

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 640

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-120, IDAHO CODE, TO DEFINE A TERM; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 49-120, Idaho Code, be, and the same is hereby amended to read as follows:

49-120. DEFINITIONS -- S. (1) "Saddlemount combination" means a combination of vehicles in which a truck or truck tractor tows one (1), two (2) or three (3) trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The saddle is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. A smaller vehicle mounted completely on the frame of either the first or last vehicle may be used in a saddlemount combination.

(2) "Safety glazing materials" means glazing materials so constructed, treated or combined with other materials as to reduce substantially, in comparison with ordinary sheet glass or plate glass, the likelihood of injury to persons by objects from exterior sources or by these safety glazing materials when they may be cracked or broken.

(3) "Safety zone" means the area or space officially set apart within a highway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(4) "Salvage pool" means a licensed vehicle dealer engaged primarily in the business of disposing of salvage vehicles, recovered stolen vehicles, or both.

(5) "School bus" means every motor vehicle that complies with the color and identification requirements set forth in the most recent edition of "Minimum Standards for School Buses" and is used to transport children to or from school or in connection with school approved activities and includes buses operated by contract carriers.

(6) "Secretary" means the secretary of transportation of the United States.

(7) "Security agreement." (See section 28-9-102, Idaho Code)

(8) "Security interest." (See section 28-1-201, Idaho Code)

(9) "Sell," "sold," "buy," and "purchase," mean and include, as used in sections 49-2401 through 49-2406, Idaho Code, exchange, barter, gift, and offer or contract to sell or buy.

(10) "Semitrailer." (See "Trailer," section 49-121, Idaho Code)

(11) "Serious traffic violation" means conviction of an offense specified in 49 CFR part 383 and including any subsequent amendments thereto,

1 while operating a commercial motor vehicle, and shall include driving a com-  
2 mercial motor vehicle:

3 (a) Without obtaining a commercial driver's license; or

4 (b) Without having a commercial driver's license in the driver's pos-  
5 session; or

6 (c) Without the proper license class of commercial driver's license or  
7 endorsements for the specific vehicle group being operated or for the  
8 passengers or type of cargo being transported.

9 (12) "Service-only facility" means a customer-facing or noncustomer-  
10 facing facility operated by a licensed dealer within the dealer's relevant  
11 market area where the dealer performs any repairs or performs any other ser-  
12 vices on motor vehicles but does not engage in the sale, lease, trade, or dis-  
13 play of new or used motor vehicles. A service-only facility shall not be con-  
14 sidered a dealer or dealership for the purposes of this title.

15 ~~(12)~~ (13) "Sidewalk" means that portion of a street between the curb  
16 lines, or the lateral lines of a roadway, and the adjacent property lines  
17 intended for use by pedestrians.

18 ~~(13)~~ (14) "Signal." (See "Railroad sign," section 49-119, Idaho Code)

19 ~~(14)~~ (15) "Skills test" means an actual demonstration of ability to ex-  
20 ercise ordinary and reasonable control in the operation of a motor vehicle.

21 ~~(15)~~ (16) "Slow moving vehicle" means any vehicle not normally operated  
22 upon the highways.

23 ~~(16)~~ (17) "Snow tire." (See "Tires," section 49-121, Idaho Code)

24 ~~(17)~~ (18) "Sold." (See "Sell," "buy," and "purchase," this section)

25 ~~(18)~~ (19) "Solid rubber tire." (See "Tires," section 49-121, Idaho  
26 Code)

27 ~~(19)~~ (20) "Special license plate" means a license plate that is made  
28 available to the public as a personal alternative to the standard issue li-  
29 cence plate. No special program fee shall be charged for the registration  
30 or plates issued under sections 49-403, 49-403A, 49-404, 49-405, 49-410,  
31 49-415, 49-415A and 49-415B, Idaho Code.

32 ~~(20)~~ (21) "Special mobile equipment" means every vehicle not designed  
33 or used primarily for the transportation of persons or property and only in-  
34 cidentalily operated or moved over a highway, including: ditch-digging appa-  
35 ratu s, well-boring apparatus and road construction and maintenance machin-  
36 ery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors  
37 other than truck tractors, ditchers, leveling graders, finishing machines,  
38 motor graders, road rollers, scarifiers, earth moving carry-alls and scrap-  
39 ers, power shovels and drag lines, and self-propelled cranes, and earth mov-  
40 ing equipment. The term does not include travel trailers, dump trucks, truck  
41 mounted transit mixers, cranes or shovels, or other vehicles designed for  
42 the transportation of persons or property to which machinery has been at-  
43 tached.

44 ~~(21)~~ (22) "Specially constructed vehicle." (See "Vehicle," section  
45 49-123, Idaho Code)

46 ~~(22)~~ (23) "Specialty off-highway vehicle." (See "Vehicle," section  
47 49-123, Idaho Code)

48 ~~(23)~~ (24) "Stand" or "standing" means the halting of a vehicle, whether  
49 occupied or not, otherwise than temporarily for the purpose of and while ac-  
50 tually engaged in receiving or discharging passengers.

1       ~~(24)~~ (25) "State" means a state, territory or possession of the United  
2 States, the District of Columbia, the Commonwealth of Puerto Rico or a  
3 province of Canada.

4       ~~(25)~~ (26) "Stop" means the act of or complete cessation from movement.

5       ~~(26)~~ (27) "Stopping" means the act of any halting even momentarily of a  
6 vehicle.

7       ~~(27)~~ (28) "Street." (See "Highways," section 49-109, Idaho Code)

8       ~~(28)~~ (29) "Street rod" means any pre-1949 vehicle which has had a sig-  
9 nificant drive train update from a more modern vehicle. Changes may include  
10 engine, transmission, rear axle, and other suspension components. The body  
11 will be, or resemble the same as the manufacturer's original issue after its  
12 first sale after manufacture.

13       ~~(29)~~ (30) "Studded tire." (See "Tires," section 49-121, Idaho Code)

14       ~~(30)~~ (31) "Substandard width lane" means a lane that is too narrow for a  
15 bicycle and a motor vehicle to travel safely side by side within the lane.

16       ~~(31)~~ (32) "Supplemental lot" means a physically separate location owned  
17 and maintained by a licensed dealer or manufacturer within the same or adja-  
18 cent county as the principal place of business which meets all the require-  
19 ments for a principal place of business.

20       ~~(32)~~ (33) "Suspension of driver's license" means the temporary with-  
21 drawal by formal action of the department or as otherwise provided in this  
22 title of a person's driver's license or privilege to operate a motor vehicle  
23 on the public highways, which temporary withdrawal shall be for a period  
24 specifically designated by the department.

25       ~~(33)~~ (34) "Suspension of vehicle registration" means the temporary  
26 withdrawal by formal action of the department or as otherwise provided in  
27 this title of a person's vehicle registration or, in the case of fleets of ve-  
28 hicles, all vehicle registrations in each fleet operated by a company. Upon  
29 suspension, the privileges of operating the vehicle or vehicles on Idaho  
30 highways is terminated until the difficulty that caused the suspension is  
31 corrected and notification is provided that the suspension has been lifted.

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