

TITLE 36
FISH AND GAME

CHAPTER 3
ISSUANCE AND SALE OF LICENSES

36-301. FORMS OF LICENSES -- PRINTING -- CHARGEABLE TO DIRECTOR. (a) Computerized licensing system. The fish and game commission shall prescribe by rule:

1. The procedures for the issuance of licenses and applications by a computerized licensing system.
2. The criteria for authorizing a person as a license vendor. In developing the criteria, the commission shall consider the cost to the state to install and maintain a license vendor and the public's need to be able to reasonably obtain the necessary license. The criteria should include, but are not limited to, the remoteness of the location; availability of licenses in the area; angling and hunting supplies and services at the location; distance to the next closest license vendor; and the number of licenses issued at the location.

(b) Forms. The forms of the various fishing, hunting and trapping licenses and related applications shall be determined by the director. The director shall authorize printing the licenses and related applications as may be required from time to time and shall supervise the selling of same throughout the state.

(c) Accountability. The director shall manage the issuance of such licenses and be accountable for moneys received therefor. The director is authorized to collect a credit card fee, commensurate with the rate charged to the agency by the credit card vendor, from persons using a credit card to purchase any licenses, related applications, and materials pursuant to section [59-1012](#), Idaho Code, at fish and game offices and fish and game-sponsored events.

[36-301, added 1976, ch. 95, sec. 2, p. 329; am. 1994, ch. 180, sec. 61, p. 469; am. 1995, ch. 287, sec. 2, p. 954; am. 2003, ch. 32, sec. 17, p. 128; am. 2018, ch. 4, sec. 1, p. 10.]

36-302. SUMMARY OF LAWS PRINTED -- DISTRIBUTION. The director shall have copies of applicable fish and game laws and regulations printed and supplied to license vendors for distribution to the public and license purchasers.

[36-302, added 1976, ch. 95, sec. 2, p. 329.]

36-303. DISTRIBUTION, ISSUANCE, AND SALE OF LICENSES -- BONDING OF VENDORS. The director shall distribute such computerized licensing equipment and supplies to any person he may select as a license vendor for the purpose of license sale, issuance and distribution. All resident licenses shall be issued only within the state of Idaho. All computerized licensing equipment and unused supplies shall remain the property of the department. License vendors shall be responsible for all sums received by them from the sale of such licenses less the authorized vendor fee as provided for in section [36-306](#), Idaho Code, and shall be liable upon their official bonds, if any, and should any person fail to account for the same, any sum remaining due by reason of such failure may be recovered from such person or his bondsman

in a civil action. Provided, that any and all license vendors, other than employees of the department of fish and game of the state of Idaho, may be required to furnish to the director, before entering upon the sale of said licenses, a good and sufficient surety bond to the state of Idaho in an amount designated by the director. Provided further that when a surety bond is furnished by a surety company authorized to do business in the state of Idaho, said bond shall be approved and accepted by the director and filed in the state office of the department of fish and game. All bonds executed by any person required to furnish the same shall cover a period of two (2) years and said bond shall be in a form prescribed by said director.

The director may at his discretion furnish a scheduled bond sufficient to cover the amount designated by the director. All or any part of said bond may be paid for out of the fish and game account and shall be in lieu of any other bond requirement for the sale of licenses.

Any bond given in accordance with this section of the statute is declared to be an official bond of the state of Idaho.

Provided further that no person except an employee of the department shall be authorized to issue and sell such licenses until any required bond as hereinbefore provided for shall have been properly signed, approved and filed with the director. All moneys collected by any person for the sale of such licenses in the state of Idaho, with the exception of the vendor fee to be retained by them, shall be and remain the property of the department. Any person appropriating any of said funds of the department of fish and game for his own use shall be guilty of a felony.

[36-303, added 1976, ch. 95, sec. 2, p. 329; am. 1978, ch. 141, sec. 1, p. 320; am. 1995, ch. 64, sec. 3, p. 165; am. 1995, ch. 287, sec. 3, p. 955.]

36-304. RECEIPT CANNOT BE ISSUED IN LIEU NOR ALTERATIONS MADE. No person authorized to sell licenses shall issue a receipt in lieu of a license or to alter any license as to its fee, type, class or privileges.

[36-304, added 1976, ch. 95, sec. 2, p. 330; am. 1992, ch. 81, sec. 3, p. 226; am. 1995, ch. 287, sec. 4, p. 956.]

