

IN THE SENATE

SENATE BILL NO. 1006

BY BURGOYNE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-301, IDAHO CODE, TO PROVIDE  
2 FOR DRIVING PRIVILEGE CARDS; AMENDING SECTION 49-303, IDAHO CODE, TO  
3 PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE A CODE REFERENCE AND  
4 TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-306, IDAHO CODE,  
5 TO PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE THAT A PERSON WITH-  
6 OUT A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD  
7 AND TO PROVIDE RULEMAKING AUTHORITY FOR CERTAIN FEES; AMENDING SECTION  
8 49-306, IDAHO CODE, AS AMENDED BY SECTION 6, CHAPTER 54, LAWS OF 2015, TO  
9 PROVIDE FOR DRIVING PRIVILEGE CARDS, TO PROVIDE THAT A PERSON WITHOUT  
10 A SOCIAL SECURITY NUMBER MAY APPLY FOR A DRIVING PRIVILEGE CARD AND TO  
11 PROVIDE RULEMAKING AUTHORITY FOR CERTAIN FEES; AMENDING CHAPTER 3, TI-  
12 TLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-307B, IDAHO CODE,  
13 TO DEFINE TERMS, TO AUTHORIZE THE DEPARTMENT TO ISSUE DRIVING PRIVILEGE  
14 CARDS TO CERTAIN INDIVIDUALS, TO PROVIDE ELIGIBILITY REQUIREMENTS, TO  
15 PROVIDE CRITERIA FOR DRIVING PRIVILEGE CARDS, TO PROVIDE LIMITATIONS  
16 AND TO PROVIDE RULEMAKING AUTHORITY; AMENDING SECTION 49-313, IDAHO  
17 CODE, TO PROVIDE FOR DRIVING PRIVILEGE CARDS AND TO MAKE A TECHNICAL  
18 CORRECTION; AND PROVIDING AN EFFECTIVE DATE.  
19

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

21 SECTION 1. That Section 49-301, Idaho Code, be, and the same is hereby  
22 amended to read as follows:

23 49-301. DRIVERS TO BE LICENSED. (1) No person, except those expressly  
24 exempted by the provisions of this chapter, shall drive any motor vehicle  
25 upon a highway unless the person has a current and valid Idaho driver's li-  
26 cense or current and valid driving privilege card issued pursuant to sec-  
27 tion 49-307B, Idaho Code. Provided however, that those persons holding a re-  
28 stricted school attendance driving permit may drive upon a highway pursuant  
29 to the restrictions set forth in section 49-307A, Idaho Code.

30 (2) No person shall operate a motorcycle upon a highway unless he has  
31 a motorcycle endorsement on his valid driver's license. The provisions of  
32 this subsection shall not apply to persons operating autocycles.

33 (3) No person shall operate a motor vehicle in violation of any valid  
34 restriction identified on, or attached to, his valid driver's license or  
35 driving privilege card.

36 (4) No person shall receive a class D driver's license unless and un-  
37 til he surrenders to the department all driver's licenses in his possession  
38 issued to him by Idaho or any other jurisdiction for use within the United  
39 States, or any identification cards issued by any other jurisdiction within  
40 the United States, or until he executes an affidavit that he does not possess  
41 a driver's license or any identification cards.

1 (5) No person shall be permitted to have more than one (1) driver's li-  
2 cence or driving privilege card issued for use within the United States at  
3 any time.

4 (6) No person shall operate a commercial motor vehicle as defined in  
5 section 49-123, Idaho Code, upon a highway:

6 (a) Without obtaining a commercial driver's license.

7 (b) Without having the appropriate class A, B or C commercial driver's  
8 license in the operator's possession.

9 (c) Without the proper license class of commercial driver's license or  
10 endorsements for the specific vehicle group being operated or for the  
11 passengers or type of cargo being transported.

12 (d) Unless the operator has a seasonal or class A, B or C driver's li-  
13 cense with required endorsements in his possession.

14 (e) Without having a current and valid medical examiner's certificate  
15 on file with the department while operating in a "non-excepted" status  
16 as required by the federal motor carrier safety administration. Med-  
17 ical examiner's certificates submitted for filing must be legible and  
18 shall be submitted in a manner acceptable to the department. If the  
19 federal motor carrier safety administration has issued a medical ex-  
20 emption letter or skill performance evaluation certificate, the driver  
21 must have the current and valid documentation in physical possession  
22 and available upon request to a duly authorized federal, state or local  
23 enforcement official.

