

IN THE SENATE

SENATE BILL NO. 1016

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO DRIVER'S LICENSES AND PERMITS; AMENDING SECTION 49-104, IDAHO
2 CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION
3 49-110, IDAHO CODE, TO REVISE DEFINITIONS, TO DEFINE TERMS AND TO MAKE
4 A TECHNICAL CORRECTION; AMENDING SECTION 49-115, IDAHO CODE, TO REVISE
5 DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 49-305, IDAHO CODE,
6 TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE FOR THE VALID-
7 ITY OF COMMERCIAL LEARNER'S PERMITS AND CLASS D INSTRUCTION PERMITS,
8 TO PROVIDE FOR THE RENEWAL OF THOSE PERMITS WITHOUT RETAKING A TEST
9 UNDER CERTAIN CONDITIONS AND TO PROVIDE FOR THE RENEWAL OF MOTORCYCLE
10 ENDORSEMENT INSTRUCTION PERMITS WITHOUT RETAKING A TEST UNDER CERTAIN
11 CONDITIONS; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE AN APPLICA-
12 TION FEE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE AN EXCEPTION AS-
13 SOCIATED WITH CERTAIN APPLICATION REQUIREMENTS FOR PROVIDING PROOF OF
14 IDAHO RESIDENCY AND AN IDAHO MAILING ADDRESS, TO PROVIDE FOR COMMERCIAL
15 LEARNER'S PERMITS, TO PROVIDE FOR PROOF OF UNITED STATES CITIZENSHIP OR
16 LAWFUL PERMANENT RESIDENCY IN ASSOCIATION WITH CERTAIN APPLICATIONS,
17 TO PROVIDE AN EXCEPTION, TO REQUIRE THAT CERTAIN APPLICANTS PROVIDE
18 SPECIFIED UNEXPIRED EMPLOYMENT AUTHORIZATION DOCUMENTS OR UNEXPIRED
19 FOREIGN PASSPORT ACCOMPANIED BY AN APPROVED I-94 FORM AND TO REVISE
20 PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS RECEIVED FROM CERTAIN
21 FEES; AND AMENDING SECTION 49-306, AS AMENDED BY SECTION 2, CHAPTER 354,
22 LAWS OF 2013, TO PROVIDE AN APPLICATION FEE FOR COMMERCIAL LEARNER'S
23 PERMITS, TO PROVIDE AN EXCEPTION ASSOCIATED WITH CERTAIN APPLICATION
24 REQUIREMENTS FOR PROVIDING PROOF OF IDAHO RESIDENCY AND AN IDAHO MAIL-
25 ING ADDRESS, TO PROVIDE FOR COMMERCIAL LEARNER'S PERMITS, TO PROVIDE
26 FOR PROOF OF UNITED STATES CITIZENSHIP OR LAWFUL PERMANENT RESIDENCY
27 IN ASSOCIATION WITH CERTAIN APPLICATIONS, TO PROVIDE AN EXCEPTION, TO
28 REQUIRE THAT CERTAIN APPLICANTS PROVIDE SPECIFIED UNEXPIRED EMPLOYMENT
29 AUTHORIZATION DOCUMENTS OR UNEXPIRED FOREIGN PASSPORT ACCOMPANIED BY
30 AN APPROVED I-94 FORM AND TO REVISE PROVISIONS RELATING TO THE DISTRI-
31 BUTION OF MONEYS RECEIVED FROM CERTAIN FEES; AMENDING SECTION 49-313,
32 IDAHO CODE, TO PROVIDE FOR THE EXAMINATION OF APPLICANTS FOR COMMERCIAL
33 LEARNER'S PERMITS; AND AMENDING SECTION 6, CHAPTER 354, LAWS OF 2013, TO
34 REVISE A CONTINGENT EFFECTIVE DATE.
35

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

37 SECTION 1. That Section 49-104, Idaho Code, be, and the same is hereby
38 amended to read as follows:

39 49-104. DEFINITIONS -- C. (1) "Cancellation of driver's license"
40 means the annulment or termination by formal action of the department of a
41 person's driver's license because of some error or defect in the driver's
42 license or because the licensee is no longer entitled to the driver's li-

1 cense. The cancellation of a driver's license is without prejudice and after
2 compliance with requirements, the individual may apply for a new driver's
3 license at any time after cancellation.

4 (2) "Caravanning" means the transportation of any motor vehicle into,
5 out of, or within the state operating on its own wheels or in tow for the pur-
6 pose of sale or offer of sale by any agent, dealer, manufacturer's represen-
7 tative, purchaser, or prospective purchaser, regardless of residence unless
8 the motor vehicle is licensed by the state of Idaho, or is owned by an auto-
9 mobile dealer, duly licensed as a dealer by this state. It shall also be con-
10 sidered as the transportation of property for hire by a motor vehicle upon
11 the highways of this state.

12 (3) "Certificate of liability insurance" means a certificate of lia-
13 bility insurance issued by an insurance company authorized to do business
14 in this state or a certificate of liability insurance issued by the depart-
15 ment of insurance which demonstrates current insurance against loss result-
16 ing from liability imposed by law for bodily injury or death or damage to
17 property suffered by any person caused by accident and arising out of the op-
18 eration, maintenance or use of a motor vehicle described in the certificate
19 in an amount not less than that required by section 49-117(18), Idaho Code,
20 and also demonstrates the current existence of any other coverage required
21 by title 41, Idaho Code, or a certificate of self-insurance issued pursuant
22 to law for each motor vehicle to be registered. A certificate of liability
23 insurance shall contain the information required by the department of insur-
24 ance, including the name and address of the owner of the motor vehicle and a
25 description of the motor vehicle including identification number if there is
26 one, or a statement that all vehicles owned by a person or entity are covered
27 by insurance, the inception date of coverage, and the name of the insurer.
28 "Certificate of liability insurance" may also include the original contract
29 of liability insurance or a true copy, demonstrating the current existence
30 of the liability insurance described in this subsection.

31 (4) "Certification of safety compliance" means that a motor carrier
32 certifies as part of its registration process that it has knowledge of the
33 federal regulations and rules promulgated by the Idaho transportation de-
34 partment and the Idaho state police applicable to motor carriers.

35 (5) "Chains" means metal traction devices required pursuant to section
36 49-948, Idaho Code, which consist of two (2) circular metal loops, one (1)
37 on each side of the tire, connected by not less than nine (9) ~~evenly spaced~~
38 evenly spaced chains across the tire tread.

39 (6) "Coerce" means to compel or attempt to compel by threat or use of
40 force.

41 (7) "Commercial coach." (See section 39-4301, Idaho Code)

42 (8) "Commercial driver's license" means any class A, class B or class C
43 driver's license as defined in section 49-105, Idaho Code.

