

LEGISLATURE OF THE STATE OF IDAHO
Sixty-eighth Legislature First Regular Session - 2025

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 402

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-305, IDAHO CODE, TO REVISE A PROVISION REGARDING PROOF OF IDENTITY AND CITIZENSHIP STATUS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-306, IDAHO CODE, TO REVISE A PROVISION REGARDING PROOF OF IDENTITY AND CITIZENSHIP STATUS; AMENDING SECTION 49-307, IDAHO CODE, TO PROVIDE FOR CERTAIN GOVERNMENT-ISSUED DOCUMENTATION; AMENDING SECTION 49-318, IDAHO CODE, TO REVISE A PROVISION REGARDING PROOF OF IDENTITY AND DATE OF BIRTH; AMENDING SECTION 49-2443, IDAHO CODE, TO REVISE A PROVISION REGARDING A MANNER OF PROVING OF IDENTITY AND DATE OF BIRTH; AMENDING SECTION 49-2444, IDAHO CODE, TO REVISE A PROVISION REGARDING PROOF OF IDENTITY AND CITIZENSHIP STATUS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 49-305, Idaho Code, be, and the same is hereby amended to read as follows:

49-305. INSTRUCTION PERMITS -- COMMERCIAL LEARNER'S PERMIT -- TEMPORARY LICENSES -- MOTORCYCLE ENDORSEMENT INSTRUCTION PERMIT. (1) Upon passage of the required knowledge tests appropriate for the vehicle being operated, the department may issue a commercial learner's permit for the type of vehicle(s) the person will be operating or a class D instruction permit for a class D motor vehicle. Applicants, while in immediate possession of a commercial learner's permit, may drive a motor vehicle ~~upon~~ on the highways for a period of up to one (1) year, and applicants with a class D instruction permit may drive a motor vehicle ~~upon~~ on the highways for a period of up to one hundred eighty (180) days or as provided in paragraph (b) of this subsection for certain class D instruction permits. That person must be accompanied by an adult driver eighteen (18) years of age or older who holds a valid driver's license appropriate for the vehicle being operated and who is actually occupying a seat beside the driver. Unless otherwise provided, a class D instruction permit will be valid for one hundred eighty (180) days and may be renewed one (1) time without requiring the permit holder to retake and pass the required knowledge tests for that class of permit, provided the knowledge tests are less than one (1) year old.

(a) Any person under the age of seventeen (17) years who has successfully completed an approved driver's training course and has satisfied the requirements of a class D supervised instruction permit, or any person who has reached the age of seventeen (17) years, may apply for a class D instruction permit. Any person applying for any class D instruction permit or driving privileges who is under the age of eighteen (18) years shall be in compliance with school attendance requirements of section 49-303A, Idaho Code.

(b) If a person reaches the age of seventeen (17) years while operating a class D vehicle with a class D supervised instruction permit, and such class D supervised instruction permit becomes a class D instruction permit as provided in section 49-307, Idaho Code, then such class D instruction permit shall expire five (5) days after the permittee's eighteenth birthday.

(c) Any person who has reached the age of eighteen (18) years, holds a valid Idaho class D driver's license, and has at least one (1) year of driving experience may apply for a commercial learner's permit.

(d) The department shall not issue a hazardous material endorsement on any commercial learner's permit.

(2) The department may, at its discretion, issue a temporary class D driver's license to an applicant for a class D driver's license permitting him to operate a motor vehicle while the department is completing its investigation and determination of all facts relative to the applicant's right to receive a driver's license. The temporary license may be canceled at the department's discretion at any time after issuance. The temporary license must be in the applicant's immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's driver's license has been issued or for good cause has been refused.

(3) ~~A certified copy of an applicant's birth certificate~~ Proof of identity and citizenship status pursuant to section 49-306(5)(d), Idaho Code, shall be required before a class D driver's license or class D instruction permit will be issued.

(4) The department may issue a motorcycle endorsement instruction permit to an applicant who has a valid driver's license and who has successfully completed the motorcycle rider's knowledge test and paid the appropriate fees. The permit entitles the applicant, while having the permit in his immediate possession, to operate a motorcycle ~~upon~~ on the highways for a period not to exceed one hundred eighty (180) days. The motorcycle endorsement instruction permit may be renewed one (1) time without the requirement to retake and pass the motorcycle rider's knowledge test if the test is less than one (1) year old. If the permittee passes the skills test for a motorcycle endorsement within one hundred eighty (180) days of issuance of the motorcycle endorsement instruction permit, he shall not be required to pay the motorcycle endorsement fee. A person holding a motorcycle instruction permit shall not carry any passenger while operating a motorcycle, shall not operate a motorcycle except during the hours of daylight only, and shall not operate a motorcycle ~~upon~~ on any interstate highway system. A violation of the conditions of a motorcycle endorsement instruction permit is an infraction. The department shall cancel the permit whether or not such violation results in conviction of the infraction.

SECTION 2. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or driver's license shall be made on a form furnished by the department and shall be verified by the applicant before

a person authorized to administer oaths. Officers and employees of the department, agents authorized by the department, and sheriffs and their deputies are authorized to administer the oaths without charge.

