

IN THE SENATE

SENATE BILL NO. 1272

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO TRANSPORTATION; PROVIDING LEGISLATIVE INTENT; REPEALING SEC-
2 TION 21-121, IDAHO CODE, RELATING TO PENALTIES GENERAL AND SPECIAL;
3 REPEALING SECTION 40-1207, IDAHO CODE, RELATING TO POSTING OF NOTICES
4 OF TRAFFIC REGULATIONS REGARDING HORSES, MULES, AND CATTLE; REPEALING
5 SECTION 40-2314, IDAHO CODE, RELATING TO PASSAGeways FOR STOCK; REPEAL-
6 ING SECTION 49-420E, IDAHO CODE, RELATING TO THE IDAHO CORVETTE PLATES;
7 REPEALING SECTION 49-420L, IDAHO CODE, RELATING TO THE IDAHO TERRITORY
8 SESQUICENTENNIAL PLATES; REPEALING SECTION 49-420N, IDAHO CODE, RE-
9 LATING TO THE ROCKY MOUNTAIN ELK FOUNDATION PLATES; REPEALING SECTION
10 49-420O, IDAHO CODE, RELATING TO THE IDAHO FRIENDS OF THE NATIONAL RIFLE
11 ASSOCIATION PLATES; REPEALING SECTION 49-420P, IDAHO CODE, RELATING TO
12 THE IDAHO ROTARY INTERNATIONAL PLATES; AMENDING SECTION 49-402, IDAHO
13 CODE, TO REMOVE CODE REFERENCES AND TO MAKE A CODIFIER'S CORRECTION;
14 AMENDING SECTION 49-406, IDAHO CODE, TO REMOVE OUTDATED LANGUAGE AND TO
15 MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-406A, IDAHO CODE, TO
16 REMOVE OUTDATED LANGUAGE AND TO MAKE TECHNICAL CORRECTIONS; AND DECLAR-
17 ING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
18

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

20 SECTION 1. IDAHO CODE CLEANUP -- LEGISLATIVE INTENT. It is the intent
21 of the Legislature to ensure that the state laws provided in Idaho Code are
22 streamlined, up-to-date, and essential for the citizens of Idaho, while best
23 serving the public health, safety, and welfare. In accordance with the Idaho
24 Code Cleanup Act, following comprehensive review, the Legislature has iden-
25 tified the provisions of this act as obsolete, outdated, or unnecessary.

26 SECTION 2. That Section [21-121](#), Idaho Code, be, and the same is hereby
27 repealed.

28 SECTION 3. That Section [40-1207](#), Idaho Code, be, and the same is hereby
29 repealed.

30 SECTION 4. That Section [40-2314](#), Idaho Code, be, and the same is hereby
31 repealed.

32 SECTION 5. That Section [49-420E](#), Idaho Code, be, and the same is hereby
33 repealed.

34 SECTION 6. That Section [49-420L](#), Idaho Code, be, and the same is hereby
35 repealed.

36 SECTION 7. That Section [49-420N](#), Idaho Code, be, and the same is hereby
37 repealed.

1 SECTION 8. That Section [49-4200](#), Idaho Code, be, and the same is hereby
2 repealed.

3 SECTION 9. That Section [49-420P](#), Idaho Code, be, and the same is hereby
4 repealed.

5 SECTION 10. That Section 49-402, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each
8 pickup truck, each neighborhood electric vehicle and each other motor ve-
9 hicle having a maximum gross weight not in excess of eight thousand (8,000)
10 pounds and that complies with the federal motor vehicle safety standards as
11 defined in section 49-107, Idaho Code, shall be:

- 12 Vehicles one (1) and two (2) years old\$69.00
- 13 Vehicles three (3) and four (4) years old\$57.00
- 14 Vehicles five (5) and six (6) years old\$57.00
- 15 Vehicles seven (7) and eight (8) years old\$45.00
- 16 Vehicles over eight (8) years old\$45.00

