

IN THE SENATE

SENATE BILL NO. 1317

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING SECTION 49-402D, IDAHO CODE, TO PROVIDE FOR THE STATE BOARD OF EDUCATION TO BE A PERMISSIBLE BENEFICIARY OF NEW SPECIALTY LICENSE PLATES; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420S, IDAHO CODE, TO PROVIDE FOR DON'T TREAD ON ME LICENSE PLATES; AMENDING SECTION 33-1628, IDAHO CODE, TO ESTABLISH A FIREARMS SAFETY GRANT FUND AND PROGRAM FOR FIREARMS SAFETY EDUCATION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

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

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

Vehicles one (1) and two (2) years old	\$69.00
Vehicles three (3) and four (4) years old	\$57.00
Vehicles five (5) and six (6) years old	\$57.00
Vehicles seven (7) and eight (8) years old	\$45.00
Vehicles over eight (8) years old	\$45.00

There shall be twelve (12) registration periods, starting in January for holders of validation registration stickers numbered 1, and proceeding consecutively through December for holders of validation registration stickers numbered 12, each of which shall start on the first day of a calendar month and end on the last day of the twelfth month from the first day of the beginning month. Registration periods shall expire midnight on the last day of the registration period in the year designated by the validation registration sticker. The numeral digit on the validation registration stickers shall, as does the registration card, fix the registration period under the staggered registration system for the purpose of reregistration and notice of expiration.

A vehicle that has once been registered for any of the above-designated periods shall, upon reregistration, be registered for the period bearing the same number, and the registration card shall show and be the exclusive proof of the expiration date of registration and licensing. Vehicles may be initially registered for less than a twelve (12) month period, or for more than a twelve (12) month period, and the fee prorated on a monthly basis if the fractional registration tends to fulfill the purpose of the monthly series registration system.

1 (2) For all school buses operated either by a nonprofit, nonpublic
2 school or operated pursuant to a service contract with a school district for
3 transporting children to or from school or in connection with school-ap-
4 proved activities, the annual fee shall be twenty-four dollars (\$24.00) and
5 shall be subject to staggered registration for the purpose of reregistration
6 and notice of expiration.

7 (3) For all motorcycles and motor-driven cycles that comply with the
8 federal motor vehicle safety standards, operated upon the public highways,
9 the annual fee shall be nineteen dollars (\$19.00) and shall be subject to
10 staggered registration for the purpose of reregistration and notice of ex-
11 piration.

12 (4) For operation of an all-terrain vehicle, utility type vehicle or
13 motorbike, excluding a motorbike with an engine displacement of fifty (50)
14 cubic centimeters or less, on city, county or highway district roads or
15 highways open to such use, a restricted vehicle license plate fee pursuant
16 to section 49-450, Idaho Code, shall be paid. In addition, the certifi-
17 cate of number fee specified in section 67-7122, Idaho Code, shall be paid
18 as provided in section 67-7122, Idaho Code. The certificate of number and
19 restricted vehicle license plate exemption provided in section 49-426(2),
20 Idaho Code, applies to all-terrain vehicles, utility type vehicles, motor-
21 bikes and motorcycles used for the purposes described in section 49-426(2),
22 Idaho Code. Nonresidents shall be allowed to purchase a restricted vehicle
23 license plate and validation sticker pursuant to section 67-7124, Idaho
24 Code, for an all-terrain vehicle, utility type vehicle, or motorbike.

25 (5) For all motor homes, the fee shall be as specified in subsection (1)
26 of this section and shall be in addition to the fees provided for in section
27 49-445, Idaho Code.

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

29 (7) A financial institution or repossession service contracted to
30 a financial institution repossessing vehicles under the terms of a secu-
31 rity agreement shall move the vehicle from the place of repossession to the
32 financial institution's place of business on a repossession plate. The
33 repossession plate shall also be used for demonstrating the vehicle to a
34 prospective purchaser for a period not to exceed ninety-six (96) hours. The
35 registration fees for repossession plates shall be as required in subsection
36 (1) of this section for a vehicle one (1) and two (2) years old. All other
37 fees required under chapter 4, title 49, Idaho Code, shall be in addition to
38 the registration fee. The repossession plate shall be subject to staggered
39 registration for the purpose of reregistration and notice of expiration.

40 (8) A wrecker or towing business engaged in the process of towing motor-
41 ized vehicles that have been wrecked, abandoned, salvaged or may be disabled
42 may apply for a wrecker plate to be displayed on those vehicles being towed,
43 provided the power unit is properly registered under this chapter. The reg-
44 istration fees for wrecker plates shall be as required in subsection (1) of
45 this section for a vehicle one (1) and two (2) years old. All other fees re-
46 quired under chapter 4, title 49, Idaho Code, shall be in addition to the reg-
47 istration fee and shall be subject to staggered registration for the purpose
48 of reregistration and notice of expiration.