(2) Every application for a permit, extension, driver's license, or knowledge test shall be accompanied by a nonrefundable fee pursuant to this subsection. Fee portions identified as going to the current expense fund shall be retained by the issuing entity. If the issuing entity is the department or an agent authorized by the department, other than the county, such fee portion shall be deposited in the state highway account. All other remaining fee portions shall be remitted to the state treasurer. If the fee is collected by a county, all remaining fee portions shall be paid over to the county treasurer and the county treasurer shall remit such fees to the state treasurer not less than monthly. The state treasurer shall immediately allocate such fees in accordance with the schedule identified following each fee:

- (a) Class A, B, C (4-year) license with endorsements --
age 21 years and older\$40.00
 - (i) \$5.00 to the current expense fund;
 - (ii) \$2.00 to emergency medical services fund II;
 - (iii) \$4.00 to emergency medical services fund III;
 - (iv) \$28.00 to the state highway account; and
 - (v) \$1.00 to the motorcycle safety program fund;
- (b) Class A, B, C (8-year) license with endorsements --
age 21 years and older\$60.00
 - (i) \$5.00 to the current expense fund;
 - (ii) \$4.00 to emergency medical services fund II;
 - (iii) \$8.00 to emergency medical services fund III;
 - (iv) \$41.00 to the state highway account; and
 - (v) \$2.00 to the motorcycle safety program fund;
- (c) Class A, B, C (3-year) license with endorsements --
age 18 to 21 years\$30.00
 - (i) \$5.00 to the current expense fund;
 - (ii) \$1.50 to emergency medical services fund II;
 - (iii) \$3.00 to emergency medical services fund III;
 - (iv) \$19.50 to the state highway account; and
 - (v) \$1.00 to the motorcycle safety program fund;
- (d) Class A, B, C (1-year) license with endorsements -- age
20 years\$15.00
 - (i) \$5.00 to the current expense fund;
 - (ii) \$0.50 to emergency medical services fund II;
 - (iii) \$1.00 to emergency medical services fund III;
 - (iv) \$8.16 to the state highway account; and
 - (v) \$0.34 to the motorcycle safety program fund;
- (e) Class D (3-year) license -- age 18 to 21 years\$30.00
 - (i) \$10.00 to the current expense fund;
 - (ii) \$1.50 to emergency medical services fund II;
 - (iii) \$3.00 to emergency medical services fund III;
 - (iv) \$4.00 to the driver training fund;
 - (v) \$10.50 to the highway distribution account; and
 - (vi) \$1.00 to the motorcycle safety program fund;

- 1 (f) Class D (1-year) license -- age 17 to 20 years\$20.00
2 (i) \$10.00 to the current expense fund;
3 (ii) \$0.50 to emergency medical services fund II;
4 (iii) \$1.00 to emergency medical services fund III;
5 (iv) \$1.33 to the driver training fund;
6 (v) \$6.83 to the highway distribution account; and
7 (vi) \$0.34 to the motorcycle safety program fund;
8 (g) Class D (4-year) license -- age 21 years and
9 older\$35.00
10 (i) \$10.00 to the current expense fund;
11 (ii) \$2.00 to emergency medical services fund II;
12 (iii) \$4.00 to emergency medical services fund III;
13 (iv) \$5.30 to the driver training fund;
14 (v) \$12.70 to the highway distribution account; and
15 (vi) \$1.00 to the motorcycle safety program fund;
16 (h) Class D (8-year) or class A, B, C license with
17 endorsements -- age 21 to 63 years\$60.00
18 (i) \$15.00 to the current expense fund;
19 (ii) \$4.00 to emergency medical services fund II;
20 (iii) \$8.00 to emergency medical services fund III;
21 (iv) \$10.60 to the driver training fund;
22 (v) \$20.40 to the highway distribution account; and
23 (vi) \$2.00 to the motorcycle safety program fund;
24 (i) Commercial learner's permit\$29.00
25 (i) \$5.00 to the current expense fund;
26 (ii) \$4.00 to emergency medical services fund III; and
27 (iii) \$20.00 to the state highway account;
28 (j) Class D instruction permit and supervised instruction
29 permit\$20.00
30 (i) \$10.00 to the current expense fund;
31 (ii) \$2.60 to the driver training fund; and
32 (iii) \$7.40 to the highway distribution account;
33 (k) Duplicate driver's license or permit\$20.00
34 (i) \$10.00 to the current expense fund;
35 (ii) \$2.60 to the driver training fund; and
36 (iii) \$7.40 to the highway distribution account;
37 (l) Driver's license extension\$10.00
38 (i) \$2.60 to the driver training account; and
39 (ii) \$7.40 to the state highway account;
40 (m) License classification change (upgrade)\$30.00
41 (i) \$10.00 to the current expense fund; and
42 (ii) \$20.00 to the state highway account;
43 (n) Endorsement addition\$20.00
44 (i) \$10.00 to the current expense fund; and
45 (ii) \$10.00 to the state highway account;
46 (o) Class A, B, C skills tests not more than \$200.00
47 (i) \$10.00 to the state highway account; and
48 (ii) Remainder retained by entity administering the test;
49 (p) Class D skills test not more than \$35.00
50 (i) \$6.50 to the state highway account; and