17 There shall be twelve (12) registration periods, starting in January
18 for holders of validation registration stickers numbered 1, and proceed-
19 ing consecutively through December for holders of validation registration
20 stickers numbered 12, each of which shall start on the first day of a calen-
21 dar month and end on the last day of the twelfth month from the first day of
22 the beginning month. Registration periods shall expire at midnight on the
23 last day of the registration period in the year designated by the validation
24 registration sticker. The numeral digit on the validation registration
25 stickers shall, as does the registration card, fix the registration period
26 under the staggered registration system for the purpose of reregistration
27 and notice of expiration.

28 A vehicle that has once been registered for any of the above-designated
29 periods shall, upon reregistration, be registered for the period bearing the
30 same number, and the registration card shall show and be the exclusive proof
31 of the expiration date of registration and licensing. Vehicles may be ini-
32 tially registered for less than a twelve (12) month period, or for more than a
33 twelve (12) month period, and the fee prorated on a monthly basis if the frac-
34 tional registration tends to fulfill the purpose of the monthly series reg-
35 istration system.

36 (2) For all school buses operated either by a nonprofit, nonpublic
37 school or operated pursuant to a service contract with a school district for
38 transporting children to or from school or in connection with school-ap-
39 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and
40 shall be subject to staggered registration for the purpose of reregistration
41 and notice of expiration.

42 (3) For all motorcycles and motor-driven cycles that comply with the
43 federal motor vehicle safety standards, operated on the public highways, the
44 annual fee shall be nineteen dollars (\$19.00) and shall be subject to stag-
45 gered registration for the purpose of reregistration and notice of expira-
46 tion.

47 (4) For operation of an all-terrain vehicle, utility type vehicle or
48 motorbike, excluding a motorbike with an engine displacement of fifty (50)

1 cubic centimeters or less, on city, county or highway district roads or
2 highways open to such use, a restricted vehicle license plate fee pursuant
3 to section 49-450, Idaho Code, shall be paid. In addition, the certifi-
4 cate of number fee specified in section 67-7122, Idaho Code, shall be paid
5 as provided in section 67-7122, Idaho Code. The certificate of number and
6 restricted vehicle license plate exemption provided in section 49-426(2),
7 Idaho Code, applies to all-terrain vehicles, utility type vehicles, motor-
8 bikes and motorcycles used for the purposes described in section 49-426(2),
9 Idaho Code. Nonresidents shall be allowed to purchase a restricted vehicle
10 license plate and validation sticker pursuant to section 67-7124, Idaho
11 Code, for an all-terrain vehicle, utility type vehicle, or motorbike.

12 (5) For all motor homes, the fee shall be as specified in subsection (1)
13 of this section and shall be in addition to the fees provided for in section
14 49-445, Idaho Code.

15 (6) Registration fees shall not be subject to refund.

16 (7) A financial institution or repossession service contracted to
17 a financial institution repossessing vehicles under the terms of a secu-
18 rity agreement shall move the vehicle from the place of repossession to the
19 financial institution's place of business on a repossession plate. The
20 repossession plate shall also be used for demonstrating the vehicle to a
21 prospective purchaser for a period not to exceed ninety-six (96) hours. The
22 registration fees for repossession plates shall be as required in subsection
23 (1) of this section for a vehicle one (1) and two (2) years old. All other
24 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
25 the registration fee. The repossession plate shall be subject to staggered
26 registration for the purpose of reregistration and notice of expiration.

27 (8) A wrecker or towing business engaged in the process of towing motor-
28 ized vehicles that have been wrecked, abandoned, salvaged or may be disabled
29 may apply for a wrecker plate to be displayed on those vehicles being towed,
30 provided the power unit is properly registered under this chapter. The reg-
31 istration fees for wrecker plates shall be as required in subsection (1) of
32 this section for a vehicle one (1) and two (2) years old. All other fees re-
33 quired under chapter 4, title 49, Idaho Code, shall be in addition to the reg-
34 istration fee and shall be subject to staggered registration for the purpose
35 of reregistration and notice of expiration.