49 (9) In addition to the annual registration fee in this section, there
50 shall be an initial program fee of twenty-five dollars (\$25.00) and an an-

1 nual program fee of fifteen dollars (\$15.00) for all special license plate
 2 programs for those license plates issued pursuant to sections 49-404A,
 3 49-407, 49-408, 49-409, 49-414, 49-416, 49-418 and 49-418D, Idaho Code. For
 4 special plates issued pursuant to sections 49-406 and 49-406A, Idaho Code,
 5 there shall be an initial program fee of twenty-five dollars (\$25.00) but
 6 there shall be no annual renewal fee. For special plates issued pursuant
 7 to sections 49-415D, 49-417, 49-417A, 49-417B, 49-417C, 49-417D, 49-418A,
 8 49-418B, 49-418C, 49-419, 49-419A, 49-419C, 49-419E, 49-420, 49-420A,
 9 49-420B, 49-420C, 49-420D, 49-420E, 49-420J, 49-420K, 49-420L, 49-420M,
 10 49-420N, 49-420O, 49-420P, 49-420Q, and 49-420R, and 49-420S, Idaho Code,
 11 and any new special plate program effective on and after January 1, 2013,
 12 pursuant to section 49-402D, Idaho Code, there shall be an initial program
 13 fee of thirty-five dollars (\$35.00) and an annual program fee of twenty-five
 14 dollars (\$25.00). The fees contained in this subsection shall be applicable
 15 to all new special plate programs and shall be subject to staggered registra-
 16 tion for the purpose of reregistration and notice of expiration. The initial
 17 program fee and the annual program fee shall be deposited in the state high-
 18 way account and shall be used to fund the cost of administration of special
 19 license plate programs, unless otherwise specified by law.

20 (10) Any vehicle that does not meet federal motor vehicle safety stan-
 21 dards shall not be registered and shall not be permitted to operate on public
 22 highways of the state, as defined in section 40-117, Idaho Code, unless oth-
 23 erwise specifically authorized.

24 (11) In addition to annual registration fees as provided in this sec-
 25 tion, registrants may pay a fee to purchase an Idaho state parks passport
 26 authorizing resident motor vehicle entry into all Idaho state parks. Reg-
 27 istrants may pay the fee for a one (1) year or two (2) year period of time.
 28 The fee shall be ten dollars (\$10.00) for one (1) year and twenty dollars
 29 (\$20.00) for two (2) years. All fees collected pursuant to this subsection
 30 shall be deposited into the park and recreation fund and shall be subject to
 31 appropriation. Fees collected pursuant to this subsection shall not be con-
 32 sidered a motor vehicle registration fee as provided in section 17, article
 33 VII, of the constitution of the state of Idaho.

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

36 49-402D. SPECIAL LICENSE PLATE PREQUALIFICATION PROCESS.

37 (1) (a) For any new special license plate program approved by the legis-
 38 lature, the program sponsor shall, before issuance of any such special
 39 license plate, meet the prequalification process outlined in this sec-
 40 tion. The program sponsor for any special plate program shall:

41 (i) Submit a financial plan for the use of the proceeds from the
 42 special license plate sales and certify that all such proceeds
 43 shall be deposited in the highway distribution account, except
 44 with respect to any new special plate that may be established for
 45 the benefit of an Idaho college or university pursuant to section
 46 49-418A, Idaho Code, ~~or a military license plate, or a license~~
 47 plate for the benefit of the Idaho state board of education or
 48 specific education programs, grant funds, or initiatives adminis-
 49 tered by the Idaho state board of education; and

(ii) 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.

(b) 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 representatives transportation and defense committee each year on behalf of the agency to be included for consideration in the next legislative session.

(4) On an annual basis, by December 1 of each calendar year, the sponsor of a special license plate program shall prepare an annual report, which shall be made available on request and shall be forwarded to the department. Such report shall include an accounting of revenues and expenditures associated with the funds collected for the special license plate program. The department shall compile and forward such reports to the chairmen of the senate transportation committee and the house of representatives transportation and defense committee by January 15 of each year. Failure of the agency to provide such report by the due date shall result in the discontinuation of the special license plate program sales on January 1. The provisions of this section shall exclude special plates established for the highway distribution account, an Idaho college or university pursuant to section 49-418A, Idaho Code, and military license plate programs.