24 (7) Any holder of a class A, B or C commercial driver's license issued  
25 by a jurisdiction other than Idaho shall apply for an Idaho-issued commer-  
26 cial driver's license within thirty (30) days of establishing a domicile in  
27 Idaho. In accordance with the federal motor carrier safety regulations, no  
28 person shall receive a class A, B or C driver's license unless and until he  
29 surrenders to the department all driver's licenses in his possession issued  
30 to him by Idaho or any other jurisdiction.

31 (8) Except as provided in section 49-304, Idaho Code, a violation of  
32 this section is a misdemeanor.

33 SECTION 2. That Section 49-303, Idaho Code, be, and the same is hereby  
34 amended to read as follows:

35 49-303. WHAT PERSONS SHALL NOT BE LICENSED. The department shall not  
36 issue any driver's license, any driving privilege card issued pursuant to  
37 section 49-307B, Idaho Code, any instruction permit, privileges or right to  
38 drive to, and if issued, may revoke or cancel the driver's license or driving  
39 privilege card of, a person who:

40 (1) As an operator of a vehicle requiring a class D driver's license, is  
41 under the age of seventeen (17) years, except that the department may issue  
42 a driver's license to any person who has successfully completed an approved  
43 driver's training course, has completed the requirements of a class D su-  
44 pervised instruction permit, and who is at least fifteen (15) years of age,  
45 with driving privileges restricted to daylight hours only except as provided  
46 in section 49-307(9), Idaho Code, and with full privileges at sixteen (16)  
47 years of age. The restriction of daylight hours only shall mean that period  
48 of time one-half (1/2) hour before sunrise to one-half (1/2) hour after sun-  
49 set. If a person who is at least fifteen (15) years but is under seventeen

1 (17) years of age has successfully completed an approved driver's training  
2 course and has been issued a driver's license in another state, he may be  
3 issued a class D driver's license in this state. Provided however, that a  
4 restricted school attendance driving permit may be issued to those persons  
5 meeting the criteria set forth in section 49-307A, Idaho Code.

6 (2) As an operator of a vehicle requiring a class D driver's license,  
7 is under the age of seventeen (17) years and has not successfully completed  
8 an approved driver's training course and has not satisfied the requirements  
9 of a class D supervised instruction permit. Provided however, that a re-  
10 stricted school attendance driving permit may be issued to those persons  
11 meeting the criteria set forth in section 49-307A, Idaho Code.

12 (3) As an operator of a commercial vehicle requiring a class A, B or C  
13 driver's license is under the age of eighteen (18) years.

14 (4) Applicants with less than one (1) year of driving experience, as ev-  
15 idenced by a previous driver's license shall not be issued a class A, B or C  
16 driver's license or a class A, B or C instruction permit.

17 (5) As a driver has had his license, class D instruction permit, re-  
18 stricted school attendance driving permit, privileges or right to drive  
19 suspended for the duration of the suspension, nor to any person who has had  
20 his class D driver's training instruction permit or class D supervised in-  
21 struction permit canceled for the duration of the cancellation, nor to any  
22 person whose license has been revoked, suspended, canceled or disqualified  
23 by this state or any other jurisdiction; provided however, where a driver's  
24 license has been revoked, suspended, canceled or disqualified in any other  
25 jurisdiction, and the driver has completed the period of revocation, suspen-  
26 sion, cancellation or disqualification as specified by the jurisdiction,  
27 that person may be granted a class D driver's license in this state if five  
28 (5) years have elapsed from the time of eligibility for reinstatement in the  
29 other jurisdiction, even though the driver has not fulfilled the require-  
30 ments for reinstatement in the other jurisdiction.

31 (6) Has been adjudged by a court of competent jurisdiction to be an ha-  
32 bitual drunkard or addicted to the use of narcotic drugs, and such order has  
33 been received by the department.

34 (7) Has been adjudged by a licensed physician or by a court of competent  
35 jurisdiction to be afflicted with or suffering from any mental incompetence  
36 that would affect the person's ability to safely operate a motor vehicle and  
37 who has not at the time of application been restored to competency by the  
38 methods provided by law, and such order has been received by the department.

39 (8) Is required by the provisions of this chapter to take an examina-  
40 tion, unless that person shall have successfully passed such examination.

41 (9) May be required under any law of this state to furnish proof of fi-  
42 nancial responsibility and who has not furnished that proof.

43 (10) The department has good cause to believe that the operation of a mo-  
44 tor vehicle on the highways by that person would be harmful to public safety  
45 or welfare.

46 (11) Is disqualified for a class A, B or C driver's license, except he  
47 may be issued a class D driver's license.

