

IN THE SENATE

SENATE BILL NO. 1062

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION AND DEALERS AND SALESMEN LICENSING;  
AMENDING SECTION 49-411, IDAHO CODE, TO PROVIDE THAT LADEN DEALER OR  
MANUFACTURER PLATES SHALL BE AVAILABLE TO LICENSED DEALERS AND MANUFAC-  
TURERS OPERATING VEHICLES WITH LADEN LOADS, TO PROVIDE THAT SUCH PLATES  
SHALL BE EXEMPT FROM CERTAIN PROVISIONS, TO PROVIDE THAT THE OPERATING  
FEE FOR A LADEN DEALER OR MANUFACTURER PLATE WILL BE EQUAL TO THE FEES  
FOR CERTAIN COMMERCIAL VEHICLES, TO PROVIDE FOR A MAXIMUM GROSS VEHICLE  
WEIGHT, TO PROVIDE FOR TEMPORARY WEIGHT INCREASE PERMITS AND TO MAKE A  
TECHNICAL CORRECTION; AMENDING SECTION 49-432, IDAHO CODE, TO PROVIDE  
THAT CERTAIN PROVISIONS SHALL NOT APPLY TO LADEN DEALER OR MANUFACTURER  
PLATES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-1627,  
IDAHO CODE, TO PROVIDE FOR DISPLAY OF LADEN DEALER OR MANUFACTURER  
PLATES, TO PROVIDE FOR LIMITATION OF USE, TO PROVIDE THAT LADEN DEALER  
OR MANUFACTURER PLATES SHALL NOT BE USED FOR PERSONAL USE, TO PROVIDE  
THAT LADEN DEALER OR MANUFACTURER PLATES SHALL BE VALID UP TO A MAXIMUM  
WEIGHT, TO PROVIDE FOR FEES AND TO PROVIDE THAT THE DEALER OR MANU-  
FACTURER MAY INCREASE THE WEIGHT THROUGH THE PURCHASE OF A TEMPORARY  
PERMIT, PURSUANT TO STATUTE.

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

SECTION 1. That Section 49-411, Idaho Code, be, and the same is hereby  
amended to read as follows:

49-411. DEALER AND MANUFACTURER PLATE -- FEES. (1) Any person conduct-  
ing the business of manufacturing, buying, selling or dealing in vehicles,  
and licensed as a manufacturer of or a dealer in vehicles, and owning and op-  
erating any such vehicle upon any highway may, in lieu of registering each  
vehicle, obtain from the department upon application on the proper form and  
payment of the required fee, and attach to each vehicle, one (1) number plate  
as required for different classes of vehicles in section 49-434, Idaho Code.  
The special number plate shall bear a distinctive number assigned to the man-  
ufacturer or dealer, the name of this state, which may be abbreviated, and  
the year for which the plate is issued, together with words which may be ab-  
breviated or a distinguishing symbol indicating that the plate is issued to a  
manufacturer or dealer.

(a) Dealer license plates shall be limited to two (2) license plates  
for up to twenty (20) vehicles sold during the previous dealer licensing  
period and one (1) license plate for each ten (10) additional vehicles  
sold during the previous dealer licensing period. Any new dealer who  
applies for a dealer license shall be eligible for the number of dealer  
plates requested based on the number of vehicles that the dealer esti-  
mates he will sell during the first year of licensure.

(b) Upon renewal of a dealer's license, the department may audit vehicle sales from previous years to determine the number of dealer plates that will be authorized for the current dealer licensing period.

(2) The fee to validate a dealer or manufacturer number plate shall be twelve dollars (\$12.00) for each validation sticker.

(3) All such fees shall be paid to the state treasurer and deposited to the state highway account.

(4) Laden dealer or manufacturer plates shall be available to licensed dealers and manufacturers operating vehicles with laden loads in furtherance of their business pursuant to section 49-1627(5), Idaho Code. Such plates shall be exempt from the limit provisions of subsection (1) (a) of this section. The operating fee for a laden dealer or manufacturer plate will be equal to the fees for commercial vehicles pursuant to section 49-434(1), Idaho Code, for twenty-six thousand (26,000) pounds. Laden dealer and manufacturer plates are limited to a maximum combined gross vehicle weight of twenty-six thousand (26,000) pounds. Temporary weight increase permits may be purchased pursuant to section 49-432(2), Idaho Code.

