

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 532

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-401B, IDAHO CODE, TO PRO-  
2 VIDE FOR A CERTAIN MANNER OF PROVING IDENTITY AND TO MAKE TECHNICAL  
3 CORRECTIONS; AMENDING SECTION 49-504, IDAHO CODE, TO PROVIDE FOR A CER-  
4 TAIN MANNER OF PROVING IDENTITY AND TO MAKE TECHNICAL CORRECTIONS; AND  
5 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
6

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

8 SECTION 1. That Section 49-401B, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 49-401B. APPLICATION FOR REGISTRATION -- RECEIPT FOR FEE -- RECORD OF  
11 APPLICANTS. (1) Application for the registration of a vehicle required to  
12 be registered under the provisions of section 49-401A, Idaho Code, shall  
13 be made to the assessor or the department, as specified in that section, by  
14 the owner ~~upon~~ on the appropriate form. Every application shall contain the  
15 owner's Idaho driver's license number, Idaho identification card number,  
16 social security number or individual taxpayer identification number. In the  
17 case of a business, the employer tax identification number is required. Ev-  
18 ery application shall also contain the owner's true and full legal name, and  
19 every applicant must submit proof of identity pursuant to section 49-306,  
20 Idaho Code, if he has not already done so. In the event that the owner does  
21 not possess a social security number, ~~individual taxpayer identification~~  
22 ~~number, Idaho driver's license number, or Idaho identification card number,~~  
23 the owner shall present written documentation sufficient to the department  
24 to determine that no social security number has been issued. In the event  
25 that a business, trust or other statutorily created entity is not required  
26 to have and does not possess an employer tax identification number, the ap-  
27 plicant shall provide a written statement certifying that the entity does  
28 not possess an employer tax identification number. Such application must be  
29 signed by the owner and contain his residence address and mailing address,  
30 if different, and a brief description of the vehicle to be registered, in-  
31 cluding the name of the maker, the type of fuel used, and the identification  
32 number. If an applicant has submitted an application pursuant to the provi-  
33 sions of chapter 58, title 19, Idaho Code, then the applicant may state in the  
34 application required pursuant to this section the applicant's alternative  
35 Idaho mailing address in place of his or her residence address. Upon regis-  
36 tration of a new vehicle, the application shall also show the date of sale by  
37 the manufacturer or dealer to the person first operating such vehicle. The  
38 application shall contain any other information as may be required by the  
39 department and shall contain a provision that allows an owner to choose to  
40 participate in the Idaho state parks passport program. The assessor shall  
41 issue to the applicant a receipt for any fee paid. Social security numbers  
42 collected shall not appear on certificates of registration, and all applica-

1 tions on file shall be exempt from disclosure, except as provided in sections  
2 49-202, 49-203 and 49-203A, Idaho Code.

3 (2) The assessor shall record on a form prescribed and furnished by the  
4 department, the names of all owners of vehicles residing in the county who  
5 make application for registration, together with the amounts of the fees  
6 paid by such owners.

7 (3) When application for registration is made by any motor carrier, the  
8 assessor or the department shall require each such applicant to execute a  
9 certification of safety compliance.

10 (4) Vehicles registered under the proportional registration provi-  
11 sions of section 49-435, Idaho Code, shall be registered by the department.

12 (5) Every owner of a vehicle registered by a county assessor shall give  
13 his physical domicile residence address or the business physical principal  
14 address to the assessor so that the proper county can be entered upon the reg-  
15 istration. Failure to do so shall be unlawful. The department shall then  
16 attribute the registration, and all fees to be apportioned to the highway  
17 distribution account, to the county of residence regardless of the county in  
18 which the registration occurred. Fees imposed under the provisions of sec-  
19 tions 40-827 and 40-1416, Idaho Code, shall be separately identified and ac-  
20 counted for, and paid to the highway district for which collected. Fees col-  
21 lected in addition to vehicle registration fees for the Idaho state parks  
22 passport program, as provided in section 49-402(11), Idaho Code, shall be  
23 separately identified and accounted for and paid to the state treasurer on a  
24 monthly basis to be deposited in the park and recreation fund as specified in  
25 section 49-402(11), Idaho Code. For the purposes of vehicle registration, a  
26 person is an actual and permanent resident of the county in which he has his  
27 principal residence or domicile. A principal residence or domicile shall  
28 not be a person's workplace, vacation, or part-time residence.