44 (9) "Commercial driver license information system (CDLIS)" is the in-
45 formation system established to serve as a clearinghouse for locating infor-
46 mation related to the licensing and identification of motor vehicle drivers.

47 (10) "Commercial driver training school" means a business enterprise
48 conducted by an individual, association, partnership, or corporation, for
49 the education and training of persons, either practically or theoretically,

1 or both, to operate or drive motor vehicles, and charging a consideration or
2 tuition for such services.

3 (11) "Commercial learner's permit" means a permit issued to an indi-
4 vidual by a state or other jurisdiction of domicile, in accordance with the
5 standards contained in 49 CFR 383.5, that when carried with a valid driver's
6 license issued by the same state or jurisdiction, authorizes the individual
7 to operate a commercial vehicle when accompanied by a holder of a valid com-
8 mercial driver's license (CDL) for purposes of behind-the-wheel training.

9 (12) "Commercial vehicle" or "commercial motor vehicle." (See "Vehi-
10 cle," section 49-123, Idaho Code)

11 (123) "Compliance review" means an on-site examination of motor car-
12 rier operations, which may be at the carrier's place of business, including
13 driver's hours of service, vehicle maintenance and inspection, driver
14 qualifications, commercial driver's license requirements, financial re-
15 sponsibility, accidents, hazardous materials, and such other related safety
16 and transportation records to determine safety fitness.

17 (134) "Controlled substance" means any substance so classified under
18 section 102(6) of the controlled substances act, 21 U.S.C. 802(6), and in-
19 cludes all substances listed on schedules I through V, of 21, CFR part 1308,
20 as they may be revised from time to time.

21 (145) "Conviction" means:

22 (a) The person has pled guilty or has been found guilty, notwithstand-
23 ing the form of the judgment or withheld judgment. A conviction for pur-
24 poses of this title shall also include an infraction judgment.

25 (b) For purposes of disqualification or withdrawal of commercial vehi-
26 cle driving privileges only, "conviction" means an unvacated adjudica-
27 tion of guilt, or determination that a person has violated or failed to
28 comply with the law in a court of original jurisdiction or by an autho-
29 rized administrative tribunal, an unvacated forfeiture of bail or col-
30 lateral deposited to secure the person's appearance in court, a plea of
31 guilty or nolo contendere accepted by the court, the payment of a fine or
32 court cost, or violation of a condition of release without bail, regard-
33 less of whether or not the penalty is rebated, suspended or probated.

34 (156) "Crosswalk" means:

35 (a) That part of a highway at an intersection included within the con-
36 nections of the lateral lines of the sidewalks on opposite sides of the
37 highway measured from the curbs or in the absence of curbs, from the
38 edges of the traversable highway; and in the absence of a sidewalk on one
39 side of the highway, that part of a highway included within the exten-
40 sion of the lateral lines of the existing sidewalk at right angles to the
41 centerline.

42 (b) Any portion of a highway at an intersection or elsewhere distinctly
43 indicated for pedestrian crossing by lines or other markings on the sur-
44 face.

45 SECTION 2. That Section 49-110, Idaho Code, be, and the same is hereby
46 amended to read as follows:

47 49-110. DEFINITIONS -- I. (1) "Identifying number" means:

48 (a) Motor number. That identifying number stamped on the engine of a
49 vehicle.

1 (b) Vehicle identification number. The numbers and letters, if any,
2 placed on a vehicle by the manufacturer for the purpose of identifying
3 the vehicle.

4 (2) "Implements of husbandry" means every vehicle including self-pro-
5 pelled units, designed or adapted and used exclusively in agricultural,
6 horticultural, dairy and livestock growing and feeding operations when be-
7 ing incidentally operated. Such implements include, but are not limited
8 to, combines, discs, dry and liquid fertilizer spreaders, cargo tanks, har-
9 rows, hay balers, harvesting and stacking equipment, pesticide applicators,
10 plows, swathers, mint tubs and mint wagons, and farm wagons. A farm tractor
11 when attached to or drawing any implement of husbandry shall be construed
12 to be an implement of husbandry. "Implements of husbandry" do not include
13 semitrailers, nor do they include motor vehicles or trailers, unless their
14 design limits their use to agricultural, horticultural, dairy or livestock
15 growing and feeding operations.

16 (3) "Incidentally operated" means the transport of the implement of
17 husbandry from one (1) farm operation to another.

18 (4) "Individual record" means a record containing personal information
19 about a designated person who is the subject of the record as identified in a
20 request for information.

21 (5) "Infraction" means a civil public offense, not constituting a
22 crime, which is not punishable by incarceration and for which there is no
23 right to a trial by jury or right to court-appointed counsel, and which is
24 punishable by only a penalty not exceeding three hundred dollars (\$300) and
25 no imprisonment.

26 (6) "Instruction permits":

27 (a) ~~"Class A, B or C instruction permit_" means a temporary privilege to~~
28 ~~operate a motor vehicle for which a commercial driver's license is re-~~
29 ~~quired; is available only to a person who is eighteen (18) years of age~~
30 ~~or older; is issued pursuant to the provisions of section 49-305, Idaho~~
31 ~~Code; and the permittee is subject to the conditions specified therein.~~
32 ~~(See "Commercial learner's permit," section 49-104, Idaho Code)~~

33 (b) "Class D driver's training instruction permit" means a temporary
34 privilege to operate a class D motor vehicle while attending classes
35 as an enrollee of a public or private driver's training course only;
36 is available to a person aged fourteen and one-half (14 1/2) years and
37 older; is issued to the instructor of the driver's training course; is
38 issued and expires pursuant to the provisions of section 49-307, Idaho
39 Code; and the permittee is subject to the conditions specified in sec-
40 tion 49-307, Idaho Code.

41 (c) "Class D instruction permit" means a temporary privilege to op-
42 erate a class D motor vehicle which is available to a person under the
43 age of seventeen (17) years who has successfully completed an approved
44 driver's training course and has satisfied the requirements of a class D
45 supervised instruction permit, or to any person seventeen (17) years of
46 age or older; is valid for a period of one hundred eighty (180) days or as
47 provided in section 49-305, Idaho Code, if applicable; privileges are
48 limited to driving with a person who is at least eighteen (18) years of
49 age who holds a valid class D driver's license and is actually occupying
50 a seat beside the permittee; is issued pursuant to the provisions of

1 section 49-305, Idaho Code; and the permittee is subject to the condi-
2 tions specified in section 49-305, Idaho Code.

