

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 86

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO OFF-HIGHWAY VEHICLES AND SNOWMOBILES; AMENDING SECTION 67-7101,
2 IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 67-7102, IDAHO
3 CODE, TO REVISE PROVISIONS REGARDING THE NUMBERING OF SNOWMOBILES;
4 AMENDING SECTION 67-7103, IDAHO CODE, TO REVISE PROVISIONS REGARDING
5 SNOWMOBILE CERTIFICATES OF NUMBER; AMENDING SECTION 67-7104, IDAHO
6 CODE, TO REVISE PROVISIONS REGARDING NONRESIDENT SNOWMOBILE USER
7 CERTIFICATES; AMENDING SECTION 67-7106, IDAHO CODE, TO PROVIDE FOR
8 SNOWMOBILES, TO REVISE A PROVISION REGARDING A CERTAIN FEE, AND TO
9 MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7107, IDAHO CODE, TO
10 PROVIDE FOR SNOWMOBILES; AMENDING SECTION 67-7109, IDAHO CODE, TO PRO-
11 VIDE FOR SNOWMOBILES; AMENDING SECTION 67-7110, IDAHO CODE, TO PROVIDE
12 FOR SNOWMOBILES; AMENDING SECTION 67-7111, IDAHO CODE, TO PROVIDE FOR
13 OFF-HIGHWAY VEHICLES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SEC-
14 TION 67-7113, IDAHO CODE, TO PROVIDE FOR OFF-HIGHWAY VEHICLES; AMENDING
15 SECTION 67-7115, IDAHO CODE, TO PROVIDE FOR SNOWMOBILE OPERATORS;
16 AMENDING SECTION 67-7116, IDAHO CODE, TO PROVIDE FOR WINTER RECRE-
17 ATIONAL PARKING PERMITS AND TO MAKE A TECHNICAL CORRECTION; AMENDING
18 SECTION 67-7117, IDAHO CODE, TO PROVIDE FOR WINTER RECREATIONAL PARKING
19 PERMITS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7118,
20 IDAHO CODE, TO PROVIDE FOR WINTER RECREATIONAL PARKING PERMITS AND TO
21 MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7122, IDAHO CODE, TO
22 REVISE PROVISIONS REGARDING OFF-HIGHWAY VEHICLE CERTIFICATES OF NUM-
23 BER AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 67-7123, IDAHO
24 CODE, TO PROVIDE FOR OFF-HIGHWAY VEHICLES, TO REMOVE PROVISIONS REGARD-
25 ING TRANSFER OF NUMBER CERTIFICATES, AND TO MAKE TECHNICAL CORRECTIONS;
26 AMENDING SECTION 67-7124, IDAHO CODE, TO REVISE PROVISIONS REGARDING
27 NONRESIDENT OPERATORS; AMENDING SECTION 67-7125, IDAHO CODE, TO PRO-
28 VIDE FOR OFF-HIGHWAY VEHICLES, TO PROVIDE A CODE REFERENCE, AND TO MAKE
29 TECHNICAL CORRECTIONS; AMENDING SECTION 67-7126, IDAHO CODE, TO RE-
30 VISE PROVISIONS REGARDING A CERTAIN ACCOUNT; AMENDING SECTION 67-7127,
31 IDAHO CODE, TO PROVIDE FOR OFF-HIGHWAY VEHICLES, TO REVISE PROVISIONS
32 REGARDING A CERTAIN ACCOUNT, AND TO MAKE TECHNICAL CORRECTIONS; AMEND-
33 ING CHAPTER 71, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
34 67-7130, IDAHO CODE, TO PROVIDE FOR MULTIPLE YEAR CERTIFICATES; AMEND-
35 ING CHAPTER 71, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
36 67-7131, IDAHO CODE, TO PROVIDE FOR CERTAIN VOLUNTARY DONATIONS; AMEND-
37 ING SECTION 67-7132, IDAHO CODE, TO PROVIDE THAT THE DEPARTMENT SHALL
38 NOT VALIDATE OWNERSHIP AND TO REVISE A PROVISION REGARDING RULEMAKING;
39 AMENDING SECTION 67-7133, IDAHO CODE, TO PROVIDE FOR THE BOARD AND TO
40 MAKE A TECHNICAL CORRECTION; AMENDING SECTION 19-4705, IDAHO CODE, TO
41 REVISE A PROVISION REGARDING CERTAIN VIOLATIONS AND TO MAKE TECHNICAL
42 CORRECTIONS; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE FOR
43 CERTIFICATES OF NUMBER AND VALIDATION STICKERS AND TO MAKE TECHNICAL
44 CORRECTIONS; AMENDING SECTION 49-426, IDAHO CODE, TO PROVIDE FOR THE
45

1 OHV RECREATION ACCOUNT; AMENDING SECTION 49-428, IDAHO CODE, TO PROVIDE
2 FOR VALIDATION STICKERS AND TO MAKE A TECHNICAL CORRECTION; AMENDING
3 SECTION 49-456, IDAHO CODE, TO PROVIDE FOR VALIDATION STICKERS AND TO
4 MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 49-504, IDAHO CODE, TO
5 PROVIDE AN EXCEPTION FOR CERTAIN OPERATORS WITH CERTIFICATES OF NUMBER
6 AND NONRESIDENT USER CERTIFICATES AND TO MAKE TECHNICAL CORRECTIONS.

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

8 SECTION 1. That Section 67-7101, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 67-7101. DEFINITIONS. In this chapter:

11 (1) "All-terrain vehicle" or "ATV" means any recreational motor vehi-
12 cle designed for or capable of traveling off developed roadways and highways
13 with three (3) or more tires and fifty-five (55) inches or less in width, with
14 a wheelbase of sixty-one (61) inches or less, and with handlebar steering and
15 a seat designed to be straddled by the operator.

16 (2) "Board" means the park and recreation board created under authority
17 of section 67-4221, Idaho Code.

18 (3) "Bona fide snowmobile program" means services or facilities as ap-
19 proved by the department that will benefit snowmobilers such as snowmobile
20 trail grooming, plowing and maintaining snowmobile parking areas and facil-
21 ities, and trail signing.

22 (4) "Dealer" means any person who engages in the retail sales of or
23 rental of snowmobiles, motorbikes, utility type vehicles or all-terrain
24 vehicles.

25 (5) "Department" means the Idaho department of parks and recreation.

26 (6) "Designated parking area" means an area located, constructed,
27 maintained, and signed with the approval of the land manager or owner.

28 (7) "Director" means the director of the department of parks and recre-
29 ation.

30 (8) "Highway." (See section 40-109, Idaho Code, but excepting public
31 roadway as defined in this section)

32 (9) "Motorbike" means any self-propelled two (2) wheeled motorcycle or
33 motor-driven cycle, excluding tractors, designed for or capable of travel-
34 ing off developed roadways and highways and also referred to as trailbikes,
35 enduro bikes, trials bikes, motocross bikes or dual purpose motorcycles.

36 (10) "Off-highway vehicle" or "OHV" means an all-terrain vehicle, mo-
37 torbike, specialty off-highway vehicle or utility type vehicle as defined in
38 this section.

39 (11) "Operator" means any person who is in physical control of a motor-
40 bike, all-terrain vehicle, utility type vehicle, specialty off-highway ve-
41 hicle or snowmobile.

42 (12) "Owner" means every person holding record title to a motorbike,
43 all-terrain vehicle, utility type vehicle, specialty off-highway vehicle
44 or snowmobile and entitled to the use or possession thereof, other than a
45 lienholder or other person having a security interest only.

46 (13) "Person" means an individual, partnership, association, corpora-
47 tion, or any other body or group of persons, whether incorporated or not, and
48 regardless of the degree of formal organization.

1 (14) "Public roadway" means all portions of any highway controlled by an
2 authority other than the Idaho transportation department.

3 (15) "Snowmobile" means any self-propelled vehicle under two thousand
4 (2,000) pounds unladen gross weight, designed primarily for travel on snow
5 or ice or over natural terrain, which may be steered by tracks, skis, or run-
6 ners.

7 (16) "Specialty off-highway vehicle" means any vehicle manufactured,
8 designed or constructed exclusively for off-highway operation that does not
9 fit the definition of an all-terrain vehicle, utility type vehicle or motor-
10 bike as defined in this section. The vehicle classification provided for in
11 this subsection shall become effective on January 1, 2010.

12 (17) "Utility type vehicle" or "UTV" means any recreational motor vehi-
13 cle other than an ATV, motorbike or snowmobile as defined in this section,
14 designed for and capable of travel over designated roads, traveling on four
15 (4) or more tires, maximum width less than eighty (80) inches, and having a
16 wheelbase of one hundred ten (110) inches or less. A utility type vehicle
17 must have a minimum width of fifty (50) inches, a minimum weight of at least
18 nine hundred (900) pounds or a wheelbase of over sixty-one (61) inches.
19 Utility type vehicle does not include golf carts, vehicles specially de-
20 signed to carry a disabled person, implements of husbandry as defined in
21 section 49-110(2), Idaho Code, or vehicles otherwise registered under title
22 49, Idaho Code. A "utility type vehicle" or "UTV" also means a recreational
23 off-highway vehicle or ROV.