1 (ii) Remainder retained by entity administering the test;
 2 (q) Motorcycle endorsement skills test (amount charged retained by
 3 entity administering the test) not more than \$25.00;
 4 (r) Knowledge test (fee retained by the entity administering
 5 the test) \$5.00;
 6 (s) Seasonal driver's license \$44.00
 7 (i) \$10.00 to the current expense fund;
 8 (ii) \$2.00 to emergency medical services fund II;
 9 (iii) \$4.00 to emergency medical services fund III; and
 10 (iv) \$28.00 to the state highway account;
 11 (t) Onetime motorcycle "M" endorsement \$15.00
 12 (i) \$2.50 to the current expense fund; and
 13 (ii) \$12.50 to the state highway account;
 14 (u) Motorcycle endorsement instruction permit \$15.00
 15 (i) \$2.50 to the current expense fund; and
 16 (ii) \$12.50 to the state highway account;
 17 (v) Restricted driving permit or restricted school attendance
 18 driving permit (fee to the state highway account) \$60.00.
 19 (3) The fee for any electronic driver's license renewal allowed pur-
 20 suant to section 49-319(10), Idaho Code, shall be five dollars (\$5.00) less
 21 than the applicable application fee prescribed in subsection (2) of this
 22 section. This fee reduction shall be accounted for by subtracting five dol-
 23 lars (\$5.00) from the portion of fees retained by the department.
 24 (4) A person who applies for a driver's license or a driver's license
 25 renewal may designate a voluntary contribution of two dollars (\$2.00) for
 26 the purpose of promoting and supporting organ donation. Such a contribution
 27 shall be treated as a voluntary contribution to the organ donation contribu-
 28 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-
 29 cense fee. Each voluntary contribution shall be deposited into the organ do-
 30 nation contribution fund created in section 49-2447, Idaho Code.
 31 (5) Every application shall state the applicant's true and full name,
 32 date of birth, sex, declaration of Idaho residency, Idaho residence address
 33 and mailing address if different, height, weight, hair color, eye color, and
 34 social security number as verified by the social security administration.
 35 If an applicant has submitted an application pursuant to the provisions of
 36 chapter 58, title 19, Idaho Code, then the applicant may state, in his or
 37 her application pursuant to this section, the applicant's alternative Idaho
 38 mailing address in place of his or her Idaho residence address and mail-
 39 ing address. Notwithstanding the provisions of section 49-303(13), Idaho
 40 Code, an applicant for a nondomiciled class A, B or C driver's license or
 41 nondomiciled commercial learner's permit having residency in a state that
 42 is prohibited from issuing class A, B or C driver's licenses or commercial
 43 learner's permits, as provided in 49 CFR 384, is excepted from providing
 44 proof of Idaho residency and an Idaho mailing address.
 45 (a) The requirement that an applicant provide a social security number
 46 as verified by the social security administration shall apply only to
 47 applicants who have been assigned a social security number.
 48 (b) An applicant who has not been assigned a social security number
 49 shall:

(i) Present written verification from the social security administration that the applicant has not been assigned a social security number; and

(ii) Submit a birth certificate, passport or other documentary evidence issued by an entity other than a state or the United States; and

(iii) Submit such proof as the department may require that the applicant is lawfully present in the United States.

A driver's license, commercial learner's permit or any instruction permit issued on and after January 1, 1993, shall not contain an applicant's social security number. Applications on file shall be exempt from disclosure except as provided in sections 49-202, 49-203, 49-203A and 49-204, Idaho Code.

(c) Every application for a class A, B or C license shall state where the applicant has been licensed for the preceding ten (10) years and under which of the following driving categories the applicant will operate:

(i) Non-excepted interstate. The applicant operates or expects to operate in interstate commerce and is required to provide a medical examiner's certificate;

(ii) Excepted interstate. The applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted by the federal motor carrier safety administration from all or parts of the qualification requirements of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate;

(iii) Non-excepted intrastate. The applicant operates only in intrastate commerce and is subject to and meets all Idaho driver qualification requirements and the applicable parts of federal motor carrier safety regulation 49, part 391, and is required to provide a medical examiner's certificate; or

(iv) Excepted intrastate. The applicant operates in intrastate commerce, but engages exclusively in exempted transportation or operations as listed in section 67-2901B(2), Idaho Code, and the applicable parts of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate.

All applications shall also state whether the applicant has previously been licensed as a driver and, if so, when and by what state or country and whether a driver's license or privileges have ever been suspended, revoked, denied, disqualified, canceled or refused and, if so, the date of and reason for the suspension, revocation, denial, disqualification, cancellation or refusal and the applicant's oath that all information is correct as signified by the applicant's signature.

(d) The applicant must submit proof of identity and citizenship status acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate. ~~When a certified copy of his birth certificate or a delayed birth certificate is impossible to obtain from a vital statistics agency or a valid, unexpired passport.~~ If the applicant does not possess a certified copy of his birth

1 certificate or a delayed birth certificate and does not possess a valid,
2 unexpired passport, another government-issued document may be submit-
3 ted that provides satisfactory evidence of a person's full legal name
4 and date of birth acceptable to the examiner or the department.

5 (e) Every applicant for a class A, B or C driver's license or commer-
6 cial learner's permit shall provide proof of United States citizenship
7 or lawful permanent residency in the United States upon application for
8 issuance, transfer, upgrade or renewal, unless the applicant's driving
9 record already contains documentation confirming United States citi-
10 zenship or lawful permanent residency. Every applicant for a nondomi-
11 ciled class A, B or C driver's license or commercial learner's permit
12 domiciled in a foreign country must provide an unexpired employment au-
13 thorization document issued by the department of homeland security or
14 an unexpired foreign passport accompanied by an approved I-94 form doc-
15 umenting the applicant's most recent admittance into the United States.

