24 (a) An owner, when purchasing a certificate of registration number,
25 will be allowed to designate, on the appropriate form, a primary and
26 secondary eligible county where his boating activity occurs. The por-
27 tion of his fees which are appropriated from the state vessel account
28 shall be apportioned to the designated counties, with seventy percent
29 (70%) of those fees apportioned to the primary designated county and
30 thirty percent (30%) apportioned to the secondary designated county.

31 (b) Should an owner designate on the appropriate form only one (1) eli-
32 gible county where his boating activity occurs, the full portion of his
33 fees which are appropriated from the state vessel account shall be ap-
34 portioned to the designated county.

35 (c) Should an owner fail to designate on the appropriate form any eli-
36 gible county where his boating activity occurs, the full portion of his
37 fees which are appropriated from the state vessel account shall be ap-
38 portioned to all counties with a boating improvement program so that the
39 amount apportioned to each eligible county will be in the same ratio as
40 the county's amount of funds received from the state vessel account dur-
41 ing the prior three (3) month payment period bears to the total amounts
42 received during that prior three (3) month payment period by all eligi-
43 ble counties.

44 (6) Only those counties in the state with a boating improvement pro-
45 gram, as recognized by the department, shall be eligible to receive moneys
46 from the state vessel account. A "boating improvement program" means that
47 one or more recognized boating facilities are being developed and/or main-
48 tained within the county's jurisdiction and/or that the county has or is ac-
49 tively developing a recognized boating law enforcement program.

1 (7) Moneys apportioned to the eligible counties shall be placed in and
2 credited to an account which shall be known and designated as the county ves-
3 sel fund, which shall be used and expended by the board of county commission-
4 ers for the protection and promotion of safety, waterways improvement, cre-
5 ation and improvement of parking areas for boating purposes, making and im-
6 proving boat ramps and moorings, marking of waterways, search and rescue,
7 and all things incident to such purposes including the purchase of real and
8 personal property. The board of county commissioners is also authorized to
9 use and expend funds from the county vessel fund outside the county when the
10 board deems it advisable and for the public good.

11 (8) Within sixty (60) calendar days of the end of each county fiscal
12 year, the county clerk shall calculate the ending fund balance of the county
13 vessel fund for that fiscal year. If the ending fund balance is higher than
14 the amount of revenues deposited in the county vessel fund from the state
15 vessel account during that fiscal year, then the difference shall be remit-
16 ted to the state vessel account within thirty (30) calendar days of that cal-
17 culation. Moneys remitted to the state vessel account, in accordance with
18 the provisions of this section, shall be apportioned to all counties with a
19 boating improvement program so that the amount apportioned to each eligible
20 county will be in the same ratio as the county's amount of funds received from
21 the state vessel account during the prior county fiscal year bears to the to-
22 tal amounts received during that prior county fiscal year by all eligible
23 counties. The provisions of this subsection shall not apply to specific sums
24 of money in county vessel accounts, for which the county commissioners have
25 given written notice, to the department of parks and recreation of an inten-
26 tion to retain those funds for a specific purpose. The notice shall specify
27 the amount of the funds to be held, indicate the purpose for which the funds
28 shall be utilized and provide the date when the funds will be expended. If an
29 amended notice is not submitted by the county commissioners, moneys not ex-
30 pended or contractually committed by the date stated in the original notice
31 of the board of county commissioners shall revert to the state vessel ac-
32 count for distribution as provided in this subsection. All interest earned
33 on moneys invested from a county vessel fund shall return to the county ves-
34 sel fund.

35 SECTION 20. That Section 67-7014, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 67-7014. ADMINISTRATIVE FEES FOR VESSELS. (1) An administrative fee
38 of not more than one dollar and fifty cents (\$1.50) may be collected in ad-
39 dition to each vessel license tax collected under the provisions of section
40 67-7008, Idaho Code.

