

IN THE SENATE

SENATE BILL NO. 1071

BY TRANSPORTATION COMMITTEE

AN ACT

RELATING TO APPLICATIONS FOR DRIVER'S LICENSES; 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; 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;
 - (iv) \$41.00 to the state highway account; and
 - (v) \$2.00 to the motorcycle safety program fund;

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

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

1 donation contribution fund created in section 49-2447, Idaho Code, and
 2 not as a driver's license fee. Each voluntary contribution shall be
 3 deposited into the organ donation contribution fund created in section
 4 49-2447, Idaho Code; and

5 (b) The purposes of promoting and supporting vision screening, vision
 6 treatment, and eye health in Idaho. Such contribution shall be treated
 7 as a voluntary contribution to envision sight, an Idaho nonprofit cor-
 8 poration, and not as a driver's license fee. Such contributions shall
 9 be transferred to envision sight, at least monthly, less actual ad-
 10 ministrative costs associated with collecting and transferring such
 11 contributions. Envision sight shall only use funds received pursuant
 12 to this paragraph for the purposes expressly provided for in this para-
 13 graph and shall submit an annual report to the legislature by January
 14 15 accounting for funds received in the prior year pursuant to this
 15 paragraph and describing how such funds were spent. The report shall be
 16 submitted to the legislative services office electronically.

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

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

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

36 (i) Present written verification from the social security admin-
 37 istration that the applicant has not been assigned a social secu-
 38 rity number; and

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

42 (iii) Submit such proof as the department may require that the ap-
 43 plicant is lawfully present in the United States.

44 A driver's license, commercial learner's permit or any instruction
 45 permit issued on and after January 1, 1993, shall not contain an appli-
 46 cant's social security number. Applications on file shall be exempt
 47 from disclosure except as provided in sections 49-202, 49-203, 49-203A
 48 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. An emergency existing therefor, which emergency is hereby
5 declared to exist, this act shall be in full force and effect on and after
6 July 1, 2025.