

IN THE SENATE

SENATE BILL NO. 1209

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO DRIVER'S LICENSES AND IDENTIFICATION CARDS; AMENDING SECTION  
2 49-307, IDAHO CODE, TO REVISE PROVISIONS RELATING TO A PERMIT; AMENDING  
3 SECTION 49-310, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN  
4 APPLICATIONS; AMENDING SECTION 49-313, IDAHO CODE, TO REVISE PROVI-  
5 SIONS RELATING TO RETAKING A TEST; AMENDING SECTION 49-319, IDAHO CODE,  
6 TO ESTABLISH PROVISIONS RELATING TO A DRIVER'S LICENSE ISSUED TO CER-  
7 TAIN PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE  
8 FAMILY MEMBERS; AMENDING SECTION 49-2444, IDAHO CODE, TO ESTABLISH PRO-  
9 VISIONS RELATING TO AN IDENTIFICATION CARD ISSUED TO CERTAIN PERSONS  
10 WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY MEMBERS  
11 AND TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 49-2444,  
12 IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF 2013, TO ESTAB-  
13 LISH PROVISIONS RELATING TO AN IDENTIFICATION CARD ISSUED TO CERTAIN  
14 PERSONS WORKING IN A FOREIGN COUNTRY AND RELATING TO IMMEDIATE FAMILY  
15 MEMBERS AND TO PROVIDE A CORRECT CODE REFERENCE.  
16

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

18 SECTION 1. That Section 49-307, Idaho Code, be, and the same is hereby  
19 amended to read as follows:

20 49-307. CLASS D DRIVER'S TRAINING INSTRUCTION PERMIT ~~AND TEMPORARY~~  
21 ~~PERMITS~~ -- CLASS D SUPERVISED INSTRUCTION PERMIT -- APPLICATION FOR A CLASS  
22 D DRIVER'S LICENSE -- RESTRICTIONS ON CLASS D DRIVER'S LICENSE. (1) No en-  
23 rollee of any class D driver's training course shall be allowed to attend  
24 classes or participate in driving instruction unless he has obtained a class  
25 D driver's training instruction permit, or a class D instruction permit as  
26 provided in subsection (4) of this section.

27 (2) Every enrollee of a class D driver's training course shall pay a  
28 nonrefundable fee of fifteen dollars (\$15.00). Five dollars (\$5.00) of each  
29 fee so imposed shall be deposited in the driver training account, five dol-  
30 lars (\$5.00) shall be deposited in the state highway account, and five dol-  
31 lars (\$5.00) shall be deposited in the county current expense fund.

32 (3) Each enrollee of a class D driver's training course shall provide  
33 the type of information required for a driver's license or instruction per-  
34 mit. If an enrollee of a class D driver's training course cannot provide a  
35 certified copy of his birth certificate at the time of application for a per-  
36 mit, the department may issue a temporary class D driver's training instruc-  
37 tion permit or a temporary class D instruction permit upon receipt of both a  
38 photo identification and a letter from the school verifying the applicant's  
39 enrollment in a driver's training course acceptable to the department. The  
40 certified copy of an applicant's birth certificate shall be required before  
41 a class D driver's license will be issued.

1 (4) The class D driver's training instruction permit shall expire five  
2 (5) days after the permittee's eighteenth birthday for permittees fourteen  
3 and one-half (14 1/2) years of age through seventeen and one-half (17 1/2)  
4 years of age. The class D driver's training instruction permit shall ex-  
5 pire one hundred eighty (180) days from the date of issue for persons sev-  
6 enteen and one-half (17 1/2) years of age or older. Persons aged seventeen  
7 (17) years or older may attend classes or participate in driver's training  
8 instruction while operating with a class D instruction permit or a class D  
9 driver's training instruction permit.

10 (5) The class D driver's training instruction permit shall be issued to  
11 the instructor of the course.

12 (6) Class D supervised instruction permit.

13 (a) Upon successful completion of the class D driver's training course,  
14 the driver's training instructor shall submit the student log to the  
15 county driver's license office and give the class D driver's training  
16 instruction permit to the parent or legal guardian of the permittee, and  
17 the parent or legal guardian shall assume responsibility for ensuring  
18 that the permittee complies with the requirements of operating a vehi-  
19 cle with a class D supervised instruction permit. The class D driver's  
20 training instruction permit shall then serve as a class D supervised  
21 instruction permit.

22 (b) In the event the permittee reaches the age of seventeen (17) years  
23 while operating a class D vehicle with a class D supervised instruction  
24 permit, the supervised instruction permit shall become a class D in-  
25 struction permit.

26 (7) No permittee may apply for a class D driver's license sooner than  
27 fifteen (15) years of age and no sooner than six (6) months after completing a  
28 class D driver's training course, during which time the permittee shall sat-  
29 isfy all requirements for operation of a class D vehicle with a class D super-  
30 vised instruction permit as follows:

31 (a) The permittee shall not operate a vehicle unless he is accompanied  
32 by a driver who holds a valid driver's license, is twenty-one (21) years  
33 of age or older, and who is actually occupying a seat beside the permit-  
34 tee driver. The supervising driver and the permittee shall be the only  
35 occupants of the front passenger section of the vehicle.

36 (b) Over a period of time not less than six (6) months, the permittee  
37 shall accumulate at least fifty (50) hours of supervised driving time,  
38 ten (10) hours of which shall be during hours of darkness.

39 (c) The permit shall be in the permittee's immediate possession at all  
40 times while operating a vehicle.

41 (d) In addition to the permittee driver and the supervising driver, all  
42 other occupants of the vehicle shall wear a seat belt or be restrained by  
43 child passenger restraints as required by law.

