

IN THE SENATE

SENATE BILL NO. 1071, As Amended

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO THE ORGAN DONATION CONTRIBUTION FUND; AMENDING SECTION 49-306, IDAHO CODE, TO PROVIDE FOR A CERTAIN VOLUNTARY DONATION RELATING TO VISION SCREENING AND EYE HEALTH AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 49-2447, IDAHO CODE, TO PROVIDE FOR MONEYS TO BE COLLECTED FOR AND DISTRIBUTED TO ENVISION SIGHT; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 49-306, Idaho Code, be, and the same is hereby amended to read as follows:

49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT, COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PERMIT. (1) Every application for any instruction permit, restricted school attendance driving permit, or driver's license shall be made on a form furnished by the department and shall be verified by the applicant before a person authorized to administer oaths. Officers and employees of the department, agents authorized by the department, and sheriffs and their deputies are authorized to administer the oaths without charge.

(2) Every application for a permit, extension, driver's license, or knowledge test shall be accompanied by a nonrefundable fee pursuant to this subsection. Fee portions identified as going to the current expense fund shall be retained by the issuing entity. If the issuing entity is the department or an agent authorized by the department, other than the county, such fee portion shall be deposited in the state highway account. All other remaining fee portions shall be remitted to the state treasurer. If the fee is collected by a county, all remaining fee portions shall be paid over to the county treasurer and the county treasurer shall remit such fees to the state treasurer not less than monthly. The state treasurer shall immediately allocate such fees in accordance with the schedule identified following each fee:

- (a) Class A, B, C (4-year) license with endorsements --
age 21 years and older\$40.00
 - (i) \$5.00 to the current expense fund;
 - (ii) \$2.00 to emergency medical services fund II;
 - (iii) \$4.00 to emergency medical services fund III;
 - (iv) \$28.00 to the state highway account; and
 - (v) \$1.00 to the motorcycle safety program fund;
- (b) Class A, B, C (8-year) license with endorsements --
age 21 years and older\$60.00
 - (i) \$5.00 to the current expense fund;
 - (ii) \$4.00 to emergency medical services fund II;
 - (iii) \$8.00 to emergency medical services fund III;

1 (iv) \$41.00 to the state highway account; and
 2 (v) \$2.00 to the motorcycle safety program fund;
 3 (c) Class A, B, C (3-year) license with endorsements --
 4 age 18 to 21 years\$30.00
 5 (i) \$5.00 to the current expense fund;
 6 (ii) \$1.50 to emergency medical services fund II;
 7 (iii) \$3.00 to emergency medical services fund III;
 8 (iv) \$19.50 to the state highway account; and
 9 (v) \$1.00 to the motorcycle safety program fund;
 10 (d) Class A, B, C (1-year) license with endorsements -- age
 11 20 years\$15.00
 12 (i) \$5.00 to the current expense fund;
 13 (ii) \$0.50 to emergency medical services fund II;
 14 (iii) \$1.00 to emergency medical services fund III;
 15 (iv) \$8.16 to the state highway account; and
 16 (v) \$0.34 to the motorcycle safety program fund;
 17 (e) Class D (3-year) license -- age 18 to 21 years\$30.00
 18 (i) \$10.00 to the current expense fund;
 19 (ii) \$1.50 to emergency medical services fund II;
 20 (iii) \$3.00 to emergency medical services fund III;
 21 (iv) \$4.00 to the driver training fund;
 22 (v) \$10.50 to the highway distribution account; and
 23 (vi) \$1.00 to the motorcycle safety program fund;
 24 (f) Class D (1-year) license -- age 17 to 20 years\$20.00
 25 (i) \$10.00 to the current expense fund;
 26 (ii) \$0.50 to emergency medical services fund II;
 27 (iii) \$1.00 to emergency medical services fund III;
 28 (iv) \$1.33 to the driver training fund;
 29 (v) \$6.83 to the highway distribution account; and
 30 (vi) \$0.34 to the motorcycle safety program fund;
 31 (g) Class D (4-year) license -- age 21 years and
 32 older\$35.00
 33 (i) \$10.00 to the current expense fund;
 34 (ii) \$2.00 to emergency medical services fund II;
 35 (iii) \$4.00 to emergency medical services fund III;
 36 (iv) \$5.30 to the driver training fund;
 37 (v) \$12.70 to the highway distribution account; and
 38 (vi) \$1.00 to the motorcycle safety program fund;
 39 (h) Class D (8-year) or class A, B, C license with
 40 endorsements -- age 21 to 63 years\$60.00
 41 (i) \$15.00 to the current expense fund;
 42 (ii) \$4.00 to emergency medical services fund II;
 43 (iii) \$8.00 to emergency medical services fund III;
 44 (iv) \$10.60 to the driver training fund;
 45 (v) \$20.40 to the highway distribution account; and
 46 (vi) \$2.00 to the motorcycle safety program fund;
 47 (i) Commercial learner's permit\$29.00
 48 (i) \$5.00 to the current expense fund;
 49 (ii) \$4.00 to emergency medical services fund III; and
 50 (iii) \$20.00 to the state highway account;

