

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 446

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO STATE PARKS; AMENDING SECTION 49-401B, IDAHO CODE, TO PROVIDE THAT APPLICATIONS FOR MOTOR VEHICLE REGISTRATION SHALL CONTAIN A PROVISION ALLOWING AN OWNER TO CHOOSE TO PARTICIPATE IN THE IDAHO STATE PARKS PASSPORT PROGRAM, TO PROVIDE THAT FEES COLLECTED FOR THE IDAHO STATE PARKS PASSPORT PROGRAM SHALL BE SEPARATELY IDENTIFIED AND ACCOUNTED FOR, TO PROVIDE FOR PAYMENT TO THE STATE TREASURER AND TO PROVIDE FOR THE DEPOSIT OF SUCH FEES INTO THE PARK AND RECREATION FUND; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE FOR THE VOLUNTARY PAYMENT OF A FEE TO PURCHASE AN IDAHO STATE PARKS PASSPORT, TO PROVIDE FOR FEES FOR ONE OR TWO YEAR PERIODS OF TIME, TO PROVIDE FOR DEPOSIT OF FEES INTO THE PARK AND RECREATION FUND WHICH SHALL BE SUBJECT TO APPROPRIATION AND TO PROVIDE THAT FEES ASSOCIATED WITH IDAHO STATE PARKS PASSPORTS SHALL NOT BE CONSIDERED MOTOR VEHICLE REGISTRATION FEES; AND AMENDING CHAPTER 42, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4223A, IDAHO CODE, TO PROVIDE FOR THE IDAHO STATE PARKS PASSPORT PROGRAM, TO PROVIDE FOR FEES AND TO PROVIDE THAT THE DEPARTMENT SHALL NOT BE PRECLUDED FROM CONTINUING TO SELL CERTAIN DAILY AND ANNUAL MOTOR VEHICLE ENTRANCE PASSES.

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

SECTION 1. That Section 49-401B, Idaho Code, be, and the same is hereby amended to read as follows:

49-401B. APPLICATION FOR REGISTRATION -- RECEIPT FOR FEE -- RECORD OF APPLICANTS. (1) Application for the registration of a vehicle required to be registered under the provisions of section 49-401A, Idaho Code, shall be made to the assessor or the department as specified in that section, by the owner upon the appropriate form. Every application shall contain the owner's Idaho driver's license number, Idaho identification card number, or social security number. In the case of a business, the employer tax identification number is required. Every application shall also contain the owner's true and full legal name. In the event that the owner does not possess a social security number, Idaho driver's license number, or Idaho identification card number, the owner shall present written documentation sufficient to the department to determine that no social security number has been issued. In the event that a business, trust or other statutorily created entity is not required to have and does not possess an employer tax identification number, the applicant shall provide a written statement certifying that the entity does not possess an employer tax identification number. Such application must be signed by the owner and contain his residence address and a brief description of the vehicle to be registered, including the name of the maker, the type of fuel used, and the identification number. If an applicant has submitted an application pursuant to the provisions of chapter 58, title 19, Idaho Code, then the applicant may state, in the ap-

1 application required pursuant to this section, the applicant's alternative  
 2 Idaho mailing address in place of his or her residence address. Upon regis-  
 3 tration of a new vehicle, the application shall also show the date of sale by  
 4 the manufacturer or dealer to the person first operating such vehicle. The  
 5 application shall contain any other information as may be required by the  
 6 department and shall contain a provision that allows an owner to choose to  
 7 participate in the Idaho state parks passport program. The assessor shall  
 8 issue to the applicant a receipt for any fee paid. Social security numbers  
 9 collected shall not appear on certificates of registration, and all applica-  
 10 tions on file shall be exempt from disclosure, except as provided in sections  
 11 49-202, 49-203 and 49-203A, Idaho Code.

12 (2) The assessor shall record on a form prescribed and furnished by the  
 13 department, the names of all owners of vehicles residing in the county who  
 14 make application for registration, together with the amounts of the fees  
 15 paid by such owners.