16 (f) Individuals required to register in compliance with section 3 of
17 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
18 as amended, shall be provided an opportunity to fulfill such registra-
19 tion requirements in conjunction with an application for a driver's li-
20 cense, commercial learner's permit or instruction permit. Any regis-
21 tration information so supplied shall be transmitted by the department
22 to the selective service system.

23 (6) Whenever an application is received from a person previously li-
24 censed in another jurisdiction, the department shall request a copy of the
25 driver's record from the other jurisdiction and shall contact the national
26 driver register. When received, the driver's record from the previous ju-
27 risdiction shall become a part of the driver's record in this state with the
28 same force and effect as though entered on the driver's record in this state
29 in the original instance.

30 (7) Whenever the department receives a request for a driver's record
31 from another licensing jurisdiction, the record shall be forwarded without
32 charge.

33 (8) The department shall contact and notify the commercial driver li-
34 cense information system of the proposed application for a class A, B or C
35 driver's license or commercial learner's permit to ensure identification of
36 the person and to obtain clearance to issue the license.

37 (9) The department shall request information from the drug and alco-
38 hol clearinghouse to determine whether an applicant for any class A, B, or C
39 driver's license or commercial learner's permit is eligible for the creden-
40 tial.

41 (10) A contractor administering a class A, B, or C skills test may col-
42 lect an additional fee for the use of the contractor's vehicle for the skills
43 test.

44 (11) The department may issue seasonal class B or C driver's licenses to
45 drivers who are employees of agri-chemical businesses, custom harvesters,
46 farm retail outlets and suppliers, and livestock feeders that:

47 (a) Will be valid only for driving commercial vehicles that normally
48 require class B or C commercial driver's licenses;

(b) Will be valid for seasonal periods that begin on the date of issuance and that are not to exceed one hundred eighty (180) days in a twelve (12) month period;

(c) May be obtained only twice in a driver's lifetime;

(d) Are valid only within a one-hundred-fifty (150) mile radius of the place of business or farm being serviced; and

(e) Will be valid only in conjunction with valid Idaho class D driver's licenses.

(12) The department may issue seasonal class B or C driver's licenses to drivers who:

(a) Have not violated the single license provisions of applicable federal regulations;

(b) Have not had any license suspensions, revocations or cancellations;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

(d) Have at least one (1) year of driving experience with a class D or equivalent license in any type of motor vehicle; and

(e) Are at least sixteen (16) years old.

SECTION 3. That Section 49-307, Idaho Code, be, and the same is hereby amended to read as follows:

49-307. CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT -- CLASS D SUPERVISED INSTRUCTION PERMIT -- APPLICATION FOR A CLASS D DRIVER'S LICENSE -- RESTRICTIONS ON CLASS D DRIVER'S LICENSE. (1) No enrollee of any class D driver's training course shall be allowed to attend classes or participate in driving instruction unless he has obtained a class D driver's training instruction permit or a class D instruction permit as provided in subsection (4) of this section.

(2) Every enrollee of a class D driver's training course shall pay a nonrefundable fee of fifteen dollars (\$15.00), except that a pupil who participates in parent-student on-road driver's training pursuant to subsection (7) of this section shall pay a nonrefundable fee of ten dollars (\$10.00). Five dollars (\$5.00) of each fee so imposed shall be deposited in the state highway account and five dollars (\$5.00) shall be deposited in the county current expense fund. The additional five dollars (\$5.00) for every class D driver's training course enrollee shall be:

(a) Deposited in the driver training account if the person is taking driver's training from a public school; or

(b) Paid to the division of occupational and professional licenses and deposited in the state treasury to the credit of the occupational licenses fund if the person is taking driver's training from a private driver's training program. The amount to be remitted to the division of occupational and professional licenses shall be annually calculated and paid. To calculate such amount, the total number of public driver's training students as submitted to the state department of education shall be subtracted from the total number of permits sold as reported by the Idaho transportation department, and the resulting number shall be multiplied by five dollars (\$5.00).

(3) Each enrollee of a class D driver's training course shall provide the type of information required for a driver's license or instruction permit. If an enrollee of a class D driver's training course cannot provide a certified copy of his birth certificate at the time of application for a permit, the department may issue a class D driver's training instruction permit or a class D instruction permit upon receipt of identification acceptable to the department. The certified copy of an applicant's birth certificate or another government-issued identity document and documentation to establish the applicant's relationship to a person who is willing to assume responsibility for such applicant shall be required before a class D driver's license will be issued.

(4) The class D driver's training instruction permit shall expire five (5) days after the permittee's eighteenth birthday for permittees fourteen and one-half (14 1/2) years of age through seventeen and one-half (17 1/2) years of age. The class D driver's training instruction permit shall expire one hundred eighty (180) days from the date of issue for persons seventeen and one-half (17 1/2) years of age or older. Persons aged seventeen (17) years or older may attend classes or participate in driver's training instruction while operating with a class D instruction permit or a class D driver's training instruction permit.

(5) The class D driver's training instruction permit shall be issued to the instructor of the course or to the qualifying parent or legal guardian pursuant to subsection (7) of this section.

(6) Class D supervised instruction permit.

(a) Upon successful completion of the class D driver's training course, the driver's training instructor shall submit the student log to the county driver's license office and give the class D driver's training instruction permit to the parent or legal guardian of the permittee, and the parent or legal guardian shall assume responsibility for ensuring that the permittee complies with the requirements of operating a vehicle with a class D supervised instruction permit. The class D driver's training instruction permit shall then serve as a class D supervised instruction permit.