41 (2) When an assessor collects the fees, the administrative fee shall be
42 paid to the county treasurer where the vessel is licensed and be placed in
43 the county current expense fund for the purpose of defraying related admin-
44 istrative costs. The amount of the administrative fee to be collected by an
45 assessor for each vessel shall be set by the respective boards of county com-
46 missioners conditioned on the annual budget request of their county assessor
47 for the administration of vessel registration fees.

1 (3) When an authorized vendor collects the fees, the administrative
 2 fee shall be set and retained by the authorized vendor where the vessel is
 3 registered numbered. The administrative fee shall be used to defray related
 4 administrative costs.

5 SECTION 21. That Section 67-7029, Idaho Code, be, and the same is hereby
 6 amended to read as follows:

7 67-7029. AGENTS OF THE DEPARTMENT. (1) The assessors of various coun-
 8 ties of the state shall be agents of the department and shall perform such du-
 9 ties as are prescribed by law.

10 (2) The department may authorize any person to act as agent for the is-
 11 suance of certificates of registration number. In the event a person accepts
 12 such authorization, he shall be assigned a block of vessel numbers, valida-
 13 tion stickers and certificates of number, which upon issuance in conformity
 14 with law and with any rules of the department shall be valid as if issued di-
 15 rectly by an assessor.

16 SECTION 22. That Section 67-7040, Idaho Code, be, and the same is hereby
 17 amended to read as follows:

18 67-7040. APPLICATION TO CERTAIN VESSELS. (1) The provisions of the
 19 vessel titling act shall apply to every 2000 and newer model year vessel upon
 20 transfer of ownership, and optionally to all other vessels of a model year
 21 prior to 2000, effective on and after January 1, 2000, even though vessels
 22 need not be registered under the provisions of chapter 4, title 49, Idaho
 23 Code. Vessels shall be issued a certificate of registration number as pro-
 24 vided in section 67-7008, Idaho Code.

25 (2) The provisions of the vessel titling act shall apply exclusively to
 26 vessels with a permanently attached mode of propulsion, such as: an inboard
 27 motor, sail, personal watercraft, or other propelling machinery, and all
 28 vessels over twelve (12) feet regardless of mode of propulsion, except: row-
 29 boats, driftboats, canoes, kayaks, inflatable vessels, rafts, barges, non-
 30 motorized paddle vessels, sailboards, tenders, seaplanes, documented ves-
 31 sels, and vessels owned by the United States or a foreign state or political
 32 subdivision.

33 (3) Once titled, the vessel remains a titled vessel, and is subject to
 34 the requirements of chapter 5, title 49, Idaho Code."

35 On page 13, in line 36, delete "SECTION 17" and insert: "SECTION 23".

36 CORRECTION TO TITLE

37 On page 1, delete lines 2 through 27, and insert:
 38 "RELATING TO VEHICLE REGISTRATION AND FEES; AMENDING SECTION 49-426, IDAHO
 39 CODE, TO REPLACE THE TERM "REGISTERED" WITH THE TERM "NUMBERED" AND TO
 40 MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-7008, IDAHO CODE, TO
 41 REPLACE REFERENCES TO REGISTRATION NUMBERS WITH REFERENCES TO CERTIFI-
 42 CATES OF NUMBER, TO PROVIDE FOR VESSEL NUMBERS AND VALIDATION STICKERS
 43 AND TO REMOVE LANGUAGE RELATING TO CERTAIN REGISTRATION FEES; AMENDING
 44 SECTION 67-7101, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION
 45 67-7103, IDAHO CODE, TO PROVIDE FOR VALIDATION STICKERS AND TO PROVIDE