16 (3) When application for registration is made by any motor carrier, the  
 17 assessor or the department shall require each such applicant to execute a  
 18 certification of safety compliance.

19 (4) Vehicles registered under the proportional registration provi-  
 20 sions of section 49-435, Idaho Code, shall be registered by the department.

21 (5) Every owner of a vehicle registered by a county assessor shall give  
 22 his physical domicile residence address or the business' physical principal  
 23 address to the assessor so that the proper county can be entered upon the reg-  
 24 istration. Failure to do so shall be unlawful. The department shall then  
 25 attribute the registration, and all fees to be apportioned to the highway  
 26 distribution account, to the county of residence regardless of the county in  
 27 which the registration occurred. Fees imposed under the provisions of sec-  
 28 tions 40-827 and 40-1416, Idaho Code, shall be separately identified and ac-  
 29 counted for, and paid to the highway district for which collected. Fees col-  
 30 lected in addition to vehicle registration fees for the Idaho state parks  
 31 passport program, as provided in section 49-402(11), Idaho Code, shall be  
 32 separately identified and accounted for and paid to the state treasurer on a  
 33 monthly basis to be deposited in the park and recreation fund as specified in  
 34 section 49-402(11), Idaho Code. For the purposes of vehicle registration, a  
 35 person is an actual and permanent resident of the county in which he has his  
 36 principal residence or domicile. A principal residence or domicile shall  
 37 not be a person's workplace, vacation, or part-time residence.

38 (6) A violation of the provisions of this section shall be an infrac-  
 39 tion.

40 SECTION 2. That Section 49-402, Idaho Code, be, and the same is hereby  
 41 amended to read as follows:

42 49-402. ANNUAL REGISTRATION. (1) The annual fee for operating each  
 43 pickup truck, each neighborhood electric vehicle and each other motor ve-  
 44 hicle having a maximum gross weight not in excess of eight thousand (8,000)  
 45 pounds and that complies with the federal motor vehicle safety standards as  
 46 defined in section 49-107, Idaho Code, shall be:

Vehicles one (1) and two (2) years old .....	\$48.00
Vehicles three (3) and four (4) years old .....	\$36.00
Vehicles five (5) and six (6) years old .....	\$36.00

1 Vehicles seven (7) and eight (8) years old .....\$24.00

2 Vehicles over eight (8) years old .....\$24.00

3 There shall be twelve (12) registration periods, starting in January  
4 for holders of validation registration stickers numbered 1, and proceed-  
5 ing consecutively through December for holders of validation registration  
6 stickers numbered 12, each of which shall start on the first day of a calendar  
7 month and end on the last day of the twelfth month from the first day of the  
8 beginning month. Registration periods shall expire midnight on the last day  
9 of the registration period in the year designated by the validation regis-  
10 tration sticker. The numeral digit on the validation registration stickers  
11 shall, as does the registration card, fix the registration period under the  
12 staggered plate system of Idaho for the purpose of reregistration and notice  
13 of expiration.

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

22 (2) For all school buses operated either by a nonprofit, nonpublic  
23 school or operated pursuant to a service contract with a school district  
24 for transporting children to or from school or in connection with school  
25 approved activities, the annual fee shall be twenty-four dollars (\$24.00).

26 (3) For all motorcycles and motor-driven cycles which comply with the  
27 federal motor vehicle safety standards, operated upon the public highways  
28 the annual fee shall be nine dollars (\$9.00).