44 (e) The permittee is subject to the provisions of sections 18-1502 and  
45 18-8004, Idaho Code, relating to violation of age restrictions on con-  
46 sumption of beer, wine, and alcohol and driving under the influence of  
47 alcohol, drugs or any other intoxicating substances, respectively.

48 (f) The permittee shall not have been convicted of any moving traffic  
49 violation, or have had driving privileges suspended by the department  
50 or the court for any offense, or found to be in violation of any of the

1 restrictions on the class D supervised instruction permit, for a period  
2 of at least six (6) months from the date the driver's training instruc-  
3 tor gave the permit to the parent or legal guardian, or from the date a  
4 canceled class D supervised instruction permit was reissued, or until  
5 the permittee reaches seventeen (17) years of age.

6 (g) If the permittee is under seventeen (17) years of age and is con-  
7 victed of a violation of any traffic law, or section 18-1502, Idaho  
8 Code, or section 18-8004, Idaho Code, or section 23-949, Idaho Code,  
9 or is found to be in violation of any of the restrictions on the class D  
10 supervised instruction permit, the department shall cancel the class D  
11 supervised instruction permit, and the cancellation shall not be used  
12 to establish rates of motor vehicle insurance charged by a casualty  
13 insurer. If the permittee is under seventeen (17) years of age, the  
14 permittee may reapply for and be issued a new class D supervised in-  
15 struction permit upon payment of the appropriate fee, and shall again  
16 be required to operate with the class D supervised instruction permit  
17 for at least six (6) months from the date of reissue without a conviction  
18 or suspension, accumulate the required hours of driving time and adhere  
19 to the requirements as specified in paragraphs (a) through (f) of this  
20 subsection (7).

21 (8) Upon completion of the requirements in subsection (7) of this sec-  
22 tion, the permittee shall take the knowledge test and skills test adminis-  
23 tered by a person certified by the Idaho transportation department to admin-  
24 ister knowledge and skills tests.

25 (9) Upon passage of the knowledge and skills tests, the permittee may  
26 apply for a class D driver's license with driving privileges restricted to  
27 daylight hours for persons under sixteen (16) years of age, and with full  
28 privileges at sixteen (16) years of age or older. Provided however, the re-  
29 striction on daylight hours only driving privileges for persons under six-  
30 teen (16) years of age shall not apply if:

31 (a) The person under sixteen (16) years of age has a valid class D  
32 driver's license; and

33 (b) Is accompanied by a driver who holds a valid driver's license and is  
34 twenty-one (21) years of age or older and is actually occupying a seat  
35 beside the licensee who is under sixteen (16) years of age; and

36 (c) The two (2) licensed drivers are the only occupants of the front  
37 passenger section of the vehicle.

38 The restriction of daylight hours only shall mean that period of time one-  
39 half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

40 (10) Upon passage of the knowledge and skills tests, the permittee may  
41 apply for a class D driver's license. Any such licensee who is under the age  
42 of seventeen (17) years shall be required, during the first six (6) months  
43 from the date of issue of the class D driver's license, to limit the number  
44 of passengers in the vehicle who are under the age of seventeen (17) years to  
45 not more than one (1) such passenger. Provided however, the limit of one (1)  
46 passenger under the age of seventeen (17) years shall not apply to passengers  
47 who are related to the driver by blood, adoption or marriage.

48 SECTION 2. That Section 49-310, Idaho Code, be, and the same is hereby  
49 amended to read as follows:

1           49-310. APPLICATIONS OF PERSONS UNDER THE AGE OF EIGHTEEN YEARS. (1)  
2 The application of any person under the age of eighteen (18) years for any  
3 class D instruction permit, restricted driver's license, restricted school  
4 attendance driving permit, driver training instruction permit or driver's  
5 license shall be signed and verified before a person authorized to adminis-  
6 ter oaths by either the father or mother of the applicant, if both are living  
7 and have custody of him; or if either be dead, then by the surviving parent  
8 who has custody of him; or by the Idaho resident host of a foreign exchange  
9 student, or in the event neither parent is living, or if living and does not  
10 have the custody of the applicant, then by the person or guardian having  
11 such custody, with verifiable custody or guardianship documents, or by an  
12 employer of the applicant. In the event there is no guardian or employer  
13 then some other responsible person willing to assume the obligation for the  
14 applicant may sign the application. Any person who signs the applicant's  
15 application shall attest that the applicant is in compliance with the school  
16 attendance provisions of section 49-303A, Idaho Code, ~~and when signing for~~  
17 ~~a class D driver's training permit or a class D supervised instruction per-~~  
18 ~~mit,~~ When the minor person applies for a class D driver's license, a parent  
19 or guardian or a person authorized by the parent or guardian shall attest  
20 that the minor person has satisfied the requirements and conditions applica-  
21 ble to the class D supervised instruction permit pursuant to section 49-307,  
22 Idaho Code, when the minor person applies for a class D driver's license. The  
23 person willing to assume responsibility for the applicant must be at least  
24 eighteen (18) years of age. When signing for a restricted school attendance  
25 driving permit, the person signing the applicant's application shall at-  
26 test that the conditions set forth within section 49-307A, Idaho Code, are  
27 met. Each application for a restricted school attendance driving permit  
28 shall also be signed by the local county sheriff, the president of the board  
29 of trustees of the local school district, and the school principal of the  
30 applicant's school, verifying that the conditions set forth within section  
31 49-307A, Idaho Code, are met.

32           (2) Any negligence or willful misconduct of a person under the age of  
33 eighteen (18) years when operating a motor vehicle upon a highway shall be  
34 imputed to the person who signed the application of that person for a permit  
35 or driver's license, and that person shall be jointly and severally liable  
36 with the permit or driver's license holder for any damage caused by negli-  
37 gence or willful misconduct, except as otherwise provided by law.

