

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 294

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO SALES TAX; AMENDING SECTION 63-3638, IDAHO CODE, TO CLARIFY
2 THE DISTRIBUTION PROCESS OF SALES TAX REVENUE TO THE TRANSPORTATION
3 EXPANSION AND CONGESTION MITIGATION PROGRAM, TO CLARIFY THE USES THAT
4 MAY BE MADE OF CERTAIN FUNDS BY SPECIAL PURPOSE TAXING DISTRICTS, AND
5 TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 49-306, IDAHO CODE, TO
6 REVISE THE DISTRIBUTION OF CERTAIN DRIVER'S LICENSE AND INSTRUCTION
7 PERMIT FEES; AMENDING SECTION 49-306, IDAHO CODE, AS AMENDED BY SECTION
8 2, CHAPTER 113, LAWS OF 2018, TO REVISE THE DISTRIBUTION OF CERTAIN
9 DRIVER'S LICENSE AND INSTRUCTION PERMIT FEES; AND PROVIDING AN EFFEC-
10 TIVE DATE.
11

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

13 SECTION 1. That Section 63-3638, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 63-3638. SALES TAX -- DISTRIBUTION. All moneys collected under this
16 chapter, except as may otherwise be required in sections 63-3203 and
17 63-3709, Idaho Code, and ~~except as provided in subsection (16) of this sec-~~
18 ~~tion,~~ shall be distributed by the state tax commission as follows:

19 (1) An amount of money shall be distributed to the state refund account
20 sufficient to pay current refund claims. All refunds authorized under this
21 chapter by the state tax commission shall be paid through the state refund
22 account, and those moneys are continuously appropriated.

23 (2) Five million dollars (\$5,000,000) per year is continuously appro-
24 priated and shall be distributed to the permanent building fund, provided by
25 section 57-1108, Idaho Code.

26 (3) Four million eight hundred thousand dollars (\$4,800,000) per year
27 is continuously appropriated and shall be distributed to the water pollution
28 control ~~account~~ fund established by section 39-3628, Idaho Code.

29 (4) An amount equal to the sum required to be certified by the chair-
30 man of the Idaho housing and finance association to the state tax commis-
31 sion pursuant to section 67-6211, Idaho Code, in each year is continuously
32 appropriated and shall be paid to any capital reserve fund, established by
33 the Idaho housing and finance association pursuant to section 67-6211, Idaho
34 Code. Such amounts, if any, as may be appropriated hereunder to the capital
35 reserve fund of the Idaho housing and finance association shall be repaid for
36 distribution under the provisions of this section, subject to the provisions
37 of section 67-6215, Idaho Code, by the Idaho housing and finance associa-
38 tion, as soon as possible, from any moneys available therefor and in excess
39 of the amounts ~~which~~ the association determines will keep it self-support-
40 ing.

41 (5) An amount equal to the sum required by the provisions of sections
42 63-709 and 63-717, Idaho Code, after allowance for the amount appropriated

1 by section 63-718(3), Idaho Code, is continuously appropriated and shall be
2 paid as provided by sections 63-709 and 63-717, Idaho Code.

3 (6) An amount required by the provisions of chapter 53, title 33, Idaho
4 Code.

5 (7) An amount required by the provisions of chapter 87, title 67, Idaho
6 Code.

7 (8) For fiscal year 2011~~7~~ and each fiscal year thereafter, four million
8 one hundred thousand dollars (\$4,100,000), of which two million two hundred
9 thousand dollars (\$2,200,000) shall be distributed to each of the forty-four
10 (44) counties in equal amounts~~7~~ and one million nine hundred thousand dol-
11 lars (\$1,900,000) of which shall be distributed to the forty-four (44) coun-
12 ties in the proportion that the population of the county bears to the popula-
13 tion of the state. For fiscal year 2012~~7~~ and for each fiscal year thereafter,
14 the amount distributed pursuant to this subsection~~7~~ shall be adjusted annu-
15 ally by the state tax commission in accordance with the consumer price index
16 for all urban consumers (CPI-U) as published by the U.S. department of la-
17 bor, bureau of labor statistics, but in no fiscal year shall the total amount
18 allocated for counties under this subsection~~7~~ be less than four million one
19 hundred thousand dollars (\$4,100,000). Any increase resulting from the ad-
20 justment required in this section shall be distributed to each county in the
21 proportion that the population of the county bears to the population of the
22 state. Each county shall establish a special election fund to which shall be
23 deposited all revenues received from the distribution pursuant to this sub-
24 section. All such revenues shall be used exclusively to defray the costs as-
25 sociated with conducting elections as required of county clerks by the pro-
26 visions of section 34-1401, Idaho Code.

27 (9) One dollar (\$1.00) on each application for certificate of title
28 or initial application for registration of a motor vehicle, snowmobile,
29 all-terrain vehicle or other vehicle processed by the county assessor or the
30 Idaho transportation department, excepting those applications in which any
31 sales or use taxes due have been previously collected by a retailer, shall be
32 a fee for the services of the assessor of the county or the Idaho transporta-
33 tion department in collecting such taxes~~7~~ and shall be paid into the current
34 expense fund of the county or state highway account established in section
35 40-702, Idaho Code.