1 (j) Class D instruction permit and supervised instruction
 2 permit\$20.00
 3 (i) \$10.00 to the current expense fund;
 4 (ii) \$2.60 to the driver training fund; and
 5 (iii) \$7.40 to the highway distribution account;
 6 (k) Duplicate driver's license or permit\$20.00
 7 (i) \$10.00 to the current expense fund;
 8 (ii) \$2.60 to the driver training fund; and
 9 (iii) \$7.40 to the highway distribution account;
 10 (l) Driver's license extension\$10.00
 11 (i) \$2.60 to the driver training account; and
 12 (ii) \$7.40 to the state highway account;
 13 (m) License classification change (upgrade)\$30.00
 14 (i) \$10.00 to the current expense fund; and
 15 (ii) \$20.00 to the state highway account;
 16 (n) Endorsement addition\$20.00
 17 (i) \$10.00 to the current expense fund; and
 18 (ii) \$10.00 to the state highway account;
 19 (o) Class A, B, C skills tests not more than \$200.00
 20 (i) \$10.00 to the state highway account; and
 21 (ii) Remainder retained by entity administering the test;
 22 (p) Class D skills test not more than \$35.00
 23 (i) \$6.50 to the state highway account; and
 24 (ii) Remainder retained by entity administering the test;
 25 (q) Motorcycle endorsement skills test (amount charged retained by
 26 entity administering the test) not more than \$25.00;
 27 (r) Knowledge test (fee retained by the entity administering
 28 the test)\$5.00;
 29 (s) Seasonal driver's license\$44.00
 30 (i) \$10.00 to the current expense fund;
 31 (ii) \$2.00 to emergency medical services fund II;
 32 (iii) \$4.00 to emergency medical services fund III; and
 33 (iv) \$28.00 to the state highway account;
 34 (t) Onetime motorcycle "M" endorsement\$15.00
 35 (i) \$2.50 to the current expense fund; and
 36 (ii) \$12.50 to the state highway account;
 37 (u) Motorcycle endorsement instruction permit\$15.00
 38 (i) \$2.50 to the current expense fund; and
 39 (ii) \$12.50 to the state highway account;
 40 (v) Restricted driving permit or restricted school attendance
 41 driving permit (fee to the state highway account)\$60.00.
 42 (3) The fee for any electronic driver's license renewal allowed pur-
 43 suant to section 49-319(10), Idaho Code, shall be five dollars (\$5.00) less
 44 than the applicable application fee prescribed in subsection (2) of this
 45 section. This fee reduction shall be accounted for by subtracting five dol-
 46 lars (\$5.00) from the portion of fees retained by the department.
 47 (4) A person who applies for a driver's license or a driver's license
 48 renewal may designate a voluntary contribution of two dollars (\$2.00) ~~for~~
 49 the pursuant to paragraph (a) or (b) of this subsection or both. Such volun-
 50 tary contribution may be made for:

(a) The purpose of promoting and supporting organ donation. Such a contribution shall be treated as a voluntary contribution to the organ donation contribution fund created in section 49-2447, Idaho Code, and not as a driver's license fee. Each voluntary contribution shall be deposited into the organ donation contribution fund created in section 49-2447, Idaho Code; and

(b) The purposes of promoting and supporting vision screening, vision treatment, and eye health in Idaho. Such contribution shall be treated as a voluntary contribution to envision sight, an Idaho nonprofit corporation, and not as a driver's license fee. Such contributions shall be transferred to envision sight, at least monthly, less actual administrative costs associated with collecting and transferring such contributions. Envision sight shall only use funds received pursuant to this paragraph for the purposes expressly provided for in this paragraph and shall submit an annual report to the legislature by January 15 accounting for funds received in the prior year pursuant to this paragraph and describing how such funds were spent. The report shall be submitted to the legislative services office electronically.