3 (d) "Class D supervised instruction permit" means a temporary privi-
4 lege to operate a class D motor vehicle which is available to a person
5 who is at least fourteen and one-half (14 1/2) years of age who has suc-
6 cessfully completed an approved driver's training course. No person
7 may apply for a class D driver's license until he has attained the age of
8 at least fifteen (15) years and has successfully satisfied the require-
9 ments of this permit, as specified and issued pursuant to the provisions
10 of section 49-307, Idaho Code.

11 (7) "Instructor" means any person, whether acting for himself as oper-
12 ator of a commercial driver training school or for such a school for compen-
13 sation, who teaches, conducts classes of, gives demonstrations to, or super-
14 vises practice of, persons learning to operate or drive motor vehicles.

15 (8) "Insurer" means any insurer, public or private, which shall in-
16 clude, but not be limited to, insurance companies domiciled in the state of
17 Idaho, agents, adjuster or any other person acting on behalf of any insurance
18 not domiciled in the state of Idaho and any self-insured entity operating
19 under Idaho insurance laws or rules.

20 (9) "International registration plan" means a registration reci-
21 procity agreement among the states of the United States and provinces
22 of Canada providing for payment of registration and licensing fees on a
23 proportional basis determined by the fleet miles operated in the various
24 jurisdictions.

25 (10) "Intersection" means:

26 (a) The area embraced within the prolongation or connection of the
27 lateral curb lines, or, if none, then the lateral boundary lines of the
28 roadways of two (2) highways which join one another at, or approximately
29 at, right angles, or the area within which vehicles traveling upon dif-
30 ferent highways joining at any other angle may come in conflict.

31 (b) Where a highway includes two (2) roadways thirty (30) feet or more
32 apart, then every crossing of each roadway of the divided highway by an
33 intersecting highway shall be regarded as a separate intersection. In
34 the event an intersecting highway also includes two (2) roadways thirty
35 (30) feet or more apart, then every crossing of two (2) roadways of the
36 highways shall be regarded as a separate intersection.

37 (c) The junction of an alley with a street or highway shall not consti-
38 tute an intersection.

39 SECTION 3. That Section 49-115, Idaho Code, be, and the same is hereby
40 amended to read as follows:

41 49-115. DEFINITIONS -- N. (1) "National network" means highways
42 available to vehicles authorized by the provisions of the federal surface
43 transportation assistance act of 1982 as amended, and listed in 23 CFR part
44 658, appendix A.

45 (2) "Neighborhood electric vehicle." (See "Vehicle," section 49-123,
46 Idaho Code)

47 (3) "Noncommercial vehicle." (See "Vehicle," section 49-123, Idaho
48 Code)

1 (4) "Nondomiciled commercial learner's permit" or "nondomiciled commercial driver's license" means a commercial learner's permit or a commercial driver's license, respectively, issued by a state or other jurisdiction under either of the following conditions:

5 (a) To an individual domiciled in a foreign country meeting the requirements of 49 CFR 383.23(b)(1); or

7 (b) To an individual domiciled in another state meeting the requirements of 49 CFR 383.23(b)(2).

9 (5) "Nonresident" means every person who is not a resident of this state.

11 (5) "Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by that person of a motor vehicle, or the use of a vehicle owned by that person, in this state.

15 SECTION 4. That Section 49-305, Idaho Code, be, and the same is hereby amended to read as follows:

17 49-305. INSTRUCTION PERMITS -- COMMERCIAL LEARNER'S PERMIT -- TEMPORARY LICENSES -- MOTORCYCLE ENDORSEMENT INSTRUCTION PERMIT. (1) Upon passage of the required knowledge tests appropriate for the vehicle being operated, the department may issue a class A, B or C instruction commercial learner's permit for the type of vehicle(s) the person will be operating, or a class D instruction permit for a class D motor vehicle, entitling the applicant, while having the permit in his immediate possession, to drive a motor vehicle upon the highways for a period of up to one hundred eighty (180) days or as provided in paragraph (b) of this subsection (1) for certain class D instruction permits. That person must be accompanied by an adult driver eighteen (18) years of age or older who holds a valid driver's license appropriate for the vehicle being operated and who is actually occupying a seat beside the driver. Unless otherwise provided, a commercial learner's permit or class D instruction permit will be valid for one hundred eighty (180) days and may be renewed one (1) time without requiring the permit holder to retake and pass the required knowledge tests for that class of permit, provided the knowledge tests are less than one (1) year old.

34 (a) Any person under the age of seventeen (17) years who has successfully completed an approved driver's training course and has satisfied the requirements of a class D supervised instruction permit, or any person who has reached the age of seventeen (17) years may apply for a class D instruction permit. Any person applying for any class D instruction permit or driving privileges who is under the age of eighteen (18) years shall be in compliance with school attendance requirements of section 49-303A, Idaho Code.

42 (b) If a person reaches the age of seventeen (17) years while operating a class D vehicle with a class D supervised instruction permit, and such class D supervised instruction permit becomes a class D instruction permit as provided in section 49-307, Idaho Code, then such class D instruction permit shall expire five (5) days after the permittee's eighteenth birthday.

48 (c) Any person who has reached the age of eighteen (18) years, holds a valid Idaho class D driver's license and has at least one (1) year

1 of driving experience, may apply for a ~~class A, B or C instruction~~
2 commercial learner's permit.

3 (d) The department shall not issue a hazardous material endorsement on
4 any ~~instruction commercial learner's permit.~~

5 (2) The department may, at its discretion, issue a temporary class D
6 driver's license to an applicant for a class D driver's license permitting
7 him to operate a motor vehicle while the department is completing its inves-
8 tigation and determination of all facts relative to the applicant's right
9 to receive a driver's license. The temporary license may be canceled at the
10 department's discretion at any time after issuance. The temporary license
11 must be in the applicant's immediate possession while operating a motor ve-
12 hicle, and it shall be invalid when the applicant's driver's license has been
13 issued or for good cause has been refused.

14 (3) A certified copy of an applicant's birth certificate shall be re-
15 quired before a class D driver's license or class D instruction permit will
16 be issued.

17 (4) The department may issue a motorcycle endorsement instruction per-
18 mit to an applicant who has a valid driver's license and who has success-
19 fully completed the motorcycle rider's knowledge test and paid the appropri-
20 ate fees. The permit entitles the applicant, while having the permit in his
21 immediate possession, to operate a motorcycle upon the highways for a period
22 not to exceed one hundred eighty (180) days. The motorcycle endorsement in-
23 struction permit may be renewed one (1) time without the requirement to re-
24 take and pass the motorcycle rider's knowledge test if the test is less than
25 one (1) year old. If the permittee passes the skills test for a motorcycle
26 endorsement within one hundred eighty (180) days of issuance of the motorcy-
27 cle endorsement instruction permit, he shall not be required to pay the mo-
28 torcycle endorsement fee. A person holding a motorcycle instruction permit
29 shall not carry any passenger while operating a motorcycle, shall not oper-
30 ate a motorcycle except during the hours of daylight only and shall not oper-
31 ate a motorcycle upon any interstate highway system.