48 (12) Is under eighteen (18) years of age and is not enrolled in school,  
49 has not received a waiver pursuant to or has not satisfactorily completed  
50 school as provided in section 49-303A, Idaho Code.

1 (13) Is not a resident of the state of Idaho.

2 (14) Is not lawfully present in the United States, except as provided in  
3 section 49-307B, Idaho Code.

4 SECTION 3. That Section 49-306, Idaho Code, be, and the same is hereby  
5 amended to read as follows:

6 49-306. APPLICATION FOR DRIVER'S LICENSE, DRIVING PRIVILEGE CARD, IN-  
7 STRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTEN-  
8 DANCE DRIVING PERMIT. (1) Every application for any instruction permit, re-  
9 stricted school attendance driving permit, driving privilege card or for a  
10 driver's license shall be made upon a form furnished by the department and  
11 shall be verified by the applicant before a person authorized to adminis-  
12 ter oaths. Officers and employees of the department and sheriffs and their  
13 deputies are authorized to administer the oaths without charge. Every ap-  
14 plication for a permit, extension, driving privilege card or driver's li-  
15 cense shall be accompanied by the following fee, none of which is refundable:

16	(a) Class A, B, C (4-year) license with endorsements --	
17	age 21 years and older .....	\$40.00
18	(b) Class A, B, C (3-year) license with endorsements --	
19	age 18 to 21 years .....	\$30.00
20	(c) Class A, B, C (1-year) license with endorsements --	
21	age 20 years .....	\$15.00
22	(d) Class D (3-year) license -- under age 18 years .....	\$25.00
23	(e) Class D (3-year) license -- age 18 to 21 years .....	\$25.00
24	(f) Class D (1-year) license -- age 17 years or age 20 years .....	\$15.00
25	(g) Four-year Class D license -- age 21 years and older .....	\$30.00
26	(h) Eight-year Class D license -- age 21 to 63 years .....	\$55.00
27	(i) Commercial learner's permit .....	\$29.00
28	(j) Class D instruction permit or supervised instruction permit	
29	.....	\$15.00
30	(k) Duplicate driver's license or permit issued under	
31	section 49-318, Idaho Code .....	\$15.00
32	(l) Driver's license extension issued under section	
33	49-319, Idaho Code .....	\$10.00
34	(m) License classification change (upgrade) .....	\$25.00
35	(n) Endorsement addition .....	\$15.00
36	(o) Class A, B, C skills tests not more than .....	\$70.00
37	(p) Class D <u>or driving privilege card</u> skills test .....	\$24.00
38	(q) Motorcycle endorsement skills test .....	\$10.00
39	(r) Knowledge test .....	\$ 3.00
40	(s) Seasonal driver's license .....	\$39.00
41	(t) One time motorcycle "M" endorsement .....	\$15.00
42	(u) Motorcycle endorsement instruction permit .....	\$15.00
43	(v) Restricted driving permit or restricted school attendance	
44	driving permit .....	\$60.00
45	(w) <u>Driving privilege card issued under</u>	
46	<u>section 49-307B, Idaho Code</u> .....	\$15.00

47 (2) Every application shall state the true and full name, date of birth,  
48 sex, declaration of Idaho residency, Idaho residence address and mailing ad-  
49 dress, if different, of the applicant, height, weight, hair color, and eye

1 color, and the applicant's social security number as verified by the social  
 2 security administration. If an applicant has submitted an application pur-  
 3 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-  
 4 cant may state, in his or her application pursuant to this section, the ap-  
 5 plicant's alternative Idaho mailing address in place of his or her Idaho res-  
 6 idence address and mailing address. Notwithstanding the provisions of sec-  
 7 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or  
 8 C driver's license or nondomiciled commercial learner's permit having res-  
 9 idency in a state that is prohibited from issuing class A, B or C driver's  
 10 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-  
 11 cepted from providing proof of Idaho residency and an Idaho mailing address.

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

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

17 (i) Shall pPresent written verification from the social security  
 18 administration that the applicant has not been assigned a social  
 19 security number; and

20 (ii) Shall sSubmit a birth certificate, passport or other doc-  
 21 umentary evidence issued by an entity other than a state or the  
 22 United States; and

23 (iii) Shall sSubmit such proof as the department may require that  
 24 the applicant is lawfully present in the United States; or

25 (iv) May apply for a driving privilege card in accordance with  
 26 section 49-307B, Idaho Code.