SECTION 2. That Section 49-432, Idaho Code, be, and the same is hereby amended to read as follows:

49-432. TEMPORARY REGISTRATION FOR RESIDENTS AND NONRESIDENTS -- FEES. (1) When a vehicle or combination of vehicles subject to registration is to be moved upon the public highways in the state of Idaho, the department may issue a permit in lieu of registration for any vehicle or combination of vehicles upon the payment of a fee as set forth in the following schedule:

- (a) One hundred twenty (120) hour permit
    - Single vehicle .....\$60.00
    - Combination of vehicles, where such combination of vehicles includes more than one (1) unregistered vehicles .....\$120.00
  - (b) Fuel permit .....\$60.00
  - (c) Thirty (30) day unladen weight permit .....\$60.00
- An owner-operator vehicle moving between lessee fleets where the vehicle registration was issued in the name of the former lessee shall be eligible for a thirty (30) day unladen weight permit for the unladen movement from the point of entry into the state to the destination of the new lessee's place of business.

If an annual registration is purchased within thirty (30) calendar days of issuance of a permit under paragraph (a) or (c) of this subsection (1), the amount of the permit fee shall be applied to the registration fee. No portion of a permit fee is subject to refund.

(2) Permits to operate a vehicle or combination of vehicles in excess of the registered maximum gross vehicle weight up to a maximum of one hundred twenty-nine thousand (129,000) pounds gross vehicle weight shall be:

- (a) One hundred twenty (120) hour permit to increase gross weight .....\$50.00
- (b) Thirty (30) day permit to increase gross vehicle weight:

Maximum Registered Gross Weight of Vehicle (Pounds)	Temporary Permitted Maximum Gross Weight (Pounds)					
	80,000	86,000	96,000	106,000	116,000	129,000
50,001-60,000	\$225	\$250	\$275	\$300	\$325	\$350

The permit issued pursuant to this subsection (2) shall be specific to the motor vehicle to which it is issued. No permit or fee shall be transferable or apportionable to any other vehicle, nor shall any such fee be refundable. At the time of purchasing a permit, the applicant may purchase additional permits in any combination which does not exceed a maximum of ninety (90) days.

(3) Permits issued pursuant to subsection (1) or (2) of this section shall be limited to three (3) per vehicle in a calendar year except for those permits provided for in subsection (1) (b) and (c). The provisions of this subsection (3) with respect to limiting the number of permits issued shall not apply to transporters and wreckers as defined in sections 49-121 and 49-124, Idaho Code, or to laden dealer and manufacturer plates as provided for in sections 49-411 (4) and 49-1627 (5), Idaho Code.

(4) A temporary permit shall be in a form, and issued under rules adopted by the board, and shall be displayed at all times while the vehicle is being operated on the highways by posting the permit upon the windshield of each vehicle or in another prominent place, where it may be readily legible.

(5) Any permit issued pursuant to subsection (2) of this section shall be purchased prior to movement of the vehicle on a highway, and such permit shall be in addition to and available only to a vehicle which is currently and validly registered in Idaho pursuant to section 49-432 (1), 49-434 (1), 49-434 (8) (c) or 49-435, Idaho Code.

(6) The department may select vendors to serve as agents on state highways for the purpose of selling permits where fixed ports of entry do not adequately serve a respective highway entering the state. The vendor shall be remunerated at the rate of three dollars (\$3.00) per permit sold, and he shall collect the fees specified in this section and pay the fees to the department. The vendor shall guarantee payment by giving a bond to the state in a sum as shall be fixed by the board, the premium on the bond to be paid by the department.

SECTION 3. That Section 49-1627, Idaho Code, be, and the same is hereby amended to read as follows:

49-1627. USE OF DEALER AND MANUFACTURER LICENSE PLATE. (1) Any dealer or manufacturer license plate issued may, during the calendar year for which issued, be transferred from one (1) vehicle to another owned or operated by such manufacturer or dealer, in pursuance of his business as a manufacturer or dealer.