32 A violation of the conditions of a motorcycle endorsement instruction
33 permit is an infraction. The department shall cancel the permit whether or
34 not such violation results in conviction of the infraction.

35 SECTION 5. That Section 49-306, Idaho Code, be, and the same is hereby
36 amended to read as follows:

37 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
38 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
39 MIT. (1) Every application for any instruction permit, restricted school
40 attendance driving permit, or for a driver's license shall be made upon a
41 form furnished by the department and shall be verified by the applicant be-
42 fore a person authorized to administer oaths. Officers and employees of the
43 department and sheriffs and their deputies are authorized to administer the
44 oaths without charge. Every application for a permit, extension or driver's
45 license shall be accompanied by the following fee, none of which is refund-
46 able:

- 47 (a) Class A, B, C (4-year) license with endorsements --
- 48 age 21 years and older\$40.00
- 49 (b) Class A, B, C (3-year) license with endorsements --

1	age 18 to 21 years	\$30.00
2	(c) Class A, B, C (1-year) license with endorsements --	
3	age 20 years	\$15.00
4	(d) Class D (3-year) license -- under age 18 years	\$25.00
5	(e) Class D (3-year) license -- age 18 to 21 years	\$25.00
6	(f) Class D (1-year) license -- age 17 years or age 20 years	\$15.00
7	(g) Four-year Class D license -- age 21 years and older	\$30.00
8	(h) Eight-year Class D license -- age 21 to 63 years	\$55.00
9	(i) Class A, B, C instruction Commercial learner's permit	\$29.00
10	(j) Class D instruction permit or supervised instruction permit	
11	\$15.00
12	(k) Duplicate driver's license or permit issued under	
13	section 49-318, Idaho Code	\$15.00
14	(l) Driver's license extension issued under section	
15	49-319, Idaho Code	\$10.00
16	(m) License classification change (upgrade)	\$25.00
17	(n) Endorsement addition	\$15.00
18	(o) Class A, B, C skills tests not more than	\$70.00
19	(p) Class D skills test	\$24.00
20	(q) Motorcycle endorsement skills test	\$10.00
21	(r) Knowledge test	\$ 3.00
22	(s) Seasonal driver's license	\$39.00
23	(t) One time motorcycle "M" endorsement	\$15.00
24	(u) Motorcycle endorsement instruction permit	\$15.00
25	(v) Restricted driving permit or restricted school attendance	
26	driving permit	\$60.00
27	(2) Every application shall state the true and full name, date of birth,	
28	sex, declaration of Idaho residency, Idaho residence address and mailing ad-	
29	dress, if different, of the applicant, height, weight, hair color, and eye	
30	color, and the applicant's social security number as verified by the social	
31	security administration. If an applicant has submitted an application pur-	
32	suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-	
33	cant may state, in his or her application pursuant to this section, the ap-	
34	plicant's alternative Idaho mailing address in place of his or her Idaho re-	
35	sidence address and mailing address. <u>Notwithstanding the provisions of sec-</u>	
36	<u>tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or</u>	
37	<u>C driver's license or nondomiciled commercial learner's permit having res-</u>	
38	<u>idency in a state that is prohibited from issuing class A, B or C driver's</u>	
39	<u>licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-</u>	
40	<u>cepted from providing proof of Idaho residency and an Idaho mailing address.</u>	
41	(a) The requirement that an applicant provide a social security number	
42	as verified by the social security administration shall apply only to	
43	applicants who have been assigned a social security number.	
44	(b) An applicant who has not been assigned a social security number	
45	shall:	
46	(i) Present written verification from the social security admin-	
47	istration that the applicant has not been assigned a social secu-	
48	rity number; and	

1 (ii) Submit a birth certificate, passport or other documentary
 2 evidence issued by an entity other than a state or the United
 3 States; and

4 (iii) Submit such proof as the department may require that the ap-
 5 plicant is lawfully present in the United States.

6 A driver's license, commercial learner's permit or any instruction
 7 permit issued on and after January 1, 1993, shall not contain an appli-
 8 cant's social security number. Applications on file shall be exempt
 9 from disclosure except as provided in sections 49-202, 49-203, 49-203A
 10 and 49-204, Idaho Code.

11 (c) Every application for a class A, B or C license shall state where the
 12 applicant has been licensed for the preceding ten (10) years and under
 13 which of the following driving categories the applicant will operate:

14 (i) Non-excepted Interstate. The applicant operates or expects
 15 to operate in interstate commerce, and is required to provide a
 16 medical examiner's certificate;

17 (ii) Excepted Interstate. The applicant operates or expects to
 18 operate in interstate commerce, but engages exclusively in trans-
 19 portation or operations excepted by the federal motor carrier
 20 safety administration from all or parts of the qualification re-
 21 quirements of federal motor carrier safety regulation 49, part
 22 391, and is therefore not required to provide a medical examiner's
 23 certificate;

24 (iii) Non-excepted Intrastate. The applicant operates only in
 25 intrastate commerce and is subject to and meets all Idaho driver
 26 qualification requirements and the applicable parts of federal
 27 motor carrier safety regulation 49, part 391, and is required to
 28 provide a medical examiner's certificate; or

29 (iv) Excepted Intrastate. The applicant operates in intrastate
 30 commerce, but engages exclusively in exempted transportation or
 31 operations as listed in section 67-2901B(2), Idaho Code, and the
 32 applicable parts of federal motor carrier safety regulation 49,
 33 part 391, and is therefore not required to provide a medical exam-
 34 iner's certificate.

35 All applications shall also state whether the applicant has previ-
 36 ously been licensed as a driver, and if so, when and by what state or
 37 country, and whether a driver's license or privileges have ever been
 38 suspended, revoked, denied, disqualified, canceled or whether an ap-
 39 plication has ever been refused, and if so, the date of and reason for
 40 the suspension, revocation, denial, disqualification, cancellation
 41 or refusal and the applicant's oath that all information is correct as
 42 signified by the applicant's signature.

43 (d) The applicant must submit proof of identity acceptable to the exam-
 44 iner or the department and date of birth as set forth in a certified copy
 45 of his birth certificate. When a certified copy of his birth certifi-
 46 cate or a delayed birth certificate is impossible to obtain from a vital
 47 statistics agency, another government issued document may be submitted
 48 that provides satisfactory evidence of a person's full legal name and
 49 date of birth acceptable to the examiner or the department.