36 (10) After subtracting all moneys collected under this chapter as may
37 be required by sections 63-3203 and 63-3709, Idaho Code, e~~Eleven and five-~~
38 tenths percent (11.5%) of the balance remaining is continuously appropri-
39 ated and shall be distributed to the revenue-sharing account which is hereby
40 created in the state treasury, and the moneys in the revenue-sharing account
41 will be paid in installments each calendar quarter by the state tax commis-
42 sion as follows:

43 (a) Twenty-eight and two-tenths percent (28.2%) shall be paid to the
44 various cities as follows:

45 (i) Fifty percent (50%) of such amount shall be paid to the vari-
46 ous cities, and each city shall be entitled to an amount in the pro-
47 portion that the population of that city bears to the population of
48 all cities within the state; and

49 (ii) Fifty percent (50%) of such amount shall be paid to the vari-
50 ous cities, and each city shall be entitled to an amount in the pro-

1 portion that the preceding year's market value for assessment pur-
 2 poses for that city bears to the preceding year's market value for
 3 assessment purposes for all cities within the state.

4 (b) Twenty-eight and two-tenths percent (28.2%) shall be paid to the
 5 various counties as follows:

6 (i) One million three hundred twenty thousand dollars
 7 (\$1,320,000) annually shall be distributed one forty-fourth
 8 (1/44) to each of the various counties; and

9 (ii) The balance of such amount shall be paid to the various coun-
 10 ties, and each county shall be entitled to an amount in the propor-
 11 tion that the population of that county bears to the population of
 12 the state;

13 (c) Thirty-five and nine-tenths percent (35.9%) of the amount appro-
 14 priated in this subsection shall be paid to the several counties for
 15 distribution to the cities and counties as follows:

16 (i) Each city and county which received a payment under the provi-
 17 sions of section 63-3638 (e), Idaho Code, during the fourth quarter
 18 of calendar year 1999, shall be entitled to a like amount during
 19 succeeding calendar quarters.

20 (ii) If the dollar amount of money available under this subsection
 21 (10) (c) in any quarter does not equal the amount paid in the fourth
 22 quarter of calendar year 1999, each city's and county's payment
 23 shall be reduced proportionately.

24 (iii) If the dollar amount of money available under this subsec-
 25 tion (10) (c) in any quarter exceeds the amount paid in the fourth
 26 quarter of calendar year 1999, each city and county shall be en-
 27 titled to a proportionately increased payment, but such increase
 28 shall not exceed one hundred five percent (105%) of the total pay-
 29 ment made in the fourth quarter of calendar year 1999.

30 (iv) If the dollar amount of money available under this subsection
 31 (10) (c) in any quarter exceeds one hundred five percent (105%) of
 32 the total payment made in the fourth quarter of calendar year 1999,
 33 any amount over and above such one hundred five percent (105%)
 34 shall be paid fifty percent (50%) to the various cities in the pro-
 35 portion that the population of the city bears to the population of
 36 all cities within the state, and fifty percent (50%) to the vari-
 37 ous counties in the proportion that the population of a the county
 38 bears to the population of the state; and

39 (d) Seven and seven-tenths percent (7.7%) of the amount appropriated in
 40 this subsection shall be paid to the several counties for distribution
 41 to special purpose taxing districts as follows:

42 (i) Each such district which received a payment under the pro-
 43 visions of section 63-3638 (e), Idaho Code, as such subsection ex-
 44 isted immediately prior to July 1, 2000, during the fourth quarter
 45 of calendar year 1999, shall be entitled to a like amount during
 46 succeeding calendar quarters.

47 (ii) If the dollar amount of money available under this subsec-
 48 tion (10) (d) in any quarter does not equal the amount paid in the
 49 fourth quarter of calendar year 1999, each special purpose taxing
 50 district's payment shall be reduced proportionately.

1 (iii) If the dollar amount of money available under this subsec-
2 tion (10) (d) in any quarter exceeds the amount distributed under
3 paragraph (i) of this subsection (10) (d), each special purpose
4 taxing district shall be entitled to a share of the excess based
5 on the proportion each such district's current property tax bud-
6 get bears to the sum of the current property tax budgets of all
7 such districts in the state. The state tax commission shall
8 calculate district current property tax budgets to include any
9 unrecovered ~~foregone~~ forgone amounts as determined under section
10 63-802(1) (e), Idaho Code. When a special purpose taxing district
11 is situated in more than one (1) county, the state tax commission
12 shall determine the portion attributable to the special purpose
13 taxing district from each county in which it is situated.

14 (iv) If special purpose taxing districts are consolidated, the
15 resulting district is entitled to a base amount equal to the sum of
16 the base amounts ~~which were~~ received in the last calendar quarter
17 by each district prior to the consolidation.

18 (v) If a special purpose taxing district is dissolved or disin-
19 corporated, the state tax commission shall continuously distrib-
20 ute to the board of county commissioners an amount equal to the
21 last quarter's distribution prior to dissolution or disincorpora-
22 tion. The board of county commissioners shall determine any re-
23 distribution of moneys so received.