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

SECTION 3. That Chapter 4, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-420S, Idaho Code, and to read as follows:

1 49-420S. DON'T TREAD ON ME LICENSE PLATES. (1) Effective January 1,
 2 2025, any person who is the owner of a vehicle registered under the provi-
 3 sions of section 49-402, Idaho Code, or registered under any other section of
 4 law for which the purchase of special plates is allowed, may apply for and,
 5 upon department approval, receive don't tread on me license plates in lieu
 6 of regular license plates. The provisions of this section shall not apply to
 7 any vehicle with a registered maximum gross weight over twenty-six thousand
 8 (26,000) pounds. Availability of don't tread on me license plates for other
 9 vehicles shall be subject to the rules, policies, and procedures of the de-
 10 department.

11 (2) In addition to the regular registration fee required in this chap-
 12 ter, the applicant shall be charged a fee of thirty-five dollars (\$35.00)
 13 for the initial issuance of plates, and twenty-five dollars (\$25.00) upon
 14 each succeeding annual registration. Thirteen dollars (\$13.00) of the ini-
 15 tial fee and thirteen dollars (\$13.00) of the renewal fee shall be deposited
 16 in the state highway account and shall be used to fund the cost of adminis-
 17 tration of this special license plate program, including the initial plate
 18 design for the plate provided for in this section. Except for the reimburse-
 19 ment of initial plate design costs as provided for in subsection (4) of this
 20 section, twenty-two dollars (\$22.00) of each initial fee and twelve dollars
 21 (\$12.00) of each renewal fee shall be transferred by the state treasurer to
 22 the firearms safety grant fund established in section 33-1628, Idaho Code.

23 (3) Whenever title or interest in a vehicle registered under the pro-
 24 visions of this section is transferred or assigned, the owner may transfer
 25 the special plates to another vehicle upon payment of the required transfer
 26 fees. The owner may display the plates on another vehicle only upon receipt
 27 of the new registration from the department.

28 (4) The don't tread on me license plate shall be of a color and design in
 29 accordance with the provisions of section 49-402C, Idaho Code, and shall in-
 30 clude the Gadsden flag on a bright yellow background with the image of a rat-
 31 tlesnake and the words "don't tread on me." The design shall be approved by
 32 the Idaho transportation department utilizing a numbering system as deter-
 33 mined by the department. Initial costs of the plate program, including costs
 34 of plate design, shall be paid by the state board of education and shall be
 35 reimbursed from the initial moneys distributed to the firearms safety grant
 36 fund established in section 33-1628, Idaho Code.

37 (5) Sample don't tread on me license plates may be purchased for a fee
 38 of thirty dollars (\$30.00), thirteen dollars (\$13.00) of which shall be de-
 39 posited in the state highway account and seventeen dollars (\$17.00) of which
 40 shall be transferred to the firearms safety grant fund established in sec-
 41 tion 33-1628, Idaho Code, to be used for the purpose stated in that section.

42 SECTION 4. That Section 33-1628, Idaho Code, be, and the same is hereby
 43 amended to read as follows:

44 33-1628. FIREARMS SAFETY EDUCATION IN PRIMARY AND SECONDARY
 45 SCHOOLS. (1) The board of trustees of a school district is encouraged to
 46 establish and maintain a firearms safety education course for primary and
 47 secondary school students. The trustees may adopt an elective course of
 48 instruction developed by the department of fish and game, a law enforcement
 49 agency, or a national firearms association as its firearms safety education

1 course. Instructors from the department of fish and game, a law enforcement
2 agency or a national firearms association, or a person recognized by the
3 trustees as having expertise in firearms safety education may provide the
4 course instruction.

5 (2) There is hereby created in the state treasury the firearms safety
6 grant fund, to which shall be credited all moneys both public and private
7 that may be appropriated, allocated, donated, distributed to, or other-
8 wise provided for by law, including moneys distributed pursuant to section
9 49-420S, Idaho Code. Moneys in the fund shall be used exclusively for edu-
10 cational program grants as provided for in this section. Moneys in the fund
11 shall be continuously appropriated for the purposes of this program. All
12 idle moneys in the fund shall be invested by the state treasurer in a like
13 manner as provided for in section 67-1210, Idaho Code, with respect to other
14 surplus or idle moneys in the state treasury. Interest earned on the invest-
15 ments shall be returned to the fund.

16 (3) The state board of education shall administer a grant program for
17 firearms safety pursuant to this section. The state board of education shall
18 adopt rules to implement and sustain the grant program established by this
19 subsection. Such rules shall provide for moneys in the firearms safety grant
20 fund to be awarded in the form of grants to school districts that apply for
21 the use of such funds to establish or maintain firearms safety education
22 courses pursuant to subsection (1) of this section.

23 SECTION 5. An emergency existing therefor, which emergency is hereby
24 declared to exist, this act shall be in full force and effect on and after
25 July 1, 2024.