(b) In the event the permittee reaches the age of seventeen (17) years while operating a class D vehicle with a class D supervised instruction permit, the supervised instruction permit shall become a class D instruction permit.

(7) (a) Notwithstanding any other provision of law to the contrary, pupils eligible for driver's training pursuant to section 33-1703, Idaho Code, may receive driver's training instruction from a qualifying parent or legal guardian. The driver's training provided for in this subsection shall be known as parent-student on-road driver's training. A parent or legal guardian qualifies to provide parent-student on-road driver's training pursuant to this subsection as long as:

(i) The parent or legal guardian possesses a valid Idaho driver's license that permits unaccompanied driving;

(ii) The parent or legal guardian has not had a license suspended, revoked, or canceled and has not been disqualified from holding an Idaho driver's license for the previous two (2) years. A parent or legal guardian shall no longer be qualified if a license becomes

suspended, revoked, or canceled or if a parent or legal guardian becomes disqualified from holding an Idaho driver's license during the student's education; and

(iii) The parent or legal guardian and the student live in a rural school district as defined by section 33-319, Idaho Code, or in a school district that does not offer driver education courses.

(b) Parent-student on-road driver's training shall include ninety-two (92) total hours, over a period of no less than six (6) months, of on-road driver's training provided to the student, including:

(i) No less than fifty (50) hours of street or highway driving; and

(ii) No less than ten (10) hours of driving after sunset or before sunrise.

(c) A qualifying parent or legal guardian who provides parent-student on-road driver's training pursuant to this subsection shall maintain and submit a log to the county driver's license office at the completion of the student's training. The log shall include the dates the lessons were conducted and details regarding what was included in the lesson.

(d) A student may receive parent-student on-road driver's training from more than one (1) qualifying parent or legal guardian.

(e) The parent or legal guardian must teach the student the accepted Idaho driver's education curriculum. The student must enroll and successfully complete the Idaho digital learning alliance driver education online class, which is aligned to the state department of education's driver education online content requirements. IDLA shall make the online class available to any public or nonpublic student in the state of Idaho who wishes to enroll in such class to fulfill the requirements of this subsection.

(f) A student must meet the requirements of subsection (8) of this section before applying for a class D driver's license.

(8) No permittee may apply for a class D driver's license sooner than fifteen (15) years of age and no sooner than six (6) months after completing a class D driver's training course, during which time the permittee shall satisfy all requirements for operation of a class D vehicle with a class D supervised instruction permit as follows:

(a) The permittee shall not operate a vehicle unless he is accompanied by a driver who holds a valid driver's license, is twenty-one (21) years of age or older, and is actually occupying a seat beside the permittee driver. The supervising driver and the permittee shall be the only occupants of the front passenger section of the vehicle.

(b) Over a period of time not less than six (6) months, the permittee shall accumulate at least fifty (50) hours of supervised driving time, ten (10) hours of which shall be during hours of darkness.

(c) The permit shall be in the permittee's immediate possession at all times while operating a vehicle.

(d) In addition to the permittee driver and the supervising driver, all other occupants of the vehicle shall wear a seat belt or be restrained by child passenger restraints as required by law.

(e) The permittee is subject to the provisions of sections 18-1502 and 18-8004, Idaho Code, relating to violation of age restrictions on con-

1 sumption of beer, wine, and alcohol and driving under the influence of
2 alcohol, drugs or any other intoxicating substances, respectively.

3 (f) The permittee shall not have been convicted of any moving traffic
4 violation, have had driving privileges suspended by the department or
5 the court for any offense, or have been found to be in violation of any
6 of the restrictions on the class D supervised instruction permit for a
7 period of at least six (6) months from the date the driver's training in-
8 structor gave the permit to the parent or legal guardian, or from the
9 date a canceled class D supervised instruction permit was reissued, or
10 until the permittee reaches seventeen (17) years of age.

11 (g) If the permittee is under seventeen (17) years of age and is con-
12 victed of a violation of any traffic law, or section 18-1502, 18-8004
13 or 23-949, Idaho Code, or is found to be in violation of any of the re-
14 strictions on the class D supervised instruction permit, the department
15 shall cancel the class D supervised instruction permit, and the cancel-
16 lation shall not be used to establish rates of motor vehicle insurance
17 charged by a casualty insurer. If the permittee is under seventeen (17)
18 years of age, the permittee may reapply for and be issued a new class D
19 supervised instruction permit upon payment of the appropriate fee and
20 shall again be required to operate with the class D supervised instruc-
21 tion permit for at least six (6) months from the date of reissue with-
22 out a conviction or suspension, accumulate the required hours of driv-
23 ing time, and adhere to the requirements as specified in paragraphs (a)
24 through (f) of this subsection.

25 (9) Upon completion of the requirements in subsection (8) of this sec-
26 tion, the permittee shall take the knowledge test and skills test adminis-
27 tered by a person certified by the Idaho transportation department to admin-
28 ister knowledge and skills tests.

29 (10) (a) Upon passage of the knowledge and skills tests, the permittee
30 may apply for a class D driver's license with driving privileges re-
31 stricted to daylight hours only for persons under sixteen (16) years of
32 age and with full privileges at sixteen (16) years of age or older.

33 (b) For purposes of this subsection, "daylight hours only" means the
34 period of time between 5:00 a.m. and 10:00 p.m. local time.