24 (18) "Vendor" means any entity authorized by the department to sell
25 recreational certificates of number and nonresident user certificates.

26 (19) "Winter recreational parking locations" means designated parking
27 areas established and maintained with funds acquired from the cross-country
28 skiing recreation account.

29 SECTION 2. That Section 67-7102, Idaho Code, be, and the same is hereby
30 amended to read as follows:

31 67-7102. SNOWMOBILES -- REQUIREMENT THAT SNOWMOBILES BE NUMBERED. Ex-
32 cept as otherwise provided, no snowmobile shall be operated within the ju-
33 risdiction of the state of Idaho unless numbered as provided in this chapter.

34 SECTION 3. That Section 67-7103, Idaho Code, be, and the same is hereby
35 amended to read as follows:

36 67-7103. SNOWMOBILES -- APPLICATION FOR NUMBER -- ATTACHMENT OF VAL-
37 IDATION STICKERS -- CERTIFICATE -- APPLICATION FOR TRANSFER OF CERTIFICATE
38 -- TRANSFER OF CERTIFICATE FEE -- TEMPORARY NUMBER -- FEES. (1) ~~On or be-~~
39 ~~fore November 1 of each year the owner~~ The operator of each snowmobile re-
40 quiring numbering by the state of Idaho shall ~~file an application for num-~~
41 ~~ber with the department on forms approved by it. The application shall be~~
42 signed by the owner and shall, except as provided in subsection (7) of this
43 section, ~~be accompanied by~~ obtain a certificate of number for the snowmo-
44 bile, which certificate of number shall be issued by season, for seasons run-
45 ning from November 1 through October 31. To obtain a certificate of number,
46 the operator shall pay a fee of thirty-one dollars (\$31.00). Upon receipt of
47 the ~~application fee~~, the department shall issue to the ~~applicant~~ operator a

1 ~~certificate of number stating the number assigned to the snowmobile and the~~
 2 ~~name and address of the owner. The owner shall attach to the snowmobile the~~
 3 ~~together with a validation sticker to be attached to the snowmobile in a man-~~
 4 ~~ner as may be prescribed by rules of the department. The validation sticker~~
 5 ~~shall be located on the right and left side of the cowling of the snowmo-~~
 6 ~~bile and shall be completely visible and shall be maintained in legible con-~~
 7 ~~dition. The certificate of number shall be pocket size and shall be avail-~~
 8 ~~able at all times for inspection on the snowmobile for which issued, wherever~~
 9 ~~whenever the snowmobile is in operation.~~

10 (2) The department may issue any certificate of number directly or
 11 may authorize any persons to act as vendor for the issuance. In the event a
 12 person accepts the authorization, he may be assigned a block of validation
 13 stickers and certificates of number ~~which that,~~ upon issue, in conformity
 14 with this chapter and with any rules of the department, shall be valid as if
 15 issued directly by the department.

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

18 (4) Each snowmobile must be numbered before it leaves the premises at
 19 the time of sale from any retail snowmobile dealer.

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

30 ~~(6) No number, other than the validation stickers issued to a the opera-~~
 31 ~~tor and affixed to the snowmobile pursuant to this chapter, shall be painted,~~
 32 ~~attached, or otherwise displayed on the snowmobile, except a temporary num-~~
 33 ~~ber may be attached to identify a snowmobile for the purpose of racing or~~
 34 ~~other sporting events.~~

35 (76) Notwithstanding the provisions of subsection (1) of this section,
 36 rResident and nonresident owners of snowmobiles used for rental purposes
 37 shall purchase rental validation stickers for sixty-one dollars (\$61.00)
 38 and the validation stickers shall be displayed on the machine at all times.

39 SECTION 4. That Section 67-7104, Idaho Code, be, and the same is hereby
 40 amended to read as follows:

41 67-7104. SNOWMOBILES -- NONRESIDENT SNOWMOBILE USER CERTIFICATE RE-
 42 QUIRED. The ~~owner~~ operator of a nonresident, noncommercial snowmobile shall
 43 ~~not be required to comply with the certificate of numbering requirements of~~
 44 ~~the state of Idaho, but shall be required to obtain a nonresident snowmobile~~
 45 ~~user certificate in the same manner and for the same seasons as described~~
 46 ~~in section 67-7103, Idaho Code, before operating a snowmobile in Idaho. A~~
 47 ~~fee of thirty-one dollars (\$31.00) shall be imposed for the issuance of a~~
 48 ~~nonresident snowmobile user certificate. The validation stickers shall be~~
 49 ~~displayed in the same manner as provided in section 67-7103, Idaho Code.~~

1 ~~Nonresident snowmobile user certificates shall be valid beginning November~~
 2 ~~1 through October 31 of the following year.~~ Issuance and administration
 3 of nonresident snowmobile user certificates shall be conducted in the same
 4 manner as provided in section 67-7103, Idaho Code, for numbering of snowmo-
 5 biles.

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

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

14 SECTION 5. That Section 67-7106, Idaho Code, be, and the same is hereby
 15 amended to read as follows:

16 67-7106. SNOWMOBILES -- DISTRIBUTION OF MONEYS COLLECTED -- COUNTY
 17 SNOWMOBILE FUND -- STATE SNOWMOBILE FUND -- STATE SNOWMOBILE SEARCH AND
 18 RESCUE FUND. (1) Each vendor shall, not later than the fifteenth day of each
 19 month, remit all moneys collected under the provisions of sections 67-7103
 20 and 67-7104, Idaho Code, to the state treasurer for credit to the state snow-
 21 mobile fund, established in the dedicated fund, to be administered by the
 22 director, except that one dollar (\$1.00) from each snowmobile certificate of
 23 number fee, one dollar (\$1.00) from each rental certificate of number fee,
 24 and one dollar (\$1.00) from each nonresident snowmobile user certificate
 25 issued by the vendor shall be credited by the state treasurer to the state
 26 snowmobile search and rescue fund created in section 67-2913A, Idaho Code.

27 (2) Each county with a bona fide snowmobile program shall be entitled to
 28 receive from the department eighty-five percent (85%) of the moneys gener-
 29 ated for that county during that certificate of number period. Counties with
 30 a bona fide snowmobile program may use up to fifteen percent (15%) of their
 31 county snowmobile moneys upon recommendation by their county snowmobile ad-
 32 visory committee for snowmobile law enforcement purposes.

33 (3) Up to fifteen percent (15%) of the revenue generated from snowmo-
 34 bile certificates of number each year may be used by the department to defray
 35 administrative costs. Any moneys unused at the end of the fiscal year shall
 36 be returned to the state treasurer for deposit in the state snowmobile fund.

37 (4) Vendors shall be entitled to charge an additional one dollar and
 38 fifty cents (\$1.50) handling fee per certificate of number ~~for the distri-~~
 39 ~~bution of certificates of number~~ or nonresident user certificate. Handling
 40 fees collected by the department shall be deposited to the state snowmobile
 41 fund.

42 (5) For those certificates of number not designated to a bona fide
 43 county snowmobile program, the moneys generated shall be deposited to the
 44 state snowmobile fund, and such fund shall be available to the department for
 45 snowmobile-related expenses.

46 SECTION 6. That Section 67-7107, Idaho Code, be, and the same is hereby
 47 amended to read as follows:

1 67-7107. SNOWMOBILES -- COUNTY ADVISORY COMMITTEE. The county commis-
2 sioners of any county may appoint snowmobile advisory committees to serve
3 without salaries and wages in an advisory capacity relating to the estab-
4 lishment and maintenance of parking and unloading areas on public and pri-
5 vate property, and the expenditure of moneys deposited in the county snowmo-
6 bile fund; and to serve at the pleasure of the county commissioners. The per-
7 sons selected shall be active snowmobilers representing snowmobile clubs,
8 organizations, or merchants engaged in the sale or rental of snowmobiles, or
9 be a member of the general public actively engaged in the sport of snowmobil-
10 ing.

11 The board of county commissioners is hereby authorized, upon advisement
12 of the special advisory committee, to use and expend the special fund created
13 in section 67-7106, Idaho Code, outside the county.

14 SECTION 7. That Section 67-7109, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 67-7109. SNOWMOBILES -- PROHIBITION AGAINST HIGHWAY OPERATION -- EX-
17 CEPTIONS. No person shall operate a snowmobile upon any highway or public
18 roadway in this state, with the following exceptions:

19 (1) Properly numbered snowmobiles may cross, as directly as possible
20 after a full and complete stop, highways and public roadways, except con-
21 trolled access highways, provided that the crossing can be made in safety and
22 that it does not interfere with the free movement of vehicular traffic ap-
23 proaching from either direction on the highway or public roadway. It shall
24 be the responsibility of the operator of the snowmobile to yield the right-
25 of-way to all vehicular traffic upon any highway or public roadway before
26 crossing.

