

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 438

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO HAZARDOUS MATERIALS/HAZARDOUS WASTE TRANSPORTATION ENFORCEMENT; AMENDING SECTION 49-2203, IDAHO CODE, TO REVISE ENDORSEMENT REQUIREMENTS FOR TRANSPORTERS OF HAZARDOUS MATERIALS, TO INCREASE THE ANNUAL FEE FOR THE VEHICLE REGISTRATION ENDORSEMENT FOR THE TRANSPORTATION OF HAZARDOUS MATERIALS AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. That Section 49-2203, Idaho Code, be, and the same is hereby amended to read as follows:

49-2203. ENDORSEMENT REQUIREMENTS FOR TRANSPORTERS OF HAZARDOUS MATERIALS. (1) Every person, including a private carrier or a common or contract carrier, who operates a vehicle on any highway of this state transporting hazardous material in such quantity and under such conditions that such vehicle is required to be placarded pursuant to ~~title 49, code of federal regulations, CFR part 172,~~ or such vehicle's cargo is regulated by ~~title 49, code of federal regulations, CFR part 171,~~ or is required to meet the manifest requirements as set forth under the rules of the department of environmental quality, shall first procure from the department an annual vehicle registration endorsement ~~or single trip vehicle registration endorsement for each vehicle so driven.~~ This registration endorsement shall be available for examination, unless procured via the state web portal, and shall be displayed in accordance with rules adopted by the department. The provisions of this section shall not apply to vehicles owned by any city, county, state or federal governmental department or agency or special purpose district created pursuant to law.

(2) The fee for an annual vehicle registration endorsement for the transportation of hazardous materials shall be ~~three ten dollars (\$310.00) if purchased at the time of registration or renewal, or five dollars (\$5.00) if purchased at any time thereafter and the fee for a single trip vehicle registration endorsement shall be five dollars (\$5.00).~~ Any carrier required to pay the fee assessed pursuant to this section is authorized to pass along such fee to the shipping party. Vendors selling endorsements on behalf of the board shall be reimbursed at the rate of forty cents (40¢) per endorsement. No portion of the annual endorsement fee shall be prorated, reduced or transferred to another vehicle.

(3) The operation of a vehicle, which is subject to the endorsement requirements of this section, in a negligent manner is a violation of the provisions of this chapter.