1 (e) Every applicant for a class A, B or C driver's license or commercial learner's permit shall provide proof of United States citizenship or lawful permanent residency in the United States upon application for issuance, transfer, upgrade or renewal, unless the applicant's driving record already contains documentation confirming United States citizenship or lawful permanent residency. Every applicant for a nondomiciled class A, B or C driver's license or commercial learner's permit domiciled in a foreign country must provide an unexpired employment authorization document issued by the department of homeland security or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States.

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12 (ef) Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for a driver's license, commercial learner's permit or instruction permit. Any registration information so supplied shall be transmitted by the department to the selective service system.

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19 (3) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

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26 (4) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

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29 (5) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license or commercial learner's permit to ensure identification of the person and to obtain clearance to issue the license.

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33 (6) When the fees required under this section are collected by a county officer, they shall be paid over to the county treasurer not less often than monthly, who shall immediately:

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36 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's license except an eight-year class D license, or any class D instruction permit application fees, application for a duplicate driver's license or permit, classification change, seasonal driver's license and additional endorsement, and ten dollars (\$10.00) from each eight-year class D driver's license, in the current expense fund; and

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41 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle endorsement and motorcycle endorsement instruction permit fee in the current expense fund; and

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44 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a knowledge test in the current expense fund; and

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47 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee for a motorcycle endorsement skills test in the current expense fund; provided however, if a contractor administers the skills test he shall be entitled to the ten dollar (\$10.00) fee; and

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1 (e) Remit the remainder to the state treasurer; and

2 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee
3 for a class D skills test into the county current expense fund, unless
4 the test is administered by a department-approved contractor, in which
5 case the contractor shall be entitled to seventeen dollars and fifty
6 cents (\$17.50) of each fee.

7 (7) When the fees required under this section are collected by a state
8 officer or agency, they shall be paid over to the state treasurer.

9 (8) The state treasurer shall distribute the moneys received from fees
10 imposed by the provisions of this section, whether collected by a county of-
11 ficer or by a state officer or agency as follows:

12 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
13 or seasonal driver's license, and four dollars (\$4.00) of each fee for
14 an eight-year class D driver's license, and one dollar and fifty cents
15 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
16 tions (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each
17 fee charged for driver's licenses pursuant to subsections (1) (c) and
18 (f) of this section, shall be deposited in the emergency medical ser-
19 vices fund II created in section 56-1018A, Idaho Code, and four dollars
20 (\$4.00) of each fee charged pursuant to subsections (1) (a), (g) and (s)
21 of this section and eight dollars (\$8.00) of each fee charged pursuant
22 to subsection (1) (h) of this section and three dollars (\$3.00) of each
23 fee for driver's licenses pursuant to subsections (1) (b), (d) and (e)
24 of this section, and one dollar (\$1.00) of each fee charged for driver's
25 licenses pursuant to subsections (1) (c) and (f) of this section shall be
26 deposited in the emergency medical services fund III created in section
27 56-1018B, Idaho Code; and

28 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
29 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
30 of each fee charged for a license pursuant to subsection (1) (b) of this
31 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
32 for a license pursuant to subsection (1) (c) of this section shall be de-
33 posited in the state highway account; and

34 (c) Twenty dollars (\$20.00) of each fee for a ~~class A, B or C instruction~~
35 commercial learner's permit or driver's license classification change
36 shall be deposited in the state highway account; and

37 (d) Four dollars (\$4.00) of each fee for a ~~class A, B or C instruction~~
38 commercial learner's permit shall be deposited in the emergency medical
39 services fund III created in section 56-1018B, Idaho Code; and

40 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
41 A, B or C driver's license, class A, B or C driver's license extension,
42 or additional endorsement shall be deposited in the state highway ac-
43 count; and

44 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
45 endorsement and motorcycle endorsement instruction permit shall be de-
46 posited in the state highway account; and

47 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
48 class D driver's license, and ten dollars and sixty cents (\$10.60) of
49 each fee for an eight-year class D driver's license, and four dollars
50 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)

1 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
2 of each fee charged for a license pursuant to subsection (1) (f) of this
3 section shall be deposited in the driver training fund; and

4 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
5 four-year class D driver's license, and twenty dollars and forty cents
6 (\$20.40) of each fee for an eight-year class D driver's license, and ten
7 dollars and fifty cents (\$10.50) of each fee charged for a license pur-
8 suant to subsections (1) (d) and (e) of this section, and six dollars and
9 eighty-three cents (\$6.83) of each fee charged for a license pursuant
10 to subsection (1) (f) of this section shall be deposited in the highway
11 distribution fund; and

12 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
13 struction permit, duplicate class D license or permit, and class D li-
14 cense extension shall be deposited in the driver training fund; and

15 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D
16 instruction permit, duplicate class D license or permit, and class D
17 license extension shall be deposited in the highway distribution fund;
18 and

19 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
20 shall be deposited in the state highway account; and

21 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
22 driver's license, and two dollars (\$2.00) of each fee for an eight-year
23 class D driver's license, and one dollar (\$1.00) of each fee charged for
24 a license pursuant to subsections (1) (b), (d) and (e) of this section,
25 and thirty-four cents (34¢) of each fee charged for a license pursuant
26 to subsections (1) (c) and (f) of this section shall be deposited in the
27 motorcycle safety program fund established in section 33-4904, Idaho
28 Code; and

29 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
30 test shall be deposited into the state highway account.

31 (9) The contractor administering a class A, B or C skills test shall be
32 entitled to not more than sixty dollars (\$60.00) of the skills test fee. A
33 contractor administering a class A, B or C skills test may collect an addi-
34 tional fee for the use of the contractor's vehicle for the skills test.

35 (10) Sixty dollars (\$60.00) of each restricted driving permit and each
36 restricted school attendance driving permit shall be deposited in the state
37 highway account.

38 (11) The department may issue seasonal class B or C driver's licenses to
39 drivers who are employees of agri-chemical businesses, custom harvesters,
40 farm retail outlets and suppliers, and livestock feeders that:

41 (a) Will only be valid for driving commercial vehicles that normally
42 require class B or C commercial driver's licenses;

43 (b) Will be valid for seasonal periods that begin on the date of is-
44 suance and that are not to exceed one hundred eighty (180) days in a
45 twelve (12) month period;

46 (c) May only be obtained twice in a driver's lifetime;

47 (d) Are valid only within a one hundred fifty (150) mile radius of the
48 place of business or farm being serviced; and

49 (e) Will be valid only in conjunction with valid Idaho class D driver's
50 licenses.