(2) Dealer plates shall not be used on vehicles under the following circumstances:

(a) On work or service vehicles not held in stock for sale;

1 (b) On leased or rented vehicles owned by the licensed manufacturer or  
2 dealer;

3 (c) On a laden vehicle designed for transportation of cargo, unless the  
4 manufacturer or dealer has complied with section 49-434, Idaho Code,  
5 except as provided in subsection (3) of this section;

6 (d) On vehicles which have been sold;

7 (e) On vehicles used by the licensee for furtherance of another busi-  
8 ness;

9 (f) On vehicles owned by a licensed wholesaler used for personal use;

10 (g) On vehicles owned by a licensed wholesaler, operated by their li-  
11 censed salesmen, used for personal use.

12 (3) Dealer and manufacturer plates may be used on laden vehicles oper-  
13 ated by the manufacturer, dealer or his licensed vehicle salesman, in con-  
14 nection with the manufacturer's or dealer's business. A dealer plate may be  
15 used on a laden trailer in connection with a manufacturer's or dealer's busi-  
16 ness to move vehicles or trailers from a manufacturer to a dealer, from deal-  
17 ership to dealership or from a dealership to off-site locations in promotion  
18 of the dealer's business as long as the power unit is properly licensed un-  
19 der chapter 4, title 49, Idaho Code. A dealer plate may be used on a vehi-  
20 cle assigned for personal use on a full-time basis to the dealer, or licensed  
21 full-time vehicle salesman. This personal use exception applies only to the  
22 manufacturer, dealer, or licensed full-time vehicle salesman personally,  
23 and any other persons, including members of their families, are excluded. A  
24 prospective purchaser of a vehicle may have possession of the vehicle with  
25 a dealer plate for not more than ninety-six (96) hours or may operate the  
26 vehicle when accompanied by the manufacturer, dealer or a licensed vehicle  
27 salesman.

28 (4) Licensed part-time vehicle salesmen may use a dealer plate on a  
29 vehicle that is offered for sale only to demonstrate the vehicle to a pur-  
30 chaser, but not for personal use. Other employees or authorized persons, not  
31 licensed as a vehicle salesman, may use a dealer plate when testing the me-  
32 chanical operation of a vehicle or for the necessary operation in pursuance  
33 of the dealer's business, including the delivery and pickup of vehicles  
34 owned or purchased by that manufacturer or dealer.

35 (5) Laden dealer and manufacturer plates may be displayed on any power  
36 unit in the dealer's or manufacturer's inventory to operate vehicles laden  
37 with vehicles that are in the dealer's or manufacturer's inventory in pur-  
38 suance of the dealer's or manufacturer's business. Such use shall be lim-  
39 ited to moving vehicles from a manufacturer to a dealer, from dealership to  
40 dealership, or from a dealership to off-site locations in furtherance of the  
41 dealer's business. Such uses may include travel to licensed temporary sup-  
42 plemental lot locations, to and from auctions or to a new licensed location.

43 (a) Laden dealer and manufacturer plates shall not be used for personal  
44 use by the dealer or manufacturer or a licensed full-time or part-time  
45 salesman of the dealership.

46 (b) Laden dealer and manufacturer plates shall be valid up to a maximum  
47 of twenty-six thousand (26,000) pounds combined gross vehicle weight.

48 (c) Fees will be as provided in section 49-434(1), Idaho Code, for  
49 commercial vehicles at a weight limit of twenty-six thousand (26,000)  
50 pounds combined gross vehicle weight.

1        (d) The dealer or manufacturer may increase the weight limit through  
2        the purchase of a temporary weight increase permit, as provided for in  
3        section 49-432(2), Idaho Code.

4        (6) Vehicle manufacturers and dealers shall keep a written record of  
5 the vehicles upon which dealer's number plates are used for personal use on  
6 a full-time basis, and the time during which each plate is used. The record  
7 shall be open to inspection by any peace officer or any officer or employee of  
8 the department.

9        (67) No manufacturer or dealer shall cause or permit any vehicle owned  
10 by them to be operated or moved upon a public highway without displaying upon  
11 the vehicle a license plate issued to that person, either under the provi-  
12 sions of this section or section 49-428, Idaho Code, except as otherwise au-  
13 thorized in section 49-431, Idaho Code.