35 (c) The restriction on daylight hours only driving privileges for per-
36 sons under sixteen (16) years of age shall not apply if:

37 (i) The person under sixteen (16) years of age has a valid class D
38 driver's license;

39 (ii) The person under sixteen (16) years of age is accompanied by
40 a driver who holds a valid driver's license and is twenty-one (21)
41 years of age or older and is actually occupying a seat beside the
42 licensee who is under sixteen (16) years of age; and

43 (iii) The two (2) licensed drivers are the only occupants of the
44 front passenger section of the vehicle.

45 (11) Upon passage of the knowledge and skills tests, the permittee may
46 apply for a class D driver's license. Any such licensee who is under the age
47 of seventeen (17) years shall be required, during the first six (6) months
48 from the date of issue of the class D driver's license, to limit the number
49 of passengers in the vehicle who are under the age of seventeen (17) years to
50 not more than one (1) such passenger. Provided however, the limit of one (1)

1 passenger under the age of seventeen (17) years shall not apply to passengers
2 who are related to the driver by blood, adoption or marriage.

3 SECTION 4. That Section 49-318, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 49-318. DUPLICATE DRIVER LICENSES AND SUBSTITUTE PERMITS. (1) The
6 holder of any instruction permit, class A, B, C or D, restricted school
7 attendance driving permit, or seasonal driver's license which is lost or
8 destroyed, or a licensee whose name is legally changed, may apply for a du-
9 plicate driver's license or substitute permit. A duplicate driver's license
10 or substitute permit will be issued upon:

11 (a) Payment of the fee as provided in section 49-306, Idaho Code;

12 (b) Furnishing satisfactory proof that the permit, class A, B, C or D,
13 restricted school attendance driving permit, or seasonal driver's li-
14 cense has been lost or destroyed, or that the licensee's name has been
15 legally changed; and

16 (c) Furnishing proof of the applicant's identity acceptable to the
17 examiner or the department and date of birth as set forth in a certi-
18 fied copy of his birth certificate ~~when obtainable~~, or another document
19 ~~which~~ that provides evidence of a person's date of birth acceptable to
20 the examiner or department. In the case of a name change, the applicant
21 shall provide legal documentation acceptable to the department to ver-
22 ify the change.

23 (2) A duplicate driver's license or substitute permit shall not be is-
24 sued, as provided in subsection (1) of this section, if the license or permit
25 is suspended, revoked, canceled or disqualified in this state or any other
26 jurisdiction or if the applicant has applied for, or has been issued, a li-
27 cense or permit in another jurisdiction.

28 (3) The holder of any instruction permit, class A, B, C or D, restricted
29 school attendance driving permit, or seasonal driver's license who requests
30 a duplicate driver's license or substitute permit as provided in subsection
31 (1) of this section, may request that the notation "permanently disabled" be
32 imprinted on the permit or license and the department shall imprint "perma-
33 nently disabled" on the permit or license if:

34 (a) The person has a permanent disability; and

35 (b) The person presents written certification from a licensed physi-
36 cian verifying that the person's stated impairment qualifies as a per-
37 manent disability as provided in section 49-117, Idaho Code; and

38 (c) The department determines that the person meets the requirements
39 for issuance of a permit or license as specified in section 49-313,
40 Idaho Code.

41 SECTION 5. That Section 49-2443, Idaho Code, be, and the same is hereby
42 amended to read as follows:

43 49-2443. APPLICATION. Application for an identification card must be
44 made in person before an authorized agent of the department. The authorized
45 agent shall obtain the following from the applicant:

46 (1) The true and full name and Idaho residence address and mailing ad-
47 dress, if different, of the applicant;

1 (2) The identity and date of birth of the applicant ~~as set forth in a~~
 2 ~~certified copy of his birth certificate~~ pursuant to section 49-2444(6),
 3 Idaho Code, and, subject to subsection (6) of this section, other satis-
 4 factory evidence of identity acceptable to the authorized agent or the
 5 department;

6 (3) The height and weight of the applicant;

7 (4) The color of eyes and hair of the applicant;

8 (5) The applicant's signature; and

9 (6) The applicant's social security number as verified by the social
 10 security administration.

11 (a) The requirement that an applicant provide a social security number
 12 as verified by the social security administration shall apply only to
 13 applicants who have been assigned a social security number.

14 (b) An applicant who has not been assigned a social security number
 15 shall:

16 (i) Present written verification from the social security admin-
 17 istration that the applicant has not been assigned a social secu-
 18 rity number; and

19 (ii) Submit a birth certificate, passport or other documentary
 20 evidence issued by an entity other than a state or the United
 21 States; and

22 (iii) Submit such proof as the department may require that the ap-
 23 plicant is lawfully present in the United States.