24 (vi) Taxing districts formed after January 1, 2001, are not enti-
25 tled to a payment under the provisions of this subsection (10) (d).

26 (vii) For purposes of this subsection (10) (d), a special purpose
27 taxing district is any taxing district ~~which~~ that is not a city, a
28 county or a school district.

29 (viii) A special purpose taxing district shall use funds received
30 under the provisions of this subsection only for the purposes for
31 which the special purpose taxing district was formed.

32 (11) Amounts calculated in accordance with section 2, chapter 356, laws
33 of 2001, for annual distribution to counties and other taxing districts be-
34 ginning in October 2001 for replacement of property tax on farm machinery and
35 equipment exempted pursuant to section 63-602EE, Idaho Code. For nonschool
36 districts, the state tax commission shall distribute one-fourth (1/4) of
37 this amount certified quarterly to each county. For school districts, the
38 state tax commission shall distribute one-fourth (1/4) of the amount certi-
39 fied quarterly to each school district. For nonschool districts, the county
40 auditor shall distribute to each district within thirty (30) calendar days
41 from receipt of moneys from the state tax commission. Moneys received by
42 each taxing district for replacement shall be utilized in the same manner
43 and in the same proportions as revenues from property taxation. The moneys
44 remitted to the county treasurer for replacement of property exempt from
45 taxation pursuant to section 63-602EE, Idaho Code, may be considered by the
46 counties and other taxing districts and budgeted at the same time, in the
47 same manner and in the same year as revenues from taxation on personal prop-
48 erty which these moneys replace. If taxing districts are consolidated, the
49 resulting district is entitled to an amount equal to the sum of the amounts
50 ~~which were~~ received in the last calendar quarter by each district pursuant

1 to this subsection prior to the consolidation. If a taxing district is
2 dissolved or disincorporated, the state tax commission shall continuously
3 distribute to the board of county commissioners an amount equal to the
4 last quarter's distribution prior to dissolution or disincorporation. The
5 board of county commissioners shall determine any redistribution of moneys
6 so received. If a taxing district annexes territory, the distribution of
7 moneys received pursuant to this subsection shall be unaffected. Taxing
8 districts formed after January 1, 2001, are not entitled to a payment under
9 the provisions of this subsection. School districts shall receive an amount
10 determined by multiplying the sum of the year 2000 school district levy mi-
11 nus .004 times the market value on December 31, 2000, in the district of the
12 property exempt from taxation pursuant to section 63-602EE, Idaho Code, pro-
13 vided that the result of these calculations shall not be less than zero (0).
14 The result of these school district calculations shall be further increased
15 by six percent (6%). For purposes of the limitation provided by section
16 63-802, Idaho Code, moneys received pursuant to this section as property tax
17 replacement for property exempt from taxation pursuant to section 63-602EE,
18 Idaho Code, shall be treated as property tax revenues.

19 (12) Amounts necessary to pay refunds as provided in section 63-3641,
20 Idaho Code, to a developer of a retail complex shall be remitted to the demon-
21 stration pilot project fund created in section 63-3641, Idaho Code.

22 (13) Amounts calculated in accordance with subsection (4) of section
23 63-602KK, Idaho Code, for annual distribution to counties and other taxing
24 districts for replacement of property tax on personal property tax exemp-
25 tions pursuant to subsection (2) of section 63-602KK, Idaho Code, which
26 amounts are continuously appropriated unless the legislature enacts a dif-
27 ferent appropriation for a particular fiscal year. For purposes of the
28 limitation provided by section 63-802, Idaho Code, moneys received pursuant
29 to this section as property tax replacement for property exempt from taxa-
30 tion pursuant to section 63-602KK, Idaho Code, shall be treated as property
31 tax revenues. If taxing districts are consolidated, the resulting district
32 is entitled to an amount equal to the sum of the amounts that were received in
33 the last calendar year by each district pursuant to this subsection prior to
34 the consolidation. If a taxing district or revenue allocation area annexes
35 territory, the distribution of moneys received pursuant to this subsection
36 shall be unaffected. Taxing districts and revenue allocation areas formed
37 after January 1, 2013, are not entitled to a payment under the provisions of
38 this subsection.

39 (14) Amounts collected from purchasers and paid to the state of Idaho by
40 retailers that are not engaged in business in this state and which retailer
41 would not have been required to collect the sales tax, less amounts other-
42 wise distributed in subsections (1) and (10) of this section, shall be dis-
43 tributed to the tax relief fund created in section 57-811, Idaho Code. The
44 state tax commission will determine the amounts to be distributed under this
45 subsection.

46 (15) Any moneys remaining over and above those necessary to meet and
47 reserve for payments under other subsections of this section shall be dis-
48 tributed to the general fund.

49 (16) One percent (1%) shall be distributed to the transportation expan-
50 sion and congestion mitigation program established in section 40-720, Idaho

1 Code. The distribution provided for in this subsection ~~must immediately~~
 2 ~~follow~~ shall be calculated using the same amount of sales tax collections
 3 that is used to calculate the distribution provided for in subsection (10)
 4 of this section.

