

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 9

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-319, IDAHO  
2 CODE, TO PROVIDE FOR THE ELECTRONIC RENEWAL OF CLASS D AND COMMERCIAL  
3 DRIVER'S LICENSES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION  
4 63-3634A, IDAHO CODE, TO PROVIDE FOR MOTOR VEHICLE DRIVER'S LICENSES  
5 AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PRO-  
6 VIDING AN EFFECTIVE DATE.  
7

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

9 SECTION 1. That Section 49-319, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 49-319. EXPIRATION AND RENEWAL OF DRIVER'S LICENSE. (1) Every noncom-  
12 mercial Idaho driver's license issued to a driver shall expire and be renew-  
13 able as follows:

14 (a) For drivers twenty-one (21) years of age or older, the driver's li-  
15 cense shall expire on the licensee's birthday in the fourth year follow-  
16 ing the issuance of the driver's license.

17 (b) At the option of the applicant, for drivers twenty-one (21) years of  
18 age through sixty-two (62) years of age, the driver's license shall ex-  
19 pire on the licensee's birthday in either the fourth year or the eighth  
20 year following the issuance of the driver's license.

21 (c) Except for the provisions found in subsections (1)(e) and (3) of  
22 this section, every driver's license issued to a driver under eighteen  
23 (18) years of age shall expire five (5) days after the licensee's eigh-  
24 teenth birthday.

25 (d) Except for the provisions found in subsections (1)(e) and (3) of  
26 this section, every driver's license issued to a driver eighteen (18)  
27 years of age but under twenty-one (21) years of age shall expire five (5)  
28 days after the licensee's twenty-first birthday.

29 (e) Every driver's license that is not, as provided by law, suspended,  
30 revoked or disqualified in this state or any other jurisdiction shall  
31 be renewable on or before its expiration, but not more than twenty-five  
32 (25) months before, upon application, payment of the required fee, and  
33 satisfactory completion of the required vision screening. Notwith-  
34 standing the provisions of this section, a person who has had his  
35 noncommercial Idaho driver's license suspended may renew his driver's  
36 license as provided in this section, which renewal shall be subject to  
37 the suspension.

38 (2) Except for the provisions found in subsection (3) of this section,  
39 every commercial driver's license issued to a person twenty-one (21) years  
40 of age or older shall expire on the licensee's birthday in the fourth year  
41 following issuance of the license, and any class A, B or C license issued to a  
42 person eighteen (18), nineteen (19) or twenty (20) years of age shall expire

1 five (5) days after the licensee's twenty-first birthday. There shall be no  
2 option for an eight (8) year class A, B or C license.

3 (3) Every driver's license issued to a person who is not a citizen or  
4 permanent legal resident of the United States shall have an expiration date  
5 that is the same date as the end of lawful stay in the United States, as  
6 indicated on documents issued and verified by the department of homeland  
7 security, ~~provided;~~ however, ~~that~~ the expiration date shall not extend be-  
8 yond the expiration date for the same category of license issued to citizens.  
9 Persons whose department of homeland security documents do not state an ex-  
10 piration date shall be issued a driver's license with an expiration date of  
11 one (1) year from the date of issuance. Fees shall be in accordance with the  
12 expiration periods and classes listed in section 49-306(1), Idaho Code.

13 (4) An applicant who is issued a driver's license in another jurisdic-  
14 tion after an Idaho driver's license has been issued is not eligible for re-  
15 newal or a duplicate of the Idaho driver's license. The applicant may apply  
16 for a new Idaho driver's license as provided in section 49-306, Idaho Code.

17 (5) No knowledge test shall be required for renewal of a driver's li-  
18 cense, except for renewal of a hazardous material endorsement. Appropriate  
19 knowledge and skills tests shall be required for an upgrade in a driver's li-  
20 cense class or an endorsement addition. In the case of a name change, the ap-  
21 plicant shall provide legal documentation to verify the change in accordance  
22 with department rules.

23 (6) Applicants for a hazardous material endorsement shall provide ei-  
24 ther proof of United States citizenship or proof of lawful, permanent United  
25 States residence and a valid federal bureau of citizenship and immigration  
26 services alien registration number. A security background records check and  
27 federal transportation security administration clearance shall be required  
28 for issuance, renewal or transfer of a hazardous material endorsement in ac-  
29 cordance with 49 CFR ~~part~~ 383, subject to procedures established by the fed-  
30 eral transportation security administration.