1 (12) The department may issue seasonal class B or C driver's licenses to
2 drivers who:

- 3 (a) Have not violated the single license provisions of applicable fed-
4 eral regulations;
- 5 (b) Have not had any license suspensions, revocations or cancella-
6 tions;
- 7 (c) Have not had any convictions in any vehicle for any offense listed
8 in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic
9 offense;
- 10 (d) Have at least one (1) year of driving experience with a class D or
11 equivalent license in any type motor vehicle; and
- 12 (e) Are at least sixteen (16) years old.

13 SECTION 6. That Section 49-306, Idaho Code, as amended by Section 2,
14 Chapter 354, Laws of 2013, be, and the same is hereby amended to read as fol-
15 lows:

16 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
17 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
18 MIT. (1) Every application for any instruction permit, restricted school
19 attendance driving permit, or for a driver's license shall be made upon a
20 form furnished by the department and shall be verified by the applicant be-
21 fore a person authorized to administer oaths. Officers and employees of the
22 department and sheriffs and their deputies are authorized to administer the
23 oaths without charge. Every application for a permit, extension or driver's
24 license shall be accompanied by the following fee, none of which is refund-
25 able:

- 26 (a) Class A, B, C (4-year) license with endorsements --
27 age 21 years and older\$40.00
- 28 (b) Class A, B, C (3-year) license with endorsements --
29 age 18 to 21 years\$30.00
- 30 (c) Class A, B, C (1-year) license with endorsements --
31 age 20 years\$15.00
- 32 (d) Class D (3-year) license -- under age 18 years\$25.00
- 33 (e) Class D (3-year) license -- age 18 to 21 years\$25.00
- 34 (f) Class D (1-year) license -- age 17 years or age 20 years\$15.00
- 35 (g) Four-year Class D license -- age 21 years and older\$30.00
- 36 (h) Eight-year Class D license -- age 21 to 63 years\$55.00
- 37 (i) ~~Class A, B, C instruction~~ Commercial learner's permit\$29.00
- 38 (j) Class D instruction permit or supervised instruction permit
39\$15.00
- 40 (k) Duplicate driver's license or permit issued under
41 section 49-318, Idaho Code\$15.00
- 42 (l) Driver's license extension issued under section
43 49-319, Idaho Code\$10.00
- 44 (m) License classification change (upgrade)\$25.00
- 45 (n) Endorsement addition\$15.00
- 46 (o) Class A, B, C skills tests not more than\$70.00
- 47 (p) Class D skills test\$24.00
- 48 (q) Motorcycle endorsement skills test\$10.00
- 49 (r) Knowledge test\$ 3.00

- 1 (s) Seasonal driver's license\$39.00
- 2 (t) One time motorcycle "M" endorsement\$15.00
- 3 (u) Motorcycle endorsement instruction permit\$15.00
- 4 (v) Restricted driving permit or restricted school attendance
- 5 driving permit\$60.00

6 (2) A person who applies for a driver's license or a driver's license
 7 renewal may designate a voluntary contribution of two dollars (\$2.00) for
 8 the purpose of promoting and supporting organ donation. Such a contribution
 9 shall be treated as a voluntary contribution to the organ donation contribu-
 10 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-
 11 cense fee.

12 (3) Every application shall state the true and full name, date of birth,
 13 sex, declaration of Idaho residency, Idaho residence address and mailing ad-
 14 dress, if different, of the applicant, height, weight, hair color, and eye
 15 color, and the applicant's social security number as verified by the social
 16 security administration. If an applicant has submitted an application pur-
 17 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
 18 cant may state, in his or her application pursuant to this section, the ap-
 19 plicant's alternative Idaho mailing address in place of his or her Idaho res-
 20 idence address and mailing address. Notwithstanding the provisions of sec-
 21 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or
 22 C driver's license or nondomiciled commercial learner's permit having res-
 23 idency in a state that is prohibited from issuing class A, B or C driver's
 24 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-
 25 cepted from providing proof of Idaho residency and an Idaho mailing address.

26 (a) The requirement that an applicant provide a social security number
 27 as verified by the social security administration shall apply only to
 28 applicants who have been assigned a social security number.

29 (b) An applicant who has not been assigned a social security number
 30 shall:

- 31 (i) Present written verification from the social security admin-
 32 istration that the applicant has not been assigned a social secu-
 33 rity number; and
- 34 (ii) Submit a birth certificate, passport or other documentary
 35 evidence issued by an entity other than a state or the United
 36 States; and
- 37 (iii) Submit such proof as the department may require that the ap-
 38 plicant is lawfully present in the United States.

39 A driver's license, commercial learner's permit or any instruction
 40 permit issued on and after January 1, 1993, shall not contain an appli-
 41 cant's social security number. Applications on file shall be exempt
 42 from disclosure except as provided in sections 49-202, 49-203, 49-203A
 43 and 49-204, Idaho Code.

44 (c) Every application for a class A, B or C license shall state where the
 45 applicant has been licensed for the preceding ten (10) years and under
 46 which of the following driving categories the applicant will operate:

- 47 (i) Non-excepted interstate. The applicant operates or expects
 48 to operate in interstate commerce, and is required to provide a
 49 medical examiner's certificate;

1 (ii) Excepted interstate. The applicant operates or expects to
2 operate in interstate commerce, but engages exclusively in trans-
3 portation or operations excepted by the federal motor carrier
4 safety administration from all or parts of the qualification re-
5 quirements of federal motor carrier safety regulation 49, part
6 391, and is therefore not required to provide a medical examiner's
7 certificate;

8 (iii) Non-excepted intrastate. The applicant operates only in
9 intrastate commerce and is subject to and meets all Idaho driver
10 qualification requirements and the applicable parts of federal
11 motor carrier safety regulation 49, part 391, and is required to
12 provide a medical examiner's certificate; or

13 (iv) Excepted intrastate. The applicant operates in intrastate
14 commerce, but engages exclusively in exempted transportation or
15 operations as listed in section 67-2901B(2), Idaho Code, and the
16 applicable parts of federal motor carrier safety regulation 49,
17 part 391, and is therefore not required to provide a medical exam-
18 iner's certificate.

19 All applications shall also state whether the applicant has previ-
20 ously been licensed as a driver, and if so, when and by what state or
21 country, and whether a driver's license or privileges have ever been
22 suspended, revoked, denied, disqualified, canceled or whether an ap-
23 plication has ever been refused, and if so, the date of and reason for
24 the suspension, revocation, denial, disqualification, cancellation
25 or refusal and the applicant's oath that all information is correct as
26 signified by the applicant's signature.

27 (d) The applicant must submit proof of identity acceptable to the exam-
28 iner or the department and date of birth as set forth in a certified copy
29 of his birth certificate. When a certified copy of his birth certifi-
30 cate or a delayed birth certificate is impossible to obtain from a vital
31 statistics agency, another government issued document may be submitted
32 that provides satisfactory evidence of a person's full legal name and
33 date of birth acceptable to the examiner or the department.