5 SECTION 2. That Section 49-306, Idaho Code, be, and the same is hereby
 6 amended to read as follows:

7 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
 8 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
 9 MIT. (1) Every application for any instruction permit, restricted school
 10 attendance driving permit, or for a driver's license shall be made upon a
 11 form furnished by the department and shall be verified by the applicant be-
 12 fore a person authorized to administer oaths. Officers and employees of the
 13 department and sheriffs and their deputies are authorized to administer the
 14 oaths without charge. Every application for a permit, extension or driver's
 15 license shall be accompanied by the following fee, none of which is refund-
 16 able:

17	(a) Class A, B, C (4-year) license with endorsements --	
18	age 21 years and older	\$40.00
19	(b) Class A, B, C (3-year) license with endorsements --	
20	age 18 to 21 years	\$30.00
21	(c) Class A, B, C (1-year) license with endorsements --	
22	age 20 years	\$15.00
23	(d) Class D (3-year) license -- under age 18 years	\$25.00
24	(e) Class D (3-year) license -- age 18 to 21 years	\$25.00
25	(f) Class D (1-year) license -- age 17 years or age 20 years	\$15.00
26	(g) Four-year Class D license -- age 21 years and older	\$30.00
27	(h) Eight-year Class D license -- age 21 to 63 years	\$55.00
28	(i) Commercial learner's permit	\$29.00
29	(j) Class D instruction permit or supervised instruction permit	
30	\$15.00
31	(k) Duplicate driver's license or permit issued under	
32	section 49-318, Idaho Code	\$15.00
33	(l) Driver's license extension issued under section	
34	49-319, Idaho Code	\$10.00
35	(m) License classification change (upgrade)	\$25.00
36	(n) Endorsement addition	\$15.00
37	(o) Class A, B, C skills tests not more than	\$200.00
38	(p) Class D skills test not more than	\$35.00
39	(q) Motorcycle endorsement skills test not more than	\$25.00
40	(r) Knowledge test	\$ 3.00
41	(s) Seasonal driver's license	\$39.00
42	(t) One time motorcycle "M" endorsement	\$15.00
43	(u) Motorcycle endorsement instruction permit	\$15.00
44	(v) Restricted driving permit or restricted school attendance	
45	driving permit	\$60.00
46	(2) Every application shall state the true and full name, date of birth,	
47	sex, declaration of Idaho residency, Idaho residence address and mailing ad-	
48	dress, if different, of the applicant, height, weight, hair color, and eye	
49	color, and the applicant's social security number as verified by the social	

1 security administration. If an applicant has submitted an application pur-
2 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
3 cant may state, in his or her application pursuant to this section, the ap-
4 plicant's alternative Idaho mailing address in place of his or her Idaho res-
5 idence address and mailing address. Notwithstanding the provisions of sec-
6 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or
7 C driver's license or nondomiciled commercial learner's permit having res-
8 idency in a state that is prohibited from issuing class A, B or C driver's
9 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-
10 cepted from providing proof of Idaho residency and an Idaho mailing address.

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

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

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

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

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

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

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

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

35 (ii) Excepted Interstate. The applicant operates or expects to
36 operate in interstate commerce, but engages exclusively in trans-
37 portation or operations excepted by the federal motor carrier
38 safety administration from all or parts of the qualification re-
39 quirements of federal motor carrier safety regulation 49, part
40 391, and is therefore not required to provide a medical examiner's
41 certificate;

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

47 (iv) Excepted Intrastate. The applicant operates in intrastate
48 commerce, but engages exclusively in exempted transportation or
49 operations as listed in section 67-2901B(2), Idaho Code, and the
50 applicable parts of federal motor carrier safety regulation 49,

1 part 391, and is therefore not required to provide a medical exam-
2 iner's certificate.

3 All applications shall also state whether the applicant has previ-
4 ously been licensed as a driver, and if so, when and by what state or
5 country, and whether a driver's license or privileges have ever been
6 suspended, revoked, denied, disqualified, canceled or whether an ap-
7 plication has ever been refused, and if so, the date of and reason for
8 the suspension, revocation, denial, disqualification, cancellation
9 or refusal and the applicant's oath that all information is correct as
10 signified by the applicant's signature.

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

18 (e) Every applicant for a class A, B or C driver's license or commer-
19 cial learner's permit shall provide proof of United States citizenship
20 or lawful permanent residency in the United States upon application for
21 issuance, transfer, upgrade or renewal, unless the applicant's driving
22 record already contains documentation confirming United States citi-
23 zenship or lawful permanent residency. Every applicant for a nondomi-
24 ciled class A, B or C driver's license or commercial learner's permit
25 domiciled in a foreign country must provide an unexpired employment au-
26 thorization document issued by the department of homeland security or
27 an unexpired foreign passport accompanied by an approved I-94 form doc-
28 umenting the applicant's most recent admittance into the United States.

29 (f) Individuals required to register in compliance with section 3 of
30 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
31 as amended, shall be provided an opportunity to fulfill such registra-
32 tion requirements in conjunction with an application for a driver's li-
33 cense, commercial learner's permit or instruction permit. Any regis-
34 tration information so supplied shall be transmitted by the department
35 to the selective service system.