36 (9) In addition to the annual registration fee in this section, there
37 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-
38 nual program fee of fifteen dollars (\$15.00) for all special license plate
39 programs for those license plates issued pursuant to sections 49-404A,
40 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For
41 special plates issued pursuant to section 49-417E, Idaho Code, there shall
42 be an initial program fee of seventy dollars (\$70.00) and an annual program
43 fee of fifty dollars (\$50.00). For special plates issued pursuant to sec-
44 tions 49-406 and 49-406A, Idaho Code, there shall be an initial program fee
45 of twenty-five dollars (\$25.00) but there shall be no annual renewal fee.
46 For special plates issued pursuant to sections 49-415D, 49-417, 49-417A,
47 49-417B, 49-417C, 49-417D, 49-418A, 49-418B, 49-418C, 49-419, 49-419A,
48 49-419C, 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, ~~49-420E,~~
49 ~~49-420J,~~ ~~49-420K,~~ ~~49-420L,~~ ~~49-420M,~~ ~~49-420N,~~ ~~49-420O,~~ ~~49-420P,~~ 49-420Q,
50 49-420R, 49-420S, and 49-420T, and ~~49-420T~~ 49-420U, Idaho Code, and unless

1 otherwise expressly provided for in this chapter, any new special plate
 2 program effective on and after January 1, 2013, pursuant to section 49-402D,
 3 Idaho Code, there shall be an initial program fee of thirty-five dollars
 4 (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The fees
 5 contained in this subsection shall be applicable to all new special plate
 6 programs and shall be subject to staggered registration for the purpose of
 7 reregistration and notice of expiration. The initial program fee and the
 8 annual program fee shall be deposited in the state highway account and shall
 9 be used to fund the cost of administration of special license plate programs,
 10 unless otherwise specified by law.

11 (10) Any vehicle that does not meet federal motor vehicle safety stan-
 12 dards shall not be registered and shall not be permitted to operate on public
 13 highways of the state, as defined in section 40-117, Idaho Code, unless oth-
 14 erwise specifically authorized.

15 (11) In addition to annual registration fees as provided in this sec-
 16 tion, registrants may pay a fee to purchase an Idaho state parks passport
 17 authorizing resident motor vehicle entry into all Idaho state parks. Reg-
 18 istrants may pay the fee for a one (1) year or two (2) year period of time.
 19 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars
 20 (\$20.00) for two (2) years. All fees collected pursuant to this subsection
 21 shall be deposited into the park and recreation fund and shall be subject to
 22 appropriation. Fees collected pursuant to this subsection shall not be con-
 23 sidered a motor vehicle registration fee as provided in section 17, article
 24 VII of the constitution of the state of Idaho.

25 SECTION 11. That Section 49-406, Idaho Code, be, and the same is hereby
 26 amended to read as follows:

27 49-406. IDAHO OLD TIMER -- SPECIAL LICENSE PLATE PROGRAM -- REGISTRA-
 28 TION AND STANDARD LICENSE PLATES. (1) Any motor vehicle manufactured prior
 29 to January 1, 1943, that is maintained to its original likeness using origi-
 30 nal-type parts and materials, without major modifications shall be known as
 31 an "Idaho Old Timer." Any motor vehicle which is altered from its original
 32 design is not an "Idaho Old Timer" as herein defined.

33 (2) Any motor vehicle which qualifies as an "Idaho Old Timer" shall be
 34 used for exhibits, parades, tours, club activities and such occasional use
 35 as is necessary for operation and maintenance of the vehicle, and shall not
 36 be used for business or commercial purposes or as customary and usual trans-
 37 portation.