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

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

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

38 (ii) Excepted Interstate. The applicant operates or expects to  
 39 operate in interstate commerce, but engages exclusively in trans-  
 40 portation or operations excepted by the federal motor carrier  
 41 safety administration from all or parts of the qualification re-  
 42 quirements of federal motor carrier safety regulation 49, part  
 43 391, and is therefore not required to provide a medical examiner's  
 44 certificate;

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

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

7 All applications shall also state whether the applicant has previ-  
8 ously been licensed as a driver, and if so, when and by what state or  
9 country, and whether a driver's license or privileges have ever been  
10 suspended, revoked, denied, disqualified, canceled or whether an ap-  
11 plication has ever been refused, and if so, the date of and reason for  
12 the suspension, revocation, denial, disqualification, cancellation  
13 or refusal and the applicant's oath that all information is correct as  
14 signified by the applicant's signature.

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

22 (e) Every applicant for a class A, B or C driver's license or commer-  
23 cial learner's permit shall provide proof of United States citizenship  
24 or lawful permanent residency in the United States upon application for  
25 issuance, transfer, upgrade or renewal, unless the applicant's driving  
26 record already contains documentation confirming United States citi-  
27 zenship or lawful permanent residency. Every applicant for a nondomi-  
28 ciled class A, B or C driver's license or commercial learner's permit  
29 domiciled in a foreign country must provide an unexpired employment au-  
30 thorization document issued by the department of homeland security or  
31 an unexpired foreign passport accompanied by an approved I-94 form doc-  
32 umenting the applicant's most recent admittance into the United States.

33 (f) Individuals required to register in compliance with section 3 of  
34 the federal military selective service act, 50 U.S.C. App. 451 et seq.,  
35 as amended, shall be provided an opportunity to fulfill such registra-  
36 tion requirements in conjunction with an application for a driver's li-  
37 cense, commercial learner's permit or instruction permit. Any regis-  
38 tration information so supplied shall be transmitted by the department  
39 to the selective service system.

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

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

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

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

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

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

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

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

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

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

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

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

34 (a) Two dollars (\$2.00) of each fee for a four-year driver's license  
35 or seasonal driver's license, and four dollars (\$4.00) of each fee for  
36 an eight-year class D driver's license, and one dollar and fifty cents  
37 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-  
38 tions (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each  
39 fee charged for driver's licenses pursuant to subsections (1) (c) and  
40 (f) of this section, shall be deposited in the emergency medical ser-  
41 vices fund II created in section 56-1018A, Idaho Code, and four dollars  
42 (\$4.00) of each fee charged pursuant to subsections (1) (a), (g) and (s)  
43 of this section and eight dollars (\$8.00) of each fee charged pursuant  
44 to subsection (1) (h) of this section and three dollars (\$3.00) of each  
45 fee for driver's licenses pursuant to subsections (1) (b), (d) and (e)  
46 of this section, and one dollar (\$1.00) of each fee charged for driver's  
47 licenses pursuant to subsections (1) (c) and (f) of this section shall be  
48 deposited in the emergency medical services fund III created in section  
49 56-1018B, Idaho Code; and

- 1 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
2 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
3 of each fee charged for a license pursuant to subsection (1) (b) of this  
4 section, and eight dollars and sixteen cents (\$8.16) of each fee charged  
5 for a license pursuant to subsection (1) (c) of this section shall be de-  
6 posited in the state highway account; and
- 7 (c) Twenty dollars (\$20.00) of each fee for a commercial learner's per-  
8 mit or driver's license classification change shall be deposited in the  
9 state highway account; and
- 10 (d) Four dollars (\$4.00) of each fee for a commercial learner's permit  
11 shall be deposited in the emergency medical services fund III created in  
12 section 56-1018B, Idaho Code; and
- 13 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class  
14 A, B or C driver's license, class A, B or C driver's license extension,  
15 or additional endorsement shall be deposited in the state highway ac-  
16 count; and
- 17 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle  
18 endorsement and motorcycle endorsement instruction permit shall be de-  
19 posited in the state highway account; and
- 20 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
21 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
22 each fee for an eight-year class D driver's license, and four dollars  
23 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)  
24 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
25 of each fee charged for a license pursuant to subsection (1) (f) of this  
26 section shall be deposited in the driver training fund; and
- 27 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
28 four-year class D driver's license, and twenty dollars and forty cents  
29 (\$20.40) of each fee for an eight-year class D driver's license, and ten  
30 dollars and fifty cents (\$10.50) of each fee charged for a license pur-  
31 suant to subsections (1) (d) and (e) of this section, and six dollars and  
32 eighty-three cents (\$6.83) of each fee charged for a license pursuant  
33 to subsection (1) (f) of this section shall be deposited in the highway  
34 distribution fund; and
- 35 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-  
36 struction permit, duplicate class D license or permit, and class D li-  
37 cense extension shall be deposited in the driver training fund; and
- 38 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D  
39 instruction permit, duplicate class D license or permit, and class D  
40 license extension shall be deposited in the highway distribution fund;  
41 and
- 42 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test  
43 shall be deposited in the state highway account; and
- 44 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D  
45 driver's license, and two dollars (\$2.00) of each fee for an eight-year  
46 class D driver's license, and one dollar (\$1.00) of each fee charged for  
47 a license pursuant to subsections (1) (b), (d) and (e) of this section,  
48 and thirty-four cents (34¢) of each fee charged for a license pursuant  
49 to subsections (1) (c) and (f) of this section shall be deposited in the