31 (7) When a driver's license has been expired for fewer than twenty-five  
32 (25) months, the renewal of the driver's license shall start from the orig-  
33 inal date of expiration, regardless of the year in which the application  
34 for renewal is made. If the driver's license is expired for twenty-five  
35 (25) months or more, the applicant shall be required to take the appropriate  
36 knowledge test(s) and skills test(s) for the class of license or endorsement  
37 being applied for and undergo vision screening. The license shall expire  
38 on the licensee's birthday in the fourth year following issuance of the  
39 driver's license for drivers twenty-one (21) years of age or older, except  
40 as otherwise provided in subsections (1) (e) and (3) of this section. At the  
41 option of the applicant, for drivers twenty-one (21) years of age through  
42 sixty-two (62) years of age, the renewed license shall expire on the li-  
43 censee's birthday in either the fourth year or the eighth year following  
44 issuance, except as otherwise provided in subsections (1) (e) and (3) of this  
45 section.

46 (8) (a) If a driver's license has expired or will expire and the licensee  
47 is temporarily out of state, except on active military duty, and the  
48 driver's license has not, as provided by law, been suspended, revoked,  
49 canceled, denied, refused or disqualified, the licensee may request  
50 in writing on a form prescribed by the department an extension of the

1 driver's license. The request shall be accompanied by the fee fixed in  
 2 section 49-306, Idaho Code, and the extension shall be no more than a  
 3 twelve (12) month period. If the department determines that an exten-  
 4 sion of the driver's license is necessary, it may issue a license show-  
 5 ing the date to which the expired driver's license is extended. License  
 6 extensions are limited to two (2) consecutive extensions per licensee.

7 (b) Upon returning to the state of Idaho, the licensee shall, within ten  
 8 (10) days, apply for a renewal of the expired driver's license and sur-  
 9 render the extended license and the expired driver's license.

10 (c) A hazardous material endorsement cannot be extended.

11 (9) An Idaho driver's license issued to any person prior to serving on  
 12 active duty in the armed forces of the United States, or a member of the im-  
 13 mediate family accompanying such a person, if valid and in full force and  
 14 effect upon entering active duty, shall remain in full force and effect and  
 15 shall, upon application, be extended for a period of four (4) years as long as  
 16 active duty continues or shall be renewed upon application in person without  
 17 the requirement to take a knowledge or skills test if the Idaho driver's li-  
 18 cense expired while on active duty, if the driver's license is not suspended,  
 19 denied, disqualified, canceled or revoked, as provided by law, during the  
 20 active duty, and the driver's license shall remain in full force and effect  
 21 sixty (60) days following the date the holder is released from active duty.

22 (10) The department may use a mail or electronic renewal process for  
 23 ~~four (4) year~~ class D and commercial driver's licenses based on criteria  
 24 established by rule.

25 (11) A seasonal driver's license is ~~only~~ valid only for a one-hundred-  
 26 eighty (180) day period from the date of issuance. Only one (1) seasonal  
 27 driver's license may be obtained in any twelve (12) month period and may ~~only~~  
 28 be obtained only twice in a driver's lifetime.

29 (12) A person who applies for renewal of a license may request that the  
 30 notation "permanently disabled" be imprinted on the license, and the depart-  
 31 ment shall imprint "permanently disabled" on the license if:

32 (a) The person has a permanent disability; and

33 (b) The person presents written certification from a licensed physi-  
 34 cian, licensed physician assistant, or licensed advanced practice  
 35 professional nurse verifying that the person's stated impairment qual-  
 36 ifies as a permanent disability as provided in section 49-117, Idaho  
 37 Code; and

38 (c) The department determines that the person meets the requirements  
 39 for issuance of a license as specified in section 49-313, Idaho Code.

40 SECTION 2. That Section 63-3634A, Idaho Code, be, and the same is hereby  
 41 amended to read as follows:

42 63-3634A. AUTHORITY TO ENTER AGREEMENTS. Notwithstanding the provi-  
 43 sions of section 63-3634 or 63-3076, Idaho Code, relating to confidential-  
 44 ity, the state tax commission may enter into a written agreement with the  
 45 Idaho transportation department providing for exchange of information as  
 46 both the commission and the department may find necessary to implement the  
 47 letter and intent of this chapter or the laws relating to the registration of  
 48 motor vehicles and the issuing of driver's licenses in this state. The state  
 49 tax commission is not authorized by this section to disclose any financial

1 information from any tax return filed with the state tax commission other  
2 than whether or not an individual filed a resident or nonresident return.

3 SECTION 3. An emergency existing therefor, which emergency is hereby  
4 declared to exist, this act shall be in full force and effect on and after  
5 July 1, 2023.