36 (3) Whenever an application is received from a person previously li-
37 censed in another jurisdiction, the department shall request a copy of the
38 driver's record from the other jurisdiction and shall contact the national
39 driver register. When received, the driver's record from the previous ju-
40 risdiction shall become a part of the driver's record in this state with the
41 same force and effect as though entered on the driver's record in this state
42 in the original instance.

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

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

1 (6) When the fees required under this section are collected by a county
2 officer, they shall be paid over to the county treasurer not less often than
3 monthly, who shall immediately:

4 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
5 license except an eight-year class D license, or any class D instruction
6 permit application fees, application for a duplicate driver's license
7 or permit, classification change, seasonal driver's license and addi-
8 tional endorsement, and ten dollars (\$10.00) from each eight-year class
9 D driver's license, in the current expense fund; and

10 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
11 endorsement and motorcycle endorsement instruction permit fee in the
12 current expense fund; and

13 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
14 knowledge test in the current expense fund; and

15 (d) Deposit an amount up to twenty-five dollars (\$25.00) from each fee
16 for a motorcycle endorsement skills test in the current expense fund;
17 provided however, if a contractor administers the skills test he shall
18 be entitled to the entire fee; and

19 (e) Remit the remainder to the state treasurer; and

20 (f) Deposit up to twenty-eight dollars and fifty cents (\$28.50) from
21 each fee for a class D skills test into the county current expense fund,
22 unless the test is administered by a department-approved contractor, in
23 which case the contractor shall be entitled to up to twenty-eight dol-
24 lars and fifty cents (\$28.50) of each fee.

25 (7) When the fees required under this section are collected by a state
26 officer or agency, they shall be paid over to the state treasurer.

27 (8) The state treasurer shall distribute the moneys received from fees
28 imposed by the provisions of this section, whether collected by a county of-
29 ficer or by a state officer or agency as follows:

30 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
31 or seasonal driver's license, and four dollars (\$4.00) of each fee for
32 an eight-year class D driver's license, and one dollar and fifty cents
33 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
34 tions (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each
35 fee charged for driver's licenses pursuant to subsections (1) (c) and
36 (f) of this section, shall be deposited in the emergency medical ser-
37 vices fund II created in section 56-1018A, Idaho Code, and four dollars
38 (\$4.00) of each fee charged pursuant to subsections (1) (a), (g) and (s)
39 of this section and eight dollars (\$8.00) of each fee charged pursuant
40 to subsection (1) (h) of this section and three dollars (\$3.00) of each
41 fee for driver's licenses pursuant to subsections (1) (b), (d) and (e)
42 of this section, and one dollar (\$1.00) of each fee charged for driver's
43 licenses pursuant to subsections (1) (c) and (f) of this section shall be
44 deposited in the emergency medical services fund III created in section
45 56-1018B, Idaho Code; and

46 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
47 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
48 of each fee charged for a license pursuant to subsection (1) (b) of this
49 section, and eight dollars and sixteen cents (\$8.16) of each fee charged

1 for a license pursuant to subsection (1) (c) of this section shall be de-
2 posited in the state highway account; and

3 (c) Twenty dollars (\$20.00) of each fee for a commercial learner's per-
4 mit or driver's license classification change shall be deposited in the
5 state highway account; and

6 (d) Four dollars (\$4.00) of each fee for a commercial learner's permit
7 shall be deposited in the emergency medical services fund III created in
8 section 56-1018B, Idaho Code; and

9 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
10 A, B or C driver's license, class A, B or C driver's license extension,
11 or additional endorsement shall be deposited in the state highway ac-
12 count; and

13 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
14 endorsement and motorcycle endorsement instruction permit shall be de-
15 posited in the state highway account; and

16 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
17 class D driver's license, and ten dollars and sixty cents (\$10.60) of
18 each fee for an eight-year class D driver's license, and four dollars
19 (\$4.00) of each fee charged for a license pursuant to subsections (1) (d)
20 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
21 of each fee charged for a license pursuant to subsection (1) (f) of this
22 section shall be deposited in the driver training fund; and

23 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
24 four-year class D driver's license, and twenty dollars and forty cents
25 (\$20.40) of each fee for an eight-year class D driver's license, and ten
26 dollars and fifty cents (\$10.50) of each fee charged for a license pur-
27 suant to subsections (1) (d) and (e) of this section, and six dollars and
28 eighty-three cents (\$6.83) of each fee charged for a license pursuant
29 to subsection (1) (f) of this section shall be deposited in the highway
30 distribution fund; and

31 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
32 struction permit, duplicate class D license or permit, and class D li-
33 cense extension shall be deposited in the driver training fund; and

34 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D
35 instruction permit, duplicate class D license or permit, and class D
36 license extension shall be deposited in the highway distribution fund;
37 and

38 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
39 shall be deposited in the state highway account; and

40 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
41 driver's license, and two dollars (\$2.00) of each fee for an eight-year
42 class D driver's license, and one dollar (\$1.00) of each fee charged for
43 a license pursuant to subsections (1) (b), (d) and (e) of this section,
44 and thirty-four cents (34¢) of each fee charged for a license pursuant
45 to subsections (1) (c) and (f) of this section shall be deposited in the
46 motorcycle safety program fund established in section 33-4904, Idaho
47 Code; and

48 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
49 test shall be deposited into the state highway account.