(5) Every application shall state the applicant's true and full name, date of birth, sex, declaration of Idaho residency, Idaho residence address and mailing address if different, height, weight, hair color, eye color, and social security number as verified by the social security administration. If an applicant has submitted an application pursuant to the provisions of chapter 58, title 19, Idaho Code, then the applicant may state, in his or her application pursuant to this section, the applicant's alternative Idaho mailing address in place of his or her Idaho residence address and mailing address. Notwithstanding the provisions of section 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or C driver's license or nondomiciled commercial learner's permit having residency in a state that is prohibited from issuing class A, B or C driver's licenses or commercial learner's permits, as provided in 49 CFR 384, is excepted from providing proof of Idaho residency and an Idaho mailing address.

(a) The requirement that an applicant provide a social security number as verified by the social security administration shall apply only to applicants who have been assigned a social security number.

(b) An applicant who has not been assigned a social security number shall:

(i) Present written verification from the social security administration that the applicant has not been assigned a social security number; and

(ii) Submit a birth certificate, passport or other documentary evidence issued by an entity other than a state or the United States; and

(iii) Submit such proof as the department may require that the applicant is lawfully present in the United States.

A driver's license, commercial learner's permit or any instruction permit issued on and after January 1, 1993, shall not contain an applicant's social security number. Applications on file shall be exempt from disclosure except as provided in sections 49-202, 49-203, 49-203A and 49-204, Idaho Code.

(c) Every application for a class A, B or C license shall state where the applicant has been licensed for the preceding ten (10) years and under which of the following driving categories the applicant will operate:

(i) Non-excepted interstate. The applicant operates or expects to operate in interstate commerce and is required to provide a medical examiner's certificate;

(ii) Excepted interstate. The applicant operates or expects to operate in interstate commerce, but engages exclusively in transportation or operations excepted by the federal motor carrier safety administration from all or parts of the qualification requirements of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate;

(iii) Non-excepted intrastate. The applicant operates only in intrastate commerce and is subject to and meets all Idaho driver qualification requirements and the applicable parts of federal motor carrier safety regulation 49, part 391, and is required to provide a medical examiner's certificate; or

(iv) Excepted intrastate. The applicant operates in intrastate commerce, but engages exclusively in exempted transportation or operations as listed in section 67-2901B(2), Idaho Code, and the applicable parts of federal motor carrier safety regulation 49, part 391, and is therefore not required to provide a medical examiner's certificate.

All applications shall also state whether the applicant has previously been licensed as a driver and, if so, when and by what state or country and whether a driver's license or privileges have ever been suspended, revoked, denied, disqualified, canceled or refused and, if so, the date of and reason for the suspension, revocation, denial, disqualification, cancellation or refusal and the applicant's oath that all information is correct as signified by the applicant's signature.

(d) The applicant must submit proof of identity and citizenship status acceptable to the examiner or the department and date of birth as set forth in a certified copy of his birth certificate. When a certified copy of his birth certificate or a delayed birth certificate is impossible to obtain from a vital statistics agency, another government-issued document may be submitted that provides satisfactory evidence of a person's full legal name and date of birth acceptable to the examiner or the department.

(e) Every applicant for a class A, B or C driver's license or commercial learner's permit shall provide proof of United States citizenship or lawful permanent residency in the United States upon application for issuance, transfer, upgrade or renewal, unless the applicant's driving record already contains documentation confirming United States citizenship or lawful permanent residency. Every applicant for a nondomiciled class A, B or C driver's license or commercial learner's permit domiciled in a foreign country must provide an unexpired employment authorization document issued by the department of homeland security or an unexpired foreign passport accompanied by an approved I-94 form documenting the applicant's most recent admittance into the United States.