34 (e) Every applicant for a class A, B or C driver's license or commer-
35 cial learner's permit shall provide proof of United States citizenship
36 or lawful permanent residency in the United States upon application for
37 issuance, transfer, upgrade or renewal, unless the applicant's driving
38 record already contains documentation confirming United States citi-
39 zenship or lawful permanent residency. Every applicant for a nondomi-
40 ciled class A, B or C driver's license or commercial learner's permit
41 domiciled in a foreign country must provide an unexpired employment au-
42 thorization document issued by the department of homeland security or
43 an unexpired foreign passport accompanied by an approved I-94 form doc-
44 umenting the applicant's most recent admittance into the United States.

45 (d̄f) Individuals required to register in compliance with section 3 of
46 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
47 as amended, shall be provided an opportunity to fulfill such registra-
48 tion requirements in conjunction with an application for a driver's li-
49 cense, commercial learner's permit or instruction permit. Any regis-

1 tration information so supplied shall be transmitted by the department
2 to the selective service system.

3 (4) Whenever an application is received from a person previously li-
4 censed in another jurisdiction, the department shall request a copy of the
5 driver's record from the other jurisdiction and shall contact the national
6 driver register. When received, the driver's record from the previous ju-
7 risdiction shall become a part of the driver's record in this state with the
8 same force and effect as though entered on the driver's record in this state
9 in the original instance.

10 (5) Whenever the department receives a request for a driver's record
11 from another licensing jurisdiction, the record shall be forwarded without
12 charge.

13 (6) The department shall contact and notify the commercial driver li-
14 cense information system of the proposed application for a class A, B or C
15 driver's license or commercial learner's permit to ensure identification of
16 the person and to obtain clearance to issue the license.

17 (7) When the fees required under this section are collected by a county
18 officer, they shall be paid over to the county treasurer not less often than
19 monthly, who shall immediately:

20 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
21 license except an eight-year class D license, or any class D instruction
22 permit application fees, application for a duplicate driver's license
23 or permit, classification change, seasonal driver's license and addi-
24 tional endorsement, and ten dollars (\$10.00) from each eight-year class
25 D driver's license, in the current expense fund;

26 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
27 endorsement and motorcycle endorsement instruction permit fee in the
28 current expense fund;

29 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
30 knowledge test in the current expense fund;

31 (d) Deposit an amount equal to ten dollars (\$10.00) from each fee for
32 a motorcycle endorsement skills test in the current expense fund; pro-
33 vided however, if a contractor administers the skills test he shall be
34 entitled to the ten dollar (\$10.00) fee;

35 (e) Remit the remainder to the state treasurer; and

36 (f) Deposit seventeen dollars and fifty cents (\$17.50) from each fee
37 for a class D skills test into the county current expense fund, unless
38 the test is administered by a department-approved contractor, in which
39 case the contractor shall be entitled to seventeen dollars and fifty
40 cents (\$17.50) of each fee.

41 (8) When the fees required under this section are collected by a state
42 officer or agency, they shall be paid over to the state treasurer.

43 (9) The state treasurer shall distribute the moneys received from fees
44 imposed by the provisions of this section, whether collected by a county of-
45 ficer or by a state officer or agency as follows:

46 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
47 or seasonal driver's license, and four dollars (\$4.00) of each fee for
48 an eight-year class D driver's license, and one dollar and fifty cents
49 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
50 tion (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each

1 fee charged for driver's licenses pursuant to subsection (1) (c) and
2 (f) of this section, shall be deposited in the emergency medical ser-
3 vices fund II created in section 56-1018A, Idaho Code, and four dollars
4 (\$4.00) of each fee charged pursuant to subsection (1) (a), (g) and (s)
5 of this section and eight dollars (\$8.00) of each fee charged pursuant
6 to subsection (1) (h) of this section and three dollars (\$3.00) of each
7 fee for driver's licenses pursuant to subsection (1) (b), (d) and (e) of
8 this section, and one dollar (\$1.00) of each fee charged for driver's
9 licenses pursuant to subsection (1) (c) and (f) of this section shall be
10 deposited in the emergency medical services fund III created in section
11 56-1018B, Idaho Code;

12 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
13 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
14 of each fee charged for a license pursuant to subsection (1) (b) of this
15 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
16 for a license pursuant to subsection (1) (c) of this section shall be de-
17 posited in the state highway account;

18 (c) Twenty dollars (\$20.00) of each fee for a ~~class A, B or C instruction~~
19 commercial learner's permit or driver's license classification change
20 shall be deposited in the state highway account;

21 (d) Four dollars (\$4.00) of each fee for a ~~class A, B or C instruction~~
22 commercial learner's permit shall be deposited in the emergency medical
23 services fund III created in section 56-1018B, Idaho Code;

24 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
25 A, B or C driver's license, class A, B or C driver's license extension,
26 or additional endorsement shall be deposited in the state highway ac-
27 count;

28 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
29 endorsement and motorcycle endorsement instruction permit shall be de-
30 posited in the state highway account;

31 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
32 class D driver's license, and ten dollars and sixty cents (\$10.60) of
33 each fee for an eight-year class D driver's license, and four dollars
34 (\$4.00) of each fee charged for a license pursuant to subsection (1) (d)
35 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
36 of each fee charged for a license pursuant to subsection (1) (f) of this
37 section shall be deposited in the driver training fund;

38 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
39 four-year class D driver's license, and twenty dollars and forty cents
40 (\$20.40) of each fee for an eight-year class D driver's license, and ten
41 dollars and fifty cents (\$10.50) of each fee charged for a license pur-
42 suant to subsection (1) (d) and (e) of this section, and six dollars and
43 eighty-three cents (\$6.83) of each fee charged for a license pursuant
44 to subsection (1) (f) of this section shall be deposited in the highway
45 distribution fund;

46 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
47 struction permit, duplicate class D license or permit, and class D li-
48 cense extension shall be deposited in the driver training fund;

1 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D in-
2 struction permit, duplicate class D license or permit, and class D li-
3 cense extension shall be deposited in the highway distribution fund;

4 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
5 shall be deposited in the state highway account;

6 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
7 driver's license, and two dollars (\$2.00) of each fee for an eight-year
8 class D driver's license, and one dollar (\$1.00) of each fee charged for
9 a license pursuant to subsection (1)(b), (d) and (e) of this section,
10 and thirty-four cents (34¢) of each fee charged for a license pursuant
11 to subsection (1)(c) and (f) of this section shall be deposited in the
12 motorcycle safety program fund established in section 33-4904, Idaho
13 Code;

14 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
15 test shall be deposited into the state highway account; and

16 (n) Each voluntary contribution of two dollars (\$2.00) as described in
17 subsection (2) of this section, less actual administrative costs asso-
18 ciated with collecting and transferring such contributions, shall be
19 deposited into the organ donation contribution fund created in section
20 49-2447, Idaho Code.