1 (9) The contractor administering a class A, B or C skills test shall be
2 entitled to not more than one hundred ninety dollars (\$190) of the skills
3 test fee. A contractor administering a class A, B or C skills test may col-
4 lect an additional fee for the use of the contractor's vehicle for the skills
5 test.

6 (10) Sixty dollars (\$60.00) of each restricted driving permit and each
7 restricted school attendance driving permit shall be deposited in the state
8 highway account.

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

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

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

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

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

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

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

24 (a) Have not violated the single license provisions of applicable fed-
25 eral regulations;

26 (b) Have not had any license suspensions, revocations or cancella-
27 tions;

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

31 (d) Have at least one (1) year of driving experience with a class D or
32 equivalent license in any type motor vehicle; and

33 (e) Are at least sixteen (16) years old.

34 (13) The department shall distribute two dollars (\$2.00) from the state
35 highway account on a monthly basis for each driver's license or instruction
36 permit identified in this section that is processed at the county office or
37 by an authorized representative to the appropriate county treasurer.

38 SECTION 3. That Section 49-306, Idaho Code, as amended by Section 2,
39 Chapter 113, Laws of 2018, be, and the same is hereby amended to read as fol-
40 lows:

41 49-306. APPLICATION FOR DRIVER'S LICENSE, INSTRUCTION PERMIT,
42 COMMERCIAL LEARNER'S PERMIT OR RESTRICTED SCHOOL ATTENDANCE DRIVING PER-
43 MIT. (1) Every application for any instruction permit, restricted school
44 attendance driving permit, or for a driver's license shall be made upon a
45 form furnished by the department and shall be verified by the applicant be-
46 fore a person authorized to administer oaths. Officers and employees of the
47 department and sheriffs and their deputies are authorized to administer the
48 oaths without charge. Every application for a permit, extension or driver's

1 license shall be accompanied by the following fee, none of which is refund-
2 able:

3	(a) Class A, B, C (4-year) license with endorsements --	
4	age 21 years and older	\$40.00
5	(b) Class A, B, C (3-year) license with endorsements --	
6	age 18 to 21 years	\$30.00
7	(c) Class A, B, C (1-year) license with endorsements --	
8	age 20 years	\$15.00
9	(d) Class D (3-year) license -- under age 18 years	\$25.00
10	(e) Class D (3-year) license -- age 18 to 21 years	\$25.00
11	(f) Class D (1-year) license -- age 17 years or age 20 years	\$15.00
12	(g) Four-year Class D license -- age 21 years and older	\$30.00
13	(h) Eight-year Class D license -- age 21 to 63 years	\$55.00
14	(i) Commercial learner's permit	\$29.00
15	(j) Class D instruction permit or supervised instruction permit	
16	\$15.00
17	(k) Duplicate driver's license or permit issued under	
18	section 49-318, Idaho Code	\$15.00
19	(l) Driver's license extension issued under section	
20	49-319, Idaho Code	\$10.00
21	(m) License classification change (upgrade)	\$25.00
22	(n) Endorsement addition	\$15.00
23	(o) Class A, B, C skills tests not more than	\$200.00
24	(p) Class D skills test not more than	\$35.00
25	(q) Motorcycle endorsement skills test not more than	\$25.00
26	(r) Knowledge test	\$ 3.00
27	(s) Seasonal driver's license	\$39.00
28	(t) One time motorcycle "M" endorsement	\$15.00
29	(u) Motorcycle endorsement instruction permit	\$15.00
30	(v) Restricted driving permit or restricted school attendance	
31	driving permit	\$60.00

32 (2) A person who applies for a driver's license or a driver's license
33 renewal may designate a voluntary contribution of two dollars (\$2.00) for
34 the purpose of promoting and supporting organ donation. Such a contribution
35 shall be treated as a voluntary contribution to the organ donation contribu-
36 tion fund created in section 49-2447, Idaho Code, and not as a driver's li-
37 cense fee.

38 (3) Every application shall state the true and full name, date of birth,
39 sex, declaration of Idaho residency, Idaho residence address and mailing ad-
40 dress, if different, of the applicant, height, weight, hair color, and eye
41 color, and the applicant's social security number as verified by the social
42 security administration. If an applicant has submitted an application pur-
43 suant to the provisions of chapter 58, title 19, Idaho Code, then the appli-
44 cant may state, in his or her application pursuant to this section, the ap-
45 plicant's alternative Idaho mailing address in place of his or her Idaho res-
46 idence address and mailing address. Notwithstanding the provisions of sec-
47 tion 49-303(13), Idaho Code, an applicant for a nondomiciled class A, B or
48 C driver's license or nondomiciled commercial learner's permit having res-
49 idency in a state that is prohibited from issuing class A, B or C driver's

1 licenses or commercial learner's permits, as provided in 49 CFR 384, is ex-
2 cepted from providing proof of Idaho residency and an Idaho mailing address.

