

IN THE SENATE

SENATE BILL NO. 1216

BY TRANSPORTATION COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLE DRIVER'S LICENSES; AMENDING SECTION 49-303, IDAHO  
2 CODE, TO PROVIDE THAT A DRIVER'S LICENSE SHALL BE REVOKED OR CANCELED  
3 UNDER CERTAIN CIRCUMSTANCES AND TO MAKE A TECHNICAL CORRECTION; AND  
4 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
5

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

7 SECTION 1. That Section 49-303, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 49-303. WHICH PERSONS SHALL NOT BE LICENSED. The department shall not  
10 issue any driver's license, any instruction permit, privileges, or right to  
11 drive and, if issued, ~~may~~ shall revoke or cancel the driver's license of a  
12 person who:

13 (1) As an operator of a vehicle requiring a class D driver's license, is  
14 under the age of seventeen (17) years, except that the department may issue  
15 a driver's license to any person who has successfully completed an approved  
16 driver's training course, who has completed the requirements of a class D su-  
17 pervised instruction permit, and who is at least fifteen (15) years of age,  
18 with driving privileges restricted to daylight hours only pursuant to sec-  
19 tion 49-307(9), Idaho Code, and with full privileges at sixteen (16) years  
20 of age. If a person who is at least fifteen (15) years but is under seventeen  
21 (17) years of age has successfully completed an approved driver's training  
22 course and has been issued a driver's license in another state, he may be  
23 issued a class D driver's license in this state. Provided however, that a  
24 restricted school attendance driving permit may be issued to those persons  
25 meeting the criteria set forth in section 49-307A, Idaho Code.

26 (2) As an operator of a vehicle requiring a class D driver's license,  
27 is under the age of seventeen (17) years and has not successfully completed  
28 an approved driver's training course and has not satisfied the requirements  
29 of a class D supervised instruction permit. Provided however, that a re-  
30 stricted school attendance driving permit may be issued to those persons  
31 meeting the criteria set forth in section 49-307A, Idaho Code.

32 (3) As an operator of a commercial vehicle requiring a class A, B or C  
33 driver's license, is under the age of eighteen (18) years.

34 (4) Applicants with less than one (1) year of driving experience, as ev-  
35 idenced by a previous driver's license, shall not be issued a class A, B or C  
36 driver's license or a class A, B or C instruction permit.

37 (5) As a driver, has had his license, class D instruction permit, re-  
38 stricted school attendance driving permit, privileges or right to drive  
39 suspended for the duration of the suspension, nor to any person who has had  
40 his class D driver's training instruction permit or class D supervised in-  
41 struction permit canceled for the duration of the cancellation, nor to any  
42 person whose license has been revoked, suspended, canceled or disqualified

1 by this state or any other jurisdiction; provided however, where a driver's  
2 license has been revoked, suspended, canceled or disqualified in any other  
3 jurisdiction, and the driver has completed the period of revocation, suspen-  
4 sion, cancellation or disqualification as specified by the jurisdiction,  
5 that person may be granted a class D driver's license in this state if five  
6 (5) years have elapsed from the time of eligibility for reinstatement in  
7 the other jurisdiction, even though the driver has not fulfilled the re-  
8 quirements for reinstatement in the other jurisdiction. Notwithstanding  
9 the provisions of this section, a person who has had his noncommercial Idaho  
10 driver's license suspended may renew his driver's license as provided in  
11 section 49-319, Idaho Code, which renewal shall be subject to the suspen-  
12 sion.

13 (6) Has been adjudged by a court of competent jurisdiction to be a ha-  
14 bitual drunkard or addicted to the use of narcotic drugs and such order has  
15 been received by the department.

16 (7) Has been adjudged by a licensed physician or by a court of competent  
17 jurisdiction to be afflicted with or suffering from any mental incompetence  
18 that would affect the person's ability to safely operate a motor vehicle and  
19 who has not at the time of application been restored to competency by the  
20 methods provided by law and such order has been received by the department.

21 (8) Is required by the provisions of this chapter to take an examina-  
22 tion, unless that person shall have successfully passed such examination.

23 (9) May be required under any law of this state to furnish proof of fi-  
24 nancial responsibility and who has not furnished that proof.

25 (10) The department has good cause to believe that the operation of a mo-  
26 tor vehicle on the highways by that person would be harmful to public safety  
27 or welfare.

28 (11) Is disqualified for a class A, B or C driver's license, except he  
29 may be issued a class D driver's license.

30 (12) Is under eighteen (18) years of age, is not enrolled in school, and  
31 has not received a waiver pursuant to or has not satisfactorily completed  
32 school as provided in section 49-303A, Idaho Code.

33 (13) Is not a resident of the state of Idaho.

34 (14) Is not lawfully present in the United States.

35 SECTION 2. An emergency existing therefor, which emergency is hereby  
36 declared to exist, this act shall be in full force and effect on and after  
37 July 1, 2024.