38           (3) In the event a permit or driver's license holder under the age of  
39 eighteen (18) years maintains, or there is maintained upon his behalf, proof  
40 of financial responsibility as required under the motor vehicle financial  
41 responsibility laws of this state, or by the director if the form and amount  
42 is not fixed by law, then the department may accept the application when  
43 signed by one (1) parent or guardian of the applicant, and while that proof is  
44 maintained the parent or guardian shall not be subject to liability for the  
45 negligence or willful misconduct of the person under the age of eighteen (18)  
46 years, as imposed under subsection (2) of this section.

47           (4) Any person who has signed the application of a minor for a permit or  
48 driver's license shall be liable civilly for the payment of any court penalty  
49 imposed because the minor has been found to have committed an infraction vi-  
50 olation. The provisions of this section shall not apply or create any civil

1 liability for the person signing the application in connection with any  
2 pedestrian or bicycle infraction, and provided this subsection shall not ap-  
3 ply to any civil action where the plaintiff is other than the state of Idaho.

4 SECTION 3. That Section 49-313, Idaho Code, be, and the same is hereby  
5 amended to read as follows:

6 49-313. EXAMINATION OF APPLICANTS. (1) The sheriff, his deputy or  
7 authorized agents of the department shall examine every applicant for an  
8 instruction permit, restricted school attendance driving permit, seasonal  
9 driver's license, driver's license or a motorcycle endorsement, except as  
10 otherwise provided by law. The examination shall include a vision screening  
11 and a test of the applicant's ability to read and understand highway signs  
12 regulating, warning, and directing traffic. A skills test shall be required  
13 for an applicant who has not been previously licensed for the class of li-  
14 cense requested, or who holds a license issued by another country unless a  
15 reciprocal agreement is in force. However, a skills test may be required for  
16 any and all other applicants at the discretion of the examiner or department  
17 for a class A, B, C or D driver's license or a motorcycle endorsement. In  
18 addition, the applicant's knowledge of traffic laws of this state and when  
19 a motorcycle endorsement is applied for, the applicant's knowledge of safe  
20 motorcycle operating practices and traffic laws specifically relating to  
21 motorcycle operation shall be tested by a written examination, except as  
22 provided in section 49-319, Idaho Code. At the discretion of the examiner,  
23 the prescribed written examination may be conducted orally.

24 (2) The knowledge and skills examinations for applicants for driver's  
25 licenses in class A, B or C shall be conducted in compliance with 49 CFR part  
26 383.

27 (3) The skills test for a class A, B, C or D driver's license or for any  
28 endorsement shall be given by the department or its authorized agents. The  
29 skills examiner for a motorcycle endorsement shall be certified by the divi-  
30 sion of professional-technical education.

31 (4) The department shall not issue the following endorsements except as  
32 provided:

33 (a) A tank, double/triple trailer, or hazardous material endorsement  
34 unless the applicant, in addition to all other applicable qualifica-  
35 tions, has passed an appropriate knowledge test.

36 (b) A passenger endorsement unless the applicant, in addition to all  
37 other applicable qualifications, has passed an appropriate knowledge  
38 and skills test.

39 (c) A school bus endorsement unless the applicant, in addition to all  
40 other applicable qualifications, has passed appropriate knowledge and  
41 skills tests. Until September 30, 2005, the department may waive the  
42 school bus endorsement skills test requirement if the applicant meets  
43 the conditions set forth in accordance with 49 CFR part 383.123.

44 (5) Any person failing to pass a knowledge or skills test for a class  
45 A, B, C or D driver's license, or a knowledge test for a seasonal driver's  
46 license, or any endorsement may not retake the test within three (3) ~~business~~  
47 calendar days of the failure.

1 (6) Any person retaking a knowledge or skills test for a driver's li-  
2 cense shall pay the appropriate testing fee as specified in section 49-306,  
3 Idaho Code.

4 (7) The motorcycle skills test for a motorcycle endorsement shall be  
5 waived by the department:

6 (a) On and after September 1, 1998, if the applicant presents satisfac-  
7 tory evidence of successful completion of a recognized motorcycle rider  
8 training course approved by the division of professional-technical ed-  
9 ucation;

10 (b) On and after September 1, 1998, if the applicant presents evi-  
11 dence of a motorcycle endorsement on his current license by a state or  
12 province which requires a motorcycle skills test equivalent to that re-  
13 quired by Idaho law as determined by the division of professional-tech-  
14 nical education;

15 (c) Until September 1, 1998.

16 (8) At the discretion of the department, an alternate skills test for  
17 the motorcycle endorsement may be administered when the endorsement is for  
18 operation of a three-wheeled motorcycle only.

19 (9) The department or its authorized agents may refuse to give an appli-  
20 cant a skills test if there are reasonable grounds to believe that the safety  
21 of the applicant, public, or the examiner would be jeopardized by doing so.  
22 Reasonable grounds would include, but not be limited to, the applicant's in-  
23 ability to pass the vision screening, written tests, or a statement by a li-  
24 censed physician stating the applicant is not physically able to drive a mo-  
25 tor vehicle.

26 (10) The department or its authorized agents may deny issuance or re-  
27 newal of a driver's license or endorsement to any applicant who does not meet  
28 the licensing requirements for the class of driver's license or endorsement  
29 being renewed or issued.

30 (11) Skills examinations for seasonal driver's licenses shall be  
31 waived.

32 SECTION 4. That Section 49-319, Idaho Code, be, and the same is hereby  
33 amended to read as follows:

34 49-319. EXPIRATION AND RENEWAL OF DRIVER'S LICENSE. (1) Every noncom-  
35 mercial Idaho driver's license issued to a driver shall expire and be renew-  
36 able as follows:

37 (a) Twenty-one (21) years of age or older shall expire on the licensee's  
38 birthday in the fourth year following the issuance of the driver's li-  
39 cense.