1 motorcycle safety program fund established in section 33-4904, Idaho  
2 Code; and

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (d) Have at least one (1) year of driving experience with a class D or  
35 equivalent license in any type motor vehicle; and

36 (e) Are at least sixteen (16) years old.

37 (13) The department is authorized to promulgate rules providing for  
38 a surcharge over and above any fees assessed by this section for a driving  
39 privilege card, provided that the sum of such fees and surcharge shall not  
40 exceed actual cost for processing an application for, and issuing, a driv-  
41 ing privilege card. Such rules may provide for a distribution of surcharge  
42 revenues to the department, local units of government and the general fund  
43 to defray costs in excess of fee revenues, including any appropriation from  
44 the general fund.

45 SECTION 4. That Section 49-306, Idaho Code, as amended by Section 6,  
46 Chapter 54, Laws of 2015, be, and the same is hereby amended to read as fol-  
47 lows:

48 49-306. APPLICATION FOR DRIVER'S LICENSE, DRIVING PRIVILEGE CARD, IN-  
49 STRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTEN-

1 DANCE DRIVING PERMIT. (1) Every application for any instruction permit, re-  
 2 stricted school attendance driving permit, driving privilege card or for a  
 3 driver's license shall be made upon a form furnished by the department and  
 4 shall be verified by the applicant before a person authorized to adminis-  
 5 ter oaths. Officers and employees of the department and sheriffs and their  
 6 deputies are authorized to administer the oaths without charge. Every ap-  
 7 plication for a permit, extension, driving privilege card or driver's li-  
 8 cense shall be accompanied by the following fee, none of which is refundable:

9	(a) Class A, B, C (4-year) license with endorsements --	
10	age 21 years and older .....	\$40.00
11	(b) Class A, B, C (3-year) license with endorsements --	
12	age 18 to 21 years .....	\$30.00
13	(c) Class A, B, C (1-year) license with endorsements --	
14	age 20 years .....	\$15.00
15	(d) Class D (3-year) license -- under age 18 years .....	\$25.00
16	(e) Class D (3-year) license -- age 18 to 21 years .....	\$25.00
17	(f) Class D (1-year) license -- age 17 years or age 20 years .....	\$15.00
18	(g) Four-year Class D license -- age 21 years and older .....	\$30.00
19	(h) Eight-year Class D license -- age 21 to 63 years .....	\$55.00
20	(i) Commercial learner's permit .....	\$29.00
21	(j) Class D instruction permit or supervised instruction permit	
22	.....	\$15.00
23	(k) Duplicate driver's license or permit issued under	
24	section 49-318, Idaho Code .....	\$15.00
25	(l) Driver's license extension issued under section	
26	49-319, Idaho Code .....	\$10.00
27	(m) License classification change (upgrade) .....	\$25.00
28	(n) Endorsement addition .....	\$15.00
29	(o) Class A, B, C skills tests not more than .....	\$70.00
30	(p) Class D <u>or driving privilege card</u> skills test .....	\$24.00
31	(q) Motorcycle endorsement skills test .....	\$10.00
32	(r) Knowledge test .....	\$ 3.00
33	(s) Seasonal driver's license .....	\$39.00
34	(t) One time motorcycle "M" endorsement .....	\$15.00
35	(u) Motorcycle endorsement instruction permit .....	\$15.00
36	(v) Restricted driving permit or restricted school attendance	
37	driving permit .....	\$60.00
38	(w) <u>Driving privilege card</u> issued under	
39	<u>section 49-307B, Idaho Code</u> .....	\$15.00