36-305. HONORARY OR TEMPORARY LICENSES OR PERMITS -- ISSUANCE UNLAWFUL -- PENALTY. No person including the director, any employee of the department or vendor or agent thereof shall at any time or under any circumstances issue any honorary license or any temporary license permitting any person to hunt, fish or trap in the state of Idaho; except that a temporary license may be issued as allowed by commission rule for the limited purpose of providing immediate proof of licensure for:

- (a) Telephonic or other electronic license issuances; and
- (b) Temporary failure of the computerized licensing system.

Nothing in this section shall preclude the director from issuing scientific collecting permits when such permits are issued in accordance with the provisions of section [36-106](#)(e)5, Idaho Code.

[36-305, added 1976, ch. 95, sec. 2, p. 330; am. 1979, ch. 78, sec. 2, p. 195; am. 1992, ch. 81, sec. 4, p. 226; am. 1995, ch. 287, sec. 5, p. 956; am. 1997, ch. 220, sec. 1, p. 651.]

36-306. VENDOR FEE. All persons authorized to issue licenses shall charge a vendor issuance fee of one dollar and seventy-five cents (\$1.75) upon all licenses issued, one dollar (\$1.00) of which shall be retained by them as compensation for the issuance of such licenses; provided that the vendor fee for an eighth class license as that license is provided for in section [36-406](#)(f), Idaho Code, shall be equal to one-half (1/2) the total vendor fee had each license, tag, permit or stamp been separately issued; provided further, the director may waive the vendor issuance fee for a license not issued by the department's computerized licensing system. Seventy-five cents (75¢) of the vendor fee shall be retained by the department, shall be deposited in the fish and game account, and shall be used to help offset the cost of the computerized licensing system. Such vendor fee shall be charged in addition to the regular cost of the license. However, in the case of crayfish or minnow traps, beaver, bobcat or lynx tags the vendor fee shall be charged for each issuance of tags for each species regardless of the number of tags issued in said transaction. Proceeds from department issued licenses may be set aside for the department's special operations program, including citizens against poaching.

[36-306, added 1976, ch. 95, sec. 2, p. 329; am. 1978, ch. 141, sec. 2, p. 321; am. 1981, ch. 69, sec. 2, p. 102; am. 1988, ch. 296, sec. 1, p. 937; am. 1989, ch. 129, sec. 1, p. 279; am. 1995, ch. 64, sec. 4, p. 166; am. 1995, ch. 287, sec. 6, p. 956; am. 2000, ch. 211, sec. 5, p. 549; am. 2002, ch. 234, sec. 1, p. 685; am. 2005, ch. 379, sec. 2, p. 1234.]

36-307. REPORTS OF SALES. The director is hereby authorized to establish contractual terms and provisions, including reporting requirements, with which license vendors must comply. Failure of any license vendor to comply with the terms of said contract shall be cause for the director to terminate any such vendorship in accordance with commission rules. All moneys collected by license vendors from point of sale issuance other than the vendor issuance fees retained by the vendor shall be deposited weekly with the state treasurer into a separate trust fund established under the name of "State Treasurer -- Fish and Game Trust Fund."

[36-307, added 1976, ch. 95, sec. 2, p. 331; am. 1995, ch. 287, sec. 7, p. 957.]

36-309. DISPOSITION OF BLANK LICENSE STOCK AND MUTILATED, VOIDED OR UNSOLD LICENSES. All persons to whom blank license stock has been issued as herein provided, shall turn over and deliver to said director all mutilated, voided and unused license stock and unsold licenses and each of said persons authorized to handle licenses shall be held accountable for all unused license stock and all mutilated, voided or unsold licenses not so turned over and delivered to the director.

Provided, that when satisfactory proof is presented to the board of examiners, of unavoidable loss or destruction of the above the said board may relieve the person charged with accountability therefor, and order repaid to him any moneys already paid by him into the treasury on said account.

[36-309, added 1976, ch. 95, sec. 2, p. 331; am. 1994, ch. 180, sec. 63, p. 469; am. 1995, ch. 287, sec. 9, p. 957.]

36-310. VENDORS NEGLECTING TO ACCOUNT -- PENALTY. Any person who shall refuse or neglect to turn over, as herein provided, any moneys collected or authorized to be collected under the provisions of this act, or who shall fail, neglect or refuse to turn over and deliver all unused license stock and all mutilated, voided and unsold licenses shall be guilty of a felony, and upon conviction shall be immediately removed from office.

[36-310, added 1976, ch. 95, sec. 2, p. 331; am. 1995, ch. 287, sec. 10, p. 958.]