27 (2) Loading or unloading shall be done without causing a hazard to ve-
28 hicular traffic approaching from either direction on a highway or public
29 roadway. Loading or unloading shall be accomplished with regard to safety,
30 at the nearest possible point to the area of operation.

31 (3) The prohibition against operating snowmobiles upon highways and
32 public roadways shall not apply to any highway or public roadway drifted or
33 covered with snow to an extent that travel on it by other motor vehicles is
34 impractical or impossible.

35 (4) Snowmobiles may be operated on that portion of a highway or public
36 roadway right-of-way that is not maintained or utilized for the operation of
37 conventional motor vehicles.

38 (5) Local authorities may, by ordinance, specifically designate public
39 roadways upon which snowmobiles may be operated.

40 SECTION 8. That Section 67-7110, Idaho Code, be, and the same is hereby
41 amended to read as follows:

42 67-7110. SNOWMOBILES -- RESTRICTIONS. It shall be unlawful for any
43 person to drive or operate any snowmobile:

44 (1) At a rate of speed greater than reasonable and prudent under the ex-
45 isting conditions.

1 (2) In a negligent manner so as to endanger the person or property of
2 another, or to cause injury or damage to either, or to harass, chase or annoy
3 any wild game animals or birds or domestic animals.

4 (3) Without a lighted headlight and taillight between the hours of dusk
5 and dawn, or when upon or crossing any public roadway or highway, or when oth-
6 erwise required for the safety of others.

7 (4) Without an adequate braking device which may be operated by either
8 hand or foot.

9 (5) Without an adequate muffler, except when used in conjunction with
10 public racing events.

11 (6) Upon a public roadway or highway without a valid motor vehicle oper-
12 ator's license, unless the public roadway or highway is closed to other motor
13 vehicle travel.

14 SECTION 9. That Section 67-7111, Idaho Code, be, and the same is hereby
15 amended to read as follows:

16 67-7111. ACCIDENT RESULTING IN PERSONAL INJURIES OR PROPERTY DAM-
17 AGE. The operator of any snowmobile or OHV involved in any accident resulting
18 in injuries to or death to any person or property damage to property other
19 than the operator's snowmobile or OHV in the estimated amount of two hundred
20 dollars (\$200) or more, or a person acting for the operator, or the owner of
21 the snowmobile or OHV having knowledge of the accident should the operator
22 of the snowmobile or OHV be unknown, shall immediately notify a proper law
23 enforcement agency of the facts relating to the accident and within five (5)
24 days file a report of the circumstances with the department on forms pre-
25 scribed by the department. For any accident occurring on a highway or public
26 roadway, the owner, the operator, or both shall be subject to the provisions
27 of section 49-2417, Idaho Code.

28 SECTION 10. That Section 67-7113, Idaho Code, be, and the same is hereby
29 amended to read as follows:

30 67-7113. VIOLATIONS -- ACCOUNTABLE FOR PROPERTY DAMAGE. (1) Unless
31 otherwise provided in this chapter, any person who violates any provision
32 of this chapter, or any rule promulgated by the department pursuant to this
33 chapter, shall be guilty of an infraction and shall be punished by a fine of
34 one hundred dollars (\$100).

35 (2) In addition thereto, the operator and/or owner of the snowmobile or
36 OHV shall be responsible and held accountable to the owner of any lands where
37 trees, shrubs or other property have been damaged as the result of travel
38 over their premises.

39 SECTION 11. That Section 67-7115, Idaho Code, be, and the same is hereby
40 amended to read as follows:

41 67-7115. WINTER RECREATIONAL PARKING PERMIT -- FEE -- FINES -- PERMITS
42 FOR SNOWMOBILE OWNERS -- EXEMPTIONS. (1) Except as hereinafter provided, no
43 person shall, from November 15 of any year to April 30 of the next year, park
44 a vehicle in a winter recreational parking location unless the vehicle dis-
45 plays an annual or temporary parking permit. The annual permit shall be per-

1 manently affixed and the temporary permit shall be temporarily affixed on
 2 the front window of the vehicle nearest the driver's seat in such a manner
 3 that they are completely visible and shall be kept in a legible condition at
 4 all times.

5 (2) The fee for the annual permit and the temporary permit shall be set by
 6 the board, but shall not exceed thirty dollars (\$30.00) for the annual permit
 7 or ten dollars (\$10.00) for the temporary permit.

8 (3) The owner of any vehicle, as defined in chapter 1, title 49, Idaho
 9 Code, that violates the provisions of subsection (1) of this section has
 10 committed an infraction punishable as provided under section 18-113A, Idaho
 11 Code, and shall be punished with a fine of not less than twenty dollars
 12 (\$20.00) or more than fifty dollars (\$50.00). The fact that a motor vehicle
 13 which is illegally parked under the provisions of this chapter is registered
 14 or leased in the name of a person shall be considered prima facie evidence
 15 that the person was in control of the vehicle at the time of parking.

16 (4) Snowmobile owners operators, when snowmobiling, shall be allowed
 17 to park their transportation vehicles in a designated winter recreational
 18 parking area without displaying a parking permit.

19 (5) No parking permit shall be required under the provisions of this
 20 section for a vehicle owned and operated by the United States, any state or a
 21 political subdivision of a state, or a vehicle registered in another state,
 22 if that vehicle displays a similar cross-country skiing permit, but only to
 23 the extent that an exception or privilege is granted under the laws of that
 24 state for permit holders from this state.

25 SECTION 12. That Section 67-7116, Idaho Code, be, and the same is hereby
 26 amended to read as follows:

27 67-7116. WINTER RECREATIONAL PARKING PERMIT -- PRINTING, DISTRIBU-
 28 TION AND SALE OF WINTER RECREATIONAL PARKING PERMITS. (1) The department
 29 shall print the parking permits and shall supervise the sale of the permits
 30 throughout the state.

31 (2) The department shall distribute and sell the permits directly or
 32 may authorize vendors under agreement according to rules and regulations
 33 of the department. The department may require that the authorized vendors
 34 ~~shall~~ be bonded in accordance with rules and regulations of the department.
 35 Authorized vendors will receive a stipulated commission for each permit
 36 sold.

37 SECTION 13. That Section 67-7117, Idaho Code, be, and the same is hereby
 38 amended to read as follows:

39 67-7117. WINTER RECREATIONAL PARKING PERMIT -- CROSS-COUNTRY SKI-
 40 ING RECREATION ACCOUNT. There is hereby established in the state treasury
 41 an account to be known as the "cross-country skiing recreation account,"
 42 into which the money specified in section 67-7118, Idaho Code, shall be de-
 43 posited. The board is charged with the administration of the account for the
 44 purposes specified in section 67-7118(3), Idaho Code. All claims against
 45 the account shall be examined, audited and allowed in the same manner now or
 46 hereafter provided by law for claims against the state, except that the board

1 is empowered to enter into agreements with the counties for the disbursement
2 of funds to them on a project-by-project basis.

3 SECTION 14. That Section 67-7118, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 67-7118. WINTER RECREATIONAL PARKING PERMIT -- DISTRIBUTION OF
6 FEES. The moneys collected by or for the board on the sale of each winter
7 recreational parking permit shall be allocated as follows:

8 (1) The authorized vendor shall be entitled to receive a commission of
9 one dollar (\$1.00) on each permit sold, which sum may be retained as compen-
10 sation for the sale of the permit.

11 (2) ~~Fifteen per cent~~ percent (15%) shall be allotted to the department
12 for the production of the parking permits and necessary administration ex-
13 penses incurred by the department in carrying out the provisions of section
14 67-7115(3), Idaho Code, which moneys shall be placed in the park and recre-
15 ation ~~account~~ fund.

16 (3) The balance shall be transmitted to the state treasurer for deposit
17 to the credit of the cross-country skiing recreation account to be appro-
18 priated first for the reimbursement for costs incurred in the removal of
19 snow from winter ~~recreation~~ recreational parking locations. Any remaining
20 ~~monies~~ moneys may be appropriated to provide grants to public or nonprofit
21 entities for the acquisition, lease, development, and maintenance of sani-
22 tation facilities, trail marking, and other facilities designed to promote
23 the health and safety of persons engaged in cross-country skiing.

