

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 583, As Amended in the Senate

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-119, IDAHO CODE, TO REVISE
A DEFINITION AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMER-
GENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 49-119, Idaho Code, be, and the same is hereby
amended to read as follows:

49-119. DEFINITIONS -- R. (1) "Racing" means the use of one (1) or more
vehicles in an attempt to outgain, outdistance, or prevent another vehicle
from passing, to arrive at a given destination ahead of another vehicle,
or to test the physical stamina or endurance of drivers over long-distance
driving routes.

(2) "Radio operator, amateur" means any person licensed by the Federal
Communications Commission to engage in private and experimental two-way ra-
dio operation and holding a conditional class license or higher.

(3) "Railroad" means a carrier of persons or property upon cars oper-
ated upon stationary rails.

(4) "Railroad train" means a steam engine, electric or other motor,
with or without cars coupled thereto, operated upon rails.

(5) "Railroad sign" or "signal" means any sign, signal or device
erected by authority of a public body or official or by a railroad and in-
tended to give notice of the presence of railroad tracks or the approach of a
railroad train.

(6) "Recreational vehicle" means a motor home, travel trailer,
fifth-wheel trailer, park model recreational vehicle, truck camper or fold-
ing camping trailer, with or without motive power, designed for recreational
or emergency occupancy. It does not include ~~pick-up~~ pickup hoods, shells, or
canopies designed, created or modified for occupational usage. School buses
or van type vehicles which are converted to recreational use, are defined as
recreational vehicles.

(7) "Registered maximum gross weight" means the maximum gross weight
established on the registration document as declared by the owner at the time
of registration or renewal of registration.

(8) "Registered owner" means any person required to register a vehicle,
whether or not a lienholder appears on the title in the records of the depart-
ment.

(9) "Registration" means the registration certificate or certificates
and license plate or plates issued under the laws of this state pertaining to
the registration of vehicles.

(10) "Rental utility trailer" means a utility trailer offered for hire
to the general public for private or commercial use.

(11) "Rescission of sale." (See section 28-2-608, Idaho Code)

1 (12) "Resident" means for purposes of vehicle registration, titling,
2 a driver's license or an identification card, a person whose domicile has
3 been within Idaho continuously for a period of at least ~~ninety (90)~~ thirty
4 (30) days, excluding a full-time student who is a resident of another state.
5 ~~A person, including a full-time student who has established a domicile in~~
6 ~~Idaho may declare residency earlier than ninety (90) days for vehicle reg-~~
7 ~~istration, titling, driver's license and identification card purposes.~~
8 However, any driver's license or identification card issued to a person who
9 has been domiciled in Idaho for less than thirty (30) days may not be used
10 for identification for the purpose of voting. The department may title or
11 register a vehicle to a person who has an Idaho driver's license or identifi-
12 cation card and has been domiciled in Idaho for less than thirty (30) days.
13 Establishment of residency shall include a spouse and dependent children who
14 reside with that person in the domicile. A domicile shall not be a person's
15 workplace, vacation or part-time residence.

16 (13) "Residential district." (See "District," section 49-105, Idaho
17 Code)

18 (14) "Residential neighborhood" for purposes of this chapter, is an
19 area abutting a highway which is used primarily for nontransient human habi-
20 tation, parks and churches.

21 (15) "Revocation of driver's license" means the termination by formal
22 action of the department or as otherwise provided in this title of a per-
23 son's driver's license or privilege to operate a motor vehicle on the high-
24 ways, which terminated driver's license or privilege shall not be subject to
25 renewal or restoration except that an application for a new driver's license
26 may be presented and acted upon by the department after the expiration of the
27 applicable period of time prescribed in this title.

28 (16) "Revocation of vehicle registration" means the termination by for-
29 mal action of the department or as otherwise provided in this title of a per-
30 son's vehicle registration or, in the case of fleets of vehicles, all vehi-
31 cle registrations in each fleet operated by a company. Upon revocation, the
32 privileges of operating the vehicles on Idaho highways is terminated until
33 the difficulty that caused the revocation is corrected and an application
34 for new registration is presented and acted upon.

35 (17) "Ridesharing arrangement" means the nonprofit transportation in a
36 passenger motor vehicle with a seating capacity not exceeding fifteen (15)
37 people including the driver, which is not otherwise used for commercial pur-
38 poses or as a public conveyance, whereby a fixed group, not exceeding fifteen
39 (15) people including passengers and driver, is transported between their
40 residences or nearby termini, and their places of employment or educational
41 or other institutions or termini near those places, in a single daily round
42 trip where the driver is also on the way to or from his place of employment or
43 education or other institution.

44 (18) "Right-of-way" means the right of one (1) vehicle or pedestrian to
45 proceed in a lawful manner in preference to another vehicle or pedestrian ap-
46 proaching under circumstances of direction, speed and proximity as to give
47 rise to danger of collision unless one grants precedence to the other. The
48 term shall not be interpreted to mean that a highway user is relieved from the
49 duty to exercise reasonable care at all times and from doing everything to

1 prevent an accident. Failure to yield right-of-way shall not be construed as
2 negligence per se or as prima facie evidence of negligence.

3 (19) "Roadway" means that portion of a highway improved, designed or
4 ordinarily used for vehicular travel, exclusive of sidewalks, shoulders,
5 berms and rights-of-way.

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