38 (3) Applicants for a special "Idaho Old Timer" license plate shall pay
 39 an initial program fee of twenty-five dollars (\$25.00) and the license plate
 40 fee required in section 49-450, Idaho Code, for each "Idaho Old Timer" plate
 41 which shall be displayed on the rear of the vehicle. The initial program fee
 42 shall be deposited in the state highway account, and the plate manufacturing
 43 fee shall be deposited in the plate manufacturing account.

44 ~~(4) Once every three (3) years, on a schedule set by the department, an~~
 45 ~~ownership verification form shall be mailed to each plate holder on file with~~
 46 ~~the department. The owner shall provide such information as is requested by~~
 47 ~~the department to verify ownership of the vehicle(s) and that the special li-~~
 48 ~~cence plate(s) is still in use by the owner. A fee of three dollars (\$3.00)~~
 49 ~~shall be charged by the department for each vehicle. This fee shall be de-~~

1 ~~posited in the state highway account to defray costs of the license plate~~
 2 ~~program. If the owner no longer has an interest in a vehicle(s) the owner may~~
 3 ~~retain the plates as specified in subsection (7) of this section. If the own-~~
 4 ~~ership verification form is not returned by the date specified by the depart-~~
 5 ~~ment, the registration record will be purged from the files of the depart-~~
 6 ~~ment. Any further use of the plate is lost to the owner and the plate number~~
 7 ~~becomes available for issue to another applicant.~~

8 (4) The reissue of license plates as specified in section 49-443(2),
 9 Idaho Code, shall not be required unless there is a general consensus among
 10 the majority of plate holders that a new plate design is needed. Represent-
 11 natives of the plate holders shall make the request known to the department.
 12 The cost of manufacturing a new design will be set by the department based
 13 upon the cost of manufacturing supplies and administering the reissue. The
 14 equivalent cost of each plate will be charged to each plate holder who pur-
 15 chases the new plate. If a new plate design is authorized, the design and
 16 color shall be approved by representatives of the interest group. The de-
 17 sign, color and numbering scheme shall also be subject to approval of the de-
 18 partment. The existing plate design will be canceled and all plate holders,
 19 present and future shall purchase and display the new plate.

20 (5) An applicant for the special "Idaho Old Timer" plate shall execute
 21 an affidavit on a form provided by the department that the vehicle qualifies
 22 as an old timer and shall only be used for the purposes allowed.

23 The department shall have the authority to refuse to issue a plate and
 24 may demand the return of such plate if the applicant has failed to comply with
 25 the provisions of this section.

26 (6) If an "Idaho Old Timer" is to be used as customary and usual trans-
 27 portation, or for business or commercial purposes, the owner shall register
 28 the vehicle under the provisions of section 49-402, or section 49-434, Idaho
 29 Code, as applicable, and shall obtain and display the standard issue of li-
 30 cense plates after payment of the plate fee required in section 49-450, Idaho
 31 Code. It shall be permissible to display both the standard issue of plates
 32 and the special "Idaho Old Timer" plate.

33 (7) Whenever title or interest in an Old Timer vehicle is transferred
 34 or assigned, the transferor may retain the plates for use on another vehicle
 35 which qualifies by providing the information required in subsection (5) of
 36 this section and by paying the required transfer fee. If the vehicle is also
 37 registered under the provisions of section 49-402 or section 49-434, Idaho
 38 Code, the provisions of section 49-431, Idaho Code, relating to the proce-
 39 dure for assignment and transfer of interest, shall apply.

40 SECTION 12. That Section 49-406A, Idaho Code, be, and the same is hereby
 41 amended to read as follows:

42 49-406A. IDAHO CLASSIC -- SPECIAL LICENSE PLATE PROGRAM -- REGISTRA-
 43 TION AND STANDARD LICENSE PLATES. (1) Any motor vehicle or motorcycle which
 44 is at least thirty (30) years old that does not qualify as an "Idaho Old
 45 Timer" and that is maintained to its original likeness using original-type
 46 parts and materials, without major modifications shall be known as an "Idaho
 47 Classic." Any motor vehicle which is altered from its original design is not
 48 an "Idaho Classic" as herein defined.