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

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

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

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

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

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

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

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

27 (ii) Excepted interstate. The applicant operates or expects to
28 operate in interstate commerce, but engages exclusively in trans-
29 portation or operations excepted by the federal motor carrier
30 safety administration from all or parts of the qualification re-
31 quirements of federal motor carrier safety regulation 49, part
32 391, and is therefore not required to provide a medical examiner's
33 certificate;

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

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

45 All applications shall also state whether the applicant has previ-
46 ously been licensed as a driver, and if so, when and by what state or
47 country, and whether a driver's license or privileges have ever been
48 suspended, revoked, denied, disqualified, canceled or whether an ap-
49 plication has ever been refused, and if so, the date of and reason for
50 the suspension, revocation, denial, disqualification, cancellation

1 or refusal and the applicant's oath that all information is correct as
2 signified by the applicant's signature.

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

10 (e) Every applicant for a class A, B or C driver's license or commer-
11 cial learner's permit shall provide proof of United States citizenship
12 or lawful permanent residency in the United States upon application for
13 issuance, transfer, upgrade or renewal, unless the applicant's driving
14 record already contains documentation confirming United States citi-
15 zenship or lawful permanent residency. Every applicant for a nondomi-
16 ciled class A, B or C driver's license or commercial learner's permit
17 domiciled in a foreign country must provide an unexpired employment au-
18 thorization document issued by the department of homeland security or
19 an unexpired foreign passport accompanied by an approved I-94 form doc-
20 umenting the applicant's most recent admittance into the United States.

21 (f) Individuals required to register in compliance with section 3 of
22 the federal military selective service act, 50 U.S.C. App. 451 et seq.,
23 as amended, shall be provided an opportunity to fulfill such registra-
24 tion requirements in conjunction with an application for a driver's li-
25 cense, commercial learner's permit or instruction permit. Any regis-
26 tration information so supplied shall be transmitted by the department
27 to the selective service system.

28 (4) Whenever an application is received from a person previously li-
29 censed in another jurisdiction, the department shall request a copy of the
30 driver's record from the other jurisdiction and shall contact the national
31 driver register. When received, the driver's record from the previous ju-
32 risdiction shall become a part of the driver's record in this state with the
33 same force and effect as though entered on the driver's record in this state
34 in the original instance.

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

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

42 (7) When the fees required under this section are collected by a county
43 officer, they shall be paid over to the county treasurer not less often than
44 monthly, who shall immediately:

45 (a) Deposit an amount equal to five dollars (\$5.00) from each driver's
46 license except an eight-year class D license, or any class D instruction
47 permit application fees, application for a duplicate driver's license
48 or permit, classification change, seasonal driver's license and addi-
49 tional endorsement, and ten dollars (\$10.00) from each eight-year class
50 D driver's license, in the current expense fund;

1 (b) Deposit two dollars and fifty cents (\$2.50) from each motorcycle
2 endorsement and motorcycle endorsement instruction permit fee in the
3 current expense fund;

4 (c) Deposit an amount equal to three dollars (\$3.00) from each fee for a
5 knowledge test in the current expense fund;

6 (d) Deposit an amount up to twenty-five dollars (\$25.00) from each fee
7 for a motorcycle endorsement skills test in the current expense fund;
8 provided however, if a contractor administers the skills test he shall
9 be entitled to the entire fee;

10 (e) Remit the remainder to the state treasurer; and

11 (f) Deposit up to twenty-eight dollars and fifty cents (\$28.50) from
12 each fee for a class D skills test into the county current expense fund,
13 unless the test is administered by a department-approved contractor, in
14 which case the contractor shall be entitled to up to twenty-eight dol-
15 lars and fifty cents (\$28.50) of each fee.

16 (8) When the fees required under this section are collected by a state
17 officer or agency, they shall be paid over to the state treasurer.

18 (9) The state treasurer shall distribute the moneys received from fees
19 imposed by the provisions of this section, whether collected by a county of-
20 ficer or by a state officer or agency as follows:

21 (a) Two dollars (\$2.00) of each fee for a four-year driver's license
22 or seasonal driver's license, and four dollars (\$4.00) of each fee for
23 an eight-year class D driver's license, and one dollar and fifty cents
24 (\$1.50) of each fee charged for driver's licenses pursuant to subsec-
25 tion (1) (b), (d) and (e) of this section, and fifty cents (50¢) of each
26 fee charged for driver's licenses pursuant to subsection (1) (c) and
27 (f) of this section, shall be deposited in the emergency medical ser-
28 vices fund II created in section 56-1018A, Idaho Code, and four dollars
29 (\$4.00) of each fee charged pursuant to subsection (1) (a), (g) and (s)
30 of this section and eight dollars (\$8.00) of each fee charged pursuant
31 to subsection (1) (h) of this section and three dollars (\$3.00) of each
32 fee for driver's licenses pursuant to subsection (1) (b), (d) and (e) of
33 this section, and one dollar (\$1.00) of each fee charged for driver's
34 licenses pursuant to subsection (1) (c) and (f) of this section shall be
35 deposited in the emergency medical services fund III created in section
36 56-1018B, Idaho Code;