24 SECTION 6. That Section 49-2444, Idaho Code, be, and the same is hereby
 25 amended to read as follows:

26 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)
 27 The department shall issue a distinguishing identification card that sets
 28 forth the information contained in the application in a form as prescribed
 29 by the department. All identification cards issued on or after January 1,
 30 1993, shall not contain the applicant's social security number. An appli-
 31 cant's social security number shall be exempt from disclosure except for in-
 32 quiries from agencies or institutions authorized to obtain such information
 33 by federal law or regulation, from peace officers, or from jury commission-
 34 ers. Each card shall have printed on it the applicant's full name, date of
 35 birth, Idaho residence address, sex, weight, height, eye color, and hair
 36 color and shall include a distinguishing number assigned to the applicant.
 37 If an applicant has submitted an application pursuant to the provisions of
 38 chapter 58, title 19, Idaho Code, then the applicant's identification card
 39 shall contain his or her alternative Idaho mailing address in place of his or
 40 her Idaho residence address. Each card shall also have printed on it the name
 41 of this state, the date of issuance, and the date of expiration. An identifi-
 42 cation card shall not be valid until it has been signed on the signature line
 43 by the applicant. Each card shall include a color photograph of the appli-
 44 cant, which shall be taken by the examiner at the time of application. The
 45 photograph shall be taken without headgear or other clothing or device that
 46 disguises or otherwise conceals the face or head of the applicant. A waiver
 47 may be granted by the department allowing the applicant to wear headgear or
 48 other head covering for medical, religious or safety purposes as long as the
 49 face is not disguised or otherwise concealed. At the request of the appli-

1 cant, an identification card may contain a statement or indication of the
2 medical condition of the applicant.

3 (2) No person shall receive an identification card unless and until he
4 surrenders to the department all identification cards in his possession is-
5 sued to him by Idaho or any other jurisdiction, or any driver's license is-
6 sued by any other jurisdiction within the United States, or until he executes
7 an affidavit that he does not possess an identification card or any driver's
8 license.

9 (3) Identification cards issued to persons under eighteen (18) years of
10 age shall include a notation "under 18 until (month, day, year)," and iden-
11 tification cards issued to persons eighteen (18) years of age to twenty-one
12 (21) years of age shall include a notation "under 21 until (month, day,
13 year)." The nonrefundable fee for a four (4) year identification card issued
14 to persons twenty-one (21) years of age or older shall be fifteen dollars
15 (\$15.00), of which ten dollars (\$10.00) shall be retained by the county
16 and credited to the current expense fund and five dollars (\$5.00) shall be
17 deposited in the state treasury to the credit of the highway distribution
18 account. The nonrefundable fee for identification cards issued to persons
19 under twenty-one (21) years of age shall be ten dollars (\$10.00), of which
20 five dollars (\$5.00) shall be retained by the authorized issuing agent or,
21 if issued by the county, shall be credited to the current expense fund and
22 five dollars (\$5.00) shall be deposited in the state treasury to the credit
23 of the highway distribution account. The nonrefundable fee for an eight (8)
24 year identification card shall be twenty-five dollars (\$25.00), of which
25 fifteen dollars (\$15.00) shall be retained by the authorized issuing agent
26 or, if issued by the county, shall be credited to the current expense fund and
27 ten dollars (\$10.00) shall be deposited in the state treasury to the credit
28 of the highway distribution account. At the option of the applicant, the
29 identification card issued to a person twenty-one (21) years of age or older
30 shall expire either on the card holder's birthday in the fourth year or the
31 eighth year following issuance of the card, except as otherwise provided
32 in subsection (7) of this section. Every identification card issued to a
33 person under eighteen (18) years of age shall expire five (5) days after the
34 person's eighteenth birthday, except as otherwise provided in subsection
35 (7) of this section. Every identification card issued to a person eighteen
36 (18) years of age but under twenty-one (21) years of age shall expire five (5)
37 days after the person's twenty-first birthday, except as otherwise provided
38 in subsection (7) of this section.

39 (4) Individuals required to register in compliance with section 3
40 of the federal military selective service act, 50 U.S.C. 451 et seq., as
41 amended, shall be provided an opportunity to fulfill such registration re-
42 quirements in conjunction with an application for an identification card.
43 Any registration information so supplied shall be transmitted by the depart-
44 ment to the selective service system.

45 (5) Every identification card, except those issued to persons under
46 twenty-one (21) years of age, shall be renewable on or before its expiration,
47 but not more than twenty-five (25) months before, and upon application and
48 payment of the required fee.

49 (6) The applicant for an identification card must submit proof of iden-
50 tity and citizenship status acceptable to the examiner or the department and

1 date of birth as set forth in a certified copy of his birth certificate. ~~When~~
2 ~~a certified copy of his birth certificate or a delayed birth certificate is~~
3 ~~impossible to obtain from a vital statistics agency or a valid, unexpired~~
4 ~~passport. If the applicant does not possess a certified copy of his birth~~
5 ~~certificate or a delayed birth certificate and does not possess a valid,~~
6 ~~unexpired passport, another government-issued document may be submitted~~
7 ~~that provides satisfactory evidence of a person's full legal name and date of~~
8 ~~birth acceptable to the examiner or the department.~~

9 (7) Every identification card issued to a person who is a citizen of the
10 United States shall, where possible, include the notation "USA." Every iden-
11 tification card issued to a person who is not a citizen or permanent legal
12 resident of the United States shall have an expiration date that is the same
13 date as the end of lawful stay in the United States as indicated on documents
14 issued and verified by the department of homeland security; however, the ex-
15 piration date shall not extend beyond the expiration date for the same cate-
16 gory of identification card issued to citizens. Persons whose department of
17 homeland security documents do not state an expiration date shall be issued
18 an identification card with an expiration date of one (1) year from the date
19 of issuance.

20 (8) When an identification card has been expired for less than twenty-
21 five (25) months, the renewal of the identification card shall start from
22 the original date of expiration, regardless of the year in which the applica-
23 tion for renewal is made. If the identification card is expired for more than
24 twenty-five (25) months, the application shall expire, at the option of the
25 applicant, on the applicant's birthday in the fourth year or the eighth year
26 following reissuance of the identification card, except as otherwise pro-
27 vided in subsection (7) of this section.