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

46 (3) Every application shall state the true and full name, date of birth,  
 47 sex, declaration of Idaho residency, Idaho residence address and mailing ad-  
 48 dress, if different, of the applicant, height, weight, hair color, and eye  
 49 color, and the applicant's social security number as verified by the social  
 50 security administration. If an applicant has submitted an application pur-

1 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-  
 2 cant may state, in his or her application pursuant to this section, the ap-  
 3 plicant's alternative Idaho mailing address in place of his or her Idaho res-  
 4 idence address and mailing address. Notwithstanding the provisions of sec-  
 5 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or  
 6 C driver's license or nondomiciled commercial learner's permit having res-  
 7 idency in a state that is prohibited from issuing class A, B or C driver's  
 8 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-  
 9 cepted from providing proof of Idaho residency and an Idaho mailing address.

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

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

15 (i) Shall pPresent written verification from the social security  
 16 administration that the applicant has not been assigned a social  
 17 security number; and

18 (ii) Shall sSubmit a birth certificate, passport or other doc-  
 19 umentary evidence issued by an entity other than a state or the  
 20 United States; and

21 (iii) Shall sSubmit such proof as the department may require that  
 22 the applicant is lawfully present in the United States; or

23 (iv) May apply for a driving privilege card in accordance with  
 24 section 49-307B, Idaho Code.

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

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

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

36 (ii) Excepted interstate. The applicant operates or expects to  
 37 operate in interstate commerce, but engages exclusively in trans-  
 38 portation or operations excepted by the federal motor carrier  
 39 safety administration from all or parts of the qualification re-  
 40 quirements of federal motor carrier safety regulation 49, part  
 41 391, and is therefore not required to provide a medical examiner's  
 42 certificate;

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

48 (iv) Excepted intrastate. The applicant operates in intrastate  
 49 commerce, but engages exclusively in exempted transportation or  
 50 operations as listed in section 67-2901B(2), Idaho Code, and the

1 applicable parts of federal motor carrier safety regulation 49,  
2 part 391, and is therefore not required to provide a medical exam-  
3 iner's certificate.

4 All applications shall also state whether the applicant has previ-  
5 ously been licensed as a driver, and if so, when and by what state or  
6 country, and whether a driver's license or privileges have ever been  
7 suspended, revoked, denied, disqualified, canceled or whether an ap-  
8 plication has ever been refused, and if so, the date of and reason for  
9 the suspension, revocation, denial, disqualification, cancellation  
10 or refusal and the applicant's oath that all information is correct as  
11 signified by the applicant's signature.

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

19 (e) Every applicant for a class A, B or C driver's license or commer-  
20 cial learner's permit shall provide proof of United States citizenship  
21 or lawful permanent residency in the United States upon application for  
22 issuance, transfer, upgrade or renewal, unless the applicant's driving  
23 record already contains documentation confirming United States citi-  
24 zenship or lawful permanent residency. Every applicant for a nondomi-  
25 ciled class A, B or C driver's license or commercial learner's permit  
26 domiciled in a foreign country must provide an unexpired employment au-  
27 thorization document issued by the department of homeland security or  
28 an unexpired foreign passport accompanied by an approved I-94 form doc-  
29 umenting the applicant's most recent admittance into the United States.

30 (f) Individuals required to register in compliance with section 3 of  
31 the federal military selective service act, 50 U.S.C. App. 451 et seq.,  
32 as amended, shall be provided an opportunity to fulfill such registra-  
33 tion requirements in conjunction with an application for a driver's li-  
34 cense, commercial learner's permit or instruction permit. Any regis-  
35 tration information so supplied shall be transmitted by the department  
36 to the selective service system.

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

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

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

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

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

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

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

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

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

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

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

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

30 (a) Two dollars (\$2.00) of each fee for a four-year driver's license  
31 or seasonal driver's license, and four dollars (\$4.00) of each fee for  
32 an eight-year class D driver's license, and one dollar and fifty cents  
33 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-  
34 tion (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each  
35 fee charged for driver's licenses pursuant to subsection (1) (c) and  
36 (f) of this section, shall be deposited in the emergency medical ser-  
37 vices fund II created in section 56-1018A, Idaho Code, and four dollars  
38 (\$4.00) of each fee charged pursuant to subsection (1) (a), (g) and (s)  
39 of this section and eight dollars (\$8.00) of each fee charged pursuant  
40 to subsection (1) (h) of this section and three dollars (\$3.00) of each  
41 fee for driver's licenses pursuant to subsection (1) (b), (d) and (e) of  
42 this section, and one dollar (\$1.00) of each fee charged for driver's  
43 licenses pursuant to subsection (1) (c) and (f) of this section shall be  
44 deposited in the emergency medical services fund III created in section  
45 56-1018B, Idaho Code;