40 (b) At the option of the applicant, for drivers twenty-one (21) years of  
41 age through sixty-two (62) years of age, the driver's license shall ex-  
42 pire either on the licensee's birthday in the fourth year or the eighth  
43 year following the issuance of the driver's license.

44 (c) Except for the provisions found in subsections (1)(e) and (3) of  
45 this section, every driver's license issued to a driver under eighteen  
46 (18) years of age shall expire five (5) days after the licensee's eigh-  
47 teenth birthday.

48 (d) Except for the provisions found in subsections (1)(e) and (3) of  
49 this section, every driver's license issued to a driver eighteen (18)

1 years of age but under twenty-one (21) years of age shall expire five (5)  
2 days after the licensee's twenty-first birthday.

3 (e) Every driver's license that is not, as provided by law, suspended,  
4 revoked or disqualified in this state or any other jurisdiction shall  
5 be renewable on or before its expiration, but not more than twenty-five  
6 (25) months before, upon application, payment of the required fee, and  
7 satisfactory completion of the required vision screening.

8 (2) Except for the provisions found in subsection (3) of this section,  
9 every commercial driver's license issued to a person twenty-one (21) years  
10 of age or older shall expire on the licensee's birthday in the fourth year  
11 following issuance of the license, and any class A, B or C license issued to a  
12 person eighteen (18), nineteen (19) or twenty (20) years of age shall expire  
13 five (5) days after the licensee's twenty-first birthday. There shall be no  
14 option for an eight-year class A, B or C license.

15 (3) Every driver's license issued to a person who is not a citizen or  
16 permanent legal resident of the United States shall have an expiration date  
17 that is the same date as the end of lawful stay in the United States as indi-  
18 cated on documents issued and verified by the department of homeland secu-  
19 rity, provided however, that the expiration date shall not extend beyond the  
20 expiration date for the same category of license issued to citizens. Persons  
21 whose department of homeland security documents do not state an expiration  
22 date shall be issued a driver's license with an expiration date of one (1)  
23 year from the date of issuance. Fees shall be in accordance with the expira-  
24 tion periods and classes listed in section 49-306(1), Idaho Code.

25 (4) An applicant who is issued a driver's license in another jurisdic-  
26 tion after an Idaho driver's license has been issued is not eligible for re-  
27 newal or a duplicate of the Idaho driver's license. The applicant may apply  
28 for a new Idaho driver's license as provided in section 49-306, Idaho Code.

29 (5) No knowledge test shall be required for renewal of a driver's li-  
30 cense, except for renewal of a hazardous material endorsement. Appropriate  
31 knowledge and skill tests shall be required for an upgrade in a driver's li-  
32 cense class or an endorsement addition. In the case of a name change, the ap-  
33 plicant shall provide legal documentation to verify the change in accordance  
34 with department rules.

35 (6) Applicants for a hazardous material endorsement shall provide ei-  
36 ther proof of United States citizenship or proof of lawful, permanent United  
37 States residence and a valid federal bureau of citizenship and immigration  
38 services alien registration number. A security background records check and  
39 federal transportation security administration clearance shall be required  
40 for issuance, renewal or transfer of a hazardous material endorsement in ac-  
41 cordance with 49 CFR part 383, subject to procedures established by the fed-  
42 eral transportation security administration.

43 (7) When a driver's license has been expired for fewer than twenty-five  
44 (25) months, the renewal of the driver's license shall start from the origi-  
45 nal date of expiration regardless of the year in which the application for  
46 renewal is made. If the driver's license is expired for twenty-five (25)  
47 months or more, the applicant shall be required to take the appropriate  
48 knowledge test(s) and skills test(s) for the class of license or endorsement  
49 being applied for, and vision screening. The license shall expire on the  
50 licensee's birthday in the fourth year following issuance of the driver's

1 license for drivers twenty-one (21) years of age or older, except as other-  
2 wise provided in subsections (1) (e) and (3) of this section. At the option  
3 of the applicant, for drivers twenty-one (21) years of age through sixty-two  
4 (62) years of age, the renewed license shall expire either on the licensee's  
5 birthday in the fourth year or the eighth year following issuance, except as  
6 otherwise provided in subsections (1) (e) and (3) of this section.

7 (8) (a) If a driver's license has expired or will expire and the li-  
8 censee is temporarily out of state, except on active military duty, and  
9 the driver's license has not, as provided by law, been suspended, re-  
10 voked, canceled, denied, refused or disqualified, the licensee may re-  
11 quest in writing on a form prescribed by the department an extension of  
12 the driver's license. The request shall be accompanied by the fee fixed  
13 in section 49-306, Idaho Code, and the extension shall be no more than a  
14 twelve (12) month period. If the department determines that an exten-  
15 sion of the driver's license is necessary, it may issue a license show-  
16 ing the date to which the expired driver's license is extended. License  
17 extensions are limited to two (2) consecutive extensions per licensee.

18 (b) Upon returning to the state of Idaho, the licensee shall, within ten  
19 (10) days, apply for a renewal of the expired driver's license and sur-  
20 render the extended license and the expired driver's license.

21 (c) A hazardous material endorsement cannot be extended.