1 THAT EACH SNOWMOBILE MUST BE NUMBERED BEFORE IT LEAVES THE PREMISES AT
2 THE TIME OF SALE; AMENDING SECTION 67-7104, IDAHO CODE, TO REPLACE THE
3 TERM "REGISTRATION" WITH "CERTIFICATE OF NUMBERING", TO REPLACE REF-
4 ERENCE TO DISPLAY OF CERTIFICATES OF NUMBER WITH REFERENCE TO DISPLAY
5 OF VALIDATION STICKERS AND TO PROVIDE FOR NONRESIDENT SNOWMOBILE USER
6 CERTIFICATES; AMENDING SECTION 67-7106, IDAHO CODE, TO REPLACE THE TERM
7 "REGISTRATION" WITH "CERTIFICATE OF NUMBER"; AMENDING SECTION 67-7108,
8 IDAHO CODE, TO PROVIDE FOR APPLICATION OF LAW AND TO PROVIDE FOR A PRO-
9 HIBITION; AMENDING SECTION 67-7112, IDAHO CODE, TO REPLACE THE TERM
10 "REGISTERED" WITH THE TERM "NUMBERED"; AMENDING SECTION 67-7113, IDAHO
11 CODE, TO REVISE A FINE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SEC-
12 TION 67-7122, IDAHO CODE, TO PROVIDE FOR NUMBER CERTIFICATES, TO REMOVE
13 REFERENCE TO REGISTRATION, TO REVISE PROVISIONS RELATING TO CERTAIN
14 INFORMATION SUBMITTED TO THE DEPARTMENT, TO REVISE PROVISIONS RELATING
15 TO THE SALE OF CERTAIN VEHICLES AND TO PROVIDE FOR VALIDATION STICKERS;
16 AMENDING SECTION 67-7123, IDAHO CODE, TO REVISE PROVISIONS RELATING TO
17 THE TRANSFER OF NUMBER CERTIFICATES AND TO REMOVE REFERENCE TO REGIS-
18 TRATION STICKERS; AMENDING SECTION 67-7124, IDAHO CODE, TO REFERENCE
19 NUMBER CERTIFICATES IN REGARD TO NONRESIDENT OWNERS; AMENDING SECTION
20 67-7125, IDAHO CODE, TO REPLACE THE TERM "REGISTRATION" WITH "NUMBER-
21 ING" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7126, IDAHO
22 CODE, TO REMOVE REFERENCE TO REGISTRATION AND TO PROVIDE FOR NUMBER
23 CERTIFICATES AND VALIDATION STICKERS; TO PROVIDE FOR RULES; AMENDING
24 SECTION 67-7003, IDAHO CODE, TO REVISE A DEFINITION; AMENDING SECTION
25 67-7008A, IDAHO CODE, TO REMOVE A REFERENCE TO A REGISTRATION FEE AND TO
26 PROVIDE FOR FEES FOR NUMBERED VESSELS; AMENDING SECTION 67-7010, IDAHO
27 CODE, TO REPLACE REFERENCE TO CERTIFICATE OF REGISTRATION WITH REFER-
28 ENCE TO CERTIFICATE OF NUMBER AND TO REPLACE REFERENCE TO DISPLAY OF
29 REGISTRATION NUMBER WITH REFERENCE TO DISPLAY OF VESSEL NUMBER; AMEND-
30 ING SECTION 67-7013, IDAHO CODE, TO REPLACE REFERENCE TO CERTIFICATES
31 OF REGISTRATION WITH REFERENCE TO CERTIFICATES OF NUMBER; AMENDING SEC-
32 TION 67-7014, IDAHO CODE, TO REPLACE REFERENCE TO REGISTERED VESSELS
33 WITH REFERENCE TO NUMBERED VESSELS; AMENDING SECTION 67-7029, IDAHO
34 CODE, TO REPLACE REFERENCE TO CERTIFICATES OF REGISTRATION WITH REF-
35 ERENCE TO CERTIFICATES OF NUMBER AND TO PROVIDE THAT CERTAIN PERSONS
36 AUTHORIZED TO ISSUE CERTIFICATES OF NUMBER SHALL BE ASSIGNED A BLOCK OF
37 VESSEL NUMBERS, VALIDATION STICKERS AND CERTIFICATES OF NUMBER; AMEND-
38 ING SECTION 67-7040, IDAHO CODE, TO REPLACE REFERENCE TO CERTIFICATE
39 OF REGISTRATION WITH REFERENCE TO CERTIFICATE OF NUMBER; AND PROVIDING
40 SEVERABILITY."