29 (4) For operation of an all-terrain vehicle, utility type vehicle or  
30 motorbike, excluding a motorbike with an engine displacement of fifty (50)  
31 cubic centimeters or less, on city, county or highway district roads or  
32 highways open to such use, a restricted vehicle license plate fee pursuant  
33 to section 49-450, Idaho Code, shall be paid. In addition, the registration  
34 fee specified in section 67-7122, Idaho Code, shall be paid as provided in  
35 section 67-7122, Idaho Code. The registration and restricted vehicle li-  
36 cense plate exemption provided in section 49-426(2), Idaho Code, applies  
37 to all-terrain vehicles, utility type vehicles, motorbikes and motorcycles  
38 used for the purposes described in subsection (2) of section 49-426, Idaho  
39 Code. Nonresidents shall be allowed to purchase a restricted vehicle li-  
40 cense plate and sticker for an all-terrain vehicle, utility type vehicle or  
41 motorbike.

42 (5) For all motor homes the fee shall be as specified in subsection (1)  
43 of this section and shall be in addition to the fees provided for in section  
44 49-445, Idaho Code.

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

46 (7) A financial institution or repossession service contracted to  
47 a financial institution repossessing vehicles under the terms of a secu-  
48 rity agreement shall move the vehicle from the place of repossession to the  
49 financial institution's place of business on a repossession plate. The  
50 repossession plate shall also be used for demonstrating the vehicle to a

prospective purchaser for a period not to exceed ninety-six (96) hours. The registration fees for repossession plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee. The repossession plate shall be issued on an annual basis by the department.

(8) A wrecker or towing business engaged in the process of towing motorized vehicles, which have been wrecked, abandoned, salvaged or may be disabled, may apply for a wrecker plate to be displayed on those vehicles being towed, provided the power unit is properly registered under this chapter. The registration fees for wrecker plates shall be as required in subsection (1) of this section for a vehicle one (1) and two (2) years old. All other fees required under chapter 4, title 49, Idaho Code, shall be in addition to the registration fee. The wrecker plate shall be issued on an annual basis by the department.

(9) In addition to the annual registration fee in this section, there shall be an initial program fee of twenty-five dollars (\$25.00) and an annual program fee of fifteen dollars (\$15.00) for all special license plate programs for those license plates issued pursuant to sections 49-404A, 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code, there shall be an initial program fee of twenty-five dollars (\$25.00) but there shall be no annual renewal fee. For special plates issued pursuant to sections 49-415C, 49-415D, 49-415E, 49-416A, 49-416B, 49-416C, 49-416D, 49-416E, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-417E, 49-418A, 49-418B, 49-418C, 49-418E, 49-419, 49-419A, 49-419B, 49-419C, 49-419D, 49-419E, 49-420, 49-420A, 49-420B, 49-420C, 49-420D, 49-420E, 49-420G, 49-420H, 49-420I, 49-420J and 49-420K, Idaho Code, there shall be an initial program fee of thirty-five dollars (\$35.00) and an annual program fee of twenty-five dollars (\$25.00). The fees contained in this subsection shall be applicable to all new special plate programs. The initial program fee and the annual program fee shall be deposited in the state highway account and shall be used to fund the cost of administration of special license plate programs, unless otherwise specified by law.

(10) Any vehicle that does not meet federal motor vehicle safety standards shall not be registered and shall not be permitted to operate on public highways of the state, as defined in section 40-117, Idaho Code, unless otherwise specifically authorized.

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

1       SECTION 3. That Chapter 42, Title 67, Idaho Code, be, and the same is  
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
3 ignated as Section 67-4223A, Idaho Code, and to read as follows:

4       67-4223A. IDAHO STATE PARKS PASSPORT PROGRAM -- FEE. Upon payment of  
5 the fee as provided in section 49-402(11), Idaho Code, the purchaser shall  
6 be authorized to enter all Idaho state parks without paying the motor vehi-  
7 cle entrance fee for either a one (1) or two (2) year period of time, depen-  
8 dent on the fee paid by the purchaser. The provisions of this section shall  
9 not preclude the department from continuing to sell daily and annual motor  
10 vehicle entrance passes to Idaho residents who choose not to participate in  
11 the Idaho state parks passport program and to any nonresident visiting Idaho  
12 state parks.