(f) Individuals required to register in compliance with section 3 of the federal military selective service act, 50 U.S.C. App. 451 et seq., as amended, shall be provided an opportunity to fulfill such registration requirements in conjunction with an application for a driver's license, commercial learner's permit or instruction permit. Any registration information so supplied shall be transmitted by the department to the selective service system.

(6) Whenever an application is received from a person previously licensed in another jurisdiction, the department shall request a copy of the driver's record from the other jurisdiction and shall contact the national driver register. When received, the driver's record from the previous jurisdiction shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(7) Whenever the department receives a request for a driver's record from another licensing jurisdiction, the record shall be forwarded without charge.

(8) The department shall contact and notify the commercial driver license information system of the proposed application for a class A, B or C driver's license or commercial learner's permit to ensure identification of the person and to obtain clearance to issue the license.

(9) The department shall request information from the drug and alcohol clearinghouse to determine whether an applicant for any class A, B, or C driver's license or commercial learner's permit is eligible for the credential.

(10) A contractor administering a class A, B, or C skills test may collect an additional fee for the use of the contractor's vehicle for the skills test.

(11) The department may issue seasonal class B or C driver's licenses to drivers who are employees of agri-chemical businesses, custom harvesters, farm retail outlets and suppliers, and livestock feeders that:

(a) Will be valid only for driving commercial vehicles that normally require class B or C commercial driver's licenses;

(b) Will be valid for seasonal periods that begin on the date of issuance and that are not to exceed one hundred eighty (180) days in a twelve (12) month period;

(c) May be obtained only twice in a driver's lifetime;

(d) Are valid only within a one-hundred-fifty (150) mile radius of the place of business or farm being serviced; and

(e) Will be valid only in conjunction with valid Idaho class D driver's licenses.

(12) The department may issue seasonal class B or C driver's licenses to drivers who:

(a) Have not violated the single license provisions of applicable federal regulations;

(b) Have not had any license suspensions, revocations or cancellations;

(c) Have not had any convictions in any vehicle for any offense listed in section 49-335(1) or (2), Idaho Code, or any one (1) serious traffic offense;

- 1 (d) Have at least one (1) year of driving experience with a class D or
2 equivalent license in any type of motor vehicle; and
3 (e) Are at least sixteen (16) years ~~old~~ of age.

4 SECTION 2. That Section 49-2447, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 49-2447. ORGAN DONATION CONTRIBUTION FUND. (1) There is hereby cre-
7 ated in the state treasury the organ donation contribution fund, the moneys
8 of which shall be continuously appropriated.

9 (2) The Idaho transportation department through the division of motor
10 vehicles shall:

11 (a) Administer the moneys deposited in the organ donation contribution
12 fund;

13 (b) Distribute moneys in accordance with subsection (5) of this sec-
14 tion;

15 (c) Make an annual report to the house of representatives and senate
16 health and welfare committees on revenue collected for the fund and con-
17 tributions made to the fund; and

18 (d) Promulgate rules for the distribution of moneys from the fund that
19 are consistent with the purposes of this section.

20 (3) The organ donation contribution fund shall consist of:

21 (a) Private contributions;

22 (b) Donations or grants from public or private entities;

23 (c) Voluntary donations collected under the provisions of this title;
24 and

25 (d) Any other moneys approved for the fund by law.

26 (4) Idle moneys in the fund shall be invested by the treasurer pursuant
27 to section 67-1210, Idaho Code, and moneys earned from such investment shall
28 be credited to the fund. Interest shall be distributed at least quarterly
29 to intermountain donor services and envision sight based on contribution ra-
30 tios collected for each organization.

31 (5) The moneys in the organ donation contribution fund collected for
32 intermountain donor services shall be distributed to intermountain donor
33 services located in Salt Lake City, Utah, and shall be used to assist in main-
34 taining and operating a statewide organ donation registry and provide organ
35 donor awareness education in Idaho.

36 (6) The moneys in the organ donation contribution fund collected for
37 envision sight shall be distributed to envision sight located in Boise,
38 Idaho, and shall be used to assist in supporting vision screening, vision
39 treatment, and eye health in Idaho.

40 SECTION 3. An emergency existing therefor, which emergency is hereby
41 declared to exist, this act shall be in full force and effect on and after
42 July 1, 2025.