1 (2) Any motor vehicle or motorcycle which qualifies as an "Idaho Clas-
2 sic" shall be used for exhibits, parades, tours, club activities and such oc-
3 casional use as is necessary for operation and maintenance of the vehicle,
4 and shall not be used for business or commercial purposes or as customary and
5 usual transportation.

6 (3) Applicants for a special "Idaho Classic" license plate shall pay an
7 initial program fee of twenty-five dollars (\$25.00) and the license plate
8 fee required in section 49-450, Idaho Code, for each Idaho classic plate
9 which shall be displayed on the rear of the vehicle. The initial program fee
10 shall be deposited in the state highway account, and the plate manufacturing
11 fee shall be deposited in the plate manufacturing account.

12 ~~(4) Once every three (3) years, on a schedule set by the department, an~~
13 ~~ownership verification form shall be mailed to each plate holder on file with~~
14 ~~the department. The owner shall provide such information as is requested by~~
15 ~~the department to verify ownership of the vehicle(s) and that the special~~
16 ~~plate(s) is still in use by the owner. A fee of three dollars (\$3.00) shall~~
17 ~~be charged by the department for each vehicle. This fee shall be deposited~~
18 ~~in the state highway account to defray costs of the license plate program. If~~
19 ~~the owner no longer has an interest in a vehicle(s) the owner may retain the~~
20 ~~plate as specified in subsection (7) of this section. If the ownership ver-~~
21 ~~ification form is not returned by the date specified by the department, the~~
22 ~~registration record will be purged from the files of the department. Any use~~
23 ~~of the plate(s) is lost to the owner and the plate number becomes available~~
24 ~~for issue to another applicant.~~

25 (4) The reissue of license plates as specified in section 49-443(2),
26 Idaho Code, shall not be required unless there is a general consensus among
27 the majority of plate holders that a new plate design is needed. Represen-
28 tatives of the plate holders shall make the request known to the department.
29 The cost of manufacturing a new design will be set by the department based
30 upon the cost of manufacturing supplies and administering the reissue. The
31 equivalent cost of each plate will be charged to each plate holder who pur-
32 chases the new plate. If a new plate design is authorized, the design and
33 color shall be approved by representatives of the interest group. The de-
34 sign, color and numbering scheme shall also be subject to the approval of the
35 department. The existing plate design will be canceled and all plate hold-
36 ers, present and future shall purchase and display the new plate.

37 (5) An applicant for the special "Idaho Classic" plate shall execute an
38 affidavit on a form provided by the department that the vehicle or motorcycle
39 qualifies as an "Idaho Classic" and shall only be used for the purposes al-
40 lowed.

41 The department shall have the authority to refuse to issue the plate and
42 may demand the return of such plate if the applicant has failed to comply with
43 the provisions of this section.

44 (6) If an "Idaho Classic" is to be used as customary and usual trans-
45 portation, or for business or commercial purposes, the owner shall register
46 the vehicle under the provisions of section 49-402, or section 49-434, Idaho
47 Code, as applicable, and shall obtain and display the standard issue of li-
48 cense plates after payment of the plate fee required in section 49-450, Idaho
49 Code. It shall be permissible to display both the standard issue of plates
50 and the "Idaho Classic" plate.

1 (7) Whenever title or interest in an Idaho classic motor vehicle or mo-
2 torcycle is transferred or assigned, the transferor may retain the special
3 plate for use on another vehicle which qualifies by providing the informa-
4 tion required in subsection (5) of this section and by paying the required
5 transfer fee. If the vehicle is also registered under the provisions of sec-
6 tion 49-402 or section 49-434, Idaho Code, the provisions of section 49-431,
7 Idaho Code, relating to the procedure for assignment and transfer of inter-
8 est, shall apply.

9 SECTION 13. An emergency existing therefor, which emergency is hereby
10 declared to exist, this act shall be in full force and effect on and after
11 July 1, 2026.