22 (9) An Idaho driver's license issued to any person prior to serving  
23 on active duty in the armed forces of the United States, or a member of the  
24 immediate family accompanying such a person, if valid and in full force and  
25 effect upon entering active duty, shall remain in full force and effect, ~~and~~  
26 ~~shall, upon application, be extended for a period of four (4) years so long~~  
27 ~~as active duty continues, or shall be renewed upon application in person~~  
28 ~~without the requirement to take a knowledge or skills test i~~If their Idaho  
29 driver's license expired expires while on active duty, if the driver's li-  
30 icense and is not suspended, denied, disqualified, canceled or revoked, as  
31 provided by law, during the active duty, and the license shall, upon appli-  
32 cation, be extended for a period of four (4) years so long as active duty  
33 continues, or shall be renewed upon application in person without the re-  
34 quirement to take a knowledge or skills test. The driver's license shall  
35 also remain in full force and effect sixty (60) days following the date the  
36 holder is released from active duty.

37 (10) An Idaho driver's license, issued to any person prior to becoming  
38 employed by the United States government and working in a foreign country or  
39 a member of the immediate family accompanying that person, if valid and in  
40 full force and effect upon employment, shall remain in full force and effect.  
41 If the Idaho driver's license expires while the person is employed by the  
42 United States government and is not suspended, denied, disqualified, can-  
43 canceled or revoked as provided by law, the license shall, upon application, be  
44 extended for a period of four (4) years so long as employment continues while  
45 working in a foreign country, or shall be renewed upon application in person  
46 without the requirement to take a knowledge or skills tests. The driver's  
47 license shall also remain in full force and effect sixty (60) days following  
48 the date the holder is released from employment.

49 (11) The department may use a mail renewal process for four-year class D  
50 licenses based on criteria established by rule.



1           (112) A seasonal driver's license is only valid for a one hundred eighty  
2 (180) day period from the date of issuance. Only one (1) seasonal driver's  
3 license may be obtained in any twelve (12) month period, and may only be ob-  
4 tained twice in a driver's lifetime.

5           (123) A person who applies for renewal of a license may request that the  
6 notation "permanently disabled" be imprinted on the license and the depart-  
7 ment shall imprint "permanently disabled" on the license if:

8           (a) The person has a permanent disability; and

9           (b) The person presents written certification from a licensed physi-  
10 cian, licensed physician assistant, or licensed advanced practice  
11 professional nurse verifying that the person's stated impairment qual-  
12 ifies as a permanent disability as provided in section 49-117, Idaho  
13 Code; and

14           (c) The department determines that the person meets the requirements  
15 for issuance of a license as specified in section 49-313, Idaho Code.

16           SECTION 5. That Section 49-2444, Idaho Code, be, and the same is hereby  
17 amended to read as follows:

18           49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
19 The department shall issue a distinguishing identification card that shall  
20 set forth the information contained in the application, in a form as pre-  
21 scribed by the department. All identification cards issued on or after Jan-  
22 uary 1, 1993, shall not contain the applicant's social security number. An  
23 applicant's social security number shall be exempt from disclosure except  
24 for inquiries from agencies or institutions authorized to obtain such infor-  
25 mation by federal law or regulation, from peace officers or from jury com-  
26 missioners. Each card shall have printed on it the applicant's full name,  
27 date of birth, Idaho residence address, sex, weight, height, eye color, hair  
28 color, and shall be issued a distinguishing number assigned to the appli-  
29 cant. If an applicant has submitted an application pursuant to the provi-  
30 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-  
31 tion card shall contain his or her alternative Idaho mailing address in place  
32 of his or her Idaho residence address. Each card shall also have printed on  
33 it the name of this state, the date of issuance, and the date of expiration.  
34 An identification card shall not be valid until it has been signed on the sig-  
35 nature line by the applicant. Each card shall bear upon it a color photograph  
36 of the applicant which shall be taken by the examiner at the time of appli-  
37 cation. The photograph shall be taken without headgear or other clothing or  
38 device that disguises or otherwise conceals the face or head of the appli-  
39 cant. A waiver may be granted by the department allowing the applicant to  
40 wear headgear or other head covering for medical, religious or safety pur-  
41 poses so long as the face is not disguised or otherwise concealed. At the re-  
42 quest of the applicant, an identification card may contain a statement or in-  
43 dication of the medical condition of the applicant.

44           No person shall receive an identification card unless and until he sur-  
45 renders to the department all identification cards in his possession issued  
46 to him by Idaho or any other jurisdiction, or any driver's license issued by  
47 any other jurisdiction within the United States, or until he executes an af-  
48 fidavit that he does not possess an identification card or any driver's li-  
49 cense.

1 Identification cards issued to persons under eighteen (18) years of age  
2 shall include a notation "under 18 until (month, day, year)," and identifi-  
3 cation cards issued to persons eighteen (18) years of age to twenty-one (21)  
4 years of age shall include a notation "under 21 until (month, day, year)."  
5 The nonrefundable fee for a four-year identification card issued to persons  
6 twenty-one (21) years of age or older shall be ten dollars (\$10.00) of which  
7 five dollars (\$5.00) shall be retained by the county and credited to the cur-  
8 rent expense fund, and five dollars (\$5.00) shall be deposited in the state  
9 treasury to the credit of the highway distribution account. The nonrefund-  
10 able fee for identification cards issued to persons under twenty-one (21)  
11 years of age shall be ten dollars (\$10.00), of which five dollars (\$5.00)  
12 shall be retained by the county and credited to the current expense fund, and  
13 five dollars (\$5.00) shall be deposited in the state treasury to the credit  
14 of the highway distribution account. The nonrefundable fee for an eight-  
15 year identification card shall be twenty dollars (\$20.00) of which ten dol-  
16 lars (\$10.00) shall be retained by the county and credited to the current ex-  
17 pense fund, and ten dollars (\$10.00) shall be deposited in the state treasury  
18 to the credit of the highway distribution account. At the option of the ap-  
19 plicant, the identification card issued to a person twenty-one (21) years of  
20 age or older shall expire either on the cardholder's birthday in the fourth  
21 year or the eighth year following issuance of the card, except as otherwise  
22 provided in subsection (3) of this section. Every identification card is-  
23 sued to a person under eighteen (18) years of age shall expire five (5) days  
24 after the person's eighteenth birthday, except as otherwise provided in sub-  
25 section (3) of this section. Every identification card issued to a person  
26 eighteen (18) years of age but under twenty-one (21) years of age shall ex-  
27 pire five (5) days after the person's twenty-first birthday, except as oth-  
28 erwise provided in subsection (3) of this section.

