

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 169

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO SPECIAL LICENSE PLATES; AMENDING SECTION 49-402D, IDAHO CODE, TO PROVIDE FOR THE LEGISLATURE'S ROLE IN THE ISSUANCE OF SPECIAL LICENSE PLATES AND TO PROVIDE THAT THE DEPARTMENT SHALL REPORT TO THE LEGISLATURE ON ANY DENIED APPLICATIONS.

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

SECTION 1. That Section 49-402D, Idaho Code, be, and the same is hereby amended to read as follows:

49-402D. SPECIAL LICENSE PLATE PREQUALIFICATION PROCESS. (1) For any new special license plate program approved by the legislature, the program sponsor shall, before issuance of any such special license plate, meet the prequalification process outlined in this section. The program sponsor for ~~a~~Any special plate consideration program shall:

(a) Submit a financial plan for the use of the proceeds from the special license plate sales; and

(b) Designate an individual who shall be deemed responsible by the agency for certifying compliance with the requirements of this section and working with the department; and

(c) If the applicant is a nonprofit agency, submit evidence to the department that the applicant has 501(c)(3) federal income tax status that has been in existence for at least two (2) years.

(d) The department is authorized and shall adopt and promulgate rules to carry out the provisions of this section.

(2) If the request for a special license plate is approved by the department, the following requirements, in addition to those set out in subsection (1) of this section, shall be met by September 1 prior to the next legislative session and prior to the issuance of any special license plates approved by the legislature.

(a) The applicant shall deposit estimated programming and administrative costs with the department to be utilized for programming costs of the specialty plate. Administrative costs in the amount of one thousand dollars (\$1,000) shall be nonrefundable.

(b) In addition to the requirements provided for in section 49-402C, Idaho Code, the applicant requesting a special license plate program shall provide to the department an acceptable plate design.

(c) The applicant shall transmit to the department a list of two hundred fifty (250) applicants whose vehicles are currently registered in the state of Idaho, who intend to purchase the specialty plate when available, as evidenced by completing forms provided by the department.

(3) The department shall submit the completed applications for special license plate programs that meet the requirements of this section to the chairmen of the senate transportation committee and the house of representa-

1 tives transportation and defense committee each year on behalf of the agency  
2 to be included for consideration in the next legislative session.

3 (4) On an annual basis, by December 1 of each calendar year, the spon-  
4 sor of a special license plate program, shall prepare an annual report, which  
5 shall be made available on request, and shall be forwarded to the department.  
6 Such report shall include an accounting of revenues and expenditures asso-  
7 ciated with the funds collected for the special license plate program. The  
8 department shall compile and forward such reports to the chairmen of the sen-  
9 ate transportation committee and the house of representatives transporta-  
10 tion and defense committee by January 15 of each year. Failure of the agency  
11 to provide such report by the due date shall result in the suspension of the  
12 special license plate program sales on January 1 until such report is pro-  
13 vided. The provisions of this section shall apply to all special plate pro-  
14 grams generating revenue outside of the department excluding military li-  
15 cense plate programs.

16 (5) Any decision by the department that the special license plate pro-  
17 gram application does not meet the provisions of this section may be appealed  
18 to the director of the department. Such notice of appeal shall be made in  
19 writing within twenty (20) days of the notice of denial. For all denied ap-  
20 plications, the department shall, at the next legislative session, report  
21 to the senate and house of representatives transportation committees on such  
22 denied applications and the reason for the denials.