24 SECTION 15. That Section 67-7122, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 67-7122. OFF-HIGHWAY VEHICLES -- APPLICATION FOR CERTIFICATE OF NUM-
27 BER -- ATTACHMENT OF VALIDATION STICKERS -- CERTIFICATE -- FEES. (1) ~~On or~~
28 ~~before January 1 of each year, the owner of any all-terrain vehicle, motor-~~
29 ~~bike, specialty off-highway vehicle or utility type vehicle as defined in~~
30 ~~section 67-7101, Idaho Code, Before operating any OHV in the state of Idaho,~~
31 the operator of any OHV or any motorcycle as defined in section 49-114, Idaho
32 Code, used off public highways, on highways located on state lands or federal
33 lands which that are not part of the highway system of the state of Idaho,
34 or on highways as prescribed in section 49-426(3) and (4), Idaho Code, but
35 excluding those vehicles used exclusively on private land for agricultural
36 use or used exclusively for snow removal purposes as provided in section
37 49-426(2), Idaho Code, shall obtain a ~~number~~ certificate of number for that
38 vehiele the OHV at any vendor authorized by the department, which certifi-
39 cate of number shall be issued by season, for seasons running from January
40 1 through December 31. ~~Effective January 1, 2010, a~~ A fee of twelve dollars
41 (\$12.00) shall be charged for each ~~number~~ certificate of number, of which
42 fee ~~includes~~ a one dollar and fifty cents (\$1.50) ~~fee to~~ shall be retained
43 by the vendor and the remainder of which shall be remitted to the department
44 together with information noting the ~~number of the certificate issued, the~~
45 identity of the ~~owner~~ operator that purchased the ~~number~~ certificate of
46 number, the ~~owner's~~ operator's designated county use area and the type of
47 machine to which the ~~owner~~ operator will affix the certificate of number,

1 e.g., including a motorbike, ~~all-terrain vehicle, utility type vehicle~~ ATV
2 of fifty (50) inches in width or less, ATV over fifty (50) inches in width,
3 UTV of fifty (50) inches in width, UTV over fifty (50) in width, or specialty
4 off-highway vehicle. The foregoing shall not prohibit the department from
5 collecting such further information as it may deem necessary or helpful to
6 its administrative duties under this chapter.

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

12 (a3) Application ~~blanks forms~~ and validation stickers shall be sup-
13 plied by the department and the validation sticker shall be issued to the
14 person making application for ~~number~~ a certificate of number.

15 (b) ~~All number certificates that are issued shall be in force through~~
16 ~~December 31 of the issued year. All number certificates shall be renewed by~~
17 ~~the owner of the all-terrain vehicle, motorbike, specialty off-highway ve-~~
18 ~~hicle or utility type vehicle in the same manner provided for in the ini-~~
19 ~~tial securing of the same or with any vendor authorized by the department.~~
20 ~~A vendor issuing a renewal number certificate shall retain a one dollar and~~
21 ~~fifty cent (\$1.50) vendor fee and remit the remainder of the twelve dollar~~
22 ~~(\$12.00) renewal number certificate fee to the department together with in-~~
23 ~~formation noting the number of the certificate issued, the identity of the~~
24 ~~owner that purchased the number certificate, the owner's designated county~~
25 ~~use area, and the type of machine to which the owner will affix the valida-~~
26 ~~tion stickers, e.g., motorbike, all-terrain vehicle, utility type vehicle~~
27 ~~or specialty off-highway vehicle. The foregoing shall not prohibit the de-~~
28 ~~partment from collecting such additional information as it may deem neces-~~
29 ~~sary or helpful to its administrative duties under this chapter.~~

30 (e4) The issued validation sticker shall be placed upon the restricted
31 vehicle license plate of the ~~all-terrain vehicle, motorbike or utility type~~
32 ~~vehicle~~ OHV, or upon the right fork of a vehicle registered pursuant to sec-
33 tion 49-402(3), Idaho Code, or of a motorbike if used exclusively off-high-
34 way, or upon the rear fender of an ~~all-terrain vehicle, specialty off-high-~~
35 ~~way vehicle or utility type vehicle~~ the OHV if used exclusively off-highway.
36 The placement shall be made in such a manner that it is completely visible,
37 does not cover the license plate numbers or letters, if licensed, and shall
38 be kept in a legible condition at all times.

39 (35) For operation of a motorbike that meets the requirements speci-
40 fied in section 49-114(10), Idaho Code, on the public highways, the vehicle
41 shall also be registered pursuant to the provisions of section 49-402(3),
42 Idaho Code. A motorbike that meets the requirements specified in sec-
43 tion 49-114(10), Idaho Code, and that is registered pursuant to section
44 49-402(3), Idaho Code, shall not be required to obtain a restricted license
45 plate pursuant to section 49-402(4), Idaho Code. A motorbike, all-terrain
46 vehicle, specialty off-highway vehicle or utility type vehicle operated
47 exclusively off-highway or on highways located on state lands or federal
48 lands ~~which~~ that are not part of the highway system of the state of Idaho and
49 that meet the registration requirements specified in this section shall not

1 be required to obtain a restricted vehicle license plate pursuant to section
2 49-402(4), Idaho Code.

3 (46) Nonresidents shall be allowed to purchase a restricted vehicle li-
4 cense plate pursuant to section 49-402(4), Idaho Code, and/or a number cer-
5 ertificate of number for an ~~all-terrain vehicle, motorbike or utility type ve-~~
6 ~~hicle OHV.~~

7 (7) Certificates of number and restricted license plates as required by
8 section 49-456, Idaho Code, may be purchased separately.

9 SECTION 16. That Section 67-7123, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 67-7123. OFF-HIGHWAY VEHICLES -- TRANSFER OF NUMBER CERTIFICATES
12 AND RESTRICTED VEHICLE LICENSE PLATE. The purchaser of an ~~all-terrain vehi-~~
13 ~~cle, utility type vehicle or motorbike, which off-highway vehicle that has~~
14 ~~been previously issued a number certificate pursuant to section 67-7122,~~
15 ~~Idaho Code, and issued a restricted vehicle license plate pursuant to sec-~~
16 ~~tion 49-402, Idaho Code, shall within fifteen (15) days after acquiring~~
17 ~~same, make application to the county assessor or county motor vehicle office~~
18 ~~as may be designated by the county assessor for transfer to him of the number~~
19 ~~certificate and restricted vehicle license plate issued to the off-highway~~
20 ~~vehicle, giving the same information as on the original application and~~
21 ~~the number of the number certificate and restricted vehicle license plate,~~
22 ~~and shall at the same time pay a transfer fee of one dollar and fifty cents~~
23 ~~(\$1.50).~~

24 SECTION 17. That Section 67-7124, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 67-7124. OFF-HIGHWAY VEHICLES -- NONRESIDENT -- OFF-HIGHWAY VEHICLE
27 USER CERTIFICATE REQUIRED. (1) ~~As of January 1, 2020, b~~Before operating
28 within Idaho, any nonresident ~~owner or applicant~~ operator of a noncommercial
29 off-highway vehicle shall be required to obtain a nonresident off-highway
30 vehicle (OHV) user certificate. A fee of twelve dollars (\$12.00) shall be
31 imposed for the issuance of a nonresident OHV user certificate. The vali-
32 dation sticker shall be displayed in the same manner as provided in section
33 67-7122, Idaho Code. Nonresident OHV user certificates shall be valid Jan-
34 uary 1 through December 31. Issuance and administration of nonresident OHV
35 user certificates shall be conducted in the same manner as provided in sec-
36 tion 67-7122, Idaho Code, for numbering off-highway vehicles.

37 (2) For purposes of this section, "nonresident" shall be as defined in
38 section 36-202, Idaho Code.

39 (3) Nonresidents shall be allowed to purchase a restricted vehicle li-
40 cense plate pursuant to section 49-402(4), Idaho Code.

41 SECTION 18. That Section 67-7125, Idaho Code, be, and the same is hereby
42 amended to read as follows:

43 67-7125. OFF-HIGHWAY VEHICLES -- NOISE ABATEMENT. (1) Except as here-
44 inafter provided, every vehicle subject to numbering under sections 67-7122
45 and 67-7124, Idaho Code, shall comply with the provisions of this section.

1 Every vehicle subject to the provisions of this section shall at all times be
2 equipped with an exhaust system in good working order and in constant oper-
3 ation. If the vehicle was originally equipped with a noise suppressing sys-
4 tem or if the vehicle is required by law or regulation of this state or the
5 federal government to have a noise suppressing system, that system shall be
6 maintained in good working order. No person shall disconnect, modify or al-
7 ter any part of that system in any manner ~~which~~ that will amplify or increase
8 the vehicle's noise emission above the noise limits established in subsec-
9 tion (3) of this section, except temporarily in order to make repairs, re-
10 placements or adjustments. No person shall operate and no owner shall cause
11 or permit to be operated any vehicle while the vehicle's noise emission ex-
12 ceeds the noise limits established in subsection (3) of this section or while
13 the vehicle's noise suppressing system is disconnected, modified or altered
14 in violation of the provisions of this section.

15 (2) No person shall operate a vehicle subject to the provisions of this
16 section unless that vehicle is equipped with a spark arrester device affixed
17 to the exhaust system of a type qualified and rated by the United States for-
18 est service. The provisions of this subsection shall not apply to vehicles
19 being operated off the highway in an organized racing or competitive event
20 ~~which is~~ conducted on private land with the consent of the landowner.