29 (6) A violation of the provisions of this section shall be an infrac-  
30 tion.

31 SECTION 2. That Section 49-504, Idaho Code, be, and the same is hereby  
32 amended to read as follows:

33 49-504. APPLICATIONS TO DEPARTMENT FOR CERTIFICATES -- PROCEDURE --  
34 IDENTIFICATION NUMBERS. (1) Application for a certificate of title shall be  
35 made ~~upon~~ on a form furnished by the department and shall contain the owner's  
36 Idaho driver's license number, Idaho identification card number or social  
37 security number or individual taxpayer identification number. In the case  
38 of a business, the employer tax identification number is required. Every  
39 application shall also contain the owner's true and full legal name, and  
40 every applicant must submit proof of identity pursuant to section 49-306,  
41 Idaho Code, if he has not already done so. In the event that the owner does  
42 not possess a social security number, ~~Idaho driver's license number, Idaho~~  
43 ~~identification card number or individual taxpayer identification number,~~  
44 the owner shall present written documentation sufficient to the department  
45 to determine that no social security number has been issued. In the event  
46 that a business, trust, or other statutorily created entity is not required  
47 to have and does not possess an employer tax identification number, the ap-  
48 plicant shall provide a written statement certifying that the entity does  
49 not possess an employer tax identification number. The form must contain

1 the owner's physical domicile address or, in the case of a business, trust  
2 or other statutorily created entity, such entity's physical address and any  
3 mailing address if different from the physical address. If the owner has  
4 submitted an application pursuant to the provisions of chapter 58, title 19,  
5 Idaho Code, then the owner may state, in the application required pursuant  
6 to this section, the applicant's alternative Idaho mailing address in place  
7 of his or her physical domicile address. Such application must be signed  
8 by the owner and contain a full description of the vehicle, including the  
9 make, identification numbers, and the odometer reading at the time of sale  
10 or transfer, and whether the vehicle is new or used, together with a state-  
11 ment of the applicant's title and of any liens or encumbrances ~~upon~~ on the  
12 vehicle, and the name and address of the person to whom the certificate of  
13 title shall be delivered, and any other information as the department may  
14 require. The application shall be filed with the department and, if a cer-  
15 tificate of title has previously been issued for that vehicle in this state,  
16 shall be accompanied by the certificate of title duly assigned, unless oth-  
17 erwise provided for in this chapter. The department may promulgate rules to  
18 provide for exceptions to the odometer requirement. Social security numbers  
19 collected shall not appear on certificates of title, and all applications on  
20 file shall be exempt from disclosure, except as provided in sections 49-202,  
21 49-203 and 49-203A, Idaho Code.

22 (2) If the current certificate of title was not issued for the vehicle  
23 in this state, the application, unless otherwise provided for in this chap-  
24 ter, shall be accompanied by a certificate of title, bill of sale or other ev-  
25 idence of ownership required by the law of any other jurisdiction from which  
26 the vehicle was brought into this state and a vehicle identification number  
27 inspection completed by any city, county or state peace officer or other spe-  
28 cial agent authorized by the department.

29 (3) In the case of a new vehicle being titled for the first time, no cer-  
30 tificate of title or registration shall be issued unless the application is  
31 endorsed by a franchised new vehicle dealer licensed to sell a new vehicle.  
32 Each application shall be accompanied by a statement completed by the fran-  
33 chised new car dealer that it is authorized to transfer the vehicle to the  
34 purchaser. The dealer shall retain in its records a manufacturer's certifi-  
35 cate of origin or manufacturer's statement of origin executed by the manu-  
36 facturer and delivered to his agent or his franchised vehicle dealer. The  
37 certificate or statement of origin shall be in a form prescribed by the board  
38 and shall contain the year of manufacture or the model year of the vehicle,  
39 the manufacturer's vehicle identification number, the name of the manufac-  
40 turer, the number of cylinders, a general description of the body, if any,  
41 and the type or model. Upon sale of a new vehicle, the manufacturer or his  
42 agent or franchised dealer shall execute and deliver to the purchaser an as-  
43 signment of the certificate or statement, together with any lien or encum-  
44 brance to which the vehicle is subject. The certificate or statement will be  
45 retained by the dealer for five (5) years so that it is available for inspec-  
46 tion by the department.