29 Individuals required to register in compliance with section 3 of the  
30 federal military selective service act, 50 U.S.C. App. 451 et seq., as  
31 amended, shall be provided an opportunity to fulfill such registration re-  
32 quirements in conjunction with an application for an identification card.  
33 Any registration information so supplied shall be transmitted by the depart-  
34 ment to the selective service system.

35 (2) Every identification card, except those issued to persons under  
36 twenty-one (21) years of age, shall be renewable on or before its expiration,  
37 but not more than twenty-five (25) months before, and upon application and  
38 payment of the required fee.

39 (3) Every identification card issued to a person who is not a citizen or  
40 permanent legal resident of the United States shall have an expiration date  
41 that is the same date as the end of lawful stay in the United States as indi-  
42 cated on documents issued and verified by the department of homeland secu-  
43 rity, provided however, that the expiration date shall not extend beyond the  
44 expiration date for the same category of identification card issued to citi-  
45 zens. Persons whose department of homeland security documents do not state  
46 an expiration date shall be issued an identification card with an expiration  
47 date of one (1) year from the date of issuance.

48 (4) When an identification card has been expired for less than twenty-  
49 five (25) months, the renewal of the identification card shall start from  
50 the original date of expiration regardless of the year in which the applica-

1 tion for renewal is made. If the identification card is expired for more than  
2 twenty-five (25) months, the application shall expire, at the option of the  
3 applicant, on the applicant's birthday in the fourth year or the eighth year  
4 following reissuance of the identification card, except as otherwise pro-  
5 vided in subsection (3) of this section.

6 (5) (a) If an Idaho identification card has expired or will expire and  
7 the identification cardholder is temporarily out of state except on ac-  
8 tive military duty, the identification cardholder may request in writ-  
9 ing on a form prescribed by the department an extension of the identifi-  
10 cation card. The request shall be accompanied by the fee fixed in sec-  
11 tion 49-306, Idaho Code, and the extension shall be no more than a twelve  
12 (12) month period. If the department determines that an extension of  
13 the identification card is necessary, it may issue an identification  
14 card showing the date to which the expired identification card is ex-  
15 tended. Identification card extensions are limited to two (2) consecu-  
16 tive extensions per identification cardholder.

17 (b) Upon returning to the state of Idaho, the identification cardholder  
18 shall, within ten (10) days, apply for a renewal of the expired iden-  
19 tification card and surrender the extended identification card and the  
20 expired identification card.

21 (6) An Idaho identification card issued to any person prior to serving  
22 on active duty in the armed forces of the United States, or a member of the  
23 immediate family accompanying such a person, if valid and in full force and  
24 effect upon entering active duty, shall remain in full force and effect and  
25 shall, upon application, be extended for a period of four (4) years so long  
26 as active duty continues, and the identification card shall remain in full  
27 force and effect sixty (60) days following the date the cardholder is re-  
28 leased from active duty.

29 (7) An Idaho identification card issued to any person prior to becom-  
30 ing employed by the United States government and working in a foreign country  
31 or a member of the immediate family accompanying that person, if valid and  
32 in full force and effect upon employment, shall remain in full force and ef-  
33 fect and shall, upon application, be extended for a period of four (4) years  
34 so long as employment continues while working in a foreign country, or shall  
35 be renewed upon application in person if their Idaho identification card ex-  
36 pired while employed by the United States government, and the identification  
37 card shall remain in full force and effect sixty (60) days following the date  
38 the cardholder is released from employment.

39 (8) A person possessing an identification card who desires to donate  
40 any or all organs or tissue in the event of death, and who has completed a  
41 document of gift pursuant to the provisions for donation of anatomical gifts  
42 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the  
43 donor, indicate this desire on the identification card by the imprinting of  
44 the word "donor" on the identification card. The provisions of this subsec-  
45 tion shall apply to persons possessing an identification card who are six-  
46 teen (16) years of age or older but less than eighteen (18) years of age if  
47 the requirements provided in chapter 34, title 39, Idaho Code, have been com-  
48 plied with.

49 (§9) A person possessing an identification card or an applicant for an  
50 identification card who is a person with a permanent disability may request

1 that the notation "permanently disabled" be imprinted on the identification  
2 card, provided the person presents written certification from a licensed  
3 physician verifying that the person's stated impairment qualifies as a per-  
4 manent disability according to the provisions of section 49-117, Idaho Code.

5 (~~910~~) In the case of a name change, the applicant shall provide legal  
6 documentation to verify the change in accordance with department rules.

7 (~~101~~) Whenever any person, after applying for or receiving an identifi-  
8 cation card, shall move from the address shown on the application or on the  
9 identification card issued, that person shall, within thirty (30) days, no-  
10 tify the transportation department in writing of the old and new addresses.

11 (~~112~~) The department shall cancel any identification card upon deter-  
12 mining that the person was not entitled to the issuance of the identification  
13 card, or that the person failed to give the required and correct information  
14 in his application or committed fraud in making the application. Upon can-  
15 cellation, the person shall surrender the canceled identification card to  
16 the department.

17 (~~123~~) If any person shall fail to return to the department the identifi-  
18 cation card as required, the department may direct any peace officer to se-  
19 cure its possession and return the identification card to the department.