21 (3) Any vehicle subject to the provisions of this section shall at all
22 times be equipped with a noise suppressing system or other device ~~which~~
23 that limits noise emission to a base level of not more than ninety-six (96)
24 decibels when measured on the "A" scale using standards and procedures es-
25 tablished by the society of automotive engineers (SAE), specifically SAE
26 standard J1287, June, 1988, describing a test of a stationary vehicle with
27 sound measured twenty (20) inches and forty-five (45) degrees from the ex-
28 haust outlet, or as otherwise described. The provisions of this subsection
29 shall not apply to vehicles being operated off the highway in an organized
30 racing or competitive event ~~which is~~ conducted on private land with the con-
31 sent of the landowner or on public land under permit.

32 (a) The department shall adopt regulations in accordance with chapter
33 52, title 67, Idaho Code, establishing the test procedures and instru-
34 mentation to be utilized. These procedures shall incorporate require-
35 ments for the test site environment and sound measuring equipment as set
36 forth in SAE standard J1287, June, 1988.

37 (b) Instrumentation shall include but not be limited to a sound level
38 meter meeting the type 1, type S1A, type 2, or type S2A requirements
39 of the American national standards institute (ANSI) specification for
40 sound level meters, S1.4-1983; a sound level calibrator, microphone
41 wind screen, external engine speed tachometer.

42 (4) A showing that the noise emission level of any vehicle subject to
43 and not otherwise exempt from the provisions of this section exceeds ninety-
44 six (96) decibels, as described and tested in subsection (3) of this section,
45 shall be prima facie evidence of a violation of subsection (1) of this sec-
46 tion.

47 SECTION 19. That Section 67-7126, Idaho Code, be, and the same is hereby
48 amended to read as follows:

1 67-7126. OFF-HIGHWAY VEHICLES -- ESTABLISHMENT OF ACCOUNT -- DISTRI-
 2 BUTION OF FEES. There is hereby established in the state treasurer's office
 3 an account to be known and designated as the "~~motorbike~~OHV recreation ac-
 4 count." The fee of twelve dollars (\$12.00) fee collected for off-highway ve-
 5 hicle ~~number~~ certificates of number and nonresident user certificates under
 6 the provisions of sections 67-7122 and 67-7124, Idaho Code, shall be allo-
 7 cated as follows:

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

10 (2) Up to fifteen percent (15%) ~~shall be allotted to the department for~~
 11 ~~administration and for the production of number certificates and validation~~
 12 ~~stickers, which moneys shall be placed in the motorbike recreation account.~~
 13 ~~The department shall annually publish a report specifically identifying the~~
 14 ~~uses of account moneys of the revenue generated from OHV certificates may~~
 15 ~~be used by the department to defray administrative costs and the production~~
 16 ~~of certificates of number, nonresident user certificates, and validation~~
 17 ~~stickers. Any moneys unused at the end of the fiscal year shall be returned~~
 18 ~~to the Idaho state treasurer for deposit in the OHV recreation account;~~

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

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

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

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

32 (5) The remaining funds shall be transmitted to the state treasurer's
 33 office for deposit to the credit of the ~~motorbike~~ OHV recreation account, all
 34 such moneys to be transmitted to the state treasurer on or before the tenth
 35 day of each month.

36 The department shall annually publish a report specifically identify-
 37 ing the use of revenues generated from OHV certificates of number and nonres-
 38 ident user certificates. Collection of fees for off-highway vehicle ~~number~~
 39 certificates of number and nonresident user certificates shall not impose
 40 any additional liability on the state of Idaho or any of its political sub-
 41 divisions or upon the employees of the state and of its political subdivi-
 42 sions, and those entities and persons shall retain the limitations of lia-
 43 bility provided by section 36-1604, Idaho Code, regardless of the use of such
 44 fees.

45 SECTION 20. That Section 67-7127, Idaho Code, be, and the same is hereby
 46 amended to read as follows:

47 67-7127. OFF-HIGHWAY VEHICLES -- USE OF MONEYS IN ACCOUNT. The board
 48 shall administer the ~~motorbike~~ OHV recreation account. The moneys derived
 49 from this account shall be used as follows:

1 (1) For the securing of special leases, use licenses, recreation ease-
2 ments or permits, or for the actual purchase of land under private, state, or
3 federal ownership to be used for public recreational off-highway vehicle ac-
4 tivity;

5 (2) For the securing, maintenance, construction or development of
6 trails and other public recreational facilities for off-highway vehicle use
7 on private, state, and federal lands;

8 (3) To finance the formulation and implementation under the board's di-
9 rection of an off-the-road rider education program; and

10 (4) To acquire applicable federal matching funds.

11 SECTION 21. That Chapter 71, Title 67, Idaho Code, be, and the same is
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
13 ignated as Section 67-7130, Idaho Code, and to read as follows:

14 67-7130. MULTIPLE YEAR CERTIFICATES. On or before November 1, 2021,
15 the department shall make available to Idaho residents the option to pur-
16 chase certificates of number for OHVs and snowmobiles that are valid for mul-
17 tiple, consecutive seasons. The fee shall be multiplied by the number of
18 seasons that the certificate of number is valid, except that portion of the
19 fee for vendors shall be the same regardless of the duration of the certifi-
20 cate purchased by the operator; for example, a vendor fee for a two (2) season
21 OHV certificate of number would be one dollar and fifty cents (\$1.50).

22 SECTION 22. That Chapter 71, Title 67, Idaho Code, be, and the same is
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
24 ignated as Section 67-7131, Idaho Code, and to read as follows:

25 67-7131. VOLUNTARY DONATIONS TO ACCOUNTS. (1) An applicant for a cer-
26 tificate of number or nonresident user certificate for a snowmobile, pur-
27 suant to sections 67-7103 and 67-7104, Idaho Code, who makes application for
28 the same directly from the department, and not through a vendor, may make
29 a voluntary donation to support the state snowmobile fund pursuant to sec-
30 tion 67-7106, Idaho Code, in conjunction with the application for certifi-
31 cate. The department shall include an accommodation to notify an applicant
32 of the opportunity and to allow an applicant to designate such a donation and
33 shall transfer all such funds received to the state snowmobile fund pursuant
34 to section 67-7106, Idaho Code, at least monthly. None of the proceeds from
35 voluntary donations pursuant to this section shall be used for administra-
36 tive expenses of the department.

37 (2) An applicant for a certificate of number or nonresident user
38 certificate for an off-highway vehicle pursuant to sections 67-7122 and
39 67-7124, Idaho Code, who makes application for the same directly from the de-
40 partment, and not through a vendor, may make a voluntary donation to support
41 the OHV recreation account as established by section 67-7126, Idaho Code, in
42 conjunction with the application for certificate. The department shall in-
43 clude an accommodation to notify an applicant of the opportunity and to allow
44 an applicant to designate such a donation and shall transfer all such funds
45 received to the OHV recreation account as established by section 67-7126,
46 Idaho Code, at least monthly. None of the proceeds from voluntary donations

1 pursuant to this section shall be used for administrative expenses of the
2 department.

3 (3) The department may charge a convenience fee for any voluntary dona-
4 tion received pursuant to this section to offset any credit card processing
5 fees or other bank fees associated with processing or receiving a voluntary
6 donation.

7 SECTION 23. That Section 67-7132, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 67-7132. RULES AND REGULATIONS. The ~~director~~ board shall adopt and en-
10 force administrative rules and regulations under the provisions of chapter
11 52, title 67, Idaho Code, as necessary to carry out the provisions of this
12 chapter. Nothing in this chapter shall be construed or interpreted to re-
13 quire the department to validate ownership of OHVs and snowmobiles or to val-
14 idate or issue certificates of number to be assigned to specifically iden-
15 tifiable OHVs or snowmobiles. The department shall not be required to issue
16 certificates of number to OHVs or snowmobiles by specific reference or to is-
17 ssue by a vehicle identification number, title number, or the like.

18 SECTION 24. That Section 67-7133, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 67-7133. RESPONSIBILITY FOR ENFORCEMENT. The provisions of this
21 chapter, and any rule promulgated by the ~~department~~ board pursuant to this
22 chapter, shall be enforced by the law enforcement personnel of the Idaho
23 state police, the department of fish and game, employees of the department of
24 parks and recreation authorized by the director of the Idaho state police,
25 the sheriffs and their deputies of the various counties in the state, and
26 peace officers of each city.

27 SECTION 25. That Section 19-4705, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 19-4705. PAYMENT OF FINES AND FORFEITURES -- SATISFACTION OF JUDGMENT
30 -- DISPOSITION -- APPORTIONMENT. (1) Except as otherwise provided in subsec-
31 tion (2) of this section:

32 (a) All fines and forfeitures collected pursuant to the judgment of
33 any court of the state shall be remitted to the court in which the judg-
34 ment was rendered. The judgment shall then be satisfied by entry in the
35 docket of the court. The clerk of the court shall daily remit all fines
36 and forfeitures to the county auditor who shall at the end of each month
37 apportion the proceeds according to the provisions of this chapter.
38 Other existing laws regarding the disposition of fines and forfeitures
39 are hereby repealed to the extent such laws are inconsistent with the
40 provisions of this chapter except as provided in section 49-1013(5),
41 Idaho Code.