46 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,  
47 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)  
48 of each fee charged for a license pursuant to subsection (1) (b) of this  
49 section, and eight dollars and sixteen cents (\$8.16) of each fee charged

1 for a license pursuant to subsection (1) (c) of this section shall be de-  
2 posited in the state highway account;

3 (c) Twenty dollars (\$20.00) of each fee for a commercial learner's per-  
4 mit or driver's license classification change shall be deposited in the  
5 state highway account;

6 (d) Four dollars (\$4.00) of each fee for a commercial learner's permit  
7 shall be deposited in the emergency medical services fund III created in  
8 section 56-1018B, Idaho Code;

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

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

16 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year  
17 class D driver's license, and ten dollars and sixty cents (\$10.60) of  
18 each fee for an eight-year class D driver's license, and four dollars  
19 (\$4.00) of each fee charged for a license pursuant to subsection (1) (d)  
20 and (e) of this section, and one dollar and thirty-three cents (\$1.33)  
21 of each fee charged for a license pursuant to subsection (1) (f) of this  
22 section shall be deposited in the driver training fund;

23 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a  
24 four-year class D driver's license, and twenty dollars and forty cents  
25 (\$20.40) of each fee for an eight-year class D driver's license, and ten  
26 dollars and fifty cents (\$10.50) of each fee charged for a license pur-  
27 suant to subsection (1) (d) and (e) of this section, and six dollars and  
28 eighty-three cents (\$6.83) of each fee charged for a license pursuant  
29 to subsection (1) (f) of this section shall be deposited in the highway  
30 distribution fund;

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

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

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

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

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

49 (n) Each voluntary contribution of two dollars (\$2.00) as described in  
50 subsection (2) of this section, less actual administrative costs asso-

1           ciated with collecting and transferring such contributions, shall be  
2           deposited into the organ donation contribution fund created in section  
3           49-2447, Idaho Code.

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

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

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

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

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

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

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

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

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

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

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

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

33           (d) Have at least one (1) year of driving experience with a class D or  
34           equivalent license in any type motor vehicle; and

35           (e) Are at least sixteen (16) years old.

36          (14) The department is authorized to promulgate rules providing for  
37          a surcharge over and above any fees assessed by this section for a driving  
38          privilege card, provided that the sum of such fees and surcharge shall not  
39          exceed actual cost for processing an application for, and issuing, a driv-  
40          ing privilege card. Such rules may provide for a distribution of surcharge  
41          revenues to the department, local units of government and the general fund  
42          to defray costs in excess of fee revenues, including any appropriation from  
43          the general fund.

44          SECTION 5. That Chapter 3, Title 49, Idaho Code, be, and the same is  
45          hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
46          ignated as Section 49-307B, Idaho Code, and to read as follows:

47          49-307B. DRIVING PRIVILEGE CARDS -- ELIGIBILITY, REQUIREMENTS AND  
48          LIMITATIONS. (1) As used in this section:

1 (a) "Driving privilege card" means the evidence of the privilege  
2 granted and issued under the provisions of this chapter to operate a  
3 noncommercial motor vehicle in the same way as a class D driver's li-  
4 cense;

5 (b) "Governmental entity" means the state of Idaho and its political  
6 subdivisions including, but not limited to, any county, city, town,  
7 municipality, school district, office, department, agency, authority,  
8 commission, board, institution, hospital, college, university or other  
9 instrumentality of the state.

10 (2) The department shall issue a driving privilege card to a person who  
11 does not have a social security number but meets the requirements estab-  
12 lished in sections 49-306 and 49-313, Idaho Code, and who submits proof of a  
13 state income tax filing in accordance with chapter 30, title 63, Idaho Code,  
14 from the previous year.

15 (3) A driving privilege card shall expire on the birth date of the ap-  
16 plicant each year.

17 (4) The department shall distinguish a driving privilege card from a  
18 driver's license or instruction permit by:

19 (a) Use of a format, color, font or other means; and

20 (b) Clearly displaying on the front of the driving privilege card a  
21 phrase substantially similar to "FOR DRIVING PRIVILEGES ONLY -- NOT  
22 VALID FOR IDENTIFICATION."

23 (5) A governmental entity may not accept a driving privilege card as  
24 proof of personal identification, and no driving privilege card shall be  
25 valid as proof of age for the purpose of obtaining alcoholic beverages.