20 (~~134~~) The department may issue a no-fee identification card to an indi-  
21 vidual whose driver's license has been canceled and voluntarily surrendered  
22 as provided in section 49-322(5), Idaho Code. The identification card may be  
23 renewed at no cost to the applicant as long as the driver's license remains  
24 canceled.

25 (~~145~~) It is an infraction for any person to fail to notify the department  
26 of a change of address as required by the provisions of subsection (~~101~~) of  
27 this section.

28 SECTION 6. That Section 49-2444, Idaho Code, as amended by Section 2,  
29 Chapter 92, Laws of 2013, be, and the same is hereby amended to read as fol-  
30 lows:

31 49-2444. IDENTIFICATION CARD ISSUED -- FOUR-YEAR OR EIGHT-YEAR. (1)  
32 The department shall issue a distinguishing identification card that shall  
33 set forth the information contained in the application, in a form as pre-  
34 scribed by the department. All identification cards issued on or after Jan-  
35 uary 1, 1993, shall not contain the applicant's social security number. An  
36 applicant's social security number shall be exempt from disclosure except  
37 for inquiries from agencies or institutions authorized to obtain such infor-  
38 mation by federal law or regulation, from peace officers or from jury com-  
39 missioners. Each card shall have printed on it the applicant's full name,  
40 date of birth, Idaho residence address, sex, weight, height, eye color, hair  
41 color, and shall be issued a distinguishing number assigned to the appli-  
42 cant. If an applicant has submitted an application pursuant to the provi-  
43 sions of chapter 58, title 19, Idaho Code, then the applicant's identifica-  
44 tion card shall contain his or her alternative Idaho mailing address in place  
45 of his or her Idaho residence address. Each card shall also have printed on  
46 it the name of this state, the date of issuance, and the date of expiration.  
47 An identification card shall not be valid until it has been signed on the sig-  
48 nature line by the applicant. Each card shall bear upon it a color photograph  
49 of the applicant which shall be taken by the examiner at the time of appli-

1 cation. The photograph shall be taken without headgear or other clothing or  
2 device that disguises or otherwise conceals the face or head of the appli-  
3 cant. A waiver may be granted by the department allowing the applicant to  
4 wear headgear or other head covering for medical, religious or safety pur-  
5 poses so long as the face is not disguised or otherwise concealed. At the re-  
6 quest of the applicant, an identification card may contain a statement or in-  
7 dication of the medical condition of the applicant.

8 No person shall receive an identification card unless and until he sur-  
9 renders to the department all identification cards in his possession issued  
10 to him by Idaho or any other jurisdiction, or any driver's license issued by  
11 any other jurisdiction within the United States, or until he executes an af-  
12 fidavit that he does not possess an identification card or any driver's li-  
13 cense.

14 Identification cards issued to persons under eighteen (18) years of age  
15 shall include a notation "under 18 until (month, day, year)," and identifi-  
16 cation cards issued to persons eighteen (18) years of age to twenty-one (21)  
17 years of age shall include a notation "under 21 until (month, day, year)."  
18 The nonrefundable fee for a four-year identification card issued to persons  
19 twenty-one (21) years of age or older shall be ten dollars (\$10.00) of which  
20 five dollars (\$5.00) shall be retained by the county and credited to the cur-  
21 rent expense fund, and five dollars (\$5.00) shall be deposited in the state  
22 treasury to the credit of the highway distribution account. The nonrefund-  
23 able fee for identification cards issued to persons under twenty-one (21)  
24 years of age shall be ten dollars (\$10.00), of which five dollars (\$5.00)  
25 shall be retained by the county and credited to the current expense fund, and  
26 five dollars (\$5.00) shall be deposited in the state treasury to the credit  
27 of the highway distribution account. The nonrefundable fee for an eight-  
28 year identification card shall be twenty dollars (\$20.00) of which ten dol-  
29 lars (\$10.00) shall be retained by the county and credited to the current ex-  
30 pense fund, and ten dollars (\$10.00) shall be deposited in the state treasury  
31 to the credit of the highway distribution account. At the option of the ap-  
32 plicant, the identification card issued to a person twenty-one (21) years of  
33 age or older shall expire either on the cardholder's birthday in the fourth  
34 year or the eighth year following issuance of the card, except as otherwise  
35 provided in subsection (3) of this section. Every identification card is-  
36 sued to a person under eighteen (18) years of age shall expire five (5) days  
37 after the person's eighteenth birthday, except as otherwise provided in sub-  
38 section (3) of this section. Every identification card issued to a person  
39 eighteen (18) years of age but under twenty-one (21) years of age shall ex-  
40 pire five (5) days after the person's twenty-first birthday, except as oth-  
41 erwise provided in subsection (3) of this section.

42 Individuals required to register in compliance with section 3 of the  
43 federal military selective service act, 50 U.S.C. App. 451 et seq., as  
44 amended, shall be provided an opportunity to fulfill such registration re-  
45 quirements in conjunction with an application for an identification card.  
46 Any registration information so supplied shall be transmitted by the depart-  
47 ment to the selective service system.

48 (2) Every identification card, except those issued to persons under  
49 twenty-one (21) years of age, shall be renewable on or before its expiration,

1 but not more than twenty-five (25) months before, and upon application and  
2 payment of the required fee.

3 (3) Every identification card issued to a person who is not a citizen or  
4 permanent legal resident of the United States shall have an expiration date  
5 that is the same date as the end of lawful stay in the United States as indi-  
6 cated on documents issued and verified by the department of homeland secu-  
7 rity, provided however, that the expiration date shall not extend beyond the  
8 expiration date for the same category of identification card issued to citi-  
9 zens. Persons whose department of homeland security documents do not state  
10 an expiration date shall be issued an identification card with an expiration  
11 date of one (1) year from the date of issuance.