42 (b) Fines and forfeitures remitted for violations of fish and game
43 laws shall be apportioned two and one-half percent (2 1/2%) to the
44 state treasurer for deposit in the state general fund, ten percent
45 (10%) to the search and rescue account, twenty-two and one-half percent

1 (22 1/2%) to the district court fund and sixty-five percent (65%) to the
2 fish and game ~~fund~~ account.

3 (c) Fines and forfeitures remitted for violations of state motor ve-
4 hicle laws, for violation of state driving privilege laws, and for
5 violation of state laws prohibiting driving while under the influence
6 of alcohol, drugs or any other intoxicating substances, shall be appor-
7 tioned ten percent (10%) to the state treasurer, of which eighty-six
8 percent (86%) shall be deposited to the state general fund and fourteen
9 percent (14%) shall be deposited to the peace officers standards and
10 training fund authorized in section 19-5116, Idaho Code, forty-five
11 percent (45%) to the state treasurer for deposit in the highway dis-
12 tribution account, twenty-two and one-half percent (22 1/2%) to the
13 district court fund and twenty-two and one-half percent (22 1/2%) to the
14 state treasurer for deposit in the public school income fund; provided,
15 however, that fines and forfeitures remitted for violation of state mo-
16 tor vehicle laws, for violation of state driving privilege laws, and for
17 violation of state laws prohibiting driving while under the influence
18 of alcohol, drugs or any other intoxicating substances, where an arrest
19 is made or a citation is issued by a city law enforcement official, or by
20 a law enforcement official of a governmental agency under contract to
21 provide law enforcement services for a city, shall be apportioned ten
22 percent (10%) to the state treasurer, of which eighty-six percent (86%)
23 shall be deposited to the state general fund and fourteen percent (14%)
24 shall be deposited to the peace officers standards and training fund
25 authorized in section 19-5116, Idaho Code, and ninety percent (90%) to
26 the city whose officer made the arrest or issued the citation.

27 (d) Fines and forfeitures remitted for violation of any state law not
28 involving fish and game laws, or motor vehicle laws, or state driving
29 privilege laws, or state laws prohibiting driving while under the in-
30 fluence of alcohol, drugs or any other intoxicating substances, shall
31 be apportioned ten percent (10%) to the state treasurer, of which
32 eighty-six percent (86%) shall be deposited to the state general fund
33 and fourteen percent (14%) shall be deposited to the peace officers
34 standards and training fund authorized in section 19-5116, Idaho Code,
35 and ninety percent (90%) to the district court fund of the county in
36 which the violation occurred.

37 (e) Fines and forfeitures remitted for violation of county ordinances
38 shall be apportioned ten percent (10%) to the state treasurer, of which
39 eighty-six percent (86%) shall be deposited to the state general fund
40 and fourteen percent (14%) shall be deposited to the peace officers
41 standards and training fund authorized in section 19-5116, Idaho Code,
42 and ninety percent (90%) to the district court fund of the county whose
43 ordinance was violated.

44 (f) Fines and forfeitures remitted for violation of city ordinances
45 shall be apportioned ten percent (10%) to the state treasurer, of which
46 eighty-six percent (86%) shall be deposited to the state general fund
47 and fourteen percent (14%) shall be deposited to the peace officers
48 standards and training fund authorized in section 19-5116, Idaho Code,
49 and ninety percent (90%) to the city whose ordinance was violated.

1 (g) Fines and forfeitures remitted for violations not specified in this
2 chapter shall be apportioned ten percent (10%) to the state treasurer,
3 of which eighty-six percent (86%) shall be deposited to the state gen-
4 eral fund and fourteen percent (14%) shall be deposited to the peace of-
5 ficers standards and training fund authorized in section 19-5116, Idaho
6 Code, and ninety percent (90%) to the district court fund of the county
7 in which the violation occurred except in cases where a duly designated
8 officer of any city police department or city law enforcement official
9 shall have made the arrest for any such violation, in which case ninety
10 percent (90%) shall be apportioned to the city whose officer made the
11 arrest.

12 (h) Fines and forfeitures remitted for violations involving
13 ~~registrations of motorcycles or motor-driven cycles used off highways,~~
14 ~~snowmobiles, or use of winter recreation parking areas~~ any of the
15 provisions of chapter 71, title 67, Idaho Code, shall be apportioned ten
16 percent (10%) to the state treasurer, of which eighty-six percent (86%)
17 shall be deposited to the state general fund and fourteen percent (14%)
18 shall be deposited to the peace officers standards and training fund
19 authorized in section 19-5116, Idaho Code, and ninety percent (90%) to
20 the general fund of the county or city whose law enforcement official
21 issued the citation.

22 (i) Fines and forfeitures remitted for violations of overweight laws
23 as provided in section 49-1013(3), Idaho Code, shall be deposited one
24 hundred percent (100%) into the highway distribution account.

25 (j) Fines remitted for violations of section 18-7008, Idaho Code, shall
26 be apportioned ten percent (10%) to the district court fund, sixty-five
27 percent (65%) to the county where the trespass occurred for appropria-
28 tion to the sheriff's office, and twenty-five percent (25%) to the Idaho
29 rangeland resources commission for expanded education programs regard-
30 ing private property rights and land user responsibility.

31 (2) Any fine or forfeiture remitted for any misdemeanor violation for
32 which an increase in the maximum fine became effective on or after July 1,
33 2005, shall be apportioned as follows:

34 (a) Any funds remitted, up to the maximum amount that could have been
35 imposed before July 1, 2005, as a fine for the misdemeanor violation,
36 shall be apportioned according to the applicable provisions of subsec-
37 tion (1) of this section; and

38 (b) Any other funds remitted, in excess of the maximum amount that could
39 have been imposed before July 1, 2005, as a fine for the misdemeanor vi-
40 olation, shall be remitted to the state treasurer and shall be deposited
41 in the drug court, mental health court and family court services fund as
42 set forth in section 1-1625, Idaho Code.

43 (3) As used in this section, the term "city law enforcement official"
44 shall include an official of any governmental agency ~~which is~~ providing law
45 enforcement services to a city in accordance with the terms of a contract or
46 agreement, when such official makes the arrest or issues a citation within
47 the geographical limits of the city and when the contract or agreement pro-
48 vides for payment to the city of fines and forfeitures resulting from such
49 service.

1 SECTION 26. That Section 49-402, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each
4 pickup truck, each neighborhood electric vehicle and each other motor ve-
5 hicle having a maximum gross weight not in excess of eight thousand (8,000)
6 pounds and that complies with the federal motor vehicle safety standards as
7 defined in section 49-107, Idaho Code, shall be:

- 8 Vehicles one (1) and two (2) years old\$69.00
- 9 Vehicles three (3) and four (4) years old\$57.00
- 10 Vehicles five (5) and six (6) years old\$57.00
- 11 Vehicles seven (7) and eight (8) years old\$45.00
- 12 Vehicles over eight (8) years old\$45.00

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

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

32 (2) For all school buses operated either by a nonprofit, nonpublic
33 school or operated pursuant to a service contract with a school district for
34 transporting children to or from school or in connection with school-ap-
35 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and
36 shall be subject to staggered registration for the purpose of reregistration
37 and notice of expiration.

38 (3) For all motorcycles and motor-driven cycles that comply with the
39 federal motor vehicle safety standards, operated upon the public highways,
40 the annual fee shall be nineteen dollars (\$19.00) and shall be subject to
41 staggered registration for the purpose of reregistration and notice of ex-
42 piration.

43 (4) For operation of an all-terrain vehicle, utility type vehicle or
44 motorbike, excluding a motorbike with an engine displacement of fifty (50)
45 cubic centimeters or less, on city, county or highway district roads or
46 highways open to such use, a restricted vehicle license plate fee pursuant
47 to section 49-450, Idaho Code, shall be paid. In addition, the ~~registration~~
48 certificate of number fee specified in section 67-7122, Idaho Code, shall
49 be paid as provided in section 67-7122, Idaho Code. The ~~registration~~

1 certificate of number and restricted vehicle license plate exemption pro-
2 vided in section 49-426(2), Idaho Code, applies to all-terrain vehicles,
3 utility type vehicles, motorbikes and motorcycles used for the purposes de-
4 scribed in section 49-426(2), Idaho Code. Nonresidents shall be allowed to
5 purchase a restricted vehicle license plate and validation sticker pursuant
6 to section 67-7124, Idaho Code, for an all-terrain vehicle, utility type
7 vehicle, or motorbike.

8 (5) For all motor homes, the fee shall be as specified in subsection (1)
9 of this section and shall be in addition to the fees provided for in section
10 49-445, Idaho Code.