28 (9) (a) If an Idaho identification card has expired or will expire and
29 the identification card holder is temporarily out of state, except
30 on active military duty, the identification card holder may request
31 in writing on a form prescribed by the department an extension of the
32 identification card. The request shall be accompanied by the fee
33 fixed in section 49-306, Idaho Code, and the extension shall be no more
34 than a twelve (12) month period. If the department determines that an
35 extension of the identification card is necessary, it may issue an iden-
36 tification card showing the date to which the expired identification
37 card is extended. Identification card extensions are limited to two (2)
38 consecutive extensions per identification card holder.

39 (b) Upon returning to the state of Idaho, the identification card
40 holder shall, within ten (10) days, apply for a renewal of the expired
41 identification card and surrender the extended identification card and
42 the expired identification card.

43 (10) An Idaho identification card issued to any person prior to serving
44 on active duty in the armed forces of the United States, or a member of the
45 immediate family accompanying such a person, if valid and in full force and
46 effect upon entering active duty, shall remain in full force and effect and
47 shall, upon application, be extended for a period of four (4) years as long
48 as active duty continues, and the identification card shall remain in full
49 force and effect sixty (60) days following the date the card holder is re-
50 leased from active duty.

1 (11) A person possessing an identification card who desires to donate
2 any or all organs or tissue in the event of death, and who has completed a
3 document of gift pursuant to the provisions for donation of anatomical gifts
4 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the
5 donor, indicate this desire on the identification card by the imprinting of
6 the word "donor" on the identification card. The provisions of this subsec-
7 tion shall apply to persons possessing an identification card who are fif-
8 teen (15) years of age or older but less than eighteen (18) years of age if
9 the requirements provided in chapter 34, title 39, Idaho Code, have been com-
10 plied with.

11 (12) A person possessing an identification card or an applicant for an
12 identification card who is a person with a permanent disability may request
13 that the notation "permanently disabled" be imprinted on the identification
14 card, provided the person presents written certification from a licensed
15 physician verifying that the person's stated impairment qualifies as a per-
16 manent disability according to the provisions of section 49-117, Idaho Code.

17 (13) A person who is a veteran may request that his or her status as such
18 be designated on an identification card at no additional cost. Any such re-
19 quest shall be accompanied by proof of being a current or former member of
20 the United States armed forces. Upon request and submission of satisfactory
21 proof, the department shall indicate such person's status as a veteran on any
22 identification card issued pursuant to the provisions of this section. Such
23 designation shall be made upon original issuance or renewal of an identifi-
24 cation card. Designation shall also be made on any duplicate identification
25 card issued, provided that the fee for such duplicate card is paid in accor-
26 dance with this section.

27 (14) Satisfactory proof of being a current or former member of the
28 United States armed forces must be furnished by an applicant to the de-
29 partment before a designation of veteran status will be indicated on any
30 identification card. Acceptable proof shall be a copy of form DD214 or an
31 equivalent document or statement from the department of veterans affairs
32 that identifies a character of service upon separation as "honorable" or
33 "general under honorable conditions."

34 (15) In the case of a name change, the applicant shall provide legal doc-
35 umentation to verify the change in accordance with department rules.

36 (16) Whenever any person, after applying for or receiving an identifi-
37 cation card, moves from the address shown on the application or on the iden-
38 tification card issued, that person shall, within thirty (30) days, notify
39 the transportation department in writing of the old and new addresses.

40 (17) The department shall cancel any identification card upon determin-
41 ing that the person was not entitled to the issuance of the identification
42 card or that the person failed to give the required and correct information
43 in his application or committed fraud in making the application. Upon can-
44 cellation, the person shall surrender the canceled identification card to
45 the department.

46 (18) If any person shall fail to return to the department the identifi-
47 cation card as required, the department may direct any peace officer to se-
48 cure its possession and return the identification card to the department.

49 (19) The department may issue a no-fee identification card to an indi-
50 vidual whose driver's license has been canceled and voluntarily surrendered

1 as provided in section 49-322(5), Idaho Code. The identification card may be
2 renewed at no cost to the applicant as long as the driver's license remains
3 canceled.

4 (20) It is an infraction for any person to fail to notify the department
5 of a change of address as required by the provisions of subsection (16) of
6 this section.

7 (21) The department may issue an initial four (4) year no-fee identifi-
8 cation card to an individual who is homeless. The department shall establish
9 a form for verification of homelessness pursuant to this section. Such form
10 shall require the signature of an outreach worker or service worker verify-
11 ing that the individual is homeless and attesting to the individual's resi-
12 dency at an Idaho relief agency or shelter. An applicant issued an identifi-
13 cation card under the provisions of this subsection shall be entitled to one
14 (1) free replacement. Subsequent replacements and renewals of this identi-
15 fication card will be subject to the fees imposed in this section.

16 (22) The department shall issue a four (4) year no-fee identification
17 card to any individual eighteen (18) years of age or older who indicates on
18 the application that an identification card is needed to comply with voter
19 registration or voting requirements. An applicant issued an identification
20 card under this subsection shall be entitled to one (1) free replacement.
21 Such applicants are entitled to no-fee renewals as long as the applicant
22 meets the requirements of this subsection at the time of renewal.

23 SECTION 7. An emergency existing therefor, which emergency is hereby
24 declared to exist, this act shall be in full force and effect on and after
25 July 1, 2025.