12 (4) When an identification card has been expired for less than twenty-  
13 five (25) months, the renewal of the identification card shall start from  
14 the original date of expiration regardless of the year in which the applica-  
15 tion for renewal is made. If the identification card is expired for more than  
16 twenty-five (25) months, the application shall expire, at the option of the  
17 applicant, on the applicant's birthday in the fourth year or the eighth year  
18 following reissuance of the identification card, except as otherwise pro-  
19 vided in subsection (3) of this section.

20 (5) (a) If an Idaho identification card has expired or will expire and  
21 the identification cardholder is temporarily out of state except on ac-  
22 tive military duty, the identification cardholder may request in writ-  
23 ing on a form prescribed by the department an extension of the identifi-  
24 cation card. The request shall be accompanied by the fee fixed in sec-  
25 tion 49-306, Idaho Code, and the extension shall be no more than a twelve  
26 (12) month period. If the department determines that an extension of  
27 the identification card is necessary, it may issue an identification  
28 card showing the date to which the expired identification card is ex-  
29 tended. Identification card extensions are limited to two (2) consecu-  
30 tive extensions per identification cardholder.

31 (b) Upon returning to the state of Idaho, the identification cardholder  
32 shall, within ten (10) days, apply for a renewal of the expired iden-  
33 tification card and surrender the extended identification card and the  
34 expired identification card.

35 (6) An Idaho identification card issued to any person prior to serving  
36 on active duty in the armed forces of the United States, or a member of the  
37 immediate family accompanying such a person, if valid and in full force and  
38 effect upon entering active duty, shall remain in full force and effect and  
39 shall, upon application, be extended for a period of four (4) years so long  
40 as active duty continues, and the identification card shall remain in full  
41 force and effect sixty (60) days following the date the cardholder is re-  
42 leased from active duty.

43 (7) An Idaho identification card issued to any person prior to becom-  
44 ing employed by the United States government and working in a foreign country  
45 or a member of the immediate family accompanying that person, if valid and  
46 in full force and effect upon employment, shall remain in full force and ef-  
47 fect and shall, upon application, be extended for a period of four (4) years  
48 so long as employment continues while working in a foreign country, or shall  
49 be renewed upon application in person if their Idaho identification card ex-  
50 pired while employed by the United States government, and the identification

1 card shall remain in full force and effect sixty (60) days following the date  
2 the cardholder is released from employment.

3 (8) A person possessing an identification card who desires to donate  
4 any or all organs or tissue in the event of death, and who has completed a  
5 document of gift pursuant to the provisions for donation of anatomical gifts  
6 as set forth in chapter 34, title 39, Idaho Code, may, at the option of the  
7 donor, indicate this desire on the identification card by the imprinting of  
8 the word "donor" on the identification card. The provisions of this subsec-  
9 tion shall apply to persons possessing an identification card who are six-  
10 teen (16) years of age or older but less than eighteen (18) years of age if  
11 the requirements provided in chapter 34, title 39, Idaho Code, have been com-  
12 plied with.

13 (89) A person possessing an identification card or an applicant for an  
14 identification card who is a person with a permanent disability may request  
15 that the notation "permanently disabled" be imprinted on the identification  
16 card, provided the person presents written certification from a licensed  
17 physician verifying that the person's stated impairment qualifies as a per-  
18 manent disability according to the provisions of section 49-117, Idaho Code.

19 (910) A person who is a veteran may request that his or her status as  
20 such be designated on an identification card at no additional cost. Any such  
21 request shall be accompanied by proof of being a current or former member of  
22 the United States armed forces. Upon request and submission of satisfactory  
23 proof, the department shall indicate such person's status as a veteran on any  
24 identification card issued pursuant to the provisions of this section. Such  
25 designation shall be made upon original issuance or renewal of an identifi-  
26 cation card. Designation shall also be made on any duplicate identification  
27 card issued, provided that the fee for such duplicate card is paid in accor-  
28 dance with this section.

29 Satisfactory proof of being a current or former member of the United  
30 States armed forces must be furnished by an applicant to the department be-  
31 fore a designation of veteran status will be indicated on any identification  
32 card. Acceptable proof shall be a copy of form DD214 or an equivalent docu-  
33 ment or statement from the department of veterans affairs that identifies a  
34 character of service upon separation as "honorable" or "general under hon-  
35 orable conditions."

36 (101) In the case of a name change, the applicant shall provide legal  
37 documentation to verify the change in accordance with department rules.

38 (112) Whenever any person, after applying for or receiving an identifi-  
39 cation card, shall move from the address shown on the application or on the  
40 identification card issued, that person shall, within thirty (30) days, no-  
41 tify the transportation department in writing of the old and new addresses.

42 (123) The department shall cancel any identification card upon deter-  
43 mining that the person was not entitled to the issuance of the identification  
44 card, or that the person failed to give the required and correct information  
45 in his application or committed fraud in making the application. Upon can-  
46 cellation, the person shall surrender the canceled identification card to  
47 the department.

48 (134) If any person shall fail to return to the department the identifi-  
49 cation card as required, the department may direct any peace officer to se-  
50 cure its possession and return the identification card to the department.

1           (145) The department may issue a no-fee identification card to an indi-  
2           vidual whose driver's license has been canceled and voluntarily surrendered  
3           as provided in section 49-322(5), Idaho Code. The identification card may be  
4           renewed at no cost to the applicant as long as the driver's license remains  
5           canceled.

6           (156) It is an infraction for any person to fail to notify the department  
7           of a change of address as required by the provisions of subsection (142) of  
8           this section.