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

12 (7) A financial institution or repossession service contracted to
13 a financial institution repossessing vehicles under the terms of a secu-
14 rity agreement shall move the vehicle from the place of repossession to the
15 financial institution's place of business on a repossession plate. The
16 repossession plate shall also be used for demonstrating the vehicle to a
17 prospective purchaser for a period not to exceed ninety-six (96) hours. The
18 registration fees for repossession plates shall be as required in subsection
19 (1) of this section for a vehicle one (1) and two (2) years old. All other
20 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
21 the registration fee. The repossession plate shall be subject to staggered
22 registration for the purpose of reregistration and notice of expiration.

23 (8) A wrecker or towing business engaged in the process of towing mo-
24 torized vehicles, ~~which~~ that have been wrecked, abandoned, salvaged or may
25 be disabled, ~~may~~ apply for a wrecker plate to be displayed on those vehicles
26 being towed, provided the power unit is properly registered under this chap-
27 ter. The registration fees for wrecker plates shall be as required in sub-
28 section (1) of this section for a vehicle one (1) and two (2) years old. All
29 other fees required under chapter 4, title 49, Idaho Code, shall be in addi-
30 tion to the registration fee and shall be subject to staggered registration
31 for the purpose of reregistration and notice of expiration.

32 (9) In addition to the annual registration fee in this section, there
33 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-
34 nual program fee of fifteen dollars (\$15.00) for all special license plate
35 programs for those license plates issued pursuant to sections 49-404A,
36 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For
37 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,
38 there shall be an initial program fee of twenty-five dollars (\$25.00) but
39 there shall be no annual renewal fee. For special plates issued pursuant
40 to sections 49-415D, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-418A,
41 49-418B, 49-418C, 49-419, 49-419A, 49-419C, 49-419E, 49-420, 49-420A,
42 49-420B, 49-420C, 49-420D, 49-420E, 49-420J, 49-420K, 49-420L, 49-420M,
43 49-420N, 49-420O, 49-420P, 49-420Q, and 49-420R, Idaho Code, and any new
44 special plate program effective on and after January 1, 2013, pursuant
45 to section 49-402D, Idaho Code, there shall be an initial program fee of
46 thirty-five dollars (\$35.00) and an annual program fee of twenty-five dol-
47 lars (\$25.00). The fees contained in this subsection shall be applicable to
48 all new special plate programs and shall be subject to staggered registra-
49 tion for the purpose of reregistration and notice of expiration. The initial
50 program fee and the annual program fee shall be deposited in the state high-

1 way account and shall be used to fund the cost of administration of special
2 license plate programs, unless otherwise specified by law.

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

7 (11) In addition to annual registration fees as provided in this sec-
8 tion, registrants may pay a fee to purchase an Idaho state parks passport
9 authorizing resident motor vehicle entry into all Idaho state parks. Reg-
10 istrants may pay the fee for a one (1) year or two (2) year period of time.
11 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars
12 (\$20.00) for two (2) years. All fees collected pursuant to this subsection
13 shall be deposited into the park and recreation fund and shall be subject to
14 appropriation. Fees collected pursuant to this subsection shall not be con-
15 sidered a motor vehicle registration fee as provided in section 17, article
16 VII, of the constitution of the state of Idaho.

17 SECTION 27. That Section 49-426, Idaho Code, be, and the same is hereby
18 amended to read as follows:

19 49-426. EXEMPTIONS FROM OPERATING FEES. The provisions of this chap-
20 ter with respect to operating fees shall not apply to:

21 (1) Motor vehicles owned or leased by the United States, the state, a
22 city, a county, any department thereof, any political subdivision or munic-
23 ipal corporation of the state, any taxing district of the state, any state
24 registered nonprofit subscription fire protection unit, or any organiza-
25 tion, whether incorporated or unincorporated, organized for the operation,
26 maintenance, or management of an irrigation project or irrigation works or
27 system or for the purpose of furnishing water to its members or shareholders,
28 but in other respects shall be applicable.

29 (2) Farm tractors, implements of husbandry, those manufactured homes
30 which qualify for an exemption under the provisions of section 49-422, Idaho
31 Code, road rollers, wheel-mounted tar buckets, portable concrete and/or
32 mortar mixers, wheel-mounted compressors, tow dollies, portable toilet
33 trailers, street sweepers, other construction equipment, forestry equip-
34 ment, lawn and grounds equipment and similar devices as determined by the
35 department which are temporarily operated or moved upon the highways need
36 not be registered under the provisions of this chapter, nor shall implements
37 of husbandry be considered towed units under registration of vehicle combi-
38 nations as defined in section 49-108(2), Idaho Code. In addition, self-pro-
39 pelled wheelchairs, three-wheeled bicycles, wheelchair conveyances, golf
40 carts, lawn mowers, and scooters operated by persons who by reason of phys-
41 ical disability are otherwise unable to move about as pedestrians shall be
42 exempt from registration requirements under the provisions of this chapter.
43 Motorcycles, motorbikes, utility type vehicles and all-terrain vehicles
44 need not be licensed under the provisions of this chapter or numbered pur-
45 suant to the provisions of section 67-7122, Idaho Code, if they are being
46 used exclusively in connection with agricultural, horticultural, dairy and
47 livestock growing and feeding operations or used exclusively for snow re-
48 moval purposes. Travel upon the public highways shall be limited to travel
49 between farm or ranch locations. Motorcycles, motorbikes, utility type ve-

1 hicles and all-terrain vehicles used for this purpose shall meet the emblem
2 requirements of section 49-619, Idaho Code.

3 (3) Any political subdivision of the state of Idaho may, but only af-
4 ter sufficient public notice is given and a public hearing held, adopt local
5 ordinances or resolutions designating highways or sections of highways un-
6 der its jurisdiction which are closed to all-terrain vehicles, utility type
7 vehicles, specialty off-highway vehicles and motorbikes licensed pursuant
8 to this chapter and numbered pursuant to section 67-7122, Idaho Code. The
9 operation of licensed and numbered all-terrain vehicles, utility type ve-
10 hicles and motorbikes and those vehicles exempt from licensing and number-
11 ing pursuant to subsection (2) of this section shall not be permitted on con-
12 trolled-access highways, except as provided in subsection (4) of this sec-
13 tion. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14,
14 title 49, Idaho Code, shall apply to the operation of any all-terrain vehi-
15 cle, utility type vehicle or motorbike upon highways. Costs related to the
16 posting of signs on highways or sections of highways that are closed to such
17 vehicles, indicating the ordinance, are eligible for reimbursement through
18 the ~~motorbike~~ OHV recreation account created in section 67-7126, Idaho Code.

19 (4) The Idaho transportation board may designate sections of state
20 highways upon which all-terrain vehicles, utility type vehicles, specialty
21 off-highway vehicles and motorbikes may travel. All-terrain vehicles,
22 utility type vehicles, specialty off-highway vehicles and motorbikes shall
23 be permitted to cross a non-full-access-controlled highway at a public
24 road intersection. All-terrain vehicles, utility type vehicles, specialty
25 off-highway vehicles and motorbikes shall be permitted to travel upon that
26 portion of any non-full-access-controlled state highway with a speed limit
27 of forty-five (45) miles per hour or less lying within and extending one
28 (1) mile beyond the boundaries of a municipality unless restricted by the
29 Idaho transportation board or closed as provided in subsection (3) of this
30 section. The requirements of title 18 and chapters 2, 3, 6, 8, 12, 13 and 14,
31 title 49, Idaho Code, shall apply to the operation of all-terrain vehicles,
32 utility type vehicles, specialty off-highway vehicles and motorbikes when
33 upon state highways.

34 (5) All-terrain vehicles, utility type vehicles, specialty off-high-
35 way vehicles and motorbikes may be used on highways located on state lands or
36 federal lands which are not part of the highway system of the state of Idaho,
37 provided the numbering requirements of section 67-7122, Idaho Code, are met.

38 SECTION 28. That Section 49-428, Idaho Code, be, and the same is hereby
39 amended to read as follows:

40 49-428. DISPLAY OF PLATE AND STICKERS. (1) License plates assigned to
41 a motor vehicle shall be attached, one (1) in the front and the other in the
42 rear, with the exception of the following:

43 (a) The license plate assigned to a motorcycle, all-terrain vehicle,
44 utility type vehicle, motorbike or semitrailer and the license plate
45 assigned to a motor vehicle operated by a manufacturer, repossession
46 agent or dealer shall be attached to the rear.

47 (b) Vehicles displaying year of manufacture, old timer, classic car or
48 street rod license plates shall be allowed to display one (1) plate at-
49 tached to the rear of the vehicle.

1 (c) The license plate attached to a tractor shall be attached to the
2 front.

3 (d) The wrecker plate shall be displayed on the vehicle being towed in
4 such a manner as to be visible when the vehicle being towed is approached
5 from the rear.