47 (4) The department shall retain the evidence of title presented by  
48 the applicant and on which the certificate of title is issued. The depart-  
49 ment shall maintain an identification numbers index of registered vehicles  
50 ~~except that,~~ but said index is not required to include operators who have

1 been issued a certificate of number or nonresident user certificate pursuant  
2 to sections 67-7122 and 67-7124, Idaho Code, and, upon receiving an applica-  
3 tion for a certificate of title shall first check the identification number  
4 shown in the application against the index. The department, when satisfied  
5 that the applicant is the owner of the vehicle and that the application is in  
6 proper form, shall issue in the name of the owner of the vehicle a certifi-  
7 cate of title bearing a title number, the date issued and a description of  
8 the vehicle as determined by the department, together with a statement of  
9 the owner's title and of all liens or encumbrances ~~upon~~ on the vehicle, and  
10 whether possession is held by the owner under a lease, contract or condi-  
11 tional sale, or other like agreement.

12 (5) In all cases of transfer of vehicles, the application for certifi-  
13 cates of title shall be filed within thirty (30) calendar days after the de-  
14 livery of the vehicles. Licensed dealers need not apply for certificate of  
15 title for vehicles in stock or when they are acquired for stock purposes.

16 (6) In the case of the sale of a vehicle by a dealer to a general pur-  
17 chaser or user, the certificate of title shall be obtained in the name of the  
18 purchaser by the dealer upon application signed by the purchaser. If a lien  
19 is to be recorded, the title documentation as required in this section shall  
20 be submitted to the department by the dealer or the lienholder upon appli-  
21 cation signed by the purchaser. A copy of this application shall be given  
22 to the purchaser to be used as a seventy-two (72) hour temporary permit,  
23 unless the application is submitted by an electronic means approved by the  
24 department, in which case a forty-five (45) calendar day temporary permit  
25 may be issued. In all other cases, the certificates shall be obtained by the  
26 purchaser and the certificate of title properly assigned and dated by the  
27 seller, or the seller's bill of sale shall serve as a seventy-two (72) hour  
28 permit. The seventy-two (72) hour time period for temporary permits shall  
29 be calculated excluding weekend days and legal holidays observed by the  
30 state of Idaho. These temporary permits allow operation of any noncommer-  
31 cial vehicle or unladen commercial vehicle or vehicle combination without  
32 license plates for the period of time specified in the permit. A laden  
33 commercial vehicle or vehicle combination may also operate without license  
34 plates for the period of time specified in the temporary permit, provided  
35 that the owner or operator has also obtained a permit issued under the provi-  
36 sions of section 49-432, Idaho Code.

37 (7) If the vehicle has no identification number, then the department  
38 shall designate an identification number for that vehicle at the time of is-  
39 suance of the certificate of title. The identification number shall be per-  
40 manently affixed to or indented ~~upon~~ on the frame of the vehicle and legibly  
41 maintained by the owner at all times while a certificate of title to the vehi-  
42 cle ~~shall be~~ is issued and outstanding.

43 (8) An EVC provider authorized pursuant to section 49-401C, Idaho Code,  
44 may act on behalf of the department in receiving, processing, and transmit-  
45 ting applications for title and any related fees to the department. The se-  
46 curity, oversight, and processing requirements in chapter 4, title 49, Idaho  
47 Code, shall also apply to titling transactions conducted by an EVC provider.

48 (9) The department may allow a person to submit a required document by  
49 using electronic media deemed feasible by the department instead of requir-  
50 ing an original document. If a signature on a document is required by law and

1 the document is submitted electronically, the signature requirement will  
2 be satisfied by an authenticated electronically submitted signature. An  
3 electronically submitted document, once accepted by the department, shall  
4 be deemed the same as an original document and shall be admissible in all  
5 administrative, quasi-judicial, and judicial proceedings.

6 SECTION 3. 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, 2026.