21 (10) The contractor administering a class A, B or C skills test shall be
22 entitled to not more than sixty dollars (\$60.00) of the skills test fee. A
23 contractor administering a class A, B or C skills test may collect an addi-
24 tional fee for the use of the contractor's vehicle for the skills test.

25 (11) Sixty dollars (\$60.00) of each restricted driving permit and each
26 restricted school attendance driving permit shall be deposited in the state
27 highway account.

28 (12) The department may issue seasonal class B or C driver's licenses to
29 drivers who are employees of agri-chemical businesses, custom harvesters,
30 farm retail outlets and suppliers, and livestock feeders that:

31 (a) Will only be valid for driving commercial vehicles that normally
32 require class B or C commercial driver's licenses;

33 (b) Will be valid for seasonal periods that begin on the date of is-
34 suance and that are not to exceed one hundred eighty (180) days in a
35 twelve (12) month period;

36 (c) May only be obtained twice in a driver's lifetime;

37 (d) Are valid only within a one hundred fifty (150) mile radius of the
38 place of business or farm being serviced; and

39 (e) Will be valid only in conjunction with valid Idaho class D driver's
40 licenses.

41 (13) The department may issue seasonal class B or C driver's licenses to
42 drivers who:

43 (a) Have not violated the single license provisions of applicable fed-
44 eral regulations;

45 (b) Have not had any license suspensions, revocations or cancella-
46 tions;

47 (c) Have not had any convictions in any vehicle for any offense listed
48 in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic
49 offense;

- 1 (d) Have at least one (1) year of driving experience with a class D or
2 equivalent license in any type motor vehicle; and
3 (e) Are at least sixteen (16) years old.

4 SECTION 7. That Section 49-313, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 49-313. EXAMINATION OF APPLICANTS. (1) The sheriff, his deputy or
7 authorized agents of the department shall examine every applicant for an
8 instruction permit, commercial learner's permit, restricted school at-
9 tendance driving permit, seasonal driver's license, driver's license or a
10 motorcycle endorsement, except as otherwise provided by law. The examina-
11 tion shall include a vision screening and a test of the applicant's ability
12 to read and understand highway signs regulating, warning, and directing
13 traffic. A skills test shall be required for an applicant who has not been
14 previously licensed for the class of license requested, or who holds a li-
15 cense issued by another country unless a reciprocal agreement is in force.
16 However, a skills test may be required for any and all other applicants at
17 the discretion of the examiner or department for a class A, B, C or D driver's
18 license or a motorcycle endorsement. In addition, the applicant's knowledge
19 of traffic laws of this state and when a motorcycle endorsement is applied
20 for, the applicant's knowledge of safe motorcycle operating practices and
21 traffic laws specifically relating to motorcycle operation shall be tested
22 by a written examination, except as provided in section 49-319, Idaho Code.
23 At the discretion of the examiner, the prescribed written examination may be
24 conducted orally.

25 (2) The knowledge and skills examinations for applicants for driver's
26 licenses in class A, B or C shall be conducted in compliance with 49 CFR part
27 383.

28 (3) The skills test for a class A, B, C or D driver's license or for any
29 endorsement shall be given by the department or its authorized agents. The
30 skills examiner for a motorcycle endorsement shall be certified by the divi-
31 sion of professional-technical education.

32 (4) The department shall not issue the following endorsements except as
33 provided:

34 (a) A tank, double/triple trailer, or hazardous material endorsement
35 unless the applicant, in addition to all other applicable qualifica-
36 tions, has passed an appropriate knowledge test.

37 (b) A passenger endorsement unless the applicant, in addition to all
38 other applicable qualifications, has passed an appropriate knowledge
39 and skills test.

40 (c) A school bus endorsement unless the applicant, in addition to all
41 other applicable qualifications, has passed appropriate knowledge and
42 skills tests. Until September 30, 2005, the department may waive the
43 school bus endorsement skills test requirement if the applicant meets
44 the conditions set forth in accordance with 49 CFR part 383.123.

45 (5) Any person failing to pass a knowledge or skills test for a class
46 A, B, C or D driver's license, or a knowledge test for a seasonal driver's
47 license, or any endorsement may not retake the test within three (3) calendar
48 days of the failure.

1 (6) Any person retaking a knowledge or skills test for a driver's li-
2 cense shall pay the appropriate testing fee as specified in section 49-306,
3 Idaho Code.

4 (7) The motorcycle skills test for a motorcycle endorsement shall be
5 waived by the department:

6 (a) On and after September 1, 1998, if the applicant presents satisfac-
7 tory evidence of successful completion of a recognized motorcycle rider
8 training course approved by the division of professional-technical ed-
9 ucation;

10 (b) On and after September 1, 1998, if the applicant presents evi-
11 dence of a motorcycle endorsement on his current license by a state or
12 province which requires a motorcycle skills test equivalent to that re-
13 quired by Idaho law as determined by the division of professional-tech-
14 nical education;

15 (c) Until September 1, 1998.

16 (8) At the discretion of the department, an alternate skills test for
17 the motorcycle endorsement may be administered when the endorsement is for
18 operation of a three-wheeled motorcycle only.

19 (9) The department or its authorized agents may refuse to give an appli-
20 cant a skills test if there are reasonable grounds to believe that the safety
21 of the applicant, public, or the examiner would be jeopardized by doing so.
22 Reasonable grounds would include, but not be limited to, the applicant's in-
23 ability to pass the vision screening, written tests, or a statement by a li-
24 censed physician stating the applicant is not physically able to drive a mo-
25 tor vehicle.

26 (10) The department or its authorized agents may deny issuance or re-
27 newal of a driver's license or endorsement to any applicant who does not meet
28 the licensing requirements for the class of driver's license or endorsement
29 being renewed or issued.

30 (11) Skills examinations for seasonal driver's licenses shall be
31 waived.

32 SECTION 8. That Section 6, Chapter 354, Laws of 2013, be, and the same is
33 hereby amended to read as follows:

34 SECTION 6. Section 2 of this act shall be in full force and effect ~~on and~~
35 ~~after July 1, 2014, or~~ when the Director of the Idaho Transportation Depart-
36 ment submits to the Secretary of State in writing that the Idaho Transporta-
37 tion Department's information technology system has been updated to support
38 the Organ Donation Contribution Fund, ~~whichever date is later.~~