6 License plates shall be displayed during the current registration year. The
7 annual registration sticker for the current registration year shall be dis-
8 played on each license plate, except for trailers, semitrailers, and commer-
9 cial vehicles over twenty-six thousand (26,000) pounds under the provisions
10 of sections 49-434 and 49-435, Idaho Code. For the purposes of this title,
11 the license plates together with the registration stickers shall be consid-
12 ered as license plates for the year designated on the registration sticker.
13 For purposes of this chapter, a validation sticker issued to the operator of
14 an all-terrain vehicle, utility type vehicle, or motorbike under the provi-
15 sions of sections 67-7122 and 67-7124, Idaho Code, shall be considered the
16 registration sticker.

17 (2) Every license plate shall at all times be securely fastened to the
18 vehicle to which it is assigned to prevent the plate from swinging, be at
19 a height not less than twelve (12) inches from the ground, measuring from
20 the bottom of the plate, be in a place and position to be clearly visible,
21 and ~~shall~~ be maintained free from foreign materials and in a condition to be
22 clearly legible, and all registration stickers shall be securely attached to
23 the license plates and shall be displayed as provided in section 49-443(4),
24 Idaho Code.

25 SECTION 29. That Section 49-456, Idaho Code, be, and the same is hereby
26 amended to read as follows:

27 49-456. VIOLATIONS OF REGISTRATION PROVISIONS. It shall be unlawful
28 for any person:

29 (1) To operate or for the owner to permit the operation upon a highway
30 of any motor vehicle, trailer or semitrailer ~~which that~~ is not registered and
31 ~~which that~~ does not have attached and displayed the license plates assigned
32 to it for the current registration year, subject to the exemptions allowed in
33 sections 49-426, 49-431 and 49-432, Idaho Code.

34 (2) To operate or for the owner to permit the operation on state and
35 federal lands or upon highways, or sections of highways, as permitted under
36 section 49-426(3) and (4), Idaho Code, any all-terrain vehicle, utility
37 type vehicle or motorbike that does not have a valid and properly displayed
38 restricted license plate issued pursuant to this chapter and attached
39 ~~registration validation~~ sticker issued pursuant to section 67-7122 or
40 67-7124, Idaho Code, subject to the exemptions allowed in section 49-426(2),
41 Idaho Code.

42 (3) To display or cause or permit to be displayed, or to have in posses-
43 sion, any registration card or license plate knowing the same to be ficti-
44 tious or to have been canceled, revoked, suspended or altered.

45 (4) To lend or knowingly permit the use by one not entitled to any reg-
46 istration card or license plate issued to the person so lending or permitting
47 that use.

1 (5) To fail or refuse to surrender to the department, upon demand, any
2 registration card or license plate ~~which~~ that has been suspended, canceled
3 or revoked.

4 (6) To use a false or fictitious name or address in any application for
5 the registration of any vehicle, or for any renewal or duplicate, or know-
6 ingly to make a false statement or conceal a material fact or otherwise com-
7 mit a fraud in any application.

8 SECTION 30. That Section 49-504, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 49-504. APPLICATIONS TO DEPARTMENT FOR CERTIFICATES -- PROCEDURE --
11 IDENTIFICATION NUMBERS. (1) Application for a certificate of title shall be
12 made upon a form furnished by the department and shall contain the owner's
13 Idaho driver's license number, Idaho identification card number or social
14 security number or individual taxpayer identification number. In the case
15 of a business, the employer tax identification number is required. Every
16 application shall also contain the owner's true and full legal name. In
17 the event that the owner does not possess a social security number, Idaho
18 driver's license number, Idaho identification card number or individual
19 taxpayer identification number, the owner shall present written documenta-
20 tion sufficient to the department to determine that no social security num-
21 ber has been issued. In the event that a business, trust, or other statuto-
22 rily created entity is not required to have and does not possess an employer
23 tax identification number, the applicant shall provide a written statement
24 certifying that the entity does not possess an employer tax identification
25 number. The form must contain the owner's physical domicile address or
26 in the case of a business, trust or other statutorily created entity, such
27 entity's physical address and any mailing address if different from the
28 physical address. If the owner has submitted an application pursuant to the
29 provisions of chapter 58, title 19, Idaho Code, then the owner may state, in
30 the application required pursuant to this section, the applicant's alterna-
31 tive Idaho mailing address in place of his or her physical domicile address.
32 Such application must be signed by the owner and contain a full description
33 of the vehicle, including the make, identification numbers, and the odometer
34 reading at the time of sale or transfer, and whether the vehicle is new or
35 used, together with a statement of the applicant's title and of any liens or
36 encumbrances upon the vehicle, and the name and address of the person to whom
37 the certificate of title shall be delivered, and any other information as the
38 department may require. The application shall be filed with the department,
39 and, if a certificate of title has previously been issued for that vehicle in
40 this state, shall be accompanied by the certificate of title duly assigned,
41 unless otherwise provided for in this chapter. The department may promul-
42 gate rules to provide for exceptions to the odometer requirement. Social
43 security numbers collected shall not appear on certificates of title and all
44 applications on file shall be exempt from disclosure, except as provided in
45 sections 49-202, 49-203 and 49-203A, Idaho Code.

46 (2) If the current certificate of title was not issued for the vehicle
47 in this state, the application, unless otherwise provided for in this chap-
48 ter, shall be accompanied by a certificate of title, bill of sale or other ev-
49 idence of ownership required by the law of any other jurisdiction from which

1 the vehicle was brought into this state, and a vehicle identification number
2 inspection completed by any city, county or state peace officer or other spe-
3 cial agent authorized by the department.

4 (3) In the case of a new vehicle being titled for the first time, no cer-
5 tificate of title or registration shall be issued unless the application is
6 ~~indorsed~~ endorsed by a franchised new vehicle dealer licensed to sell a new
7 vehicle. Each application shall be accompanied by a manufacturer's certifi-
8 cate of origin or manufacturer's statement of origin executed by the manu-
9 facturer and delivered to his agent or his franchised vehicle dealer. The
10 certificate or statement of origin shall be in a form prescribed by the board
11 and shall contain the year of manufacture or the model year of the vehicle,
12 the manufacturer's vehicle identification number, the name of the manufac-
13 turer, the number of cylinders, a general description of the body, if any,
14 and the type or model. Upon sale of a new vehicle, the manufacturer, or his
15 agent or franchised dealer shall execute and deliver to the purchaser an as-
16 signment of the certificate or statement, together with any lien or encum-
17 brance to which the vehicle is subject.

18 (4) The department shall retain the evidence of title presented by the
19 applicant and on which the certificate of title is issued. The department
20 shall maintain an identification numbers index of registered vehicles,
21 except that said index is not required to include operators who have been
22 issued a certificate of number or nonresident user certificate pursuant to
23 sections 67-7122 and 67-7124, Idaho Code, and upon receiving an application
24 for a certificate of title, shall first check the identification number
25 shown in the application against the index. The department, when satisfied
26 that the applicant is the owner of the vehicle and that the application is in
27 proper form, shall issue in the name of the owner of the vehicle a certificate
28 of title bearing a title number, the date issued and a description of the
29 vehicle as determined by the department, together with a statement of the
30 owner's title and of all liens or encumbrances upon the vehicle, and whether
31 possession is held by the owner under a lease, contract or conditional sale,
32 or other like agreement.

33 (5) In all cases of transfer of vehicles, the application for certifi-
34 cates of title shall be filed within thirty (30) calendar days after the de-
35 livery of the vehicles. Licensed dealers need not apply for certificate of
36 title for vehicles in stock or when they are acquired for stock purposes.

37 (6) In the case of the sale of a vehicle by a dealer to a general pur-
38 chaser or user, the certificate of title shall be obtained in the name of the
39 purchaser by the dealer upon application signed by the purchaser. If a lien
40 is to be recorded, the title documentation as required in this section shall
41 be submitted to the department by the dealer or the lienholder upon applica-
42 tion signed by the purchaser. A copy of this application shall be given to
43 the purchaser to be used as a seventy-two (72) hour temporary permit. In all
44 other cases, the certificates shall be obtained by the purchaser and the cer-
45 tificate of title properly assigned and dated by the seller, or the seller's
46 bill of sale shall serve as a seventy-two (72) hour permit. The seventy-two
47 (72) hour time period for temporary permits shall be calculated excluding
48 weekend days and legal holidays observed by the state of Idaho. This tempo-
49 rary permit allows operation of any noncommercial vehicle or unladen com-
50 mercial vehicle or vehicle combination without license plates for the period

1 of time specified in the permit. A laden commercial vehicle or vehicle
2 combination may also operate without license plates for the period of time
3 specified in the temporary permit, provided that the owner or operator has
4 also obtained a permit issued under the provisions of section 49-432, Idaho
5 Code.

6 (7) If the vehicle has no identification number, then the department
7 shall designate an identification number for that vehicle at the time of is-
8 suance of the certificate of title. The identification number shall be per-
9 manently affixed to or indented upon the frame of the vehicle and legibly
10 maintained by the owner at all times while a certificate of title to the vehi-
11 cle shall be issued and outstanding.