26 (6) Except as provided in this section, the provisions, requirements,  
27 classes, endorsements, fees, restrictions and sanctions provided in this  
28 chapter apply to a driving privilege card in the same way as a class D  
29 driver's license issued under this chapter.

30 (7) The department may promulgate rules to implement the provisions of  
31 this section.

32 SECTION 6. That Section 49-313, Idaho Code, be, and the same is hereby  
33 amended to read as follows:

34 49-313. EXAMINATION OF APPLICANTS. (1) The sheriff, his deputy or  
35 authorized agents of the department shall examine every applicant for an  
36 instruction permit, commercial learner's permit, restricted school atten-  
37 dance driving permit, seasonal driver's license, driver's license, driving  
38 privilege card or a motorcycle endorsement, except as otherwise provided  
39 by law. The examination shall include a vision screening and a test of the  
40 applicant's ability to read and understand highway signs regulating, warn-  
41 ing, and directing traffic. A skills test shall be required for an applicant  
42 who has not been previously licensed for the class of license requested, or  
43 who holds a license issued by another country unless a reciprocal agreement  
44 is in force. However, a skills test may be required for any and all other  
45 applicants at the discretion of the examiner or department for a class A, B,  
46 C or D driver's license, driving privilege card or a motorcycle endorsement.  
47 In addition, the applicant's knowledge of traffic laws of this state and  
48 when a motorcycle endorsement is applied for, the applicant's knowledge of  
49 safe motorcycle operating practices and traffic laws specifically relating



1 to motorcycle operation shall be tested by a written examination, except as  
2 provided in section 49-319, Idaho Code. At the discretion of the examiner,  
3 the prescribed written examination may be conducted orally.

4 (2) The knowledge and skills examinations for applicants for driver's  
5 licenses in class A, B or C shall be conducted in compliance with 49 CFR part  
6 383.

7 (3) The skills test for a class A, B, C or D driver's license, a driving  
8 privilege card or for any endorsement shall be given by the department or its  
9 authorized agents. The skills examiner for a motorcycle endorsement shall  
10 be certified by the division of career technical education.

11 (4) The department shall not issue the following endorsements except as  
12 provided:

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

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

19 (c) A school bus endorsement unless the applicant, in addition to all  
20 other applicable qualifications, has passed appropriate knowledge and  
21 skills tests. Until September 30, 2005, the department may waive the  
22 school bus endorsement skills test requirement if the applicant meets  
23 the conditions set forth in accordance with 49 CFR ~~part~~ section 383.123.

24 (5) Any person failing to pass a knowledge or skills test for a class A,  
25 B, C or D driver's license, a driving privilege card or a knowledge test for a  
26 seasonal driver's license, or any endorsement may not retake the test within  
27 three (3) calendar days of the failure.

28 (6) Any person retaking a knowledge or skills test for a driver's li-  
29 cense or a driving privilege card shall pay the appropriate testing fee as  
30 specified in section 49-306, Idaho Code.

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

33 (a) On and after September 1, 1998, if the applicant presents satisfac-  
34 tory evidence of successful completion of a recognized motorcycle rider  
35 training course approved by the division of career technical education;

36 (b) On and after September 1, 1998, if the applicant presents evi-  
37 dence of a motorcycle endorsement on his current license by a state or  
38 province which requires a motorcycle skills test equivalent to that  
39 required by Idaho law as determined by the division of career technical  
40 education;

41 (c) Until September 1, 1998.

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

45 (9) The department or its authorized agents may refuse to give an appli-  
46 cant a skills test if there are reasonable grounds to believe that the safety  
47 of the applicant, public, or the examiner would be jeopardized by doing so.  
48 Reasonable grounds would include, but not be limited to, the applicant's in-  
49 ability to pass the vision screening, written tests, or a statement by a li-

1 censed physician stating the applicant is not physically able to drive a mo-  
2 tor vehicle.

3 (10) The department or its authorized agents may deny issuance or re-  
4 newal of a driver's license, a driving privilege card or endorsement to  
5 any applicant who does not meet the licensing requirements for the class of  
6 driver's license, driving privilege card or endorsement being renewed or  
7 issued.

8 (11) Skills examinations for seasonal driver's licenses shall be  
9 waived.

10 SECTION 7. The provisions of Section 4 of this act shall be in full force  
11 and effect when the Director of the Idaho Department of Transportation sub-  
12 mits to the Secretary of State in writing that the Idaho Transportation De-  
13 partment's information technology system has been updated to support the Or-  
14 gan Donation Contribution Fund.