

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 412

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO THE IDAHO TRANSPORTATION DEPARTMENT; AMENDING SECTION 40-511,
2 IDAHO CODE, TO PROVIDE FOR THE USE OF TECHNOLOGY AND PROCEDURES TO AL-
3 LOW CERTAIN VEHICLES TO LAWFULLY BYPASS A PORT OF ENTRY; AND DECLARING
4 AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
5

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

7 SECTION 1. That Section 40-511, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 40-511. STOPPING AND INSPECTION. (1) Wherever by the laws of the state
10 of Idaho any vehicle with a maximum gross weight or registered gross weight,
11 or operated at a gross weight, of twenty-six thousand one (26,001) pounds or
12 more, excepting those transporting placardable quantities of hazardous ma-
13 terials, is used to transport any merchandise, product, commodity, or live-
14 stock within the state, within the state to without the state, or from with-
15 out the state to within the state, the owner or operator of either the motor
16 vehicle or trailer, as defined in chapter 1, title 49, Idaho Code, used to
17 transport such merchandise, product, commodity, or livestock is hereby re-
18 quired to stop at such ports of entry or checking stations established by the
19 Idaho transportation department and submit to inspection, grading or weigh-
20 ing for compliance with the laws of the state of Idaho. Noncommercial vehi-
21 cles, as defined in section 49-123(2)(k), Idaho Code, shall not be required
22 to stop for inspection pursuant to this section.

23 (2) Vehicles or combinations of vehicles with a maximum gross weight of
24 ten thousand (10,000) pounds or more transporting placardable quantities of
25 hazardous materials are required to stop at all ports of entry or checking
26 stations established by the Idaho transportation department.

27 (3) It shall be the duty of such owner or operator of every motor vehicle
28 or trailer to drive the motor vehicle or trailer upon any state-owned inspec-
29 tion station, stationary or portable scale, or private scale, certified by
30 the state of Idaho, when requested to do so by any peace officer, excepting
31 fish and game officers, or authorized employees of the Idaho transportation
32 department.

33 (4) Authorized employees of the transportation department may stop any
34 vehicle with a maximum gross weight of eighteen thousand (18,000) pounds or
35 more by displaying a flashing red light if the authorized employee has prob-
36 able cause to believe the vehicle bypassed a weighing or inspection station
37 or proceeded through the station without regard for the directional signals.
38 Authorized employees may direct a vehicle that has bypassed a weighing or in-
39 spection station, or has proceeded through the station without regard for
40 the directional signals, to return to the bypassed inspection or weighing
41 station and may issue a citation for failure to stop as required in this sec-
42 tion. The operator of a vehicle shall bring the vehicle to a stop, pulling

1 off the traveled portion of the highway, when directed to do so by an autho-
2 rized employee of the transportation department by use of emergency lights
3 or siren.

4 (5) The department is authorized to implement technology and proce-
5 dures, where practicable, to allow vehicles that meet established criteria
6 to lawfully bypass a port of entry. The department may promulgate rules to
7 implement the provisions of this section.

8 SECTION 2. An emergency existing therefor, which emergency is hereby
9 declared to exist, this act shall be in full force and effect on and after
10 July 1, 2024.