

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 525

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-305, IDAHO  
2 CODE, TO REVISE PROVISIONS REGARDING THE EXPIRATION OF COMMERCIAL  
3 LEARNER'S PERMITS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN  
4 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
5

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

7 SECTION 1. That Section 49-305, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 49-305. INSTRUCTION PERMITS -- COMMERCIAL LEARNER'S PERMIT -- TEMPO-  
10 RARY LICENSES -- MOTORCYCLE ENDORSEMENT INSTRUCTION PERMIT. (1) Upon pas-  
11 sage of the required knowledge tests appropriate for the vehicle being op-  
12 erated, the department may issue a commercial learner's permit for the type  
13 of vehicle(s) the person will be operating, or a class D instruction permit  
14 for a class D motor vehicle, ~~entitling the applicant, while having the per-~~  
15 ~~mit in his immediate possession, to.~~ Applicants, while in immediate pos-  
16 session of a commercial learner's permit, may drive a motor vehicle upon the  
17 highways for a period of up to one (1) year, and applicants with a class D in-  
18 struction permit may drive a motor vehicle upon the highways for a period of  
19 up to one hundred eighty (180) days or as provided in paragraph (b) of this  
20 subsection (1) for certain class D instruction permits. That person must be  
21 accompanied by an adult driver eighteen (18) years of age or older who holds  
22 a valid driver's license appropriate for the vehicle being operated and who  
23 is actually occupying a seat beside the driver. Unless otherwise provided,  
24 a commercial learner's permit or class D instruction permit will be valid  
25 for one hundred eighty (180) days and may be renewed one (1) time without re-  
26 quiring the permit holder to retake and pass the required knowledge tests for  
27 that class of permit, provided the knowledge tests are less than one (1) year  
28 old.

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

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

1 (c) Any person who has reached the age of eighteen (18) years, holds a  
2 valid Idaho class D driver's license, and has at least one (1) year of  
3 driving experience, may apply for a commercial learner's permit.

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

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

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

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

36 SECTION 2. An emergency existing therefor, which emergency is hereby  
37 declared to exist, this act shall be in full force and effect on and after  
38 July 1, 2022.