37 (b) Twenty-eight dollars (\$28.00) of each fee for a seasonal or class A,
38 B or C driver's license, and nineteen dollars and fifty cents (\$19.50)
39 of each fee charged for a license pursuant to subsection (1) (b) of this
40 section, and eight dollars and sixteen cents (\$8.16) of each fee charged
41 for a license pursuant to subsection (1) (c) of this section shall be de-
42 posited in the state highway account;

43 (c) Twenty dollars (\$20.00) of each fee for a commercial learner's per-
44 mit or driver's license classification change shall be deposited in the
45 state highway account;

46 (d) Four dollars (\$4.00) of each fee for a commercial learner's permit
47 shall be deposited in the emergency medical services fund III created in
48 section 56-1018B, Idaho Code;

49 (e) Ten dollars (\$10.00) of each fee for a duplicate seasonal or class
50 A, B or C driver's license, class A, B or C driver's license extension,

1 or additional endorsement shall be deposited in the state highway ac-
2 count;

3 (f) Seven dollars and fifty cents (\$7.50) of each fee for a motorcycle
4 endorsement and motorcycle endorsement instruction permit shall be de-
5 posited in the state highway account;

6 (g) Five dollars and thirty cents (\$5.30) of each fee for a four-year
7 class D driver's license, and ten dollars and sixty cents (\$10.60) of
8 each fee for an eight-year class D driver's license, and four dollars
9 (\$4.00) of each fee charged for a license pursuant to subsection (1) (d)
10 and (e) of this section, and one dollar and thirty-three cents (\$1.33)
11 of each fee charged for a license pursuant to subsection (1) (f) of this
12 section shall be deposited in the driver training fund;

13 (h) Twelve dollars and seventy cents (\$12.70) of each fee for a
14 four-year class D driver's license, and twenty dollars and forty cents
15 (\$20.40) of each fee for an eight-year class D driver's license, and ten
16 dollars and fifty cents (\$10.50) of each fee charged for a license pur-
17 suant to subsection (1) (d) and (e) of this section, and six dollars and
18 eighty-three cents (\$6.83) of each fee charged for a license pursuant
19 to subsection (1) (f) of this section shall be deposited in the highway
20 distribution fund;

21 (i) Two dollars and sixty cents (\$2.60) of each fee for a class D in-
22 struction permit, duplicate class D license or permit, and class D li-
23 cense extension shall be deposited in the driver training fund;

24 (j) Seven dollars and forty cents (\$7.40) of each fee for a class D in-
25 struction permit, duplicate class D license or permit, and class D li-
26 cense extension shall be deposited in the highway distribution fund;

27 (k) Ten dollars (\$10.00) of each fee for a class A, B or C skills test
28 shall be deposited in the state highway account;

29 (l) One dollar (\$1.00) of each fee for a class A, B, C or four-year D
30 driver's license, and two dollars (\$2.00) of each fee for an eight-year
31 class D driver's license, and one dollar (\$1.00) of each fee charged for
32 a license pursuant to subsection (1) (b), (d) and (e) of this section,
33 and thirty-four cents (34¢) of each fee charged for a license pursuant
34 to subsection (1) (c) and (f) of this section shall be deposited in the
35 motorcycle safety program fund established in section 33-4904, Idaho
36 Code;

37 (m) Six dollars and fifty cents (\$6.50) of each fee for a class D skills
38 test shall be deposited into the state highway account; and

39 (n) Each voluntary contribution of two dollars (\$2.00) as described in
40 subsection (2) of this section, less actual administrative costs asso-
41 ciated with collecting and transferring such contributions, shall be
42 deposited into the organ donation contribution fund created in section
43 49-2447, Idaho Code.

44 (10) The contractor administering a class A, B or C skills test shall
45 be entitled to not more than one hundred ninety dollars (\$190) of the skills
46 test fee. A contractor administering a class A, B or C skills test may col-
47 lect an additional fee for the use of the contractor's vehicle for the skills
48 test.

1 (11) Sixty dollars (\$60.00) of each restricted driving permit and each
2 restricted school attendance driving permit shall be deposited in the state
3 highway account.

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

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

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

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

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

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

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

19 (a) Have not violated the single license provisions of applicable fed-
20 eral regulations;

21 (b) Have not had any license suspensions, revocations or cancella-
22 tions;

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

26 (d) Have at least one (1) year of driving experience with a class D or
27 equivalent license in any type motor vehicle; and

28 (e) Are at least sixteen (16) years old.

29 (14) The department shall distribute two dollars (\$2.00) from the state
30 highway account on a monthly basis for each driver's license or instruction
31 permit identified in this section that is processed at the county office or
32 by an authorized representative to the appropriate county treasurer.

33 SECTION 4. Section 3 of this act shall be in full force and effect when
34 the Idaho Transportation Department submits to the Secretary of State in
35 writing that the Idaho Transportation Department's information technology
36 system has been updated to support the Organ Donation Contribution Fund.